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Date: 19 September 2017

Notice of meeting

Cabinet

Date: Wednesday, 27 September 2017

Time: 7.00 pm

Place: Goddard Room, Council Offices, Knowle Green, Staines-upon-Thames

The members of the Cabinet	Cabinet member areas of responsibility
I.T.E. Harvey (Leader)	Leader and Council Policy co-ordination
A.C. Harman (Deputy Leader)	Deputy Leader and Communications
M.M. Attewell	Community Wellbeing
C.B. Barnard	Planning and Economic Development
M.P.C. Francis	Housing
N.J. Gething	Environment and Compliance
A.J. Mitchell	Corporate Management
O. Rybinski	Customer Service, Estates and Transport
H.R.D. Williams	Finance and Customer Service

Spelthorne Borough Council, Council Offices, Knowle Green

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AGENDA

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- 1. Apologies for absence**
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 16**
To confirm the minutes of the meeting held on 19 July 2017 as a correct record.
- 3. Disclosures of Interest**
To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.
- 4. Knowle Green and Centres cleaning contract (exemption from contract standing orders) - Key Decision** **17 - 22**
Councillor Barnard

To consider a report on a request for delegated authority to appoint the cleaning contractor for Knowle Green and Centres from 25 October 2017.
- 5. Housing Allocation Policy - Key Decision** **23 - 86**
Councillor Francis

To consider a report on approval of the updated Spelthorne Housing Allocation Policy.
- 6. Capital Monitoring Q1** **87 - 94**
Councillor Williams

To note the Capital spend for the period April to July 2017.
- 7. Revenue Monitoring Q1** **95 - 104**
Councillor Williams

To note the Revenue spend for the period April to July 2017.
- 8. Grounds maintenance vehicles (exemption from contract standing orders)** **105 - 106**
Councillor Gething

To consider a report on approval of the supplier for Grounds Maintenance vehicles outside the tender framework.

- 9. Disabled Facilities Grant Policy** **107 - 118**
Councillor Francis
- To consider a report on the approval of a new Disabled Facilities Grant Policy.
- 10. Leader's announcements**
To receive any announcements from the Leader.
- 11. Urgent items**
To consider any items which the Chairman considers as urgent.
- 12. Exempt Business**
To move the exclusion of the Press/Public for the following item, in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.
- 13. Exempt Report - Benwell House Construction Budget Approval - Key Decision** **119 - 148**
Councillor Harvey
- To consider an exempt report on approval of the construction and refurbishment budget for Benwell House, Sunbury-on-Thames.
- This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006, Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information). In all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure to the public would prejudice the financial position of the authority in the bidding procurement of contracts by allowing other parties to know the position of the Council. This in turn prejudices the Council by (i) distorting the procurement process and (ii) prejudicing the opportunity for the Council to place contracts for the prudent management of its financial affairs.
- 14. Exempt Report - Acquisition of Property F - Key Decision** **To Follow**
Councillor Harvey
- To consider the acquisition of a site as an investment asset.

This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006, Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information). In all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure to the public would prejudice the financial position of the authority in the bidding procurement of contracts by allowing other parties to know the position of the Council. This in turn prejudices the Council by (i) distorting the procurement process and (ii) prejudicing the opportunity for the Council to place contracts for the prudent management of its financial affairs.

**15. Exempt Report - Acquisition of Property G - Key Decision
Councillor Harvey**

To Follow

To consider the acquisition of a site as an investment asset.

This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006, Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information). In all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure to the public would prejudice the financial position of the authority in the bidding procurement of contracts by allowing other parties to know the position of the Council. This in turn prejudices the Council by (i) distorting the procurement process and (ii) prejudicing the opportunity for the Council to place contracts for the prudent management of its financial affairs.

Minutes of Cabinet

19 July 2017

Present:

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination
Councillor A.C. Harman, Deputy Leader and Communications
Councillor M.M. Attewell, Community Wellbeing
Councillor C.B. Barnard, Planning and Economic Development
Councillor N.J. Gething, Environment and Compliance
Councillor O. Rybinski, Customer Service, Estates and Transport
Councillor H.R.D. Williams, Finance and Customer Service

Apologies:

Councillor M.P.C. Francis, Housing
Councillor A.J. Mitchell, Corporate Management

2397 Minutes

The minutes of the Cabinet meeting held on 21 June 2017 and the Extraordinary Cabinet meeting held on 13 July 2017 were each agreed as a correct record.

2398 Disclosures of Interest

There were none.

2399 Recommendation of the Audit Committee on Corporate Risk Management

Cabinet considered the recommendation from the Audit Committee following a review of the Corporate Risk Register.

Resolved that Cabinet approves the Corporate Risk Register as submitted.

Reason for the decision:

Cabinet noted that the Corporate Risk Register accurately reflected the high level risks affecting the Council as well as the progress made on actions previously proposed by the Audit Committee.

2400 Play and refreshment facilities at Lammas recreation ground - Key Decision

Cabinet considered a report on play and refreshment facilities at Lammas recreation ground.

The report explained that a tender exercise was required to establish whether there were any companies who were interested in tendering for the provision of a recreation facility within the Lammas recreation ground.

Alternative options considered and rejected by the Cabinet:

- Do nothing;
- Refurbish kiosk and source contractor to run facility.

Resolved to:

1. Authorise the Group Head Neighbourhood Services to go out to tender to design, install and run a new recreational facility and manage the refreshment kiosk within the Lammas recreation ground as detailed in the report;
2. Authorise the Group Head Neighbourhood Services in conjunction with the portfolio holder to evaluate the submissions and report back to Cabinet on preferred options and suppliers

Reason for the decision:

The Lammas is a primary park and it is important to retain key recreational facilities within this park.

2401 *Members' Allowances Scheme 2017-2018

Cabinet considered the Independent Remuneration Panel's report on the Members' Allowances Scheme for 2017/18.

The report explained that it is a matter for the Council to decide the level of members' allowances under the Spelthorne Members' Allowances Scheme and the function of the Independent Remuneration Panel is to provide the Council with advice on the type of its allowances and the amounts to be paid.

Resolved that Cabinet recommends the amended Members' Allowances Scheme 2017-2018 to Council for approval.

Reason for the decision:

The Council is required to make a scheme of allowances and the Independent Remuneration Panel is appointed by the Council to advise on the type of its allowances and the amounts to be paid.

2402 Appointment of representatives to Outside Bodies and Working Groups 2017/18

Cabinet considered nominations for appointment of representatives to two outside bodies for the period July 2017 to June 2018 and

Resolved to appoint councillors as follows:

1. Sustainability and Transformation Plan Stakeholder Reference Group

Councillor D. Patel (Representative)

Councillor S.C. Mooney (Deputy Representative)

2. Members Development Steering Group

Councillors A.E. Friday, A.C. Harman, J. G. Kavanagh, J.M. Pinkerton OBE and R.W. Sider.

2403 Leader's announcements

The Leader announced to the Cabinet that the Appointments Committee had met this week and interviewed the shortlist candidates for the recruitment of a new Chief Executive. It unanimously selected the person it wished to recommend to Council for appointment and a conditional offer had been made. The Leader hoped to be in a position shortly to call an Extraordinary meeting of the Council to confirm the appointment.

The following are the latest service updates from various Council departments:

The grounds maintenance contract was brought back in-house at the beginning of July. The transfer went smoothly and normal service resumed during the first week of operation.

Training sessions have been held for staff on the new General Data Protection Regulations (GDPR) which come into effect in May next year.

The summer Bulletin is being delivered to residents from 15 July and includes articles about new local voluntary services, recycling changes and local summer events.

ICT are undertaking work to improve the protection of the Council's computer networks from hackers and ransomware attacks. This involves a range of measures such as installing developers' updates as they become available and educating staff about ways to reduce the risks.

Councillors now have the modern.gov app installed on their laptops which allows them to view, highlight and annotate committee agendas, reducing the need for printed copies.

The popular Laleham 'Beach' will be returning to Laleham Park for a second year with lots of activities on offer for children from 14 July until 31 August.

The Benwell Centre summer fete and open day was held on Friday 14 July to help raise funds and give residents the chance to look around the facilities.

Team Spelthorne celebrated a very successful weekend at the 21st annual Specsavers Surrey Youth Games in Guildford on 17 and 18 June. Spelthorne finished in third place overall for the second consecutive year, winning Gold medals in u9 girls football and u11 girls football; silver in u8 mixed tennis, u11 boys hockey, u12 table tennis and u12 girls rugby and bronze in u11 mixed badminton, u15 mixed lacrosse and individual judo.

A series of free open-air music events are being held in the Walled Garden in Sunbury and Lammas Park in Staines over the summer. Full details are on the website and in the Bulletin.

Spelthorne Sports Week is being held from 7-11 August for young people aged 8 – 16. Sports on offer include squash, tennis, hockey, table tennis, fencing and rowing. The cost is £10 per day or £40 for the week.

Night-time street lights have been switched back on in Spelthorne. The Council agreed to fund the service for an initial period of five years after Surrey County Council took the decision to turn off night-time street lighting across the whole of Surrey.

A spectacular flotilla of boats sailed from Sunbury to Staines-upon-Thames led by the Queen's rowbarge, Gloriana, in celebration of the Mayor of Spelthorne's River Day on Saturday 24 June. Gloriana was joined by the Impossible Dream, a specially adapted wheelchair friendly motorboat which has been chosen as one of the Mayor's charities, the Jolly Brit, a former tender to the Royal Yacht Britannia, and several local rowing clubs and schools. Hundreds of residents lined the towpath to watch the flotilla, enjoy the entertainment and help raise money for local good causes.

2404 Urgent items

The Chairman agreed to take the following urgent exempt report on the acquisition of a property for investment.

The first round bid made before the deadline of Friday 14 July 2017 would be strengthened considerably if it was backed by Cabinet to authorise the level of the bid. It was therefore not possible to defer the decision until the next meeting of the Cabinet on 27 September 2017, as this would be well beyond the bid deadline.

a Exempt Business

Resolved to move the exclusion of the Press and Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

b Exempt report - Acquisition of Property E - Key Decision

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Cabinet considered an exempt report on an opportunity to acquire an asset capable of generating strong levels of income, and thereby increase the Council's asset base.

Alternative options considered and rejected by the Cabinet:

- Not to submit a bid for the asset.

Resolved to:

1. Approve the acquisition of the investment asset identified in this report;
2. Formally agree the offer submitted, and authorise the Chief Executive to undertake any necessary subsequent negotiations (including a further bid if required) and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader and the Cabinet Member for Finance);
3. Authorise the Chief Finance Officer to decide (i) the most financially advantageous funding arrangements for the purchase, (ii) the most tax efficient method of holding the asset, and overall to ensure the acquisition is prudentially affordable;
4. Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire the asset;
5. Agree to exempt Contract Standing Orders in respect of our advisors.

Reason for Decision

Acquisition of the asset will bring in a steady income stream for the term of the lease. The income stream will assist in the future long term financial stability of the Council.

NOTES:-

- (1) ***Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule 16, the "call-in" procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.***
- (2) ***Members of the Overview and Scrutiny Committee are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.***
- (3) ***Within five working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of the Overview and Scrutiny Committee are able to "call in" a decision;***
- (4) ***To avoid delay in considering an item "called in", an extraordinary meeting of the Overview and Scrutiny Committee will be convened***

within seven days of a "call in" being received if an ordinary meeting is not scheduled in that period;

- (5) *When calling in a Cabinet decision for review the members doing so should in their notice of "call in":-*
- *Outline their reasons for requiring a review;*
 - *Indicate any further information they consider the Overview and Scrutiny Committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;*
 - *Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and*
 - *Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.*
- (6) *The deadline of five working days for "call in" by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 27 July 2017.*

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Cabinet

27 September 2017



Title	Knowle Green and Centres cleaning contract (exemption from contract standing orders)		
Purpose of the report	To make a Key Decision		
Report Author	Heather Morgan – Group Head Regeneration and Growth		
Cabinet Member	Councillor Colin Barnard	Confidential	No
Corporate Priority	Financial Sustainability		
Recommendations	<p>Cabinet to:</p> <p>Authorise the Group Head Regeneration and Growth to determine the cleaning contractor to be appointed (in consultation with the Cabinet Member for Planning and Economic Development and the Chief Finance Officer)</p> <p>Authorise the Head of Corporate Governance to enter into the legal documentation in order to appoint the new cleaning contractor</p>		
Reason for Recommendation	<p>The Council is in the process of running a tender process as the current extended cleaning contract is coming to an end</p> <p>It is an opportunity to review and ensure that the new contracts meets our needs and is sufficiently robust in its performance measures</p> <p>Cabinet is being asked to delegate the final decision to the Group Head Regeneration and Growth, Cabinet Member for Planning and Economic Development and the Chief Finance Officer in order to ensure a smooth transition to the new contract</p>		

1. Key issues

- 1.1 Spelthorne entered into a cleaning contract for its offices back on 1 November 2011 with Ocean Contract Cleaning London Ltd, who were taken over by Kingdom in June 2016. The contract covers Knowle Green, the car park office (Elmsleigh surface), plus Fordbridge and Greeno Centres. Staines Community Centre is not included as the cleaning was undertaken by Meyers when they had the catering contract – which came to an end in January 2017. Since then the cleaning has been done via a separate short term arrangement with Atlas. Kingdoms contract excludes the depot and the Councils main car parks which have very different requirements.

- 1.2 Back in August 2016 the Chief Finance Officer agreed (under an exemption to contract standing orders) to extend the contract with Kingdom for a further 12 months to 25 October 2017. The rationale was:
- (a) to give time to review whether the cleaning contract should be brought back in house (see contract options below)
 - (b) to clearly establish the future of Knowle Green which would affect the timeframe and scale of the contract (See para 1.5 below)
 - (c) to look at what other assets might need to be brought into a revised contract (See options analysis below)
 - (d) to draw up a very detailed performance management specification which reflects the terms of the current contract and outlined what is expected on a daily, weekly, monthly basis. (This has been done).
 - (e) To improve the current level of cleaning on and off site. (This has been patchy and variable and is very largely due to challenges of delivering the contract on a tight budget)
 - (f) Manage the level of spend to ensure precision in terms of future budget for contract and service delivery. (Contract moving forwards is likely to require a higher budget)
 - (g) consider what additional resource may be required in Facilities Management (FM) more generally. (We now have two apprentices).
- 1.3 The combined 2016/17 budget for contract cleaning and cleaning materials was £90,500 (actual spend was £83,005). The budget for Knowle Green was increased considerably to £144,000 for 2017/18, bringing the overall budget for this financial year up to £169,400. This was to deal with the need to ensure that we paid the living wage for our contracted staff, and to deal with quality concerns (staff need to have a suitable working environment).
- 1.4 The Commissioning and Transformation Group (CTG) have led on the specification for the contract, liaising with other services as required. In drawing up the new specification, officers have critically reviewed the current contract to see if it is 'fit for purpose', and a number of changes have been made as a result of this exercise (especially in relation to the centres). There are also lessons to be learnt around level of contractor resourcing, stock control, regular inventories, requiring supporting information with all invoices, frequency of extended and deep cleans, format of quarterly reviews, and using sustainably sourced materials. These have been woven into the new specification, as required, during its development.
- 1.5 It is understood that the current contract was awarded very much on the basis of price alone. Whilst this is an important consideration, to determine a contract solely on this basis can be a false economy. A lot of time has been spent dealing with the contractors on a range of issues which has meant that FM and Independent Living staff have not been able to devote their time to other matters. There is also the issue of public perception if the Council Offices do not present themselves well. For this reason there will be a quality measure when assessing the tender returns.
- 1.6 The CTG have considered a number of alternative options (see Options Analysis below). There has been considerable discussion around the length of the contract, especially as no firm decisions have been made on the extent

of refurbishment or redevelopment of Knowle Green (the area of main budgetary spend). Notwithstanding the lack of firm deadlines, it is not realistic to continually extend the current contract on a yearly basis. This gives no certainty to the current supplier, and critically it does not allow the Council to see if there are better providers out there in the market place.

2. Options analysis and proposal

Recommended option

2.1 That Cabinet agree:

- (a) Authorise the Group Head Regeneration and Growth to appoint the contractor (alongside the Chief Finance Officer and the Cabinet Member for Planning and Economic development)
- (b) Authorise the Head of Corporate Governance to enter into the legal documentation

2.2 The length of contract, and its breadth across a number of Council sites brings it over OJEU levels in terms of procurement of services so we need to go through a full tender process. By the time Cabinet consider this report, we will be part way through that process in order to ensure that a new contract is on place 25 October 2017. Wailing for Cabinet authority to appoint the contractors (as opposed to the delegations being sought) would mean a hiatus between 25 October and 22 November (the next Cabinet meeting).

Extend current contract for a further month or so (not recommended)

2.3 This would involve a lot of legal paperwork for a very short period of time. It would not give the current contractor any real certainty and may well result in a deterioration of the service that they currently provide

No cleaning contractor in place until new one in place (not recommended)

2.4 This is clearly not tenable for the organisation as it would present a very poor face to the public in of Knowle Green and especially the centres

Bring in a contractor - short period of time/short notice (not recommended)

2.5 This is feasible but would undoubtedly come at a very high cost since any contractor would need to mobilise staff and resources at very short notice. It is not considered financially prudent to do so.

Contract options

2.6 Officers have looked at a number of options in reaching the proposed course of action. Early discussions took place with Independent Living who confirmed they required Staines Community Centre to be included in any new contract – this has been done. There are currently separate cleaning arrangements for the depot (on an as required basis) which the Group Head Neighbourhood Services confirmed works very well. On this basis the depot has been excluded from the tender specification.

2.7 Consideration was given as to whether there should be a combined cleaning and caretaking contract for Knowle Green alone, or whether this could and should apply to the other buildings as well. There are also a number of community halls who have their own caretakers who open and lock up. On further investigation it was decided that these involved different skill sets and

we were unlikely to get a contractor who was able to fulfil the specification for both elements sufficiently well. This was therefore discounted.

- 2.8 A piece of work was done on whether we should be doing the function in house. It is clear from experience to date that contractors do have considerably difficulty in retaining quality staff. All of this burden would fall on our shoulders were we to do this in house which would in all probability require an additional member of staff to manage the cleaners. This is not a core area of the Councils work and for this reason the option of providing the service in house was discounted.
- 2.9 The contract which has gone out for tender is for cleaning only for Knowle Green, Forbridge Centre, Greeno Centre, Staines Community Centre and the car parks office at Elmsleigh surface car park. The time period will be for 5 years with break options as required at 2 years with 6 months' notice.

3. Financial implications

- 3.1 The budget for 2017/18 is £169,400 and this may need to be revised in light of the tender returns which come back for a number of reasons:

- (a) The new contract will include the Staines Community Centre which is currently being dealt with as a separate short term contract
- (b) The Day Centres now require a higher cleaning specification due to increased usage (for example the Greeno Centre is now focused on high needs whereas previously it was more general needs)
- (c) The specification has been tightened up in a number of other areas on the basis of current experience to ensure that we get the quality of cleaning service that we need. It is a false economy if staff have to continually chase and escalate issues as this diverts them from more important areas of work.

- 3.2 The timetable is set out below in section 5. It is anticipated that the tender appointments will be made by end of October 2017 and will be fed into the budget setting process for 2018/19 onwards. It is not anticipated that the costs will reduce (especially as any contract will need to account for issues such as a National Living Wage etc which could affect the contractors spend on staffing).

4. Other considerations

- 4.1 The success of any contract in part relies on having sufficient resource available to manage it successfully. This is especially important where there are issues which require addressing. The contract will include performance measures and regular review meetings will be built in. There has been recognition corporately that we need to have sufficient resource to assist with the wide range of contracts that we have in place. A Procurement and Contracts Manager will shortly be joining the CTG to assist the services with this.
- 4.2 On a day to day basis the Independent Living Managers will continue to closely monitor and challenge the contractors regarding the Day Centres. They will escalate matters and withhold payment where the level of service is not at a satisfactory level (as they do now). The Facilities Manager will oversee the Knowle Green part of the contract, with the day to day management undertaken by one of the Senior Facilities Management Officers

(with the whole FM team undertaking spot checks and encouraging staff to highlight where they have concerns). Again the same approach will be taken with regards to escalation and invoices.

