



Cambridge City Council Housing Scrutiny Committee

Date: Wednesday, 16 January 2019

Time: 5.30 pm

Venue: Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

Contact: democratic.services@cambridge.gov.uk, tel:01223 457000

Second Circulation Agenda

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Housing Scrutiny Committee Members: Todd-Jones (Chair), Bird (Vice-Chair), Cantrill, Massey, McGerty, Payne, Sheil, Thittala, Agate, Best, Harris, Minns, Powell-Hardy and Johnson (Executive Councillor)

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HOUSING SCRUTINY COMMITTEE

27 September 2018

5.30 - 7.55 pm

Present: Councillors Todd-Jones (Chair), Cantrill, McGerty, Payne, Sheil, Thittala and O'Reilly

Executive Councillor for Housing: Councillor Johnson

Executive Councillor for Finance and Resource: Councillor Robertson

Tenant/Leaseholder Representatives: Lulu Agate, Diane Best, Kay Harris, Diana Minns (Vice Chair)

Officers:

Strategic Director: Suzanne Hemingway

Strategic Director: Fiona Bryant

Head of Housing: David Greening

Head of Housing Development Agency: Claire Flowers

Business Manager & Principal Accountant (Shared Housing Finance Team):
Julia Hovells

Housing Services Manager: Sandra Farmer

Housing Services Manager: James McWilliams

Committee Manager: Claire Tunnicliffe

FOR THE INFORMATION OF THE COUNCIL

18/32/HSC Apologies

The Chair welcomed Councillor Johnson, Executive Councillor for Housing to his first meeting of the Housing Scrutiny Committee. He also requested that the Committee's thanks be placed on record to Councillor Price, former Executive Councillor for Housing, for his hard work and commitment during his appointment.

Apologies were received from Councillors Bird and Massey, Mandy Powell-Hardy and Mark Tunstall. Councillor O'Reilly attended as an alternate for Councillor Massey.

The Committee **resolved** to write an expression of thanks to former tenant representative John Marris for his service on the Housing Scrutiny Committee and to congratulate him on his recent marriage.

18/33/HSC Declarations of Interest

Name	Item	Interest
Councillor Cantrill	18/40/HSC	Personal: Is a Trustee of Wintercomfort

18/34/HSC Minutes

The minutes of the meeting of 19 June were approved subject to the following amendment (additional text underlined and deleted text ~~struck through~~).

Page 10 of the minutes, page 14 of the agenda pack:

- i. Expressed concerns that homelessness duties could be discharged by offering applicant accommodation ~~many miles~~ up to fifty miles from Cambridge City away from their family or wider support networks.

18/35/HSC To Note Decision Taken by the Housing Scrutiny Committee**18/35/4a Co-Option Of Tenant Representative Committee Vacancy**

The Committee noted the decision.

18/36/HSC Public Questions

There were no public questions.

18/37/HSC Zero Tolerance Policy –Storage in Communal Areas

This item was Chaired by Diana Minns (Vice-Chair)

Matter for Decision

The report sought approval to replace the existing policy on storage on housing owned communal areas and to approve a zero tolerance policy for all blocks where Cambridge City Council was the freeholder of the building.

Decision of Executive Councilor for Housing

- i. Agreed to change the title of the Policy to ‘Storage in Communal Areas – Zero Tolerance Policy’.
- ii. Agreed to replace the existing ‘Policy on Storage on Housing Owned Communal Areas’ as shown in appendix 2 of the officer’s report.
- iii. Approved a Zero Tolerance Policy to be applied to all flat blocks in Cambridge where Cambridge City Council was the freeholder of the

building as shown in appendix 3 of the officer's report.

- iv. Agreed to support officers of the council in enforcing the policy and ensuring fire safety procedures were implemented.
- v. Approved the amendment of the Tenancy Conditions as required reflecting the Zero Tolerance Policy.

Reason for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Housing Services Manager. The purpose of the replacement policy (following a review of fire safety as a result of the Grenfell Tower fire) was to ensure a clear, consistent approach to prevent the storage of any items in the communal areas to reduce risks and improve the overall appearance of the internal communal areas of Cambridge City Council's owned flats.

In response to the Committee's comments the Housing Services Manager and Strategic Director said the following:

- i. Could not advise of cost implications for the implementation of the new policy but would be closely monitored.
- ii. It would be possible to determine if additional space such as the installation of bike racks or communal storage was required as the risk assessments were undertaken. These proposals for improvements would then be brought forward as part of the budget proposals for estate improvements.
- iii. Officers were currently undertaking surveys of the estates to identify and prioritise what work was required to enhance and develop the tenant blocks and estates. This work would link to the same budget proposals.
- iv. It was not possible to advise when these projects would be concluded for the Committee's consideration.
- v. Risk assessments in the north of the city had started, with an outcome of 700 actions to remove items or for residents to take items back into their properties; some of those actions had been completed.
- vi. Work continued to be carried out with residents to explain why the policy needed to be applied. It was all about engagement to ensure the policy would be adhered to.
- vii. An article to inform residents of the adoption of the new policy would be published in the October edition of 'Open Door' magazine. The policy

had also been referenced in previous editions to give residents advanced warning.

- viii. Acknowledged that residents wanted to make enhancements to either outside their front doors and / or communal areas with the addition of such things as plants, flowers and rugs; but individual risk assessments would be undertaken on all properties and those items which were deemed causing a hazard would be removed.
- ix. Noted the suggestion of identifying communal outdoor spaces / gardens as part of the consultation process.
- x. Had not looked at the policies of other local authorities.
- xi. The policy had been produced with Cambridgeshire Fire and Rescue Service officers who had a local knowledge of the buildings and the possible risks.
- xii. Reiterated that the policy was about fire safety. If items were deemed to cause a trip hazard and / or a fire risk these would be removed.
- xiii. Regular fire safety inspections of the communal areas were undertaken as the Council had a legal responsibility to maintain a safe environment for tenants and leaseholders. The policy was therefore part of a wider fire safety process.
- xiv. In adopting the policy, officers would work with all residents to complete the risk assessment and determine alternative locations for those items which were causing an obstruction.

The Executive Councillor concluded the policy had been drafted in consultation with tenants and leaseholders with input from the fire services. It was a zero tolerance policy against the risk to fire safety. Officers would work with local residents to determine alternate solutions to personalise their communal spaces and budget proposals would be brought forward when determined for future consideration.

The Committee:

Diane Minns proposed that the title of the report should be changed to the following 'Storage in Communal Areas – Zero Tolerance Policy'.

This amendment was **carried 8 votes to 0**.

The Committee **resolved 8 votes to 0 to endorse the recommendations**.

The Executive Councillor for Housing approved the recommendations.

18/38/HSC Review of Shared Ownership Housing at Virido, Clay Farm

This item was Chaired by Diana Minns (Vice-Chair)

Matter for Decision

The report sought approval to re-market the shared ownership housing using new valuations and a different marketing agent, exploring creating a show flat and reducing the level of rent which the City Council would charge for the unsold equity.

Decision of Executive Councilor for Housing

- i. Approved that the rent to be charged on the unsold equity (the proportion of the dwelling retained by the Housing Revenue Account) be reduced from 2.75% to 2.25% for all units at Virido, Clay Farm.
- ii. Noted the decision by officers to re-market the unsold shared ownership homes at Virido, Clay Farm using the latest market valuations for the shares to be sold, employing a new agent to market and sell the homes and using a show flat or open day, as advised by the successful sales agent.
- iii. Approved that if after 3 months of active re-marketing, homes were still not selling; delegated authority was given to the Strategic Director in consultation with the Executive Councillor for Housing, to explore, and if appropriate, convert the homes to affordable rented accommodation.

Reason for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Principal Accountant. The report referred to the need to re-market the shared ownership housing using the new valuations, using a different marketing agent, exploring creating a show flat and holding an open day and also reducing the level of rent which we would charge for the unsold equity.

Councillor Cantrill informed the Committee that he welcomed the concept of price adjustment. It had been recognised that along with the need of social

housing there was a need for key workers who worked in the city to purchase property. He suggested that the exploration to convert the homes to affordable rented accommodation should begin alongside marketing the homes for sale.

The Executive Councillor confirmed that exploratory work would begin in parallel with the marketing of the properties to avoid them being voids.

The Committee **resolved unanimously to endorse the recommendations.**

The Executive Councillor for Housing approved the recommendations.

18/39/HSC Housing Revenue Account (HRA) Medium Term Financial Strategy

Recommendation (part 1) was chaired by Diana Minns (Vice Chair /Tenant Representative) and recommendation (part 2) was chaired by Councillor Todd-Jones

Matter for Decision

The Housing Revenue Account (HRA) Medium Term Financial Strategy (MTFS) provided an opportunity to review the assumptions incorporated as part of the longer-term financial planning process, recommending any changes in response to new legislative requirements, variations in external economic factors and amendments to service delivery methods, allowing incorporation into budgets and financial forecasts at the earliest opportunity.

Decision of Executive Councillor for Housing (part 1)

- i. Approved the Housing Revenue Account Medium Term Financial Strategy attached, to include all proposals for change in:
 - Financial assumptions as detailed in Appendix B of the officer's report.
 - 2018/19 revenue budgets and future year forecasts as introduced in Section 5, resulting from changes in financial assumptions and the financial consequences of change and the need to respond to unavoidable pressures, as introduced in Section 5, detailed in Appendix D of the document and summarised in Appendices G (1) and G (2).
 - The level of fees charged to new build schemes by the Housing Development Agency, as detailed in Section 7 of the Housing Revenue Account Medium Term Financial Strategy.
- ii. Approved that delegated authority be given to the Strategic Director to be in a position to confirm that the authority can annually renew its

investment partner status with Homes England.

Decision of Executive Councillor for Housing (part 2)

- iii. Approved proposals for changes in existing housing capital budgets, as introduced in Sections 6 and 7 and detailed in Appendix E of the document, with the resulting position summarised in Appendix H, for decision at Council on 18th October 2018.

Reason for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from Principal Accountant.

In response to the Committee's comments the Principal Accountant and Strategic Director said the following:

- i. Comments from the Committee on the Government's Housing Green Paper should be sent to the Housing Services Manager. A draft response would then be circulated to the Chair, Vice Chair and Opposition Spokes. Members of the Committee would be sent a copy of the final response when it had been sent to Government.
- ii. Money could be taken from the strategic expenditure fund for work on the Storage in Communal Areas – Zero Tolerance Policy. This could occur if savings were identified in other areas and officers brought forward bids to carry out work on this project as part of the budget setting process in January 2019. The five year Strategic Investment Fund and Savings Fund would also allow officers to put forward proposals for funding if required as the project continued.
- iii. An additional £100,000 had been included in the MTFS to advance with the back log of work which had resulted from the stock condition survey.
- iv. Due to staffing issues the stock condition data was not as up to date as it should be on the Council's financial management system. The recommendation for additional resource would resolve the issue if approved by the Committee.
- v. The demolition to disposal reported in the previous year (2017/18) mainly related to the demolition of the flats and bungalows at Anstey Way. The new build programme on this site would double the properties that had been pulled down.

- vi. Recruitment had been undertaken to all posts which had been created as part of the restructure for Housing Services / City Homes. The budget allowed for 97% of the total salary bill recognising there would always be a natural turnover of staff.
- vii. There would be a small underspend concerning staffing costs in Maintenance and Assets with a number of vacant posts covered by interim and agency staff; the new Head of Service would start in October while the Operation Managers post was being covered on an interim basis. The market was very competitive due to the upturn of residential and construction build in Cambridge and the surrounding areas.
- viii. There could be a possible underspend in programme delivery due to the shortage of Surveyors in Maintenance and Assets. Recruitment in this area was proving difficult but was being covered by agency staff.
- ix. Was aware of the comments made by the Mayor of Cambridgeshire and Peterborough Combined Authority that it was possible to build a house of for £100,000 on land that they owned.
- x. Independent consultancy advice was being carried out to review the cost that the Council were paying for staff and services.
- xi. A range of measures were in place internally and externally to deal with the impact of Universal Credit internally and externally. Advisors from Citizens Advice Bureau funded by the Council would be present at Job Centre Plus, as would Revenue and Benefit Officers. Resource for an additional Financial Inclusion Officer in the City Homes Team was also in place.

Councillor Cantrill put forward the following questions to the Executive Councillor for Housing (highlighted in bold).

When elected the Mayor of Cambridgeshire and Peterborough Combined Authority stated he would not go back to Government and request extra finances. But he has made a request to the Treasury last week. Would the Executive Councillor for Housing request a proportion of this funding to be spent on Cambridge; with the Authority receiving £100,000,000 to be spent outside of the City, there is an urgent need for money to be spent in Cambridge?

The approach taken by the Combined Authority seemed to concentrate on funding mechanisms, not where housing was most needed and solutions on how this could be provided; particularly in Cambridge and South Cambridgeshire where there was a greater need. It did not also address the problems that Housing Associations faced and how their housing stock could be increased.

The Chancellor stated in the last Budget he was prepared to allow certain authorities to raise their borrowing cap to undertake new house building. To what extent has the Council made advances to Government to increase the borrowing cap to address the housing needs to in city?

The issue had been raised with Government Ministers on several occasions, particularly during the devolution discussions about the need to review and revise the borrowing cap. It was disappointing the Green Paper had not addressed this issue as it was important that Councils had the freedom of flexibility in managing their Housing Revenue Account. It was a matter the Council would continue to lobby Central Government to change their approach.

The Committee resolved **by 8 votes to 0 to endorse the recommendations (i to ii)** in the officer's report.

The next vote was taken after Item 14 of the agenda

The Committee **resolved unanimously to endorse the recommendation (iii)** in the officer's report.

The Executive Councillor approved the recommendations.

18/40/HSC Homelessness Prevention Grants to Agencies

This item was chaired by Councillor Mike Todd-Jones

Matter for Decision

The report sought approval for the programme of grant funding to organisations providing homelessness prevention services for 2019/20.

Decision of Executive Councilor for Housing

- i. Agreed, subject to any changes that may be made as part of the budget setting process and the formal adoption of the 2019/20 budget by Council, the proposed grant funding allocations as outlined in appendix1 of the Officer's report.
- ii. Agreed to delegated authority for the Head of Housing, in consultation with the Executive Councillor for Housing, to use the unallocated portion of the grant to support ad-hoc in-year awards to projects or other

activities meeting the purposes listed in the Homelessness Strategy Action Plan.

- iii. Agreed to delegated authority for the Head of Housing, in consultation with the Executive Councillor for Housing, to reallocate funds in the event that an organisation is unable to deliver the service.

Reason for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Housing Service Manager. The report referred to the programme of grant funding to organisations providing homelessness prevention services.

In response to comments from the Committee, the Housing Service Manager said the following:

- i. Cambridge Woman's Aid had not received the full amount of funding as their financial status was deemed healthy. Also increased homelessness prevention advice was being carried out by the Council as a result of the Homelessness Reduction Act.
- ii. Confirmed that all organisations were advised of the funding that the Executive Councillor was minded to make before being presented for scrutiny at Committee.
- iii. Hope into Action worked with those individuals who had been living on the streets for a long period of time and were resistant to help. The approach was to deal with their personal difficulties and the impact on their behaviour.

The Committee **unanimously resolved to endorse the recommendations.**

The Executive Councillor for Housing approved the recommendations.

18/41/HSC Update on the Programme to Build New Council Homes Funded through the Combined Authority

This item was Chaired by Councillor Mike Todd-Jones

Matter for Decision

This report provided an update on the programme to deliver 500 Council homes by March 2022 with funding from the Combined Authority.

Decision of Executive Councilor for Housing

- i. Noted the overall progress on the Combined Authority programme to deliver 500 Council rented homes.
- ii. Noted the overall Cambridge Investment Partnership Programme.
- iii. Approved subject to specific project approvals) the addition of the following sites to the Councils rolling development programme to contribute to the 500 Council home delivery: Clerk Maxwell Road, Campkin Road, Ditchburn Place Day Centre, Cromwell Road and Mill Road phase 2.
- iv. Noted the risk plan for the delivery of the affordable housing programme.
- v. Noted the reporting arrangements with the Combined Authority.

Reason for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a progress report from the Head of the Housing Development Agency on the delivery of 500 Council homes by March 2022; with further named projects added to the rolling delivery programme, each of which would be individually brought to the appropriate Council committee as they moved forward.

In response to Members questions the Head of the Housing Development Agency, the Principal Accountant and the Executive Councillor for Housing said the following:

- i. The report had identified a total build of 497 homes. There were a number of sites that had not yet been publicised due to ongoing feasibility studies and was confident the target would be met.
- ii. The term 'potential sites' referenced in the report were actual schemes which were currently being worked on. Further details would be brought forward to future meetings.
- iii. Confirmed that work would start on site next week at Anstey Way.
- iv. Demolition work had begun on Mill Road; the scheme would not be completed for approximately two years.

- v. The Council would not pay the full amount for the housing being built on Cromwell Road. This would be discounted as it was HRA land which the Council had put in at the beginning. This arrangement with CIP was to ensure that 'right to buy receipts' could be spent.
- vi. The value of the land went into the building project which would then be repaid out of the revenue costs that were gained from the market sales of that site. All monetary contributions made by the Council would have interest attached but as the costs were repaid this would be a neutral cost.
- vii. Officers would bring an update of the delivery of 500 councils to Committee for scrutiny. If officers felt that the target could not be met this would be brought to the Committee's attention following due process.

The Committee **unanimously resolved to endorse the recommendations.**

The Executive Councillor for Housing approved the recommendations.

18/42/HSC Redevelopment of 66-80b Colville Road Phase 2

This item had been withdrawn from the agenda.

18/43/HSC Conversion of Ditchburn Day Centre

This item was Chaired by Councillor Mike Todd-Jones

Matter for Decision

The report sought approval for the conversion of Ditchburn Place day centre into 2No. one bedroom self-contained sheltered accommodation flats. The 2 units would be in addition to the current 51 unit refurbishment of Ditchburn Place. The report also requested approval for a capital budget for the HRA and Devolution grant expenditure covering costs for their conversion.

Decision of Executive Councilor for Housing

- i. Approved inclusion of a capital budget of £125,000 to meet the land acquisition costs, recognising the transaction was carried out under delegated authority earlier in 2018/19.
- ii. Approved the indicative capital budget for the conversion of £207,000 to cover all of the construction costs, professional fees and associated fees to deliver the extra units.

- iii. Approved the addition of the works to create the 2 units to the existing build contract with Cocksedge Building Contractors Ltd. This contractor was currently on site working on the larger refurbishment scheme.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Development Manager, Housing Development Agency.

The Committee **unanimously resolved to endorse the recommendations.**

The Executive Councillor for Housing approved the recommendations.

18/44/HSC Cromwell Road Project Update

This item was Chaired by Councillor Mike Todd-Jones

Matter for Decision

The report sought approval to provide additional social housing to meet the housing needs in Cambridge and replace social housing lost through Right to Buy. This included replacing existing council social housing that no longer met current standards or was becoming less popular with residents due to factors relating to space and the impact of fuel poverty. Building new house types will better meet the overall mix of future affordable housing needs and improve the energy efficiency of the Council's housing stock.

Decision of Executive Councillor for Housing

- i. Noted the update on the purchase of the land at Cromwell Road.
- ii. Noted the addition of the land at Cromwell Road as a development site in the Housing Investment Programme as proposed in the Officer's report on the programme presented to this committee.
- iii. Approved the Strategic Development Brief for Housing Development and Delivery on the site. The land would be developed in accordance with CIP's strategic development brief for the site, the Council's strategic and corporate objectives and with the output from the public consultation and

pre application planning process. The land would be transferred to CIP for development by appropriate lease in line with the development land transfer model approved by Executive Cllr following Strategy and Resources Scrutiny Committee in October 2017.

- iv. Noted the requirements in the S106 Agreement and set out in section 4.10 of the officer's report which was approved as part of the Outline Planning Approval for the site relating to Early Years provision; and also noted CIPs intention to explore providing a flexible nursery space which could also be used for community purposes.
- v. Approved CIPs intention to submit a new planning application in relation to the site.

The Executive Councillor for Housing and the Executive Councillor for Finance and Resources:

- i. Approved the indicative proposed investment plan for Cromwell Road outlined in confidential Appendix 3, with the high level commitments associated with the General Fund and HRA. The investment plan would be refined in line with final project plans post planning permission determination and approval by the CIP Board, with the Council's funding built in to the relevant Budget Setting Report.

Reason for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Strategic Director

In response to Members questions the Strategic Director said the following:

- i. The Council had followed the Community Centre Strategy which laid out the requirements for community centre facilities in the city and how support should be prioritised,
- ii. In the area of Romsey and Petersfield the Council were working to support community facilities through S106 funding and other appropriate funding streams.
- iii. The location of the community facility at Mill Road had been on the recommendation the Communities Team, which was to have a larger

- facility that could be shared by both the Mill Road and Cromwell Road development.
- iv. Listened to the views of those residents who had expressed their concerns and proposals were being explored for additional space on the site as part of the early year's provision.
 - v. Space had been allocated for the Chisholm Trail to run through both the Mill Road and Cromwell Road development.
 - vi. A series of discussions had taken place with County Council to discuss the possibility of the two sites to be connected by either a tunnel (too expensive) or a bridge. The initial bridge design expanded 140 metres into the Mill Road development and would have taken out 50 units.
 - vii. A further proposal had been brought forward for a bridge to end in Hooper Street and on the other side the Network Rail site. Further engineering studies had shown the cost would be very expensive and the County Council had determined that a bridge would not be possible.
 - viii. Reiterated that the report had set out the level of need for community facilities based on the evidence that had been supplied.
 - ix. Believed that the one community facility would have the potential to bring together the two communities.
 - x. Would continue to listen to opinions on both developments.

The Executive Councillor for Housing said that all views would be taken into account and there was a planning process to be followed. However there was policy and process on community facilities which went through the Council last year.

The Committee **unanimously resolved to endorse the recommendations.**

The Executive Councillor for Housing and the Executive Councillor for Finance and Resources approved the recommendations.

18/45/HSC Strategic Development of Mill Road Depot Site

This item was Chaired by Councillor Mike Todd-Jones

Matter for Decision

The report sought approval to provide additional social housing to meet housing needs in Cambridge and replace social housing lost through Right to Buy. Replace existing council social housing that no longer meet current standards or was becoming less popular with residents due to factors relating to space and the impact of fuel poverty. Build new house types that would better meet the overall mix of future Affordable Housing needs and improve the energy efficiency of the Council's housing stock.

Decision of Executive Councilor for Housing

- i. Noted the updated Phase 1 development which will be delivered at the back of the site as shown on the plan in Appendix 1 of the Officer's report.
- ii. Approved the strategic brief for the front part of the site following the withdrawal of YMCA Trinity Group. Development of this land will form Phase 2 of the development and will primarily be a housing development with the affordable units contributing to the Devolution Programme target. Phase 2 would also deliver the in perpetuity council owned community facility, delivery of which will be funded through S106 contributions.
- iii. Approved the proposal for a second planning application for the front of the site. The development proposal on which the planning application will be based will meet the strategic brief outlined in paragraph 4.8 and the Council's strategic and corporate objectives for the site. It would be informed by the output from the public consultation and pre-application planning process. Submission of the final planning application to be delegated for approval by Board and Strategic Director and the Cambridge Investment Partnership (CIP) Board.
- iv. Approved to delegate authority for agreement of the final mix of affordable housing to the Strategic Directors in consultation with the Executive Councillor for Housing. Note that the scheme is still indicative and authorise the Strategic Directors in consultation with the Executive Councillor to approve variations to the scheme including the number of units and mix of property types and sizes outlined in this report in line with Council strategic objectives and housing requirements.

Decision of the Executive Councillor for Finance and Resources

- i. Approve the indicative proposed investment plan for Phase 2 of the development as outlined in confidential Appendix 4 of the Officer's report with the high level commitments associated with the General Fund and HRA. The investment plan would be refined in line with final project plans post planning permission determination and approval by the CIP Board, with the Council's funding built in to the relevant Budget Setting Report.

Reason for the Decision

As set out in the officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Strategic Director which referred to the transfer of the land known as Mill Road Depot to CIP for redevelopment; in December 2017 the land was transferred to CIP.

In response to Member's questions the Strategic Director and Executive Councillor for Housing said the following:

- i. Agreed it was unfortunate the YMCA Trinity had been withdrawn from the development.
- ii. A significant number of viability assessments had been undertaken and believed the plans for both phase 1 and 2 was the best approach for the development.
- iii. Phase 2 would allow the Council to deliver an additional 20 council houses on the site which was a welcome contribution.
- iv. The site had been developed in line with the sustainable housing guide, as were all Council build programmes.
- v. There were a number of factors that contributed to the cost of development of affordable housing on site and why the Council choose to maintain 50% of affordable housing on site:
 - For the scheme to be viable and to be deliverable, subsidies from the sale of private housing were needed to contribute to affordable housing
 - The higher the number of affordable housing the bigger the impact on the funding available.
 - When clustering high levels of affordable housing on site, there was a need to consider whether it could be supported from a community and sociable point of view to have increased levels of affordable housing in one place, such as at the front of the site.
 - To increase the number of council homes would unfortunately decrease the value of the individual market units. It was not simply a case of requiring additional funding to increase the number of council houses. An additional increase would decrease the income gained from the sale of the private houses, thus losing income.
- vi. Many developments in the City had less than 40% affordable housing on site, therefore 50% was an achievement the Council should be proud of.
- vii. The Council planned to purchase 20 of the market units for sub market rent; the level of rent had not yet been agreed.
- viii. Phase 2 would deliver in perpetuity council owned community facility which would be at the front of the site.
- ix. It had been proposed to have one larger community facility shared by the Cromwell Road and Mill Road development, located in the centre of the two, within a 15 minute walk.

- x. Possible community space available in the evenings for community activity on the Cromwell Road development.

The Committee **unanimously resolved to endorse the recommendations.**

The Executive Councillor for Housing and the Executive Councillor for Finance and Resources approved the recommendations.

The meeting ended at 7.55 pm

CHAIR

Item

LIBERAL DEMOCRAT AMENDMENT TO : 2019/20 HOUSING REVENUE ACCOUNT BUDGET SETTING REPORT

To:

Councillor Richard Johnson, Executive Councillor for Housing

Report by:

Julia Hovells, Principal Accountant

Tel: 01954 - 713071

Email: julia.hovells@cambridge.gov.uk

Wards affected:

Abbey, Arbury, Castle, Cherry Hinton, Coleridge, East Chesterton, King's Hedges, Market, Newnham, Petersfield, Queen Edith's, Romsey, Trumpington, West Chesterton

Key Decision

1. Executive Summary

- 1.1 This report sets out amendments proposed by the Liberal Democrat Group to the Housing Revenue Account Budget Setting Report 2019/20, presented to Housing Scrutiny on 16 January 2019 for decision in respect of the revenue aspects of the report by the Executive Councillor for Housing, and consideration of the capital aspects, prior to recommendation to Council on 21 February 2019.
- 1.2 The appendices to this report incorporate the Liberal Democrat Group budget proposals in relation to specific revenue and capital budget items for the HRA, with the resulting financial implications as follows:
 - a) To include additional revenue expenditure from 2019/20 onwards
 - b) To include additional revenue savings from 2019/20 onwards
 - c) To reduce the level of rent income, and associated costs, in line with proposals made as part of this alternative budget

- d) To incorporate the resulting revenue and capital borrowing impact of these changes on the HRA as a whole.

The proposals are presented as amendments to the published HRA Budget Setting Report, with the changes identified in ***bold italics***. In most cases the sub-section or appendix has been re-stated for ease of reference.

1.3 The Liberal Democrat Group states that its budget amendment addresses the following key areas:

- The difference in rent for family homes of 3 bedrooms or more between the Local Housing Allowance 'Cambridge Rent' and Local Authority rent restructured target rent for all homes built as part of the Council's Devolution Programme. The introduction of Local Authority rent restructured target rents for all 3 and 4 bedroom properties being built as part of the 500 new council homes will materially benefit larger family households on low incomes. This amendment assumes that the estimated 75 three bedroom homes that are built as part of the programme (both new and re-provided homes on the devolution sites) are subsequently let at rent restructured target rents.
- The proposal is made to increase the saving (£4229) identified in the Labour Groups' HRA Budget for a reduction of £32,800 in respect of Housing Transformation Funding, to instead be a reduction of £142,800 in 2019/20, £132,800 in 2020/21, £112,800 in 2021/22 and £72,800 from 2022/23, leaving an ongoing budget of £80,000 per annum from 2022/23 to continue to transform the service in the medium / long-term.
- Many tenants in the councils housing stock will be impacted by the roll out of Universal Credit. Experience of the pilot schemes across the county suggests that there is an initial impact on households of the move to payment of benefit entitlement in arrears. A proposal is made to create a discretionary grant fund within the HRA (£15,000 in 2019/20, £30,000 in 2020/21 and £25,000 from 2021/22) to allow small grant payments to be made to households in financial difficulties, who are materially impacted by this change to assist in the payment of their council house rent.
- Following approval of the Zero Tolerance Policy for Storage in Communal Areas, it is proposed that a one-off revenue bid of

£50,000 is included to allow the Council to provide a fire resistant door mat and planter / plant pot to any council tenant household impacted by the policy who wishes to personalise the space outside of their home, whilst still ensuring fire safety regulations are adhered to.

- The Council has a detailed new build programme which spans the next 3 years, and funding of £10 million per annum after this to continue to build new homes. A proposal is included for a revenue bid to employ a 3 year fixed term Development Officer to specifically focus on bringing forward the next phase of new build after the end of the Devolution Programme. The officer would not only focus on this, but also how the Council could work with developer's on existing and future sites in the city and how the new build programme could be significantly increased, to deliver up to 1,000 new homes by 2030, once work has been undertaken by officers to fully explore the new borrowing opportunities and the sale of higher value voids levy has been repealed.
- A proposal to include a bid for a 1 year fixed term post to develop the concept of Housing First is also included. The post would be employed for one year from October 2019, to ensure that they are able to focus initially on the Housing First opportunities on the Buchan Street site.

1.4 The resulting recommendations refer to the strategy outlined in the HRA Budget Setting Report, as amended by this Liberal Democrat Amendment.

2. Recommendations

Changes to recommendations in the original report are highlighted in ***bold italics***. All of the recommendations have been re-stated in full for clarity.

Under Part 1 of the agenda, the Executive Councillor, is recommended, following scrutiny and debate at Housing Scrutiny Committee, to:

Review of Rents and Charges

- a) Approve that council dwellings rents for all social rented properties be reduced by 1%, in line with legislative requirements, introduced as part of the Welfare Reform and Work Act, with effect from 1 April 2019. This

equates to an average rent reduction at the time of writing this report of £0.99 per week on a 52 week basis.

- b) Approve that affordable rents are reviewed in line with rent legislation, to ensure that the rents charged are no more than 80% of market rent, with this figure then reduced by the 1% per annum, as with social housing. Local policy is to cap affordable rents (inclusive of all service charges) at the Local Housing Allowance level, which will result in rent variations in line with any changes notified to the authority in this level.
- bii) Approve that rents for all 3 or 4 bedroom new build homes, built as part of the programme utilising devolution funding, or re-provided on devolution funded sites, are let at target rent restructured rent levels as opposed to Local Housing Allowance levels, with a resulting amendment to the HRA Rent Setting Policy to be made.**
- c) Approve that rents for shared ownership are reviewed and amended from April 2019, in line with the specific requirements within the lease for each property.
- d) Approve that garage and parking space charges for 2019/20, are increased in line with inflation at 2.2%, with resulting charges as summarised in Section 3 of the HRA Budget Setting Report
- e) Approve the proposed service charges for Housing Revenue Account services and facilities, as shown in Appendix B of the HRA Budget Setting Report.
- f) Approve the proposed leasehold administration charges for 2019/20, as detailed in Appendix B of the HRA Budget Setting Report.
- g) Approve that caretaking, building cleaning, estate services, grounds maintenance, temporary housing premises and utilities, sheltered scheme premises and utilities, digital television aerial, flat cleaning, third party management and catering charges continue to be recovered at full cost, as detailed in Appendix B of the HRA Budget Setting Report, recognising that local authorities should endeavour to limit increases to inflation as measured by CPI at September 2018 (2.4%) plus 1%, wherever possible.
- h) Approve that service charges for gas maintenance, door entry systems, lifts and electrical and mechanical maintenance are increased in an

attempt recover full estimated costs, as detailed in Appendix B of the HRA Budget Setting Report, recognising that local authorities should endeavour to limit increases to inflation as measured by CPI at September 2018 (2.4%) plus 1%, equivalent to an increase of 3.4% in total, wherever possible.

Revenue – HRA

Revised Budget 2018/19:

- i) Approve with any amendments, the Revised Budget identified in Section 4 and Appendix D (1) of the HRA Budget Setting Report, which reflects a net increase in the use of HRA reserves for 2018/19 of £300,670.

Budget 2019/20:

- j) ***Approve with any amendments, any Non-Cash Limit items identified in Section 4 of the HRA Budget Setting Report or shown in Appendix D (2) of the HRA Budget Setting Report.***
- k) ***Approve with any amendments, any Savings, Increased Income, Unavoidable Revenue Pressures and Reduced Income proposals, as shown in Appendix D (2) of the HRA Budget Setting Report.***
- l) ***Approve the resulting Housing Revenue Account revenue budget as summarised in the Housing Revenue Account Summary Forecast 2018/19 to 2023/24 shown in Appendix J of the HRA Budget Setting Report.***

Under Part 2 of the agenda, the Executive Councillor for Housing is asked to recommend to Council (following scrutiny and debate at Housing Scrutiny Committee):

Treasury Management

- m) Recognise the decision to defer the review of the current approach to treasury management, which requires 25% of the value of the housing debt to be set-aside by the point at which the loan portfolio matures until after it is formally confirmed that the legislation allowing the introduction of a levy in respect of the sale of higher value voids will be repealed.

Housing Capital

- n) Approval of capital bids, shown in Appendix D (3) of the HRA Budget Setting Report, to include the replacement of the lifts at Ditchburn Place whilst other major refurbishment work is underway.
- o) Approval of the latest Decent Homes Programme, to include any updated allocation and timing of decent homes expenditure for new build dwellings, as detailed in Appendix E of the HRA Budget Setting Report.
- p) Approval of the latest budget sums, profiling and associated financing for all new build schemes, including new scheme specific approvals for Colville Road, Meadows and Buchan Street and Clerk Maxwell Road, based upon the latest cost information from the Cambridge Investment Partnership (CIP) or direct procurements, as detailed in Appendices E and H, and summarised in Appendix K, of the HRA Budget Setting Report.
- q) Approval of re-phasing of budget for the last phase of refurbishment at Ditchburn Place from 2018/19 into 2019/20, as detailed in Appendix E, and summarised in Appendix K, of the HRA Budget Setting Report.
- r) Approval of the revised Housing Capital Investment Plan as shown in Appendix K of the HRA Budget Setting Report.

General

- s) Approval of delegation to the Head of Finance, as Section 151 Officer, to approve an in year increase or decrease in the budget for disabled facilities grants, in direct relation to any increase or decrease in the capital grant funding for this purpose, as received from the County Council through the Better Care Fund.
- t) Approval of delegation to the Strategic Director to review and amend the level of fees charged by the Shared Home Improvement Agency for disabled facilities grants and repair assistance grants, in line with any decisions s made by the Shared Home Improvement Agency Board.
- u) Approval of delegation to the Strategic Director, in consultation with the Head of Finance, as Section 151 Officer, to draw down resource from the ear-marked reserve for potential debt redemption or re-investment,

for the purpose of open market property acquisition or new build housing development, should the need arise, in order to meet quarterly deadlines for the use of retained right to buy receipts.

- v) Approval of delegation to the Strategic Director, following formal consultation with tenants, to make a decision in respect of the number of rent weeks over which the annual rent is charged for council tenants, and implement any change in policy accordingly.

4. Implications

All budget proposals have a number of implications. A decision not to approve a revenue bid will impact on managers' ability to deliver the service or scheme in question and could have staffing, equal opportunities, environmental and / or community safety implications. A decision not to approve a capital or external bid will impact on managers' ability to deliver the developments desired in the service areas.

(a) Financial Implications

The financial implications associated with decisions are outlined in the HRA Budget Setting Report 2019/20, appended to this report, for consideration by both Housing Scrutiny Committee and Council.

(b) Staffing Implications

Any direct staffing implications are summarised in the HRA Budget Setting Report 2019/20, appended to this report.

(c) Equality and Poverty Implications

An Equalities Impact Assessment has been undertaken in respect of new budget proposals where any impact (positive or negative) is anticipated. The consolidated assessment is presented at Appendix L of the HRA Budget Setting Report.

(d) Environmental Implications

Where relevant, officers have considered the environmental impact of budget proposals, with any impact highlighted in the HRA Budget Setting Report 2019/20, appended to this report.

(e) Procurement Implications

Any procurement implications arising directly from revenue or capital bids will be considered and addressed as part of each individual project.

(f) Consultation and Communication

Consultation with tenant and leaseholder representatives is an integral part of the Housing Scrutiny Committee process. The views of tenants and leaseholders, in respect of investment priorities, were sought as part of the last STAR tenants and leaseholder survey and subsequent consultation activity, and the findings continue to inform investment priorities, and therefore, this budget process.

(g) Community Safety

Any community safety implications are outlined in the HRA Budget Setting Report 2019/20, appended to this report.

6. Background papers

Background papers used in the preparation of this report:

Housing Revenue Account Budget Setting Report 2018/19

Housing Revenue Account Medium Term Financial Strategy 2018/19

7. Appendices

The Housing Revenue Account Budget Setting Report 2019/20 is appended to this report.

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Julia Hovells, Principal Accountant

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Alternative Budget
Version
(Re-Stated and
Amended Text
Only)

Housing Revenue Account Budget Setting Report 2019/20

Section 1

Introduction

Foreword by the Opposition Spokesperson for Housing

The housing market in Cambridge is broken. People continue to struggle to afford to live in Cambridge or even the surrounding area. This position has a major impact on those residents in most need of housing. The number of households on the Housing Needs Register of over 2,450 reflects this. The introduction of Universal Credit is a further negative component in this mix and is likely to have a big effect on existing and new council tenants.

The Liberal Democrat amendment in last year's Housing Revenue Account budget brought forward proposals to start to address these problems. The Housing Scrutiny Committee voted to support the amendment, but the Labour ruling group refused to adopt the proposals. It is therefore good to see that a number of our proposals relating to the much needed support for tenants transferring to Universal Credit and undertaking investment in community areas across the council housing sites have now been adopted in the ruling group's 2019/20 Housing Revenue Account budget proposals.

The Liberal Democrat amendment to the Housing Revenue Account Budget this year looks to build on our proposals from last year. It again reflects the views expressed by

residents across the city regarding the Council's approach to the provision of council housing and the support that it provides to its council tenants. Our proposals comprise:

'Our Cambridge 2030 – Housing for All' - Putting in place the medium/long term HRA council house building vision

The council is a key provider of social housing in Cambridge. Residents are looking to politicians to set out a bold vision that tackles the continued shortage of council housing. The proposed change in legislation allowing local authority housing revenue accounts to borrow, provides a big opportunity to set out a medium term vision for new council house building and also the replacement/ or major renovation of existing council housing stock that has reached the end of its life.

The aim would be to build up to 1,000 addition council houses in the period after 2022. Under the title - 'Our Cambridge 2030 - Housing for All', the member of staff would be responsible for scoping out the strategy for the financing of the new council houses, identifying and pursuing appropriate sites across the city and exploring the most efficient delivery mechanism to build the houses. In addition, the role would look at how a project for replacement / or major renovation of existing council housing stock would be funded and would take place in parallel with the new build programme, using the results of the stock condition survey as a base line for the analysis. The strategy will ensure not only a step change in the provision of new council houses, but will also ensure that existing council house stock is maintained and enhanced.

Resource to ensure the successful delivery of Housing First housing for entrenched rough sleepers

Homelessness continues to be a key issue in Cambridge. It is critical that any action the council takes to address homelessness has the maximum chance of success. Housing First is a model used to provide non conditional accommodation for entrenched rough sleepers, together with extensive support to ensure that their tenancy is successful. As

part of the delivery of the 500 council houses through the devolved funding, the council intends to build a number of Housing First units primarily on the site of the Buchan Street Community Centre. The member of staff would be funded for one year split between 2019/20 and 2020/21. The role would be to work with all key stakeholders to ensure the successful delivery of the project, including the approach to the design and layout of the units on the development, coordinating other stakeholders to ensure that tenants are successfully housed and that the correct levels of support for the tenant are in place to ensure a successful tenancy.

