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Democratic Services



COMMUNITY AND WELLBEING COMMITTEE

Tuesday 10 October 2023 at 7.30 pm

Place: Council Chamber, Epsom Town Hall

Online access to this meeting is available on YouTube: [Link to online broadcast](#)

The members listed below are summoned to attend the Community and Wellbeing Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

| | |
|---------------------------------------|---------------------------|
| Councillor Clive Woodbridge (Chair) | Councillor Alison Kelly |
| Councillor Bernice Froud (Vice-Chair) | Councillor Rachel King |
| Councillor Kate Chinn | Councillor Lucie McIntyre |
| Councillor Shanice Goldman | Councillor Darren Talbot |

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. King'.

Chief Executive

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

EMERGENCY EVACUATION PROCEDURE

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Public information

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live using free YouTube software.

A link to the online address for this meeting is provided on the first page of this agenda. A limited number of seats will be available on a first-come first-served basis in the public gallery at the Town Hall. If you wish to observe the meeting from the public gallery, please arrive at the Town Hall reception before the start of the meeting. A member of staff will show you to the seating area. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for this Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Questions and statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters within the Terms of Reference of the Committee.

All questions must consist of one question only and cannot consist of multiple parts. Questions and statements cannot relate to planning or licensing committees matters, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted. Each question or statement will be limited to 3 minutes in length.

If you wish to ask a question or make a statement at a meeting of this Committee, please contact Democratic Services at: democraticservices@epsom-ewell.gov.uk

Questions must be received in writing by Democratic Services by noon on the third working day before the day of the meeting. For this meeting this is **Noon, Thursday 5 October**.

A summary of statements must be received by Democratic Services by noon on the working day before the day of the meeting. For this meeting this is **Noon, Monday 9 October**.

For more information on public speaking protocol at Committees, please see [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework.

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Filming or recording must be overt and persons filming should not move around the room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non-handheld devices, including tripods, will not be allowed.

AGENDA

1. QUESTION AND STATEMENTS FROM THE PUBLIC

To take any questions or statements from members of the Public.

2. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

3. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 8)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 22 June 2023 (attached) and to authorise the Chair to sign them.

4. PRIVATE SECTOR HOUSING GRANTS ASSISTANCE POLICY (Pages 9 - 34)

This report proposes a revised version of our existing Private Sector Housing Grants Assistance Policy which was originally agreed by the Community & Wellbeing Committee in June 2017. Minor amendments have been made and approved by committee since, but this is the first significant review.

Using the increased funding from the Better Care Fund (BCF) for the Disabled Facilities Grant (DFG), the policy aims to provide a more pragmatic and holistic approach and to better reflect the symbiotic relationship between housing and social care needs.

5. HOUSING ALLOCATION POLICY REVIEW (Pages 35 - 116)

The legislation requires local authorities to publish an allocation scheme for determining priorities and defining the procedures to be followed in allocating social housing. This report reviews and updates the Council's Housing Allocations Policy and Choice Based Letting scheme that was adopted in June 2015.

6. HOMELESSNESS: HALF YEAR UPDATE (Pages 117 - 140)

EEBC continues to have a significant financial outlay on temporary accommodation costs to meet its homelessness obligations under the Housing Act 1996 and Homelessness Reduction Act 2017. The level of expenditure is likely to exceed the budget set for 2023/24 and this report sets out the actions taken to minimise the uplift and identifies the available funding to cover the additional expenditure.

7. ARTS, HERITAGE AND CULTURAL STRATEGY (To Follow)

8. PLAYING OUT SCHEME (Pages 141 - 156)

The report provides details of the Playing Out (Play Streets) scheme and seeks approval from the Committee to introduce this to the Borough.

9. 2024/25 BUDGET TARGETS (Pages 157 - 162)

This report informs the Committee of the Council's revenue budget targets presented to the Strategy & Resources Committee in July. The report seeks guidance on the preparation of the Committee's service estimates for 2024/25.

Minutes of the Meeting of the COMMUNITY AND WELLBEING COMMITTEE held at the Council Chamber, Epsom Town Hall on 22 June 2023

PRESENT -

Councillor Clive Woodbridge (Chair); Councillor Bernice Froud (Vice-Chair); Councillors Kate Chinn, Shanice Goldman, Alison Kelly, Rachel King and Lucie McIntyre

Absent: Councillor Darren Talbot

Officers present: Andrew Bircher (Interim Director of Corporate Services), Rod Brown (Head of Housing and Community), Richard Appiah-Ampofo (Senior Accountant) and Dan Clackson (Democratic Services Officer)

1 QUESTION AND STATEMENTS FROM THE PUBLIC

No questions or statements were received from members of the public.

2 DECLARATIONS OF INTEREST

No Members declared the existence of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

3 MINUTES OF THE PREVIOUS MEETING

The Committee was asked to confirm as a true record the minutes of the meeting of the Committee held on 17 January 2023.

A member highlighted that minute 18c) contained a spelling error – Bourne Hall was incorrectly written as Borne Hall. The Committee confirmed that the minutes were otherwise a true record and authorised the Chair to sign them, following rectification of the spelling error.

4 COMMUNITY ENGAGEMENT

The Committee received a report setting out proposals on how the Council will better engage with residents to receive feedback on services and better understand residents' needs

The Committee considered the following matters:

- a) **Online Accessibility:** A Member asked how Officers intended to receive feedback from residents who do not have online access or from those

who face challenges operating touch screens, particularly with respect to online forms and surveys. The Member suggested that Officers could converse with Citizens Advice for information on residents' experiences with the Council's online services. The Head of Housing and Community agreed that the Council's relationship with Citizens Advice, along with its partnerships with other organisations such as the Good Company, were valuable for receiving feedback from residents. He stated that Officers are always committed to learning – he explained how a consultant with loss-of-sight was recently brought in to provide advice on the accessibility of the Council's website.