- 4.3 There is a risk that any contract could be too rigid to enable the Council to change direction in future. Sufficient flexibility has been built into any new contract to suit the Council (depending on the decisions made regarding Knowle Green) as well as giving enough certainty to contractors who will have to mobilise staff to deliver any contract.
- 4.4 A change in contractor will involve TUPE of staff, but this will be between the current and new provider (if there is a change). The Council will not be involved in this process so there will be no specific HR resource required.
- 4.5 From a sustainability perspective, the tender documentation will require contractors to set out explicitly how they would use sustainably sourced materials. Their response on this element will be assessed as part of the tender return, so the Council can be clear what it is getting as part of any contract. As part of any contract monitoring there will be checks to ensure the contract is being adhered to (and rectified if necessary).

5. Timetable for implementation

- 5.1 The tender pack went out early September with returns at the beginning of October. There will be a two week period to assess the returns and then make the final appointment. The aim is for the new contract to be in place by 25 October 2017.

Background papers: None

Appendices: None

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Cabinet

27 September 2017



Title	Spelthorne Housing Allocation Policy		
Purpose of the report	To make a Key Decision		
Report Author	Karen Sinclair, Joint Group Head, Community Wellbeing Jayne Brownlow, Deputy Group Head, Community Wellbeing		
Cabinet Member	Councillor Mark Francis	Confidential	No
Corporate Priority	Housing		
Recommendations	<p>Cabinet is asked to approve:</p> <ul style="list-style-type: none"> • The proposed updated Spelthorne Housing Allocation Policy which reflects a number of changes to the allocation of social housing in the borough. These changes are summarised in Appendix 2 to this report. • That the Portfolio Holder in conjunction with the joint Group Heads be given authority to approve amendments to the policy due to the forthcoming changes in legislation/case law and the changing needs of the community • The Equality Analysis for the policy detailed in Appendix 4. 		
Reason for Recommendation	<ul style="list-style-type: none"> • The Search Moves partnership term has ended giving the opportunity to appraise the existing arrangement. A more flexible approach to the partnership has been agreed to allow partners the ability to be more reactive to local pressures. • Major changes include the stopping of cross partner letting and a change to the way we treat Social Housing transfer tenants. Due to the nature of the changes, we have been required to adopt an independent Allocations Policy (see Appendix 1) which takes into account the local housing situation and legislative and case-law changes. • To take account of the responses to the consultation exercise, the Equality Analysis and the proposed amendments to the Allocation Policy. 		

1. Key issues

- 1.1 All local housing authorities are required under the Housing Act 1996 (part 6) to have a Housing Allocations Policy in place that shows how they prioritise applications for social housing and the procedures to be followed in allocating those homes.
- 1.2 Transparency in this process is particularly important as demand for social housing units in Spelthorne far exceeds supply with 1,976 live households currently on the current housing register (Aug 17). Only 239 social housing units were made available for allocation in 2016/17
- 1.3 Since 2008, Spelthorne has managed its housing register applications and lettings through the Search Moves partnership, a Choice Based Lettings (CBL) scheme¹ run in partnership with Elmbridge Borough Council and the major housing associations in each borough (A2 Dominion and PA Housing). Up to now, partners have shared a fully common Housing Allocations policy.
- 1.4 The existing Search Moves partnership legal agreement expired in July 2017. Prior to this, a review was conducted on the current provision and the options available going forward. The outcome concluded that the partnership CBL arrangement should continue but on different terms. In order to move to new arrangements as soon as possible, partners agreed to only make essential changes at this stage.

Key changes

- 1.5 A key finding of the review was that the complex nature of the current Common Allocation Policy has made it difficult for partners to quickly and easily adapt to the changing local need. To address this, partners agreed to adopt separate Allocation Policies to ensure effective use of the limited nominations available. Assessments from now on will be made in reference to Spelthorne Borough only, with all future lettings to Spelthorne properties to be made only to those on Spelthorne's housing register.
- 1.6 Integral to adopting separate Allocation Policies is the need to cease the current cross boundary allocation arrangements as this depends on a common approach to housing allocation. The decision was based on the fact that in 2016 only 7% of lettings across the partnership (14 households) resulted in inter borough movement.
- 1.7 Currently, existing social housing tenants who wish to transfer to another property apply through their own housing association but are assessed under the Search Moves scheme alongside all other applicants. In order to give fairer access to social housing vacancies for those who are not already social housing tenants, it is proposed that the Council adopt reduced priority for most 'Transfer' tenants. This seeks to avoid duplication of options to transfer tenants (who may achieve a transfer via their landlord or mutual Exchange.)
- 1.8 Since the current Allocation Policy (Version 12 - Nov 2015) was adopted, some legislative changes and case law decisions mean that amendments were

¹ In CBL schemes applicants have active choice in what housing may be allocated to them. There is not a legal requirement to allocate properties via CBL schemes. Three quarters of English local authorities operate Choice Based Lettings (CBL) schemes. CBL schemes are generally deemed to provide transparency with regard to housing stock available and lettings processes.

required to the Policy. Counsel's opinion has been sought on the draft policy to ensure compliance with legislation. These changes include:

- Currently 10% of advertised properties are prioritised for working households. As a result of recent case law, changes have been made to the policy to ensure possible exceptions to 'Worker' status can be considered within the scheme to avoid discrimination and allow consideration of other community contributions. This is likely to affect small numbers of applicants who are not able to work but make another valuable community contribution.
 - The policy also now includes an amendment to the qualification criteria to ensure that applicants who have an identified housing need preference are not excluded from the register. It is estimated that this will likely mean an additional 5% of applicants will now qualify.
 - There is also provision included in the policy for reduced priority to be given to reasonable preference cases without a local connection to Spelthorne over those with a local connection. This includes those who would otherwise fail qualification criteria. Changes to the assessment process will need to be built in to include this provision if agreed.
- 1.9 The main focus of a Councils Allocation Policy will always be to determine how long term housing resources will be prioritised, however there is increasingly an overlap with the Council's homelessness responsibilities. A key driver for Spelthorne adopting a separate Allocation Policy will be to ensure that our specific homelessness pressures and costs can be effectively managed.

Consultation on the proposed Allocations Policy

- 1.10 Spelthorne, along with other local authorities is required by law to consult with providers of social housing in its area prior to making changes to its housing allocations policy. It was considered important to extend the consultation to those currently on the housing register and to local residents, along with a range of voluntary and community organisations operating in the borough.
- 1.11 The consultation process ran for 6 weeks from 22 May to 30 June 2017, taking the form of a questionnaire. The responses have been analysed and were taken into account before finalising the draft policy
- 1.12 Response was reasonable, with 65 replies received. Of these, 98% of responses were from households and 2% from named organisations. 42% identified that they had an existing housing application with the Search Moves Scheme and 55% did not, with 3% not knowing. This reflected a good variety of responses across the borough and in general endorse the proposed Allocations Policy.
- 1.13 71% of all respondents agreed with the proposal to cease cross partner lettings whilst 69% agreed with the proposal to reduce the priority of social housing tenants when applying for a transfer through Spelthorne Council. No significant negative responses were recorded to require changes to be made to planned proposals.
- 1.14 Fourteen comments were made including 2 responders whom expressed support for priority to be given to those in work who are considered to be "net contributors", over those who they considered to be dependent on benefit and not working. Two responders felt that more consideration should be given to long term privately renting applicants without the worry of being evicted. One

responder said that Homeseekers (those applicants not currently residing in a social housing property) should get priority over transfer tenants and four responders mentioned the fairness of the CBL system, but one said that everyone should have a fair chance, whether a Registered Social Landlord (RSL) tenant or not.

1.15 The consultation also endorsed the proposal that priority should be given to those applicants who live within the Spelthorne Borough.

2. Options analysis and proposal

2.1 In view of the consensus between Search Moves partners of the benefits of adopting independent Allocation Policies and ceasing cross partner lettings, it is highly unlikely, even if preferred, that the option to retain the status quo would be available. The Search Moves partnership will continue to operate and the benefits of ongoing joint working continue to be realised.

2.2 It is not considered feasible to defer the proposed changes in order to consolidate with upcoming changes associated with the Homelessness Reduction Bill. The changes to the current Search Moves partnership and Allocations Policy need to be implemented in advance to enable Spelthorne the independence to react to local changes required of the new legislation

2.3 A new policy would be at risk of legal challenge if current legislative and case law developments were not considered as part of the updated policy. These requirements have been taken into account in the proposed changes and ratified by Counsel.

2.4 It is proposed that the new Allocation Policy be adopted. The changes can be incorporated into Spelthorne procedures and the IT system changes made with a go live date within about 5 months.

3. Financial implications

3.1 The main costs associated with adopting separate Allocation Policies relate to the commissioning of software changes and enhancements to allow for the assessment of applicants under the new policy. Due to changes to the partnership arrangements, the majority of these costs have been incurred for changes to the Search Moves software.

3.2 Summary costs are detailed in the table below

Item	Cost (£)
Locata software changes relating to Allocation Policy	5,100
Locata new enhancements to the system	8,200
Consultation on the Allocation Policy changes	1,500
Counsel opinion on the proposed Allocation Policy changes	5,100
TOTAL	19,900

3.3 The costs for this work will be funded from within Community Wellbeing budgets.

4. Other considerations

- 4.1 Search Moves as a partnership will continue to operate a common CBL scheme and retain the benefits of the partnership brand, website and bidding process which is widely known by clients. Other benefits include the shared operational costs of the register and housing Allocation management software.
- 4.2 The Housing Allocation Policy can be legally challenged and once the cross boundary element of the arrangements were agreed in principle in May 2017, a housing barrister was instructed to ensure the policy is legally compliant and less open to legal challenge
- 4.3 An Equality Analysis on the proposed policy has been undertaken. This takes into account the feedback from the consultation process, counsel's advice and recent case law. Broadly the consultation sought views on whether any of the proposed changes would have a negative impact on and particular group of people due to e.g. age, gender, disability, race, relationships status, religion, sexuality and pregnancy and maternity. 28% of respondents answered yes, 57% no and 15% did not know. The Equality Analysis has been reviewed by the Council's Equality and Diversity specialist advisor who considers it to be of high quality and legally compliant.
- 4.4 If agreed, changes to the new Allocation Policy will be implemented through changes to the Housing Register application form and the assessment process. In order to achieve this all applicants will be required to re-register and their circumstances be considered against the new policy.
- 4.5 There will be an appeal process with a realistic timeline for all applicants affected by the policy which will be identified in the letters sent to them .Staff will be made fully aware of changes and managers will be monitoring the amount of complaints received.
- 4.6 Due to a diminishing role in Search Moves, A2Dominion have given notice that they intend to leave the legal arrangement. They will continue to be key partners of Spelthorne's and retain member status with Search Moves.

5. Timetable for implementation

Following on from agreement of the new policy a communication plan will be devised and all those affected by the changes will be individually notified .A suggested timeline is detailed below.

Item	Completed by
Agree Spelthorne Allocation policy	Sept 17
Locata new enhancements to the system	Nov 17
Re-registration of applicants against the new policy to the Housing register	Dec 17
Fully implemented Housing Allocation Policy	Jan 18

Background papers:

None

Appendices:

- Appendix 1 - The proposed Spelthorne Housing Allocation Policy
- Appendix 2 - Single Allocation Policy Summary of proposed changes
- Appendix 3 - Results of the public consultation
- Appendix 4 - Draft Equality Analysis

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Housing Allocations Policy for The Borough of Spelthorne

This policy is as required by Part 6 of the Housing Act 1996 as amended by the Homelessness Act 2002. It should be read in conjunction with the Spelthorne Search Moves User Guide.

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1 Introduction and Aims of this Policy

1.1 Introduction

The overall aim of this policy is to ensure that social housing in the borough is allocated fairly and objectively, having regard to any legislative requirements, regulations or Codes of Guidance issued by Department of Communities and Local Government, and homelessness and tenancy strategies.

1.2 Key features of the Allocations Policy

This Allocations Policy has been established with a view to meeting the following principles and key objectives:

- To operate a lettings policy based on housing need; which is simple, easy to understand, transparent, open and fair.
- To ensure that every application is dealt with fairly and consistently.
- To give adequate priority to people who fall within the Government's "Reasonable Preference" categories.
- To provide timely information, advice and assistance and make the best use of the powers and resources available to assist people to solve their housing problems in a way more suited to their needs.
- To ensure that applicants have ready access to information on their prospects of housing.
- To give adequate priority to homeless people whilst maintaining a balance between the needs of the homeless and other applicants in housing need.
- To give most applicants choice where practicable to express choice and preferences about where they want to live whilst having regard to the availability of housing resources and the high demand for housing.
- To give adequate priority to residents in housing need who are in low income employment, and who have served in the Armed Forces, whilst maintaining a balance to all other applicants.

In addition to the above, this policy has been designed to make best use of the housing stock in the borough to ensure that:

- Sustainable and balanced communities are maintained.
- Re-let times are minimised.
- Difficult to let properties are dealt with.
- Under-occupation is reduced.
- Best use is made of Supported Housing for those who are suitable for this type of housing and in the greatest need of the support.

1.3 The Legislative Framework

Legislation states that when making an allocation a local authority must comply with the provisions of Part 6 Housing Act 1996 and the Localism Act 2011. This states that the policy should be set out to ensure that reasonable preference is given to specific groups of people:

- People who are homeless (within the meaning of Part VII of the Housing Act 1996).
- People who are owed duties under s.190(2), 193(2) or 195(2) of the Housing Act 1996 or similar duties under the Housing Act 1985 or who are occupying accommodation secured by the Council under s.192(3) of the Housing Act 1996.
- People occupying unsanitary or overcrowded housing or living in unsatisfactory housing conditions.

- People who need to move on medical or welfare grounds, including grounds relating to disability.
- People who need to move to a particular locality to avoid hardship to themselves or others.

This policy gives reasonable preference to these categories of people.

Information on the priority given to applicants in these groups, alongside other priority categories is set out in **Appendix 1**.

2 The Housing Register

2.2 Housing Register Eligibility

In certain circumstances, applicants may not be eligible for an allocation of social housing and they will be excluded from the housing register they apply to. These are people from abroad who are ineligible for social housing. A full list of those who are ineligible for an allocation of social housing is contained in **Appendix 3**.

Any applicant who is excluded from the housing register as ineligible will be notified in writing of the reasons why the decision has been made. There is a statutory right to review or appeal this decision. See Section 7 for further information on the review procedure.

2.3 Housing Register Qualification

Under this policy housing will only be allocated to a 'qualifying' person. Housing will not be allocated to a disqualified person. The criteria for qualification or disqualification are set out below.

However in exceptional circumstances the Housing Options Manager or Head of Service or equivalent will consider whether to disapply the qualification / disqualification criteria.

Any applicant who is excluded from the housing register because they do not meet the qualification criteria will be notified in writing of the reasons why the decision has been made. There is a statutory right to review or appeal this decision. See Section 7 for further information on the review procedure.

2.4 Qualification Criteria

In order to qualify to be included on the housing register applicants must fulfil the following criteria:

(i) Age

An applicant must be at least 16 years old. As an applicant under 18 cannot legally hold an independent tenancy a guarantor will normally be required before any 16 / 17 year old is offered a property.

(ii) Local Connection

Only applicants who meet the requirements set out below with regard to local connection will qualify to be included on the housing register.

Current Residence

- Applicants who currently live within the borough of Spelthorne and have done so for at least the last three years. Or,

Previous Residence

- Applicants who have previous continuous residence within the borough of Spelthorne amounting to five or more continuous years in that borough within the last 10 years (only residence as an adult will be taken into account). Or,

Family

- Applicants who have immediate family (mother / father / brother / sister / adult son / adult daughter) who are currently living in the borough of Spelthorne and have done so for at least five years or more. Or,

Work

- Applicants who have a permanent job in the borough of Spelthorne (at least 18 hrs. a week and an existing contract of 12 months or more), Or,
- Zero hours contracts will be considered on a case by case basis but must demonstrate they have worked more than 18 hours a week on average

Special Circumstances

- Applicants who have a connection with the borough of Spelthorne because of any special circumstances, such as the need to be near specialist medical or support services which are only available in a particular district.

(iii) Property ownership

To qualify, applicant(s) or a member of their household MUST NOT own or part own a property, either in the UK or abroad

(iv) Income Thresholds

To qualify, applicant(s) joint household income MUST NOT be greater than £50,000 a year gross

(v) Saving Thresholds

To qualify, applicant(s) total household savings MUST NOT be greater than £30,000

2.4.1 Exceptions to qualification criteria

(i) Homeless Households

A household who has been accepted as homeless by Spelthorne Borough Council and it has been determined that they are owed the full housing duty under S193 of the Housing Act 1996 (and has not been referred to another authority on 'local connection' grounds) and that duty has yet to be discharged, will be deemed to be a qualifying person with regard to local connection within this policy.

(ii) Special Arrangements for Armed Forces

Under this policy we will not disqualify the following applicants on the grounds that they do not have a local connection with the authority's district:

- (a) Members of the regular Armed Forces and former personnel of the regular Armed Forces, where the application is made within five years of discharge.
- (b) Bereaved spouses and civil partners of members of the regular Armed Forces leaving Services Family Accommodation following the death of their spouse or partner (where the death is wholly or partly attributable to their service).
- (c) Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

(iii) Relevant social housing tenants - Need to Move for the purpose of work

Under this policy we will not disqualify relevant social housing applicants on the grounds that they do not have a local connection with the authority's district subject to the following conditions.

They must be a secure or introductory tenant in England or assured tenant of a Registered Provider in England. They must also have a reasonable preference under s.166 (3) Housing Act 1996 because of a need to move to the district and where failure to meet that need would cause hardship to themselves or to others

They must have a need to move because they work in the authority's district or have been offered work in the authority's district and the authority is satisfied there is a genuine intention of taking up the offer of work.

This section will not apply if the need to move is associated with work or the offer of work which is short term or marginal in nature, ancillary to work in another district or voluntary work.

(iv) Households who have a reasonable preference need

Persons who do not meet the qualification criteria (in 2.4) but who fall within the statutory reasonable preference groups (as per paragraph 1.3 above) will be deemed to qualify to join the register.

2.5 Disqualification Criteria

The following categories of persons will be not included on the housing register.

(i) Unacceptable Behaviour

Unacceptable behaviour is classed as behaviour that would allow a landlord, acting reasonably, to obtain any form of possession order against the tenant.

If the behaviour of an applicant (or a member of their household) is likely to affect their suitability to be a tenant this will be taken into account when deciding whether to exclude them. For example, if a household contains somebody who has been served with an Anti-Social Behaviour Order (ASBO) this would be taken into account when deciding whether to exclude the applicant.

Applicants that have been excluded or removed in the past can make a new application if they can demonstrate they have improved their behaviour. When considering a new application, the severity and persistence of any previous anti-social behaviour (ASB) will be taken into account and the length of time that has elapsed since the previous incidents / anti-social behaviour.

All relevant information, such as health problems, people who are dependent on the applicant and other issues will be considered before a decision on whether to exclude is made. The interests of the applicant and their household will be considered balanced against the interests of the people who live and work in any of the partner organisations housing areas.

(ii) Fraudulent Applications and Tenancy Fraud

Where an applicant or a member of the household is discovered to have knowingly or recklessly made false statements or knowingly withheld information in respect of his / her application for housing, consideration will be given to excluding the applicant from the housing register. The period of exclusion will be at the discretion of the Head of Service, Housing Options Manager or equivalent and may last for a period of up to five years.

Consideration will also be given to pursuing a criminal prosecution under s.171 of the Housing Act 1996 (or other similar legislation that may be applicable).

If an applicant or member of the household is discovered to have previously committed tenancy fraud they will be disqualified for a period of up to five years.

2.6 Joint Applications

Joint applications may be made by:

- Husband and wife.
- Civil partnership couples.
- Partners.
- Parent and child over 18 years of age.
- Siblings.

By making a joint application this does not necessarily mean an offer of a joint tenancy will be made. Local arrangements may apply and this will be subject to the discretion of the landlord offering the property.

2.7 Applicant Consent and Declaration

Each applicant will be expected to complete the application form and sign the declaration at the back of the form confirming that the details they have provided are correct. Where an application is made online the applicant will be required to confirm the details provided are correct. Checks will be made as part of the verification process that the details are correct but the onus is on the applicant to give the correct information on their application.

Legal action can be taken against any applicant or a member of their household who provides false information when applying for housing (including a fine of up to £5,000). Under Section 172 of the Housing Act 1996 it is an offence to:

- Deliberately provide false information. Or,
- Deliberately withhold information that should have been given.

Possession proceedings can be instigated if a tenancy was obtained by giving false information.

Applicants will also be expected to sign to give authorisation to contact other agencies, e.g., Housing Associations, Social Services, current or former landlords, to obtain and share relevant information about them.