Renting 3-5 bedroom houses that will be built as part of the 500 new council houses at a lower rent – saving a large Cambridge family approximately £2,000 a year

The council intends to charge a rent on the 500+ new council houses that it is building at a Local Housing Allowance level, rather than at the lower level of rent it charges tenants on the majority of its existing properties. Large households (with children) in the city on low incomes are already struggling to make ends meet. With the introduction of Universal Credit, this will increase. The amendment proposes to rent all the properties of 3 bedrooms or more (estimated to be 75 of the houses to be built) at the lower historical rents the council charges. This could save a large Cambridge family (with children) approximately £2,000 a year in rent they pay to the council.

Funding for discretionary housing payments (DHP) to council tenants in relation to the Universal Credit

The introduction of Universal Credit will have a major impact on council tenants, particularly those who because of their circumstances are not able to work and as a result have their Universal Credit payments capped. The fund will allow small payments to be made to council tenant households in financial difficulties as a result of this change, to assist them in the payment of their council rent. The DHP will be administered on a similar basis as the DHP were for the under occupation scheme.

Support to cushion the impact on tenants of the introduction of the zero tolerance policy on storage in communal areas

The council has recently introduced a zero tolerance policy regarding storage in communal areas across the housing stock. The overwhelming majority of council tenants take pride in their homes and often personalise the space around their entrance door. The policy has impacted all items residents have placed on communal areas including door mats and plant pots. The funding will be used specifically for purchase of noncombustible door mats and plant pots for residents impacted by this policy in open communal areas and where the products do not restrict an escape route.

Section 4

Housing Revenue Account Budget

Overall Budget Position - 2019/20 onwards

Overall Budget Position

The overall revenue budget position for the Housing Revenue Account is summarised in the table below and at **Appendix J**, with detail for the period to 2022/23 provided in **Appendix D (2)**:

Proposal Type	2019/20 £	2020/21 £	2021/22 £	2022/23 £	2023/24 £
Efficiency Target Included	130,000	130,000	130,000	130,000	130,000
Reduction required to meet Efficiency Target	130,000	260,000	390,000	520,000	650,000
2019/20 Budget Items					
Savings	(311,700)	(301,700)	(281,700)	(241,700)	(241,700)
Increased Income	(452,150)	(51,900)	(51,900)	(51,900)	(51,900)
Unavoidable Revenue Pressures	59,260	55,000	55,000	55,000	55,000
Reduced Income	14,000	26,250	95,760	124,670	143,670
Net Savings Position (above) / below Efficiency Target Requirement	(560,590)	(12,350)	207,160	406,070	555,070

Strategic Investment Fund	(130,000)	(130,000)	(130,000)	(130,000)	(130,000)
Cumulative Strategic Investment Fund	(130,000)	(260,000)	(390,000)	(520,000)	(650,000)
Bids	478,850	266,550	237,300	188,800	188,800
Net Position (above) / below Strategic Investment Fund	348,850	6,550	(152,700)	(331,200)	(461,200)
Net Position (above) / below Net HRA Efficiency / Investment Assumptions	(211,740)	(5,800)	54,460	74,870	93,870
Non-Cash Limit Adjustments	610,130	(644,470)	0	0	0
Net Position for the HRA (above) / below overall assumptions	398,390	(251,880)	(197,420)	(122,550)	(28,680)

Non-Cash Limit Budgets

Non-Cash Limit items are those that do not relate directly to the cost of service provision, including for example direct revenue funding of capital expenditure (DRF), investment income and depreciation. These items are treated outside of the 2019/20 cash limit, with the implications built into the financial forecasts for the HRA as part of the budget process, informing future budget strategy, savings targets and investment priorities. For 2019/20 the non-cash limit items arrive at an increased cost to the HRA, due predominantly to an increase in the level of depreciation to be charged in year and therefore transferred to capital as a funding source of £644,470. This is however, offset in 2020/21 by a corresponding reduction in the level of revenue funding of capital

expenditure, ensuring that the overall level of funding for the capital programme is maintained.

Performance against Savings Target

A new efficiency savings target of £130,000 was incorporated into HRA forecasts for 2019/20 as part of the HRA Medium Term Financial Strategy approved in September 2018. The efficiency target was set in the context of a financial position which is improved by the assumed deferral, and potential abolition, of the implementation of the higher value voids levy.

The savings identified in the table above, and included for decision as part of the HRA Budget Setting Report, are detailed in **Appendix D (2)**.

The savings and increased income that have been identified for 2019/20 are partially offset by the HRA reacting to unavoidable revenue pressures. ***The net position is an over-achievement against the efficiency target for 2019/20 of £560,590, but also a greater demand for strategic re-investment, with this being £348,850 above the sum included for the HRA. Details of the net savings can be found in Appendix D (2).***

Further efficiency targets have been incorporated from 2020/21 for four years, also at the level of £130,000 per annum. This will allow continued strategic re-investment at the same level each year, in an attempt to be in a position to respond to challenges presented by changes in local and national housing and welfare policy.

The result of any corporate transformation activity may have a financial impact for the HRA. The detail, and impact in monetary terms, is not always available at the outset of each project. Any anticipated costs or savings for the HRA are only included once the activity is confirmed corporately as being far enough progressed that some certainty can be given to the incidence of impact between the General Fund and the HRA.

Transformation Fund

A budget of £10,000 in 2019/20, increasing to £20,000 in 2020/21, £40,000 in 2021/22, up to £80,000 from 2022/23 ongoing per annum is retained in the HRA to allow investment in service transformation projects and in spend to save initiatives, in light of the major changes in national housing policy. This has been reduced in the earlier years, recognising recent significant investment in transforming the Housing Service over the last 3 years. To date, the fund has been allocated to one-off projects only, with no ongoing call on the resource.

The responsibility for identification and approval of funding for suitable projects, whether one-off, or ongoing in nature, is delegated to the Strategic Director, who is responsible for ensuring that the authority continues to meet statutory obligations and has a housing offer which is fit for purpose.

Strategic Investment Fund

As part of the HRA Medium Term Financial Strategy, approved in September 2018, approval was given to creation of a Strategic Investment Fund of £130,000 per annum, to be directly offset by efficiency savings identified in the HRA each year, for the next 5 years.

Bids against this fund have been identified as part of the 2019/20 budget process, with the proposals detailed in **Appendix D(2)**.

Section 7

Summary and Overview

Financial Assumptions and Sensitivity

The current financial assumptions, reviewed and used as part of this BSR are detailed in Appendix A. They are derived from information available at the time of preparing this report, utilising both historic trend data and specialist expert advice and opinion, where required.

All financial assumptions are subject to change, with a number of alternative values that could have been assumed. To mitigate the risks associated with this, modelling of key sensitivities is undertaken to provide context to the financial impact that a change in an assumption will make.

Appendix I provides details of the key sensitivities modelled in the preparation of the HRA Budget Setting Report 2019/20.

Options and Conclusions

Overview

The budget for 2019/20 has been constructed in the wider context of the national position for social housing, with the authority still seeking to achieve a balance in investment against the previously agreed priorities:

- Investment in the existing housing stock
- Investment in new affordable housing
- Investment in new initiatives and income generating activities
- Spend on landlord services (i.e. housing management, responsive and void repairs)
- Spend on discretionary services (i.e. support)
- Support for, and potential repayment of a proportion, of housing debt

The authority responded to the requirement to reduce rents by 1% for 4 years, by making significant savings in the first 3 years to mitigate the impact on the business. The final year of rent cuts to be applied is from April 2019.

Uncertainty in respect of regulation for some other changes in national housing policy, still pose significant challenges in predicting the future for the housing service, with the outcome of a number of government consultations still awaited at the time of writing this report. These include the Housing Green Paper, one consultation on the use and application of right to buy receipts and another on the regulation of social rents for local authorities. The full rollout of Universal Credit adds to uncertainty for the Housing Service, with the impact of direct payment anticipated to have a significant negative impact on rent collection levels and arrears, at least in the short-term.

However, a commitment to repeal the legislation surrounding the sale of higher value voids levy and confirmation that the HRA debt cap has been abolished are both significant positive announcements.

The Housing Service has seen considerable change and transformation over the last 4 years, to ensure that the authority is best placed to respond to the ever changing financial environment. Changes in working practices and processes have been, and are being implemented and a programme of training is concluding for staff across the Housing Service to assist with this.

Summary and Conclusions

Work undertaken as part of the 2019/20 budget process has resulted in the development of proposals for setting the budget for the Housing Revenue Account.

In January 2019 Housing Scrutiny Committee will consider the budget proposals, prior to the Executive Councillor for Housing making decisions in respect of the revenue aspects of the budget, making recommendation for the housing capital budget for 2018/19 to 2023/24 to Council for consideration and approval.

The HRA Budget Setting Report recommends, in summary:

- Approval of property rents, garage and parking space rents and service charges
- Approval of any revised budget proposals
- Approval of any unavoidable revenue pressure proposals
- Approval of any savings proposals
- Approval of any increased income proposals
- Approval of any non-cash limit items
- Approval of any capital bids, capital savings, revised scheme costs and timings
- Approval of capital resource re-allocation

The meeting of Council on 21 February 2019 will consider the final proposed Housing Capital Budget as identified in this report for approval.

A significant proportion of the savings identified in the HRA from 2019/20 result from a reduction in the funding for external consultancy support identified for Housing Transformation, from savings in employee cost due to changes in staff employed across the service, the removal of funding to allow for the cover of roles when staff are on maternity leave and a reduction in the funding for the under-occupation scheme.

Increased rent income is anticipated in 2019/20 due to a combination of improved void performance, deferral of the sale of higher value voids levy and delays in decisions in respect of the potential to demolish and re-develop existing housing schemes.

A reduction in rent income is anticipated from 2020/21 as a direct result of the proposal to introduce any 3 and 4 bedroom homes built with Devolution Grant or on the sites where grant is applied, at target social rents, as opposed to Cambridge Rents, which are capped at the Local Housing Allowance (inclusive of service charges).

Savings and increased income are partially offset by unavoidable revenue pressures, predominantly due to an inability to deliver some of the anticipated aspects of corporate change and centralisation / sharing of support services.

The net saving delivered allow for the creation of a Strategic Investment Fund as approved in the HRA Medium Term Financial Strategy, with bids proposed for additional staffing in both Housing Services and Estates and Facilities and for additional fixed term resource to help mitigate the impact of welfare reform change.

Non-cash limit adjustments in respect of depreciation and interest impact the HRA in 2019/20, but are offset by changes in revenue funding of capital expenditure in 2020/21.

The overall position for the HRA for 2019/20 (including non-cash limit adjustments) is an under-achievement of £398,390. This changes from 2020/21 however, with an over-achievement of £251,880 against the cash limit.

There is currently an assumption that efficiency savings of £130,000 per annum will be sought for a further 4 years, allowing the creation of a corresponding Strategic Investment Fund for the same period. Effectively, and increase in costs or investment in new areas of priority will need to be funded through the identification of efficiency savings or increased income elsewhere across the service.

The HRA's approach to long-term financial planning still incorporates the assumption that any surplus resource will be set-aside in the first instance, until 25% of the loan portfolio can be redeemed at maturity, with any balance available for re-investment in income generating assets, whilst also maintaining reasonable financial assumptions in ongoing investment need in the current housing stock. The review of this approach has been deferred until the higher value voids levy has been formally abolished, as any u0turn in this would significantly impact any recommendations arising from this review.

The HRA is making good progress towards the delivery of 500 homes using Devolution Grant over a 5 year period, and a net increase in the housing stock over this period is therefore anticipated, with new homes outweighing those anticipated to be lost through the right to buy.

One of the key challenges for the HRA remains the ability to invest in new homes, using Devolution Grant and retained right to buy receipts, quickly enough to avoid the need to hand any right to buy receipts to central government, with interest penalties attached.

The delegation to the Strategic Director, to allow revenue resource previously transferred into the potential debt redemption / new build reserve to be drawn down to allow the strategic acquisition of market housing for use as affordable rented homes is retained. This will continue to mitigate the risk that delay, or lead in, to the delivery of new homes may result in a requirement to pay retained right to buy receipts over to central government, with an interest penalty attached.

Any review of the need to identify savings in future years will need to consider not only the need to sustain a 30 year business plan, but also the impact of any emerging housing legislation, the authorities aspirations for delivery of new build housing in the future, and the approach to continuing to set-aside resource for the redemption housing debt.

Business Planning Assumptions (Highlighting Changes)

Key Area	Assumption	Comment	Status
General Inflation (CPI)	2.2% for 2019/20, 2.1% for 2020/21, and 2% ongoing	General inflation on expenditure included at 2.2% for 2019/20, falling to 2.1% for 2020/21, and then 2% ongoing, per Bank of England) forecasts.	Retained
Capital and Planned Repairs Inflation	3% for 2019/20, 2.9%, then 2.8%	Based upon the mix of BCIS and CPI forecasts for the next 4 years, using an average over this period.	Retained
Debt Repayment	Set-aside 25% to Repay Debt	Assumes surplus is re-invested in income generating assets, with 25% of resource set-aside to repay debt as loans reach maturity dates, pending review of the set-aside policy once sale of higher value voids levy is known.	Retained
Capital Investment	Reduced Partial Investment Standard	Base model assumes a reduced partial investment standard in the housing stock, compared with a basic decent homes standard. This will be kept under review to ensure sufficient resource is available.	Retained
Pay Inflation	1.5% Pay Progression & Pay Inflation for 2019/20 onwards at 2%	Assume allowance for increments at 1.5% and cost of living pay inflation at 2% on an ongoing basis.	Retained
Employee Turnover	3%	Employee budgets assume a 3% turnover, unless service area is a single employee, or is a shared service, externally recharged service or trading account.	Retained
Devolution Programme Rents	LHA Rents (1 and 2 beds) Target Social Rent (3 and 4 beds)	All 3 and 4 bed homes built on Devolution Programme sites to be introduced at the lower target social rent plus service charges	Amended
Social Rent Review Inflation	-1% in 2019/20, then CPI plus 1% for 5 years, then CPI plus 0.5% from 2025/26	Rent decreases of 1% per annum in line with government guidelines from 2016/17 to 2019/20, then CPI plus 1% for 5 years, reverting to inflation plus 0.5% after this. Assume CPI in preceding September is as above.	Retained
Affordable Rent Review Inflation	CPI for 2019/20, then CPI plus 1% for 5 years, then	Affordable rents to be reviewed annually in line with Local Housing Allowance, ensuring that they do not exceed 80% of market rent	Retained

Key Area	Assumption	Comment	Status
	CPI plus 0.5% from 2025/26	less the 4 years of 1% rent cuts.	
Rent Convergence	Voids Only	Ability to move to target rent achieved only through movement of void properties directly to target rent.	Retained
External Lending Interest Rate	1.2% for 2018/19, 1.25%, then 1.3% ongoing	Interest rates based on latest market projections, including the impact of additional CCLA investment.	Retained
Internal Lending Interest Rate	1.2% for 2018/19, 1.25%, then 1.3% ongoing	Assume the same rate as anticipated can be earned on cash balances held, so as not to detriment the General Fund longer-term.	Retained
External Borrowing Interest Rate	3.03%	Assumes additional borrowing using current PWLB rates, currently 3.03%.	Amended
Internal Borrowing Interest Rate	3.03%	Assume the same rate as external borrowing to ensure flexibility in choice of borrowing route.	Amended
HRA Minimum Balances	£2,000,000	Maintain HRA minimum balance at £2,000,000, pending a review once the impact of the higher value voids levy and other housing policy changes are clear.	Retained
HRA Target Balances	£3,000,000	Maintain HRA target balance at £3,000,000, pending a review once the impact of the higher value voids levy and other housing policy changes are clear.	Retained
Right to Buy Sales	35, 30, then 25 sales ongoing	An uncertain economy expected to result in a marginal decline in activity. Assume 35 in 2019/20 then reducing by 5 sales per annum, until 25 are assumed ongoing.	Retained
Right to Buy Receipts	Settlement right to buy and assumed one-for-one receipts included	Debt settlement receipts included, assuming the receipts utilised partly for general fund housing purposes. Anticipated one-for-one receipts included, and ear-marked for direct new build spend. Debt repayment proportion assumed to be set-aside.	Retained
Void Rates	1.25% for 2019/20, then 1% ongoing	Assumes 1.25% plus known void loss for re-development sites in 2019/20, reducing to 1%, from 2020/21, recognising refurbishment works and improved void processes longer-term	Amended
Bad Debts	1.5% from 2019/20 ongoing	Bad debt provision increased to 1.5% reflecting experience in 2017/18 and the requirement to collect 100% of rent directly more widely from October 2018.	Retained
Savings Target	£130,000 (4% of general and	Re-introduce an efficiency target of £130,000 from 2019/20 for 5 years. Allows	Retained

Key Area	Assumption	Comment	Status
	repairs administrative expenditure)	strategic reinvestment or alternatively a response to pressure from national housing policy change.	
Responsive Repairs Expenditure	Adjusted pro rata to stock changes	An assumption is made that direct responsive repair expenditure is adjusted annually in line with any change in stock numbers.	Retained
Strategic Investment Fund	£130,000	Housing Strategic Investment Fund included from 2019/20 for 5 years.	Retained

Savings

Housing - HRA

S4228	Saving in staff costs across HRA General, Special and Repair Services	0	(77,820)	(77,820)	(77,820)	(77,820)	Sandra Farmer	Nil
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A saving has been identified in staff costs across all of the HRA General and HRA Special cost centres due to recruitment to a number of posts at lower points on the scale than previous postholders and existing staff being top of scale and therefore not receiving incremental progression payments. None

S4229 / LDS1	Reduction in housing transformation funding	0	(142,800)	(132,800)	(112,800)	(72,800)	Julia Hovells	Nil
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An element of the housing transformation budget was ear-marked for the employment of external consultancy to support the service transformation. This resource is no longer required as all key posts have now been recruited to. The major transformation undertaken in the housing service over the last 3 years has reduced the need for the level of transformation fund in the near term. The plan allows the rebuilding of the fund to a level of £80,000 per year from 2022/23 None

S4235	Reduction in under-occupation scheme funding	0	(41,900)	(41,900)	(41,900)	(41,900)	Sandra Farmer	Nil
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A reduction in the budget for the Under-Occupation Scheme is proposed in line with demand experienced in 2017/18. None

S4296	Cash limit specific Supplies & Services Budgets	0	(20,000)	(20,000)	(20,000)	(20,000)	Julia Hovells	Nil
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Cash limit non-contractual supplies and services budgets, with the need to manage the delivery of services in 2019/20 within the cash limited sum in the 2018/19 budgets.

S4297	HRA maternity leave costs delegated to service budgets	0	(29,180)	(29,180)	(29,180)	(29,180)	Julia Hovells	Nil
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Following no call on this provision for the last two years it is proposed to remove the central provision so that where cover is needed to maintain service delivery all costs of maternity leave will be met directly by services in 2019/20 and in future years. This will ensure that these costs are correctly attributed to services, and that this funding is released to support service delivery. There will be no impact on the rights of those on maternity leave, who will continue to be entitled to payment in line with Council Maternity Policy.

Total Savings in Housing - HRA

0	(311,700)	(301,700)	(281,700)	(241,700)
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Total Savings

0	(311,700)	(301,700)	(281,700)	(241,700)
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Increased Income

Housing - HRA

II4227	Increased garage rent income	0	(51,900)	(51,900)	(51,900)	(51,900)	Julia Hovells	Nil
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An increase in garage income is anticipated based upon current usage and occupancy levels, coupled with the assumption that garage protection is phased down as agreed at Housing Scrutiny Committee in January 2018. None

II4249	Increase in Rent and Service Charge Income	0	(400,250)	0	0	0	Julia Hovells	Nil
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A net increase in rent income and service charge income is anticipated in 2019/20, with additional rent income due to improved voids performance, coupled with delays in the assumption that vacant possession is secured in respect of some development schemes, partially offset by reductions in service charge income based upon the cost of services being provided. None

Total Increased Income in Housing - HRA	0	(452,150)	(51,900)	(51,900)	(51,900)
Total Increased Income	0	(452,150)	(51,900)	(51,900)	(51,900)

Unavoidable Revenue Pressure

Housing - HRA

URP4245	Support Services Review (SSR) - HRA element	0	55,000	55,000	55,000	55,000	Paul Boucher	Nil
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In setting the 2015 budget, £800K was built in as the savings target to be delivered over 4 years to reduce our support and central costs. At that stage we were at the early stages of developing and implementing alternative share service delivery models and the realisation of the full savings was uncertain. £600K savings have been achieved through support service reviews of ICT, Finance and Business Support and from procurement activity leaving £200k allocated £145k to GF and £55k to HRA. There is very little scope for further centralisation or consolidation of CCC support services, in view of the shared services that have been implemented.

URP4308	Increase in HRA Bad Debt Provision	0	4,260	0	0	0	Julia Hovells	Nil
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As a direct result of the anticipated increase in rent income, there is a need to increase the bad debt provision in proportion to this.

Total Unavoidable Revenue Pressure in Housing - HRA	0	59,260	55,000	55,000	55,000
Total Unavoidable Revenue Pressure	0	59,260	55,000	55,000	55,000

Reduced Income

Housing - HRA

RI4231	Loss of income for rental of roof space at Princess / Hanover Court	0	8,300	8,300	8,300	8,300	Sandra Farmer	Nil
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The roof space at Princess / Hanover Court was subject to a lease for a mobile phone aerial. The supplier has terminated the lease and removed the aerial, with a resulting loss of rental income to the HRA.

None

RI4250	Reduction in HRA Commercial Property income	0	5,700	5,700	5,700	5,700	Julia Hovells	Nil
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A reduction in rental income is anticipated based upon the latest rent review and void assumptions for the property portfolio.

None

LDRI1	Reduction in rental income as a result of charging local authority rent restructured rents	0	0	12,250	81,760	110,670	Julia Hovells	Nil
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Reduction in rental income as a result of charging local authority rent restructured rents to homes of 3 bedrooms or more built with devolution funding or re-provided on devolution funded sites.

Total Reduced Income in Housing - HRA	0	14,000	26,250	95,760	124,670
Total Reduced Income	0	14,000	26,250	95,760	124,670

Bids

Housing - HRA

B4226	Garage and Former Tenant Arrears Officer	0	32,000	32,000	32,000	32,000	Sandra Farmer	Nil	<div>This bid is to employ a full time Assistant Housing officer with a particular focus on garage management and former tenant arrears across all tenancies. This post contributes to the effective letting of garages and therefore maximisation of garage rental income.</div>
B4230	Policy and Performance Officer for the Housing Service	0	38,800	38,800	38,800	38,800	Laura Adcock	Nil	<div>This bid is to employ a Policy and Performance Officer across the Housing Service, to provide quality assurance, supporting customer facing services by helping to produce clear policies and procedures, whilst also monitoring performance and developing services.</div>
B4232	Cost to apply market supplements to surveying posts in the HRA	0	42,000	42,000	42,000	42,000	Suzanne Hemingway	Nil	<div>This bid will support the payment of market supplements to Surveyors, Principal Surveyors and associated management posts to aid recruitment and retention in this service area</div>
B4233	Additional staffing resource to carry out rolling programme of Housing Stock Condition Surveys	0	38,100	38,100	38,100	38,100	Will Barfield	Nil	<div>Stock condition data should be updated on a rolling programme. It has been identified that the current resource allocation for this is insufficient to keep the full data set up to date over a 5 year programme. This bid seeks approval for an additional Assistant Surveyor to complement the current resource and allow this to be fulfilled. Employing an additional member of staff is expected to be more cost effective than continuing to use temporary resource and will ensure consistency in the data collected.</div>
B4234	Cost to increase the Level 3 Apprentice Surveyor to a Level 6 Apprentice Surveyor	0	12,900	12,900	12,900	12,900	Will Barfield	Nil	<div>This bid will support the continued employment of an Apprentice Surveyor in the team, allowing progression from a Level 3 Apprenticeship to a Level 6 Apprenticeship to become a fully qualified Surveyor.</div>
B4306	Bid to provide revenue funding for estate improvements	0	100,000	0	0	0	David Greening	Nil	<div>To complement the £1 million per annum for 5 years of capital funding for estate improvements approved as part of the HRA MTFs, revenue resource of £100,000 has been ear-marked in 2019/20 to allow for any revenue investment identified as part of the survey and prioritisation process. The combined capital and revenue resource could allow for investment in pavements, lighting, street furniture, recycling facilities, graffiti removal, remedy of vandalism damage, parking facilities, garage site improvements, removal of abandoned cars, landscaping works, fly tipping removal, pest control and open space investment, as examples.</div>
B4307	Additional funding to respond to Welfare Reform	0	50,000	0	0	0	David Greening	Nil	<div>The HRA has already identified permanent funding to employ two additional officers to work with those impacted by Welfare Reform changes and to meet the additional costs of cash collection associated with the changes. This bid for 2019/20 will provide £50,000 of additional fixed term funding to allow the deployment of temporary support where necessary to mitigate the impact of change. This may be through funding staff in the Citizen's Advice Bureau or alternatively through funding temporary staff within Housing Services.</div>

B4315	Financial Inclusion Officer (HRA share)	0	27,300	0	0	0	Naomi Armstrong	Nil
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Extension of Financial Inclusion Officer post to assist with supporting welfare reforms
This existing post (previously funded through sharing prosperity fund) provides support and hands-on assistance in helping people affected by welfare reforms to maximise their income, reduce their costs and explore options for improving their lives going forward. The client group tends to be those on lowest incomes, the most vulnerable claimants and families with complex needs and often chaotic lifestyles.
This is the HRA share (65%).

LDB1	One off funding to cushion impact of zero tolerance policy on storage in communal areas	0	50,000	0	0	0	David Greening	Nil
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The Council has recently introduced a zero tolerance policy regarding storage in communal areas across the housing stock. The policy has impacted all items residents have placed on communal areas including door mats and plant pots. The funding will be used specifically for purchase of non combustible door mats and plant pots for residents impacted by this policy in open communal areas and where the products do not restrict an escape route.

LDB2	Staffing resource to initiate the medium/long term HRA council house building strategy	0	48,500	48,500	48,500	0	Claire Flowers	Nil
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The Council is a key provider of social housing in Cambridge. The change in legislation allowing the council to borrow in the HRA, provides a material opportunity to set out a medium term vision for new council house building and also the replacement/ or major renovation of existing council houses that have reached the end of their life. The aim would be to build up to 1,000 addition council houses in the period after 2022. Under the title - 'Our Cambridge 2030 - Housing for All', the member of staff would be responsible for scoping out the strategy for the financing of the new council houses, identifying and pursuing appropriate sites across the city and exploring the most efficient delivery mechanism to build the houses. In addition, the role would look at how a project for replacement / or major renovation of existing council housing stock would be funded and would take place in parallel with the new build programme.

LDB3	Staffing resource to ensure the successful delivery of Housing First housing as part of 500 new council houses	0	24,250	24,250	0	0	David Greening	Nil
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Housing First is a model used to provide non conditional accommodation for entrenched rough sleepers, together with extensive support to ensure that their tenancy is successful. As part of the delivery of the 500 council houses through the devolved funding, the Council intends to build a number of Housing First units primarily on the site of the Buchan Street Community Centre. The member of staff would be funded for one year split between 2019/20 and 2020/21. The role would be to work with all key stakeholders to ensure the successful delivery of the project, including the approach to the design and layout of the units on the development, coordinating other stakeholders to ensure that tenants are successfully housed and that the correct levels of support for the tenant are in place to ensure a successful tenancy.

LDB4	Funding for discretionary housing payments in relation to Universal Credit cap.	0	15,000	30,000	25,000	25,000	David Greening	Nil
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Funding for discretionary housing payments in relation to the rollout of Universal Credit. The fund will be specifically for those Council tenants who are experiencing financial difficulties as a result of the transfer. The DHP will be administered on a similar basis as the DHP were for the under occupation scheme.

Total Bids in Housing - HRA	0	478,850	266,550	237,300	188,800			
Total Bids	0	478,850	266,550	237,300	188,800			

Non-Cash Limit Items

Housing - HRA

NCL4309	Changes in interest paid by the HRA	0	(24,250)	0	0	0	Julia Hovells	Nil
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The level of interest payable on HRA internal borrowing is less than anticipated as the average external lending rate used to calculate the sum due to the General Fund is lower than the current PWLB rates.

NCL4310 / LDNCL1	Changes in interest due to the HRA on estimated balances held	0	(10,090)	0	0	0	Julia Hovells	Nil
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Based upon the latest projected cash balances for the HRA, there will be marginally more interest earned in 2019/20 than anticipated.

NCL4311	Decrease in Direct Revenue Financing of Capital Expenditure (DRF)	0	0	(1,288,940)	(644,470)	(644,470)	Julia Hovells	Nil
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As a direct result of an increase in depreciation, which requires the transfer of resource for capital use, the voluntary transfer of revenue resource is reduced correspondingly.

NCL4312	Change in depreciation estimates for the HRA	0	644,470	644,470	644,470	644,470	Julia Hovells	Nil
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The level of depreciation has increased based upon the latest property numbers, property values and remaining asset lives.

Total Non-Cash Limit Items in Housing - HRA	0	610,130	(644,470)	0	0
Total Non-Cash Limit Items	0	610,130	(644,470)	0	0
Report Total	0	398,390	(650,270)	54,460	74,870

HRA Summary 2018/19 to 2023/24

Appendix J

Description	2018/19 £0	2019/20 £0	2020/21 £0	2021/22 £0	2022/23 £0	2023/24 £0
Income						
Rental Income (Dwellings)	(36,987,980)	(36,149,430)	(37,065,520)	(38,843,580)	(40,914,550)	(41,981,450)
Rental Income (Other)	(1,128,710)	(1,199,740)	(1,224,930)	(1,249,430)	(1,274,420)	(1,299,910)
Service Charges	(3,004,310)	(2,969,250)	(3,026,860)	(3,082,880)	(3,140,020)	(3,198,300)
Contribution towards Expenditure	(3,450)	(926,900)	(946,360)	(965,290)	(984,590)	(1,004,290)
Other Income	(455,500)	(458,880)	(461,880)	(464,350)	(473,640)	(483,110)
Total Income	(41,579,950)	(41,704,200)	(42,725,550)	(44,605,530)	(46,787,220)	(47,967,060)
Expenditure						
Supervision & Management - General	3,719,030	3,748,320	3,823,290	3,962,370	4,222,400	4,367,300
Supervision & Management - Special	2,584,280	3,408,560	3,337,530	3,415,980	3,496,400	3,578,850
Repairs & Maintenance	6,971,740	7,238,020	7,459,440	7,467,560	7,753,410	7,971,390
Depreciation – t/f to Major Repairs Res.	10,678,110	10,949,310	11,063,250	11,498,760	11,758,550	11,823,770
Debt Management Expenditure	0	0	0	0	0	0
Other Expenditure	3,761,280	3,799,000	3,848,560	3,925,920	4,017,320	4,098,800
Total Expenditure	27,714,440	29,143,210	29,532,070	30,270,590	31,248,080	31,840,110
Net Cost of HRA Services	(13,865,510)	(12,560,990)	(13,193,480)	(14,334,940)	(15,539,140)	(16,126,950)
HRA Share of operating income and expenditure included in Whole Authority I&E Account						
Interest Receivable	(788,820)	(800,770)	(669,080)	(555,360)	(577,960)	(613,000)
HRA (Surplus) / Deficit for the Year	(14,654,330)	(13,361,760)	(13,862,560)	(14,890,300)	(16,117,100)	(16,739,950)
Items not in the HRA Income and Expenditure Account but in the movement on HRA balance						

Loan Interest	7,513,010	7,513,790	7,541,630	7,541,630	7,541,630	7,541,630
Housing Set Aside	4,472,200	4,472,200	4,241,200	1,168,200	2,615,200	1,764,100
Appropriation from Ear-Marked Reserve	0	0	0	0	0	0
Direct Revenue Financing of Capital	597,320	0	11,340,090	4,935,810	5,977,640	7,442,880
(Surplus) / Deficit for Year	(2,071,800)	(1,375,770)	9,260,360	(1,244,660)	17,370	8,660
Balance b/f	(9,018,370)	(11,090,170)	(12,465,940)	(3,205,580)	(4,450,240)	(4,432,870)
Total Balance c/f	(11,090,170)	(12,465,940)	(3,205,580)	(4,450,240)	(4,432,870)	(4,424,210)



Item

REVIEW OF A SUITE OF HOUSING-RELATED POLICIES

To:

Councillor Richard Johnson, Executive Councillor for Housing
Housing Scrutiny Committee 16/01/2019

Report by:

David Greening, Head of Housing
Tel: 01223 - 457997

Email: david.greening@cambridge.gov.uk

Wards affected:

All

Not a Key Decision

1. Executive Summary

- 1.1 A review of a suite of tenancy management, repair and void management policies, and the way the service recovers money owed to the Housing Revenue Account (HRA) for rechargeable work, damage to HRA assets or fees relating to HRA owned property or land.

2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Agree the suite of revised policies
- 2.2 Note the review dates listed within each policy and to delegate authority to the Head of Housing to determine if individual policies should be brought back for committee approval depending on the degree or significance of any changes made at review points.

3. Background

- 3.1. A key component of the Housing Transformation Programme was to ensure the affected services in Housing could achieve value for money by managing staff time, customer expectation and finances well following the implementation of necessary savings to the HRA.
- 3.2. Following the restructure of housing and repair teams in 2017/18, ensuring the new teams were fit for purpose included a review of how the service managed voids and lettings and anti-social behaviour.
- 3.3. As part of the voids and lettings process review, it was recognised that all teams who had a hand in efficiently dealing with a void and the subsequent re-letting of the property would need to be working with clear processes that translated across the appropriate functions.
- 3.4. It was also recognised that there was a need to identify which costs in these services were predominantly due to undertaking repairs or other work that was not the Council's responsibility; what the Council should be providing and what should be the tenants', leaseholders' or residents' responsibility. Clear procedures were needed to ensure that, where money was due to the Council, it could be recovered quickly to minimise the impact on Housing's budgets.
- 3.5. The review was completed by a team of staff from key service areas with responsibility for voids and lettings. A number of areas of waste, as well as opportunities, were identified where processes further up and down the voids and lettings 'chain' (in Housing Advice and City Homes, for example) could be improved to better manage customer expectations, save time for both customers and staff and save money.
- 3.7. Staff developed an implementation plan to put the improvements in place. A significant part of this was a review and refresh of key areas of service policy relating to the voids and lettings process. The team looked at how other authorities had implemented fair, consistent and transparent policies that benefitted tenants, leaseholders and residents, as well as the Councils themselves.
- 3.8. It was recognised by staff that, for the above outcomes to be achieved, a number of other tenancy management policies would require reviewing.
- 3.9. The policies for agreement are attached at Appendix A. Please note this is not an exhaustive list of policies that require a review – the publication of the Housing Green Paper, expected in 2019/20, will trigger a

requirement to refresh the Council's Tenancy Strategy, Tenancy Policy and then subsequent policies in all areas of Housing. Further work will be undertaken over the coming year and shared with tenant and leaseholder reps and members as required.

3.10. The key outcomes of each policy have been summarised in 4 below.

4. Policy content

4.1 Re-chargeable Works Policy and Schedule

- A refreshed rechargeable repairs policy; broadened to include other areas of service where a charge will be applied for damage, or work being undertaken by the Council if the tenant or resident fails to complete the work themselves.
- A Schedule of charges has been devised (attached to the policy), covering all areas of housing including general, sheltered and temporary as well as land.
- Key areas include:
 - Damage to council-owned assets
 - House, garden and building clearance at the end of a tenancy (currently costing over £100k per annum)
 - Blocking unauthorised access across council/housing land
 - Key fob replacement
 - Charge to be levied following the need to break-in to undertake a gas service
 - Removal and storage of personal possessions
 - Pull-cord system (city-wide community alarm customers only)
 - Replacement of goods provided in temporary housing
 - Fees associated with mutual exchange survey work
- To ensure the charges are fair, they have been set using the Council agreed pricing schedule; at the time of writing this report, this is the *National Housing Federation Schedule of Rates*.
- The charges are applicable to all types of tenancy and or residency in the City where the asset is owned by or provided from Cambridge City Council's HRA.

- Through visits, correspondence and an updated and clear website, the emphasis will be on prevention as opposed to charging; giving tenants and residents the opportunity to satisfactorily rectify the work themselves prior to any recharge or charge being applied.
- Officers performing the voids and lettings function have also taken the opportunity to refresh the Council's 'Five-point Promise' to update those areas that are either ambiguous, the responsibility of other services or the tenant themselves. The promise, showing the revisions, is included at Appendix B.

4.2 Disposal of Possessions & Personal Data Policy

- An agreed procedure between Estates & Facilities, Streets & Open Spaces and City Homes for the disposal of any personal data left behind in Council property at the end of a tenancy.
- A revised Inventory of Possessions, widened to prevent fraudulent insurance claims.
- An updated Section 41 Notice
- Clarification of the collection of possessions process.

4.3 Under-Occupation Assistance Policy

- A decision to vary the amount of removal grant payable to reflect the size of the property being vacated. This will allow more people to benefit from the scheme.
- Clarification that any debts owed to the Council will be deducted from any payment, including rechargeable work.
- Clarification of the acceptance of mutual exchange applicants, including when the grant will be paid to the City's tenant in this instance.
- Inclusion of eligibility criteria for council tenants looking to utilise the scheme.

4.4 Garage Use Policy

- Refreshed to recognise the variable pricing structure depending on location, use and user.
- Introduces a clearer system for prioritising applications.

4.5 Access Licence Policy

- An agreed process for enforcement and termination of access licences where payment has stopped, or terms of the access being granted broken.

4.6 Assignment Policy/Succession Policy

- A refresh of these policies, reflecting current legislation on assignment and succession, recognising that, at the present time, the Council has opted not to introduce the amendments in the Localism Act 2011.

4.7 Mutual Exchange Policy

- Clarification that, where a property is larger than a household needs, the Council will avoid under-occupation and decline the request.
- Clarification that both applicants must meet the required eligibility criteria, as laid out in the Council's Lettings Policy, in order to be successful in their application.
- Clarification that the 42 days deadline to make a decision will not be activated until all necessary documentation has been received and necessary repairs or reinstatement of alterations completed.
- The introduction of a fee for the Property Survey, if the Council subsequently has to decline the application due to failure on the tenant's part to complete the work to a satisfactory and agreed standard.
- The introduction of a fee for the mandatory electrical safety test that will be undertaken by the Council going forward.

4.8 Subletting & Fraud Prevention/ Abandonment & Long-Term Absence/Business Use/Decant/Tenancy Changes Policies

- Refreshed and, where applicable, elements of risk checked by Fraud, Legal Services and Support Services.

4.9 Tenant & Leaseholder Alterations & Improvements Policy

- Completed by the Asset Team in Estates and Facilities in July 2018, and included in this suite of policies for consultation and agreement.

4.10 Income Management & Rent Arrears Policy

- Completed by the Housing Officer (Income Collection Team Leader) in July 2018, and included in this suite of Policies for consultation and agreement.

5. Implications

(a) Financial Implications

The review of these policies will not have significant financial implications on customers, as the principle of recharging tenants and residents for services that are not the responsibility of the Council, or fees for the granting of rights, have been in place for a number of years.

The re-enforcement and commitment to following up on these charges will have a positive financial impact on the HRA as money due is currently not able to be collected due to a lack of clear procedures and processes.

(b) Staffing Implications

It is expected that the review of key policies, and subsequent procedures to ensure adherence to them, will ensure staff are working more efficiency within teams and with colleagues in other parts of the Council.

(c) Equality and Poverty Implications

The review of these policies will not have significant financial implications on customers as the principles of recharging tenants and residents for services that are not the responsibility of the Council have been in place for a number of years.

The focus of the Council will be to encourage tenants and residents to undertake repairs that are the responsibility of the tenant and/or chargeable work, so a charge does not have to be raised against them. Signposting to

alternative support will be provided on the internet to give tenants as much advice as possible in managing any work themselves.

(d) Environmental Implications

None

(e) Procurement Implications

None

(f) Community Safety Implications

None

6. Consultation and communication considerations

Previous drafts of the policies were shared with Tenant and Leaseholder Representatives and their feedback considered and included as appropriate.

7. Background papers

No background papers were used in the preparation of this report.