- b) **Resident Feedback through Councillors:** A Member pointed out that Councillors frequently and regularly receive comments and views from residents through surgeries and door-knocking. The Member suggested that an effective approach of receiving feedback from residents is to approach them rather than asking them to approach the Council. The Interim Director of Corporate Services recognised that Councillors have a unique relationship with their constituents. He stated that there are currently no mechanisms in place to effectively capture the word-of-mouth feedback Councillors receive and suggested that it could be a matter for investigation. He advised that when Councillors receive complaints from their constituents, to pass those comments onto the relevant Heads of Service and other senior Officers where appropriate.
- c) **Engaging with Communities:** A Member enquired as to what was meant by 'hard to reach'. The Head of Housing and Community suggested that the term could be rephrased, considering that the term could be construed as unfairly putting the responsibility of receiving engagement on the communities in question. He explained that the term 'hard to reach' had been used to describe communities that the Council had historically found difficulty in engaging with. He suggested that a change of mindset and an adjustment of technique would be required in order to reach certain communities more effectively – for instance, the approach taken to engaging with the elderly would be different to that taken to engage with the young.
- d) **Moving away from the Citizens Panel model:** Members wished to express their approval of moving away from the Citizens Panel model, agreeing that Citizens Panels are difficult to manage and are not conducive to effectively capturing a diverse range of views and feedback from the community.
- e) **Engaging with Young People in the Borough:** The Chair asked how the Council might better engage with young people. It was noted that attending Schools poses a challenge on account of schools' busy timetables. The Interim Director of Corporate Services suggested that Career Fairs are a great place to reach out to young people. A Member stated that there a large number of youth groups in the Borough, including St. John's Ambulance and Scout groups, and also highlighted the University of the Creative Arts located within Epsom town centre – the

Member considered that approaching these groups could be a good opportunity to engage with young people in the Borough.

- f) **Annual Complaints Report:** Following a question from a Member, the Interim Director of Corporate Services explained that the Comments, Compliments and Complaints received via the website or through the Contact Centre were the primary method of receiving feedback from residents. He stressed the importance of learning from feedback and suggested that a report discussing the year's complaints and highlighting any trends or areas for investigation should be brought to the Strategy and Resources Committee for annual review.
- g) **Safeguarding:** A Member suggested that safeguarding would need to be considered as a matter of high importance with respect to engaging with some of the more vulnerable communities.
- h) **Future Update Report:** The Committee agreed that a report providing an update and reflection on the engagement activities and actions taken in the coming months would be brought to the Committee in early 2024.
- i) **Engagement Possibilities to Investigate:** Referring to paragraph 4.4.1 of the report, the Chair asked the Members of the Committee if there were other activities that could be considered. The Committee considered the possibility of holding outreach sessions in supermarkets, libraries and at markets; establishing Youth Forum/Youth Council events; having a Community Bus; and organising events in schools during Local Democracy Week as in the past. It was agreed these ideas could be investigated by Officers as part of their community engagement work.
- j) **Complaints Feedback to Councillors:** Referring to paragraph 4.4.2 of the report, the Chair asked if the Members of the Committee would welcome complaints feedback relating to services in their areas, to which the Committee unanimously agreed.

Following consideration, The Committee unanimously resolved to:

- (1) **Agree to support Officers in carrying out the engagement activities set out in the report, incorporating Member feedback.**

The meeting began at 7.45 pm and ended at 8.26 pm

COUNCILLOR CLIVE WOODBRIDGE (CHAIR)

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PRIVATE SECTOR HOUSING GRANTS ASSISTANCE POLICY

| | |
|---|--|
| Head of Service: | Rod Brown, Head of Housing & Community |
| Wards affected: | (All Wards); |
| Urgent Decision: | No |
| If yes, reason urgent decision required: | |
| Appendices (attached): | Appendix 1: Private Sector Housing Grants Assistance Policy |

Summary

This report proposes a revised version of our existing Private Sector Housing Grants Assistance Policy which was originally agreed by the Community & Wellbeing Committee in June 2017. Minor amendments have been made and approved by committee since, but this is the first significant review.

Using the increased funding from the Better Care Fund (BCF) for the Disabled Facilities Grant (DFG), the policy aims to provide a more pragmatic and holistic approach and to better reflect the symbiotic relationship between housing and social care needs.

Recommendation (s)

The Committee is asked to:

- (1) Approve and adopt the revised Private Sector Housing Grants Assistance Policy as set out in Appendix 1, in response to central government guidance to utilise grant funding more flexibly and to proactively assist more households.**

1 Reason for Recommendation

- 1.1 Increased funding for the Disabled Facilities Grant (DFG) programme through the Better Care Fund, enabled the Council to use powers under the Regulatory Reform Order 2002 (RRO) to introduce a Discretionary Private Sector Housing Grants Assistance Policy to provide assistance for vulnerable residents.
- 1.2 The policy has been very effective to date but is now being revised as the Council has a significant level of DFG funds available to spend and is therefore in a position to expand the assistance we provide.

- 1.3 In March 2022, new guidance around local DFG delivery was provided by central government. This guidance directs the Council to use the discretionary powers contained within the RRO to respond to the needs of disabled and vulnerable people in the community when delivering their grants programme. For example, this can relate to flexibility around the means test requirements and the maximum amount of grant allowed under the DFG. It also extends to other discretionary financial assistance to meet other needs such as home safety and hospital discharge.
- 1.4 The Council wishes to ensure that a wide range of residents are reached through accessible and equitable financial support.
- 1.5 It is proposed that in order to provide assistance to an increased number of vulnerable residents, a revised policy is approved.