2.8 Change of Circumstances

Applicants who move home or whose circumstances change after they have been accepted onto the housing register, (e.g. someone joining or leaving their household, or a change in income or employment etc.) should immediately contact Spelthorne Borough Council and notify them of the change. An applicant may have to complete a further housing application form.

If the change of circumstances affects an applicant's banding or priority date they will be informed in writing of the outcome of the reassessment. See Section 2.11 regarding priority date.

2.9 Review of Applications

All applications will be periodically reviewed and applicants may be removed from the housing register if their circumstances have changed or they fail to respond to correspondence.

2.10 Pre-tenancy training

Applicants to Spelthorne's housing register may be required to complete pre-tenancy training arranged by the Council (or by a Housing Association in conjunction with the council) regarding the responsibilities of holding a tenancy.

2.11 Banding

All applications are assessed and awarded a Band to reflect the level of need of the applicant and local connection. There are seven bands:

- **Band A1** – Emergency / Priority.
- **Band A2** – Emergency / Priority (transfer cases)
- **Band B1** – Urgent need to move.
- **Band B2** – Urgent need to move (transfer cases)
- **Band C1** – Identified need to move
- **Band C2** – Cases with a reasonable preference need but no local connection
- **Band D** – Low housing need and no 'deemed' housing need.

A detailed list of the factors, taken into account when awarding these Bands, is set out in **Appendix 1**.

All **Band A** cases will be reviewed on a six monthly basis.

2.12 Priority Date (Effective Date of Application)

All applications are given a priority date, which is usually the date they join the register.

If a change of circumstances affects an applicant's banding they will be informed in writing of the outcome of the reassessment. Applicants will retain their original registration date as their priority date if their banding changes except if they are placed in **Band A1/A2 or B1/B2**. In this case their priority date will be the date their application was moved to **Band A1/A2 or B1/B2A** (see **Appendix 1** for information on the Banding Scheme).

If an application has been cancelled, for any reason, any subsequent application will have a new priority date based on the date of the new application.

2.13 Cumulative Need

If an applicant (or one or more members of their household who will move with them, as applicable) has more than one identified housing need (cumulative need) within the priority band in which they have been placed, they may in exceptional circumstances be placed in a higher band to recognise their cumulative need.

2.14 Applicants Who Have Deliberately Worsened Their Housing Circumstances

If there is evidence that an applicant has deliberately made their housing circumstances worse to get more priority on the housing register their application may be placed in **Band D**.

2.15 Medical or Welfare Needs

Additional priority may be awarded on medical or welfare grounds if the information received indicates a move will benefit the health and wellbeing of the applicant and / or their household following consideration by an officer and / or advice from an independent medical adviser. The medical assessment will reflect the household as a whole and one banding will be awarded per application which will take into account the factors for the applicant and if relevant, any individual household members.

Where an applicant requires a live-in carer, the carer will be treated as a member of the household and the bedroom requirement will be assessed accordingly.

The awards are as follows:

Band A1/ A2 – where the applicant is assessed as having an “emergency” medical or welfare need to move because the current property is unsuitable. (Transfer cases will fall into band A2; all other cases will fall into A1)

This award should be for the most extreme cases where the need to move is seen as an emergency and it is highly probable the applicant’s life might be at risk or there is a risk of severe injury to an applicant or a member of the household included on the application if they continue to occupy the accommodation.

Band B1/B2 – where the applicant is assessed as having an “urgent” medical or welfare need to move because the current property is unsuitable. (Transfer cases will fall into band B2; all other cases will fall into B1)

Band C1/C2 – where there is an “identified” medical or welfare need to move because the current property is unsuitable. (Transfer cases will fall into band C2; all other cases will fall into C1)

If there is a relevant change in the applicant’s circumstances, e.g. a change of address, a new application and a medical assessment may need to be completed.

Applicants will be notified in writing of the decision about a medical or welfare award. They will be advised they have the right to appeal against the decision. (See Section 7 for further information on the appeals procedure).

2.16 Assessing Overcrowding / Bedroom Shortage

An applicant’s level of overcrowding will be carefully assessed in determining their band.

If an applicant is assessed as being statutorily overcrowded as defined in Part 10 of the Housing Act 1985 they will be placed in **Band A1/A2**. This will normally be assessed by the department using Environmental Health legislation. (Transfer cases will fall into band A2; all other cases will fall into A1)

If an applicant is assessed as overcrowded and requires two or more additional bedrooms they will be placed in **Band B1/B2**. (Transfer cases will fall into band B2; all other cases will fall into B1)

If an applicant requires one additional bedroom they will be placed in **Band C1/C2**. (Transfer cases will fall into band C2; all other cases will fall into C1)

For the purposes of assessing their bedroom shortage (or bedroom need) a separate bedroom is allocated to each of the following:

- The main applicant and partner.
- Two children of either sex where they are both under 10 years of age.
- Two children of same sex where there is an age gap of less than 10 years.

- Two children of same sex where there is more than a 10 year age gap but where both are under 16.
- An overnight carer.

It should be noted that:

- A child will be considered to have a 'need' from birth.
- A single adult within the household (who is not the applicant) would only be entitled to a separate room if there is no other person they can share with within the below table. However an adult would not be expected to share with their own child.

For clarification purposes this is further set out as follows:

Household	Bedroom Need
Adult person – single	Bedsit / One Bedroom
Adult couple	One bedroom
An overnight carer	One bedroom
Two persons / children of the same sex with less than a ten year age gap	One bedroom
Two persons / children of different sex both under 10 years of age	One bedroom
Two persons / children of the same sex with more than a ten year age gap where both are under 16	One bedroom
Two persons / children of different sex, of whom at least one is over 10 years of age	Two bedrooms
Two persons of the same sex with more than a ten year age gap and where at least one is 16 or over	Two bedrooms

In certain circumstances the size of the bedrooms in an applicant's property and the relationship between those sharing a bedroom will be taken into account when carrying out an overcrowding / bedroom shortage assessment.

Houses with two or more bedrooms may be advertised with preference to households with a dependent child under 16. However this preference would only apply where applicants were in the same band so a **Band C1/C2** applicant with dependent children would not be given preference over an applicant with adult children in **Band B1/B2** for example.

Overcrowding priority will not be given if the applicant has caused the situation by moving in others who are not part of their household. E.g. an applicant with a child is living in two-bedroom accommodation and they choose to share a bedroom in order to let the second bedroom to a tenant / acquaintance / extended family member.

In exceptional circumstances, such as a medical need, additional bedroom requirements may be considered.

Children who are away from home, for example at University, will still be treated as part of the household as long as there is a clear intention to return.

2.17 Assessment of Cases Where Children are Part of an Application

In assessing whether there is a bedroom shortage for the purposes of awarding a Band and in deciding the size of property an applicant is eligible for, an assessment will be made on the facts of each case. In reaching a decision regard will be had to what is considered to be the child's **prime residence** i.e. where they stay overnight, where there is financial dependency including who claims child benefit, who the child is

dependent upon for daily care as well as social factors such as where the child goes to school.

Assessment of Cases Where Children Stay with More Than One Household

There may be informal agreements between separated parents to share the care of their children and they may stay with each parent on a regular basis. However only in the most exceptional circumstances would a child / children be considered as needing accommodation with more than one parent for the purposes of applications for social housing.

In considering shared custody arrangements the housing authority will take into account any court directives. However it should be noted that a family court order which refers to residence and accommodation arrangements is not binding upon the housing authority with regard to provision of accommodation. It is for the housing authority to determine whether priority should be given in respect of shared custody.

2.18 Assessment of Homeless Applicants to whom the Full Duty to Secure Accommodation is owed.

(a) The Council's Legal Duty

All Local Authorities have a legal duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to make sure that homeless applicants owed the "full" duty under s.193 (2) are provided with suitable accommodation. There is no requirement that this be permanent. Other duties in relation to accommodation or advice / assistance depend on their priority need. **Appendix 1** shows the priority of homeless households within the Banding Scheme.

Homeless households are one of the categories who must be given a reasonable preference and the Spelthorne Allocations policy meets this requirement as outlined below:

(b) Priority Banding

Homeless applicants to whom the full duty is owed will normally be placed in **Band B**.

(c) Bidding

An accepted homeless applicant will be expected to bid for all suitable accommodation, including cross boundary properties. Where a bid results in an offer of accommodation, and this property is deemed to be suitable by the local authority, this will normally be deemed to be a final offer of accommodation which will end the homelessness duty under the Housing Act 1995 part 7. This is subject to right of review.

If bids are not placed by the member the local authority reserves the right to place bids on behalf of the applicant. Direct lets may also be used by the local authority to discharge duty.

2.19 Armed Forces Personnel

It is recognised that those who have served in the Armed Forces have made significant sacrifices for their country and have often moved many times occupying Armed Forces accommodation that is tied to their service. It is intended that such households should not face discrimination under this policy and should receive special consideration for housing. As part of this commitment it should be noted that under this policy, the local connection requirement does not apply to Armed Forces personnel (as set out in 2.4 (iv)). Regular Armed Forces personnel are therefore given equal treatment under this policy regardless of the area they have been living in.

In addition under this policy certain Armed Forces households will also be awarded special priority as follows:

Band B Armed Forces Priority – this will be awarded to serving members of the regular Armed Forces (and their families):

- Whose service is coming to an end within 12 months of their application or has come to an end within the preceding 12 months. AND,
- They are losing / have recently lost their MoD accommodation. AND,
- There is a specific need to move to the borough relating to employment or family issues. AND,
- There are insufficient funds to pursue other options.

(NB. This priority will not be awarded in situations where service is being ended / has ended due to issues relating to misconduct).

Similarly the same **Band B** Armed Forces priority will be awarded to recently bereaved spouses (or civil partners) of members of the regular Armed Forces:

- Where the bereavement is within 12 months. AND,
- They are losing / have recently lost their MoD accommodation. AND,
- There is a specific need to move to the borough. AND,
- There are insufficient funds to pursue other options.

Band C Armed Forces Priority – this will be awarded to serving members of the regular Armed Forces (and their families):

- Whose service is coming to an end within 12 months or has come to an end within the preceding 12 months. AND,
- They are losing their accommodation / have recently lost their MoD accommodation. AND,
- There are insufficient funds to pursue other options.

(NB. This priority will not be awarded in situations where service is being / has ended due to issues relating to misconduct).

Similarly the same **Band C** Armed Forces priority will also be awarded to recently bereaved spouses (or civil partners) of the regular armed forces:

- Where the bereavement is within 12 months. AND,
- They are losing / have recently lost their MoD accommodation. AND,
- There are insufficient fund to pursue other options.

In all other situations, households will be banded according to the banding rules taking into account their current accommodation and any medical or welfare issues. Some Armed Forces households who are losing their MoD accommodation may also need to be dealt with under the Homelessness provisions and may be awarded a priority band relating to their homelessness status.

3 Lettings arrangements for vacant properties

3.1 Applicant Choice

Most applicants will be able to choose the type of accommodation that they wish to be considered. This choice is exercised through the Council's Choice Based Lettings Scheme.

However this choice is subject to some restriction and some categories of applicants *may* not be given choice in the allocations process – see section 3.3

3.2 Allocation by advertising properties via Choice Based Lettings

Properties will be advertised through the Search Moves website. Property adverts will clearly set out any restrictions that apply to who may bid as well as any preferential advertising arrangements that may apply.

Property adverts will set out the size and type of the vacant property and only applicants who have been assessed as needing that size or type may apply / bid. For example a one bedroom property would be restricted to single or couples only, a sheltered housing flat would be restricted to elderly applicants only; a property with adaptations suitable for a disabled occupant may be restricted to applicants requiring such adaptations.

Property adverts will also set out if there are to be any factors, other than band, that may be taken into account in prioritising the applicants who have bid.

Further practical details of the Council's choice based lettings scheme and advertising and bidding arrangements are available in an Applicant User Guide, which is available on the Search Moves website

3.2.1 Preferential Advertising

Property adverts will also set out if there are any other factors, other than banding that may be taken into account in prioritising applicants who have bid

3.2.2 Preferential Advertising for Working Households

There is some preference to working households and some vacancies will be advertised specifically for working households. Approximately 10% of all properties advertised will be set aside specifically for working households only. Households will still then be further prioritised by band. This may be different for properties where a local lettings plan applies where a higher % may be applied.

This aspect of the scheme will give special recognition to the importance of incentivising work. In addition working households will still be able to apply / bid for all other vacancies.

The overall % of lettings which are allocated to working households will be carefully monitored and if necessary targets will be set (or the 10% quota amended) to ensure more working households are being housed as a result of this policy.

The definition of work for this purpose is a permanent job or temporary contract of 12 months or more and of 18 hours or more per week.

3.2.3 Preferential Advertising in relation to Local Letting Policies

Some properties (usually new build) will be advertised with the statement "local lettings policy applies". In order to encourage balanced communities it will be necessary, from time to time, for a partner organisation to apply specific criteria designed to address local management issues. The policy will be representative of the needs of the community and promote community cohesion.

Local Lettings Policies will normally apply to any new build scheme or letting of homes following conversion where there are 10 or more units to be let.

Local Lettings Policies may be considered or in existence for the following reasons:

- Planning Restrictions.
- Section 106 agreements.
- The proportion of homeless households on estates.
- Properties may be unsuitable for young children.
- Restriction on the family size on estates to reduce child density.
- Specific housing management reasons. E.g. anti-social behaviour
- People who are in employment.
- Changes to eligibility criteria for difficult to let schemes e.g. lowering the age of applicants to sheltered developments.

All adverts will specify if a local lettings plan is relevant.

3.3 Allocation by Direct Offers

Direct Offers may be made in relation to certain categories of application Information will be published each year on the number of direct lets made in this way. The circumstances under which direct offers may be made are as follows:

(a) Surrey Mobility Scheme

Where a request for assistance is made through the Surrey Domestic Violence mobility scheme for the re-housing of victims of violence in accordance with the current procedure agreed by the Surrey District Housing Authorities.

(b) National Witness Mobility Service

In certain circumstances a Search Moves partner organisation may need to offer accommodation to an applicant who is giving evidence in a criminal or civil case and they are suffering from intimidation or harassment which means they cannot remain in their current home. These applicants will be given **Band A1** priority but if it is unlikely they will receive an offer within a reasonable timeframe, the case may be considered as a general exception to the Banding Scheme and, if appropriate, offers of accommodation will be made before other applicants.

(c) MAPPA / PPO Clients

These lets will be managed in liaison with MAPPA and relevant agencies. Each case will be assessed on its individual circumstances.

(d) Exceptional Housing Need

In certain circumstances a case may be recognised as having an exceptional housing need. If it is deemed that an applicant is suffering severe hardship on welfare or medical grounds and it is unlikely they will receive an offer of accommodation within a reasonable time frame, at the discretion of the Head of Housing Options or equivalent, they may be considered for a direct offer of accommodation.

(e) Homeless 'Duty Accepted' Households

Direct offers may be made to homeless households in some circumstances in order to ensure that the Council can manage its homelessness duties, and ensure that adequate temporary accommodation is available or in circumstances where a homeless household has a need for a specific type of housing or has not actively bid for accommodation.

If the direct offer is to be the final offer to discharge the homeless duty the applicant will be notified of this in writing.

4 Applicant bidding

4.1 Bidding Process

Applicants in Bands A1, A2, B1, B2, C1, C2 and D will be required to submit 'bids' (expressions of interest) in properties for which they wish to be considered. The bidding process is explained in the Applicant User Guide.

4.2 High Priority Band

The property will be offered to the applicant who has the highest priority band and priority date on the housing register and meets the property criteria. Once an applicant has accepted an offer of accommodation any other bids placed by them are discounted.

4.3 Size Of Property Applicants Can Bid For

Applicants can only bid for properties that are of the correct size for their household. This is to ensure that best use is made of the stock and minimises under occupation or overcrowding of homes. Section 2.15 sets out the way that bedroom need is assessed and the size of property applicants are eligible for.

Due to the shortage of larger properties, applicants who are eligible for four and five bedroom properties may also be considered for larger three bedroom properties, for example, a three bedroom property with two separate living areas. Where properties have two living rooms ('parlour' houses) it will be expected that one living room is used as a bedroom as long as this is suitable in relation to the property layout.

5 Shortlisting, offering and letting of properties

5.1 Bidding Closing Date

Once the deadline has passed for bidding for a property, the Council will consider those who have bid and will select applicants for viewing and offering. As a general rule applicants who have bid for a property will be prioritised in band order (and within each band by date order) subject to any other preferences or restrictions set out in the advert.

5.2 Bypassing of Applicants

In some situations a property will not be offered to the highest banded applicant who has bid. Shortlisted applicants can be bypassed for a number of reasons and these are set out below. Where shortlisting is carried out by landlord partners on behalf of the Council they may make decisions to bypass applicants within the terms of this policy, however in these circumstances they will report such decisions to the Council and the final decision with regard to the interpretation of these policy provisions shall be made by the Council.

Bypass Reasons

(a) Applicant is Ineligible or Unsuitable for the Property

Applicants may be bypassed where their household does not meet the criteria for the property set out in the advert e.g. due to age restriction requirement, due to the household size not matching the property size, due to ages of household members or because any property adaptations in the vacant property are either not required or not matched to the household who has bid.

(b) Applicant is Not Ready to Move and / or to Live Independently

Applicants may be bypassed where, even though they have bid for a property; they themselves decide they are not ready to move. Applicants may also be bypassed if they are considered not to be ready to move or to live independently due to social or medical reasons. In determining this, regard will be had to any support available.

(c) Change in Applicant's Circumstances

Applicants may be bypassed where there has been a change in their circumstances which makes them unsuitable or ineligible e.g. change in medical requirements, change in financial situation

(d) History of Anti-Social Behaviour

Applicants may be bypassed where they or their family members have a recent history of significant antisocial behaviour which would make them unsuitable for the property.

(e) Rent Arrears / Debt

Applicants may be bypassed where they have current or recoverable former rent arrears with any landlord or other debts with the Council and which are not being satisfactory repaid.

Statutory homeless applicants will generally not be bypassed for this reason but individual circumstances will be assessed the Council and the relevant landlord.

(f) Community Safety Concerns

Applicants may be bypassed where there are community safety concerns / risks which relate to the applicant being placed in a particular property or area.

(g) Fraudulent Application Has Been Made

An applicant will be bypassed where there are reasonable grounds for believing that false information has been given.

(h) Circumstances Not Confirmed

Applicants may be bypassed where the required verification process has not been completed.

(i) No Response from Applicant

Applicants may be bypassed where they have been contacted for information relating to their application and / or a potential offer of accommodation and the applicant has not responded to that contact within a reasonable period of time.

(j) Local Letting Plans

Applicants may be bypassed where they do not match specific criteria set out in Local Lettings Plans. Local Lettings plans will be adopted for specific areas / schemes to ensure communities are as balanced as possible. Properties subject to local letting plans will be clearly advertised and priority will be given to those that meet the criteria.

(k) Sensitive Letting

In exceptional circumstances, an applicant may be bypassed for a property where they are not considered suitable due to housing management reasons. For example an applicant who has a history of drug dependency may be bypassed for a property in an area where the landlord is aware there are a number of other residents with drug problems. Any final decision about whether to bypass an application based on sensitive letting will be made by the Council rather than the landlord.

(l) Property Not Suitable For Adaptation

Applicants requiring property adaptations to meet their mobility needs may need to be bypassed if the property they have bid for cannot be adapted to meet their needs.

(m) Property Advert Withdrawn

Some properties advertised for letting may need to be withdrawn either because it is urgently needed for a direct letting or because it was being advertised before the previous tenant had left and they have rescinded their notice. This could result in those who have bid being treated as having been 'bypassed'.

(n) Special Requirement of Landlord

Some Housing Association landlords have very specific applicant criteria built into their Allocations policies or charitable rules relating to ages of applicants or area of residence for example. These requirements will usually be set out in the adverts but applicants who bid may need to bypass if the requirements are not met.

(o) Applicant Has Alternative Property Offer Outstanding

An applicant will be by passed if there is an outstanding offer of accommodation available to them which has not been resolved.

(p) Properties in Poor Condition

Transfer applicants may be bypassed if their current home is considered to be in a state of neglect or has been damaged by any household member or visitor to that property. In making this decision, partners will have regard to vulnerable tenants.

5.3 Appeals Against Bypassing

Where an applicant believes they have been bypassed for a vacancy that they have bid for (in other words where they otherwise believe they were the highest placed applicant but have not been offered the property for one of the above reasons) then they can appeal against this decision. (See Section 7 for further information on the review procedure).