8. Appendices

- A. Re-chargeable Works Policy and Schedule
- B. The Council's Five-Point Promise
- C. Disposal of Possessions & Personal Data Policy
- D. Under-Occupation Assistance Policy
- E. Garage Use and Arrears Policy
- F. Access Licence Policy
- G. Assignment Policy
- H. Succession Policy
- I. Mutual Exchange Policy
- J. Subletting & Fraud Prevention Policy

- K. Abandonment & long Term Absence Policy
- L. Business Use Policy
- M. Decant Policy
- N. Tenancy Changes Policy
- O. Tenant & Leaseholder Alterations & Improvements Policy
- P. Income Management & Rent Arrears Policy

8. Inspection of papers

If you have a query on the report please contact David Greening, Head of Housing Services, tel: 01223 – 457997, email:

david.greening@cambridge.gov.uk

For the Tenant & Leaseholder Alterations & Improvements Policy and Rechargeable Works Policy & Schedule, please contact Lynn Thomas, Head of Housing Maintenance & Assets, tel: 01223 – 457831, email:

lynn.thomas@cambridge.gov.uk

For the Income Management & Rent Arrears Policy, please contact Sue Amner, Housing Officer (Income collection Team Leader), tel: 01223 – 458346, email: sue.amner@cambridge.gov.uk

RECHARGEABLE WORKS POLICY AND SCHEDULE OF RECHARGEABLE WORKS

Glossary of Terms

'Property' includes dwellings, gardens, garages, outbuildings, decants, access across council land and any equipment provided by the Council.

'Tenant(s)' includes secure tenants, introductory tenants, fixed-term tenants, licensees, unauthorised occupants, garage tenants and joint tenants.

1.0 STATEMENT ON POLICY

- 1.1 A rechargeable repair is a repair that is the result of damage or negligence to the property and/or its fixtures and fittings, internally or externally by a tenant or leaseholder or a member of the tenant's/leaseholder's household or an invited visitor to the property and/or communal areas.
- 1.2 A charge will also be levied against the cost of removing items and clearing gardens when properties are vacated, blocking unauthorised access across council-owned land, and replacing damaged equipment in Council property. This Policy also applies to licences and occupiers.
- 1.2 It is estimated that around £250,000 per year is spent on repairing damage caused by tenants. The cost of clearing empty properties of possessions left by outgoing tenants is currently over £100,000 and is paid for out of the repairs and maintenance budget. This is money that cannot be spent on improving council homes in the city.
- 1.3 The tenancy conditions clearly state that the tenant is responsible for the cost of repairing any damage that they cause to council properties.
- 1.4 The list of repairs that the tenant is responsible for are laid out in the Tenancy Agreement.

- 1.5 Where a tenant has carried out alterations or improvements to the property with or without written consent, the Council may ask for the property to be returned to its original condition. If a tenant does not restore the property to its original condition, the council will undertake the work and charge the cost of the work to the tenant.
- 1.6 Full details relating to consensual and non-consensual alterations or improvements are laid out in the Tenants and Leaseholder's Alterations and Improvements Policy.
- 1.7 The aims of the rechargeable works policy are:
- Reduce the cost of repairs to the Council where tenants are responsible
 - Prevent the neglect and damage to council properties by advising tenants of their responsibilities
 - Avoid the majority of tenants picking up the bill for the minority
 - Protect the repairs budget to deliver only what it is intended for and as laid out in the Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994
 - Reduce the costs of voids
 - Where savings can be made, use these for further improvement work.
- 1.8 The Rechargeable Works Schedule outlines the costs the tenant will pay for repairs that are not the responsibility of the Council, the costs for repairs to make good on damage to Council property and the costs for services that will be provided by the Council on request, or where the tenant has failed to return the property to the original state (alterations or unauthorised access), for example. This list is not exhaustive, and any other charges identified as needing to be paid will be levied in line with the Council's agreed pricing structure.

2.0 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 Tenants are responsible for the property as per the tenancy/licence conditions. The Council will decide whether charges are to be made against occupiers and what action will be taken to attempt to recover any costs deemed as rechargeable works.

- 2.2 The emphasis will be on prevention of rechargeable work at all stages rather than the necessity to recover costs.

3.0 PROCEDURE

- 3.1 Tenants will be recharged for works either when they leave their home or when work has been carried out by the City Council during their tenancy for which the tenant is responsible. The aim will be to keep the charges to a minimum by advising tenants before they leave of their responsibilities. Estimated costs for all re-chargeable repair work will be shared with the tenant(s) following inspection, and final costs for the work will be confirmed with the tenant as soon as possible.
- 3.2 Tenants will be sent an invoice after they move or within one month of rechargeable repairs being carried out and they will be expected to pay within 14 days, unless the Council agrees terms for repayment.
- 3.3 For other rechargeable costs, tenants will be advised at the earliest opportunity and in line with the requirements of the particular service, as to what costs will be levied.
- 3.4 Tenants will be encouraged to complete the work themselves to avoid a recharge. If it is subsequently found that the works have not been carried out to a pre-agreed standard and specification, the Council reserves the right to remove any work undertaken and charge the full cost of replacing the work, plus VAT.

4.0 PREVENTION

- 4.1 Tenants will be given advice at the start of their tenancy, and, if applicable, at the pre-transfer visit ('Plus' visit), on the rechargeable repairs policy and that they will be charged for any works deemed necessary during their tenancy or when they move out.
- 4.2 The Council will use personal data held on the Housing Information System to trace former tenants who owe a rechargeable repair debt to the Council, but will keep the data in a form which permits identification

of the individual for no longer than is necessary (see Article 5 (c) and (e) of the General Data Protection Regulation Principles).

- 4.2 Properties will be let to new tenants in accordance with the City Council's **5-Point Promise** and to meet the requirements of the Decent Homes standard.
- 4.3 The Council will point out clearly to tenants that they are responsible for paying for the work carried out by the Council that is deemed to be "rechargeable". The Council will seek payment in advance for repairs, before we agree to do work which is the tenants' responsibility.
- 4.4 Tenants who have applied for a transfer will be advised that their request may be deferred if there is repair work that they need to carry out. If tenants leave their property and repair work has to be carried out or possessions cleared then they will be recharged.
- 4.5 The Schedule of re-chargeable works will be reviewed annually, using the City Council's agreed pricing structure to ensure fairness and transparency for tenants.

Policy written: October 2018

To be reviewed by: September 2020

APPENDIX A - RECHARGEABLE WORKS SCHEDULE**Re-Chargeable Works****Work and prices to re-charge tenants**

NAME	
ADDRESS	

	Items of Work	Maximum Amount (£)	Unit	'Plus' visit	Actual Cost (£)
1.	Repair/replace internal door	170.00	Each	<input type="checkbox"/>	
2.	Replace door handles	15.00	Each	<input type="checkbox"/>	
3.	Repair/replace shed door	110.00	Each	<input type="checkbox"/>	
4.	Repair/replace external PVCU door	600.00	Each	<input type="checkbox"/>	
5.	Repair/replace garage door	600.00	Each	<input type="checkbox"/>	
6.	Repair/replace window	260.00	Each	<input type="checkbox"/>	
7.	Repair door frames	30.00	Each	<input type="checkbox"/>	
8.	Skirting	65.00	Per Room	<input type="checkbox"/>	
9.	Handrail to stair	200.00	Complete handrail	<input type="checkbox"/>	
10.	Balusters	10.00	Each	<input type="checkbox"/>	
11.	Re-glaze window	40.00	Each Pane	<input type="checkbox"/>	
12.	Gas repair/replacement	60.00	Each Tenant alteration	<input type="checkbox"/>	
13.	Electrical repair/replacement	60.00	Each Tenant alteration	<input type="checkbox"/>	
14.	Remove carpet/vinyl/laminate floors	50.00	Per Room	<input type="checkbox"/>	
15.	Property clean	100.00	Per Hour	<input type="checkbox"/>	
16.	Property clear and dispose	350.00	Per Property	<input type="checkbox"/>	
17.	Furniture clear and dispose	25.00	Per Item	<input type="checkbox"/>	
18.	Loft clear	250.00	Per Loft space	<input type="checkbox"/>	
19.	Contaminated bin collection	25.00	Per Bin	<input type="checkbox"/>	

	Items of Work	Maximum Amount (£)	Unit	'Plus' visit	Actual Cost (£)
20.	Garden clear front and rear	300.00	Per Garden/patio	<input type="checkbox"/>	
21.	Clear dog fouling and disinfect	500.00	Per Garden/patio	<input type="checkbox"/>	
22.	Shed/ Outbuilding clear	150.00	Each	<input type="checkbox"/>	
23.	Shed/ Greenhouse removal	100.00	Each	<input type="checkbox"/>	
24.	Pond Infill	100.00	Each	<input type="checkbox"/>	
25.	Charge following a break-in to carry out a gas service	100.00	Per Property	<input type="checkbox"/>	
26.	Mutual Exchanges – Property Survey <i>(where the application is subsequently declined by the Council due to failure by the tenant to rectify unauthorised alterations to the required standard)</i>	75.00	Per Survey	<input type="checkbox"/>	
27.	Mutual Exchanges – Electrical Safety testing and production of certificate	£101	Per Property	<input type="checkbox"/>	
28.	Mutual Exchanges – any electrical work required following testing	P.O.A	Per hour/per item	<input type="checkbox"/>	
29.	Blocking unauthorised access across council-owned land	500.00	Per Property	<input type="checkbox"/>	
30.	Removal and storage of Possessions (a day rate will be weekly rent divided by 7)	Weekly rent	Per Week	<input type="checkbox"/>	
31.	Decorating – to make good (Temporary Housing)	43.00	Per Hour	<input type="checkbox"/>	
32.	Internal plaster work	43.00	Per Hour	<input type="checkbox"/>	
33.	Lock change	180.00	Each	<input type="checkbox"/>	
34.	Key Fobs	45.00	Each	<input type="checkbox"/>	
35.	Microwave (Temporary Housing)	60.00	Each	<input type="checkbox"/>	
36.	Cooker (Temporary Housing)	120.00	Each	<input type="checkbox"/>	
37.	Fridge replacement (Temporary Housing)	125.00	Each	<input type="checkbox"/>	
38.	Mattress replacement (Temporary Housing)	75.00	Each	<input type="checkbox"/>	
39.	Intercom (Temporary Housing)	250.00	Each	<input type="checkbox"/>	
40.	Pull-cord system (community alarm customers only)	56.00	Each	<input type="checkbox"/>	
41.	Any other damage <i>(please contact the Customer Service Centre for info)</i>	P.O.A.	Per Hour	<input type="checkbox"/>	

Notes

NB:

1. *Where applicable, the charges listed include labour costs.*
2. *Where scaffolding is required to complete the rechargeable repair work, the cost will be added to the total cost of the repair*

Signatures of outgoing tenant(s)

_____ Date: _____

_____ Date: _____

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Cambridge City Council Housing Services

The five point promise - REVISED

1. A safe and secure property

- Your property will be separated from neighbouring properties by a clear boundary.
- The front door and all internal doors will be secure and work properly
- We will give you keys for all doors and windows that have locks
- There will be no broken windows
- There will be a smoke alarm
- All windows above ground floor level will have a security device
- We will check any gas or electricity supply in the property and make sure that they are safe before you move in.

2. Effective heating

- The heating will be in good working order
- There will be no problems of damp serious enough to affect your health

3. A clean property

- The property will be clean
- The garden will be clean and tidy
- The attic space will be clear of rubbish
- Any shed or garage will be clear of rubbish

4. Ready to decorate

- The property will be in a condition that makes it possible for you to decorate.

5. A property that you can live in comfortably

- Kitchen and bathroom floor surfaces will be in good condition
- There will be at least two electrical sockets in each room (except bathrooms)
- The kitchen will have adequate storage and worktops (as far as space allows)

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DISPOSAL OF POSSESSIONS POLICY & DISPOSAL OF PERSONAL DATA PROCEDURE

1

Glossary of Terms

'Property' includes dwellings, gardens, garages, outbuildings, decants, and any other accommodation leased from or on behalf of the Council, to include Bed and Breakfasts, Hotels and any other temporary or emergency accommodation.

'Tenant(s)' includes licensees, garage tenants and joint tenants

'Personal Data' pertains to any papers containing personal information left within the property.

1.0 SCOPE AND OBJECTIVES

- 1.1 To ensure possessions and personal data left in Council property after the end of a tenancy is dealt with reasonably and in accordance with the law.

2.0 RESPONSIBILITIES

- 2.1 Housing Officers are primarily responsible for this Policy and procedure and should ensure that accurate records are kept on the Housing Management System and copies of all notices served, letters sent and inventories taken both written and photographic are kept on the Council's electronic filing system.
- 2.2 Authorisation by the Housing Service Manager is needed before any action can be taken.

3.0 DOCUMENTATION

Appendix A: Procedure for disposal and storage of personal data

Appendix B: Section 41 Notice – Local Government (Miscellaneous Provisions) Act 1982

Appendix C Letter to accompany the Notice

4.0 METHOD

- 4.1 When tenants move out of Council properties they are required to also move their personal belongings and data and give vacant possession back to the Council.
- 4.2 To ensure that the risk of liability for damages or theft is minimised, the Policy is devised to deal with the following situations:
- The tenancy/licence ends, the tenant/licensee moves out but leave their possessions and/or personal data in the property.
 - An eviction was carried out and possessions and/or personal data were left in the property.
 - It appears that the property has been abandoned.
 - The tenant has died

5.0 STORAGE OF POSSESSIONS

- 5.1 When a tenant has left personal possessions and/or personal data in a Council property, these will be stored in an appropriate location, unless the tenant has given written instructions that the Council can dispose of them on their behalf. If this is the case the tenant will be charged costs of removal, storage and disposal, at a charge agreed internally and made public by the Council.
- 5.2 When Housing Officers decide to store possessions, reasonable care will be taken to ensure that all possessions and /or personal data are stored at an appropriate locked facility, where risk of damage or theft is minimised.
- 5.3 The Council will make every effort to inform tenants or their representative of any possessions found that are of poor build quality, or are likely to break during removal. Photographic evidence of this will be kept to ensure any insurance claims can be satisfactorily defended.

- 5.4 All possessions found at a property deemed as a Health and Safety risk (including infestations, sharps found on site, risk of blood-borne infection etc.), will be disposed of.
- 5.5 Photographic evidence will be kept of all stored possessions at both the point of collection and following removal to the locked storage facility; logged accurately with a date and time and kept on file on the Council's electronic filing system.

6.0 SERVICE OF NOTICE

- 6.1 When a decision is made to store possessions the outgoing tenant will be served with a one month notice period in accordance with Section 41 of the Local Government (Miscellaneous Provisions) Act 1982.
- 6.2 An inventory of goods stored must be included in the notice.
- 6.3 The Notice must have a clear date by which the tenant is required to collect the stored possessions. This date must be at least one month from the day the notice was served.
- 6.4 The Notice will clearly state that all stored possessions will become the property of Cambridge City Council when the notice expires.
- 6.5 The Notice will include the total daily charges levied by the Council for the storage of possessions, and the requirement to pay the removal and storage charges in full upon collection.
- 6.6 An explanatory letter should also be included with the Notice and should include an inventory of stored possessions, and will explain that the Council on the expiry of the notice will deal with all stored possessions as it sees fit. The letter will also state the charges that will be levied to the outgoing tenant for the removal and storage and, if the notice expires, the disposal costs.

6.7 Preferably, the notice along with the letter should be served personally on the former tenant. If this is not possible the following methods are also acceptable:

- By recorded or hand delivery to the tenant's forwarding address if this is known to the Council.
- By first class postage to any other address if known where the Housing Officer may deem it reasonable to expect the outgoing tenant to receive the Notice.
- Via email (confirmation of receipt is required).
- To next of kin, if known.
- With all four methods a copy of the notice must be posted to the property the tenant has vacated.

7.0 RECOVERY OF POSSESSIONS

- 7.1 At any time during the one month notice period former tenants can request return of their possessions verbally or in writing.
- 7.2 Access to possessions must be given to the former tenant or their representative within 72 hours from receiving the request (not counting non-working days), following receipt of formal identification.
- 7.3 The costs for removal and storage will need to be paid prior to collection, however at the Housing Officer's discretion these costs can be added to the former tenant's account. The Council's Debt Recovery Policy will then apply.
- 7.4 If a claim of ownership is made by someone other than the former tenant they must be asked to make a request in writing with a detailed description of all items requested. Under no circumstances will the Council release possessions to a 3rd party without written authorisation

from the former tenant, or, if the tenant is deceased, evidence of a claim to the estate.

8.0 EXPIRY OF THE NOTICE

- 8.1 When the notice expires, authorisation can be granted by the Housing Services Manager for the possessions to become the property of Cambridge City Council.
- 8.2 The Housing Officer will put a proposal forward to the Housing Services Manager to either sell the possessions or dispose of them. Market value consideration will determine the option to follow.
- 8.3 Former Tenant's personal data will be disposed of securely and in line with the Council's Records Disposal Policy.
- 8.4 If the cost of removal, storage and administering a sale is higher than the market value of the possessions, these will then be disposed of and the cost of disposal will be added to the former tenant account.
- 8.5 If a decision is made to sell the possessions, this must be done through an internally audited auction or by passing the goods to an outside agency to organise a sale.
- 8.6 All proceeds made from the sale will go towards paying in order of priority for the following:
 - i. The removal and storage costs.
 - ii. The sale administration fee.
 - iii. Former tenant arrears
 - iv. Other debt owed to the Council.
- 8.7 If any funds still remain after payment of all the above, monies will be paid into the rent account as a credit.
- 8.8 Copies of receipts will be kept on the Council's electronic filing system and referenced to the corresponding former tenant.

9.0 PERFORMANCE AND MANAGEMENT

6

- 9.1 Officers will discuss all cases with their line manager during supervision meetings.
- 9.2 The process will be documented both in the Council's Housing Management System and electronic filing system.

Policy written: October 2018
To be reviewed by: September 2020

APPENDIX A - PERSONAL DATA DISPOSAL PROCEDURE

7

1. Personal data left in Council property will be stored alongside all other possessions, as laid out in this Policy.
2. All personal data found in a property will be stored in a green bag, provided by the Streets and Open Spaces Team.
3. If the one-month notice for storage of possessions expires, all green bags left in the property will be removed from the storage location and taken to be stored in a locked container located at the Cowley Road depot. All teams with responsibility for the removal of possessions from a Council property will be granted access to this facility.
4. The green bags will then be included as waste to be incinerated at the NOVOS site, Thriplow, as per service demand.

This procedure has been developed by City Homes, Temporary Housing, Estates and Facilities and Streets and Open Spaces to protect a tenant's personal data, as far as is reasonably practicable, from fraud.

APPENDIX B - SECTION 41 LETTER

8

NAME

ADDRESS

DATE

Dear NAME

ADDRESS

As you know this property was (repossessed/notice expired) on the DATE.

When the Council took possession the following items were found in the property:

Please see attached notice for details.

I now attach, by way of service, a notice pursuant to the provisions of Section 41 of the Local Government (Miscellaneous Provisions) Act, 1982 which specifies as follows:

1. That if the items listed in the notice are not collected from the Council by the date specified in the notice then on that date those items will become the property of Cambridge City Council and the Council can then dispose of, or sell them as it considers appropriate in the circumstances.
2. The daily storage charge that the Council is imposing whilst it keeps the items is £XX per day.

You are reminded that the total removal and storage costs (calculated to the date of collection) must be paid, in cash, when you collect the items from the Council.

If you wish to discuss this letter or the attached notice then please telephone me on

Yours sincerely

Name
Housing Officer

APPENDIX C - SECTION 41 NOTICE

10

CAMBRIDGE CITY COUNCIL

Local Government (Miscellaneous)
Provisions Act, 1982 – Section 41

To: NAME

Of: ADDRESS
Cambridge

YOU ARE HEREBY GIVEN FORMAL NOTICE AS FOLLOWS: -

1. That the property detailed in the Schedule to this notice has come into the possession of Cambridge City Council after being found in the following buildings or premises owned or managed by the Council: -

ADDRESS

2. Cambridge City Council requires you to collect the property detailed in the Schedule by

ONE MONTH FROM ISSUE

3. That if the property itemised in the Schedule is not collected by the specified date then by virtue of the provisions of Section 41(3)(a)(ii) of the Local Government (Miscellaneous Provisions) Act, 1982 that property will vest in and become the property of Cambridge City Council.

4. That by virtue of the provisions of Section 41(11) (b) of the Act the charge that the Council proposes to levy for storing the property is £0.00 (divide weekly rent by 7) per day. 11

5. The Council will require you to pay any removal and storage charges when you collect the property.

Dated this DATE

.....
For and on behalf of
Cambridge City Council

SCHEDULE

Of the property in the possession of
Cambridge City Council

LIST ITEMS

APPENDIX D - INVENTORY OF POSSESSIONS

12

INVENTORY OF POSSESSIONS**ADDRESS:****DATE:****OFFICERS PRESENT:****FORMER TENANT:****FORWARDING ADDRESS:**

NO.	DESCRIPTION	CONDITION	KEPT OR DESTROYED?

(For electrical appliances please note make, model and serial number)

I confirm that the above inventory lists all the items left within the above dwelling and outside area (including any shed, garage and garden)

13

The above items are to be disposed of Date:

The above items are to be stored until Date:

Signed.....

Housing Officer/Assistant Housing Officer

Authorised by:

Housing Services Manager

Date:

Photographs

No	File Location	Items

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UNDER OCCUPATION ASSISTANCE POLICY & ELIGIBILITY CRITERIA

1

Glossary of Terms

- **'Debts'** include, but are not exclusive to, current rent arrears, former tenant arrears, outstanding re-chargeable repairs, current and former housing related service charge arrears, arrears on use and occupation charges (profits charges), Housing Benefit overpayments made to the tenant/landlord, and court costs. They also include Council Tax debts owed to Cambridge City Council.

1 STATEMENT ON POLICY

- 1.1 Funding has been identified to help encourage tenants under occupying their existing council properties to move to smaller accommodation. The objective of this scheme is to offer an incentive to those tenants for whom moving may be prohibitive, whilst enabling Cambridge City Council to maximise opportunities to fully occupy its stock.
- 1.2 From the 1st October 2013, tenants downsizing as part of a mutual exchange are also eligible.
- 1.3 The under occupation payment will be made in respect of mutual exchanges, but only to the Cambridge City Council tenant who is downsizing. All tenants taking part in the exchange must be moving to a property that is deemed to be the correct size for their needs.
- 1.4 If discretion is exercised to allow a tenant to move to a property which is larger than their assessed needs, none of the parties involved in the mutual exchange would receive the under occupation incentive payment.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 The Council's Lettings Policy outlines the way housing is allocated in the City. In respect of under-occupation, the City prioritises those households who are under-occupying by either 2 bedrooms or are looking to give up an adapted property they no longer need by awarding a Band A status, and those who are under-occupying by 1-bedroom a Band B status.
- 2.2 In order to qualify for the under-occupation scheme, applicants must be secure tenants of Cambridge City Council, and must have held their tenancy of the current property for at least two years. The full eligibility criteria are attached at Appendix A.
- 2.3 The scheme is marketed via publicity in Open Door, on the internet and in leaflets available in reception areas.
- 2.4 Applicants will be asked to complete an application form for the assistance scheme.
- 2.5 Applicants with any debt owed to the Council will have the amount owed deducted from the grant. Applicants with debts in excess of the eligible payment may be refused.
- 2.6 The removal grant payment of up to £800 (depending upon number of bedrooms) will be paid as part of the lettings process. When a Notice To Quit is received, and if the applicant then fails to move, repayment will be demanded in full within one month of the date of payment. The council will take legal action to recover the grant if not returned.
- 2.7 For a mutual exchange, the removal grant will be paid when the Deed of Assignment has been signed.
- 2.8 Applicants who are secure tenants are responsible for arranging their own removals, disconnections and reconnections etc. Cambridge City Council cannot recommend removal companies.

- 2.9 Mutual Exchange applicants will be responsible for arranging their own removals and electrical reconnections and disconnections; gas connections and re-connections are undertaken by the Council.
- 2.10 The final payment of £1,000 or more (minus any deductions) as a result of moving to smaller accommodation will be paid after the applicant has moved and the void inspection and repairs have been completed.
- 2.11 Payments will be made by cheque or BACS transfer and applicants should allow up to 28 days for receipt of final payment.
- 2.12 Applicants need to be eligible for the type of property they are moving to, in accordance with the Council's Letting's Policy and Cambridge City Council reserves the right to refuse applications where it is considered the applicant may be worsening their circumstances.
- 2.13 Applicants will be expected to use the Choice-Based Lettings system in order to find a suitable property to move to.

Policy written: October 2018

To be reviewed by: September 2020

APPENDIX A – ELIGIBILITY CRITERIA FOR UNDER-OCCUPATION ASSISTANCE GRANT

1. Applicants must be secure tenants of Cambridge City Council.
2. Applicants must have held their tenancy of the current property for at least 2 years.
3. Applicants with any debt owing to the Council that exceeds the maximum amount of grant they would be eligible for will not be eligible for the scheme.
4. Applicants who are bankrupt, or have a debt-repayment order in place will not be eligible for the scheme.
5. Applicants who have had debts written off in the last 5 years will not be eligible for the scheme.
6. Applicants must be eligible for the type of property they are moving to, in accordance with Cambridge City Council's Lettings Policy.
7. Applicants who have succeeded to the tenancy and are under-occupying the property are not eligible for the scheme.

GARAGE USE AND ARREARS POLICY

1

1 STATEMENT ON POLICY

- 1.1 Cambridge City Council owns a number of garage sites and parking spaces across the city which provides a rental income.
- 1.2 The letting of garages and parking spaces is administered by City Homes who also have responsibility for collecting the rent, chasing debts and repossessing garages and parking spaces where necessary.
- 1.3 There are variable rent charges for both garages and parking spaces depending on the location, use (in regard to garages) and user.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 Garages and parking spaces are allocated in the following priority order:

Disabled applicants with restricted mobility	1st priority
City Council tenants	2nd priority
Non-tenants	3rd priority
- 2.2 Non-tenants are required to pay a deposit. VAT is payable on any garage or parking space let to anyone other than a council housing tenant who rents the garage in connection with the occupation of their home, and is payable by a council housing tenant if they use the garage solely for storage.
- 2.3 Garage and parking space rents must be paid by Direct Debit (for new lettings with effect from April 2017) and any council tenant in rent arrears on their property will be refused a garage or parking space on these grounds.
- 2.4 Council housing tenants who also rent a garage and are in arrears at the property will have the garage repossessed even if there are no arrears on it unless they are able to fully clear the arrears on the property.

- 2.5 Garages are let in accordance with the Council's garage tenancy conditions.
- 2.6 Garages may be used for storage in accordance with the Council's garage tenancy conditions.
- 2.7 The deposit will be used, at the end of the tenancy, to offset any rent arrears and any rechargeable repairs, including a lock change if necessary.
- 2.8 If the rent is not paid then warning letters will be sent and if not cleared then a Notice to Quit the garage will be served. If the rent has still not been cleared on expiry of the notice a lock change letter will be sent to the tenant, and a lock change ordered / carried out.
- 2.9 If there are goods in the garage when the locks are changed the former tenant will be served with a s.41 Notice giving 28 days for them to clear the items. If, on expiry of the notice, the items have not been cleared the Council will dispose of them.
- 2.10 Should the tenant make contact and wish to continue renting the garage after the locks have been changed there will be an additional charge for the lock change that must be paid along with the arrears before the request is granted.
- 2.11 Granting the reallocation of the garage after possession has taken place will be dependent on demand on the garage waiting list and will be at the discretion of the Housing Officer. Re-allocation of the garage to the previous tenant may be refused.

Policy written: October 2018

To be reviewed by: September 2020

ACCESS LICENCES ON HOUSING LAND POLICY & PROCESS

1

Glossary of Terms

'Resident' - includes Council tenants or licensees, private tenants and owner-occupiers.

'Land' – land owned by the Housing Revenue Account, or land owned by Cambridge City Council.

'Property' – includes council owned property or dwellings, privately owned property or dwellings or property and any other accommodation leased from or on behalf of the Council.

1 STATEMENT ON POLICY

- 1.1 This policy identifies the granting and use of access licences across land owned by Cambridge City Council Housing Services.
- 1.2 The policy is necessary to ensure that access is only granted where appropriate.
- 1.3 This policy is necessary to maximise the potential for income to the Housing Revenue Account from the granting of licences, as well as protecting the Council from claims of rights of ownership to Council-owned land

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 An administration fee is payable alongside each licence fee. Other fees may also apply, for example for transferring access to a new licensee on sale of a Council property.
- 2.2 Full terms of the licence are laid out in the Access Licence Agreement.

- 2.3 Where a resident requests the granting of an access licence over housing land, it is the Housing Officers responsibility to ensure that the granting of the licence would not cause damage to the land over which access is required, and to instruct Housing Finance accordingly who will issue the license and set up the payment.
- 2.4 The granting of a licence must not interfere with, obstruct or conflict with access for or to other interested parties.
- 2.5 The granting of a licence must not create conflict with the Cambridge City Council's policy on parking.
- 2.6 The granting of an access licence must not contravene any covenant associated with a property or piece of land.
- 2.7 A licence will be withdrawn when it is no longer appropriate for access to be granted or payment is no longer received.

3 ENFORCEMENT

- 3.1 Housing Officers are responsible for identifying where Housing land is being used for access and liaising with Housing Finance to ensure an appropriate agreement is in place.
- 3.2 Where Housing land is being used without an appropriate agreement in place, Housing Officers will contact the resident with a Notice letter to arrange for a licence to be executed. If the resident fails to apply for a licence within one month of the Notice letter, the Council will be entitled to go on to the Property to erect a fence. The cost of doing this will be recharged to the resident.
- 3.3 The licence holder is responsible for ensuring the fee for using the access is paid. Outstanding fees will be treated as an arrear, and will be subject to the Council's Debt Collection Policy. Non-payment of fees may result in the agreement being rescinded.

- 3.4 The Council reserves the right to rescind the access if any of the conditions of the licence are breached.

4 TERMINATION

- 4.1 The Council or the Licence holder may bring the agreement to end at any time giving one month's written notice.
- 4.2 When the agreement ends, the licence holder will be responsible for closing off the access. If the resident fails to do this within one month of the end of the agreement, the Council will be entitled to go on to the Property to erect a fence. The cost of doing this will be recharged to the resident.

Policy written: October 2018

To be reviewed by: September 2020

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ASSIGNMENT POLICY

1

1 STATEMENT ON POLICY

- 1.1 There are limited circumstances that allow a secure tenant to assign their tenancy to another person. Under the council's existing Tenancy Agreement, tenants are required to seek the landlord's permission to assign their tenancy.
- 1.2 Tenants are advised to discuss any applications for assignment with their Housing Officer.
- 1.3 The City Council's Tenancy Agreement outline's tenant's rights to exchange by way of assignment.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 Secure tenants (including fixed term secure tenants) can pass on (assign) their tenancy to another person in the following circumstances:
 - By mutual exchange, with the Council's permission
 - Under certain court orders
 - To a person who meets the eligibility criteria within Cambridge City Council's Housing Allocation Policy, and who would therefore be qualified to succeed to the tenancy if the tenant died immediately before the assignment.
- 2.2 Assignments may only be conducted in the following ways:
 - An assignment in connection with the right to exchange under section 92 of the 1985 Housing Act (does not apply to Introductory Tenancies)
 - An assignment made under certain court orders; Where a court makes a property adjustment order, under sections 23A or 24 of the Matrimonial Causes Act 1973, or under section 17(1) of the

Matrimonial and Family Proceedings Act 1984, or under paragraph 1, Schedule 1 to the Children Act 1989,

- An assignment to a person who would be qualified to succeed the tenant if the tenant died immediately before the assignment. For an assignment to a potential successor to be approved, conditions relating to the length of occupation by the potential assignee and to the suitability of the property must be fulfilled before the assignment is approved. Please refer to the Succession Policy for the detail of who would qualify.

- 2.3 An assignment must be executed before the assignor moves out of the property. If the assignor moves out before the assignment takes place the security of tenure will be lost and a Notice to Quit will be served to bring the tenancy to an end.
- 2.4 The right to assign a secure tenancy to a person who would qualify to succeed to the tenancy if the tenant died immediately before the assignment does not apply to a joint secure tenancy. A joint secure tenancy cannot be assigned to a potential successor. In the event of the death of a joint tenant, the remaining sole tenant will succeed to the tenancy by survivorship, not by statutory succession as defined in the Housing Act 1985.
- 2.5 In the case of an assignment by a secure tenant to a family member (other than an ex-spouse in divorce proceedings) the assignee is automatically a successor by section 88 of the Housing Act 1985 and on the assignee's death no further succession is possible. An assignment to a potential successor counts as a succession therefore there can be no further succession when the assignee tenant dies.
- 2.6 Details of the persons qualified to succeed the tenant are set out in section 87 of the Housing Act 1985 as amended by the Civil Partnerships Act 2004. This Policy does not currently reflect the amendments in the Localism Act 2011, which may be addressed in future iterations.

- 2.7 If an assignment takes place outside the specified circumstances in which assignment is permitted, without the approval of the Council, it will not result in the transfer of the tenancy. The tenancy will no longer be secure, and the assignee will not become a secure tenant. The Council will then be able to terminate the tenancy by service of a notice to quit.

Policy written: October 2018
To be reviewed by: September 2020

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SUCCESSION POLICY

1

1 STATEMENT ON POLICY

- 1.1 Succession is the legal right of a qualifying person to take over the tenancy on the death of the current tenant. The City Council will allow one succession in the lifetime of a secure tenancy, as laid out in the Housing Act 1985. This Policy does not currently reflect the amendments in the Localism Act 2011, which allows for the right to succeed to be limited to married partners, cohabitees and civil partners.
- 1.2 Any secure successions that took place prior to 03/10/1980 are exempt from this ruling, and will not be counted.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 Only one succession per tenancy is allowed. Therefore if a tenant is already a successor the tenancy cannot be passed on again.
- 2.2 Secure tenancies cannot be 'gifted' in a will.
- 2.3 With effect from 1 April 2012 a new ground for possession (15A) has been introduced into Schedule 2 to the Housing Act 1985 by Section 162 of the Localism Act 2011. A landlord wishing to use this ground against a successor must serve Notice of Seeking Possession or begin proceedings no sooner than six months after the death of the previous tenant and not later than 12 months after the death.

Succession rights for a person cohabiting with a secure tenant

- 2.4 For tenancies that started on or after 1 April 2012; the remaining tenant can inherit the tenancy as long as it was their home when the cohabitee died.

- 2.5 For tenancies that started before 1 April 2012; the remaining tenant can inherit the tenancy as long as it was their home at the time the cohabitee died and they were living together for at least 12 months before the secure tenant died.

Succession rights of relatives of a secure tenant

- 2.6 For tenancies that started on or after 1 April 2012; the remaining tenant can only inherit a relative's tenancy that started on or after 1 April 2012 if the tenancy agreement says this is allowed.
- 2.7 Tenancies that started before 1 April 2012; the remaining tenant can inherit a relative's tenancy that started before 1 April 2012 if:
- the tenancy was their home when the tenant died
 - the tenant did not have a spouse or civil partner who can inherit the tenancy
 - they were living with tenant for at least 12 months before they died. Time spent living elsewhere counts.

Relatives who can inherit a council tenancy

- 2.8 These include:
- parents or grandparents
 - child or grandchild
 - brother or sister
 - uncle, aunt, nephew or niece
- 2.9 Step-relations, half-relations and in-laws are also included, but not foster children.

Disputes about who can inherit the tenancy

- 2.10 The husband, wife or civil partner will always take priority over anyone else, unless it is a joint tenancy when the tenancy continues in the name of the other joint tenant.

- 2.11 If there is a choice between qualifying relatives, they can decide among themselves who inherits the tenancy. Two or more relatives cannot succeed together as joint tenants.
- 2.12 If they cannot agree, the Council will make the decision.

If an inherited home is too large

- 2.13 The Council will ask the successor to move (with the exception of a surviving spouse/civil partnership or joint tenancy) and provide suitable alternative accommodation, if the property is larger than is reasonably needed by the successor and their family. Eviction can only take place if the Council takes the successor to court and the judge agrees that it is reasonable to evict them under Grounds 15A, Schedule 2 of the Housing Act 1985.
- 2.14 The Council must give notice to leave between 6 and 12 months after the tenant's death or the date it became aware of the tenant's death if this is later.

Succession rights if the council tenancy is not a secure tenancy

- 2.15 The rights to inherit a flexible tenancy are the same as those for secure council tenancies that started on or after 1 April 2012.
- 2.16 The rights to inherit an introductory tenancy are the same as those for secure council tenancies that started before 1 April 2012.
- 2.17 Husbands, wives, civil partners, cohabitees and close family members can inherit a tenancy demoted for antisocial behaviour if they lived with the tenant for at least 12 months before they died.
- 2.18 There are no rights to inherit a family intervention tenancy or temporary accommodation granted after a homelessness application made by the person who died.

If you don't have the right to inherit the tenancy

- 2.19 The Council will ask any remaining occupant to leave following the tenant's death if the remaining occupant does not have the right to inherit the Council tenancy they are living in.
- 2.21 The Council will take action to evict the remaining occupant if they continue to live in the property after the death of the tenant and they do not have the right to do so.

Policy written: October 2018

To be reviewed by: September 2020

HOUSING ACT 1985

Section 83

NOTICE OF SEEKING POSSESSION

THIS NOTICE IS THE FIRST STEP TOWARDS REQUIRING YOU TO GIVE UP POSSESSION OF YOUR DWELLING.

YOU SHOULD READ IT VERY CAREFULLY

1. To: Name of Successor

If you need advice about this Notice, and what you should do about it, take it as quickly as possible to a Citizens' Advice Bureau, a Housing Aid Centre, or a Law Centre, or to a Solicitor. You may be able to receive Legal Aid but this will depend on your personal circumstances.

2. CAMBRIDGE CITY COUNCIL intends to apply to the Court for an order requiring you to give up possession of:-

Address

If you are a secure tenant under the Housing Act 1985, you can only be required to leave your dwelling if your landlord obtains an order for

possession from the Court. The order must be based on one of the Grounds which are set out in the 1985 Act (see paragraph 3 and 4 below).

If you are willing to give up possession without a Court Order, you should notify the person who signed this Notice as soon as possible and say when you would leave.

-
3. Possession will be sought on Ground 15A of Schedule 2 to the Housing Act 1985 which reads:-

GROUND 15A

The accommodation afforded by the dwelling-house is more extensive than is reasonably required by the tenant and—

(a)the tenancy vested in the tenant by virtue of section 89 (succession to periodic tenancy), the tenant being qualified to succeed by virtue of section 87(b) (members of family other than spouse), and .

(b)notice of the proceedings for possession was served under section 83 more than six months but less than twelve months after the date of the previous tenant's death. .

Whatever grounds for possession are set out in paragraph 3 of this notice the court may allow any of the other Grounds to be added at a later stage. If this is done, you will be told about it so you can argue at the

hearing in Court about the new Ground, as well as the Grounds set out in paragraph 3, if you want to.

4. Particulars of Ground 15A are as follows: -

The dwelling-house is in England, the accommodation afforded by it is more extensive than is reasonably required by the tenant and—

- (a) the tenancy vested in the tenant by virtue of section 89 (succession to periodic tenancy) or 90 (devolution of term certain) in a case where the tenant was not the previous tenant's spouse or civil partner, and
- (b) notice of the proceedings for possession was served under section 83 (or, where no such notice was served, the proceedings for possession were begun) more than six months but less than twelve months after the relevant date.

For this purpose “the relevant date” is:

- (a) the date of the previous tenant's death, or
- (b) if the court so directs, the date on which, in the opinion of the court, the landlord (or, in the case of joint landlords, any one of them) became aware of the previous tenant's death.

The matters to be taken into account by the court in determining whether it is reasonable to make an order on this ground include—

- (a) the age of the tenant,
- (b) the period (if any) during which the tenant has occupied the dwelling-house as the tenant's only or principal home, and
- (c) any financial or other support given by the tenant to the previous tenant.

Before the Court will grant an order on any of the Grounds 1 to 8 or 12 to 16 it must be satisfied that it is reasonable to require you to leave. This means that if one of these Grounds is set out in paragraph 3 of this Notice you will be able to argue at the hearing in Court that it is not reasonable that you should have to leave, even if you accept that the Ground applies.