2 Background

- 2.1 The Council's obligations, powers and duties in relation to the provision of financial assistance for repair and adaptations are contained within the Housing Grants, Construction and Regeneration Act 1996 and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO)
- 2.2 The Private Sector Housing Grants Assistance Policy was first effective in 2018.
- 2.3 Central Government funding is received annually and is ringfenced for DFGs. The allocation for the past 3 years has been £785,282. Local authorities are directed to make full use of their discretionary powers under the RRO to offer greater flexibility and respond to local need. A published policy is required to achieve this.
- 2.4 In 2022/23, the Home Improvement Agency has looked to build on relationships with other organisations to better promote the service and available grants, through promotional literature and talks. During 2022/23 £616,000 was spent on the completion of 43 DFGs for a variety of works. The works for both adults and children included adaptations such as level access showers, stairlifts, ramps and wheelchair accessible extensions. The handyman service completed 241 jobs with works such as grab rails, minor repairs and garden clearances to improve independence and security around the home. Discretionary grants assisted with works such as supporting vulnerable residents who hoard and need help with de-cluttering and deep cleans, and residents without basic amenities such as hot water and heating.
- 2.5 Housing, Social & Adult Care and the National Health Service are delivering increasingly integrated services for vulnerable households that recognise the benefits of enabling people to stay in their homes wherever possible.

- 2.6 Poor housing can be a barrier for vulnerable, older and disabled people, contributing to immobility, social exclusion, ill health and depression. Housing assistance policies can contribute by enabling people to live with greater independence in secure, safe and well maintained, warm and suitable housing.
- 2.7 The Policy sets out how the Council will provide financial assistance to enable residents to remain independent at home for as long as possible through disabled adaptations and improvements to their homes.

The changes to the policy will increase flexibility and enable more residents in need to access services.

The most significant changes are as follows:

- Widen the eligibility criteria, including the means test requirements. For example, for prevention grants means test requirements have been removed and for other services, council tax support has been added as a passporting benefit which will further support more residents and streamline the process.
- Allow for a versatile approach to the application process and forms required.
- Cases can be treated on a more individual basis with an exceptions clause now incorporated into the policy.
- The maximum grant level has been increased to allow for increased costs in the construction industry and in response to the more complex needs of some residents.
- Assistance will be available to those with a terminal illness and dementia.
- Loans will be available from the Parity Trust for cases where additional funds are needed, or where the resident does not meet the grant requirements.
- Accessible housing grants will meet a rising need in the housing market for disabled persons who are either homeless or need to move to a more suitable property.
- Prevention is key in supporting health and safety in homes as well as the NHS and Social and Adult Care. The prevention grant has been added with this in mind.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 Assisting vulnerable residents to stay safe, secure and independent in their homes will have a positive impact on their wellbeing. This can be achieved through grants such as the safe and secure assistance.

3.2 Crime & Disorder

3.2.1 Assisting vulnerable residents with security measures through our handyperson service and grants can deter criminal activity such as theft and cuckooing practices. This can be in the form of clearing overgrown gardens and providing locks and improved outside lighting.

3.3 Safeguarding

3.3.1 Assisting vulnerable residents to stay safe, secure and independent in their homes will have a positive impact on safeguarding. This can be achieved through grants such as the safe and secure assistance.

3.4 Dependencies

3.4.1 The budget will continue to be closely monitored to ensure it is not exceeded. Should there be a risk of the budget being exceeded, the priority would focus on progressing Mandatory Disabled Facilities grants only.

3.5 Other

3.5.1 None for the purposes of this report.

4 Financial Implications

4.1 The revised Policy would be implemented and administered using existing staffing resources. Funding for the scheme comes through the Better Care Fund allocation via central government.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

5.1 The Council's obligations, powers and duties in relation to the provision of financial assistance for repair and adaptations are contained within the Housing Grants, Construction and Regeneration Act 1996 and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO)

Legal Officer's comments: None arising from the contents of this report

Policies, Plans & Partnerships

5.2 **Council's Key Priorities:** The following Key Priorities are engaged:

Safe and Well – Ensuring vulnerable residents have safe and secure homes to promote wellbeing and security. All the grants in the policy work towards this outcome.

5.3 **Service Plans:** The matter is not included within the current Service Delivery Plan.

5.4 **Climate & Environmental Impact of recommendations:**

This policy will support delivery of the Council's Climate Change Action Plan, specifically on the action to 'provide practical help to vulnerable and disabled people to improve energy efficiency in their homes'. By addressing energy efficiency measures and fuel poverty, this in turn will have a positive effect on CO2 emissions and the environment. The warm at home grant includes partnership working with Action Surrey who work with all Surrey boroughs on providing energy efficiency advice.

5.5 **Sustainability Policy & Community Safety Implications:**

This policy would have a positive impact on community safety by ensuring its vulnerable residents feel safe in their homes with access to assistance such as telecare equipment or security measures should they need it.

5.6 **Partnerships:** To fully utilise the benefits available from this policy, forging strong partnerships is vital. The council works with core agencies such as mental health, social service professionals, Housing Associations, hospitals, Action Surrey, and the voluntary sector.

6 Background papers

6.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Private Sector Housing Grants Assistance Policy – Community and Wellbeing Committee, 13 June 2017](#)
- [Review of Discretionary Grants Policy - Community and Wellbeing Committee, 20 March 2018](#)
- [Private Sector Housing Grants Assistance Policy Review - Community and Wellbeing Committee, 22 January 2019](#)
- [Review of private sector housing grants assistance policy – Community and Wellbeing Committee, 12 July 2022](#)

Other papers:

- [Private Housing Grants Assistance Policy \(2022\)](#)
- [Disabled Facilities Grant \(DFG\) delivery: Guidance for Local Authorities in England \(publishing.service.gov.uk\)](#)



Private Sector Housing Grants Assistance Policy

Version No: 5.0
Date: September 2023

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1. Policy Statement

This policy sets out how Epsom and Ewell Borough Council (“the Council”) will provide financial assistance to enable residents to remain independent at home for as long as possible through disabled adaptations and improvements. This will support the provision of decent, healthy, and safe housing within the borough. The policy has been revised in response to increased funding, through the Better Care Fund.