A successful appeal will not result in the applicant being made an offer of that vacancy, owing to the short timescales within which properties have to be let. It will, however, enable the applicant to bid in the future and not be bypassed unless there is a change of circumstances.

5.4 Viewings And Offers

Once the bids have been received and selection of applicants finalised (excluding any bypassed cases) viewings will be arranged by the relevant Landlord.

If the household with the highest banding and priority date does not want to accept the property, it will be offered to the household with the next highest priority.

5.5 Tenancies

Offers of some Registered Social Landlord accommodation may be for introductory tenancies, starter tenancies, probationary tenancies and/ or fixed term tenancies

6 Assistance for vulnerable applicants

It is recognised that some households may need additional help with the Search Moves Scheme.

Examples may include but are not exclusive to:

- Care Leavers.
- People with a physical or mental disability.
- Domestic violence and serious harassment victims.
- People with Learning disabilities.
- Offenders or ex-offenders.
- Older applicants.
- People with drug or alcohol issues.
- Rough Sleepers.
- Teenage parents.
- People with low literacy skills.
- Applicants whose first language is not English.

6.1 The Council will use the following methods to identify who will require additional assistance:

- Ask applicants or their advocate to indicate whether they consider themselves in need of support by completing the relevant documentation or speaking to a staff member.
- Close liaison and information sharing with statutory and voluntary agencies.
- Ask all staff completing interviews and visits to identify potential vulnerable applicants so additional assistance can be given.
- Ensure any medical information submitted is evaluated and any support needs are identified.
- Close monitoring as to who is bidding or not and the suitability of the offers being bid for, so proactive action can be taken to assist.

6.2 The Council May Assist Vulnerable Applicants in the Following Ways

- Online translation of Search Moves website.
- Translation of relevant documentation on request.
- Staff from Spelthorne Borough Council will be available to assist vulnerable applicants by identifying suitable properties and directly communicating with the applicant. They will also be able to assist with the bidding process
- Advertisements will be labelled with clear information and symbols to ensure simplicity.
- An online introduction to the Search Moves Scheme and how to use it will be available on the website.
- Applicants will be able to bid for properties online or by contacting the Councils Housing Options Team.
- Extensive communication will take place with agencies and special needs referral panels that represent and advocate on behalf of vulnerable clients.
- A constant review of all aspects and procedures of Search Moves will take place to ensure access and engagement for all vulnerable clients.

7 Right of Review of decisions relating to applications and Allocations

Applicants have the right to request a review of the following decisions:

- A decision that an applicant is ineligible for a housing allocation and therefore unable to be included on the housing register.
- A decision that the applicant is not a qualifying person within the terms of the qualification / disqualification criteria set out in Section 2.5.
- Any decision relating to the facts of their case which have been taken into account in considering whether to make an allocation to them e.g. a decision about banding or priority date of an application.
- A decision to bypass an application*.

Applicants will not be advised that their case has been bypassed but can establish this by specific enquiry if they have bid for a property but find out in the lettings outcome list that the property was offered to someone with a lower banding or later registration than the applicants within the same banding. Appeals against bypassing need to be submitted to Spelthorne Borough Council.

The applicant's review request should be made in writing to the Council within 21 days of the original decision being made. Details of why they are appealing against the decision and any information they wish to be considered should be provided.

An independent senior officer who was not involved in the original decision will consider the review and they will decide whether to overturn or support the original decision. The applicant will be informed in writing of the decision within 21 days of receipt of the

review request. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.

If an applicant is still not satisfied with the decision that has been made they have a right to make a formal complaint.

7.1 Complaints

Applicants can use the Spelthorne Borough Council complaints procedure if they believe:

- Something has been done badly or wrong.
- If something has not been done that should have been done.
- If the service has not been delivered in accordance with policies and procedures.
- If they have been treated in an impolite or discourteous manner.

All applicants who make a complaint will be treated fairly and objectively. A written reply to any complaint received will be sent out within the timescales set out in the Council's complaints policy.

Information on the Spelthorne Borough Council complaints procedures is available at the Council Offices or via the Council's website. (www.spelthorne.gov.uk)

If the applicant has used Spelthorne Borough Council's complaint procedure and remains dissatisfied, they can write to Local Government Ombudsman or apply for a Judicial Review of the Council's actions.

8 Monitoring and review of this policy

This policy and the operation of it will be reviewed regularly. Complaints and feedback from applicants will be considered as part of this review alongside detailed reports on lettings that have taken place.

9 Personal information and Data Protection

9.1 Data Protection at Spelthorne Borough Council

Spelthorne Borough Council will process applicant's personal data in accordance with Data Protection legislation.

9.2 Partner organisations

Personal information provided to the partner organisations as part of an application for housing will be processed in accordance with the Data Protection Act 1998. Information provided will be used to process their application and may be passed to third parties involved in assessing their application and offering them accommodation.

9.3 Applicants Accessing Own Personal Data

Applicants on the Housing Registers have the right to see any entry relating to them that is held on computerised systems. Applicants can also obtain paper copies of their case file subject to any relevant charges. Where there is third party information held on file, the partner organisations will seek their permission before disclosing documents to the applicant.

10 Requirement to consult Registered Social Landlords on the Allocations Scheme

10.1 Before adopting an Allocations Scheme for housing, or altering its existing scheme, Spelthorne Borough Council is required to:

- Send a copy of the draft scheme, or a new proposal, to all Registered Social Landlords with which the Council has Nomination Agreements. AND,
- Ensure that all such Registered Social Landlords have the opportunity to comment on the proposals.

11 Equal Opportunities

Spelthorne Borough Council will comply with the requirements of the Equality Act 2010 and all related legislation, and have taken account of this legislation and s11 of the Children Act 2004 in drawing up this scheme.

Spelthorne Borough Council is fully committed to equality in housing allocations and will oppose any form of discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

The Banding Scheme

Emergency / Priority (Bands A1/ A2)

Applicants will fall into this banding where:

- An applicant is assessed as having an “emergency” medical or welfare need to move, including grounds relating to a disability, and this is seriously affected by their current housing (Transfer cases will fall into band A2; all other cases will fall into A1)
- An applicant’s life would be in immediate danger if they continued to live in their current accommodation and this has been substantiated (Transfer cases will fall into band A2; all other cases will fall into A1)
- An applicant needs to move because their home in the Borough of Spelthorne is to be demolished or redeveloped within the next six months and, if the applicants are social housing tenants, the demolition and / or redevelopment of the site has been approved by the relevant Head of Housing (or equivalent.) (Transfer cases will fall into band A2; all other cases will fall into A1)
- An applicant who is a social housing tenant in the Spelthorne borough area and is residing in an adapted property where the adaptations are no longer required will be placed into band A. (Transfer cases will fall into band A2; all other cases will fall into A1)
- An applicant who is occupying a property that is subject to a compulsory purchase order and there is a statutory duty upon Spelthorne Borough Council to secure accommodation for them, will be placed into band A1. (Transfer cases will fall into band A2; all other cases will fall into A1)
- An applicant is assessed as statutorily overcrowded within the meaning of Part 10 of the Housing Act 1985 (but only where the applicant has not worsened their housing situation without good reason) (Transfer cases will fall into band A2; all other cases will fall into A1)
- An applicant nominated via the National Witness Mobility Service will be placed into band A1.
- An applicant who is a social housing tenant in the Spelthorne area and is: under occupying a high demand property (and the nature of the under occupation is not related to any special letting criteria for that unit or part of a wider lettings plans for that scheme / development) AND the applicant is moving to a lower demand / smaller property, will be placed into band A1.

Urgent Need to Move (Band B)

Applicants will fall into this banding where:

- An applicant is assessed as having an “urgent” medical or welfare need to move, including grounds relating to a disability, and this is seriously affected by their current housing. (Transfer cases will fall into band B2; all other cases will fall into B1.)
- An applicant needs to move because of harassment or threat of violence but this is not judged as serious as **Band A**. (Transfer cases will fall into band B2; all other cases will fall into B1.)
- An applicant (or joint applicant) who has been accepted as homeless and the full duty to secure accommodation has been accepted by Spelthorne. (Transfer cases will fall into band B2; all other cases will fall into B1.)
- An applicant is overcrowded and requires two or more additional bedrooms. (Transfer cases will fall into band B2; all other cases will fall into B1.)
- An applicant who is a social housing tenant in the Spelthorne Council area and is under occupying a lower demand property and the nature of the under occupation is not related to any special letting criteria for that unit or part of a wider lettings plans for that scheme / development will fall into band B1.
- An applicant’s accommodation lacks basic facilities, i.e. kitchen, bathroom or toilet and this cannot be provided by the landlord / owner within a reasonable timescale. (Transfer cases will fall into band B2; all other cases will fall into B1.)
- An applicant’s accommodation has been assessed under the Housing Health & Safety Rating System as not reasonably suitable for occupation and cannot be rectified by the owner / landlord at a reasonable cost or timescale. (Transfer cases will fall into band B2; all other cases will fall into B1.)
- An applicant who is in supported housing and has been assessed as no longer requiring the support and has a local connection with Spelthorne and is suitable for independent living and the accommodation is needed by other applicants, will fall into band B1.
- An applicant is pregnant or has at least one dependent child and is living in accommodation where the facilities are shared with others and they are lacking at least one bedroom will fall into band B1. (This banding will NOT apply to transfer cases.)
- An applicant needs to move because their home in the Borough of Spelthorne is to be demolished or redeveloped within the next twelve months and, if the applicants are social housing tenants, the demolition and / or redevelopment of the site has been approved by the Head of Housing (or equivalent.) (Transfer cases will fall into band B2; all other cases will fall into B1.)
- Care Leavers with Children’s Services in Surrey who it has been agreed have a local connection with Spelthorne during the time they were in Care and who are aged 18 to 21 years old and are in housing need and suitable for independent living will be placed into band B1.
- An applicant who is unintentionally threatened with homelessness and has a priority need (within the meaning of Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002) and this has been validated and acted upon by the Housing Options Team and there are no other prevention options available, will be placed into band B1

➤ Armed Forces Urgent Need – band B1 will be awarded to serving members of the regular Armed Forces (and their families):

- Whose service is coming to an end within 12 months of their application or has come to an end within the preceding 12 months. AND,
- They are losing / have recently lost their MoD accommodation. AND,
- There is a specific need to move to the borough relating to employment or family issues. AND,
- There are insufficient funds to pursue other options.

(NB. This priority will not be awarded in situations where service is being ended / has ended due to issues relating to misconduct).

Similarly the same **Band B1** Armed Forces priority will be awarded to recently bereaved spouses (or civil partners) of members of the regular Armed Forces:

- Where the bereavement is within 12 months. AND,
- They are losing / have recently lost their MoD accommodation. AND,
- There is a specific need to move to the Borough. AND,
- There are insufficient funds to pursue other options.

Identified Housing Need (Band C1)

The following applicants will fall into this banding:

- An applicant is assessed as having an “identified” medical or welfare need to move, including grounds relating to a disability, and this is seriously affected by their current housing
- An applicant has been assessed as homeless but is not in priority need within the meaning of Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002
- An applicant has been assessed as intentionally homeless but is in priority need within the meaning of Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002 (and there has been no relevant change in their circumstances to warrant a reassessment)
- An applicant is overcrowded and requires one additional bedroom
- Singles who are 35 years of age and over and are without children, and who share facilities with others
- Couples, who are without children, and who share facilities with others
- Families with dependent children who share facilities with others
- Other household compositions as agreed by Spelthorne Borough Council who share facilities with others
- An applicant has some other compelling need to live in the Borough of Spelthorne which, if not met, will cause hardship
- **Band C1** Armed Forces Priority - this will be awarded to serving members of the regular Armed Forces (and their families):
 - Whose service is coming to an end within 12 months or is due to come to an end within the preceding 12 months. AND,
 - They are losing their accommodation / have recently lost their MoD accommodation. AND,
 - There are insufficient funds to pursue other options.

(NB. This priority will not be awarded in situations where service is being / has ended due to issues relating to misconduct).

- Similarly the same **Band C1** Armed Forces priority will also be awarded to recently bereaved spouses (or civil partners) of members of the regular Armed Forces:
 - Where the bereavement is within 12 months. AND,
 - They are losing / have recently lost their MoD accommodation. AND,
 - There are insufficient funds to pursue other options.

Housing Need – Reduced priority (Band C2)

The following applicants will fall into this banding:

- Any cases where there is a Reasonable Preference need identified but where the household does not meet the positive qualification criteria outlined in paragraphs 2.4 & 2.4.1)
- Any household who are living in temporary accommodation which has been provided by a Council other than Spelthorne under any aspect of the Homelessness Legislation (Housing Act 1996, part 7)

Low and No ‘Deemed’ Housing Need (Band D)

The following applicants will fall into this banding:

- An applicant does not fit into any of the categories in **Band A A1, B, B1, C1 or C2**
- An applicant has deliberately worsened their housing circumstances within the last three years to get more priority on the housing register
- An applicant has given up accommodation within the last three years that was suitable for their needs and by doing so, has knowingly worsened their housing circumstances
- An applicant can afford to buy or part-buy a property in the private sector that is suitable for their needs
- Can afford to rent a privately rented property without recourse to means tested benefits
- An applicant has an asset that could be used to obtain accommodation suitable for their needs
- An applicant owned a property that was suitable for their current needs but transferred or sold the property within the last three years when it was reasonable for them to continue living there
- An applicant who has bid on and been offered two or more properties within a 12 month period and refused for no good and evidenced reason (this band will apply for a period of 12 months.)
- Applicants who qualify under 2.4.1.(iv) but who own or part own a property, either in the UK or abroad (or where such a property is owned by a member of their household)
-

Officer Roles and Responsibilities

This appendix explains which officers are responsible for taking decisions under the common allocations policy.

Whenever an officer is named, the decision can be taken by a more senior officer in their management line.

Eligibility

The Housing Options Team has the authority to decide whether an applicant is eligible to apply to join the housing register in line with the criteria contained in this policy. Some applications may be assessed by an automatic process which follow the policy provisions.

Assessing Priority

The Housing Options Team is responsible for assessing an applicant's housing need in line with the Allocations Policy and placing them in a specific banding. Some applications may be banded by an automatic process which follow the policy provisions.

Special or exceptional circumstances

The Housing Options Manager or Team Leader or equivalent or designated officer has the authority to put an applicant in a higher banding where their needs, after being assessed, are considered to warrant it.

Removing an Application from the Housing Register

The Housing Options Team Assistant or equivalent will decide whether it is appropriate to remove an applicant from the register in line with the policy. Some applications may be assessed by an automatic process which follow the policy provisions.

Reviews

If an applicant submits an appeal requesting a review of a decision made, a senior officer who was not involved in the original decision will consider the request and make a decision.

Direct Lets

a) **Supported Housing**

The Housing Options Manager or equivalent has the authority to make a direct let to an applicant that requires supported accommodation where supported housing is allocated through the housing register and this arrangement exists with the supported housing provider.

b) **Reciprocals**

The Housing Options Manager or equivalent has the authority to agree a reciprocal with another Council or Housing Association.

e) **Homeless Applicants**

The Housing Options Manager or equivalent (job titles may differ between partner organisations) has the authority to make a direct let to a homeless applicant if appropriate.

f) **Exceptional Housing Need**

The Head of Housing or equivalent has the authority to:

- Agree a priority offer of accommodation if there is evidence of immediate and exceptional need.
- Agree to offer an applicant rented accommodation if their income is of a level where they can afford to part-buy, but they cannot secure a mortgage and there is evidence of immediate and exceptional need.

g) **Significant Adaptations**

Where the applicant has a requirement for significant adaptations and a suitable property matching these requirements becomes available.

Eligibility and qualification (from Section 3 of Allocation of Accommodation, Code of Guidance, DCLG 2012)

3.1 Housing authorities must consider all applications made in accordance with the procedural requirements of the authority's Allocations scheme (s.166 (3)). In considering applications, authorities must ascertain:

- If an applicant is eligible for an allocation of accommodation,

Eligibility

3.2 An applicant may be ineligible for an allocation of accommodation under s.160ZA (2) or (4). Authorities are advised to consider applicants' eligibility at the time of the initial application and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the original application.

Joint Tenancies

3.3 Under s.160ZA (1) (b), a housing authority must not grant a joint tenancy to two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people apply and one of them is eligible, the authority may grant a tenancy to the person who is eligible. In addition, while ineligible family members must not be granted a tenancy, they may be taken into account in determining the size of accommodation which is to be allocated.

Existing Tenants

3.4 The eligibility provisions do not apply to applicants who are already secure or introductory tenants or assured tenants of a Private Registered Provider. Most transferring tenants fall outside the scope of the allocation legislation (s.159(4A)); while those who are considered to have reasonable preference for an allocation are specifically exempted from the eligibility provisions by virtue of s.160ZA(5).

Persons from abroad

3.5 A person may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

(i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA (2)), and 11 5 European Economic Area nationals are nationals of any EU member state (except the UK), and nationals of Iceland, Norway, Liechtenstein and Switzerland.

(ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

3.6 The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations').

Persons subject to immigration control

3.7 The term 'person subject to immigration control' is defined in s.13(2) of the Asylum and Immigration Act 1996 as a person who under the Immigration Act 1971 requires leave to enter or remain in the United Kingdom (whether or not such leave has been given).

3.8 The following categories of persons do not require leave to enter or remain in the UK:

(i) British citizens

(ii) Certain Commonwealth citizens with a right of abode in the UK

(iii) Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area (see paragraph 3.11 (iii) below) with the UK which allows free movement.

(iv) EEA nationals, and their family members, who have a right to reside in the UK that derives from EU law. Whether an EEA national (or family member) has a particular right to reside in the UK (or another Member State) will depend on the circumstances, particularly their economic status (e.g. whether he or she is a worker, self-employed, a student, or economically inactive)

(v) Persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK, and some military personnel.

3.9 Any person who does not fall within one of the four categories in paragraph 3.11 will be a person subject to immigration control and will be ineligible for an allocation of accommodation unless they fall within a class of persons prescribed by regulation 3 of the Eligibility Regulations (see further below).

3.10 If there is any uncertainty about an applicant's immigration status, housing authorities are recommended to contact the UK Border Agency (UKBA). UKBA provides a service to housing authorities to confirm the immigration status of an applicant from abroad (non asylum seekers) by email at LA@UKBA.gsi.gov.uk. Where UKBA indicates 12 6 Inserted by the Allocation of Housing and Homelessness (Miscellaneous Provisions) (England) Regulations 2006 the applicant may be an asylum seeker, enquiries of their status can be made to the Immigration Enquiry Bureau helpline on 0870 606 7766.

3.11 Regulation 3 of the Eligibility Regulations provides that the following classes of persons subject to immigration control are eligible for an allocation of accommodation:

i) *A person granted refugee status*: granted 5 years' limited leave to remain in the UK

ii) *A person granted exceptional leave to enter or remain in the UK without condition that they and any dependents should make no recourse to public funds*: granted for a limited period where there are compelling humanitarian or compassionate circumstances for allowing them to stay. However, if leave is granted on condition that the applicant and any dependents are not a charge on public funds, the applicant will not be eligible for an allocation of accommodation. Exceptional leave to remain (granted at the Secretary of State's discretion outside the Immigration Rules) now takes the form of 'discretionary leave'.

iii) *a person with current leave to enter or remain in the UK with no condition or limitation, and who is habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland (the Common Travel Area)*: such a person will have indefinite leave to enter (ILE) or remain (ILR) and is regarded as having settled status. However, where ILE or ILR status is granted as a result of an undertaking that a sponsor will be responsible for the applicant's maintenance and accommodation, the person must have been resident in the Common Travel Area for five years since the date of entry - or the date of the sponsorship undertaking, whichever is later - to be eligible. Where all sponsors have died within the first five years, the applicant will be eligible for an allocation of accommodation.

iv) *A person who has humanitarian protection granted under the Immigration Rules 6*:

- a form of leave granted to persons who do not qualify for refugee status but would face a real risk of suffering serious harm if returned to their state of origin (see paragraphs 339C-344C of the Immigration Rules (HC 395))

Other persons from abroad who may be ineligible for an allocation

3.12 By virtue of regulation 4 of the Eligibility Regulations, a person who is not subject to immigration control and who falls within one of the following descriptions is to be treated as a person from abroad who is ineligible for an allocation of accommodation:

(i) A person who is not habitually resident in the Common Travel Area (subject to certain exceptions - see paragraph 3.14 below)

(ii) A person whose only right to reside in the UK is derived from his status as a jobseeker (or his status as the family member of a jobseeker). As of 1 May 2011, nationals of the 8 Eastern European countries (A8 nationals) which acceded to the EU in 2004 are no longer required to register with the Workers Registration Scheme in order to work in the UK. Regulation 4(2) (c) of the Eligibility Regulations no longer applies to applications from A8 workers as of that date. Rather applications from A8 workers should be considered on the same basis as those from other EU workers under

regulation 4(2)(a).the same meaning as in regulation 6(1) of the Immigration (European Economic Area) Regulations 2006 (SI 2006 / 1003) ('the EEA Regulations').