Before the Court grants any order on any of the Grounds 9 to 16 it must be satisfied that there will be suitable alternative accommodation for you when you have to leave. This means that the Court will have to decide that, in its opinion, there will be other accommodation which is reasonably suitable for the needs of you and your family, taking into particular account various factors such as the nearness of your place of work, and the sort of housing that other people with similar needs are offered. Your new home will have to be let to you on another secure tenancy or a private tenancy under the Rent Act of a kind that will give you similar security.

THERE IS NO REQUIREMENT FOR SUITABLE ALTERNATIVE ACCOMMODATION WHERE GROUNDS 1 TO 8 APPLY

If your landlord is not a local authority, and the local authority gives a certificate that it will provide you with suitable accommodation, the Court has to accept the certificate.

One of the requirements of Ground 10A is that the landlord must have approval for the redevelopment scheme from the Secretary of State (or, in the case of a housing association landlord, the Housing Corporation). The landlord must have consulted all secure tenants affected by the proposed redevelopment scheme.

5. The Court proceedings for possession of the dwelling house can be begun immediately.

The date by which the tenant is to give up possession of the dwelling house is the date which is a minimum of 4 weeks from the first Monday following service of the Notice of Seeking Possession.

Court proceedings may be begun at once or at any time during the following twelve months. Once twelve months are up this Notice will lapse and a new notice must be served before possession can be sought.

Possession of your dwelling house cannot be obtained until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end.

This means that if you have a weekly or fortnightly tenancy, there should be at least four weeks between the date this notice is given and the date possession is ordered.

Signed.....

On behalf of CAMBRIDGE CITY COUNCIL

Address:- 44 St Andrews Street
CAMBRIDGE

Telephone No:- 457000 extension 8403

10

Date..... 201

Notice under Section 83 of the Housing Act 1985 of which this is a true copy, served personally on

.....

Dated:201

Signed.....

TAKE NOTICE pursuant to the provisions of Section 48 of the Landlord and Tenant Act, 1987 the Council as your Landlord is obliged to inform you of the address at which notices (including notices in any court proceedings) may be served on it. Please take note that the appropriate address for service is:-

HOBSON HOUSE
44 ST ANDREW'S STREET

SCHEDULE 1

On (date) (title and name of successor) succeeded to the tenancy of the late (relation to original tenant) (name of original tenant) at (address of property) by virtue of Section 87(b) Housing Act 1985. The property is a..... bedroomed house / flat /maisonette which (name of successor) occupies by himself / herself and is therefore too large for (name of successor) needs. Given the high demand forbedroom properties it is unreasonable for (name of successor) to remain at (address of property). Cambridge City Council will make (name of successor) has made to (name of successor) a reasonable offer of suitable alternative accommodation more fitting to his needs as a single person. This notice of seeking possession was served under section 83) more than six months but less than twelve months from the date the succession took effect.

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MUTUAL EXCHANGE POLICY

1

1 STATEMENT ON POLICY

- 1.1 The City Council recognises that the option to exchange tenancies can be of a benefit in providing mobility to tenants. Mutual exchanges can take place between two or more Cambridge City Council tenants or between any other secure/fixed term or assured tenant provided written permission is obtained from all landlords and the exchange ensures the Council is making best use of its stock.
- 1.2 The City Council's Tenancy Agreement outlines tenant's rights to exchange by way of mutual exchange.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 As laid out in the Housing Act 1985, The mutual exchange request will be refused if any of the following apply:
 - There is a Possession Order on the property
 - The property is substantially bigger than the household needs – in this instance the Council will not allow under-occupation to take place when the property is classed as a 'high demand' property and is substantially bigger than the household needs
 - The property is not big enough for the household wishing to move into it and would worsen the household's living conditions.
 - The property is designed for people with disabilities, and if the exchange took place there would not be anyone with disabilities living there.
- 2.2 Exceptional applications where there is a case to override the criteria for refusal will be determined by the Housing Services Manager or by the Head of Housing if the Housing Services manager is not available to make that decision.

- 2.3 Applicants wanting to move into a Cambridge City Council property need to be eligible for the type of property they are moving to, in accordance with the Council's Letting's Policy. Applicants requiring help in calculating their bedroom entitlement can use the Directgov online bedroom entitlement calculator at <https://lha-direct.voa.gov.uk/BedRoomCalculator.aspx>
- 2.3 A decision will not be made until fully-completed application forms from both parties looking to exchange have been received, including references for the applicant moving in being returned, tenancy issues being resolved (any arrears will be need to be cleared by the moving date), a property inspection being carried out and repairs or re-instatement following unauthorised alterations have been advised to the applicant and rectified, and/or all relevant certificates have been received.
- 2.4 The Council will have 42 days to make a decision for a Mutual Exchange following confirmation of the required conditions being met.
- 2.5 The applicant has the right to appeal a refusal within 28 days. The Council will ask for this in writing, and ask the applicant to provide evidence to support the appeal.

Policy written: October 2018

To be reviewed by: September 2020

SUBLETTING AND FRAUD PREVENTION POLICY

1

1 STATEMENT ON POLICY

- 1.1 Secure tenants have the right to sublet part of their home provided that this does not cause the home to become overcrowded. Cambridge City Council recognises the benefits that can come for tenants who would like to sub-let part of their property or take in a lodger.
- 1.2 Tenants must get permission in writing from the City Council to sublet part of their home, but this will not be unreasonably withheld.
- 1.3 Tenants must not sublet the whole of their home. A sub-tenant is someone that rents part of a tenant's house, whilst the tenant occupies part of it.
- 1.4 Secure tenants may take in lodgers, but must not let their home become overcrowded. A lodger is someone that a tenant allows to move in with them and occupies a room in their property usually with rent being paid.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 The tenant has to occupy the property as their principal home. If the whole home is sublet then this invalidates the secure tenancy and a Notice to Quit will be served. The tenant permanently loses security of tenure.
- 2.2 Cambridge City Council will actively investigate all reports of alleged unauthorised subletting and abandonment and report on-going cases to the Tenancy Enforcement Panel. The investigation may include regular visits to the property, discussions with neighbours and other relevant agencies. Legal action, including possession proceedings may be appropriate.
- 2.3 The Prevention of Social Housing Fraud Act 2013 came into force in October 2013. The Act creates two new criminal offences applicable to secure tenancies:

- i. Dishonest breach of an express or implied term of tenancy not to sublet where the tenant has ceased to occupy the property as their only principal: and
- ii. Knowing breach of express or implied terms of tenancy not to sublet where the tenant has ceased to occupy the property as their principal home.

- 2.4 A tenant could be imprisoned for up to 2 years and / or fined up to £50,000 for a “dishonest” sublet or for a lesser offence of a “knowing” sublet a tenant could be fined up to £5,000¹.
- 2.5 We will work with a sub tenant to prevent homelessness by giving support and advice. In addition, tenants found to be subletting will be interviewed to determine their reasons for subletting to ensure that vulnerable tenants are protected.
- 2.6 The City Council recognises that there are occasions when a tenant may be absent from their home for longer than 28 days. They may ask someone else to stay in their home and a “caretaking” arrangement may be agreed, but this must be authorised by the Council.
- 2.7 Secure tenants can take in lodgers but must not overcrowd their home. Tenants should note that if they take in lodgers this might affect their claim for benefits including Housing Benefit/Universal Credit.
- 2.8 Tenants are responsible for the behaviour of any lodger that lives in the property.

¹ A dishonest breach is for a financial gain.

A knowing breach would be where the tenant is not living in the property as their main and principle home, but allowing other family members to live in the property but not for financial gain. This would also be a breach of Tenancy Conditions.

2.9 The Immigration Act 2014 requires tenants to check that their prospective lodger or sub tenant are legally able to rent, this is called the "Right to Rent".

3

Policy written: October 2018

To be reviewed by: September 2020

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ABANDONMENT & LONG TERM ABSENCE POLICY & PROCEDURE

1

Glossary of Terms

'Tenants' means secure tenants, introductory tenants or fixed-term tenants

1 STATEMENT ON POLICY

- 1.1 The Council requires tenants to live in their home as their main or principal home, in accordance with the Tenancy Agreement.
- 1.2 Cambridge City Council will act within its statutory powers to prevent the misuse and abandonment of its housing stock. The Council will also comply with the Protection from Eviction Act 1977 by thoroughly investigating suspected cases of abandonment.
- 1.3 Cambridge City Council tenants may have a genuine reason to be absent from a property for more than 28 days. They may be in prison, in hospital, working away, on a long holiday or visiting relatives overseas.
- 1.4 Tenants are required to inform the Council if they intend to be absent from the property for more than 28 days, as laid out in the Tenancy Agreement. When the necessary evidence to support why the property has been left unoccupied for a prolonged period cannot be sourced, the case will be investigated by the Housing Officer and passed to the Housing Services Manager who will consider whether the service of a Notice to Quit is appropriate. The Fraud Prevention Team will be consulted to support the investigation.
- 1.5 A tenant must continue to pay the rent whilst away from the property.
- 1.6 Where there is a joint tenancy, the Council will liaise directly with the remaining joint tenant, but ensure that the interests of the absent joint tenant are maintained.

- 1.7 The current rules for temporary absence and Housing Benefit are attached at Appendix A.

2 KEY ISSUES FOR POLICY IMPLEMENTATION - ABANDONMENT

- 2.1 The Council recognises the impact that empty properties can have on the community. By actively investigating reports of abandonment, the Council aims to prevent rent arrears and disrepair caused by unoccupied properties and to ensure that its stock is fully utilised, in accordance with the Council's Allocations Policy.
- 2.2 Where a tenant appears to have given up occupation of a property and removes most of their belongings, leaving the property practically empty and without paying further rent, the property may have been abandoned. The Council needs to consider whether the tenant has demonstrated actions that can without doubt be treated as an "implied surrender". An "Abandoned property investigation form" (Attached at Appendix B) will be completed, following a visit to the property.
- 2.3 The Council will actively seek to support vulnerable people that may have difficulties sustaining a tenancy and, where the tenant is known to be vulnerable, will liaise with the Tenancy Sustainment Service. A referral may be considered to the multi-agency '*Tenants At Risk*' Group.
- 2.4 Each case will be investigated and considered by the relevant Housing Services Manager. When the necessary evidence to support why the property has been left unoccupied for a prolonged period cannot be sourced, the Housing Services Manager will consider whether the service of a Notice to Quit is appropriate. The Fraud Prevention Team will be consulted to support the investigation.
- 2.5 Once security of tenure has been lost it cannot be regained by moving back into the property.
- 2.6 The Council must ensure that it does not prevent a lawful occupant from residing in their property. Officers must ensure that their actions are

justified and that the non-occupation of the property and whether the tenants have an intention to return has been fully investigated. Failure to do so may render the Council, its agents, contractors or employees liable to criminal prosecution or civil claims under the Protection from Eviction Act 1977.

2.7 Dependent upon the outcome of investigations, the Council will make a decision whether to:

- change the locks and take possession of the property,
- serve a notice to quit, and then terminate the tenancy and take possession upon expiry of the notice to quit, or
- serve a notice to quit and obtain a court order for possession.

2.8 Please refer to the Tenancy Agreement for further information.

3 KEY ISSUES FOR POLICY IMPLEMENTATION - PRISON

3.1 A long-term prison sentence does not mean that a tenant has lost their security of tenure, as the property is still their principal home and they have an intention to return.

3.2 When information has been obtained that a tenant has been sentenced to any period of time in prison, the Council will take steps to gather all relevant information and liaise with other agencies to achieve the best outcome for the Council and the tenant.

3.3 Contact will be made with Probation Services or the Prisoner Location Service to identify the prisoner's length of sentence, location and prisoner number.

3.4 Housing Benefit / Universal Credit will be stopped for prison sentences over 26 weeks but will usually continue for sentences of less than 26 weeks on an assumption that the prisoner will only serve 13 weeks. However if prison stay for whatever reason exceeds the 13 weeks mark, then Housing benefit will be cancelled from the date it becomes clear

that the stay will now exceed 13 weeks. Tenants can claim Housing Benefit/Universal Credit for up to 52 weeks whilst on remand if they are likely to return home within a year.

- 3.5 If a property is empty and rent arrears are accruing the Council will discuss the possibility that the tenant should terminate their tenancy. In discussions with the tenant or advocate, at no time will an officer give or imply an undertaking to house a tenant upon their release from prison in return for a Notice to Quit.
- 3.6 If the arrears continue and the tenant does not end their tenancy then the rent arrears procedure will be followed and copies of correspondence sent to the prison.
- 3.7 In certain cases it may not be suitable for the perpetrator of a serious crime to return to their current property. A tenant guilty of a crime that breaches tenancy conditions will have eviction proceedings taken against them.
- 3.8 Where eviction proceedings are being considered referral will be made to the *Tenants At Risk* panel.
- 3.9 In correspondence we will advise the tenant to seek independent legal, housing and welfare advice from their prison welfare officer or probation officer and refer them to organisations such as NACRO and Resettlement Plus Helpline (0800 0181 259).

4 KEY ISSUES FOR POLICY IMPLEMENTATION – HOSPITAL/ RESIDENTIAL CARE

- 4.1 A long-term stay in hospital does not mean that the tenant has lost their security of tenure, as the property is still their principal home and they have an intention to return.
- 4.2 Tenants may spend a trial period in residential care before a final decision is made on whether to move in permanently.

- 4.3 The Housing Officer will contact the tenant in hospital or residential care to offer advice and assistance or, with the tenant's permission, contact a relative or friend.
- 4.4 Housing Benefit is payable for up to 52 Weeks in cases of long term hospital stay and respite in care homes.

5 FIXED TERM TENANCIES

- 5.1 A fixed term tenancy grants the tenant the right to occupy the property for a term of years. A Notice to Quit by the landlord during the fixed term period will have no effect in ending the tenancy. This is the case even if the tenant has lost security of tenure because they have been granted the right to occupy for the whole fixed term.
- 5.2 If a fixed term tenancy appears to be abandoned then a different approach needs to be taken, and there are three possible solutions:
- To forfeit the lease by serving a Notice under Section 146 of the Law of Property Act 1925. If the tenant fails to rectify the breach, then forfeiture of the fixed term tenancy is sought in court.
 - To treat it as an "implied surrender" and to take the property back. Without a court order this has the risk that as the tenancy has never been ended the landlord could face prosecution under the Protection from Eviction Act 1977.
 - Issue a Notice on Ground 1 of the Housing Act 1985 on the basis of a breach of the Tenancy Agreement as the tenant is not in occupation as his or her only or principal home.
- 5.3 It is advisable to serve both a Section 146 Notice and a Notice Seeking Possession without prejudice to one another.
- 5.4 The tenant may serve a Notice to Quit on the council during the fixed term, only if the Tenancy Agreement contains the necessary clause.

6 PROCEDURE

6

- 6.1 If a report of a suspected abandonment is received then the investigating officer will visit the property, attempt to contact the tenant in person, by telephone or email, allowing 28 days for a response.
- 6.2 The officer will consult with Cambridge City Council's Fraud Team as well as make enquiries with other appropriate agencies and complete an abandoned property investigation form.
- 6.3 A seven day warning letter (Appendix C) will be left at the property advising the tenant to contact the Council within seven days otherwise the property may be treated as abandoned.
- 6.4 If, after seven days, there is still no response, then the Investigating Officer will discuss the case with the Housing Officer and the relevant Housing Service Manager.
- 6.5 If there is sufficient evidence that the property has been abandoned then it may be appropriate to consider the action of the tenant as amounting to an implied "surrender" and it may be possible to repossess the property.
- 6.7 This policy should be read in conjunction with the "Disposal of Possessions Policy".

Policy written: October 2018

To be reviewed by: September 2020

APPENDIX A – Housing Benefit/Universal Credit Temporary Absence Rules

The changes came into force on 28 July 2016.

In brief:

- The “13 Week Rule” is reduced to 4 weeks if the temporary absence is outside of Great Britain (which includes where the absence is due to a visit to Northern Ireland, Isle of Man or the Channel Islands as these are all outside Great Britain). However, a further 4 week period can be awarded at the discretion of the local authority if it decides that it is “unreasonable” to expect the claimant to return within the first four weeks – due to the death of a partner or the death of a child or close relative only . So in effect a new 8 weeks rule has been introduced.
- The “52 Week Rule” is reduced to 26 weeks in specified circumstances.

Pensionable Age

The new rules apply to those persons who have attained the qualifying age for state pension credit, as well as those of working age.

Other Family Members

The new temporary absence rules also apply to a claimant’s family and others who live with them in the determination of whether they occupy the home for such purposes as, for example, under-occupancy for spare room subsidy or the appropriate rate of local housing allowance.

Moving out due to essential repairs

Tenants who have to move while essential repairs are being carried out on their home (e.g. following flooding) may be eligible for housing benefit on temporary accommodation if they rent it. However they will not be entitled to payments on more than one home.

If they remain liable to pay rent on their normal home as well, it will be for the local authority to decide which home is to be treated as their main home. Homeowners who have to move out while essential repairs are being carried out could be eligible for housing benefit on temporary accommodation if they are paying rent there.

Residential care on trial or temporary basis

If a claimant moves into a residential care home on a trial basis, for example to see if it is suitable for her/his needs, with the intention on the day of entry to return to her/his home if the trial proves unsuccessful, s/he can receive housing benefit on her/his old home for up to 13 weeks. This entitlement is not affected if, during that time, s/he decides to stay in residential accommodation permanently.

Where a claimant enters residential care on a temporary basis, for example while her/his carer is temporarily unavailable, with the intention to return to her/his original home, s/he is entitled to housing benefit to pay for the original home for up to 52 weeks.

With effect from 28 July 2016, housing benefit will only be paid for an absence of up to four weeks when the residential accommodation is outside GB.

5 When housing benefit will be paid if the claimant is temporarily absent from home – Great Britain

A housing benefit claimant (or household member) may be treated as occupying the home, and therefore eligible for housing benefit, even if they are absent from it. Housing benefit is payable during periods of temporary absence if:

- a claimant intends to return to live in her/his home
- has not sublet it

- the period of absence is unlikely to exceed the time allowed - this can be four, eight, 13, 26 or 52 weeks, as appropriate depending on the circumstances of the absence (see below).

In calculating the period of absence the first day of absence is included and the day of return is excluded.

A fresh period of temporary absence for which housing benefit is payable can start following a return to the property (this could be for as little as 24 hours). This does not apply to a prisoner on temporary release who returns home.

Absence up to 13 weeks

The standard rule is that a period of absence from home must not be (or must not be expected to be) more than 13 weeks. There are different time limits for periods of absence outside Great Britain.

If it transpires that a period of absence is or will be longer than 13 weeks, the claimant is entitled to housing benefit up to the time at which s/he is no longer expected to return home within 13 weeks.

Absence up to 52 weeks

A claimant can remain entitled to housing benefit for an absence within Great Britain that is (or is expected to be) no more than 52 weeks if s/he is:

- a prisoner who has not been sentenced (i.e. is on remand awaiting trial or has been convicted but is awaiting sentence)
- living in a bail or probation hostel, or bailed to live away from her/his home
- a hospital patient or living in accommodation other than residential accommodation for the purpose of receiving medically approved treatment or care
- providing medically approved care to someone else, or caring for a child under 16 years old whose parent or guardian is away from home because s/he is receiving 'medically approved' care

- fleeing because of violence or a fear of violence in her/his home
- on a government approved training course
- a student who is eligible for housing benefit (eg if they have to study abroad as part of their course)
- receiving care in residential accommodation, but not staying in the home on a trial basis.

If it transpires that a period of absence is or will be longer than 52 weeks, the claimant is entitled to housing benefit up to the time at which s/he no longer expects to return home within 52 weeks.

In some exceptional circumstances (such as a relapse or other unanticipated event), the period of absence can exceed 52 weeks, as long as it is unlikely to substantially exceed this period. Payments will, however, still only cover the 52-week period.

Although the '52 week rule' may indirectly discriminate against hospital patients suffering from severe mental illness due to the increased likelihood of such claimants being detained in hospital for longer than 52 weeks, the Court of Appeal held that the rule was not manifestly without reasonable foundation, and for entitlement to housing benefit to cease in those circumstances

6 When housing benefit will be paid if the claimant is temporarily absent from home –Outside Great Britain

From 28 July 2016 rules govern the period of temporary absence for which housing benefit is payable when the claimant (or household member) is absent outside of Great Britain (GB).

GB comprises England, Wales and Scotland. It does not include Northern Ireland, the Channel Isles or the Isle of Man.

Absence up to four weeks

A claimant (or household member) will not be treated as occupying the home if they are temporarily absent from GB for a period exceeding four weeks.

In specified circumstances a person can be treated as occupying the home for a longer period of absence from GB.

Absence up to eight weeks due to bereavement

Where a claimant is absent from GB in connection with the death of a close relative and the local authority considers it unreasonable for the person to return within the first four weeks, housing benefit can be paid for up to eight weeks.

A 'close relative' is defined as a mother, father, sister, brother, daughter or son, including in-laws, step-parent/child, half-brother/sister and the partners of any of these.

Absence up to 26 weeks

In specified situations, a claimant may remain entitled to housing benefit for a 26-week period of absence from GB. This applies where the claimant is:

- a member of the armed forces on operations overseas
- absent because of fear of violence in the home or domestic abuse
- receiving medical treatment in hospital
- undergoing (or her/his partner or dependent child is undergoing) medical treatment or medically approved convalescent care in accommodation other than residential accommodation
- a mariner or continental shelf worker.

Combining periods of absence within and outside GB

The 13 (or 52) week period continues to run during any period of absence from GB. However, as soon as the absence from GB exceeds the allowed period (four, eight or 26 weeks depending on the circumstances), entitlement to housing benefit ceases until such time as the claimant returns home. In other words, exceeding the temporary absence period allowed outside GB ends HB entitlement from the point the period is exceeded. This is the case even if the total period away from home is less than 13 (or 52) weeks.

For example, where the 13-week period applies, a claimant may be absent from home within GB for five weeks, then absent abroad for four weeks, and then for a further four weeks within GB before housing benefit entitlement ceases.

It is arguable that a 13 (or 52) week absence within GB could be followed immediately by up to four (or eight or 26) weeks absence outside of GB with no return to the home in between, without ending eligibility for housing benefit.

Housing Benefit Circular A7/2016 gives examples where a period of absence outside GB follows absence within GB.

APPENDIX B – ABANDONED PROPERTY INVESTIGATION FORM

ABANDONED PROPERTY INVESTIGATION FORM

ADDRESS: Click here to enter text.
NAME OF TENANT(S): Click here to enter text.
WHEN DID CITY HOMES BECOME AWARE? Click here to enter text.
HOW DID CITY HOMES BECOME AWARE? Click here to enter text.
ARE THERE ANY ARREARS? YES / NO Click here to enter text.
IF YES, HOW MUCH: Click here to enter text.
DOES ANY OFFICER KNOW ANYTHING ABOUT THE ABANDONMENT? YES / NO Click here to enter text.
IF YES, GIVE DETAILS: Click here to enter text.
WHEN WERE THE TENANT(S) LAST SEEN BY NEIGHBOURS? Click here to enter text.
DO NEIGHBOURS KNOW WHERE THE TENANTS HAVE GONE? YES / NO Click here to enter text.
IF YES WHERE? Click here to enter text.
DO ELECTRONIC RECORDS GIVE ANY INDICATION AS TO WHERE A RELATIVE MIGHT LIVE, EG: PARENT, BROTHERS OR SISTERS? Click here to enter text.
DOES BT, GAS, ELECTRIC OR WATER HAVE A FORWARDING ADDRESS? YES / NO Click here to enter text.
IF YES GIVE DETAILS: Click here to enter text.

ABANDONMENT & LONG TERM ABSENCE POLICY

CAN ACCESS BE GAINED TO PROPERTY WITHOUT USING FORCE? YES / NO Click here to enter text.	14
HAS FURNITURE OR ANY PERSONAL EFFECTS BEEN LEFT IN THE PROPERTY? YES/NO Click here to enter text.	
SIGNATURE OF INVESTIGATING OFFICER	
SIGNATURE OF AUTHORISING OFFICER	
DATE 7 DAY LETTER SENT: Click here to enter text.	
DATE OF ORDER TO CHANGE LOCKS: Click here to enter text.	
AUTHORISED BY HOUSING SERVICE MANAGER: Click here to enter text.	
DATE AND OFFICER ATTENDING LOCK CHANGE: Click here to enter text.	
ADDRESS WHERE POSSESSIONS ARE BEING STORED: Click here to enter text.	
INVENTORY TAKEN? Yes/No – Date: Click here to enter text.	
DATE VOIDS AND LETTINGS TEAM INFORMED: Click here to enter text.	
PHOTOS TAKEN? YES/NO AND DATE: Click here to enter text. <i>(please ensure these are on electronic filing system and clearly labelled):</i>	
ANY FURTHER INFORMATION REQUIRED FOR INSURANCE PURPOSES:	

APPENDIX C – ABANDONED PROPERTY 7-DAY LETTER

15

Customer First

29 Road St

Cambridge

CB1 111

Date

Dear Customers Name

Abandoned Property – Address

From enquiries that we have made and from the visual appearance of the premises, it appears that you are not occupying your property as your main and principle home, it appears to us that you have no intention to return to ADDRESS

We therefore presume that this is a permanent abandonment rather than a temporary abandonment and that it amounts to an implied offer by you to surrender the tenancy.

Cambridge City Council, as landlords of the premises accepts that offer of surrender with effect from seven days from the date of this letter. Unless within that time we receive contact and written notice that you do not wish to surrender the tenancy

If we do not receive such notice from you by [Click here to enter text.](#) we will make immediate arrangements to re-let the premises.

Yours sincerely

Name of person writing the letter

Job title of person writing the letter

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BUSINESS USE POLICY

1

1 STATEMENT ON POLICY

- 1.1 Cambridge City Council recognises that in a modern environment more people are choosing to work from home.
- 1.2 As part of their Tenancy Agreement tenants are required to seek our permission to use their home for business purposes.
- 1.3 Cambridge City Council will not unreasonably withhold permission but may attach conditions to its written permission.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 The Housing Officer will consider any impact on the local community in terms of nuisance, parking, deliveries etc. We may consult with adjoining or interested neighbours who might reasonably be affected by the request.
- 2.2 The Housing Officer will consult with other relevant departments such as planning.
- 2.3 In some circumstances the City Council will ask to inspect the property to check on its suitability.
- 2.4 Permission will only be granted if the application is in line with reasonable day-to-day business use and at no time should the property cease to be used for residential purposes.
- 2.5 In granting business use permission, the council may include reasonable conditions, which if breached, will result in the permission being withdrawn. If the tenant continues to run a business without permission they will be in breach of their Tenancy Agreement and the Council will look to take further action.

Policy written: October 2018

To be reviewed by: September 2020

DECANT POLICY

1

Glossary of Terms

'Property' includes dwellings, decants, any other accommodation leased from or on behalf of the Council.

'Tenant(s)' includes licensees, secure tenants, Introductory tenants and joint tenants

1 STATEMENT ON POLICY

- 1.1 This Policy covers circumstances where a tenant is required to leave their property due to urgent or major repairs or other Housing Management reasons. This Policy does not cover redevelopment schemes or major planned works which are covered by the City Council's Home Loss Policy.
- 1.2 The purpose of this Policy is to explain what the City Council will do when a tenant has to temporarily vacate the property for major repairs or other Housing Management reasons. This process is called a "decant". Tenants should not experience financial loss as a result of being decanted.
- 1.3 Cambridge City Council is contracted under the Tenancy Agreement to keep in good repair the structure and exterior of the home of tenants.

2 KEY ISSUES FOR POLICY IMPLEMENTATION

- 2.1 If at all possible Cambridge City Council will carry out repairs and improvements with the tenant and their family remaining in their home. However, there may be occasions where this is not possible and the tenant will have to move out temporarily.
- 2.2 Where possible it is easier if tenants can stay with relatives or friends for the duration of the works. If this is possible then, depending upon the make-up of the household, disturbance payments up to £50 per day can

be paid to the tenant. If the tenant pays rent and council tax at the original home then CCC will cover this for the duration of the decant.

- 2.3 If the tenant cannot possibly stay with relatives or friends then there are two options:
- Alternative council accommodation for a temporary period
 - Staying in a hotel, such as Travelodge
- 2.4 Tenants that are decanted into another council property on a temporary basis will assume and sign a licence to occupy their temporary home. The tenant will also sign a separate undertaking stating that they will return to their original home once works are completed.
- 2.5 If the tenant refuses to return to the original home, CCC will take legal action to resolve this.
- 2.6 The council will either arrange or pay for removal costs. These payments will be for the actual costs of the removal.
- 2.7 Additional payments can be made to cover other expenses incurred including for example, disconnection and reconnection of services or re-direction of mail.

Policy written: October 2018

To be reviewed by: September 2020

TENANCY CHANGES POLICY (SOLE TO JOINT & JOINT TO SOLE)

1

1 STATEMENT ON POLICY – SOLE TO JOINT

- 1.1 There is no right to the granting of a joint tenancy, nor to add a tenant to an existing tenancy. If a tenant requests a joint tenancy this is a matter which is at the discretion of the landlord. For housing applicants where the proposed joint tenants are both eligible for social housing as defined by legislation, the tenants could be granted a joint tenancy; a joint tenancy will NOT be granted where the proposed joint tenant does not have recourse to public funds.
- 1.2 Existing sole tenants can request a joint tenancy be created at the landlord's discretion, where:
 - The proposed joint tenant is married to or is a civil partner of the existing tenant
 - The proposed joint tenants live together as a couple and the relationship is an established one i.e. evidence is produced showing they have lived together for at least 12 months prior to the application.
- 1.3 If the sole tenant is in breach of any of the tenancy conditions the joint application will be refused.
- 1.4 The City Council do not normally agree to joint tenancy requests between generations – to a person who is entitled to succeed to that tenancy (e.g. mother and daughter) as this could compromise its ability to make the best use of its housing stock.

2 STATEMENT ON POLICY – JOINT TO SOLE

2

- 2.1 Joint tenants are responsible individually and together for keeping to the tenancy conditions and making sure that rent and other charges are paid.
- 2.2 It is not possible for a joint tenancy to be passed on by deed of assignment or deed of release except in the case where it is required by a court order under the matrimonial legislation or the Children' Act.
- 2.3 If the joint tenants and the landlord agree, another way of transferring a joint tenancy into the sole name of a remaining tenant is for the joint tenancy to be terminated by a Notice to Quit given by one of the tenants, and then for a new tenancy to be granted by the landlord.
- 2.4 Where one of the joint tenants may wish to remain in the property the request for a sole tenancy will be considered by the Housing Services Manager before the remaining tenant is required to give Notice To Quit.
- 2.5 A sole tenancy request will be refused where the applicant does not have recourse to public funds.
- 2.6 Where the Council has evidence that a joint tenant is the perpetrator of domestic abuse on the other and that the victim of abuse wishes to remain in the tenancy, it will allow the victim of abuse to be re-instated as a sole tenant following a notice to quit as long as there no other reasons which prevent the Council from offering the tenancy in this way.
- 2.7 In the event that there are other reasons preventing the Council offering the tenancy in domestic abuse cases, as outlined in 2.6 above, officers will refer the case to the Senior Officer Review Panel (SORP) to make a decision as to whether an exception should be made or whether alternative accommodation should be offered.

3 KEY ISSUES FOR POLICY IMPLEMENTATION

- 3.1 Housing Officers will process tenancy changes following decisions made in Court.
- 3.2 When one tenant in a joint tenancy serves a Notice to Quit, the other tenant will be notified in writing as it will end the tenancy for both joint tenants - see the Use and Occupation Policy for more information.
- 3.3 A request for a change from a joint to a sole tenancy will be referred to the Housing Services Manager, or with delegated authority to a Housing Officer.
- 3.4 Before considering a request for a sole to joint tenancy the Housing Officer must confirm the details of the new tenant.
- 3.5 A Notice to Quit is required to end the sole tenancy before a joint tenancy is offered.
- 3.6 As long as one joint tenant lives in the property the tenancy is secure and the tenancy will continue as long as the rent is paid and the Tenancy Agreement is adhered to.

Policy written: October 2018

To be reviewed by: September 2020

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TENANTS & LEASEHOLDER ALTERATIONS & IMPROVEMENTS POLICY

1.0 INTRODUCTION

- 1.1 Cambridge City Council acknowledges that secure tenants and Leaseholders have a legal right to make alterations and improvements to their homes provided that they obtain written permission before they carry out any works. The objective of this policy is to ensure that all requests for improvements or alterations are treated fairly and consistently.

2.0 TYPES OF WORKS

- 2.1 Examples of works that would be assessed under this policy include:
- Installing replacement windows or doors.
 - Structural works.
 - Building of extensions or buildings e.g. conservatory.
 - Building or removing a structure in your garden including shed, greenhouse, wall or fencing.
 - Adding, altering or removing any gas, electrical or water services.
 - Adding or replacing kitchen units.
 - Replacing a bathroom suite or installing additional sanitary ware.
 - Felling a tree in the garden.
 - Installing a driveway or pavement crossing.
 - Decorating the outside of the property.
 - The erection of wireless or TV aerials
- 2.2 Permission to lay laminate flooring or ceramic flooring in flats is usually refused unless it is on the ground floor or laid in a kitchen or bathroom that is not above a living room or bedroom. Leaseholders have the following clauses, "To keep the flat including the passages thereof substantially covered with carpets except that in the kitchen and bathroom all over cork or rubber covering or other suitable material for avoiding the transmission of noise may be used instead of carpets."

3.0 CAMBRIDGE CITY COUNCIL RESPONSIBILITIES

- 3.1 It is Cambridge City Council policy to be fair and consistent in considering requests made by tenants and Leaseholders to carry out improvements and alterations to their homes. When making decisions Cambridge City Council will consider any potential concerns for neighboring homes and also protect its own interest in the property.
- 3.2 All decisions will be confirmed in writing.
- 3.3 Cambridge City Council will consider all applications once:
- All appropriate approvals/permissions have been obtained from the relevant department e.g. planning, building control, listed buildings etc.
 - The tenant has cleared any rent arrears or other debts owed to, or collected by Cambridge City Council.
- 3.4 The application will be determined within 56 days of the requirements at 3.3 (above) being met. Cambridge City Council will not unreasonably withhold consent when Tenants/Leaseholders make requests to carry out alterations. If consent is unreasonably withheld, it should be treated as being given.
- 3.5 Cambridge City Council will not attach unreasonable conditions to any written permissions. Reasonable conditions include:
- Timescales for completing the requested works e.g. in accordance with guidance provided by the planning department
 - Allowing access to the property within a specified number of days of completing the works
 - Quality of materials that must be used
 - Works must be carried out by a suitably qualified person/contractor
 - Complying with relevant regulations for carrying out works
 - Leaseholders are "Not to enter any roof space above the flat, or cause, allow or permit such entry to be undertaken except in the case of emergency for dealing with wasp nests, burst water pipes and the like."

- 3.6 In the event that permission is refused, Cambridge City Council is not liable for reimbursing tenants and Leaseholders for any charges/fees incurred.
- 3.7 Cambridge City Council is not liable for any loss or damage of any alterations carried out by the tenant and Leaseholder with or without written permission.
- 3.8 Cambridge City Council will not assist with payment towards the cost of carrying out the alteration.
- 3.9 At the end of their tenancy, Cambridge City Council will consider all claims for compensation made by tenants or Leaseholder who carried out improvements to their homes with our written consent in accordance with the Housing Act 1985 s99A (right to compensation for improvements).
- 3.10 Rent will not be altered as a result of an improvement; however, certain improvements could have an effect on the value of the property
- 3.11 Cambridge City Council aims to deal with claims for improvement compensation within 28 days of notice being given/claim being received
- 3.12 Tenants will be recharged for any repairs that Cambridge City Council have to carry out if the repairs relate to, or arise from, alterations or improvements
- 3.13 Cambridge City Council will endeavor to make decisions within reasonable timescales.
- 3.14 Cambridge City Council may give retrospective consent in accordance with Section 98(3) of the Housing Act 1985 (see item 6.6.1)
- 3.15 Permission is not considered as given until Cambridge City Council receives signed and dated copies of relevant letters or documents – as referred to in paragraphs 4.2 and 4.10 of this document.

4.0 TENANTS AND LEASEHOLDER'S RESPONSIBILITIES

- 4.1 Tenants and Leaseholders are responsible for requesting permission in writing and for obtaining consent in writing before beginning any works. Tenants and Leaseholders can use the application form to make a request.
- 4.2 Tenants and Leaseholders are responsible for ensuring that any other permissions, approvals or licenses are obtained before beginning any works. Including:
- Building regulations
 - Planning (including conservation areas)
 - Listed building permissions
 - Gas, electricity or water companies
 - Consent to prune or fell a tree
- 4.3 Tenants and Leaseholders are responsible for complying with all reasonable conditions attached to the written permission; failure to satisfy a reasonable condition will be treated as a breach of tenancy.
- 4.4 Tenants and Leaseholders are responsible for paying any fees or charges that arise from seeking the appropriate permissions.
- 4.5 Agreed alterations to the property must be completed in a reasonable time, to an appropriate standard of workmanship and in accordance with other conditions contained in the written permission.
- 4.6 All electrical work carried out at the premises, with the exception of minor works set out in the electrical Regulation, January 2005, must be installed by a competent electrician and must have a certificate of compliance as per the Electrical Regulations (BS7671).
- 4.7 All works relating to the installation, removal or relocating of a gas appliance must be carried out by a Gas Safe registered engineer in accordance with Gas Safety (Installation and Use) Regulations 1998.
- 4.8 All work on asbestos containing materials must be carried out by a suitably competent person, in accordance with the Control of Asbestos

Regulations (CAR) 2006.

- 4.9 All plumbing works must be carried out by a suitably qualified and competent plumber.
- 4.10 For some works, tenants and Leaseholders may be required to submit relevant paperwork* including:
- Details of the contractor chosen to carry out the work. (Contractors must be suitably qualified for example registered with an appropriate trade body, insured to carry out the required work and VAT registered.
 - Confirmation in writing from the planning authorities on whether or not planning permission is necessary and that it has been obtained where necessary
 - Written proof that approval has been obtained where necessary from the local authority specifications for installations (e.g. central heating)
 - Drawings and notes for structural work, prepared by a qualified surveyor or engineer
 - Full details including plans, specifications, catalogue illustrations for supplies and materials e.g. kitchen units, replacement doors etc.

* A Surveyor will advise tenants of any further requirements when their application is being considered.

- 4.11 If a Tenant/Leaseholder intends to restore or reinstate an existing fixture on the termination of their tenancy, the Tenant/Leaseholder must agree to store the original fixture in a safe and secure environment where it will not deteriorate.
- 4.12 Tenants and Leaseholders are responsible for finding alternative accommodation, at their own expense, if they have to move out of their property during any works.
- 4.13 Tenants and Leaseholders are responsible for repairs relating to the alteration or improvement that they carried out.
- 4.14 If Cambridge City Council carry out any repairs that relate to, or arise from, alterations or improvements the Tenant/Leaseholder will be

responsible for paying for any recharges.

5.0 REFUSING CONSENT

5.1 Permissions will be refused if the intended work:

- Makes the property (or any neighbouring properties) unsafe
- Increases Cambridge City Council's maintenance costs
- Reduces the living space
- Breaches planning, building or conservation area regulations
- Does not comply with relevant regulations, health and safety etc
- Impacts on the Council's ability to comply with legislative requirements or conflicts with its own policy approaches
- Reduces the market or rental value of the property
- Causes the council to incur expenditure or income loss in the future, that it would be unlikely to experience if the alteration were not made
- Restricts access to service points such as stopcocks
- Involves erecting security grilles* on doors or windows

* **Important:** security grilles can pose a serious access and fire risk and are prohibited from use on Cambridge City Council properties.

6.0 RESPONSIBILITY FOR FUTURE MAINTENANCE

- 6.1 Cambridge City Council will not be responsible for maintaining items that have been installed by tenants and Leaseholders e.g. shelving, fitted wardrobes and additional kitchen cupboards as these are regarded as being tenants' fixtures.
- 6.2 At the end of their tenancy, tenants and Leaseholders will not be permitted to remove fixtures that are an essential feature of the structure or installations e.g. wiring.
- 6.3 At the end of their tenancy tenants and Leaseholders may be instructed to reinstate the property to its original condition.
- 6.4 At any time during the process, Tenants/Leaseholders may seek advice from Estates and Facilities by telephoning Cambridge City Council

on: 01223 457000.