The Council’s obligations, powers, and duties in relation to the provision of financial assistance for repair and adaptations are contained within the Housing Grants, Construction and Regeneration Act 1996 and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

2. Aims and Objectives

A suitable home can help disabled and vulnerable people of all ages to build and sustain their independence and maintain connections in their community.

This policy will ensure that resources are targeted at those who would not otherwise be able to adapt, repair or improve their home. By providing adaptations to those who have a medical need, as well as developing a preventative approach, we can reduce hospitalisation and improve the health and wellbeing of both adults and children.

In turn this will relieve some of the pressure on Social Services and NHS partners. Central Government funding for Disabled Facilities Grants (DFGs) is allocated annually to the Council through the Better Care Fund (BCF) via Surrey County Council. This policy provides flexibility to deliver an adaptations programme, according to local priorities and available resources.

3. Conditions

The Council is required to provide funding for DFGs via the Better Care Fund. The availability of any discretionary schemes is dependent on the funding being available and schemes may be withdrawn at any time.

The Housing Grants Team offers a dedicated service as part of our Home Improvement Agency, for elderly and disabled residents to undertake adaptations and/or repairs to their home. A fee is applied and payable within the grant scheme.

Where any necessary minor amendments to the Policy, following changes in law or good practice, are required, these can be delegated to the Head of Housing & Community in consultation with the Chairman of Community and Wellbeing Committee.

The Council reserves the right to introduce a prioritised waiting list for mandatory grants should their demand exceed the available budget. Any waiting list will be developed in partnership with Surrey County Council Occupational Therapist services to ensure that adaptations are provided to those most in need.

All information provided by the applicant will be checked thoroughly and could be shared with other organisations handling public funds to prevent and detect fraud. Knowingly providing false information or withholding information could lead to prosecution.

The Council will keep this policy under annual review.

4. Mandatory Disabled Facilities Grants (DFG)

To assist disabled and vulnerable residents to remain in their homes through the provision of aids and adaptations.

The health and wellbeing of disabled and vulnerable residents is often compromised due to their homes not meeting their specific needs, and this can impact on their ability to live with dignity within their homes.

The Council has a statutory obligation to administer mandatory (DFGs) to provide aids and adaptations to enable residents to live independently within their homes. The administration of DFGs is the responsibility of the Council, through all stages from initial enquiry to post completion.

The eligibility requirements, scope of works, and the general requirements governing mandatory DFGs are prescribed, and the Council is unable to deviate from these requirements.

Eligible Works

A recommendation is required from a registered occupational therapist that works are necessary and appropriate to meet the needs of the 'relevant person'.

Necessary works could be for one or more of the following purposes:

- To make it easier to get into and out of the dwelling by, for example, widening doors, installing ramps and creating hard standings and dropped kerbs.
- To make access easier to the living room.
- By providing or improving access to the bedroom, and kitchen, toilet, washbasin and bath (and/or shower) facilities; for example, by installing a stair lift or providing a ground floor bathroom.
- To improve or provide a heating system in the home which is suitable to the needs of the disabled person.

- To adapt heating or lighting controls to make them easier to use.
- To improve access and movement around the home to enable the disabled person to care for another person who lives in the property, such as a spouse, child, or another person for whom the disabled person cares.
- To improve access to and from the garden of the home where feasible.

An application is only approved if it is considered reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling or building.

Client Eligibility

- Disabled residents living in owner/occupier, private rented or housing association accommodation in the Council or,
- Disabled persons living in owner/occupier, private rented or housing association accommodation in the Council with their family or,
- Parents or guardians of a disabled child living in owner/occupier, private rented or housing association accommodation in the Council.

Amounts

The maximum amount of grant is set by central government and is £30,000. Where a financial contribution is required, the level of grant will be reduced by the amount of any assessed contribution towards the cost of the works.

The grant is not means tested if:

- The disabled person is a child or,
- A landlord makes an application on behalf of a tenant, though financial contributions may be required from registered providers.

Other Conditions

- The DFG repayment condition will be declared as a land charge against the adapted dwelling for 10 years.
- If the property is subject to an owners' application and is sold within a 10-year period starting on the date of completion of work, the Council will seek to reclaim the funding that exceeds £5,000 but will not seek to recover more than £10,000.
- Individual cases will be considered as an exception where the cost of redeeming the registered charge would place a household in financial hardship, or where moving to alternative accommodation would be in the best interest of the disabled person.

5. Discretionary Home Adaptation and Improvement Assistance

In addition to providing mandatory DFGs, the Council has the power to offer discretionary financial assistance by virtue of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. Using these powers, the Council has agreed to offer discretionary grants for private sector residential adaptations and improvements.

This provides greater scope and flexibility in use of the DFG, complementing the mandatory policy, utilising innovative solutions to housing adaptations and prevention of injury.

As a general principle, the application process for discretionary financial assistance will give consideration as to whether the cost of the works can be met through private finance, for example, through the applicant's own resources, through a commercial loan or for homeowners, equity release.

Any discretionary assistance will only be considered having regard to the financial resources available at the time. If funding will not have sufficient resources in reserve to deal with other referrals that may present throughout the financial year, the Council reserves the right not to approve requests for discretionary spending. Where an urgent need has been identified, bureaucracy will be minimised to speed up assessment and delivery to give fast-track assistance.

Exceptional cases will be considered in consultation with the Strategic Housing Manager.

Where opportunities arise to work with other departments and organisations to provide healthy and safe housing for the Council's vulnerable residents, the Strategic Housing Manager will consider schemes based on the merits of the project and its relation to supporting the provision of decent, healthy, and safe housing within the borough. This will extend to wider Social Care Projects as outlined in the annual Department for Levelling Up, Housing and Communities grant determination letter.