(iii) A person whose only right to reside in the UK is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations

(iv) A person whose only right to reside in the Common Travel Area is a right equivalent to one of the rights mentioned in (ii) or (iii) above and which is derived from EU Treaty rights

3.13 See annex 2 for guidance on rights to reside in the UK derived from EU law.

3.14 The following persons from abroad are eligible for an allocation of accommodation even if they are not habitually resident in the Common Travel Area:

a) An EEA national who is in the UK as a worker (which has the same meaning as in regulation 6(1) of the EEA Regulations)

b) An EEA national who is in the UK as a self-employed person (which has the same meaning as in regulation 6(1) of the EEA Regulations)

c) A person who is treated as a worker for the purposes of regulation 6(1) of the EEA Regulations, pursuant to the Accession (Immigration and Worker Authorisation) Regulations 2006 (i.e. nationals of Bulgaria and Romania required to be authorised by the Home Office to work until they have accrued 12 months uninterrupted authorised work)⁷

d) A person who is a family member of a person referred to in (a) to (c) above

e) A person with a right to reside permanently in the UK by virtue of regulation 15(c), (d) or (e) of the EEA Regulations

f) A person who left Montserrat after 1 November 1995 because of the effect of volcanic activity there

g) A person who is in the UK as a result of his deportation, expulsion or other removal by compulsion of law from another country to the UK. This could include EEA nationals, if the person was settled in the UK and exercising EU Treaty rights prior to deportation from the third country. Where deportation occurs, most countries will signal this in the person's passport.

3.15 A person who is no longer working or no longer in self-employment will retain his or her status as a worker or self-employed person in certain circumstances. However, accession state workers requiring authorisation will generally only be treated as a worker when they are actually working as authorised and will not retain 'worker' status between jobs until they have accrued 12 months continuous authorised employment. 'Family member' does not include a person who is an extended family member who is treated as a family member by virtue of regulation 7(3) of the EEA Regulations (see 14 annexes 2 and 3 for further guidance).

3.16 The term 'habitual residence' is intended to convey a degree of permanence in the person's residence in the Common Travel Area; it implies an association between the individual and the place of residence and relies substantially on fact.

3.17 Applicants who have been resident in the Common Travel Area continuously during the two year period prior to their housing application are likely to be habitually resident (periods of temporary absence, e.g. visits abroad for holidays or to visit relatives may be disregarded). Where two years' continuous residency has not been established, housing authorities will need to conduct further enquiries to determine whether the applicant is habitually resident (see annex 4 for further guidance).

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Appendix 2 to 27 September 2017 Cabinet Report (Single Housing Allocations Policy)

Proposed changes to Allocations Policy

	Proposed change	Policy change rationale	Volume of cases affected/ Impact/ Costs/ Savings
1	All future lettings to Spelthorne properties to be made to those on Spelthorne's housing register only. All cross partner allocations to stop.	To enable adoption of separate allocations policy without risk of legal challenge	Although 30 % of properties were pooled only 6.8% of final lets involved a cross-borough move therefore limited impact from loss of this provision
2	Adoption of reduced priority for most transfer tenants	To give fairer access to social housing vacancies to those who are not already social housing tenants To avoid duplication of services to transfer tenants (who may achieve a transfer via their landlord or Mutual Exchange.)	Some unpopularity likely with 'Transfer' tenants.
3	Ensure that possible exceptions to 'Worker' status can be considered within the scheme to avoid discrimination and allow consideration of other community contributions	Legislative compliancy <i>R (H and others) v Ealing LBC [2016] EWHC 841 (Admin)</i>	Likely to affect a small number of applicants who are not able to work but make another valuable community contribution More complicated assessment process
4	Amendment to qualification criteria to ensure that applicants who have a housing	Legislative compliancy - HA, R (HA) v Ealing LBC [2015] EWHC 2375	Likely to mean an additional 5% of applicants now qualify

Appendix 2 to 27 September 2017 Cabinet Report (Single Housing Allocations Policy)

Proposed changes to Allocations Policy

	need preference need are not excluded from the register		
5	Provision for reduced priority to be given to reasonable preference cases who would otherwise fail qualification criteria	In response to HA, R (HA) v Ealing , to ensure that reasonable preference need cases without a local connection are given lesser priority than cases with a local connection	More complicated assessment process

Appendix 3

RESULTS OF A CONSULTATION ON A REVISED HOUSING ALLOCATION POLICY FOR THE BOROUGH OF SPELTHORNE

1. Background

- 1.1 All local housing authorities are required to have a housing allocations policy in place that shows how we prioritise applications for social housing and the procedures to be followed in allocating these homes.
- 1.2 Elmbridge and Spelthorne Borough Councils currently have a common housing allocations policy, along with PA Housing and A2Dominion. They operate a choice-based lettings scheme, known as SEARCH Moves, through which households can apply for social housing across North Surrey and be offered social housing.
- 1.3 The four organisations are proposing to make changes following the end of the current partnership arrangements, with each partner having its own separate Allocation Policy. This would amend the way in which applications for housing are prioritised locally and eliminate cross partner lettings, which only form a small percentage of overall lettings.
- 1.4 The Search Moves group recognises that there is still merit in working as a partnership, given the possibility of sharing costs around the IT system and the website.
- 1.5 Although the law requires local authorities to consult with providers of social housing in their area prior to making changes to their housing allocation policies, it was felt important to extend this consultation to those on the Spelthorne Housing Register and other stakeholders.

2. Consultation - method, scope & response

Consultation method

- 2.1 A questionnaire was developed to collect views on the proposed changes. The questionnaire was available on the Search Moves website and the Spelthorne Council website, with a link being provided to take part in the survey. In addition notifications of the consultation were posted on the Council's Facebook page and on Twitter.

The consultation ran from Monday 22nd May 2017 to Friday 30th June 2017.

Consultation scope

- 2.2 The survey set out two main changes and sought views from respondents on them. Broadly these included whether responders were happy to:
 - agree to cease cross partner lettings
 - agree to a reduced priority for 'Transfer' tenants
- 2.3 An additional question was included in the consultation to consider respondents views on the equality of the proposed changes on particular groups of people.

2.4 The following steps were taken to encourage interested parties to take part in the survey.

- **Those currently on the Housing Register**

The 1900 applicants currently on the Housing Register at Spelthorne were given the opportunity to take part in the survey, via the Search Moves website.

- **Residents of Spelthorne**

The Council was keen to extend the consultation beyond housing applicants to include local residents more generally. Their participation was sought by providing details of the consultation process and link to the survey on the Council's main website. The Council issued a press release promoting the consultation as well as regular reminders on Facebook and twitter.

- **Partner organisations**

All social landlords with rented stock within Spelthorne, including existing members of the Partnership, were e-mailed directly and invited to take part in the online survey.

Consultation response

2.3 There were 65 responses received. In the main, the results are reported here in percentage terms and relate to the overall response.

2.4 The responses break down as follows:

- 98% (64) responses received on behalf of households and 2% (1) received back from partner organisations.
- 42% of household responses indicated that they had a housing application in place with the SEARCH Moves scheme and 55% did not, with 3% not knowing
- Of those with a housing application, 28% (18) indicated that their application was with Spelthorne BC, 12% (8) with A2Dominion and 2% (1) being registered with Elmbridge BC.
- 89% of households responding were resident in Spelthorne, 9% elsewhere and 2% did not know.

3. Survey Results

3.1 In response to the question as to whether respondents agreed with the proposal to cease cross partner lettings and for all future lettings to be made only to those on the Housing Register, 71% agreed with the proposal, 26% disagreed and 3% did not know.

3.2 69% of respondents agreed that we should reduce priority for most 'Transfer' tenants. 25% disagreed and 6% did not know.

3.2 A question was also posed to help inform the equality impact assessment and flag up any potential negative impacts that had not been previously considered or identified when formulating the changes to the Allocation Policy

The following question was asked.

"Do you think any of the proposed changes will have a negative impact on any particular group of people, e.g. due to their age, gender, disability, race, relationship status, religion, sexuality and pregnancy and maternity?"

- 3.2 57% of respondents answered “no”, 28% said “yes” and 15% answered “don’t know”.
- 3.3 With particular reference to equality, two comments were made with regard to applicants who are victims of domestic violence who may need to move out of the Spelthorne Borough, which could previously have been achieved through Cross Partner lettings, and how this would now be achieved.
- 3.4 There was one comment with regard to disabled applicants having preference for properties that already have disabled adaptations. (This is a procedure which is already followed with regard to adapted properties).

4. Additional Comments

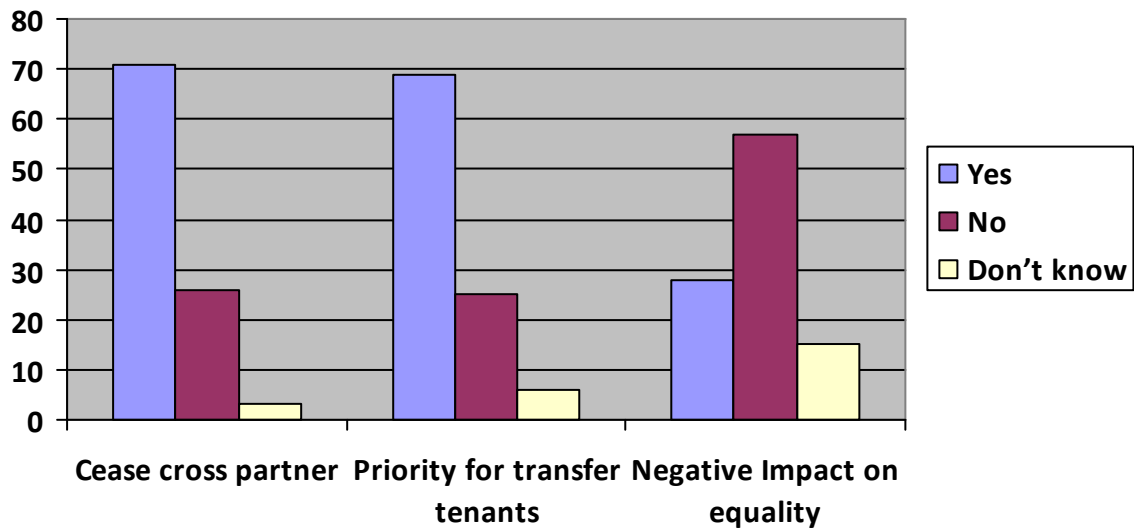
- 4.1 There was an invitation within the survey for responders to provide any additional comments and 14 took the opportunity to give their views. The feedback received covered a whole range of topics and the following summarises the most common themes:
- Two responders expressed support for priority to be given to those in work and those who are considered to be “net contributors”, over those who they considered to be dependent on benefits and not working
 - Two responders felt that more consideration should be given to long term privately renting applicants, both in terms of cost and the ability to “set roots” in the community without the worry of being evicted.
 - One responder said that Homeseekers (someone not already a social housing tenant) should get priority over transfer tenants, as they already had a social housing tenancy.
 - Four responders mentioned the fairness of the CBL system, but conversely one said that everyone should have a fair chance, whether a social housing tenant or not. It was also felt that priority should be given to those applicants who live within the Borough of Spelthorne.

Date: July 2017

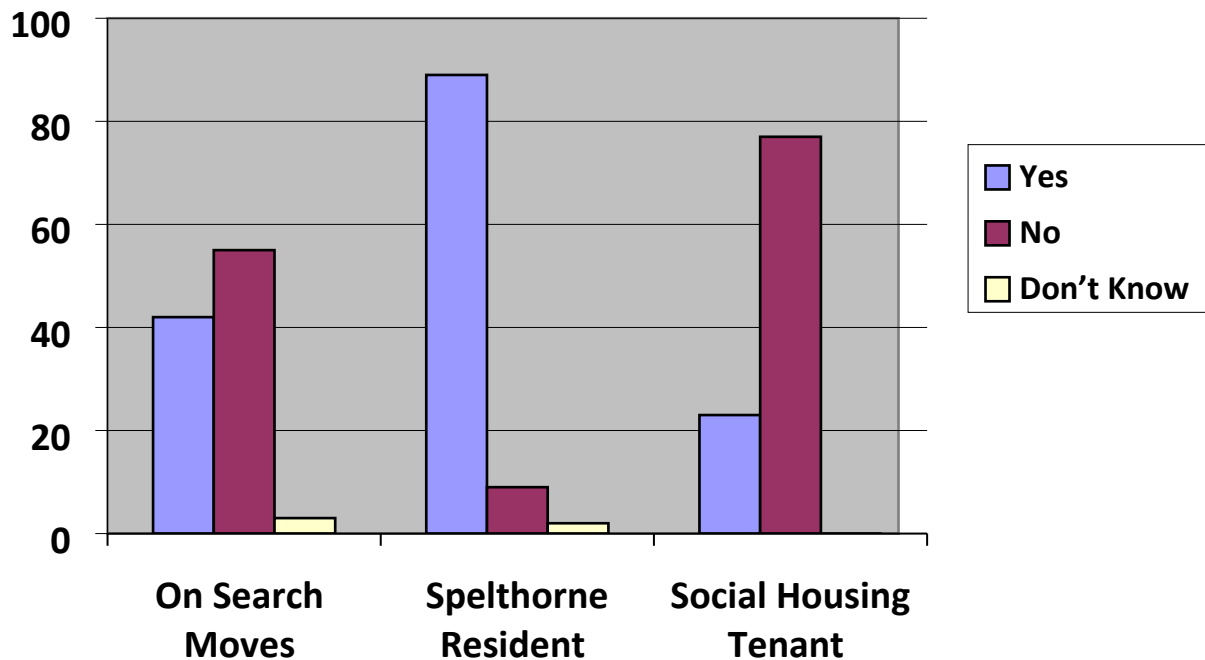
Appendix 1 - The Proposed Changes – Summary of all responses

Question	Yes	No	Don't Know	Approval Rating	Household	Organisation	Application Partner
1. Do you agree with the proposal for all cross partner lettings to cease and for all future lettings to Spelthorne properties to be made to those on Spelthorne's housing register only?	71%	26%	3%	45%			
2. Do you agree with the proposal to adopt reduced priority for most transfer tenants?	69%	25%	6%	44%			
3. Do you think any of the proposed changes will have a negative impact on a particular group of people due to their age, gender, disability race, relationship status, religion, sexuality, pregnancy / maternity?	28%	57%	15%	19%			
5. Are you replying on behalf of an organisation or as a household?					98%	2%	
7. Do you have an application for rehousing with the SEARCH Moves Choice Based Lettings scheme?	42%	55%	3%				
8. Who is your housing application with?							SBC – 28% A2D – 12% ELM – 2%
9. Do you currently live in the Borough of Spelthorne?	89%	9%	2%				
10. Are you a current social housing tenant? By this we mean a tenant of a housing association or Council landlord.	23%	77%					

The table shows that for each proposed change, there were more respondents in agreement with the proposal than who disagreed. In all cases, over 50% of the respondents agreed with the proposed changes.



The table below shows that more than 50% of responders do not have a Search Moves application, that almost 90% of responders live in the borough of Spelthorne and that the vast majority of responders are not currently social housing tenants.

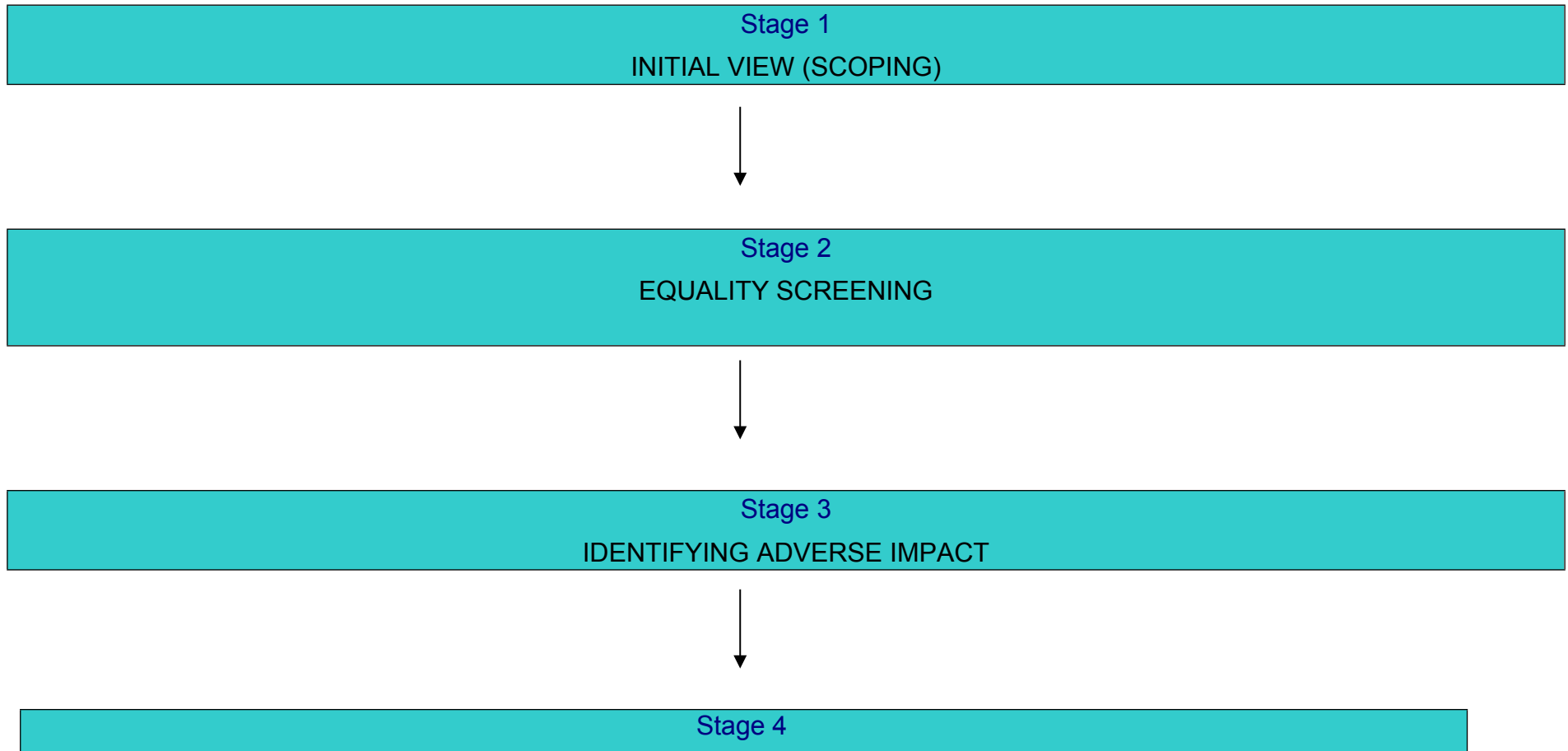


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SPELTHORNE BOROUGH COUNCIL'S

EQUALITY IMPACT ASSESSMENT TOOLKIT

6. EQUALITY IMPACT ASSESSMENT FLOWCHART



IMPLEMENTING PROPORTIONATE EQUALITY – EQUALITY ACTION PLAN

STAGE 1 – SCOPING

Scoping is the initial planning stage of the assessment. The aim of this scoping is to identify how the EIA will be conducted and assessing at this early stage:

AGREEING WHO WILL LEAD AND CARRY OUT THE ASSESSMENT

Establishing responsibility and ownership has been identified as a critical part of making the assessments a meaningful exercise.

1.1 Policy, Practice, Functions or Service being assessed	<i>Please state policy or service being assessed</i>
Housing Allocations Policy	
1.2 Lead Officer	<i>Please state name and contact details of lead officer who will be conducting the review.</i>
Elaine Stuart Office: 01784 446381 Email: e.stuart@spelthorne.gov.uk	

1.3 What do you think are the main issues relating to diversity within your policy or service area?

It is suggested that it would be helpful for those who carry out the assessment to begin by offering an initial view of what they think are the main issues relating to diversity for the policy or service being assessed. This can then help shape the questions that will form the basis of the assessment and ensure that the assessments are tailored to the specifics of the service, rather than just working through a set of standard questions.