7.0 APPEALS

7.1 If a tenant or Leaseholder is dissatisfied with a condition set or a decision made they can ask the Technical Quality Officer/Technical Quality Manager/Technical Quality Assurance Manager (in order of escalation) to reconsider their case. Tenants and Leaseholders can also appeal to the County Court if they feel their right to make an improvement or alteration has been unreasonably refused by Cambridge City Council or if the compensation offered by Cambridge City Council is too low. In determining whether permission has been unreasonably withheld the court will have regard to the extent to which the improvement would be likely:

- To make the property, or any other premises less safe to occupiers
- To cause Cambridge City Council to incur expenditure which it would be unlikely to incur if the improvement were not made, or
- To reduce the price that the property would fetch if sold on the open market or the rent which Cambridge City Council would be able to charge on letting the property.

8.0 UNAUTHORISED ALTERATIONS OR IMPROVEMENTS

8.1 It is a tenancy and Leaseholders condition that consent must be obtained in writing before a tenant commences any alteration or improvement. If a tenant or Leaseholder carries out either an alteration or improvement without obtaining written permission, Cambridge City Council may give retrospective permission subject to the tenant making a written application within 28 days of being instructed to do so.

8.2 Further action will be taken if:

- The improvement has already been carried out and the Tenant/Leaseholders refuse to make an application
- The Tenant/Leaseholders is refused permission on application and does not reinstate the property to its original condition
- The quality of the workmanship or the materials used is below the

required standard.

In these situations Cambridge City Council may proceed with legal action.

9.0 LEGAL ACTION

9.1 If tenants fail to comply with this policy Cambridge City Council will take appropriate action including:

- applying to the courts
- ordering the removal of an improvement that is a breach of the tenancy conditions
- seeking damages for any costs incurred

10.0 REMOVAL OF IMPROVEMENT

10.1 Cambridge City Council reserves the right to reinstate the property to its original condition if the improvement is unsafe or causing damage to the structure of the property, or any adjoining property. Cambridge City Council will seek legal advice before taking this action. Any costs incurred in reinstating the property will be recharged to the tenant or Leaseholder.

10.2 If appropriate, Cambridge City Council will advise tenants and Leaseholders that if we have to remove and dispose of any equipment or materials from a property, the tenant will be recharged for any costs incurred.

10.3 Further works carried out by Cambridge City Council to rectify problems will be recharged.

Policy written: December 2018
Policy review date: November 2020

INCOME MANAGEMENT AND RENT ARREARS POLICY

1

1.0 SCOPE AND OBJECTIVES

- 1.1 Cambridge City Council (City Homes) currently provides social, affordable and shared ownership housing to approximately 8,400 tenants and leaseholders.
- 1.2 Paying the rent on time is a key condition of our tenancy agreement and City Homes is committed to providing an efficient and effective process for the prevention and collection of arrears.
- 1.3 Tenants are offered a variety of payment methods to choose from, but with an emphasis on Direct Debit as the preferred method in all cases.
- 1.4 Tenants wishing to pay by other methods will be advised of the options available to them, which currently includes payments online, by telephone, at a PayPoint, at a Post Office, at cash desks in Council Offices, by BACS (Bankers Automated Clearing Service), CHAPS (Clearing House Automated Payment System), Faster Payments or Bankers Order.
- 1.5 A dedicated rent advisor/ financial Inclusion Officer is available to give individual debt and benefits advice to those who need it via an appointment system. Tenants may also be referred to the rent advisor by other members of staff.
- 1.6 The City Council also has a tenancy sustainment team who offer specialist help and advice for tenants with mental health issues.
- 1.7 City Homes will closely monitor the effects of the introduction of Universal Credit on individuals, as well as other welfare reforms within the Welfare Reform Act 2012 that continue to affect our tenants.

- 1.8 City Homes will also consider, when taking possession action, the Housing Act 1996, the Human Rights Act 1998, the Equality Act 2010 and our duties under the Public Sector Equalities Duty within this Act, as well as any other relevant information or Acts, and will make assessments accordingly.
- 1.9 This policy relates to secure tenancies only, but will refer to other relevant policies in order to reflect a balanced and holistic approach to the collection and recovery of rent arrears across all tenure types.

Aims

- 1.10 The aim of this policy is to sustain tenancies by offering a fair and balanced approach to the collection of rental income, and to ensure that early intervention measures are adopted in all instances.
- 1.11 Possession action should be used as a last resort, and only where all other methods of intervention have failed.
- 1.12 The policy aims to be fair and consistent, whilst also being efficient and effective in its approach.

Objectives

- 1.13 To prevent rent arrears accruing.
- 1.14 To clarify the process for dealing with current tenant arrears.
- 1.15 To summarise the assistance City Homes can provide for tenants to assist them with paying the rent and clearing their debts.
- 1.16 To prevent homelessness and promote tenancy sustainment.

2.0 APPROACH

- 2.1 City Homes will work closely with other council departments and outside agencies to ensure early intervention measures are adopted and timely referrals are made where appropriate.
- 2.2 The Council's Housing Options Team, in line with the Homeless Reduction Act 2017, will be notified of all cases where the tenant may be threatened with homelessness.
- 2.3 Where a tenant is considered vulnerable City Homes will work closely with them to avoid possession action where possible, and each case will be referred to the Rent Arrears Panel (RAP) before any eviction order is sought. The panel will generally consist of (but not exclusively) a member of staff from City Homes Income Team, A Rent Advisor, a Benefits Advisor, a Housing Advice worker, a Legal Advisor, a Tenancy Sustainment Officer and a Chair.
- 2.4 Our primary aim is to recover the debt rather than taking possession action, and evictions are to be considered a failure rather than a success. However, it is recognised that there will be instances where possession action or evictions are unavoidable.
- 2.5 Where possession action is unavoidable, and recovery action becomes necessary, each case should be carefully considered and any specific details, ie affordability, disability, etc, taken into account.
- 2.6 City Homes will ensure that it fully complies with the Pre-Action Protocol for Possession Claims by Social Landlords before processing any court applications.
- 2.7 All possession action must be proportionate to the debt owed to prevent tenants from being unnecessarily drawn further into debt with the addition of court costs.

- 2.8 City Homes will ensure that all tenants with an entitlement to housing benefit (HB) make prompt claims, and where necessary will offer assistance to complete an application. Staff will then monitor each case regularly to ensure there are no delays within the claim where they could otherwise be avoided.
- 2.9 Tenants needing to make a claim for Universal Credit (UC) will be directed towards the Department for Work and Pensions website (DWP) to make their online claim. Where a tenant is identified as being vulnerable and unable to get alternative assistance to make a claim, the rent advisor / financial inclusion officer will offer assistance and will notify the DWP 'vulnerable work coaches' of the case.
- 2.9 Where appropriate, and in cases of under occupation, staff will assist tenants to make a Discretionary Housing Payment (DHP) claim to cover the shortfall in HB or Universal Credit (UC). It is recognised that this is a short term solution and may not be approved in all cases so alternatives such as moving to smaller accommodation should be discussed with the tenant at the outset.
- 2.10 Staff will closely monitor UC claimants to ensure they are paying the rent on time, and will offer guidance and assistance to the most vulnerable and those facing financial hardship.
- 2.11 Where appropriate staff will apply for an Alternative Payment Arrangement (APA) through the Landlord Portal for any tenant who is unable to manage their money or budget appropriately. These will be monitored and tenants will be removed from the service when, or if, it is felt they can take responsibility for paying the rent themselves.
- 2.12 All staff are trained in basic debt advice and are able to offer advice and assistance to any tenants falling into arrears, making arrangements with them to pay off the debt rather than seeking possession action where it is appropriate to do so.

- 2.13 Where tenants require more specialist debt advice they will be formally referred to the local Citizens Advice Bureau (CAB) or other specialist debt advisory services.
- 2.14 Tenants requiring additional support will be referred to the most appropriate agency for their needs.
- 2.15 Under General Data Protection Regulations (GDPR) which came in to force on 25th May 2018, tenants will need to consent to any support before a referral is made to an outside agency.
- 2.16 Any information relating to individuals will be dealt with sensitively and any searches involving social media accounts should be discouraged on the basis that they are not 'necessary and relevant' to taking possession action as part of GDPR compliance.

3.0 RELATED POLICIES

- Introductory Tenancies Procedure and Policy
- Former Tenant Arrears Policy
- Garage Use and Arrears Policy
- Housing Related Debt Policy
- Refund Policy
- Leasehold Income Management Policy
- Under Occupation Policy
- Long Term Absence (property) Policy
- Disposal of Possessions Policy
- Assignment and Mutual Exchange Policy
- Abandonment Policy
- Rechargeable Repairs Policy and Schedule of Rechargeable Works

4.0 PROCEDURE

- 4.1 City Homes have set comprehensive rent arrears recovery procedures and flowcharts to support the policy (Appendix 1), covering the process from early intervention to eviction. The procedures are reviewed on a regular basis to ensure they remain current and relevant.
- 4.2 The procedures provide detailed guidance for staff when dealing with rent arrears cases and comply with the Pre-Action Protocol for Possession Claims by Social Landlords (Appendix 2).
- 4.3 In line with our procedures all possession claims are entered onto the Possession Claims On Line (PCOL) website by staff after approval from the Income Manager.
- 4.4 Eviction requests are subject to rigorous checks, and a checklist completed, before approval is sought from the Strategic Director (Appendix 3).
- 4.5 Introductory and non-secure tenancies have their own policy and procedures and are separate to those for secure tenancies, but will still follow the Pre-Action Protocol for Possession Claims by Social Landlords as well as covering points 4.3 and 4.4 above.

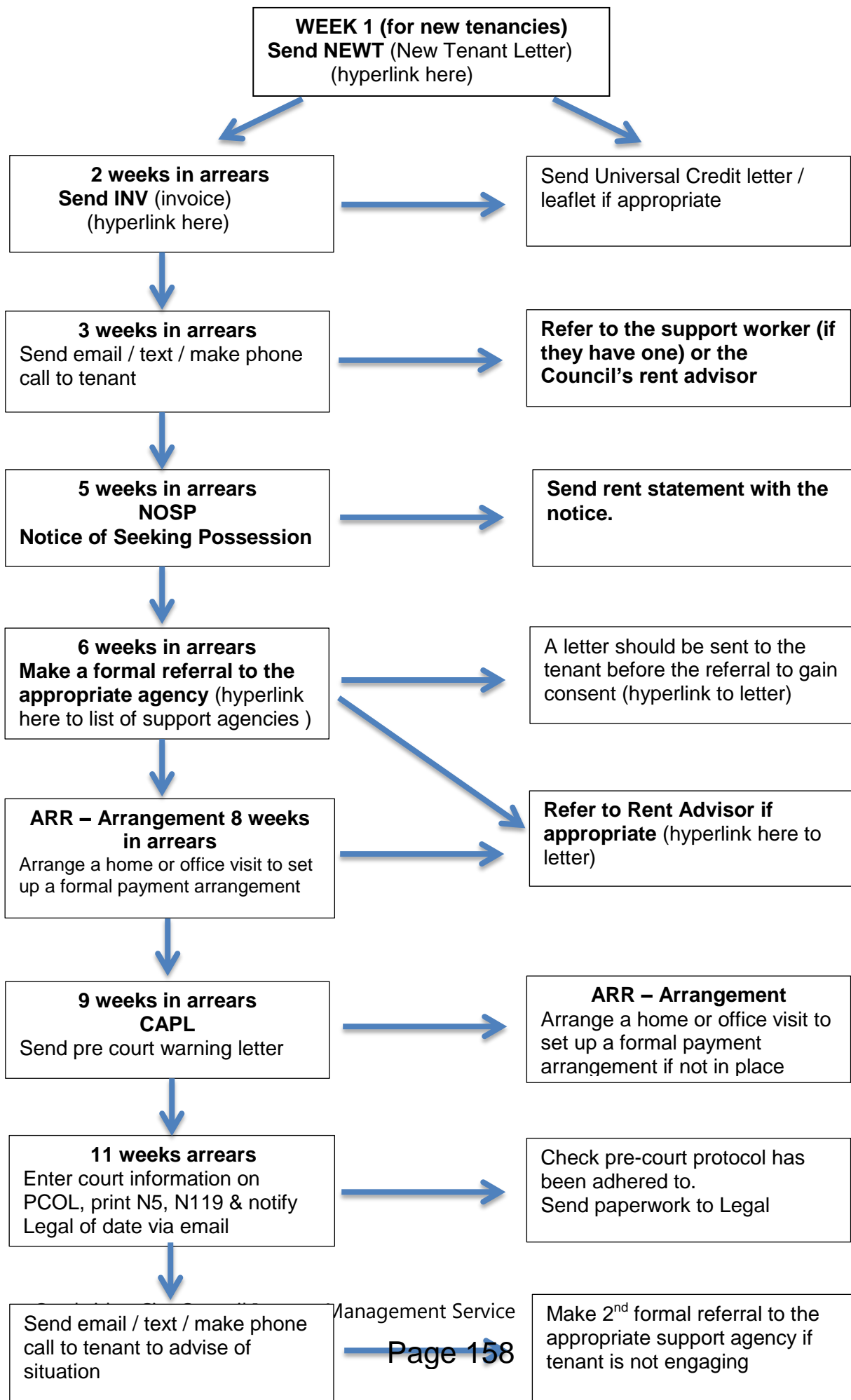
5.0 SERVICE STANDARDS

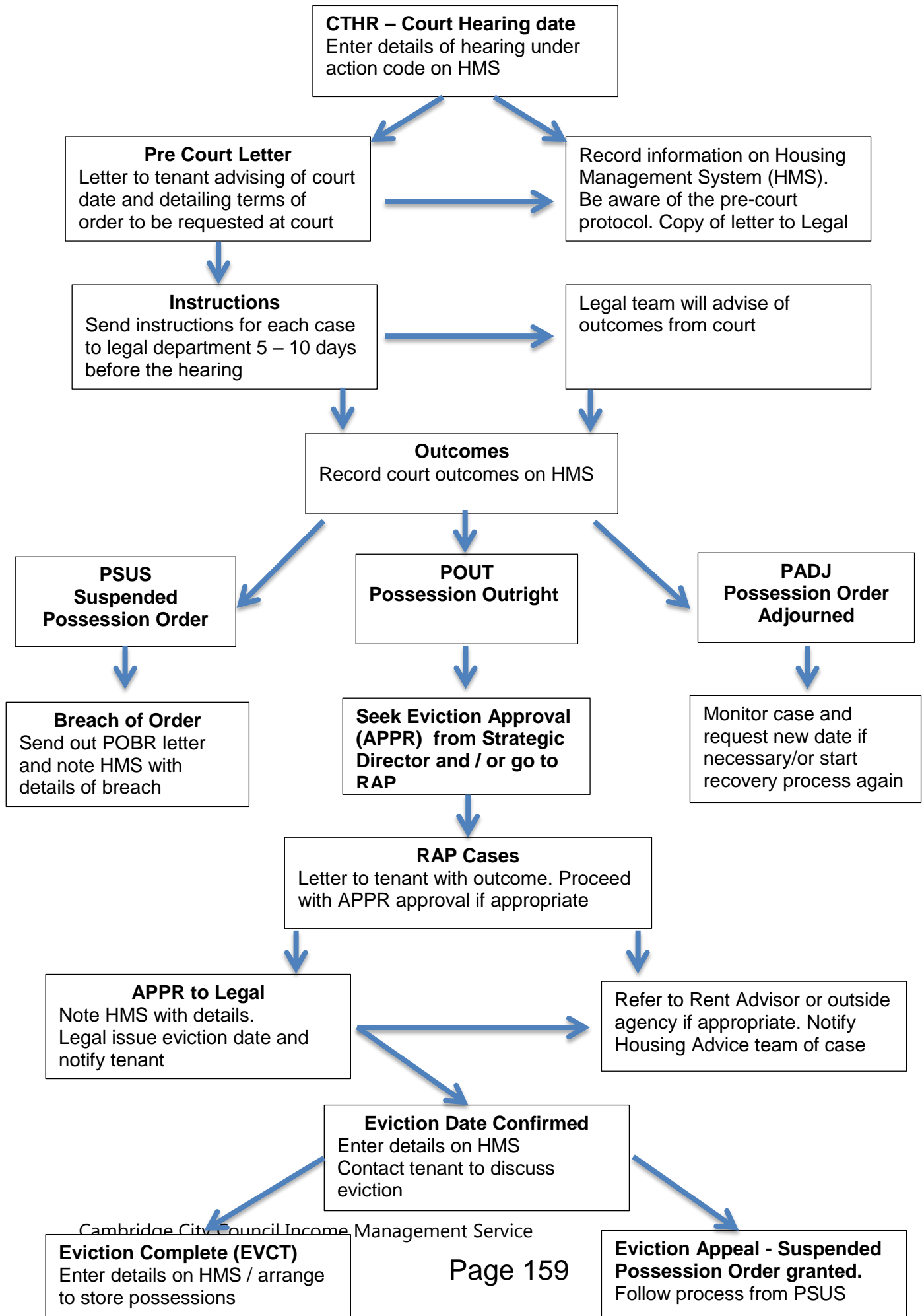
- 5.1 City Homes has developed a procedure to encourage early intervention and help for tenants to avoid accruing debt, and has adopted formal referral processes to ensure tenants are being sign posted to the most appropriate agency for their needs.
- 5.2 Staff are well trained and are able to offer basic advice and appropriate sign posting to any tenant in arrears that is seeking assistance.

- 5.3 Where a tenant requires specialist debt advice a referral will be made to the most appropriate agency.
- 5.4 Staff will be proactive in their approach and will contact tenants at all stages in the rent arrears recovery process.
- 5.5 Staff will liaise with other departments where necessary and take a holistic approach to ensure that the tenant receives a seamless service.
- 5.6 Recovery of all debts owed to the council will continue to be a high priority, and every effort will be made to recover the debt before any legal action is taken.
- 5.7 Any debts left at the end of a tenancy, following eviction, will be subject to the Former Tenant Arrears Policy and Procedures, and any items left in the property will be dealt with under the Disposal of Possessions Policy.
- 5.8 Any recharges as a result of damage to the property at the end of the tenancy will be dealt with under the Rechargeable Repairs Policy and Schedule of Rechargeable Works.

September 2018.

Next review: September 2020





Secure Tenancies

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1. At the start of any new tenancy, during week 1 and before the tenant gets into arrears, a [New Tenant Letter](#) (Action code **NEWT**) should be sent out welcoming the tenant to the property and explaining how they can make payments. If you are aware that the tenant is claiming Universal Credit (UC) then an information leaflet about UC should be included.
2. In **week 3** (2 weeks in arrears) the tenant should be sent an [Invoice](#) demanding payment (Action code **LTR1**). If the tenant is claiming (UC) then a UC letter and information leaflet should be sent to the tenant along with the LTR1.
3. In **week 4** (3 weeks in arrears) the tenant should be called on the telephone to chase the debt, or sent an email or a text if you are unable to speak with them. If the tenant has a support worker they should also be contacted, or a referral to the rent advisor should be made. Any contact should be recorded on the Housing Management System (HMS).
4. In **week 6** (5 weeks in arrears) a **Notice of Seeking Possession** (Action code **NOSP**) should be raised. This will need to be authorised by the Housing Officer for Income Management or another manager if the Income Manager is unavailable. The NOSP should then be sent out by first class post or hand delivered to the tenant along with a rent statement showing the payment history covering a period of up to 3 months. Part B goes to the tenant along with the payment advice part and Part C is retained by City Homes.
 - a. A statement of Service should be prepared using the correct format on Word and should be signed by the person who served the NOSP.

- b. Part C of the NOSP, along with the Statement of Service, should be filed using the electronic document management system.
 - c. The rent account should be noted under the NOSP action code with details of when the NOSP was served and by whom.
 - d. The Rent Advisor NOSP letter should be sent to the tenant within one week of the NOSP being served and should be recorded on the HMS using the **RAV5** action code.
5. In **week 7** (6 weeks in arrears) a formal referral should be made to the appropriate support agency. **NOTE:** A letter should be sent to the tenant for explicit consent before the referral is made. Under GDPR laws you cannot make referrals to outside agencies without this.
6. In **week 8** (7 weeks in arrears) a home or office visit should be arranged to set up a formal payment arrangement (Action code **ARR**) with the tenant. A referral should be made to the rent advisor if appropriate.
7. In **week 10** (9 weeks in arrears) a pre-court warning letter (Action code **CAPL**) should be sent. Arrange a home or office visit to set up a formal payment arrangement if this is not already in place.
8. In **week 12** (11 weeks in arrears) a court application (Action code **CAP**) should be entered on the HMS. You must check that the [pre-action protocol](#) has been adhered to before raising the application.
- a. The paperwork should be prepared and passed to the Housing Officer for Income Management, or another manager if the Income Manager is unavailable, for authorisation.

- b. When you have a few cases these should all be entered on the Possession On Line system (PCOL). **Follow PCOL [procedures](#) for details of how to do this and what to include.**
 - c. PCOL paperwork should be scanned and sent to legal and then filed using the electronic management system.
9. Enter the court date on the FMS system as part of the PCOL process.
10. While you are waiting for the court date to arrive you should:
- a. Text or make a phone call to advise the tenant of the situation and see if a payment arrangement can be agreed.
 - b. Make a 2nd formal referral to the appropriate support agency if the tenant is not engaging as per point 5.
 - c. Visit the tenant, leaving a visiting card if they are not at home, to inform them of the court date, and ask if there have been any changes in their circumstances.
11. A **Pre-court letter** should be sent to the tenant advising them of the court date and detailing the terms of order that we will be requesting at court.
- a. Record the information on the HMS.
 - b. Send a copy of the letter to legal via email and file in the electronic management system.
12. Court instructions should be sent to legal approximately 5 – 10 days before the hearing is due to take place.

- a. The legal team will advise the income team of the outcomes from court via email.
13. The outcome and terms from the hearing should be entered on the HMS:
- a. **PSUS** (Suspended Possession Order)
 - b. **POUT** (Possession Outright)
 - c. **PADJ** (Possession Order Adjourned)
14. If the order is a **PSUS** (Suspended Possession Order) you should monitor the order and if it is breached a possession order breached letter should be sent out to the tenant (Action code **POBR**).
- a. If the tenant does not catch up, or is significantly behind, with the order then you should raise the paperwork for the eviction (Action code **APPR**) and seek approval from Housing Advice and the Strategic Director before sending to legal to issue the warrant. Refer to [checklist](#) for gathering information prior to sending.
NOTE: Legal will need to write to the Courts seeking permission to apply for the warrant before it can be issued.
 - b. You will need to send the case to **RAP** (Rent Arrears Panel) using the appropriate [paperwork](#) if the tenant is vulnerable, or has children living in the property.
NOTE: The case will need to be heard and approved at RAP before seeking approval from the Director.

15. If the order is a **POUT** (Possession Outright) you should raise the paperwork for the eviction (Action code **APPR**) and seek approval from Housing Advice and the Strategic Director before sending to legal to issue the warrant.
- a. You will need to send the case to **RAP** (Rent Arrears Panel) using the appropriate [paperwork](#) if the tenant is vulnerable, or has children living in the property as per 14b note above.
16. If the order is **PADJ** (Possession Order Adjourned) you should note the HMS with the terms of the adjournment and monitor the case.
- a. If the arrears increase again, or the terms of the adjournment have been broken, the case should be referred back to legal to ask for a new court date. If this falls outside of the time limits set through the adjournment terms.
- b. If the case has been adjourned to allow the tenant to complete an action, for example apply for HB or make a large payment, and the terms state the case will be heard 'on the next available date after.....' You should monitor the case closely and prompt / chase legal for the new date.
17. When the approval for the eviction has been agreed and sent back a copy of the paperwork, along with an up to date rent statement, should be emailed to legal requesting them to issue the warrant.
- a. A referral to the rent advisor or an appropriate outside support agency should be made.

- b. The Housing Advice Team should be notified that the case is waiting to be issued so that they can contact the tenant in line with legislation contained within the Homeless Reduction Act 2017.

Warrant checklist

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Name**Address****Please confirm you have attached the following to the email for the Director:****APPR sheet with comments from housing advice**☐**Account history with at least 12 months rent showing**☐**Notes from Orchard for at least the last 12 months**☐**Has the case been referred to Trailblazers?****Yes**☐**No**☐**If yes, have they engaged with them?****Yes**☐**No**☐**Does the tenant have mental health issues?****Yes**☐**No**☐**Have they been referred to Tenancy Sustainment?****Yes**☐**No**☐**If yes, are they engaging?****Yes**☐**No**☐**Have referrals been made to any other organisation?****Yes**☐**No**☐**If yes, which one?****Yes**☐**No**☐**Are they engaging?****Yes**☐**No**☐**Is there any other relevant information?****Yes**☐**No**☐**If yes, give details**



Item

Review of Tenant and Leaseholder Representative Arrangements

To:

Councillor Richard Johnson, Executive Councillor for Housing
Housing Scrutiny Committee [16/01/2019]

Report by:

David Greening, Head of Housing
Tel: 01223 - 457997 Email: david.greening@cambridge.gov.uk

Wards affected:

Abbey, Arbury, Castle, Cherry Hinton, Coleridge, East Chesterton, King's Hedges, Market, Newnham, Petersfield, Queen Edith's, Romsey, Trumpington, West Chesterton

Not a Key Decision

1. Executive Summary

- 1.1 This report provides an overview of three changes which impact Tenant and Leaseholder Representatives (TLR). A dedicated TLR Code of Conduct (Appendix 1) has been written which aligns with their unique position on the Housing Scrutiny Committee (HSC). This report also reviews TLR allowances and provides an update on the Tenant Representative vacancy, as required by committee decision.
- 1.2 Accepting the role of Tenant or Leaseholder Representative requires each individual to sign a Code of Conduct. The Code that TLR's currently signed is designed for Councillors. Although TLR's are elected/co-opted to sit on the HSC they are not Councillors, so their conduct and behaviour should not be measured in the same way. It is therefore appropriate to have a specific TLR Code of Conduct which reflects their unique situation. The Code has been written in consultation with officers and TLR's.
- 1.3 The second element of the report reviews TLR allowances. On 1 July 2014 the Housing Scrutiny Committee decided to increase TLR

allowances by 10% each year from 2014 until 2018. In 2014 the allowance had not been reviewed for over 10 years, the percentage that it was subsequently increased by was relative to the rate of inflation over the preceding 10 year period. The committee decision in 2014 outlined that from 2018 the TLR allowance should be reviewed annually. This report sets out the review of the TLR allowance. All proposals have been made in consultation with the Head of Housing and TLRs.

- 1.4 The final aspect of the report provides an update on the Tenant Representative vacancy and the approach taken to find representative replacement. A committee decision in June 2018 gave delegated authority to the Strategic Director in consultation with Members, to consider the options for representative replacement outside of the committee meeting and report back.

2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Agree the terms of the new TLR Code of Conduct.
- 2.2 Agree the allowance proposal detailed as option 1 in this report, to increase the TLR allowance for 2019 to correspond with the Consumer Price Index level set in the preceding September. The new allowance rate would begin from March 2019.
- 2.3 Agree from 2019 the TLR allowance should change annually by the Consumer Price Index level set in the preceding September, thus creating an inbuilt review mechanism. The allowance will then be reviewed again in 2022.
- 2.4 Note the approach taken to fill the vacant Tenant Representative position.

3. Background

Page:

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Tenant and Leaseholder Representative Code of Conduct

- 3.1. Upon acceptance of their role TLR's have to sign the Code of Conduct which was written for elected Councillors. TLR's are elected/co-opted to sit on the Housing Scrutiny Committee but they do not hold the same position as elected Councillors. A review of the current Code of Conduct

in consultation with the Democratic Services Manager and Head of Legal Services highlighted that, because of their unique position. TLR's should not be measured against the same requirements.

- 3.2 A TLR Code of Conduct (Appendix 1) has been created in consultation with senior officers, Members and TLRs. The document outlines the expectations of conduct whilst acting in their position of Tenant or Leaseholder Representative and clearly outlines the procedure which would follow in the event of a breach of the Code.

Tenant and Leaseholder Representative Allowances

- 3.3 TLR Allowances are intended to recognise the level of out-of-pocket expenses representatives incur whilst carrying out their function on the Housing Scrutiny Committee (HSC) and the work they put in representing and engaging with City Council residents. The sum also highlights that TLRs undertake their HSC work for the sake of public service and not for personal gain.
- 3.4 The allowance rate is set in March of each year. TLR's are not obliged to claim the allowance and some choose not to. Those who do claim do so every 6 months. The allowance is split into 3 categories which correspond to the level of TLR activity hours undertaken during the preceding six month period. Calculating the value to correspond with hours is designed to recognise that the more hours dedicated means more expenses are likely to incur. The current categories:
- Allowance A £585- up to 96 hours of activity per 6 months.
 - Allowance B £292- up to 47 hours of activity per 6 months.
 - Allowance C £146 - up to 13 hours of activity per 6 months
- 3.5 The Constitution, Part 4E Appendix 1 Section 5.1 outlines that in addition to an allowance TLRs are also eligible to claim expenses for travel including mileage to and from meetings. At present TLR's all have access to a taxi account so that they can independently call and make bookings in order to travel to meetings; the company then invoices the council directly so that the individual incurs no cost.
- 3.6 Three key options were considered during the review:
- Option 1- Raise the allowance level in March of each year in line with the Consumer Price Index level set in September of the preceding year.

This mirrors the approach taken for rent calculation. Access to all current expenses would remain the same.

- Option 2- Raise the allowance level by 10%. Access to all current expenses would remain the same.
- Option 3- Raise the allowance rate to correspond with the National Living Wage (NLW), 2018 rate of £7.83 per hour. Under this proposal there would be no access to expense claims apart from travel outside of the city for training. The Democratic Services Manager has confirmed that Councillors basic allowance rises annually with the current NLW rate. For TLR's who choose not to claim the allowance, Part 4E Appendix 1 Section 5.2 of the Constitution states *that the Strategic Director may arrange transport to and from approved meetings for TLRs who do not claim an allowance*, so their travel cost would still be covered.

3.7 Consultation with the TLR's highlighted that their preferred overall approach is option 1, keeping access to the taxi account is considered of greatest importance to facilitate travel to meetings.

3.8 Proceeding with Option 1, from March 2019 the allowance would increase by the Consumer Price Index (CPI) level set in September of the preceding year which was 2.4 %. The allowance would be set each March rather than being recalculated biannually. The subsequent financial impact is set out below:

- Allowance A- £599- up to 96 hours of activity per 6 months.
- Allowance B- £306- up to 47 hours of activity per 6 months.
- Allowance C- £149 - up to 13 hours of activity per 6 months

Vacant Tenant Representative Position

3.9 In June 2018 the committee gave delegated authority to the Strategic Director in consultation with the Executive Councillor for Housing, Chair, Vice-Chair and Opposition Spokesperson, to consider the options for representative replacement outside of the committee meeting and report back to the Committee.

3.10 The first avenue was to invite the candidate who came second in the 2016 TLR election to step forward and be co-opted into the role. Mr Tunstall accepted this offer and started in the post. However, after a few months he decided to step down from the role for personal reasons.

- 3.11 Only six tenants stood in the 2016 elections so there were no other candidates available to be co-opted into the role. The Constitution Part 4A Appendix 1 Section 2.1 states that *all Tenant and Leaseholder Representatives shall stand for re-election at the same time*, so the option to hold an election for the single vacancy was also unavailable.
- 3.12 With limited options available, the most equitable approach was to write to all tenants highlighting the vacancy and asking any interested individuals to apply to fill it until the next scheduled election in 2020. Letters were posted to tenants at the beginning of December with a closing date of 31 January 2019. Applicants will be invited to attend an informal meeting with a four person panel which comprises of the HSC Chair, Vice Chair, Opposition Councillor and Tenant Representative. The remaining TLR's will also have the opportunity to informally meet the candidates during the selection process. The panel will be responsible for making their recommendation about the most suitable candidate to offer the position to.

4. Implications

(a) Financial Implications

All work detailed above is covered within the existing Resident Involvement budget.

(b) Staffing Implications

Undertaking reviews is part of the routine duties of existing staff.

(c) Equality and Poverty Implications

- The increase in income from allowances may have a beneficial impact in combatting poverty.

(d) Environmental Implications

None.

(e) Procurement Implications

None.

(f) Community Safety Implications

None.

5. Consultation and communication considerations

All Tenants and Leaseholders Representatives were consulted on all three aspects of the report.

6. Background papers

Background papers used in the preparation of this report:

- (a) Resident Involvement Update Report- 1 July 2014 Housing Scrutiny Committee
- (b) Tenant Representative Vacancy Report- 19 June 2018 Housing Scrutiny Committee

7. Appendices

- 1) Tenant and Leaseholder Representative Code of Conduct

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Emily Watts, Resident Engagement Officer, tel: 01223 458323, email: emily.watts@cambridge.gov.uk.

Elected Tenant and Leaseholder Representatives Code of Conduct

1. Introduction

This Code applies to all Tenant and Leaseholder Representatives (TLR) elected to sit on the Housing Scrutiny Committee. It offers guidance to all regarding conduct and behaviour and should be read in conjunction with the Council's Constitution Part 4E: Appendix 1, Section 4.1, Section 6.2 and Section 6.3.

The role of a TLR is a voluntary role. The City Council recognises the immense benefits that TLR' can bring, and the bridges that they build between the Council and the local community. The Council values the contribution that TLR' make as part of the decision making process.

The TLR' are free to refuse the role, the TLR should give as much notice as possible (preferably at least three months) if they are no longer able to fulfil it.

The Council is not bound to provide the TLR position on the Housing Scrutiny Committee, a decision to change the overall membership of the committee would be made by full Council. Should the Council decide to remove TLR from the Housing Scrutiny Committee membership the TLR will be given at least 3 months' notice.

Scope

TLR' must comply with this Code whenever conducting the business of the office to which they are elected.

2. General Obligations

TLR are expected to comply with the Council's Equal Opportunities and Health & Safety policies while they are on its premises or undertaking any of their volunteering duties. The Resident Engagement Officer should ensure that their induction includes an explanation of these policies and procedures and any other policies which are relevant to the volunteering work (e.g. Safeguarding). Copies or links to policies should be given during their induction.

TLR' are expected to show commitment to carrying out their role on the Housing Scrutiny Committee (HSC) and to the representation of and engagement with City Council residents. TLR' are required to attend the meetings outlined within their role description, the Resident Engagement Officer will accommodate all TLR' availability and locality when organising meetings. If a TLR is unable to attend an organised meeting they should give as much notice as practicable. Consistent failure to fulfil the role in this respect may lead to the Council asking the TLR in question to withdraw from the role. However, this would always be preceded by a warning.

TLR are eligible to claim an allowance, the amount corresponds to the level of TLR activity undertaken in the preceding 6 months. TLR' are also eligible to claim expenses; any claim should be made with integrity. Fraudulent claims are likely to lead to instant dismissal from the role.

TLR' agree to ensure that their rent and/ or service charges will be kept in good standing. If a TLR feels that their account is at risk of falling into arrears they should notify the Resident Engagement Officer and Income Management Team within City Homes as soon possible to help manage the situation and agree a solution in a timely manner. In the event that arrears do accrue the TLR should proactively seek to agree arrangements to repay the arrears with the Income Management Team.

TLR are likely to receive information which is not in the public domain; possibly relating to individuals, organisations or financial matters. It is the responsibility of each TLR to ensure that this information remains confidential. TLR must never use confidential information for their personal advantage or the advantage or disadvantage of anyone known to them. This does not prevent disclosure once the information is in the public domain (unless it has been made public as a result of the volunteer's breach of confidentiality) or where the law permits or requires disclosure.

Whilst in the conduct of the role TLR' must:

- a) treat others with respect.
- b) be accountable for their actions ensuring appropriate use of information, exercising diligence and duty of care obligations and avoiding conflicts of interest.
- c) uphold honesty and act in an unbiased and unprejudiced way.

TLR' must not:

- a) do anything which may cause the authority to breach any of the equality enactments (Equality Act 2010);
- b) bully any person. Bullying constitutes: the use of force, threat, or coercion to abuse, intimidate or aggressively dominate others. The behaviour is often repeated and habitual. One essential prerequisite is the perception, by the bully or by others, of an imbalance of social or physical power, which distinguishes bullying from conflict.
- c) conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

3. General Principles

TLR' will apply the following standards at all times:

Selflessness- TLR should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity- TLR should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity- TLR should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability- TLR should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly.

Openness- TLR should be as open as possible about their actions, and should be prepared to give reasons for those actions.

Personal Judgement- TLR may take account of the views of others, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others- TLR should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the Council's statutory officers, and its employees.

Duty to Uphold the Law- TLR should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Leadership- TLR should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

4. Disclosure of Interests

5.1 Registration of Interests

Advice and queries relating to disclosure of interests should be sought from the Resident Engagement Officer. TLR' must-

- (a) within 28 days of election register any interests by providing written notification to the Resident Engagement Officer

- (b) within 28 days of becoming aware of any new or a change to an interest, register details of that new personal interest or change by providing written notification to the Resident Engagement Officer

5.2 Disclosable interests in matters considered at meetings

If TLR' attend a meeting and have an interest in any matter to be considered, or being considered, they must disclose to the meeting the fact that they have an interest in that matter. Depending on the nature of the interest they should consider not voting and leaving the meeting during the item concerned.

5. Gifts and Hospitality

All TLR' must avoid any conflict between their own interests and the interests of the Council; not accepting gifts or hospitality from organisations or suppliers that the Council has dealings with.

TLR' do not need to declare trivial gifts or hospitality; e.g. tea and biscuits at a meeting, or the gift of a calendar. Anything more substantial that has been prompted by their status as a TLR should be declared. TLR' do not need to make a declaration if they were offered gifts/hospitality but refused the offer.

The Resident Engagement Officer shall establish and maintain a register of gifts and hospitality.

6. Complaints

The City Council promotes an open and transparent working environment. If a TLR wishes to make a formal complaint they should put the complaint in writing to the Resident Engagement Officer in the first instance. If the complaint is against the Resident Engagement Officer the point of contact should be the Head of Housing. It is expected that the person receiving the letter will meet with the complainant to discuss the issues raised and to seek a resolution.

7. Breaches of the code

It is always preferable for breaches of the Code to be dealt with in a timely manner. A complaint against a TLR or report of a breach will be notified to them in writing by the Resident Engagement Officer. An investigation will be undertaken by the Resident Engagement Officer which will involve information gathering and interviews

where required. Depending on the nature and severity of the breach a decision about further action will be made in consultation with the Strategic Director and Head of Housing. In relation to a minor breach the Strategic Director has authority to give the TLR a verbal warning about their actions and outline the seriousness of repeating them. The Strategic Director will refer a serious breach to the Chair of Housing Scrutiny Committee to convene a Panel Hearing. A Panel has the authority to impose sanctions including suspension from the role of TLR. If a TLR is convicted of a criminal act during service the Council will review the circumstances and will need to consider dismissal from their role.

8. Procedures to be followed

If a serious breach has taken place, a review panel will be convened as soon as practicable. This will consist of the Chair, Vice-Chair (or another TLR if the Vice-Chair is the member concerned) and opposition Councillor who sits on HSC. The Strategic Director or Head of Housing would present findings and an Officer will provide administrative support. The TLR concerned is invited to attend the panel to present their case, they are welcome bring someone for support. The panel will then examine the evidence and reach a decision. If the panel decides that a breach has not taken place, this will be reported back to the TLR concerned and the Housing Scrutiny Committee. If a breach is confirmed, the panel are authorised to take action dependent upon the severity of the breach, such as:

- a) Give a written warning concerning future conduct.
- b) Impose a fixed term suspension from involvement in activities relating to membership.
- c) Terminate Tenant or Leaseholder Representative status including membership of the Housing Scrutiny Committee with the return of all equipment and the destruction of any confidential documents.

The appropriate sanctions will be taken as recommended by the review panel.

If a TLR is terminated from their position on the Housing Scrutiny Committee they will not be able to stand in any future ballot.