5.1 Discretionary Disabled Facilities Grant: Flexibility of Upper Limit (top-up)

Eligible Works

A discretionary payment in addition to a mandatory DFG can be made by the Council to provide top up funding to meet the costs of aids and adaptations to assist an applicant to live independently in their home where a DFG is approved at the statutory maximum and the eligible expense, less contribution, exceeds the statutory maximum (currently £30,000).

Client Eligibility

There will be no requirement for a separate application as the assistance is linked to a mandatory DFG application, but a means test will be applied to both adult and

children's applications for top up assistance.

Amount

The maximum additional discretionary grant is £30,000.

Other Conditions

- The repayment condition will be declared as a land charge against the adapted dwelling for 10 years.
- If the property is subject to an owners' application and is sold within a 10-year period starting on the date of completion of work, the Council will seek to reclaim the full cost up to £30,000.
- Individual cases will be considered as an exception where the cost of redeeming the registered charge would place a household in financial hardship, or where moving to alternative accommodation would be in the best interest of the disabled person.

5.2 Discretionary Disabled Facilities Grant: Relating to Eligible Works

Eligible Works

The mandatory DFG guidance sets out the specific works that are eligible for grant assistance. In some cases, the mandatory scheme does not provide the full range of adaptations that enable disabled residents to live their lives to the full. For example, where a disabled person works from home and requires wheelchair accessible office space or to facilitate full access to gardens to improve well-being.

Client Eligibility

The application process will be the same as for the mandatory DFG and the work must have been identified as necessary and appropriate by the Surrey County Council Occupational Therapist Team.

Amount

The maximum additional discretionary grant is £15,000.

Other Conditions

- The repayment condition will be declared as a land charge against the adapted dwelling for 10 years.
- If the property is subject to an owners' application and is sold within a 10-year period starting on the date of completion of work, the Council will seek to reclaim funding that exceeds £5,000 but will not seek to recover more than £10,000.

- Individual cases will be considered as an exception where the cost of redeeming the registered charge would place a household in financial hardship, or where moving to alternative accommodation would be in the best interest of the disabled person.

5.3 Mandatory Disabled Facilities Grant: Exemption from Means Testing

In order to simplify the Disabled Facilities Grant process for lower value works and to target prevention of falls and maximise independence, the following works will be exempt from means-testing and have a simpler application process:

- Internal stair lifts
- Works costing below £5,000

Step lifts and through floor lifts will continue to be means tested.

5.4 Mandatory Disabled Facilities Grant: Non-Means Testing Grants for those with a terminal condition.

High priority will be given to Occupational Therapist referrals where the applicant has a progressive illness which will deteriorate rapidly and become unmanageable without the provision of an adaptation.

For example, for anyone diagnosed with a terminal condition or long-term degenerative condition such as Motor Neuron Disease.

This will be agreed in consultation with the Strategic Housing Manager on a case-by-case basis.

5.5 Passporting Benefits

In addition to the income related benefits which are 'passporting benefits' for a Disabled Facilities Grant, Council Tax Support or Council Tax Income Discount will also be treated as a passporting benefit for both DFG's and discretionary grants.

Single persons allowance or disabled reduction allowance do not qualify as a passporting benefits.

5.6 Mandatory Disabled Facilities Grant: Waive all client means tested contributions under £5000

When a client's contribution for a DFG is less than £5,000, their contribution will be waived and not charged to the client. This will ensure potential clients are not deterred from important works. It will also reduce administrative function to the Authority.

Where a client contribution is over £5,000, the entire contribution will be charged to the client.

5.7 Relocation Grant relating to a Disabled Facilities Grant application

Eligible Works

Where it is assessed, that adaptation works required to a property in the Council relating to a disabled person are uneconomical or are considered unreasonable and/or impracticable having regard to the age and condition of the dwelling or building, the Council may provide grant aid to assist in the reasonable moving costs associated in moving to a pre-adapted or more easily adaptable property.

These costs may include:

- Removal expenses
- Legal costs
- Valuation costs

These costs will not include costs related to the purchase price of the house, such as stamp duty or a deposit.

Client Eligibility

The applicant must be either an owner/occupier or a tenant and the relevant person must be a disabled person within the household.

Amounts

- There is a limit of £10,000 for these grants per application.
- The disabled person and any partner are means tested to determine the amount of any contribution towards the costs.
- If the disabled person is a child, the parents or legal guardian are not means tested.

Other Conditions

- The new property must be the disabled person's main residence.
- Any application must be supported by a recommendation made by an Occupational Therapist (OT) and the Council, and the OT must be satisfied that the proposed property already meets the need of the disabled person without further adaptation or are satisfied that it can be adapted at a reasonable cost.
- Repayment conditions will not be applied to this grant.

5.8 Prevention Grant

This grant offers provision of simple measures to ensure that elderly, vulnerable or disabled residents can occupy their homes safely and reduce likelihood of developing ill-health; also, to ensure that properties are suitable for people to be discharged from hospital without delay.

Eligible Works

- Provision and installation of equipment including assistive technology, to prevent falls or accidents within the home, as well as promote independence.
- Prevent hospitalisation / assist hospital discharges including the 6 weeks following discharge.
- Removal of hoarding materials and deep cleans.
- Palliative Care - to support hospital or hospice discharge at end of life to enable the applicant to return or stay at home with either permanent or temporary fixtures.
- Winter warm pack to be distributed to vulnerable residents.
- Telecare assistance – support those who are unable to afford the cost of for example a personal alarm, who are at high risk of falls.

Amount

The grant has a maximum value of £5,000.

Other Conditions

- This funding will be processed preferably following a referral by staff from Health, Social Care, or the Borough Council.
- It may not require the applicant to complete forms or have a financial assessment.
- The exception to this is the **Telecare Grant** where the resident must be in receipt of a means tested benefit. Repayment conditions will not be applied for these works.
- Repayment conditions will not be applied to this grant.