Some things you may wish to consider.

- ***How do you think that your policy or service currently meets the needs of different communities in Spelthorne?***
Equality Scheme
- ***Do you think that your policy/service specifically contributes to promoting Equality and Diversity in Spelthorne? if so, in what way?***
Yes through Corporate Priority of Housing
- ***Do you think that your policy or service presents any barriers to any community or group? if so please provide evidence.***
Consultation feedback suggests no barriers
- ***How can your service or policy tackle these barriers ((gender, disability and race at least) age, religion/faith and sexuality))***

	<ul style="list-style-type: none">• <i>Are there any equality objectives that are ongoing or planned for the future, if so please state.(These could be included in your Equality Action Plans (Stage 4)</i>• <i>Please list our proposed equality objectives, at this stage, if any?</i>
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STAGE 2: EQUALITY SCREENING PROCESS (Risk Assessment)

1. Introduction

Stage 2 consists on undertaking a screening (or equalities risk assessment). Key areas to consider are?

- What are the key policies, functions and services which may have 'Relevance' to equality and diversity?
- How will you rank these?
- Will you consider individual policies

The outlined Equality Screening Process (ESP) should be used where Service areas are conducting Service based Equality Impact Assessments (EIAs) and/or Policy based EIAs. The purpose of this screening process is to identify policies or practices we believe have a 'Relevance' to disadvantaged groups e.g. BME communities, people with disabilities, women or men, etc. This process should enable the lead officer to identify what are the key equality issues in their respective service area and to identify policies or practices believed to could have an adverse impact on disadvantaged groups.

2. How to use the Equality Screening Process

Each Lead Officer is asked to identify which services, functions, policies or practices that have a 'Relevance' on service delivery in relation to the six diversity themes using the scoring sheet. Points should be provided on the basis of actual or presumed 'Relevance' based on the information provided in section 1. By the end of the exercise you should have added all the points and given a score. The next stage is to identify which policies/practices have a high/medium or low adverse impact.

2a. Points

- 5 – This policy or practice could have a very high relevance on our service delivery
- 4 – This policy or practice could have a relatively relevance on our service delivery
- 3 – This policy or practice could have a medium relevance on our service delivery
- 2 – This policy or practice could have a relatively low relevance on our service delivery

1 – This policy or practice could have a very low relevance on our service delivery

2b. Scoring

1-10 points – Low Relevance

11 – 20 points – Medium Relevance

21 and above – High Relevance

Please see example below:

2. Equality Screening Process

Service, Function, Policy, Practice.	Age	Disability	Sex	Gender Reassignment	Marriage / Civil partnership	Pregnancy	Race	Religion / Belief	Sexual Orientation	Total Points	Impact H/M/L
Allocations Policy	3	3	3	1	1	1	4	3	1	20	MED

4. Conclusion – Policy or Service EIA?

If a policy/practice has a score of 25 or over, it is advisable that a Policy based EIA is undertaken. If most policies score below 25, it would be advisable to conduct a service based EIA, which will involve an EIA that overviews all policies or practices in your respective service area.

STAGE 3. IDENTIFYING ADVERSE IMPACT

The aim of an assessment is to identify whether the service or policy has an adverse impact upon people with disabilities, black and minority ethnic communities, men and women, heterosexual, gay, bisexual and lesbian communities, older and younger people and faith communities. The assessment should ultimately produce proportionate equality objectives, which help remove barriers and link into service plans. The end result must, at least, produce one equality objective for each of the three equality themes listed by the Local Government Equality Standard, namely gender, disability and race.

Stage three comprises of two sections.

- Concentration on the aims of the service, policy, function or practice.
- Focuses on the practical delivery of the policy or service.

Assessing the Aims and Criteria of the Policy or Service

This section will determine whether the underlying aims, policies and procedures of the policy or service comply with the Disability Discrimination Act 1995, and Disability Discrimination Act 1995 and (Amendment) 2005, Sex Discriminations Act 1977, and Single Equality Act 2005, Equal Pay Act 1970, Employment Directive (Religion/belief) 2003, Employment Directive (Sexual Orientation) 2003, Employment Directive (Age Discrimination) 2006 and the Local Government Equality Standard. In addition to the key questions below, you may wish to include any specific issues that were identified during the scoping stage of the assessment.

Key Questions	Issues to consider
<p>3.1 What are the aims of the policy, practice, function or service?</p> <p>See Service Plan (cut & past in)</p>	<p><i>What needs is the policy/service designed to meet?</i></p> <p><i>What are the current priorities?</i></p> <p><i>You could also refer to your current Service Plans</i></p>
<p>Spelthorne Borough Council (SBC), Elmbridge Borough Council (EBC) and PA Housing (PA) are partners in the Search Moves Choice Based Lettings scheme. Under this scheme these partners have now agreed to have separate Allocation Policies, instead of the current Common Allocation Policy. Under the Common Allocation Policy 30% of vacancies were advertised under a Cross Partner section covering the sub-regional five partner areas and were available to all households on the partners' housing registers. Under the separate policy arrangements there will no longer be a Cross Partner element. Existing tenants of local Registered Providers will also be eligible to join the Spelthorne Housing Register.</p> <p>The overall aim of the new policy is to ensure that all social housing in the Borough of Spelthorne continues to be allocated fairly and objectively, having regard to any legislative requirements, regulations or Codes of Guidance issued by Department of Communities and Local Government, and homelessness and tenancy strategies.</p>	

Key Questions	Issues to consider
<p>3.2 What does available data and the results of any consultations show about the take up of services?</p> <p>What is the impact on different groups? (qualitative and quantitative)</p>	<p><i>You could look at:</i></p> <ul style="list-style-type: none"> • <i>previous community consultation exercises,</i> • <i>customer service reviews and analysis.</i> • <i>Census data</i> • <i>What are the experiences of front-line staff in relation to the provision of the service?</i> • <i>location of facilities.</i> • <i>lack of access to translation/interpretation or access to building or services,</i> • <i>eligibility rules could be a barrier?</i>

Spelthorne Housing Options Team ran a consultation period which ran from Monday 22nd May 2017 – 30th June 2017. There were 65 responses received. In the main, the results reported here are done so in percentage terms and relate to the overall response.

The responses breakdown as follows:

- 98% (64) responses received on behalf of households and 2% (1) received back from partner organisations.
- 42% of household responses indicated that they had a housing application in place with the SEARCH Moves scheme and 55% did not, with 3% not knowing
- Of those with a housing application, 28% (18) indicated that their application was with Spelthorne BC, 12% (8) with A2Dominion and 2% (1) being registered with Elmbridge BC.
- 89% of households responding were resident in Spelthorne, 9% elsewhere and 2% did not know.

In respect of equalities the consultation stakeholders were asked the following question:

“Do you think any of the proposed changes will have a negative impact on any particular group of people, e.g. due to their age, gender, disability, race, relationship status, religion, sexuality and pregnancy and maternity?”

This question was posed to help inform the Equality Impact Assessment (EIA) and identify any potential negative impacts that had not been previously considered or identified when formulating the changes.

57% of the respondents answered “no”, 28% said “yes” and 15% answered “don’t know”

In response to the survey, two comments were made with regard to applicants who are victims of domestic violence who may need to move out of the Spelthorne Borough, which could previously have been achieved through Cross Partner lettings, and how this would now be achieved. However, it is still possible for existing social housing tenants to arrange a mutual exchange using the Homeswapper scheme, which is a national scheme for social housing tenants to set up their own “swap” of their existing property for one in another area. Assistance may also be offered under Part VII of the Housing Act 1996 (Homelessness).

A further comment was that disabled applicants should have priority for properties that already have disabled adaptations. This is a procedure that is already followed when considering applicants for such properties.

Others identified that:

- priority should be given to those in work and those who are considered to be “net contributors”, over those who they considered to be dependent on benefits and not working
- consideration should be given to long term privately renting applicants, both in terms of cost and the ability to “set roots” in the community without the worry of being evicted.
- Homeseekers (someone not already a social housing tenant) should get priority over transfer tenants, as they already had a social housing tenancy.
- the CBL system was fair, but everyone should have a fair chance, whether a social housing tenant or not. It was also felt that priority should be given to those applicants who live within the Borough of Spelthorne.

<p>3.3 Can you identify any gaps? What are the reasons for this? (Please note: If you do not have any data, you may wish to develop service based monitoring mechanisms that collate data on under-represented groups)</p>	<p><input type="checkbox"/> Are communities or service users aware of this policy or service?</p> <p><input type="checkbox"/> Are there any accessibility issues?</p> <p><input type="checkbox"/> Is service provision monitored, if so how?</p> <p><input type="checkbox"/> Is there a lack diversity awareness amongst staff?</p>
<p>Race</p>	<p>Geographical distribution of different racial groups across the stock is monitored in an attempt to ensure that choice does not lead to segregation. However, as the system is based on choice this can be a difficult area to confront.</p> <p>Segregated pockets can and do become created because certain groups choose to live together and are able to do this where the voids become available. Unfortunately this can be in the least popular areas.</p> <p>As far as can be determined all applicants, regardless of racial group, are given access to the same information about lettings with translations being available on request.</p> <p>All lettings are monitored by ethnicity and steps can be taken to make sure that the system for 'bidding' for properties under 'choice-based' lettings schemes does not put a particular racial group (or groups) at a disadvantage.</p> <p>There is no evidence to suggest that the nomination system for referring housing applicants to other social landlords puts those from any particular racial group (or groups) at a disadvantage (for example, by disproportionately transferring applicants from a particular racial group to housing association properties, which are perceived to be 'better) and housing applicants from all racial groups appear to be fairly represented among the nominations</p>

	<p>Larger properties with three or four bedrooms are often a requirement of some racial groups and lack of availability could disadvantage some families. However, within the Allocation Scheme the Council has in the emergency band applicants who are statutorily overcrowded as defined by the Housing Act 2004.</p> <p>Local Lettings policies have the potential to impact the housing options of disadvantage groups and much has been written nationally on this. Ethnic communities often choose to live in close proximity. Reasons include being close to family and other cultural spaces such as religious and retail facilities. Local lettings schemes will therefore benefit those members of ethnic minority communities who are working and who wish to exercise choice to remain within their communities. This also supports the local economy.</p> <p>Nationally there is widespread concern about the allocation of scarce public housing resources across many ethnic groups. This can be damaging to community cohesion as a result of community perceptions of unfairness relating to the allocation of social housing. The Allocation scheme contains specific rules about eligibility that are enforced for all applicants. The scheme incentivises voluntary work and employment that can both help to build community cohesion. It is also more transparent which in itself will help to communicate fairness.</p> <p>Applicants made homeless through a hate crime would be placed into emergency band and therefore achieve the highest banding under the scheme.</p>
Sex	Applicants subject to MAPPA (Multi-agency Public

	<p>Protection Arrangements) will be subject to risk assessment and may be by-passed for properties based on that risk assessment. There are more males subject to MAPPA than females, and therefore this will impact on men more than women. This negative impact is necessary in order to ensure wider protection of the public.</p> <p>The policy gives priority to households who have dependent children living or expected to live with them on a permanent basis. This is due to the shortage of family sized social rented homes. This may have a negative impact on men who have staying access to children from a previous relationship.</p>
Disability	<p>The policy allows the applicant to provide a self-assessment of their medical condition or impairment and explain how this is affected by current housing conditions and how it could be improved by re-housing. Specialist supported accommodation can be accessed through relevant multiagency panels.</p> <p>Applicants made homeless through a hate crime would be placed into emergency band and therefore achieve the highest banding under the scheme.</p>
Age	<p>Young people under the age of 18 can join the Common Housing Register (from the age of 16) but may not be considered for a tenancy unless they have a Guarantor.</p> <p>Spelthorne's Allocations Policies determines how a young person would be treated if they were top of a shortlist. The Housing Service would work with the young person, and other relevant agencies, to assist them in putting appropriate support in place and/or to consider wider housing options.</p>

	<p>Households who apply to join the register are treated equally without reference to age, however older persons who are aged 55 or older may have the ability to consider additional housing options such as older person's homes and sheltered housing.</p> <p>Under occupation is awarded a high priority where there are a number of bedrooms that are not used and this would largely be a positive measure to older households where their children have left a family sized property.</p> <p>Tenants may express concerns that older applicants may be forced to leave their accommodation if they are under occupying. This is not the case.</p>
Religion/Belief	<p>There little or no evidence that there is any likely negative impact in respect of applicants.</p> <p>Applicants made homeless through a hate crime would be placed into emergency band and therefore achieve the highest banding under the scheme</p>
Sexual Orientation	<p>While many people identify as heterosexual, many people do not in the wider community. The Government estimates that approximately 6% of the population are either gay men, lesbians or bisexuals.</p> <p>There little or no evidence that there is any likely negative impact in respect of applicants. It is also acknowledged that data on residents` sexual orientation is unlikely to be accurate. Applicants made homeless through a hate crime would be placed into emergency band and therefore achieve the highest banding under the scheme.</p>

Marital Status	There are no specific issues which are felt could discriminate or disadvantage married couples or those in civil partnerships
Pregnancy/Maternity	Bedroom spaces are not allocated until a baby is born. This does not prevent a pregnant woman from accessing social housing, or other housing options, and ensure that all households are treated fairly in assessing bedroom need based on current circumstances and household make-up.
Gender Reassignment	<p>Transgender people may be particularly at risk of housing crisis and homelessness arising from transphobic reaction by family, neighbours and members of the local community. This may make it difficult to obtain work or undertake formal voluntary work.</p> <p>Applicants made homeless through a hate crime would be placed into emergency band and therefore achieve the highest banding under the scheme.</p>
3.4 What would be the benefits of making the above changes and are there any negative impacts that such an action would have on different communities?	<i>You may want to consider the benefits and consequences for the group(s) concerned, other communities and the Council, if we were not to make the suggested changes?</i>
<p>Given a limited supply of housing, any increase in priority for one group is inevitably associated with another group having lower priority.</p> <p>There are no disproportionate impacts, and what impacts there are identified are justified in order to make the scheme simpler to understand and fairer across all groups.</p> <p>As there is a limited supply of housing, any increase in priority for one group is inevitably associated with another group having lower priority. Therefore there are no disproportionate impacts, and what possible impacts that have been identified within the consultation are considered justified in order to make the scheme fairer and accessible to all groups.</p>	
STAGE 4. IMPLEMENTING PROPORTIONATE EQUALITY OBJECTIVES & MAINSTREAMING DIVERSITY – THE EQUALITY ACTION PLAN	

4.1 Referring to **Stages 1** (Scoping), **Stage 2** (Screening) and **Stage 3** (Adverse Impact) please list what objectives you will implement to mainstream diversity in your service area.
Please complete your Equality Action Plan ensuring that you have listed at least objectives in regards to disability, gender and race/ethnicity.

Outcome Objectives Lead Resources Deadline Progress

As there are no identified unjustifiable negative impacts, no actions have been identified.

As a result of the EA, equality objectives identified to implement added diversity in our area includes looking at further quantifying how much help we provide to applicants on the existing Housing Register. This would include (for example)

- What percentage of lets to worker only properties were made to those with protected characteristics compared to lets to non-workers
- What percentage of clients have particular protected characteristics and what policy help is given to those applicants eg most DV victims are women. How does the policy assist this
- What percentage of lettings are prioritised for those with mobility needs compared to the percentage from the overall register than have mobility needs.

These examples are not exhaustive however the overarching objective would be to consider potential discrimination and quantify potential impacts and justifications

Cabinet**27 September 2017**

Title	Capital Monitoring Q1		
Purpose of the report	To note		
Report Author	Martin Yates		
Cabinet Member	Councillor Howard Williams	Confidential	No
Corporate Priority	Financial Sustainability		
Recommendations	Cabinet to note the current level of spend.		
Reason for Recommendation	Not applicable		

1. Expenditure to date and Estimated Outturn

1.1 Attached as Appendix A & B is the actual spend to date on capital covering the period April to July 2017.

1.2 For the period ending July 2017, capital expenditure including commitments was £22,493,421 which represents 7.35% of the revised budget.

1.3 The projected outturn shows that we are anticipating to spend £298.6m which represents 97.6% of the revised budget of £305.9m.

Councillor Barnard - Planning and Economic Development

1.4 It is expected that £1.18 M will be spent in accordance with the budget in respect of redeveloping Churchill Hall.

1.5 To date expenditure in this area is £664 (0.05% of budget)

Councillor Harvey - Leader

1.6 It is expected that the £200m of 16/17 budget and the £94.5m carry forward will be spent on a number of acquired assets by the end of the financial year. The Council has successfully acquired one office site (3 Roundwood Avenue) in July 2017 and is on the verge of acquiring another site (WBC4 near Heathrow).

1.7 There may be a total of £200,000 spend relating to carrying out the master plan study relating to accommodation. The expected underspend on the £6.8m budget will need to be rolled forward to next year.

1.8 The ward grants programme is expected to be completed on time with a £38K underspend.

1.9 To date expenditure in this area is £22.61m (7.49% of budget)

Councillor Mitchell – Corporate Management

- 1.10 All projects are expected to be completed in this financial year. It should be noted that expenditure to date on these areas is £28,001 out of a budget of £662,800 including carry forwards (4.22%).

Councillor Pinkerton - Housing

- 1.11 The level of activity relating to disability facilities is higher than expected which will lead to higher costs later this year.

Councillor Gething – Environment and Compliance

- 1.12 There are small overspends in the provision of car parking machines at Bridge Street (£1.18K) and refuse/recycling vehicles (£11.99K). Overall an underspend of £6.8K is expected.
- 1.13 To date £320.6K has been spent (18.6% of budget).

2. Financial implications

- 2.1 Any underspend on the approved Capital Programme enables the authority to invest the monies to gain additional investment income or can be used to fund additional schemes.

3. Timetable for implementation

- 3.1 Bi monthly monitoring reports are prepared for Management team and incorporate revised actual figures.