Item

NEW COUNCIL HOUSING: Meadows & Buchan

To: Councillor Richard Johnson, Executive Councillor for Housing, Councillor Anna Smith, Executive Councillor for Communities

Report by: Jim Pollard, Senior Development Manager Housing Development Agency

Tel: 01223 – 457924 Email: jim.pollard@cambridge.gov.uk

Wards affected: Arbury and Kings Hedges

Key Decision

1. Executive Summary

- 1.1 This report proposes a redevelopment of The Meadows and Buchan Street sites, to provide much-needed Council rented housing, and a new community centre. It proposes adding these sites to the Council's Rolling Programme of Housing development, making the resources for the redevelopment available, and working with centre users, neighbours, staff and others to ensure the design of the new homes and community centre provides well for the local community.
- 1.2 In February 2017, the City Council agreed a devolution deal with government to deliver 500 new Council homes over 5 years. In order to deliver these homes the council requires suitable sites to deliver new rented housing, let in accordance with the Council rent policy.
- 1.3 In 2017, the Council completed a review of community provision, and approved a Community Centres Strategy. This identified that Meadows and Buchan community centres serve a high need area of the city, but that their proximity provides an opportunity to rationalise two centres into one hub, whilst making land available for new council housing. On 29th June 2017 the Community Services Scrutiny Committee approved a feasibility study to consider the potential for redevelopment.
- 1.4 The feasibility study has now concluded, and this report presents the proposal to deliver approximately 106 homes across the two sites, together with a new, more flexible community hub and retail/commercial. The programme for the provision of the new community Centre will ensure continuity of service to the community . Detailed engagement with local people will be required on design, and in relation

to the proposal to build much-needed housing to meet local needs on Buchan Street.

2. Recommendations

2.1 The Executive Councillor (Communities) is recommended to

2.1.1 Approve the rationalisation of two community centres into a new community hub in line with the Community Centres Strategy (June 2017), in order to make land available for much needed Council housing; The development process will ensure that a community centre remains open throughout the redevelopment period; and that local residents and centre users are engaged in the detailed design of the new community facility.

2.2 The Executive Councillor (Housing) is recommended to:

2.2.1 Add the Meadows and Buchan Street sites to the Rolling Programme, to enable detailed design and project work to proceed;

2.2.2 Approve the indicative mix of the proposed scheme, subject to design and planning, to include a mix of Council rented housing, as set out below

	Meadows	Buchan
1B2P Flat (Housing First)		2
2B4P Flat (Housing First)		1
1B2P Flat	58	6
2B4P Flat	27	5
3B5P House	0	7
Totals	85	21
Community Centre GIA	1583m2	
Retail space GIA		148m2

2.2.3 Recommend to Council the inclusion of an indicative budget of £26,379,880 in the Housing Capital Programme (to be presented to Council in the HRA BSR).

2.2.4 Authorise the Strategic Director to seek approval from the Secretary of State for use of HRA resources to fund part of the cost of the Community Centre and commercial unit (on the basis that this would aid the release of land for much needed housing in line with national government policy), subject to this being viable within a revised HRA business plan, and to vary the contributions recommended from the Housing Revenue Account and the General Fund in the light of the decision.

- 2.2.5 Authorise delegated authority to the Strategic Director in consultation with the Executive Councillor to: approve variations to the schemes including the number of units and tenure mix of property types required to obtain planning approval and sizes outlined in this report.
- 2.2.6 Approve that the site is offered to CIP to progress in accordance with the CIP process which was approved at Strategy & Resources Committee on 9th October 2017 subject to a value for money assessment to be carried out on behalf of the Council prior to entering into the Agreement for Lease set out in that process.

3. Background

- 3.1 A report to Community Services Scrutiny Committee (29th June 2017) identified the potential to rationalise community centre provision at Meadows/ Buchan. It was agreed to: undertake a full feasibility study for both centres to consider: practical development constraints, planning issues and financial feasibility, as well as to explore with local groups, partners and centre users whether it is possible to deliver the community hub at the Meadows and to consider further explore options for Buchan Street.
- 3.2 The outcome of the public consultation on the Community Review supported the rationalisation of two centres into one, but highlighted that there was support to retain Buchan St as an opportunity for the voluntary sector to deliver services.
- 3.3 Feasibility work has identified the potential to deliver much-needed housing on both sites, together with a more flexible community centre. A draft design has been completed for a more flexible centre designed to meet future changes in use.
- 3.4 There is a recognised need for more Council rented housing across the city. The table below demonstrates the number of households on the Housing Needs Register as of December 2018. There are currently 2313 households in need of a 1 or 2 bedroom property across the city; progressing this scheme will help in meeting the needs of those on the waiting list.

Cambridge City	1bed	2 bed	3 bed	4+ bed
	1513	568	181	51

- 3.5 Located in an area of existing housing stock, the development would bring some smaller units to the area to support sustainable communities

4. Site Details

- 4.1 Appendices 1 and 2 provide more detail of the sites.
- 4.2 Meadows
- 4.2.1 The site is 0.97 hectares
- 4.2.2 Land is held in the City Council's General Fund.
- 4.2.3 The site is partially in SCDC so requires Planning Permission from both councils.
- 4.2.4 The Community Centre sits on St Albans Recreation Ground
- 4.2.5 The recreation ground contains play equipment and sporting facilities including:
- Sports pitches with changing rooms which can be configured to accommodate either 11-a-side under sixteens' or 9-a-side under twelves' matches
 - Children's play equipment, Trim trail; Skate ramp; MUGA
 - Surface sewers run through the site; other services are located at the entrance and centre.
- 4.3 Buchan
- 4.3.1 The site is 0.32 hectares
- 4.3.2 Land is held in the City Council's General Fund
- 4.3.3 The site has an existing community centre and a café and a retail outlet
- 4.3.4 Prominent site at entrance to residential area of 2 storey terraced/semi-detached houses
- 4.4 Surveys
- 4.4.1 The following surveys and investigations have been undertaken at the Meadows as part of the feasibility work: Arboriculture Impact Assessment; Flood Risk / Drainage Assessment; Prelim Ecology Survey; Utility Mapping; Parking Assessment.

4.4.2 Topographical Surveys have been carried out at both sites.

4.5 Planning Feedback

4.5.1 Pre-app planning advice noted that with planners on December 4th the feedback was generally positive but the following ought to be noted as risks:

- No formal feedback from South Cambs LPA has been forthcoming.
- A parking strategy for the Meadows site will be needed
- A justification on tenure will be required and will need to comply with NPPF

4.6 Site Options

4.6.1 Other options were initially explored in June 2017 and are set out below:

- Retain as existing: does not release land for housing or a new centre;
- Develop only Buchan: leads to the development of approximately 20 homes but does not provide an improved community facility.
- Develop as a mixed tenure scheme including Community Centre and Commercial Unit: Cross subsidy from market units could help make the scheme more viable and meet a broader range of needs but there is a high level of need for Council rented housing and there is limited cross subsidy as values are relatively low in this part of the city.

4.7 Design and Sustainability

4.7.1 The scheme will be based on the Council's adopted design standards and the Cambridge Sustainability Housing Design Guide.

4.8 Current Proposals: Meadows: Housing and Community Centre

4.8.1 The current proposals are shown in Appendix 2 and will deliver over 100 Council rented units which would constitute a fifth of the total that the Council is committed to delivering under the devolution programme.

4.8.2 Open space and sports

- The open space within CCC is protected open space in the Cambridge Local Plan. The part of the site within SCDC is not allocated open space but it is covered by a general open space policy which seeks to protect unallocated areas of open space.

- The current design proposes to retain but move the football pitches and MUGA, and to enhance the open space by making the swales that will be required for 1:100 flood risk an informal natural recreational space

4.8.3 Community Hub

- The brief is to re-provide the Meadows centre plus a nursery and a meeting room to replace those facilities at Buchan Street. Appendix 2 shows the plans for this.
- The design team have formed a productive working relationship with the community services team carrying out stakeholder engagement meetings with several core users. The design of the community centre is broadly supported. Further design development and consultation with users will be undertaken.. The overall area (GIA) of the proposed new centre is 1583m² – an increase of 243m² over existing to accommodate nursery, meeting room, and Sport England Standard changing rooms

4.8.4 Buchan Street

- To be redeveloped to deliver circa 20 new homes and a new retail space. This site also presents an opportunity to provide a Housing First scheme for 2 vulnerable people.

4.9 Programme

4.9.1 The indicative programme for the development is as follows:

Tasks	Dates
Public Consultation	Feb – Mar 2019
Submit Planning Application (Meadows and Buchan)	June 2019
Planning Permission Granted	September 2019
Start on site Meadows (subject to Planning)	Start Jan 2020
Practical Completion (Meadows new centre)	End Jun 2021
Start Buchan Street and second part Meadows (subject to Planning)	End Sept 2021
Practical Completion (Buchan Street and 2 nd part Meadows.)	End Sept 2022

4.9.2 This programme provides for starts on site for all the units prior to the devolution funding deadline of 31st March 2022.

5. Financial Implications

5.1 Cost estimate

5.1.1 The total indicative capital budget for the scheme is £30,993,380 to cover all of the site assembly, construction costs, professional fees and associated other fees, including SDLT if applicable, to deliver a scheme that meets an identified housing need in Cambridge City, a new Community Centre and a commercial / retail unit.

5.1.2 The breakdown is as follows:

Breakdown by use		
Housing		£26,379,880
Community Hub	£4,356,810	
Commercial	£256,690	
Sub-Total		£4,613,500
Total Cost		£30,993,380
Breakdown by site		
Meadows (Housing + Community Hub)		£25,965,860
Buchan (Housing + Commercial)		£5,027,520
Total Cost		£30,993,380

5.1.3 The Council has appointed Calford Seaden to act as cost consultant and this estimate will be reviewed as the scheme develops with a value for money assessment prior to a final decision on the delivery route. Costs estimates have also been provided by CIP.

5.2 Financing the scheme

5.2.1 The latest cost review confirms that the HRA funding per unit is at a higher cost than the current business plan. The housing will be financed through the HRA, using a combination of devolution grant, RTB receipts and revenue resources. Due to the strain already placed on the housing programme by higher-than-budgeted costs on other sites, and continuing

pressure on build costs in Cambridge, the housing to be provided at Meadows and Buchan Street will receive less than 70% of the cost through devolution grant as this funding source will be exhausted, and the remainder of the costs will be picked up by the HRA. Approximately 52% of the cost will be met through Devolution Grant, 30% through the use of retained right to buy receipts, with the balance of 18% of the cost to be met from HRA resources.

- 5.2.2 The community centre is not, according to HRA finance regulations, an allowable expense, as it meets the needs of city residents in general and is not specific to supporting tenants. Therefore the cost of this centre, and the commercial provision, needs to be met by either use of general fund resources; or using HRA resources having received specific permission from the secretary of State, who is satisfied that the provision is primarily for tenants; or a combination of the two. The former is assumed for the purposes of this report and the budget setting process for 2019/20.
- 5.2.3 The Council cannot make a case to the Secretary of State until it has reviewed its business plan, in the light of new borrowing powers, and taking into account asset risks which have emerged in recent years, together with the Council's stated intention to continue a Council house-building programme in the longer term. This review of the HRA, scheduled for 2019/20, will allow the Council to identify what resources are available to contribute towards or pay for the community centre, and to demonstrate to the Secretary of State what impact that decision would have on maintaining existing and building new housing.
- 5.2.4 Therefore, the Council must make provision to use GF resources for the community and commercial provision. There is a recommendation for a General Fund capital budget of up to £4,613,500 (£4,356,810 for community centre and £256,690 for commercial / retail space) within the GF Budget Setting Report. This decision can be amended once the HRA review has concluded, and a decision has been made by the Secretary of State. The source of the GF resources can be decided closer to the point when the funds are required, as by then some receipts from other capital projects may be available.
- 5.2.5 The scheme presented assumes 100% Council rented housing on site. In theory the Council could subsidise the development by selling units on one or both sites as market housing (subject to regulations on land transfers and land values). This option is not recommended due to the low profit margin available, and the need to deliver Council housing for people in housing need.

5.3 Summary Review

5.3.1 High level viability modelling is shown in the table below:

Development funding options								Opportun ity Cost (Potential no. of units that are being sacrificed at average build cost for this scheme)
	Options	Council Rent units	Units for sale	Costs to be met from HRA (not met by RTB or Devo Grant)	General Fund requirement	Gross sales revenue	Payback period to HRA (excluding Devo grant to demonstrat e true viability. Note that our max has been 35 previously)	
1	HRA fully funds community centre and retail	106	0	£9,301,496	£0	£0	45 Years	19.3 units
2	HRA funds 50% of community centre and retail	106	0	£6,994,748	£2,306,748	£0	42 Years	9.6 units
3	HRA does not fund community centre or retail	106	0	£4,688,000	£4,613,496	£0	39 Years	0 units
4	The HRA funds the both developments cross subsidised by selling units for market sale	96	9	£6,772,180 (£9,922,180 pre sales receipt)	£0	£3,150,000	48 Years	8.7 units

- 5.3.2 In options 1 to 3, the HRA will be required to fund at least £4,688,000 of the housing element of the scheme, as the £70,000,000 devolution funding will be exhausted as part of this development, and there will not be sufficient grant remaining to fully fund 70% of the housing on these sites. Because the scheme is included in our devolution programme, the Council cannot access other external grants / funding streams.
- 5.3.3 Only Option 3 comes close to the 35 year payback normally required by the HRA. As expected, this option provides the best payback as the General Fund is fully supporting the cost of the new community centre.
- 5.3.4 Option 4 is based on the sale of the nine 3 bed houses included in the scheme. With the average build cost at £239,000 one bed flats will be sold at a loss; two bed flats may generate a surplus of £30,000 per unit whereas nine 3 bed houses may generate a £1million surplus. Therefore, the only units worth selling are the 3 bed houses.
- 5.3.5 There are a number of sources of capital funding available if the General Fund is required to fund £4,613,500 for the new community centre: This may include use of capital receipts – (e.g. receipt of £4.5m expected shortly from K1), surplus from CIP developments (although timing uncertain); use of General Fund reserves; use of unallocated NHB; borrowing from the PWLB or internal borrowing, provided cash balances are available. A decision on the route to be taken will be made once the scheme is ready to proceed.
- 5.3.6 Although there are a number of funding options, allocation of funding to the community centre would need to be prioritised against other calls on available capital funding. Due to its size, a mix of funding options would probably need to be considered.
- 5.3.7 Alternative Options: other variants of the options for Housing and cross subsidy include:
- the sales units could be sold at market rates to CCHC to minimise sales risk subject to viability and the approval of the CCHC Board and Council
 - Varying the tenure to include shared ownership options could be considered if the 500 Council rented target is met.

6. Implications

6.1 Staffing Implications

- 6.1.1 Estimated scheme costs include relevant staffing costs; no immediate staffing implications through the development process. The Community Centres Strategy (June 2017) stated that *the implementation of the Building Stronger Communities Strategy may affect members of staff over a period of time, and consultation with them will take place in accordance with the Council's organisational change policy.*

6.2 Equality and Poverty Implications

- 6.2.1 EQIAs have been undertaken for the housing programme as a whole, which highlight the benefits of meeting a diverse range of needs through affordable housing

6.3 Environmental Implications

- 6.3.1 New housing will be built in accordance with the current Cambridge Sustainable Housing Design Guide, which equates to the equivalent of code Level 4 for sustainable homes as a minimum.
- 6.3.2 The Community Centre will be built in accordance with the Local Plan i.e. to BREEAM Excellent.

6.4 Procurement Implications: Development and Delivery Options

- 6.4.1 The City Council has a number delivery options which it is currently exploring and utilising for the delivery of Council rented housing on sites in the City:
- In-house construction by Estates and Facilities
 - Procurement of a contractor through a traditional tender process
 - Offer the site to CIP for development

6.4.2 In-house construction by Estates and Facilities

Estates and Facilities have completed construction of 2 No. 2 bed houses on a site at Uphall Road. Further sites of a similar scale have been identified that can be brought forward by estates and Facilities but the scale of these sites preclude this option.

6.4.3 Procurement of a contractor through a traditional tender process

A Design and Build contract could be let following a tender process which could be an open tender or a tender conducted through a public sector

procurement compliant framework. The tender would be carried out following the grant of planning permission. This route is a viable route but is not the recommended because of the benefits offered by the CIP in bringing development forward. This option would only be considered if there is a recommendation from the Cost Consultant that this would offer better value for money.

6.4.4 Offer the site to CIP for development

At the Strategy & Resources Scrutiny Committee held on 9th October 2017 a mechanism for the development and delivery of sites with CIP was agreed and is being adopted for a number of sites. The Exec Cllr for Finance and Resources, Exec Cllr for Housing or Leader (as appropriate) in conjunction with the relevant Strategic Director has delegated authority for the final approval of a Strategic Development Brief and Proposed Land Transfer / Disposal to CIP for individual sites. Through working with CIP on this project there is the ability to utilise Contractor expertise early in the scheme and therefore ensuring the works can start on site quickly from receipt of planning permission. Prior to transfer to CIP a value for money assessment will be required from the Cost Consultant.

6.5 Community Safety Implications

6.5.1 The scheme will meet Secure by Design Gold guidelines

7. Consultation and communication considerations

- 7.1 There will be consultation and engagement with local residents, ward councillors, centre users; commercial tenants and other stakeholders throughout the design and development process. This will include but exceed the consultation required for planning.

8. Risks

- 8.1 General Risk: - delivering this scheme mitigates the wider risk of not achieving the devolution homes target of 500 homes.
- 8.2 Key Development Risks – as with all developments, there are a range of risks that may introduce delays through the planning and development process, or may impact on costs.

Risk	Impact	Mitigation
Scheme needs to fall within acceptable parameters	May require a change in current design	There is a project board from the scheme and the costs are monitored closely by independent cost consultant.
Planning Risk - two planning authorities	Delay to scheme	Pre-app consultation and discussion with planners and consultees
Development will require part of St Albans rec.	Rejection by Sports England Delay and reduction in scope	Some loss of open space may be acceptable with improvements. On-going dialogue with sports England .
Car Park requirements	Will impact on costs and design (currently designed at high level of spaces for community centre)	Pre-app consultation; assessment of needs; assessment of alternative transport options
Flood Risk on Meadows site	Could require change to design	Flood modelling being undertaken to understand impact
Contamination	Will impact on costs and design	Initial investigations have taken place. SI surveys in stage 2
Tenure mix planning risk	Delivering 100% Council rent is not in line with planning policies.	To liaise closely with both LPAs though pre-apps and make the case based on meeting housing need.

9. Background papers

17/16: Comm: Building Stronger Communities: Community Centre Strategy.
 17/46/SR: Arrangements for Disposal of Council Land and Payment for Social Housing to the Cambridge Investment Partnership.

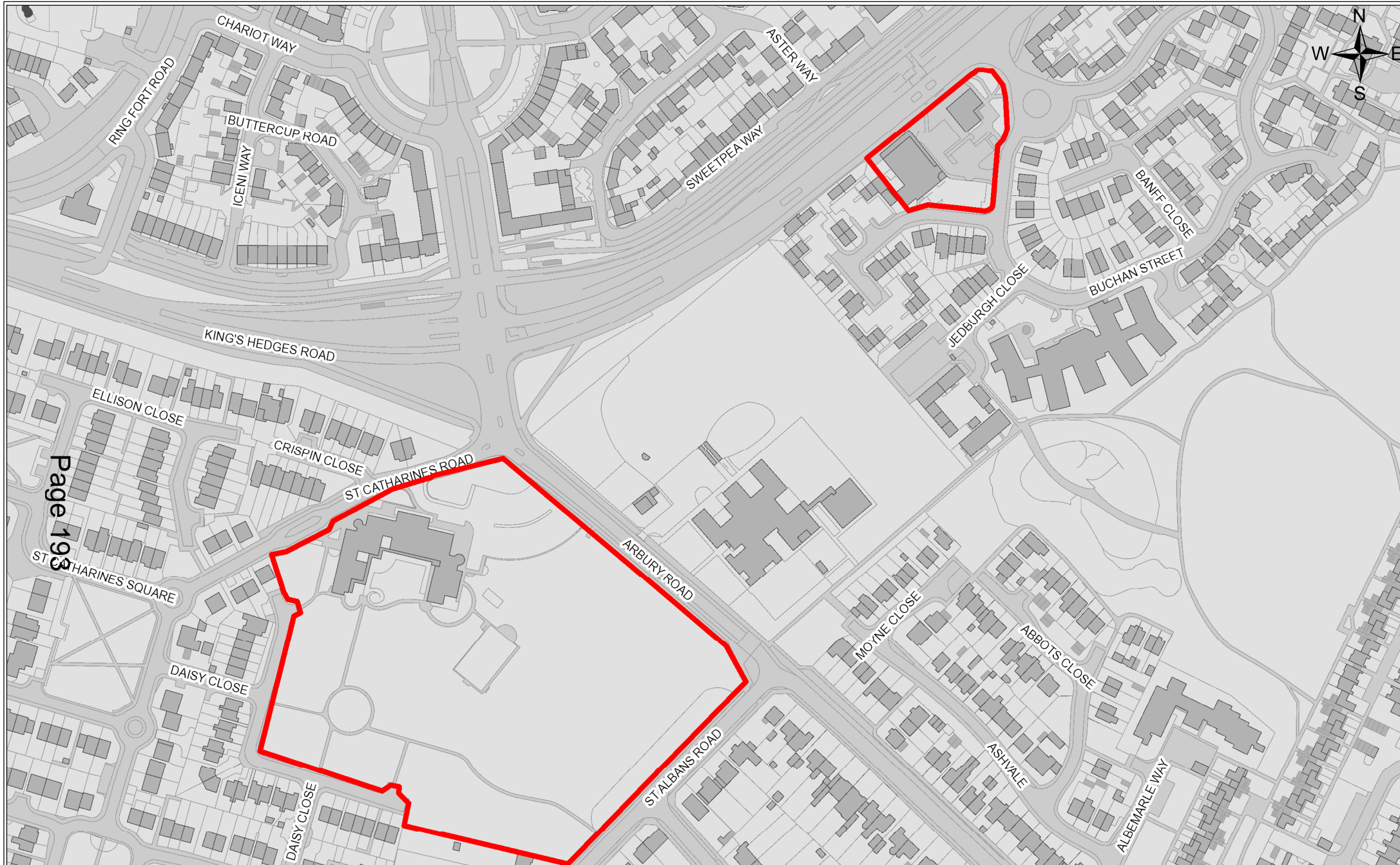
10. Appendices

Appendix 1 – Meadows and Buchan Street Location Plan
 Appendix 2 – Meadows and Buchan Street proposals

11. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Jim Pollard, Housing Development Agency, tel: 01223 457924, email: jim.pollard@cambridge.gov.uk

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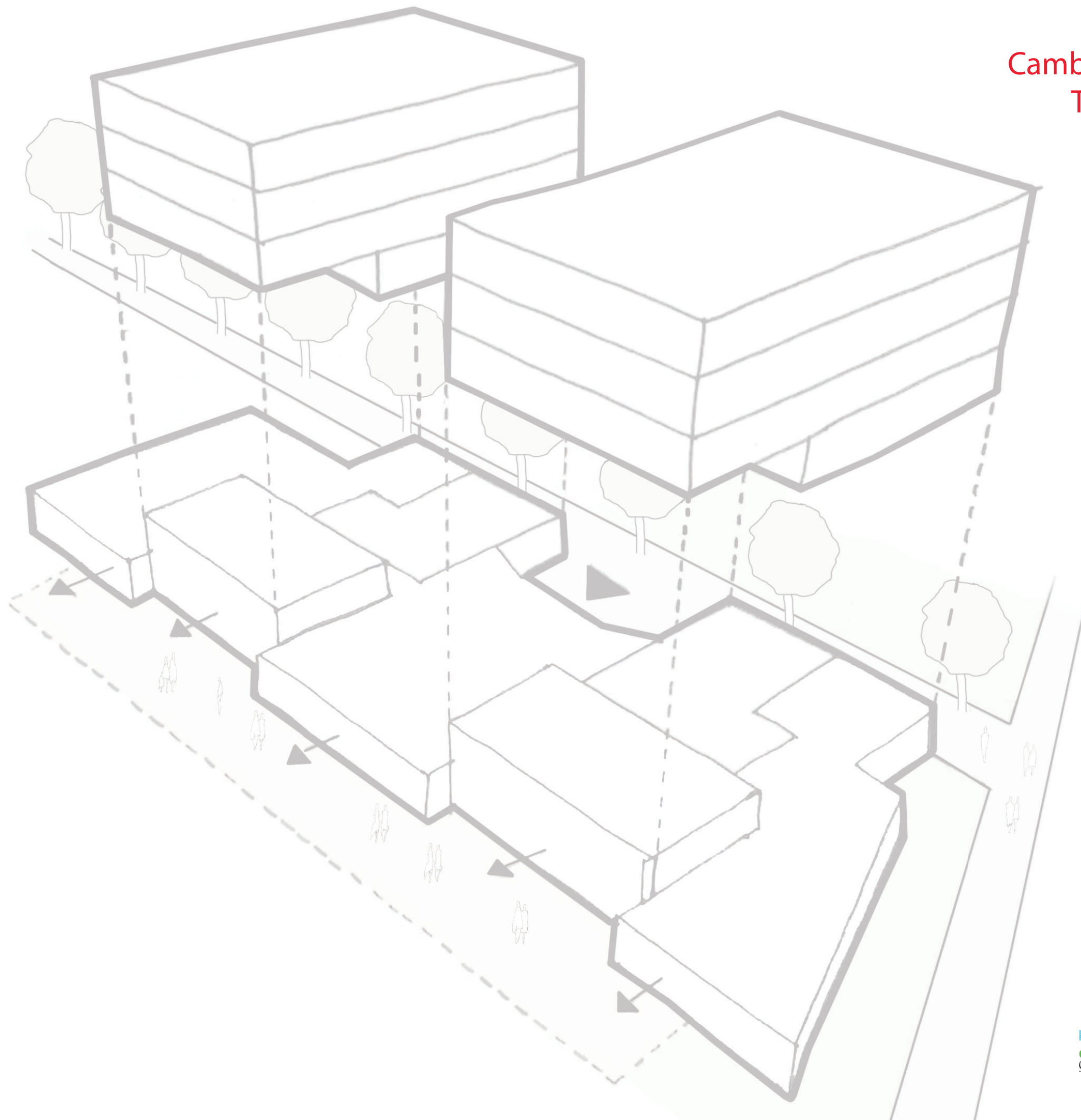
Meadows & Buchan Site Location

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Cambridge Investment Partnership The Meadows & Buchan Street Committee Appendix

6th December 2018 Rev_

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Existing Site Plan

The diagram on this page, illustrates the existing site of the Meadows Community Centre, Centre car park, and open space of the recreation ground.

An approximate site boundary is shown in red.



Site Location Plan



- Hub (gr floor only)
- Residential blocks
- Residential core within hub
- Residential parking spaces
- Hub parking spaces
- Various Storage bikes / bins / buggys / scooters
- Site boundary
- Ownership boundary
- Local Authority boundary
- Development boundary
- Existing pitch, sports court and paths to be relocated (locations tbc)
- Removed trees (tree locations tbc)
- Relocated pitch, sports court and paths
- Possible trim trail location
- Potential location for flood mitigation storage tanks
- Possible swale locations (size, depth, location tbc)
- Existing surface water drainage
- sewer pipes (based on topo 15153 by Randall Surveys LLP)
- Existing sewer pipes
- manhole cover (based on topo 15153 by Randall Surveys LLP)
- Possible relocation of manhole cover

Existing development area - 6,884sqm

Proposed development area - 10,903sqm

Additional development area - 4,019sqm

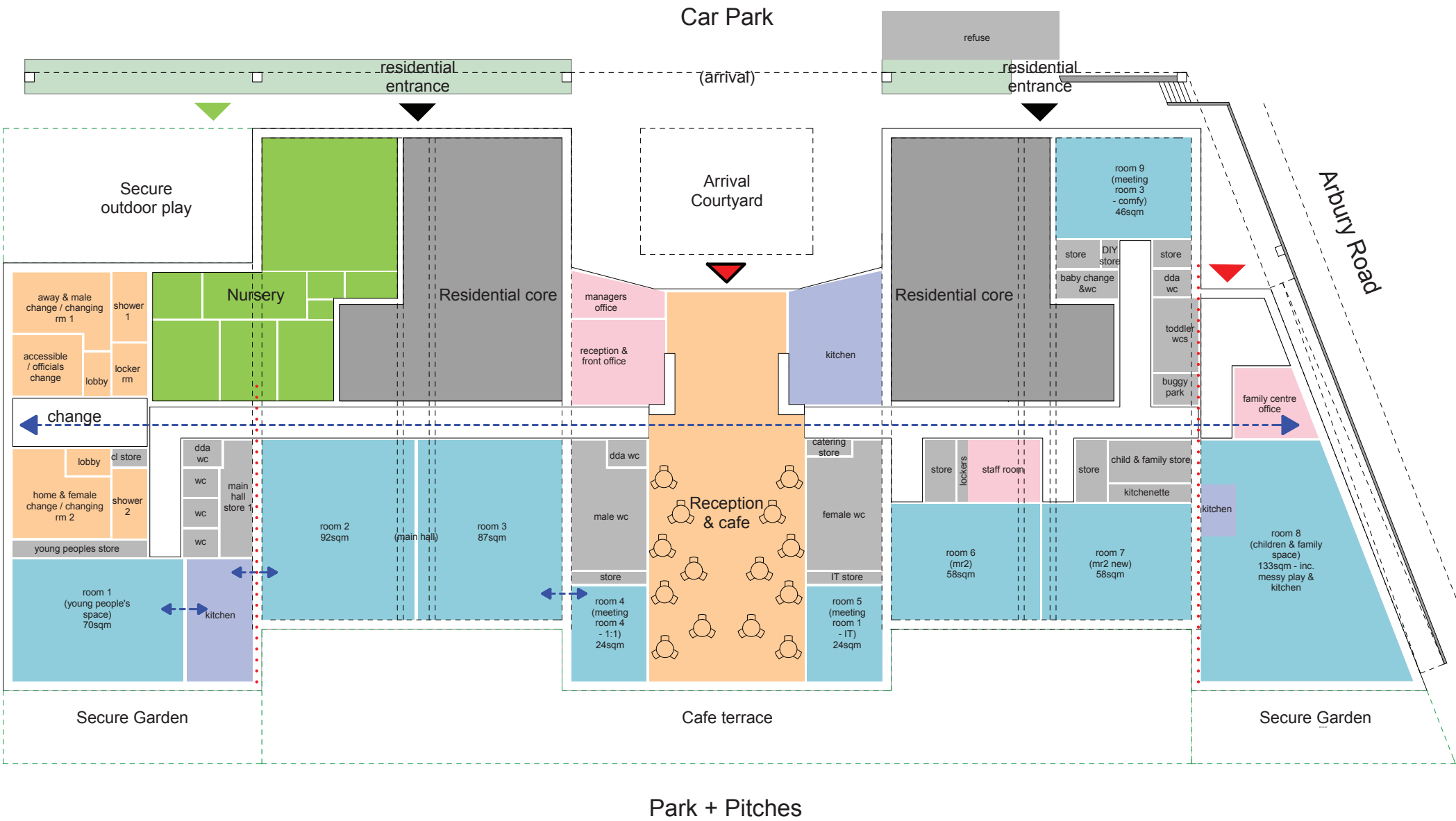
No. of units - 80-85no.

No. of resi. parking spaces - 55no.

Ratio of resi. parking spaces to units (based on 85no. units) - 0.65

No. of resi. visitor parking spaces - 0

No. of hub parking spaces - 61no.



- Community Hub - Option A
- The diagram opposite shows the layout of the hub in relation to the residential core elements. The layout is based upon the following principles:
- re-provide existing centre with additional facilities incorporated from Buchan Street
 - enhance sports provision
 - assess integration of new cultural + arts events
 - more flexible space that can respond to future timetable and use changes
 - improve visibility of the Hub and Hub entrance
 - centralised main entrance with direct views to park
 - Alternative entrances to nursery, C+F wing, changing, & youth wing, to allow independent operation when req.
 - maintain a single level Hub for ease of access
 - create simple circulation and natural surveillance
 - make the most of park views from rentable rooms
 - create external courtyards at entrances to front and for hub gardens to rear - a generous arrival courtyard announces the main entrance to the building.
 - main double height halls (rooms 2/3 and 6/7) can be subdivided if required for greater flexibility
- The proposed Hub GIA is approx 1,583sqm. The existing centre GIA is approx 1360sqm.

Residential Floor Plans

'The Cambridge Sustainable Housing Design Guide' from February 2017, states that 5% of the developments affordable units should be building regulation Part M Cat 3 accessible units (where developments propose 20+ units). The location of these units is to be determined, and this may affect proposed unit numbers.

The plan diagrams below (right) show the 6 unit per floor block developed for the 3No. 5 storey blocks (Blocks D, E & F).

The ground floor diagram of the 6 unit block illustrates areas for integrated ancillary accommodation for the residential use (bikes, bins, plant). The remaining area on the ground floor will be accommodated by the Hub, and by either additional parking or residential units (or incorporation of Part M Cat 3 flats) depending on further development of the site layout options.

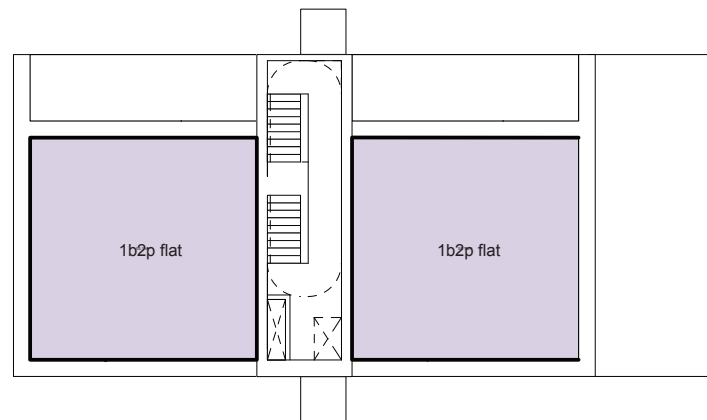
The typical upper floor diagrams, show a mix of 2b4p flats and 1b2p flats.

The plan diagrams below (left) show the two types of 2 unit per floor 3 or 4 storey blocks. These flats share 1 stair core per block. Each block is 3 or 4 storeys tall. Type 1 contains 2no 1b2p flats per floor. Type 2 contains 1no 1b2p flat and 1no 2b4p flat per floor.

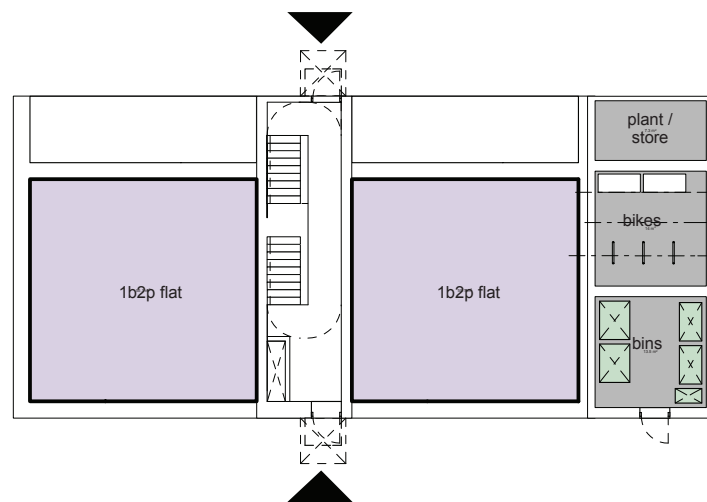
However, the site layout shows how one of these blocks (Block A - closest to the existing bungalow) will contain 1no 1b2p unit only on the 2nd floor to respond to the pre-application comments. Therefore, this block will contain 5 units in total.

Where the block has a 4th storey (block C), a lift will need to be integrated.