5.9 Dementia Support

To assist residents who are living with dementia and memory loss to fund modifications to allow them to remain safely in their home. These simple changes can help to keep someone living safely at home for longer delaying the need for more costly care services or a move into residential care.

Eligible Works

To fund modifications and equipment such as:

- Labels and signs on doors and cupboards
- Task focussed lighting on bathrooms and kitchens
- Assistive technology, e.g., to provide reminders and to monitor activity
- Safer flooring
- Decoration to improve contrast between walls and floors
- Coloured fixtures to create a contrast for items like toilet seats and grab rails

Client Eligibility

Residents who are living with dementia, memory loss, confusion due to medical conditions such as a stroke, conditions such as Parkinson's disease, and more.

A financial assessment will be applied.

Amount

The grant has a maximum value of £5,000

Other Conditions

Repayment conditions will not be applied to these works.

5.10 Safe and secure grants

To assist vulnerable households to carry out a wide range of minor adaptations, repairs, and security measures to reduce risks and accidents around the home and promote independent living.

Works can include building repairs to remedy health and safety risks associated with damp, faulty wiring, defective windows, and doors.

Where deemed appropriate, for example, where the works required are outside the scope of the grant, the applicant may be referred to the Parity Trust loan scheme.

Client Eligibility

An applicant must be:

- An owner-occupier or a private tenant with repairing obligations relating to the eligible works
- Aged 18 or over
- On a passporting benefit

Amounts

The grant has a maximum value of £10,000.

Other Conditions

- The applicant must have lived in the property for a minimum of 2 years.
- There can be no further grant application submissions within 2 years of completion of previous grant.
- The repayment condition will be declared as a land charge against the adapted dwelling for 10 years.
- If the property is subject to an owners application and is sold within a 10-year period starting on the date of completion of work, the Council will seek to reclaim the funding that exceeds £5,000 but will not seek to recover more than £10,000.
- Individual cases will be considered as an exception where the cost of redeeming the registered charge would place a household in financial hardship, or where moving to alternative accommodation would be in the best interest of the resident.

5.11 Warm at Home

Eligible Works

The aim of the energy efficiency grant is to fund works to reduce fuel poverty in low-income homes. To achieve this the Council is working in partnership with Action Surrey, a county-wide organisation to offer energy efficiency grants for works to improve energy efficiency and reduce fuel poverty to qualifying households.

Grants can be provided for the following items:

- Cavity wall insulation.
- Loft insulation.

- Condensing boilers or other measures that may be considered appropriate by the Strategic Housing Manager to provide adequate thermal insulation.
- Tackle excess cold or address fuel poverty.

These grants will be made available to complement national or local grant programmes which also aim to address home energy efficiency and applicants will be expected to apply for the national or local grants where they are eligible and seek top-up if necessary.

The Council also works in partnership with Action Surrey to provide advice and information about home energy efficiency and to act as a referral route for qualifying householders to access grant aid through the range of schemes. Applicants may therefore be directed to Action Surrey in the first instance.

Energy efficiency works can also be incorporated into Safe & Secure and Home Improvement loans via the Parity Trust scheme.

Client Eligibility

An applicant must be:

- An owner-occupier or a private tenant with repairing obligations relating to the eligible works.
- Aged 18 or over.
- On a passporting benefit.

Amounts

The grant has a maximum value of £10,000.

Other Conditions

- The applicant must have lived in the property for a minimum of 2 years.
- There can be no further grant application submissions within 2 years of completion of previous grant
- The repayment condition will be declared as a land charge against the adapted dwelling for 10 years.
- If the property is subject to an owners application and is sold within a 10-year period starting on the date of completion of work, the Council will seek to reclaim the funding that exceeds £5,000 but will not seek to recover more than £10,000.
- Individual cases will be considered as an exception where the cost of redeeming the registered charge would place a household in financial hardship, or where moving to alternative accommodation would be in the best interest of the resident.

5.12 Parity Trust Loan Scheme

Home improvement loans are offered by Parity Trust, a not-for-profit organisation working in partnership with the Council. The loan is low cost subsidised by the Council and is secured on an occupier's home.

Eligible Works

The Council may offer a subsidised loan to homeowners to improve, adapt and renovate their homes. The loan sits alongside the existing discretionary grant policy and can help finance works where the applicant would be excluded by the stricter eligibility criteria for a grant. Referrals must be made by the Council's Housing Grants Team.

Client Eligibility

The applicant must be an owner-occupier with sufficient equity and income. Applicants will be assessed on their ability to repay the loan.

Amounts

The minimum loan available is £2000,00.

5.13 Accessible Housing

Discretionary assistance will be made available for the installation of adaptations to increase the supply of accessible housing.

This would include works necessary to make affordable properties for rent owned by a registered provider for social housing or the Council, available for disabled persons who are homeless or need to move to a more suitable adapted property.

This includes temporary accommodation for homeless households and supported accommodation owned by a registered provider for social housing or the Council.

Amounts

The grant has a maximum value of £30,000.

Exceptional cases will be considered in consultation with the Strategic Housing Manager.

Conditions

- The Council retains 100% nomination rights where funding has been applied.
- The full amount of discretionary assistance will be repayable on the sale of the property in agreement with the Registered Provider.

6. Handyperson

The Council operates a Handyperson Service, which provides a trusted contractor to undertake small jobs in resident's homes, for which it is difficult to engage a contractor.

The aim of this service is to assist older and vulnerable people to stay in their homes using a reputable contractor for small jobs where it can sometimes prove difficult to find reliable help.

Eligible Works

The work undertaken by the handyperson is small scale. The service user pays for most materials themselves.