Background papers: None

Appendices: A&B

Appendix A

CAPITAL MONITORING REPORT AT 31 JULY 2017

Portfolio Member	ORIGINAL BUDGET	CARRY FORWARDS	SUPPLEMENTARY ESTIMATE	REVISED BUDGET	ACTUALS YTD	COMMITMENTS	MANAGERS PROJECTED OUTTURN	MANAGERS PROJECTION TO REVISED BUDGET
Cllr Pinkerton - Housing	184,300	15,000	287,700	487,000	(471,555)	6,500	487,000	-
Cllr Gething - Environment & Compliance	1,157,700	64,600	500,000	1,722,300	320,618	190,217	1,237,478	(484,822)
Cllr Barnard - Planning and Economic Development	1,236,600	56,200	-	1,292,800	664	-	1,292,800	-
Cllr Harvey - Leader	207,257,000	94,500,000	-	301,757,000	22,615,692	-	294,923,914	(6,833,087)
Cllr Mitchell - Corporate Management	441,000	221,800	-	662,800	28,001	22,341	662,800	-
	210,276,600	94,857,600	787,700	305,921,900	22,493,421	219,058	298,603,992	(7,317,909)

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CAPITAL MONITORING REPORT AT 31 JULY 2017

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
<u>Housing Investment Programme</u>											
<u>Cllr Francis - Housing</u>											
Sandy Muirhead	42015	Landlord Guarentee Scheme		15,000		15,000			15,000		No Manager Assigned
D Ashman & K Sinclair	40203	Disabled Facilities Mandatory	644,300	-	287,700	932,000	235,811	-	932,000	-	
D Ashman & K Sinclair	40204	Disabled Facilities Discretion	29,600	-	-	29,600	-	-	29,600	-	Expenditure expected in the latter part of the financial year
		Less Specified Capital Grant	(644,300)	-	-	(644,300)	(707,366)	-	(644,300)	-	
		Net Cost of Disabled Facilities Grants	29,600	15,000	287,700	332,300	(471,555)	-	332,300	-	
D Ashman & K Sinclair	40209	Home Improvement Agency grant	81,000	-	-	81,000	-	-	81,000	-	Expenditure expected in the latter part of the financial year
		HIA Funding	(26,300)	-	-	(26,300)	-	-	(26,300)	-	
		Total	54,700	-	-	54,700	-	-	54,700	-	
Total For HIP			84,300	15,000	287,700	387,000	(471,555)	-	387,000	-	
<u>Other Capital Programme</u>											
<u>Cllr Francis - Housing</u>											
D Ashman & K Sinclair	42044	Community Bulding Grant Scheme	25,000	-	-	25,000	-	-	25,000	-	This scheme is highly unlikely to be continued due to Surrey County Council cuts which they announced recently. However, these funds may be available to this project.
		Total	25,000	-	-	25,000	-	-	25,000	-	
Sandy Muirhead	42013	Civica EDMS&Locata Integration	25,000	-	-	25,000	-	6,500	25,000	-	This project is expected to start in September 2017, pending the outcome of plans for Choice based letting partnership with Elmbridge Borough Council and completed by end of this financial year.
Sandy Muirhead	42015	Landlord Guarantee Scheme	50,000	-	-	50,000	-	-	50,000	-	We are at the initial stage of procuring the Rent Management Package. The project is expected to be completed by this financial year.
		Total	75,000	-	-	75,000	-	6,500	75,000	-	
<u>Cllr Gething - Environment & Compliance</u>											
Jackie Taylor	41026	Laleham Park Upgrade	200,000	-	-	200,000	-	-	200,000	-	This project is underway with building proposals at pre planning stage and expected to be completed during 18/19
Jackie Taylor	41030	Hengrove Park		14,600		14,600			14,600		
Jackie Taylor	41322	Bridge St Car Parking Machines	25,000	-	-	25,000	-	26,188	26,188	1,188	Parking machine delivered to be installed during September
Jackie Taylor	41502	Refuse/Recycling Vehicles	225,000	-	-	225,000	236,240	750	236,990	11,990	Project nearly complete all vehicles have been delivered
Jackie Taylor	41505	GroundsMaintenanceProject	-		500,000	500,000	61,209	62,818	500,000	-	Procurement is underway and project is expected to be completed by end of this financial year
Jackie Taylor	41506	Spelride Bus Replacement	-		-	-	(6,755)	-	-	-	Payment accrued in the previous year is expected to be made during this financial year
Jackie Taylor	41609	Replacement Multi Use Vehicle	80,000	-	-	80,000	-	53,257	80,000	-	Procurement is underway and the project is expected to be completed by end of this financial year
Jackie Taylor	41610	Miniature Railway Staines park	15,000	-	-	15,000	-	13,805	15,000	-	This project is complete
Jackie Taylor	41620	Wheelie Bins	50,000	-	-	50,000	20,740	26,203	50,000	-	Bins will be ordered throughout the financial year depending on need as & when identified
Jackie Taylor	41624	InstallElecVehicleChargePoints	15,000	-	-	15,000	10,780	2,000	15,000	-	This project is complete
Jackie Taylor	41625	TothillCarParkLightingUpgrade	30,400	-	-	30,400	-	-	30,400	-	Currently all the quotes are being looked at and this project is expected to be completed by end of this financial year

CAPITAL MONITORING REPORT AT 31 JULY 2017

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
Jackie Taylor	41626	GreenoDayCenLightingUpgrade	10,800	-	-	10,800	-	-	10,800	-	Work is in progress and this project is expected to be completed by end of this financial year
Jackie Taylor	41627	Solar PV For Staines Comm Cent	25,000	-	-	25,000	-	-	25,000	-	Currently all the quotes are being looked at and considered, this project may not complete until 18/19 and the funding would need to be carried forward
Jackie Taylor	41628	Parking Service Vans	20,000	-	-	20,000	-	-	-	(20,000)	Work is in progress and this project is expected to be completed by end of this financial year
Jackie Taylor	42027	Domestic Home Energy	30,000	-	-	30,000	-	4,920	30,000	-	Project is underway and expected to be completed by end of this financial year
Jackie Taylor	42032	Allotment Fencing					(1,595)				Payment accrued in the previous year is expected to be made during this financial year
Keith McGroary	41621	CCTV Conversion to Wireless		50,000		50,000			50,000	-	
		Total	726,200	64,600	500,000	1,290,800	320,618	189,942	1,283,978	(6,822)	
Lee O'Neil	41314	Air Quality	24,500	-	-	24,500	-	-	24,500	-	The project is in progress with other priorities and expected to be completed by end of this financial year.
		Total	24,500	-	-	24,500	-	-	24,500	-	

CAPITAL MONITORING REPORT AT 31 JULY 2017

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
<u>Cllr Barnard - Planning and Economic Development</u>											
Heather Morgan	41007	Stanwell Skate Park	-	-	-	-	(1,249)	-	-	-	Retention payment is expected to be paid in this financial year
Heather Morgan	41015	Runnymede Estates	55,600	-	-	55,600	-	-	55,600	-	Capitalised Planned Maintenance expenditure to be moved here at the end of the financial year
Heather Morgan	41622	Affordable Housing Opportunity	1,181,000	-	-	1,181,000	6,110	-	1,181,000	-	Redevelopment of Churchill Hall is to be carried out in this financial year and will continue to look for the other opportunities and in touch with Registered Social landlords Partners
Heather Morgan	42017	Memorial Gardens	-	-	-	-	(2,926)	-	-	-	There are some retention payments are still due to Runnymede Borough Council
Heather Morgan	42033	Greeno Centre Car Park	-	-	-	-	(1,270)	-	-	-	Retention payment is still to be paid by end of this financial year.
Heather Morgan	42036	Towpath Car Park	-	56,200	-	56,200	-	-	56,200	-	
Total			1,236,600	56,200	-	1,292,800	664	-	1,292,800	-	
<u>Cllr Harvey - Leader</u>											
D Ashman & K Sinclair	42045	Ward Grants	260,000	-	-	260,000	3,588	-	223,914	(36,087)	Applications are being considered. Programme is expected to be completed on time with a £38K underspend
Heather Morgan	42038	Acquisition of Assets	200,000,000	94,500,000	-	294,500,000	22,612,104	-	294,500,000	-	Expected expenditure on number of assets/ sites by end of this financial year . We have successfully acquired one office site (3 Roundwood Avenue) in July 2017
Heather Morgan	42011	Replace Council Accommodation	6,997,000	-	-	6,997,000	-	-	200,000	(6,797,000)	We are evaluating options for our office accommodation. There may be expenditure expected to carry out master plan study relating to the entire accommodation.
Total			207,257,000	94,500,000	-	301,757,000	22,615,692	-	294,923,914	(6,833,087)	
<u>Cllr Mitchell - Corporate Management</u>											
Helen Dunn	43621	ICT- VDI	-	177,800	-	177,800	-	-	177,800	-	
Helen Dunn	43003	New Software	20,000	-	-	20,000	(5,000)	11,401	20,000	-	Expenditure on various software enhancements throughout the financial year
Helen Dunn	43608	Other Hardware	30,000	-	-	30,000	-	-	30,000	-	Expenditure on various hardware enhancements throughout the financial year
Helen Dunn	43622	ICT Network	150,000	-	-	150,000	-	10,940	150,000	-	Project is in progress and expected to be completed by end of this financial year
Helen Dunn	43623	Peripheral Devices	3,500	-	-	3,500	-	-	3,500	-	Replacement tablet is required. The project is expected to be completed by end of this financial year
Helen Dunn	43624	Council Chamber Audio	-	-	-	-	32,882	-	-	-	Project approved by MAT to go ahead. Supplementary estimates to be requested in September monitoring report.
Total			203,500	177,800	-	381,300	27,882	22,341	381,300	-	
Sandy Muirhead	43503	Agile Working	28,200	19,000	-	47,200	120	-	47,200	-	This project is quite wide ranging in terms of moving towards more agile working and involves reviewing current ICT platforms and the setup of trials for the most suitable replacement. It also covers review of change management and training needs for staff, analysing the current working patterns and learning lessons from trials. Plans are moving ahead at looking at better use of space in Knowle Green which then links to the agile working and technology used. The project is progressing and expected to be completed in this financial year
Sandy Muirhead	43511	ScannersCorporateEDMS Roll out	31,000	5,000	-	36,000	-	-	36,000	-	Project is part of EDMS. The project is in progress and expected to be completed by end of December 2017
Sandy Muirhead	43512	Sharepoint redesign & Relaunch	70,000	20,000	-	90,000	-	-	90,000	-	This project is under review and will be integrated with other ICT projects and expected to be completed in this financial year.
Sandy Muirhead	43515	Corporate EDMS Project	108,300	-	-	108,300	-	-	108,300	-	Work on Phase II is being undertaken. Currently the full analysis is being undertaken to find out Licence requirement & software set up. Project is currently in progress and expected to be completed by end of this financial year

CAPITAL MONITORING REPORT AT 31 JULY 2017

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Estimate	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
Total			237,500	44,000	-	281,500	120	-	281,500	-	
Cllr Gething - Enviroment & Compliance											
Keith McGroary	41619	Small Scale Area Regeneration	620,000	-	-	620,000	-	275	142,000	(478,000)	Tendering of the two of the Shopping parades have taken place, Refurbishment work has started with costs of £250k with half of the funding (£125k) is expected from Surrey County Council. £217k is expected to be spent in this financial year with match funding of £107k from Surrey County Council. The balance of budget has been rephased to 2017/18. The remaining regeneration of shopping parades is expected to be carried out in the next 3 financial year as this project is to run up to 4 years
Keith McGroary	41621	External Funding CCTV Enhancement	(310,000) 97,000	-	-	(310,000) 97,000	-	-	(310,000) 97,000	-	Agreement is now reached with Metropolitan Housing for the siting of an aerial on their property, now awaiting for A2D to confirm their agreement for a similar aerial on their accommodation. Work is expected to start early March and completed by end of June 2017.
Total			407,000	-	-	407,000	-	275	(71,000)	(478,000)	
Total For Other			210,192,300	94,842,600	500,000	305,534,900	22,964,976	219,058	298,216,992	(7,317,909) #	
Total Expenditure			211,257,200	94,857,600	787,700	306,902,500	23,200,787	219,058	299,584,592	(7,317,909)	
Total Funding			(980,600)	-	-	(980,600)	(707,366)	-	(980,600)	-	
GRAND TOTAL			210,276,600	94,857,600	787,700	305,921,900	22,493,421	219,058	298,603,992	(7,317,909)	

Cabinet

27 September 2017



Title	Revenue Monitoring Q1		
Purpose of the report	To note		
Report Author	Martin Yates		
Cabinet Member	Councillor Howard Williams	Confidential	No
Corporate Priority	Financial Sustainability		
Recommendations	To note the current level of spend		
Reason for Recommendation	Not applicable		

1. Key issues

1.1 To provide cabinet with the net revenue spend figures to the end of July 2017.

- The forecast outturn at net expenditure level is shown below It shows a positive variance of £0.36M :

	Budget £M	Forecast Outturn £M	Variance £M
Total Expenditure	59.99	59.67	(0.32)
Total Income	(59.95)	(60.26)	(0.31)
Salary budget saving (<i>actual vacancy savings are reflected in services expenditure outturn</i>)	(0.30)	0	0.30
Budget Adjustment	0.26	0.26	-
Revenue Carry forward	-	(0.03)	(0.03)
Net	-	(0.36)	(0.36)

2. Options analysis and proposal

2.1 Cabinet are asked to note the current net revenue spend and forecast position.

The following highlights variances where the variance is greater than 5% of the spend area. In addition, all variances of over £5K are noted.

Leader

Spend Area	Variance	Comment
Democratic Representation and Management	Adverse variance of £6.3K	2% increase on basic allowances
Elections	Positive variance of £8.2K	No further expenditure expected provided there is no by election
Total	Positive variance of £2.6K	

Deputy Leader

Spend Area	Variance	Comment
Emergency Planning	Adverse £7.5K	Training costs for Prevent strategy work but funding received in 2016-17.
Total	Adverse £7.5K	

Corporate Management

Spend Area	Variance	Comment
HR	Adverse £6.7K	Overspends due to increased employees costs to cover extra workload (£16.7K), to be offset by lower consultancy costs (-£10K)
ICT	Positive £46.3K	Network manager post being covered by Elmbridge
Project Management	Adverse £23.5K	Redundancy costs not budgeted in year but delivering ongoing saving (£83.8K). Back scanning project costs to be funded from other expenditure (-60.5K)
Total	Positive £16.4K	

Environment & Compliance

Spend Area	Variance	Comment
DS Management and Support	Adverse Variance £10K	Vacant posts are being covered by Temporary staff and overtime payments which may result in higher costs by end of the financial year
Refuse Collection	Overall Positive Variance of £10K	Variance made up of : £10K Staffing Budget Positive Variance One off payment due to Surrey County Council re changes to recycling credits system :£89.7K adverse variance Higher income expected due to more activity: £89.7K positive variance
Street Cleaning	Positive variance of £5.7K	Savings expected due to vacant posts partially covered by temporary staff & overtime payments.
Public Conveniences	Positive variance of £8K	Savings expected against the business rates budget
Parks Strategy	Positive variance of £16.2K	Savings expected against the business rates budget
Community Safety	Adverse variance of £21.9K	Variance made up of : Temporary staff Expenditure with no budget, Radio Equipment has now been sold to Business Improvement District (BID); adverse £3.2K Savings expected due to lower contribution to Community Safety Partnership Fund (CSP) from this financial year: Positive £17K No recharge Income contribution through CSP from this financial year onwards: adverse £35K
Total	Adverse £2.7K	

Housing

Spend Area	Variance	Comment
Homelessness	Positive variance of £246.5K	B&B usage has been lower than anticipated. This area will be kept under close review as numbers could rise before year end.
Housing Benefits Admin	Overall Positive Variance of £26K	Underspend expected due to current vacant part time posts: Positive £26.9K IT costs : Adverse £19K Revenue grant funding IT costs: Positive variance £18.1K
Total	Positive variance £275.2K	

Community Well Being

Spend Area	Variance	Comment
SPAN	Positive variance of £17.9K	Additional income received for Surrey Telecare Equipment
Day Centres	Adverse variance of £24.3K	Principally made up of: Vacancies at start of the year (£15.4K positive variance) High needs income currently not on target, will review during the year (£44.5K adverse variance)
Spelthorne Troubled Families	Positive variance of £5.4K	Vacant posts are being covered by temporary posts.(Adverse variance £12K) All of the costs are expected to be reimbursed through Surrey County Council as part of Family Support Programme (Positive variance £23.6K)
Spelthorne Leisure Centre	Positive variance of £13.2K	Profit share increased due to RPI increase
Public Halls	Adverse variance of £11.7K	Survey costs for Churchill Centre which cannot be capitalised £7.4K adverse variance Lease surrendered at Churchill Centre and lease reduced for St Martins Hall £4.3K adverse variance
Total	Adverse variance of £10.6K	

Planning and Economic Development

Spend Area	Variance	Comment
Economic Development	Adverse variance of £22.3K	Overspend due to Economic Development Manager in budget for 50% of salary split with Community Safety. This post is now 100% in Economic Development. Vacancies early in year will reduce the overspend
Asset Management Administration	Positive variance of £297.8K	No budget for the Bugle Public House site, to be funded from additional income generated in year. Adverse variance of £174.7K Additional income from asset acquisitions in year. Positive variance of £470.8K
Planning Policy	Positive variance of £29.7K	Two senior planning officer posts currently vacant, to be filled in Sept 17
Planning Development Control	Adverse variance of £56.7K	Regradings to a number of posts due to reflect market requirements- to be funded from central provision or from increased planning fees when implemented by Government
Building Control	Positive variance of £23.9K	Additional cost incurred as a result of structural engineering work due to increased volume of incoming work/applications. Adverse £10K Higher income expected due to more activity. Positive £33.9K
General Property Expenses	Adverse variance of £5.2K	Additional costs relating to works at Cedars Recreation ground. Adverse £15.4K Additional income received for licences. Positive £10.2K
Knowle Green	Positive variance of £86.1K	Business rates lower than budgeted. Positive £100K Reduction in rents, due to tenants vacating Knowle Green offices. Adverse £12.2K
Total	Positive variance of £354.2K	

Finance and Customer Relations

Spend Area	Variance	Comment
Chief Executive	Adverse variance £18.3K	Professional fees for CX recruitment
Accountancy	Adverse variance £22K	Consultants fees paid to recruit for the vacant posts with no budget
Customer Services Management & Support	Positive variance of £39.7K	Savings expected due to current vacant posts, partially covered by temporary /agency staff
Total	Positive variance £0.2K	

3. Financial implications

3.1 As set out within the report and appendices

4. Other considerations

4.1 There are none

5. Timetable for implementation

5.1 Bi – monthly reports are produced for Management team

Background papers: None

Appendices:

A and B

APPENDIX A

2017/18 Net Revenue Budget Monitoring As at end of 31 JULY 2017

	17/18	17/18	17/18	17/18
	Budget		Forecast	Variance
	Original	Revised	Outturn	to Revised
	£	£	£	£
Gross Expenditure	59,961,400	59,995,100	59,669,100	(326,000)
Less Benefits (offset by grant)				
Total Gross Expenditure excluding Benefits	59,961,400	59,995,100	59,669,100	(326,000)
Less Housing Benefit grant	(31,944,000)	(31,944,000)	(31,944,000)	-
Less Specific fees and charges income	(28,015,500)	(28,015,500)	(28,317,305)	(301,805)
Net Expenditure - broken down as below	1,900	35,600	(592,205)	(627,805)
Leader of the Council	1,131,000	1,131,000	1,128,400	(2,600)
Deputy Leader	550,600	559,300	566,800	7,500
Corporate Management	2,103,300	2,103,300	2,086,900	(16,400)
Housing	1,671,900	1,671,900	1,396,700	(275,200)
Finance and Customer Service	3,792,400	3,817,400	3,817,200	(200)
Planning and Economic Development	(14,645,300)	(14,645,300)	(14,999,505)	(354,205)
Environment and Compliance	5,166,800	5,166,800	5,169,500	2,700
Community Wellbeing	231,200	231,200	241,800	10,600
NET EXPENDITURE AT SERVICE LEVEL	1,900	35,600	(592,205)	(627,805)
Salary expenditure - vacancy monitoring	(300,000)	(300,000)	-	300,000
NET EXPENDITURE	-298,100	-264,400	-592,205	(327,805)
NET EXPENDITURE	-298,100	-264,400	-592,205	(327,805)
Interest earnings	(900,000)	(900,000)	(900,000)	-
Debt Interest Payable	8,307,000	8,307,000	8,307,000	-
Interest repayments	4,482,100	4,482,100	4,482,100	-
Refurbishments Reserve Contributions	700,000	700,000	700,000	-
BUDGET REQUIREMENT	12,291,000	12,324,700	11,996,895	(327,805)
Baseline NNDR Funding	(3,009,000)	(3,009,000)	(3,009,000)	-
Revenue Support grant	0	0	0	-
Transition Grant	(96,000)	(96,000)	(96,000)	-
New Homes Bonus	(1,530,900)	(1,530,900)	(1,530,900)	-
NET BUDGET REQUIREMENT	7,655,100	7,688,800	7,360,995	(327,805)
Collection Fund Surplus/(deficit)	(167,493)	(167,493)	(167,493)	-
CHARGE TO COLLECTION FUND	7,487,607	7,521,307	7,193,502	(327,805)
2016/17 Revenue carryforward			(33,700)	(33,700)
Net Position				(361,505)