Blocks A & C



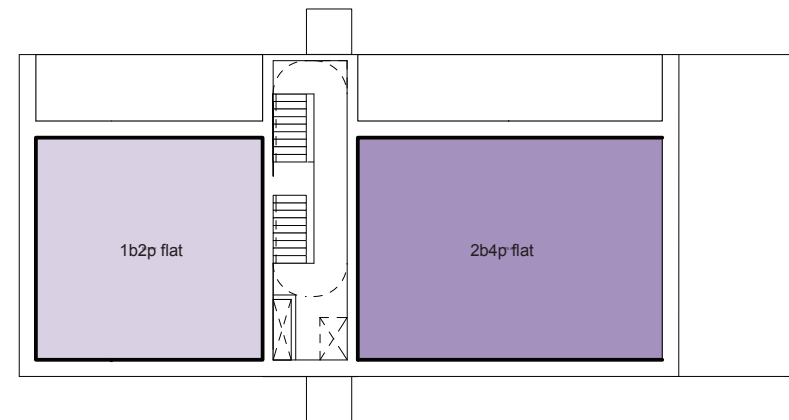
1st & 2nd Floor Plan - 2 Unit per Floor Block (Type 1)



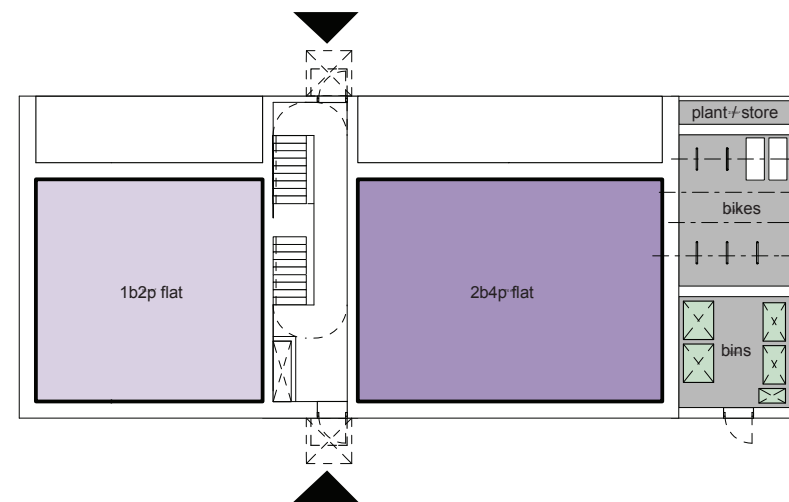
Ground Floor Plan - 2 Unit per Floor Block (Type 1)



Block B

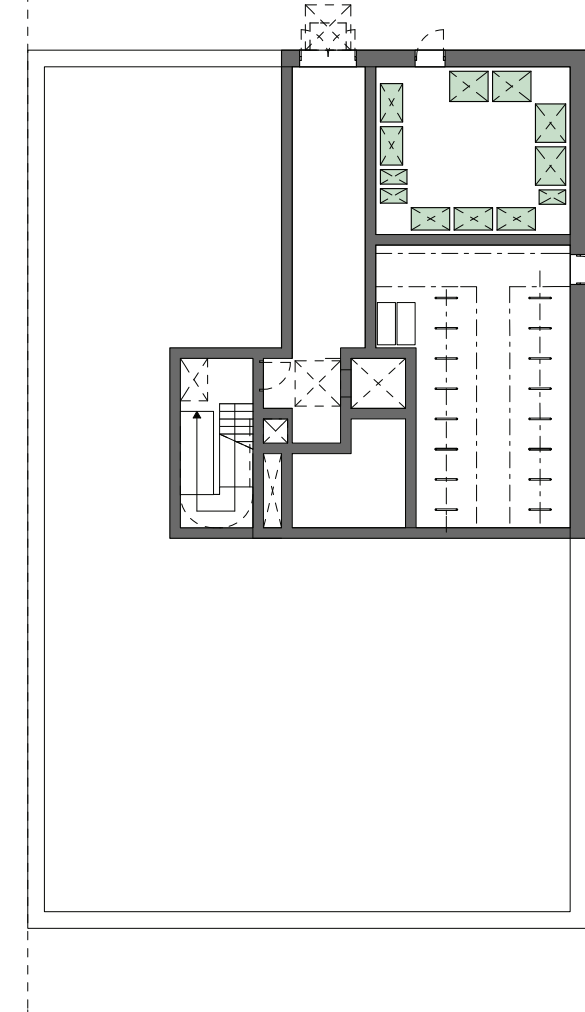


1st & 2nd Floor Plan - 2 Unit per Floor Block (Type 2)

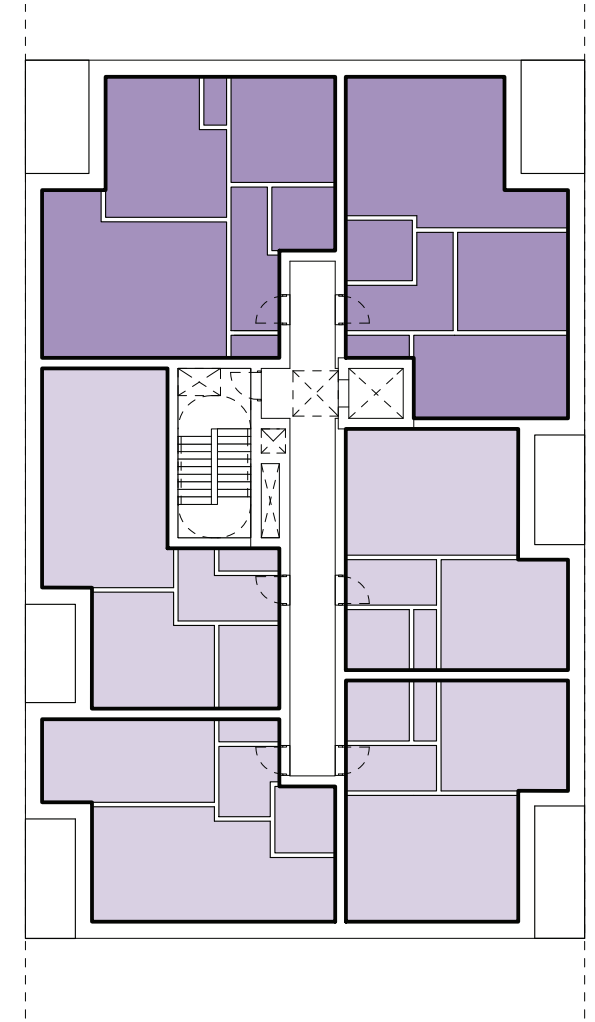


Ground Floor Plan - 2 Unit per Floor Block (Type 2)

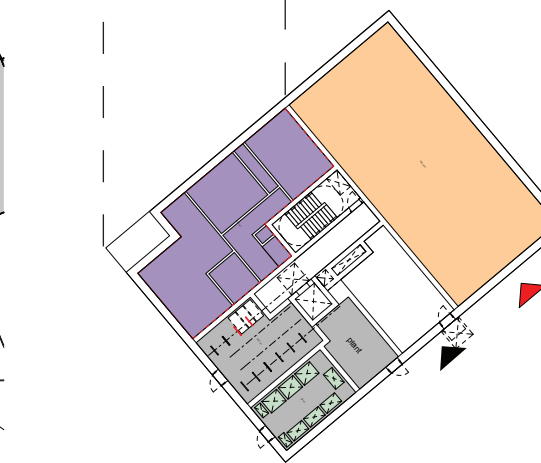
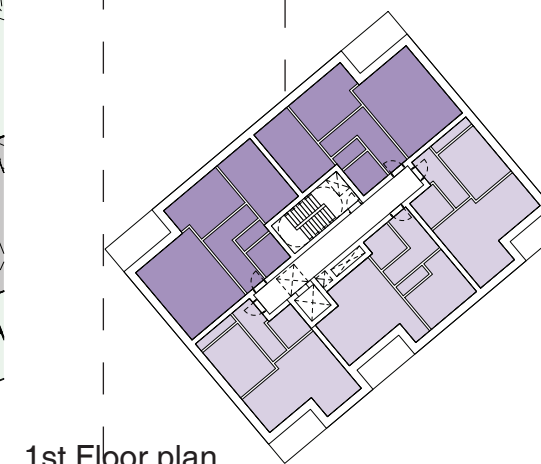
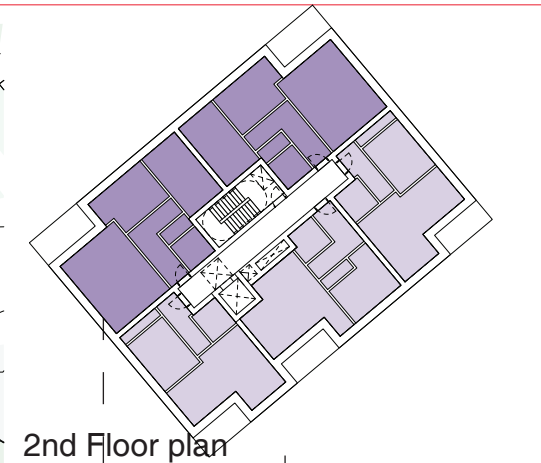
Blocks D, E & F



Typical Ground Floor Plan - 6 Unit per Floor Block

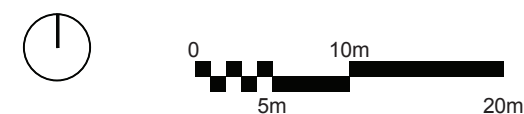


Typical Upper Floor Plan - 6 Unit per Floor Block



- Retail/cafe
- Residential entrance core
- Residential ancillary
- 2 bed 4 person Flats
- 1 bed 2 person Flats

Buchan Street
Proposed Layout
1:500 @ A3
26.06.2018
51_1005-01_sk001 Rev_K



Areas Schedule																			
Project	Buchan Street, 6 Buchan Street, Cambridge CB4 2XF.																		
Client	CIP																		
Date	16.11.2018																		
Project Stage	Areas (51_1005-01_SK001 Rev_k)																		

Option 1 Proposed - Includes 3no. Housing First flats and 7no. 3bed Houses

	Houses Total GEA		Houses Total GIA		Flat block Total GEA		Flat block Total GIA		Retail/cafe Total GEA		Retail/cafe Total GIA		Housing 1st Flats Total GEA		Housing 1st Flats Total GIA		Community Total GEA		Community Total GIA	
Ground	422	4,542	336	3,617	282	3,035	244	2,626	171	1,841	148	1,593	112	1,206	90	969	NA	NA	NA	NA
1st	422	4,542	336	3,617	452	4,865	371	3,993	NA	NA	NA	NA	112	1,206	90	969	NA	NA	NA	NA
2nd	0	0	0	0	452	4,865	371	3,993	NA	NA	NA	NA	0	0	0	0	NA	NA	NA	NA
Total	844	9,085	672	7,233	1,186	12,766	986	10,613	171	1,841	148	1,593	224	2,411	180	1,938	0	0	0	0

Option 2 Proposed - Includes 9no. 3bed Houses (no housing first flats)

	Houses Total GEA		Houses Total GIA		Flat block Total GEA		Flat block Total GIA		Retail/cafe Total GEA		Retail/cafe Total GIA		Housing 1st Flats Total GEA		Housing 1st Flats Total GIA		Community Total GEA		Community Total GIA	
Ground	546	5,877	432	4,650	282	3,035	244	2,626	171	1,841	148	1,593	0	0	0	0	NA	NA	NA	NA
1st	546	5,877	432	4,650	452	4,865	371	3,993	NA	NA	NA	NA	0	0	0	0	NA	NA	NA	NA
2nd	0	0	0	0	452	4,865	371	3,993	NA	NA	NA	NA	0	0	0	0	NA	NA	NA	NA
Total	1,092	11,754	864	9,300	1,186	12,766	986	10,613	171	1,841	148	1,593	0	0	0	0	0	0	0	0

Existing

Houses 9x(3b5p) GEA		Houses 9x(3b5p) GIA		Flat block Total GEA		Flat block Total GIA		Retail/cafe GEA		Retail/cafe GIA		Flats Total GEA		Flats Total GIA		Community Total GEA		Community Total GIA	
m2	ft2	m2	ft2	m2	ft2	m2	ft2	m2	ft2	m2	ft2	m2	ft2	m2	ft2	m2	ft2	m2	ft2
Ground	NA	NA	NA	NA	NA	NA	NA	278	2,992	246	2,648	NA	NA	NA	NA	749	8,062	693	7,459
1st	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2nd	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Total	NA	NA	NA	NA	NA	NA	NA	278	2,992	246	2,648	NA	NA	NA	NA	749	8,062	693	7,459

Reference Drawings: Layout drawing 51_1005-01_SK001 Rev_H

Residential provision

6no. 1bed 2 person flats are proposed each 51, 51 and 55m2 GIA. Each flat has 1 cycle store allocated to it in the GFL store room.
4no. 2bed 4 person flats are proposed each 73 m2 GIA. Each flat has 2 cycle store allocated to it in the GFL store.
1no. 2bed 4 person flat for ADM4(3) wheelchair accessible is proposed at 96 m2 GIA. The flat has 2 cycle stores allocated to it in the GFL store.
Option 2
9no. 3bed 5 person houses are proposed each 96 m2 GIA. Each house has 3 cycle spaces allocated to it in garden shed.
Option 1
2no. 1bed 1 person 'Housing First' flats are proposed each 29 m2 GIA. The flats have 1 cycle store each allocated to it in the GFL store.
1no. 2bed 4 person 'Housing First' flats are proposed each 88 m2 GIA. The flats have 2 cycle stores each allocated to it in the GFL store.
7no. 3bed 5 person houses are proposed each 96 m2 GIA. Each house has 3 cycle spaces allocated to it in garden shed.
Please note that flat balconies are included in the GEA's and not in the GIA figures and equate to aprox.30m2 (5no. private balconies per floor).

General Notes:
1. The areas quoted are the likely areas of the building at this stage of the design. Calculations are based on the published RICS Guidance Notes, Code of measurement Practice: 6th Edition, Guidance in respect of measurement of Net* Internal Areas and decisions to be made on the basis of these predictions, whether as to the project viability, pre-letting, lease arrangements or the like, should include due allowance for the increases and decreases inherent in the design development and building process.
*Net Internal: Gross Internal: Gross External etc
2. These Areas have been measured off survey drawings supplied by others using the stated conventions> SGA cannot accept responsibility for the accuracy or otherwise of this information.
3 There is design development yet to take place which may affect the all measured areas.

Accommodation Schedule

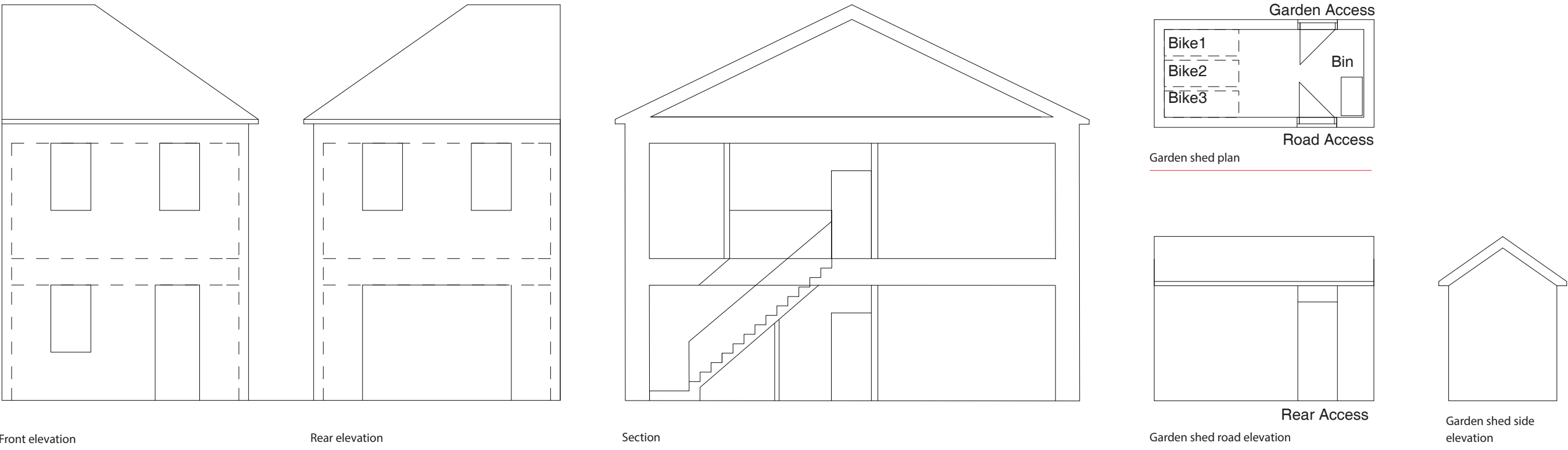
The proposed layout shows two options. The following no. of units are accommodated within each option:

Option 1
Residential provision 21 dwellings
7no. 3bed 5 person houses
6no. 1bed 2 person flats.
4no. 2bed 4 person flats
1no. 2bed 4 person flat (ADM4(3) wheelchair accessible)
2no. 1bed 1 person flats – Housing First
1no. 2bed 4 person flats – Housing First

Option 2
Residential provision 20 dwellings
9no. 3bed 5 person houses
6no. 1bed 2 person flats.
4no. 2bed 4 person flats
1no. 2bed 4 person flat (ADM4(3) wheelchair accessible)

Typical Terrace House TYPE 3 General Arrangement
(2 storey, 3 bedroom, 5 person) Total GIA 93m2) 1:100 scale @A3

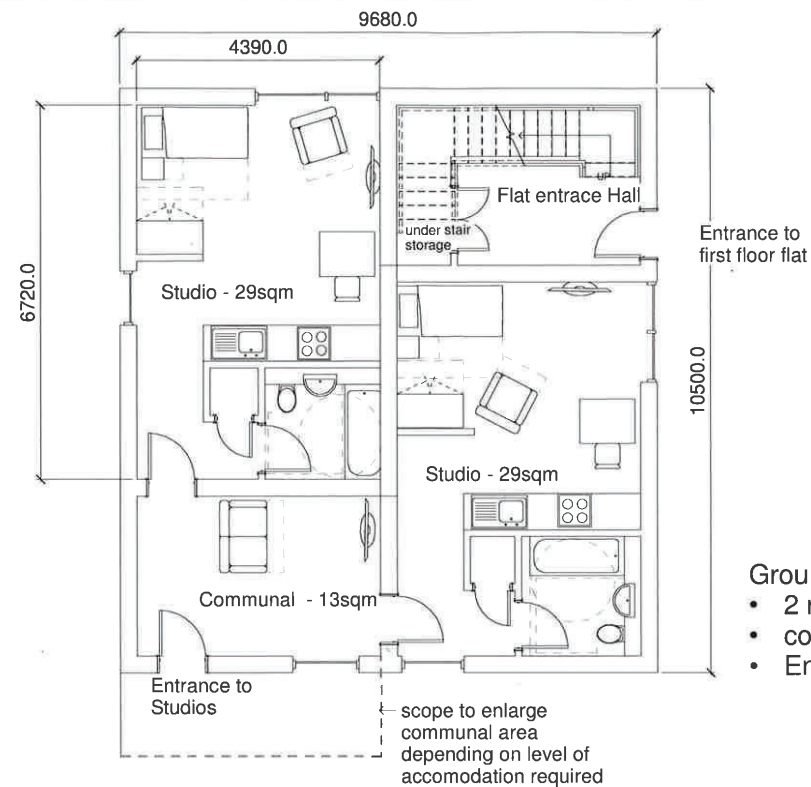
- The proposal includes either 7no. or 9no terrace (3b 5p) houses, depending on further client review of Housing First inclusion.
- Parking one bay per house located at the front of the house accessed via a pavement crossover.
- Cycle parking (1 per bedroom) =3 total per house, housed securely and out of the elements in a rear garden enclosure some with access direct onto Callander Close.
- Bins housed securely and out of the elements in a rear garden enclosure some with access direct into Callander Close.
- Residual waste =1x1100L bins,
- Dry recycle waste =1x660L bins.
- Compost waste 380L = 1360L bins.
- As RECAP 2011 Guide Table 4.1
- Plan area of each house 58m2 GEA.
- Total GIA 96 m2



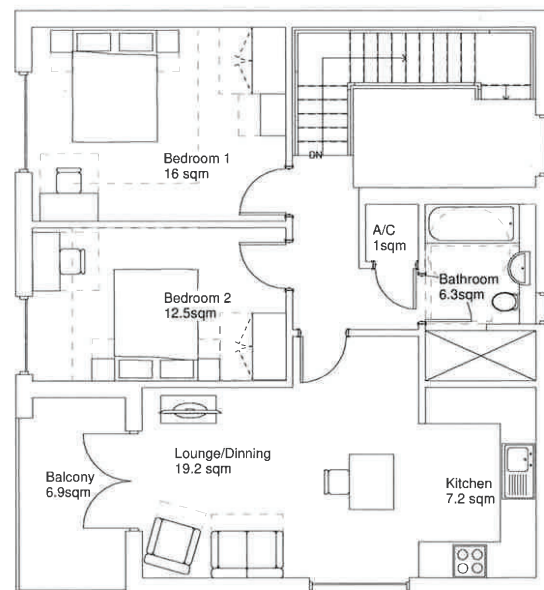
Concept Studio Housing with Caretaker flat above



**Saunders
Boston**
ARCHITECTS



- Ground Floor**
- 2 number 29 sqm studio flats
 - communal area
 - Entrance hall to flat above



- First Floor**
- 2 Bed 3/4 person flat
 - GIA 83 sqm

Scale 1:50
0 0.5 1 1.5 2.5m

Housing First block of flats;

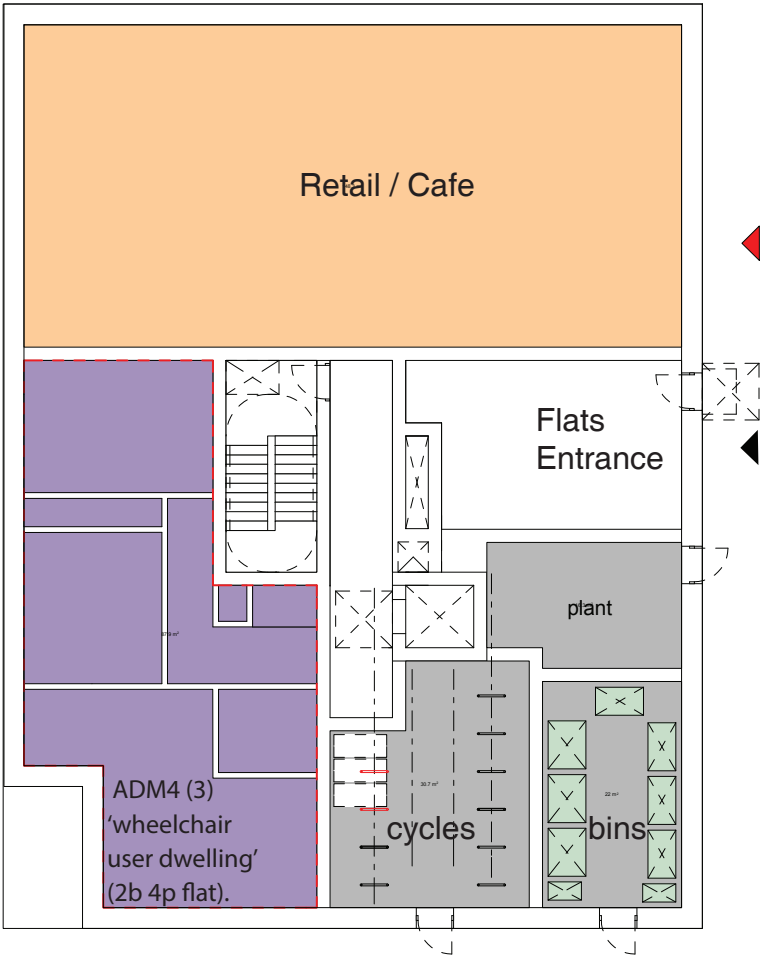
- At the design team meeting on 18.09.18 Sidell Gibson were instructed to integrate a 'Housing First' type block of flats into the scheme, replacing two of the 9no. terrace houses.
- Please see adjacent example (ground floor and first floor) of a 2 storey flat block containing 2 studio flats at ground level and 1no. 2 b 3/4p flat at first floor by Saunders Boston Architects.
- The block plan dimensions are approximately 10m x 10m and it was decided that the block would be best located in place of terrace houses 6 and 7 on the largest double plot. We have located the provision (3 units) off the terrace house site road, with rear bike and bin blocks located off Callander Close as part of the 'garden shed' facade.

Parking

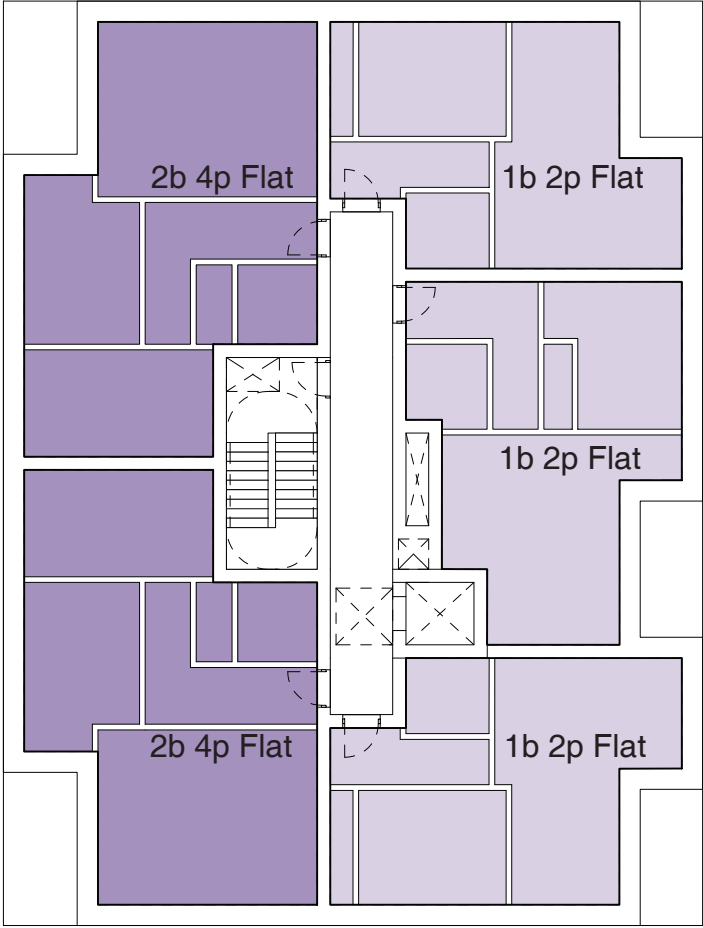
- 2no. Car parking bays for the housing first block (occupants). Located off the site feeder road.
- Cycle parking for 4 cycles (1 per bedroom) housed securely and out of the elements in a rear garden enclosure with access direct onto Callander Close.

Bins

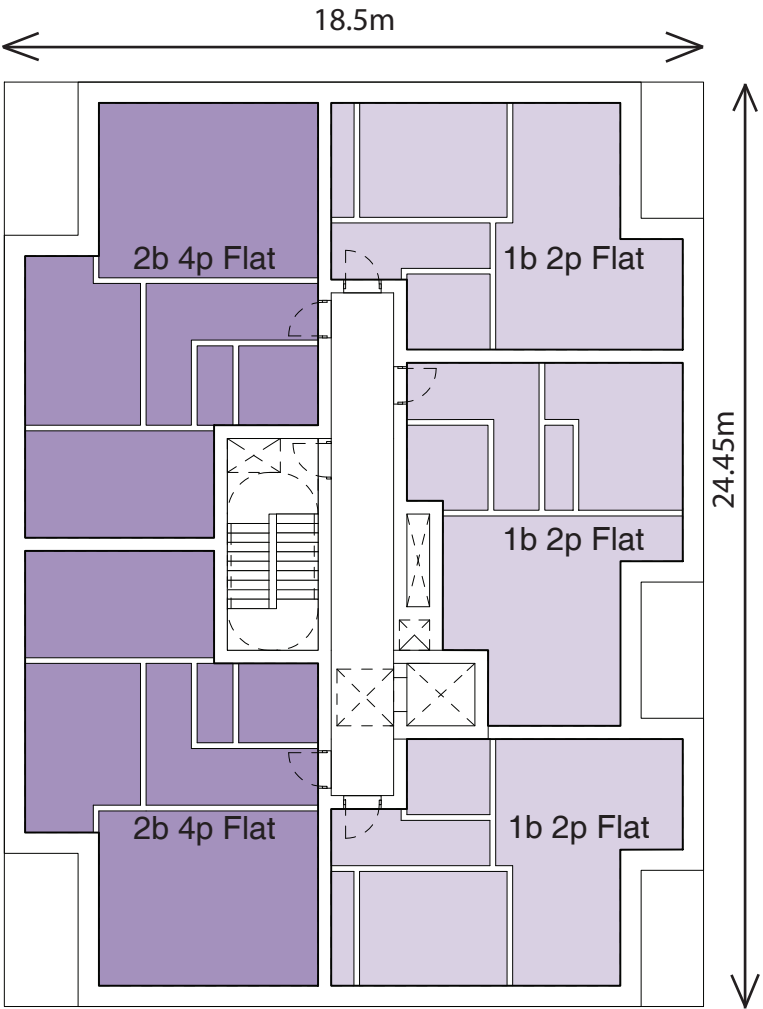
- Housed securely and out of the elements in a rear garden enclosure with access direct into Callander Close.
- Bins 1bed unit 340L and 440L for 2bed. Total for 6 units = 2240L. Ratio 50:40:10.
- Residual waste 1120L = 1x1100L bins,
- Dry recycle waste 896L = 2x660L bins.
- Compost waste 224L = 1x360L bins.
- As RECAP 2011 Guide Table 4.1



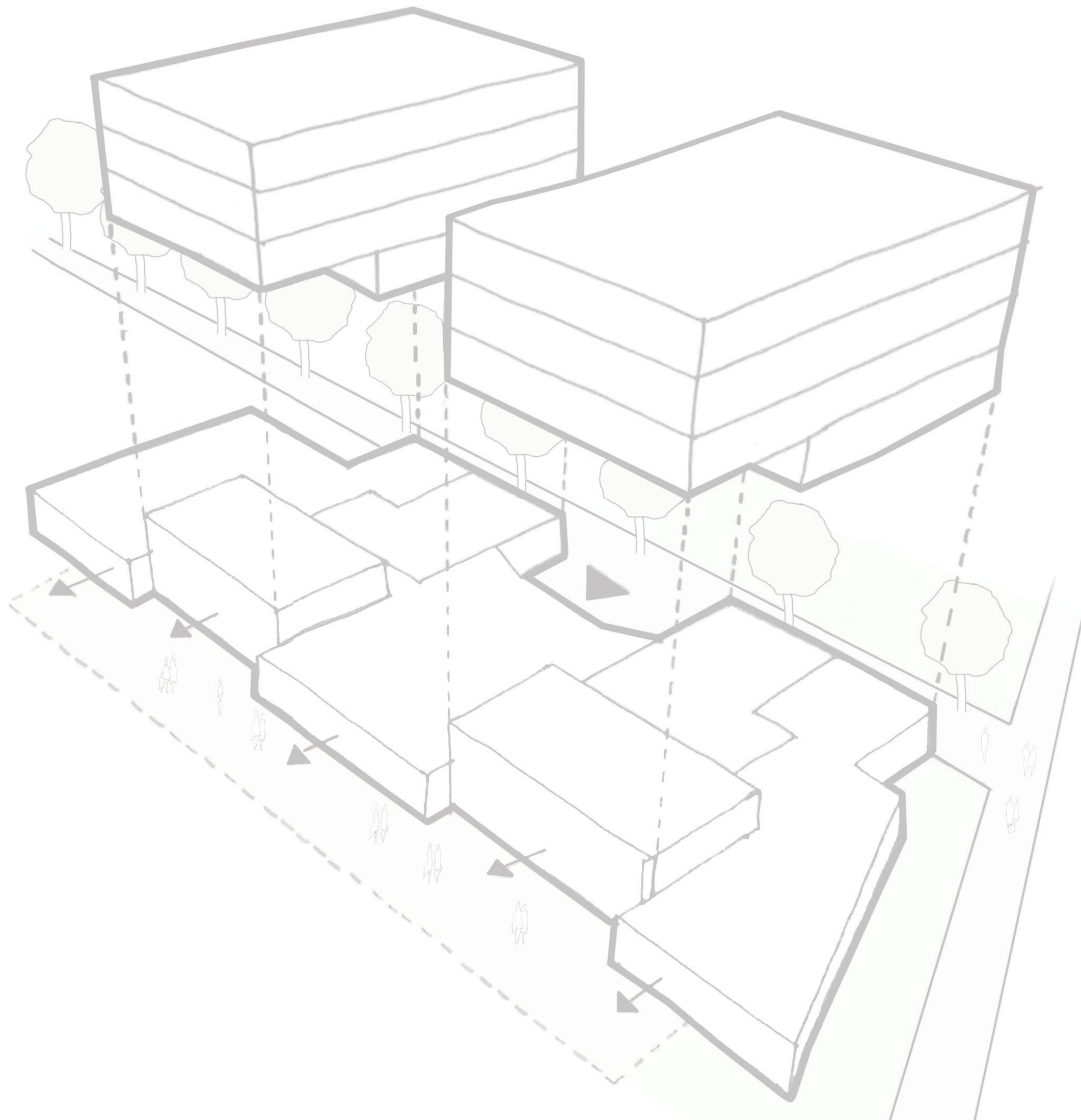
01 Ground floor plan of flats and retail/cafe block



02 First floor plan of flats block



03 Second floor plan of flats and retail/cafe block



SidellGibson
Architecture ▀ Urban Design

Sidell Gibson

Ground Floor
46 Loman Street
London
SE1 OEH
0203 179 9000

Item

S106 Council Housing purchase, Clerk Maxwell Road



To:

Councillor Richard Johnson, Executive Councillor for Housing

Report by: Jim Pollard, Housing Development Manager, Housing Development Agency

tel: 01223 457924 email: jim.pollard@cambridge.gov.uk

Wards affected:

Newnham

Key Decision

1. Executive Summary

- 1.1 The City Council has agreed a devolution deal with government to deliver 500 new Council homes over 5 years. These will be delivered as rented housing, let in accordance with the Council rent policy (where rent and service charges together do not exceed Local Housing Allowance levels). Homes will be owned and managed by Cambridge City Council and let on Cambridge City Council tenancies.
- 1.2 Clerk Maxwell Road is a scheme of 35 units being brought forward by Hill in conjunction with Trinity College Cambridge and has been identified as a potential S106 opportunity with Hill. The proposed scheme will provide 14 new Council rented dwellings (40%).

- 1.3 The report seeks approval for a capital budget for the acquisition of the 14 affordable units as Council rented units based on an initial appraisal of the scheme and approval for the delivery route to be adopted.

2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Note the indicative mix of the proposed scheme to include 10 no. one bedroom flats and 4 no. two bedroom flats to meet minimum Council space standards requirements (NDSS) and provision of through floor lifts.
- 2.2 Approve the scheme is brought forward with an indicative capital budget for the scheme of **£2,837,760** to cover all of the purchase and construction costs, legal and professional fees and associated other fees to deliver a scheme that meets an identified housing need in Cambridge City.
- 2.3 Note that the scheme is indicative and authorise the Strategic Director in consultation with the Executive Councillor to approve variations to the scheme including the number of units and mix of property types and sizes outlined in this report.
- 2.4 Approve that the site is progressed subject to agreement of terms and a value for money assessment to be carried out on behalf of the Council prior to entering into a build contract with Hill.

3. Background

- 3.1. There are a number of the Council's key Corporate Objectives that this development opportunity addresses:

Tackling the City's housing crisis.

- 3.1.1 Delivering the 500 new Council rented homes which are part of the Cambridgeshire and Peterborough Combined Authority devolution deal.
- 3.1.2 Delivering sustainable prosperity for Cambridge and fair shares for all.

3.1.3 Protecting essential services and transforming council delivery.

3.1.4 Tackling climate change and making Cambridge cleaner and greener.

3.2 Local Housing Need

There is a recognised need for more Council rented housing across the city. The table below demonstrates the number of households on the Housing Needs Register as of December 2018. There are currently 2313 households in need of a 1 or 2 bedroom property across the city; progressing this scheme will help in meeting the needs of those on the waiting list.

Cambridge City	1bed	2 bed	3 bed	4+ bed
	1513	568	181	51

Located in an area of existing housing stock, the development would bring some smaller units to the area to support sustainable communities.

4. Site Details

4.1 Site Constraints and Opportunities

- The site is located on Clerk Maxwell Road and is former Trinity College tennis courts.

Appendix 1 provides a location plan of the site

- The site is surrounded by existing residential dwellings with the University of Cambridge West site located opposite.

4.2 Heads of Terms

Draft Heads of Terms for the purchase have been provisionally agreed with Hill. Headlines are as follows:

- Contract to be a Development Agreement/JCT for the freehold sale of the land and delivery of the Council rented housing.
- Contract to be conditional on planning, valuation and satisfactory report on title
- Works to be carried out to agreed drawings and specification in accordance with planning permission, building regulations and NHBC standards
- 12 months defects period

4.3 Planning

A detailed planning application is being worked up by Hill for 35 units on the site.

Appendix 2 provides the latest proposed layout plan with the affordable units marked as plots 1-14.

The Planning application is due to be submitted in December 2018.

4.4 Design and Sustainability

A Council rented housing scheme would be based on the Council's adopted design standards and the Cambridge Sustainability Housing Design Guide.

4.5 Programme

The indicative programme for the development is as follows:

Submission of Planning Application:	January 2019
Planning Permission Granted:	September 2019
Start on Site:	July 2020
Completion:	October 2021

5. Financial Implications

5.1 Budget / Funding

5.1.1 The total indicative cost of the Council rented housing is currently estimated at **£2,837,760**. (In addition to the acquisition and construction costs this includes legal fees, professional consultant fees and HDA fees).

5.1.2 It is proposed that the investment will be met from a combination of Right to Buy receipts and Devolution Grant.

5.1.3 This will result in the following mix of funding:

Right to Buy receipts:	£ 851,328
Devolution Grant:	<u>£1,986,432</u>
Total:	<u>£2,837,760</u>

The indicative capital budget of **£2,837,760** was included in the rolling programme presented to the Housing Scrutiny Committee in September 2018.

6. Implications

(a) Staffing Implications

The development scheme will be managed by the Housing Development Agency from within existing resources.

(b) Equality and Poverty Implications

A series of EQIAs have been undertaken for the Council House Programme, the Housing Development Service and for individual schemes. The EQIAs mainly highlight the benefits of the Council retaining direct control of new housing development itself to ensure a focus on the delivery of housing that meets a diverse range of housing needs. Part of the assessment underlines the need for Affordable Housing to help those most likely to suffer poverty as well as ways in which new Affordable Housing will directly save money for tenants, such as energy saving measures and reducing the impact of fuel poverty.

(c) Environmental Implications

The Council housing will be built in accordance with the Cambridge Sustainable Housing Design Guide, which equates to the equivalent of code Level 4 for sustainable homes as a minimum.

(d) Procurement Implications

The site is being offered as an opportunity to acquire S106 units being provided on a larger scheme by the developer.

(e) Community Safety Implications

There are no recognised implications on Community Safety with the proposed developments. The scheme will be built in accordance to Secured by Design guidelines as set out within the City Councils Design Brief

7. Consultation and communication considerations

The HDA continues to liaise closely with colleagues in City Homes, to ensure timely and accurate information is made available to all affected by the proposals.

8. Risks

8.1 Below is a table setting out key risks associated with the project:

Description of risk	Likelihood	Impact	Mitigation
Not achieving the 500 homes target:	Low- Current program has identified 535	Med- impact would be delivery of a lower number of much needed homes and reputational risk in the Councils ability to deliver and therefore attract grant in the future.	The H DA is developing the capacity and processes to deliver the projects to meet the targets. It is working with CIP on this and a number of other projects.

Cost:	Low- indicative costs have been set out in the report and provisionally agreed with Hill	Low- commercial risk lies with Hill. Purchase price for the units will be agreed prior to entering contracts	Fixed price contract with Hill to be negotiated.
Quality:	Med- risk of CCC design & spec requirements not being met, and Risk of poor quality control on site during construction	Med- will impact potentially on quality standards of completed buildings; increased defects.	CCC to employ EA and Clerk of Works to oversee scheme. Contract will include agreed specification and drawings for the units.
Time:	Low- Planning: The planning application will be subject to the observations of consultees, the assessment of planning officers, and ultimately the decision of the Planning Committee.	Med- Potential change in unit mix and reduction in numbers as a result of the planning process	Hill are carrying out all of the usual pre-application checks and processes, so risk will be mitigated.
Resources:	Low- Allocation of resource is within CCC control	Low	Project management of scheme can be contained within current H DA resourcing

9. Background papers

None

10. Appendices

Appendix 1 – Site Location plan

Appendix 2 – Proposed site layout plan

11. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Jerry Harkness, Housing Development Agency, tel: 07506 140512, email: jerry.harkness@cambridge.gov.uk

Appendix 1 – Site location

1. SITE LOCATION Maps and Images



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Item

NEW COUNCIL HOUSING, COLVILLE ROAD 2



To:

Councillor Richard Johnson, Executive Councillor for Housing

Report by: Mark Wilson, Development Manager Housing Development Agency

Tel: 01223 – 457940 Email: mark.wilson@cambridge.gov.uk

Wards affected:

Cherry Hinton

Key Decision

1. Executive Summary

- 1.1 The City Council has agreed a devolution deal with government to deliver 500 new Council homes over 5 years. These will be delivered as rented housing, let in accordance with the Council rent policy (where rent and service charges together do not exceed Local Housing Allowance levels). Homes will be owned and managed by Cambridge City Council and let on Cambridge City Council tenancies.
- 1.2 Colville Road Phase 2 (70 – 80b Colville Road) was initially added to the rolling program at the 25th June 2013 Community Services Scrutiny Committee. The site is occupied by 24 households: 20 tenants and 4 leaseholders. The proposed indicative scheme will provide circa 60 new Council rented dwellings.
- 1.3 The report seeks approval for a capital budget for the scheme based on the indicative capacity study which has been undertaken for the site

and the outline appraisals referenced in this report and for the delivery route to be adopted.

- 1.4 The indicative mix of the proposed scheme (see Appendix 2) will provide 60 Council rented homes (53 flats and 7 houses). The proposal includes a Housing First scheme. Overall the scheme will provide a net gain of 40 Council rented homes.
- 1.5 The scheme is indicative and subject to further review and pre-application planning consultation

2. Recommendations

The Executive Councillor is recommended to:

- 2.2 Approve the scheme is brought forward with an indicative capital budget for the scheme of £13,781,590 to cover all of the site assembly, construction costs, professional fees and associated other fees to deliver a scheme that meets an identified housing need in Cambridge City.
- 2.3 Authorise the Strategic Director in consultation with the Executive Councillor for housing to approve variations to the scheme including the number of units and mix of property types and sizes outlined in this report.
- 2.4 Approve that the site is offered to CIP to progress in accordance with the CIP process which was approved at Strategy & Resources Committee on 9th October 2017 subject to a value for money assessment to be carried out on behalf of the Council prior to entering into the Agreement for Lease set out in that process.
- 2.5 Delegate authority to the Strategic Director to commence Compulsory Purchase Order (CPO) proceedings on Leasehold properties to be demolished to enable the development should these be required.
- 2.6 Delegate authority to the Strategic Director to serve initial Demolition Notices under the Housing Act 1985.

3. Background

- 3.1. There are a number of the Council's key Corporate Objectives that this development opportunity addresses:

Tackling the City's housing crisis.

- 3.1.1 Delivering the 500 new Council rented homes which are part of the Cambridgeshire and Peterborough Combined Authority devolution deal.
- 3.1.2 Delivering sustainable prosperity for Cambridge and fair shares for all.
- 3.1.3 Protecting essential services and transforming council delivery.
- 3.1.4 Tackling climate change and making Cambridge cleaner and greener.
- 3.2 The site at 70 – 80b Colville Road is identified in the Development Rolling Programme.
- 3.2.1 The potential to redevelop this site was first highlighted in a report taken to the 25th June 2013 Community Services Scrutiny Committee when it was considered alongside Colville Road phase 1 and added to the rolling programme. The rationale for redevelopment of the block is based on the information on the existing condition of the block and cost to replace and the opportunity to deliver a significant number of new homes on this land.
- 3.2.2 Residents were first informed of the Councils intentions prior and post the June 2013 committee decision to add the scheme to its rolling programme. Residents have been written to on a regular basis during this time keeping them informed on progress. Residents have been written to advising them that this report is to be presented to the Committee in January 2019. The residents have also been visited by Council officers. The MTFS approved in September 2018 included additional funding to support an officer dedicated to supporting residents through the decanting process. The Council has clear policies and procedures in relation to decanting and what it can offer to those residents directly affected by the redevelopment.