Where the works are required for health, safety or security measures, the Council may pay up to 3 hours of labour with a maximum of two jobs per year. Material will be paid for by the resident apart from handrails which will be installed free of charge.

Client Eligibility

To be eligible the resident must be over 65 or on a passporting benefit or disability benefit.

Amounts

The grant has a maximum value of £1,000.

7. Community Equipment Service

The Council provides an annual grant, under its discretionary powers to support Surrey County Council's Community Equipment Service (CES).

This funding supports residents by preventing accidents and avoidable hospital admissions and enables them to return home safely after a hospital stay.

This allows for the speedy installation of ceiling track hoists and temporary ramps, which are a major adaptation that can be funded via a mandatory DFG. This arrangement has been implemented to ensure the fastest access to this specialist equipment, to avoid the disabled person having to undertake the DFG application process.

8. Exceptions to the policy

If a potential applicant considers that there are exceptional circumstances which fall outside of the Council's grant policy, they may present details to the Strategic

Housing Manager for consideration. These will be considered on a case-by-case basis, regarding:

- the cost of repair.
- the nature of the works.
- availability of alternative finance.
- the client's needs.
- suitability of the accommodation.
- ability of the applicant to meet their needs through alternative accommodation.

9. Enquiries, Applications and Procedures

Enquiries can be made to the Housing Grants team/HIA via e-mail contactus@epsom-ewell.gov.uk.

Where required, formal applications for grants must be made on the forms prescribed by and available from the Council. Applicants will be required to provide satisfactory documentary evidence of qualifying status in respect of any claim for assistance.

All grant approvals will be issued in writing and the qualifying works must not be commenced prior to grant approval being issued. Failure to comply with this requirement could result in the application being refused.

Where required, two itemized and individually priced quotations from suitably qualified contractors must be obtained to ensure that the best value can be demonstrated. Where the value of works exceeds, or is likely to exceed £20,000, three quotations will normally be required.

Once grant approval has been issued and works have been satisfactorily completed payment of the grant will be made direct to the contractor(s) undertaking the works.

With the exception of mandatory DFG's the award of a grant will be subject to the provision and availability of necessary funding.

Grants may be repayable if the property is sold or otherwise disposed of within the grant period. Repayment may be waived or reduced if there are exceptional circumstances requiring the sale or disposal and repayment would cause exceptional hardship.

Complaints and Redress

Information is available by contacting the Customer Services Centre by e-mail contactus@epsom-ewell.gov.uk or online at www.epsom-ewell.gov.uk

10. Appendices

Appendix A - Definition of Vulnerable Households

Vulnerable groups targeted for assistance are those who may be particularly at risk of suffering health and safety problems as a result of poor housing conditions in situations where they do not have the resources or support to undertake remedial action themselves.

Households in receipt of the following benefits are classed as vulnerable.

- Pension Credit
- Households in receipt of working tax credit which includes a disability element, if they have relevant income of less than £15,050
- Households in receipt of child tax credit, if they have a relevant income of less than £15,050
- Income Support
- Housing Benefit
- Council Tax Support or Council Tax Income Discount
- Income-based Job Seekers Allowance
- Attendance Allowance
- Disability Living Allowance
- Industrial Injuries
- Disablement Benefit
- War Disablement Pension
- Universal Credit
- Personal Independent Payment (PIP)
- Employment and Support Allowance (ESA)

Appendix B - Means Test for Disabled Facilities Grant (DFG)

All DFG applications are subject to a statutory financial means assessment. This assessment looks at the resources of the disabled person and their spouse or partner and is used to determine how much, if anything, they must contribute towards the cost of the works. Any contribution is then deducted from the grant awarded.

Where the applicant (the owner or tenant of the property) is not the disabled person, it is the disabled person who will be means tested and who will be required to declare, and provide documentary evidence of, all income, savings, and capital.

The income, savings and capital figures will be used in conjunction with a table of fixed allowances, set by the government, to calculate the amount of contribution required.

The maximum amount of grant that the Council is required to pay is £30,000 per application less any assessed contribution from the applicant. In exceptional circumstances, if the cost of the eligible works is more, the Council can use discretionary powers to increase the amount.

The grant is sometimes paid in instalments, and sometimes in full on completion of the work. The Council will normally pay the contractor directly when the Council is satisfied that the work (or phase of work) has been completed to their satisfaction and in accordance with the grant approval.

The grant is not means tested, if the adaptations are necessary for meeting the needs of a child with disabilities.

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HOUSING ALLOCATION POLICY REVIEW

| | |
|---|---|
| Head of Service: | Rod Brown, Head of Housing & Community |
| Wards affected: | (All Wards); |
| Urgent Decision?(yes/no) | |
| If yes, reason urgent decision required: | |
| Appendices (attached): | Housing Allocations Policy and Choice Based Letting scheme - Appendix 1 |

Summary

The legislation requires local authorities to publish an allocation scheme for determining priorities and defining the procedures to be followed in allocating social housing. This report reviews and updates the Council's Housing Allocations Policy and Choice Based Letting scheme that was adopted in June 2015.

Recommendation (s)

The Committee is asked to:

- (1) Adopt the changes to the Housing Allocation Policy and Choice Based Letting Scheme.**

1 Reason for Recommendation

- 1.1 To ensure the Council's Housing Allocations Policy is updated to incorporate legislative changes, to strengthen sanctions applied as a result of fraudulent activity and to include more appropriate financial thresholds.

2 Background

- 2.1 On 11th December 2014 a special joint Social and Strategy and Resources committee approved the principles of a number of changes to the Council's previous Housing Allocation Policy. The Housing Allocation Policy sets out how we prioritise housing needs, assess Housing Needs Register applications and allocate social housing.
- 2.2 Following consultation with key stakeholders the final Housing Allocation Policy was approved and adopted by committee in June 2015.