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Appendix B				
REVENUE MONITORING 2017/18				
EXPENDITURE AND INCOME SUMMARY 31 JULY 2017				
Results to	Budget		Forecast	Variance
	Revised	YTD	Outturn	to Revised
31-Jul-17	£	£	£	£
Leader of the Council				
Employees	827,100	272,700	826,100	(1,000)
Other Expenditure	577,400	203,800	605,500	28,100
Income	(273,500)	(86,800)	(303,200)	(29,700)
	1,131,000	389,700	1,128,400	(2,600)
Deputy Leader				
Employees	134,800	44,300	142,300	7,500
Other Expenditure	435,500	124,900	445,500	10,000
Income	(11,000)	(3,300)	(21,000)	(10,000)
	559,300	165,900	566,800	7,500
Corporate Management				
Employees	1,396,300	449,700	1,449,900	53,600
Other Expenditure	751,300	242,900	681,600	(69,700)
Income	(44,300)	(23,700)	(44,600)	(300)
	2,103,300	668,900	2,086,900	(16,400)
Housing				
Employees	1,445,100	472,800	1,411,000	(34,100)
Other Expenditure	33,954,400	11,305,200	33,403,800	(550,600)
Housing Benefit grant income	(31,944,000)	(10,679,600)	(31,944,000)	-
Income	(1,783,600)	(615,600)	(1,474,100)	309,500
	1,671,900	482,800	1,396,700	(275,200)
Finance and Customer Service				
Employees	3,234,600	1,069,000	3,193,500	(41,100)
Other Expenditure	907,200	358,200	949,000	41,800
Income	(324,400)	(4,400)	(325,300)	(900)
	3,817,400	1,422,800	3,817,200	(200)
Planning and Economic Development				
Employees	1,663,300	571,700	1,715,600	52,300
Other Expenditure	3,145,100	1,351,700	3,241,800	96,700
Income	(19,453,700)	(9,570,500)	(19,956,905)	(503,205)
	(14,645,300)	(7,647,100)	(14,999,505)	(354,205)
Environment and Compliance				
Employees	4,231,800	1,412,000	4,980,300	748,500
Other Expenditure	4,966,000	2,418,900	4,276,300	(689,700)
Income	(4,031,000)	(1,745,500)	(4,087,100)	(56,100)
	5,166,800	2,085,400	5,169,500	2,700
Community Wellbeing				
Employees	1,637,700	544,100	1,638,600	900
Other Expenditure	687,500	240,500	708,300	20,800
Income	(2,094,000)	(718,200)	(2,105,100)	(11,100)
	231,200	66,400	241,800	10,600
NET EXPENDITURE AT SERVICE LEVEL	35,600	(2,365,200)	(592,205)	(627,805)
Total Employees	14,570,700	4,836,300	15,357,300	786,600
Total Other Expenditure	45,424,400	16,246,100	44,311,800	(1,112,600)
Housing Benefit grant income	(31,944,000)	(10,679,600)	(31,944,000)	0
Total Income	(28,015,500)	(12,768,000)	(28,317,305)	(301,805)
	35,600	(2,365,200)	(592,205)	(627,805)
Total Expenditure	59,995,100	21,082,400	59,669,100	(326,000)
Total Income	(59,959,500)	(23,447,600)	(60,261,305)	(301,805)
Net	35,600	(2,365,200)	(592,205)	(627,805)

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Cabinet**27 September 2017**

Title	Grounds maintenance vehicles (exemption from contract standing orders)		
Purpose of the report	To make a decision		
Report Author	Jackie Taylor Group Head Neighbourhood Services		
Cabinet Member	Councillor Nick Gething	Confidential	No
Corporate Priority	Financial Sustainability		
Recommendations	Authorise the Group Head of neighbourhood services to make a direct award to Supplier A outside of the framework tender.		
Reason for Recommendation	Direct award for the procurement of vehicles to supplier A is beneficial to the Council both financially and operationally		

1. Key issues

- 1.1 Both Council and Cabinet have already approved a capital sum for the purchase of grounds maintenance machinery & vehicles following the Council's decision to bring the service back in-house.
- 1.2 The European Public contracts directive sets out detailed procedures for the award of contracts whose value equals or exceeds specific thresholds. The threshold, applying from 1st January 2016 is £164,176.
- 1.3 In view of the high value of the machinery & vehicles required to operate the service mini tender competitions were run through the Yorkshire purchasing organisation and East Shires purchasing organisation frameworks.
- 1.4 In parallel to the mini tenders we also requested an estimate for provision of the transport vehicles from Supplier A, whilst we have already used Supplier A for the provision of other large vehicles they were not on the framework for the supply of these smaller operational vehicles required for grounds maintenance services.
- 1.5 On receipt of the returned tenders a full evaluation of the prices, vehicle, manufacturer, quality and delivery timescales was undertaken which showed that a direct award to supplier A would be more financially viable, operationally more sustainable and provide a better quality of vehicle.

2. Options analysis and proposal

- 2.1 We could purchase vehicles through the framework at a cost of £163k but the vehicles would be of a lower quality, not suitable for the work they would be required to undertake, be subject to longer delivery timescales and would be

slightly more expensive. The delivery timescales are imperative as we are currently spot hiring vehicles.

- 2.2 If exemption from standing orders is authorised a direct award could be made to Supplier A who have a national purchasing arrangement with the preferred manufacturer and who are able to call off vehicles in much shorter time scales. The cost of the vehicles under this option would be £161k which is below the EU procurement threshold. This is the preferred option.

3. Financial implications

- 3.1 The capital budget has already been approved for the purchase of these vehicles and there are no additional capital funding requirements.
- 3.2 The vehicles currently in use are on spot hire and it is therefore necessary for us to commit to the outright purchase as soon as possible to remove these additional hire costs.

4. Other considerations

- 4.1 All new vehicles would be low emission vehicles and have up to date engine technology.

5. Timetable for implementation

- 5.1 If exemption approval is given an order would be placed immediately with delivery expected within 4 to 6 weeks from date of order.

Background papers: There are none

Appendices: There are none

Cabinet**27 September 2017**

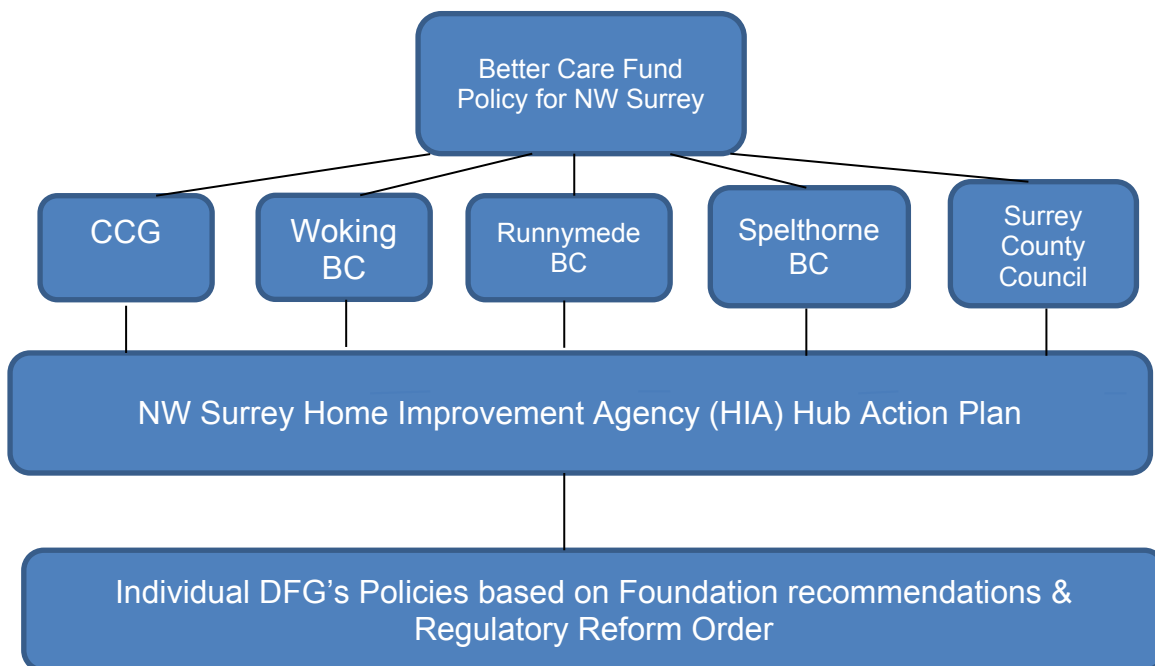
Title	Disabled Facilities Grant Policy		
Purpose of the report	To make a decision		
Report Author	Janice Lowin		
Cabinet Member	Councillor Mark Francis	Confidential	No
Corporate Priority	Housing		
Recommendations	To agree the new Disabled Facilities Grant Policy.		
Reason for Recommendation	Funding for disabled facilities grants is now part of the Better Care Fund (BCF). In order to fully utilise all the allocated budget, Local Authorities are required to have a documented policy stating how the allocation will be spent		

1. Key issues

- 1.1 Disabled Facilities Grants (DFG's) administration is a statutory function for local authorities to provide adaptations to disabled people's homes to help them live as independently and safely as possible. Funding is from the Government through the Better Care Fund (BCF) and the allocation for Spelthorne Borough Council for 2017-18 is £707,366.
- 1.2 Part of the Better Care Fund brings together the budgets from Clinical Commissioning Groups, Disabled Facilities Grants and Adult Social Care within Social Services. There must also be a Better Care Fund plan which must be signed off by the Clinical Commissioning Group (CCG), Surrey County Council, and in the case of DFG's, District and Borough Councils.
- 1.3 The Legislation for DFG's is within the Housing Grants, Construction and Regeneration Act 1996. The Regulatory Reform Order 2002 gives Local Authorities power to introduce policies around aids and adaptations. In 2008, the government made changes to allow greater flexibility around how the money could be used in order to keep people in their own homes. DFG funding allocations were significantly increased from 2016/17 and further increased in 2017/18. In 2017/18, the overall budget for DFG grants was £431m. In 2016/17 it was £394m and in 2015/16 it was £220m. As a result, this allowed Local Authorities to look at additional ways the money can be spent to help people live independently. Authorities are required to set out plans on how the DFG funding will be used. Allocations for Spelthorne are:

2017-18	£707,366
2016-17	£644,335
2015-16	£347,921

1.4 In June 2017 Foundations published a report in the DFG process across Surrey. The report was jointly commissioned by Surrey County Council and the 11 District and Boroughs in Surrey. One of the report's recommendations is for Districts and Boroughs to work together in clusters, in line with the Clinical Commissioning Groups, in order to standardise policies. The report has a number of recommendations, some of which are agreed by Spelthorne some of which are not. However to take things forward Spelthorne are working with Woking and Runnymede Borough Councils within the North West Surrey Clinical Commissioning Group (CCG) and have jointly developed an action plan in order to address this.



- 1.5 The action plan formulated by Runnymede, Spelthorne and Woking Borough Councils, following the recommendations from the Foundations report highlights the following points:
- Local Land Charges – All grants currently have a charge placed against the property to a maximum of a £10k charge (where works cost £15k and above) whereby the amount is re-paid on a sliding scale if the property is sold. From a customer point of view this can cause a great deal of worry for those requiring adaptations and can be a deterrent in applying for a grant, especially where the adaptation may devalue the property. In reality they are rarely claimed against and only for amounts between £5,000 - £10,000 can be reclaimed.
 - Financial Means Testing – All DFG's are currently means tested. In the case of smaller adaptations such as stair lifts, ramps, hoists and shower rooms, means testing can slow the down the process for works which could otherwise be turned around relatively quickly.
 - Discretionary Top-up Grant - The maximum grant is currently £30k in England. Any amount above this has to be referred to Surrey County

Council for top-up. This can cause a lengthy delay to the customer. Surrey County Council have recommended to have no ceiling to District & Borough funding per DFG which would mean there would no longer be any top-up funding available through them.

- Community Equipment Service (e.g. hoists and modular ramps) – District and Borough Councils currently have no involvement with community equipment. It is currently arranged by and paid for by Surrey County Council. They are arguably, however, types of adaptations, and could be included in the DFG process, as Surrey County Council have over spent in this area.
- Standardise Home Improvement Agency (HIA) fee structure – HIA fees vary across District and Boroughs and should be standardised.
- Discretionary Budget - There is a discretionary DFG budget of £29,600 for 2017/18. A policy is required in order to spend within this budget.

2. Options analysis and proposal

- 2.1 Adopt the attached policy to ensure the quickest turnaround time for DFG's in order to provide the best possible customer service and the best use of money. The policy will start to align Runnymede, Spelthorne and Woking Borough Council's Policies. It will be subject to review depending on budget implications. Actual budget implications are difficult to predict, however, the budget has increased from £460k in 2015/16 to £707k in 17/18.

The Policy includes:

- Local Land Charges – remove the need to register a Local Land charge against the property for certain adaptations including level access showers and stair lifts, for works up to the value of £15k. Stair lifts and level access showers generally do not increase the value of a property. Land charges only to be placed on major structural adaptations i.e. extensions and large conversions, at the discretion of SBC. The decision to reclaim land charges placed will be made on a case by case basis, reviewed by the Group Heads of Community Well-being.
- Financial Means Testing – Although Woking and Runnymede Borough Councils are working towards removing means testing for lower level grants, at this stage Spelthorne Borough Council will retain it. This can be reviewed if required.
- Discretionary Top-up Grant - Allow up to an additional £15k on top of the standard £30k.
Any application expected to be between £30k & £45k, or any exceptional situations, will be referred to an internal panel (Spelthorne Borough Council). The panel will comprise of a minimum of 3 people, made up of any combination of Councillors, Deputy Chief Executive, Group Head, Deputy Group Head and Independent Living Manager. Each case will be considered individually, based on client needs, circumstances, other possible options and budget, with a maximum of an additional £15k awarded.
Any application expected to be greater than £45k will be referred to Surrey

County Council to consider top-up.

SBC will pay a shortfall in top-up if the shortfall is less than £1k, where the works are already in progress, in order to prevent delay. Any shortfall greater than £1k would require referral back to the relevant panel for agreement.

Below are examples of how this will work:

Example 1: DFG expected to cost £40k with no client contribution

Mandatory Grant SBC	Discretionary Grant SBC	Surrey County Council top-up
£30K	Referred to SBC panel for agreement of remaining £10k	N/A

Example 2: DFG expected to cost £70k no client contribution

Mandatory Grant SBC	Discretionary Grant SBC	Surrey County Council top-up
£30k	N/A	Referred to Surrey County Council panel for consideration of remaining £40k

- Community Equipment Service – The payment of invoices for equipment will be paid for by District and Borough Councils, up the amount of £50k for this year only (2017-18). Surrey County Council will continue to arrange for equipment to be installed. Once a total of £50k has been spent on equipment, a review will be required to determine how payment is made for further equipment. Further discussions will be required past this financial year
- Standardise Home Improvement Agency (HIA) fee structure – Spelthorne's HIA currently charge 15% which is the proposed amount for Runnymede and Woking HIA's.
- Discretionary Budget – It is proposed that this is used for items that do not usually fall within the mandatory budget, such as warranties or flexibility in providing adaptations to assist customers varying needs.

3. Financial implications

3.1 The DFG allocation from Central government and spend for Spelthorne are:

Year	Allocation	Spend
2017/18	707,366 (+ £174k carry forward)	
2016/17	644,335	467,131
2015/16	347,921 (budget £522,921*)	475,843

*Spelthorne BC also contributed to the budget.

3.2 There was a carry forward of £174k from 2016/17 to 2017/18 due to a delay in District and Boroughs being provided with the allocations. It is expected that this year's budget (and carry forward) will be spent in full.

3.3 It is difficult to predict the additional costs associated with the changes, however, it is expected that the increase in allocation will allow for these costs. The budget will be closely monitored.

3.4 The discretionary budget (funded by Spelthorne Borough Council) is £29,600

4. Other considerations

4.1 The policy is subject to Group Head discretion and minor amendments may be made by Group Head in conjunction with the Portfolio Holder.

4.2 The policy is due for review in 2019

5. Timetable for implementation

5.1 The policy would be implemented with immediate effect.

Background papers:

Housing Grants, Construction and Regeneration Act 1996

Regulatory Reform Order 2002

Surrey Councils Aids & Adaptations Review

Appendices:

Appendix 1 - Spelthorne Borough Council Disabled Facilities Grant (DFG) Policy

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Spelthorne Borough Council

Disabled Facilities Grant (DFG) Policy

July 2017



Introduction

Disabled Facilities Grants (DFG's) are a statutory function which are administered by Spelthorne Borough Council in order to provide aids and adaptations to enable a disabled person to live independently in their own home.

Aims and Priorities

Spelthorne Borough Council's Corporate Plan 2016-2019 has 4 priorities:

- Housing
- Economic Development
- Clean and Safe Environment
- Financial Sustainability

Within the Housing Priority, the plans include:

- to make the best use of existing housing within the Borough (owner occupied and rented) making sure that it is safe and suitable to meet the needs of our residents, including people with disabilities and our older residents
- to help vulnerable people in need to make best use of their homes for as long as possible through a range of adaptations and other assistance (e.g. meals on wheels and our community alarm network)

What does a DFG provide?

Grants may be provided to cover the cost of any changes that need to be made to an individual's home in order for them to remain in their own home. This could be to:

- Widen doors and install ramps
- Improve access to rooms and facilities – e.g. stairlifts or a downstairs bathroom
- Provide a heating system suitable for needs
- Adapt heating or lighting controls to make them easier to use

Who can apply?

Grants are for disabled people and can be applied for by:

- The disabled person
- A person living with a disabled person,
- The landlord of a property

The person who the grant is for must:

- own the property or be a tenant
- intend to live in the property during the grant period (which is currently 10 years)

The council needs to be satisfied that the work is:



- necessary and appropriate to meet the disabled person's needs
- reasonable and can be done - depending on the age and condition of the property

How much is a Grant?

The maximum Mandatory Grant in England is currently £30,000 which may be topped up through a discretionary grant of an additional £15,000. The additional £15,000 is subject to individual circumstances and overall review of the budget.

Applications are means tested so how much is provided depends on income or any savings. The individual may have to contribute towards the cost or pay the whole cost.

There is no means test for those who receive a means-test benefit, for example Pension Credit, Housing Benefit, or Income Support.

Land Charges

If you are having a larger adaptation (over £15,000), a land charge will be placed against the property. The charge is placed for 10 years, and the amount placed depends on the cost of the works. Should you sell your property within 10 years of the adaptation, the amount will be repayable, subject to Group Head (Community Wellbeing) discretion.

DFG's are publicly funded and there is a high demand for them. By placing a charge for the larger adaptations, this means that the money can be used to help other disabled residents.

How to apply?

There are several ways to apply for a grant:

- The Council use a Home Improvement Agency that supports people through the process. They will manage the projects from start to finish. Initial advice is free and there is no obligation to proceed. If an application is submitted, there is a standard fee charged for their service which is usually paid for out of the grant. Anyone wishing to apply for a grant (including home owners or private rented) can use this service.
- Speak to your Occupational Therapist (OT) who can advise on the application process.
- Speak to the Independent Living Team at Spelthorne Borough Council

Contacts:

Home Improvement Agency
A2Dominion
Spelthorne House
Thames Street
Staines upon Thames
KT18 4TA

Tel: 020 8825 1219

Independent Living Team
Spelthorne Borough Council
Council Offices
Knowle Green
Staines upon Thames
TW18 1XB

Tel: 01784 448607/ 446471



How long will the process take?

Local Authorities have up to 6 months to approve a fully completed application form. Works aim to be completed within 12 months from receipt of the fully completed application. In many cases these times periods are significantly shorter.

DFG Legislation

The Legislation for DFG's is within the Housing Grants, Construction and Regeneration Act 1996. The Regulatory Reform Order 2002 gives Local Authorities power to introduce policies around aids and adaptations

In 2008, the government made changes to allow greater flexibility around how the money can be used in order to keep people in their own homes.

In 2017/18, the overall budget for grants was increased to £431m (from £220m) the previous year. As a result, this allows Local Authorities to look at additional ways the money can be spent to help people live independently in their own homes.

The table at the end of this policy summarises Spelthorne Borough Council's conditions for various types and costs of adaptations.

Complaints Procedure

Spelthorne complaints policy can be found at:

<https://www.spelthorne.gov.uk/complaints>

or contacting Spelthorne's Customer Service department

- email customer.services@spelthorne.gov.uk
- phone us on 01784 451499
- write to us at:

Customer Service Centre
Spelthorne Borough Council
Knowle Green
Staines-upon-Thames
Surrey TW18 1XB

A2D complaints contact details below:

Sean Frizell HIA & A&A Manager
Spelthorne House
Thames Street
Staines-upon-Thames
Surrey TW18 4TA

Sean.frizell@a2dominion.co.uk

Tel: 020 8825 1850



Scheme	Amount available	Scope	Who is eligible	Conditions
Mandatory Disabled Facilities Grant	Up to £30,000	<ul style="list-style-type: none"> • Stair lifts • Hoists • Ramps • Level access shower/wet room • Door widening • Extensions • Conversions • Any other larger adaptations 	<ul style="list-style-type: none"> • A disabled person who owns the property • A disabled tenant in a rented property (social housing or privately rented) • Parent or guardian of a disabled child • Disabled person living in someone else's home 	<ul style="list-style-type: none"> • Fully completed application • Means tested • No land charges applied to basic adaptations (e.g. stairlift, level access shower under £15,000)
Discretionary Top up Disabled Facilities Grant	Up to £15,000 on top on mandatory £30,000	<ul style="list-style-type: none"> • Extensions • Conversions • Any other larger adaptations 	As above	<ul style="list-style-type: none"> • Fully completed application • Spelthorne Borough Council panel will meet to consider application • Means tested • Land charges applied
Discretionary Budget	Manager's discretion	<ul style="list-style-type: none"> • Warranties • Flexibility outside mandatory grants 	As above	

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