3.3 Local Housing Need

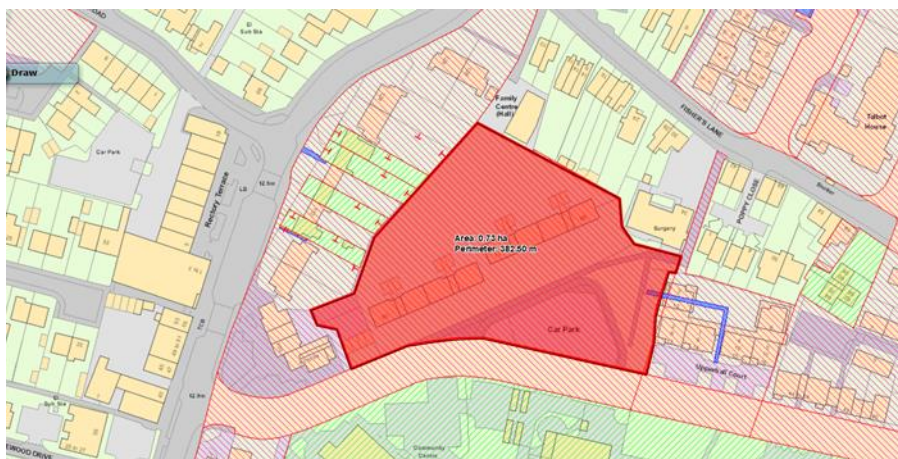
There is a recognised need for more affordable housing across the city. The table below demonstrates the number of households on the Housing Needs Register as of December 2018. There are currently 2313 households in need of a 1 or 2 bedroom property across the city; progressing this scheme will help in meeting the needs of those on the waiting list.

Cambridge City	1bed	2 bed	3 bed	4+ bed
	1513	568	181	51

Located in an area of existing housing stock, the development would bring some smaller units to the area to support sustainable communities.

4. Site Details

4.1 The site is at 70 – 80b Colville Road in Cherry Hinton Ward. A location plan of the site is at Appendix 1.



- The site is currently occupied by 24 existing homes and a car park.
- The site is surrounded by existing dwellings and commercial units as well as a school, those hatched purple on the above plan are in CCC ownership and those hatched green are privately owned. Limiting overlooking has been taken into account on the attached indicative layout.

- 4.2 The site is 0.73 hectares in size (7300m²)
- 4.3 The following surveys and investigations have been undertaken as part of the feasibility work for investigating the viability of the site for development:
- Air Quality
 - Arboriculture Impact Assessment
 - Level 1 Contamination
 - Flood Risk / Drainage Assessment
 - Noise
 - Preliminary Ecology Survey
 - Party Wall
 - Rights to light
 - Topographical Survey
 - Utility Mapping
- 4.4 The investigations confirm the need for further invasive ground and soil investigations as well as more detailed examination of the existing building for potential asbestos, following vacant possession and prior to any demolition. Following early identification of the issues there are strategies in place to manage and mitigate the impact on timescales and costs.
- 4.5 There is both a large surface water drain and a sewer running across the site. Diversions are not viable so a scheme layout has to take these into account.
- 4.6 Planning Feedback: Early advice was sought from planning consultants and pre-application meetings have been held with planning officers. Issues arising are noted below:
- Building heights, scale and density particularly building height on boundaries and overlooking of neighbouring properties
 - Provision of open space within the development
 - Incorporation of serviceable bin stores and bike storage
 - Sustainable drainage requirements may conflict with the standards required for adoption of roads by the Highways Authority. However, the Highways Authority is reluctant to adopt

minor estate roads. This has a maintenance cost implication for the Council.

4.7 Ward Councillors have expressed concern about the retention of parking for the general public. Proposals are being developed to reflect these concerns with the aim of preserving the same number of car parking spaces accessible to the general public (see Appendix 1)

4.8 Site Options

As part of the feasibility study and options analysis work undertaken in assessing the viability of delivering affordable housing on the site, a number of options were considered which are set out below.

4.8.1 Retain as existing

- The layout of the existing flat blocks is poor and there is a considerable amount of underutilised space in the current layout.
- The current two blocks were built circa 1950's and are of concrete construction and issues have been identified that will require further investment and increased on-going maintenance.
- The car park to the front of the flats is also in very poor condition and will form part of the redevelopment

4.8.2 Develop for HRA housing only

- Addresses the housing need identified in an area of existing housing stock, delivering units which will contribute towards the devolution funded new build programme.
- Increases the Council's housing stock and rental receipts provides a financial platform to support future development opportunities for the City Council's HRA stock.
- Devolution money is available to develop at 100% Council rent

4.8.3 Develop as a mixed tenure Scheme

- Addresses the housing need identified in an area of existing housing stock, delivering a net gain of units which will contribute towards the devolution funded new build programme. Incorporated

some different forms of affordable housing e.g. Shared Ownership, Intermediate Rent, outright sale to meet a broader housing need

4.8.4 From the options considered in this section, the option to develop for HRA housing only is recommended as the approach that responds directly to the corporate objective of tackling the city's housing crisis and delivering our planning objectives.

4.9 Design and Sustainability

An affordable housing scheme would be based on the Council's adopted design standards and the Cambridge Sustainability Housing Design Guide. CIP has adopted these design requirements as its minimum standard.

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4.10 Programme

4.10.1 The indicative programme for the development is as follows:

Submission of Planning Application: March 2019

Planning Permission Granted: June 2019

Completion of decant: October 2019

Start on Site: April 2020

Completion: October 2021

4.11 Demolition notices

4.11.1 Service of Initial Demolition Notices under the Housing Act 1985 suspends the Right to Buy. Should a tenant make an application to buy their home (a leasehold interest in a flat) they would normally be sold at a discount. To allow the regeneration scheme to progress the council would then have to buy back these properties at market value plus 10% of the owner's interest and disturbance allowance and none of the discount granted would be repayable. Should a large number of additional homes be sold under the Right to Buy this would add significantly to the costs of the scheme and compromise its financial viability.

4.11.2 By serving the Initial Demolition Notice the council sets out its intention to proceed with the regeneration and this removes the obligation to complete Right to Buy sales for a maximum period of 7 years while the notice is in place. At the end of the notice period if the council has not completed the demolition of the property a tenant could ask for compensation arising from not being able to exercise their right to buy.

4.12 Compulsory Purchase Order

4.12.1 There are four leaseholder properties on the scheme. The Council will need to buy back these properties. This will be done through negotiations however if these are unsuccessful the only route for the Council would be to instigate a CPO.

5. Financial Implications

5.1 Budget / Funding

5.1.1 The total indicative cost is currently estimated at £13,781,590 (In addition to the demolition and construction costs this includes pre and post statutory planning fees, professional consultant fees, survey and site investigation costs and other associated costs, HDA fees and SDLT and Land assembly costs (leaseholder buy-back, home loss and disturbance payments) estimated at £1,418,000.

5.1.2 It is proposed that the investment will be met from a combination of Right to Buy receipts and Devolution Grant for the provision of additional homes on the site and HRA resources for all of the site assembly costs and the re-provision costs of the existing 20 rented residential units on the site.

This will result in the following mix of funding:

Right to Buy receipts:	£2,512,600
Devolution Grant:	£5,862,730
HRA resources:	£5,406,260
Total:	£13,781,590

The indicative capital budget of £13,781,590 is included in the Housing Capital Investment Plan as part of the HRA Budget Setting Report to be presented in January 2019.

6. Implications

(a) Staffing Implications

The development scheme will be managed by the Housing Development Agency which will also provide the Council's staffing contribution to the development of the scheme by CIP which is a 50-50 partnership.

There is a requirement to resource resident consultation, tenant decant, and leaseholder buy-back. Allowance has been made within the HRA MTFS for an additional member of staff to be employed to support this process, with the new post to work with both the H.D.A and City Homes to ensure that vacant possession is achieved in a timely and consistent manner, with appropriate consultation and communication with affected residents at every stage in the process.

(b) Equality and Poverty Implications

A series of EQIAs have been undertaken for the Council House Programme, the Housing Development Service and for individual schemes. The EQIAs mainly highlight the benefits of the Council retaining direct control of new housing development itself to ensure a focus on the delivery of housing that meets a diverse range of housing needs. Part of the assessment underlines the need for Affordable Housing to help those most likely to suffer poverty as well as ways in which new Affordable Housing will directly save money for tenants, such as energy saving measures and reducing the impact of fuel poverty.

(c) Environmental Implications

The Council housing will be built in accordance with the Cambridge Sustainable Housing Design Guide.

(d) Procurement Implications

HRA Housing - Development and Delivery Options

The City Council has a number delivery options which it is currently exploring and utilising for the delivery of affordable housing on sites in the City:

- In-house construction by Estates and Facilities
- Procurement of a contractor through a traditional tender process
- Offer the site to CIP for development

In-house construction by Estates and Facilities

Estates and Facilities have recently completed construction of 2 No. 2 bed houses on a site at Uphall Road. Further sites of a similar scale have been identified that can be brought forward by estates and Facilities but the scale of the Colville Phase 2 development combined with the timescale for delivery preclude this option.

Procurement of a contractor through a traditional tender process

A Design and Build contract could be let following a tender process which could be an open tender or a tender conducted through a public sector procurement compliant framework. The tender would be carried out following the grant of planning permission. This route is a viable route but is not recommended because of the benefits offered by the CIP route

Offer the site to CIP for development

At the Strategy & Resources Scrutiny Committee held on 9th October 2017 a mechanism for the development and delivery of sites with CIP was agreed and is being adopted for a number of sites. The Exec Cllr for Finance and Resources, Exec Cllr for Housing or Leader (as appropriate) in conjunction with the relevant Strategic Director has delegated authority for the final approval of a Strategic Development Brief and Proposed Land Transfer / Disposal to CIP for individual sites. Major sites are reviewed at a Scrutiny Committee prior to the Executive Councillor decision to transfer the land to CIP. There will be an

independent value for money assessment before the Agreement for Lease is signed with CIP.

(e) Community Safety Implications

There are no recognised implications on Community Safety with the proposed developments. The scheme will be built in accordance to Secure by Design guidelines as set out within the City Councils Design Brief

7. Consultation and communication considerations

- 7.1 There has been regular communication with residents since the scheme was added to the Rolling Programme in June 2013. The most recent consultation took place 6th-8th November 2018. All tenants and leaseholders were written to offering to meet with them on an individual basis to explain what the Council is planning to do and what their rights and entitlements are as a Tenant or Leaseholder. These meetings were offered at convenient or flexible times for the occupiers and not tied to conventional working hours.
- 7.2 There has been consultation, including two meetings, with Ward Councillors about the proposals. The Ward Councillors were supportive of the principle of re-development to provide additional council housing but have concerns about the provision of parking for the general public.
- 7.3 Consultation and communication with existing tenants and leaseholders will continue in accordance with the City Council's Home Loss Policy – Commitment to Resident Involvement approved at the March 2017 Housing Scrutiny Committee. This policy sets out the Council's commitment to those affected by regeneration and the compensation and support available.
- 7.4 The HDA continues to liaise closely with colleagues in City Homes, to ensure timely and accurate information is made available to all affected by the proposals.
- 7.5 There will be formal consultation through the planning process

8. Risks

8.1 Below is a table setting out key risks associated with the project:

Description of risk	Likelihood	Impact	Mitigation
Scheme not starting on site by March 2022 and therefore not contributing to 500 homes target.	Low- Current programme has identified 522 this scheme is anticipated to start in 2020	Med- impact would be delivery of a lower number of much needed homes and reputational risk in the Councils ability to deliver and therefore attract grant in the future. If this scheme was not part of this programme funding would need to be identified from other sources	Programme level monitoring of risk. The HDA is developing the capacity and processes to deliver the projects to meet the targets. It is working with CIP on this and a number of other projects.
Land assembly issues: decant and leaseholder buy-back	Med - There is a limited risk on costs against the assessment that has been made; there is a significant risk of delay.	High – If a CPO is required this can not be put in place until planning is granted and would take 1 year from receipt of planning.	Recruitment of a dedicated resource to manage the decant process and to liaise between all relative parties. The Council has a policy in place in relation to home loss. There is a statutory process through a CPO should negotiations not be successful
Cost: Indicative costs have been set out in the report; this is an occupied site and further work including intrusive site investigations remains to be carried out and is limited by existing occupation of the site. Market conditions in the construction industry can also impact on estimated costs.	Med- further investigations could uncover unknown issues	Med-. Delays to start on site and contract negotiations leading to the potential increase in costs	Ensure all site surveys are as accurate as they can be taking into account resident occupations. Implement a survey tracker. Efficient decanting will enable earlier site investigation and this will facilitate greater certainty on costs. The HDA will engage an Employers Agent to scrutinise costs and to manage quality assurance processes which have an impact on life-cycle costs.
Planning: The planning application will be subject to the observations of consultees, the assessment of planning officers, and ultimately the decision of the Planning Committee.	Med- current scheme has been through a number of Pre Application discussions with Planning. There is a need to balance planning policy and views of the local people and ward members.	Med- Potential change in unit mix and reduction in numbers	The indicative scheme will continue to be developed in response to the comments received from the pre-application discussions with the LPA which have been carried out. Further discussions will be carried out.

Resources: This report identified the need for additional staff resources.	Low- Allocation of resource is within CCC control; risk attached to timely recruitment of appropriate staff	High- Impact would be a delay in decanting and delays in start on site	Subject to approval of the budget, HDA and City Homes officers will work together to ensure the timely recruitment of appropriate staff to implement the decant programme.
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9. Background papers

None

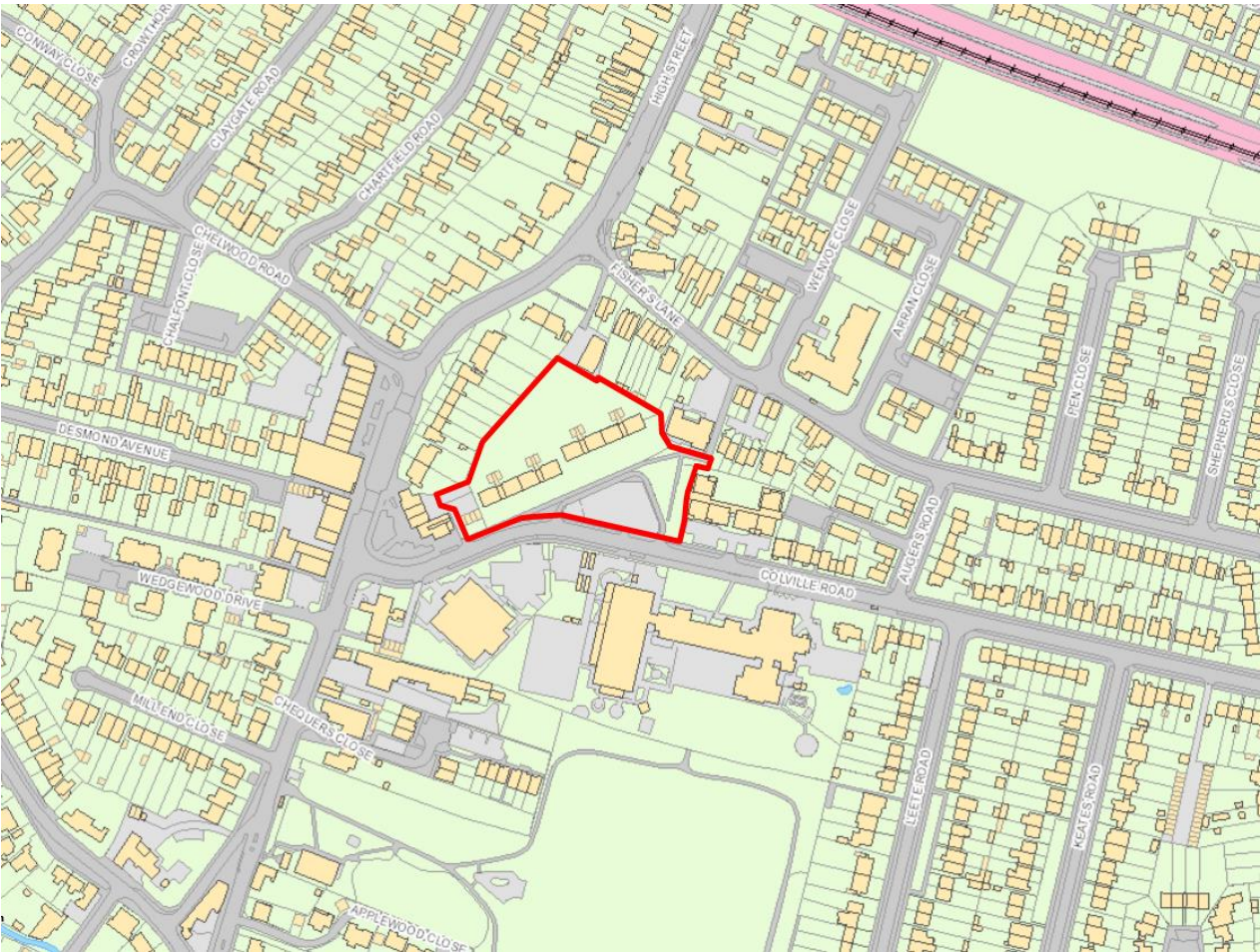
10. Appendices

Appendix 1 – Site Location plan and red line of proposed transfer
Appendix 2 – The proposed scheme layout

11. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Mark Wilson, Housing Development Agency, tel: 01223 457940, email: mark.wilson@cambridge.gov.uk

Appendix 1 – Site Location plan and red line of proposed transfer



Appendix 2 – Indicative layout further pre-application planning advice is being sought on this layout.



- Orange line denotes a Sewer
- Blue line denotes surface water drain

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Item

Update on the Programme to Build New Council Homes Funded through the Combined Authority

To:

Councillor Richard Johnson, Executive Councillor for Housing
Housing Scrutiny Committee 16/01/2019

Report by:

Claire Flowers, Head of Housing Development Agency
Tel: 01223 - 457928 Email: claire.flowers@cambridge.gov.uk

Wards affected:

All

Not a Key Decision

1. Executive Summary

- 1.1 This report provides an update on the programme to deliver 500 Council homes by March 2022 with funding from the Combined Authority.
- 1.2 Good progress has been made with the programme now showing 535 homes on named sites.
- 1.3 The Council now has 120 Council rented homes being built on site with first completions programmed for Spring 2020.

2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Note the overall progress on the Combined Authority programme to deliver 500 Council rented homes.

- 2.2 Note the overall Cambridge Investment Partnership programme.
- 2.3 Approve (subject to specific project approvals) the addition of the Meadows Centre & Buchan Street site to the Affordable Housing Programme.
- 2.4 Note the updated reporting arrangements with the Combined Authority.

3. Background

- 3.1 In September 2018, the Housing Scrutiny Committee was provided with a report showing progress against the Combined Authority target of 500 Council rented homes.
- 3.2 The report identified a net gain of 497 homes in the programme and reported the start on site at the Council's former Mill Road Depot, a scheme delivering 91 Council homes in the centre of Cambridge.
- 3.3 Since that report the Housing Development team have continued to progress the schemes already identified with consultation and planning work, as well as identifying further sites.

4. Combined Authority

- 4.1 The Council's housing programme is part funded by a £70million grant from the Cambridgeshire & Peterborough Combined Authority.
- 4.2 Quarterly grant claims are made to the Combined Authority in arrears. The last claim was made in September for Quarter 2 and was for £560,856. To date, the Council has drawn down £8.2m of grant funding, and is forecast to draw down an additional £6.1m by the end of financial year 18/19.
- 4.3 Provision of a quarterly report from Cambridge City Council against the £70m programme is one condition of the original grant from the

Combined Authority. The most recent report to the Combined Authority was made on the 21st of November and replicated the information provided to the Housing Scrutiny Committee on the 27th of September.

- 4.4 In addition to the above, the Council will now also need to report to the Combined Authority's recently formed Housing Board. In both cases the most recently noted report to HSC will provide the basis for ongoing reporting obligations.

5. Delivery Programme

- 5.1 The delivery programme provided in September 2018 included 497 (net gain) Council homes to be delivered on named sites through the devolution programme. In addition a number of potential opportunities were identified.
- 5.2 Since January the development of all named housing schemes has been progressed (see items 7 and 8) and the Council's affordable housing programme is now set to deliver 535 new homes with 277 additional homes deliverable on a range of prospective sites.
- 5.3 Appendix 1 shows the current programme including the newly introduced site at Meadows & Buchan.

6. Profile of Start on Sites

- 6.1 The start on site profile for the 500 devolution programme is shown in table 1. This is based on all the named schemes being delivered (including those added to the rolling programme in January 2019)
- 6.2 There is a need to over-programme to allow for slippage and schemes not coming forward. It is also important to have a strong pipeline of schemes to enable the Council to respond positively to other funding programmes. The longer term pipeline shows a further 277 homes. These schemes will be explored further over the next 6 months.

6.3 Since the last update in September 2018, approval has been received to pursue larger schemes at Mill Road Phase 2 and Cromwell Road. This adds 25 new Council rented homes to the programme.

6.4 As below, the overall programme shows an outturn of 535 new homes commencing construction by March 2022.

Table 1: Start on Site Forecast Profile

Year	2017/8 (actual)	2018/19 (forecast)	2019/20	2020/21	2021/22	Pipeline schemes
Number of starts	2	134	295	104	0	277
Cumulative total	2	136	431	535	535	812

7. Start on Sites Achieved 2018/19

7.1 The total number of Start on Sites achieved at the end of December 2018 is 122

7.2 The programme shows the total number of starts on sites scheduled to be achieved by the end of 2018/19 as 134.

7.3 The schemes that have met the start on site requirement are as follows:

7.3.1 Schemes Completed Total 2 homes

- **Uphall Road:** this scheme was completed in January 2018 and was the first project completed by the Cambridge City Council Estates and Facilities team.

7.3.2 Schemes on Site: Net gain 120 homes.

- **Mill Road:** This is a mixed tenure scheme delivering 91 new Council rented homes. Works are progressing well on site with all demolition

and remediation complete. Piling work for foundations will begin in January. The scheme is being delivered through the Cambridge Investment Partnership (CIP). The programme shows 143 week build programme including demolitions.

- **Anstey Way:** This regeneration scheme is delivering 56 Council homes in total (a net gain of 29) all for rent. There are 12 specifically for the over 55s. Start on site took place on the 8th of October 2018 following discharge of planning conditions. Works are progressing well on site. The build programme is forecast to last 74 weeks.

7.4 Schemes target to start on site in 2018/19 with planning: 14 homes.

- **Kendal Way:** planning permission was obtained in 2017 for the development of two homes on this site. The scheme was approved by HSC on the basis of delivery by the Estates and Facilities team. The start on site has been delayed due to a boundary issue which requires an injunction. Subject to the outcome of the injunction the start on site will be achieved in February 2019
- **Nuns Way and Wiles Close:** this scheme is split across two former garage sites delivering 10 new homes for rent. The Council is in Contract with Marfleet Construction to deliver the scheme and pre-commencement conditions have been discharged. Starts on Site have been scheduled for January 2018 to avoid the Christmas period and the build programme is forecast to take 40 weeks.
- **Ditchburn Day Centre / Community Rooms:** Following the purchase of this centre from Cambridgeshire County Council, HSC approved the redevelopment of the site for 2 Council homes in September 2018. Planning permission was granted in November 2018. The homes were added to the building programme on the existing Ditchburn Place Development in an agreement with the contractors Cocksedge and construction is due to begin in January 2019.

8. Update on other approved schemes:

8.1 Schemes target to Start on site in 2019/20 with planning permission

- **Queens Meadow:** planning permission for two Council rented homes on this site was granted in July 2018. This scheme will be delivered by CIP as a package of small sites. The works will not start on this scheme until CIP have secured planning for the full package of sites. The start on site is expected to be spring 2019.
- **Markham Close:** this scheme will deliver five homes for Council rent. Full planning permission for this scheme was granted in October 2018 and is part of the package of small sites delivered by CIP.
- **Gunhild Way:** this scheme will deliver two homes for Council rent. Full planning permission for this scheme was granted in October 2018 and is part of the package of small sites delivered by CIP.
- **Colville Road Garages:** this scheme will deliver three homes for Council rent. Full planning permission for this scheme was granted in November 2018 and is part of the package of small sites delivered by CIP.

8.2 Schemes target to start on site in 2019/20 planning submission made

- **Wulfstan Way:** this scheme will deliver three homes for Council rent. Full planning permission for this scheme is anticipated in January 2019 and is part of the package of small sites delivered by CIP.
- **Ventress Close:** this scheme is being delivered through CIP. Three tenants have been rehoused as part of this redevelopment which will deliver 15 Council rented homes, for a net gain of 13. A planning application was submitted in September 2018 and subject to planning starts on site are due to commence in July 2019.
- **Tedder Way:** this scheme will deliver two homes for Council rent. Full planning permission for this scheme is expected by February 2019 and will be developed by the Estates team, commencing construction in April 2019.
- **Kingsway Medical Centre:** this scheme is being delivered by the Estates and Facilities team. It will deliver four new Council rented

homes through the conversion of a former surgery. The planning application was submitted in September 2018 and the housing development team is currently working with planners to ensure the scheme meets design standards. It is anticipated this scheme will start construction in April 2019.

8.3 Schemes approved by the Executive Councillor. Not submitted for planning

- **Cromwell Road:** This is a major redevelopment with CIP which required a substantial land acquisition in March 2018. It will deliver a net gain of 118 new Council rented homes. A successful public consultation was held through November 2018, a planning application will be submitted in January 2019. A separate planning application for the demolitions works and remediation has been made, a decision is expected in January.
- **Akeman Street:** This site was approved for development in July 2018. The Council is currently preparing a planning application which meets the expectations of the 2018 adopted local plan, the target is to submit this in February.
- **Mill Road phase 2.** This scheme, approved for development in September 2018, will add at least 25 Council rented homes to the delivery programme. Following a public consultation, planning is due to be submitted by the end of January 2019.

8.4 Schemes awaiting committee approval.

- **Clerk Maxwell Road:** This is a scheme currently owned by Hill Residential. A separate report has been presented to the Housing Scrutiny Committee seeking approval to acquire 14 affordable homes within this mixed tenure scheme.
- **Colville Road phase 2:** a separate report has been presented to the Housing Scrutiny Committee seeking approval to proceed with this regeneration scheme.
- **Campkin Road:** This regeneration scheme was identified and added to the programme in September 2018. A draft scheme to deliver 69 Council rented units is in feasibility stage and is likely to be submitted

for committee approval at the Housing Scrutiny Committee in March 2019.

8.5 New schemes in the programme.

- **Meadows & Buchan:** a separate report has been presented to the Housing Scrutiny Committee seeking approval to proceed with this scheme.

9. Delivering Accessible Housing

- 9.1 Cambridge City Council is committed to providing a range of housing options for residents with limited mobility. To accomplish this, the Council looks meet a minimum target for accessible homes on the delivery programme as a whole as well as on individual sites.
- 9.2 In March 2017, the Council committed to delivering as a minimum 2% of new housing to wheelchair accessible standards and in developments over 20 homes 5% will meet Wheelchair Housing Design Standards or be able to be easily adaptable to meet Wheelchair Housing Design Standards.
- 9.3 This target is restated in the Cambridge Sustainable Housing Design Guide, which also stipulates that all units built by the City Council must be Adaptable Lifetime Homes (M4 category 2 of the Building Regulations 2010).
- 9.4 The new local plan requires all homes to be M4(2) (accessible and adaptable dwellings), and 5% of affordable M4(3) (wheelchair user dwellings). We will be delivering this on all relevant new planning applications going forward.
- 9.5 There are currently 27 wheelchair user dwellings (fully adapted) in the programme. These are spread across the six largest sites (see table 2). This along with meeting the local plan of delivering all homes to be

accessible and adaptable will mean the requirement to provide 5% wheelchair user homes in every scheme over 20 units will be exceeded.

9.6 Table 2: Wheelchair user homes

	Total Council rented homes	Total wheelchair user homes in designs
Mill Road phases 1 & 2	116	7
Anstey Way	56	3
Cromwell Road	118	6
Colville Road Ph 2	62	3
Campkin Road	69	3
Meadows & Buchan	100	5

10 Risks

Risk	Likelihood	Impact	Mitigation
Not achieving the 500 homes target	Low- current programme has 535 homes identified	Med- impact would be delivery of a lower number of much needed homes and reputational risk in the Councils ability to deliver and therefore attract future grant funding.	Programme level monitoring of delivery. Strategy is to exceed target.
Land Assembly issues delaying start on sites	Medium- a number of the schemes in the programme require purchase of land/property from 3 rd parties	High- if vacant possession or access not achieved the scheme cannot be developed.	Council putting in place resources to support residents to move. Process also in place to use statutory powers if

			required.
Cost increases on approved projects	Medium- until all surveys are complete and planning permission is granted there is a risk of additional costs.	Medium- depending on the extent of the additional cost this may be managed within contingency which has now been added.	Initial budgets either developed with Hill or Employers Agent. Contingencies included where risks are identified. Cost plans are regularly reviewed and updated. Budgets have been updated as part of the new budget.
Planning	Low- the approach to engage the planning service early in the process. Any project coming to HSC has been discussed with the planning service.	High- if planning is not achieved the scheme cannot be delivered.	Pre –apps take place with planning service. Strategy is to deliver policy compliant development.
Sales risk – exposing Council cash flow forecast	Medium – Housing market fluctuations are beyond Council control but do occur over long periods and affect the entire economy.	Medium – new homes are expensive but retain considerable inherent value and have other uses than market sale.	Commission of private sector sales team and engagement with private sector partners to monitor market fluctuations.

12. Implications

(A) Financial Implications

The Devolution Housing Grant and Right to Buy Receipts will be the main source of funding for schemes in the Rolling Programme that progress into development. However, scheme funding will be confirmed should a scheme be brought to the Committee for scheme specific approval.

(B) Staffing Implications

The scheme on the Rolling Programme will be project managed by the Cambridge City Council Housing Development Agency in liaison with City Homes; Estates and Facilities; and the Council's corporate support teams. Some of the schemes are being delivered through the Cambridge Investment Partnership.

(C) Equality and Poverty Implications

The development framework for new housing by the Council, approved at the March 2017 Housing Scrutiny Committee was informed by an EQIA. Each scheme specific approval will be informed by an EQIA if current residents are required to move.

(D) Environmental Implications

There are no environmental implications of this report. Each scheme specific approval will cover any environmental implications.

(E) Procurement Implications

There are no procurement implications of this report. Each scheme specific approval will cover any procurement implications, although it anticipated that the majority of schemes will be delivered through the Cambridge Investment Partnership.

(F) Consultation and communication

There are no consultation and communication implications of this report. The development framework for new housing by the Council approved at the March 2017 Housing Scrutiny Committee sets out the Council's commitment to involve residents in new housing schemes.

(G) Community Safety

There are no community safety implications for this report. Each scheme specific approval will cover any community safety implications.

13. Background papers

Background papers used in the preparation of this report:

- a) 18/09/27 HSC report
- b) 17/02/27 Cambridge Sustainable Housing Design Guide
- c) Building Regulations approved document M Volume 1, 2015 addition

14. Appendices

- (a) Appendix 1: Programme Summary

15. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Claire Flowers, Head of Housing Development Agency, tel: 01223 - 457928, email: claire.flowers@cambridge.gov.uk.

HDA Delivery Programme		14/12/18		
Scheme Name	Ward	Net Affordable	Total homes	Delivery
BUILD COMPLETED				
Uphall Road	Romsey	2	2 E & F	
Sub total		2	2	
ON SITE				
Anstey Way	Trumpington	29	56 CIP	
Mill Road	Petersfield	91	182 CIP	
Sub total		120	238	
PLANNING APPROVED				
Colville Garages	Kings Hedges	3	3 CIP	
Queens Meadow	Cherry Hinton	2	2 CIP	
Markham Close	Kings Hedges	5	5 CIP	
Gunhild Way	Queen Ediths	2	2 CIP	
Nuns Way & Wiles Close	Kings Hedges	10	10 Tender	
Ditchburn Place Community Rooms	Petersfield	2	2 Tender	
Kendal Way	East Chesterton	2	2 E & F	
Sub total		26	26	
SUBMITTED FOR PLANNING				
Wulfstan Way	Queen Ediths	3	3 CIP	
Ventress Close	Queen Ediths	13	15 CIP	
Tedder Way	Arbury	2	2 E & F	
Kingsway Medical Centre	Arbury	4	4 E & F	
Sub total		22	24	
COMMITTEE APPROVED				
Cromwell Road	Romsey	118	295 CIP	
Akeman Street	Arbury	12	14 CIP	
Mill Road Phase 2	Petersfield	25	50 CIP	
Sub total		155	359	
PRE COMMITTEE APPROVAL				
Meadows and Buchan	Kings Hedges	106	106 CIP	
Colville Phase 2	Cherry Hinton	42	62 CIP	
Clerk Maxwell Road	Newnham	14	35 CIP	
Sub total		162	203	
FEASIBILITY STAGE				
Campkin Road	Kings Hedges	44	69 CIP	
Potential Scheme	East Chesterton	4	4 CIP	
Sub total		48	73	
GRAND TOTAL		535	925	

Progress too 500 Starts on site	2017/18	2018/19	2019/20	2020/21
Starts by year	2	134	295	104

Cumulative total	2	136	431	535
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Progress to 500 completions	2017/18	2018/19	2019/20	2020/21
Completions by year	2	0	16	98
Cumulative total	2	2	18	116

Committee	Approval date	Planning Submitted	Planning Granted	Est. SOS	Practical Completion
HSC	Mar-15	Aug-16	Dec-16	Jun-17	Jan-18
HSC	Mar-17	Jan-18	Jul-18	Oct-18	Apr-20
S & R	Nov-17	Dec-17	Jun-18	Aug-18	Sep-21
HSC	Sep-17	Sep-18	Nov-18	May-19	May-20
HSC	Jun-17	Dec-17	Jul-18	Apr-19	Apr-20
HSC	Jan-18	May-18	Oct-18	Apr-19	Jun-20
HSC	Jan-18	Jul-18	Oct-18	Jun-19	Jun-20
HSC	Mar-15	Aug-16	Jul-17	Jan-19	Aug-19
S & R	Sep-18	Aug-18	Nov-18	Jan-19	Sep-19
HSC	Mar-15	Aug-16	Feb-17	Feb-19	Oct-19
HSC	Sep-17	Oct-18	Jan-19	Jun-19	Jun-20
HSC	Mar-17	Sep-18	Jan-19	Sep-19	Sep-20
HSC	Mar-15	Mar-17	Feb-19	Apr-19	Jan-20
HSC	Sep-17	Sep-18	Jan-19	Apr-19	Apr-20
S & R	Mar-18	Jan-19	Apr-19	Jan-20	Jun-21
HSC	Jun-17	Feb-19	May-19	Aug-19	Oct-20
HSC	Sep-18	Jan-19	May-19	Apr-19	Mar-21
HSC	Jan-19	May-19	Aug-19	Jan-20	Jun-21
HSC	Jan-19	Apr-19	Jul-19	Apr-20	Oct-21
HSC	Jan-19	Jun-19	Sep-19	Jul-20	Oct-21
HSC	Mar-19	Sep-19	Dec-19	Oct-20	Jan-22
S & R	Mar-19	Jun-19	Aug-19	Apr-20	Jun-21

2021/22	Future Pipeline
0	277

535	812
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2021/22	2022/23
419	0
535	535



Item

COMPLAINT UPHELD BY THE HOUSING OMBUDSMAN RELATING TO ASB IN A COUNCIL TENANCY

To:

Councillor Richard Johnson, Executive Councillor for Housing

Housing Scrutiny Committee 16/01/2019

Report by:

David Greening, Head of Housing Services

Tel: 01223 - 457997 Email: david.greening@cambridge.gov.uk

Wards affected:

All

Not a Key Decision

1. Executive Summary

- 1.1 The Housing Ombudsman has upheld a complaint relating to the victim of anti-social behavior (ASB) from a neighbouring tenant.
- 1.2 In these circumstances, the Head of Legal Services, as the Council's Monitoring Officer, has an obligation to report the findings to the Executive. The Executive is obliged to set out what action has already been taken in respect of the findings, what action it intends to take and the reasons for taking the action.
- 1.3 This report summarises the complaint, acknowledges that there were shortcomings in relation to working practices and sets out the action taken in response.

2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Note the findings of the Housing Ombudsman in respect of this case and the actions taken by the Council in response to these findings.

3. Background

Page: 2

- 3.1. The complainant will be anonymised for the purposes of this report and will be referred to as Mr A throughout.
- 3.2 Mr A complained about the Council's handling of his reports of ASB from his neighbour; these complaints date back to January 2015 and continued until August 2017. In October 2017 the Council transferred Mr A to another Council property.
- 3.3 Mr A's complaints centre around the reports of ASB not being dealt with in a timely manner, that the Council did not take into account the adverse impact these incidents were having on Mr A's health and that the Council took too long to consider his request for a transfer to another Council tenancy and, when it did respond, the offer of accommodation was not suitable for his needs.

4. The Ombudsman's findings and the Council's response

- 4.1 In its assessment of the case the Housing Ombudsman noted the following:
- That the Council had arranged mediation between the affected parties
 - That the Council had offered appropriate advice regarding the timely submission of diary sheets cataloging incidents and to involve the Environmental Health service to assist by attending the property to witness any incidents
 - The Council's response to the reports of ASB about Mr A's neighbour 'were proportionate to the information available to it at the time'
 - The Council did not take appropriate steps to assess and consider Mr A's health needs
 - The Council arranged a management transfer once it received supporting evidence from the police in July 2017. Prior to this there was

insufficient evidence to support action against Mr A's neighbour or a transfer for Mr A.

4.2 The Ombudsman also noted that in its final response to the complainant the Council:

- *Accepted that its first response to Mr A's complaint had been terse and that he had requested that the Council escalate his complaint but had not received a response.*
- *Found that the relationship between Mr A and his housing manager had deteriorated, which caused its response to his ASB reports to be delayed and protracted.*
- *Accepted that the complaint was not handled in accordance with its policies and that its responses were informal and lacking co-ordination and depth.*
- *Accepted that it failed to act appropriately to Mr A's reports about the impact of ASB upon his mental health as it should have arranged an assessment of his needs.*
- *Explained that it had already given Mr A £250 towards the cost of moving property and considered that adequate compensation for the service failures it identified.*

4.3 The Ombudsman concluded that there was maladministration by the Council and that:

- The Council identified that it had failed to follow its complaints policy; it had not carried out an appropriate assessment of Mr A's needs; and, Mr A had experienced delays in its response to his reports of ASB.
- The Council correctly identified that it was appropriate to award Mr A compensation but failed to do so.

4.4 The Ombudsman concluded that whilst the Council had acknowledged its shortcomings, it had failed to demonstrate that the £250 it had offered Mr A for costs associated with the move to his new property, was offered as a redress for service failures. The Council has, therefore,

been ordered to address this matter by making a compensation payment of £250 to Mr A by 21st January 2019.

5. The Council's response

- 5.1 Since the conclusion of this case the Council has introduced a new corporate complaints system to ensure that complainants receive a response in a timely manner and within the target times outlined in the Council's complaints policy.
- 5.2 This case highlighted issues with the quality and depth of some of the complaint responses. In October 2018 City Homes staff undertook training from the Local Government Ombudsman on complaint handling and Housing Services have employed additional policy and performance officers. Part of the remit for these posts is to review cases and complaints where the response to the customer has been less than satisfactory and to instigate measures to ensure that lessons are learned and acted upon. This role will be embedded within housing management and supported housing services to ensure that staff awareness around policies and procedures is enhanced.
- 5.3 The Council has reviewed its processes for handling reports of ASB and has introduced a new ASB triage system. The new system ensures that cases receive a robust examination based on risk and are allocated a lead officer accordingly. Those cases assessed as low risk will be allocated to a housing officer to manage, whilst medium and high risk cases will be dealt with by the Safer Communities service. The initial triage is handled by the ASB team within Safer Communities to ensure consistency and includes a vulnerability assessment so that issues such as impact on health, as highlighted in this case, can be properly assessed.

6. Implications

(a) Financial Implications

Page: 4

The Council is required to make a compensation payment of £250 to the complainant as set out in this report.

(b) Staffing Implications

Relevant officers within Housing Services have been briefed about the outcome of the Housing Ombudsman's ruling in this case.

(c) Equality and Poverty Implications

An EqIA is not required in this case as this report is for information with no decisions to be made. However, this case has highlighted the need for the Council to be aware of the impact ASB has on the health of victims and the vulnerability assessment highlighted in 5.3 of this report aims to address this.

(d) Environmental Implications

None

(e) Procurement Implications

None.

(f) Community Safety Implications

None.

5. Consultation and communication considerations

The Council has an obligation to report adverse Ombudsman decisions through the committee process. No further communications are planned.

6. Background papers

(a) The Housing Ombudsman's final decision (21/12/2018)

The background document used in the preparation of this report was the Ombudsman Report. The report contains exempt information under paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

7. Appendices

None

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact David Greening, Head of Housing, tel: 01223 - 457997, email: david.greening@cambridge.gov.uk.

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