- 2.3 Whilst this policy was successfully implemented and achieved the desired aims and objectives, certain aspects of the policy are due for review to ensure the policy remains current and relevant.
- 2.4 As a result, we propose some minor changes to the qualifying and non-qualifying criteria as well as some associated administrative/procedural changes to ensure the policy remains up to date.
- 2.5 A summary of the proposed changes to the Housing Allocation Policy are outlined below:

- **Fraud & false information**

Review the qualifying criteria and penalties for applicants who have been found to have made a fraudulent application and/or provided false information. This will support the work currently being undertaken by Reigate and Banstead's Fraud Investigation team on the Council's behalf.

- **Legislative changes and case law**

To ensure that the Housing Allocation policy is compliant with any changes in legislation, statutory guidance and case law.

- **Align the policy to any changes in Surrey wide joint protocols**

- **Financial qualifying criteria**

Review the financial criteria for applicants to qualify for inclusion on the Housing Needs Register. Currently single people/couples without dependent children with gross annual earnings of £25,000 or more, and couples/single parents with dependent children with gross annual earnings of £50,000 or more are not entitled for inclusion on the Housing Needs Register.

- 2.6 These details of the proposed changes are highlighted in Appendix 1 - Housing Allocations Policy and Choice Based Letting scheme.
- 2.7 There are no plans to amend other aspects of the Housing Allocation Policy.

3 Proposed changes

3.1 Fraud & false Information

- 3.2 Section 2.5 - Non-Qualifying Persons, Behaviour – deception and fraud, and Section 20.0 - Fraud and False information have been updated and the qualifying criteria and penalties strengthened for applicants seeking to obtain accommodation by making a false or misleading statement, by withholding relevant information or by failing to inform the Council of any material change in circumstances.

- 3.3 It is proposed that applicants who have been found to have made a fraudulent application as outlined above will have their application cancelled and they will be disqualified from re-joining the Housing Needs Register for two years. In addition, applicants who have been convicted of fraud or deception will be disqualified from the Housing Needs Register for five years. In both cases this was previously for a one-year period.
- 3.4 This will support the work currently being undertaken by Reigate and Banstead's Fraud Investigation team on the Council's behalf.
- 3.5 Associated processes and procedures within the policy, such as the requirement to provide evidence and supporting documentation, and the verification processes have also been updated to reflect these changes.
- 3.6 **Legislative changes and case law**
- 3.7 Section 1.1 - Legal Background, has been updated to include any changes in legislation and statutory guidance that the Council must have regard to when framing the Housing Allocation Policy. A more comprehensive list of the relevant legislation and guidance has been included.
- 3.8 Section 2.3.1 - Ineligible for inclusions on the Housing Needs Register, has been updated to reflect changes to the statutory provisions regarding eligibility in respect of persons from abroad as set out in section 160ZA of the Housing Act 1996. These requirements are set centrally by the Secretary of State. A full list of the statutory provisions regarding eligibility are contained in chapter 3 of the Allocation of accommodation: guidance for local housing authorities in England.
- 3.9 Section 2.4.3 - Exceptions to the Local Connection Criteria has been updated to include provisions for assessing households who meet the Reasonable Preference categories but who do not fulfil the local connection qualification criteria. This is a requirement of the Homelessness Reduction Act 2017.
- 3.10 **Align the policy to any changes in Surrey wide joint protocols**
- 3.11 Section 2.4.3 - Exceptions to the Local Connection Criteria & Section 9.5 - Awarding priority to Care Leavers have been updated to reflect changes adopted in the Surrey Joint Housing Protocol for Care Leavers and the Homelessness Reduction 2017.
- 3.12 **Financial qualifying criteria**
- 3.13 The Council has set financial qualifying criteria so that people with sufficient household income, savings or assets, or own their own home will not qualify to join the Housing Needs Register.

- 3.14 Under the current policy single people or couples without dependent children with gross annual earnings of £25,000 or more and couples or single parents with dependent children with gross annual earnings of £50,000 or more will not be entitled for inclusion on the Housing Needs Register.
- 3.15 The current thresholds were last set in 2015 and, in particular the £25,000 or more gross annual earnings threshold for single people/couples without dependent children is considered too low. This threshold excludes a number of households who are in employment, particularly key workers. In addition, when allocating social housing it is important that there is a mix of households who may be dependent on welfare benefit as well as those in employment as this will assist in achieving social economic balanced communities and will help avoid a high concentration of deprivation. This is especially the case for one bedroomed properties.
- 3.16 In trying to establish revised threshold levels we have had regard to a Surrey wide bench marking exercise that was undertaken in 2023 of the income and saving thresholds for each of the 11 districts and boroughs. It is difficult to make exact comparisons, as each Council will take different factors into account when assessing salary, income and welfare benefits. However, Epsom & Ewell Borough Council currently has the lowest threshold in Surrey for applicants to be entitled to join the Housing Needs Register.
- 3.17 It is therefore proposed that the current £25,000 or more gross annual earnings threshold for single people/couples without dependent children be increased to £40,000.
- 3.18 This level is being proposed as it represents the income level at which a couple renting a one bedroom property at the Epsom Local Housing Allowance rate of £872 pcm would no longer qualify for any welfare benefits/universal credit.
- 3.19 It is difficult to undertake a comparable calculation for households with dependent children as there are a number of variables to the welfare benefit system which make this more complex. However, the Bank of England inflation calculator estimates that the £50,000 threshold set in 2015 for households with dependent children would now equate to £65,452 when inflation is applied.
- 3.20 It is therefore proposed that the current £50,000 or more gross annual earnings threshold for couples/single parents with dependent children be increased to £65,000.

- 3.21 By way of additional background information, it should be noted that according to an ONS report on private rental affordability from December 2022, private renters in the South-East on a median household income could expect to spend at least 30% of their income on a median-priced rented home. The table below shows the annual salary level required for a median private sector rent in Epsom to be at a similar level..

| | Median monthly rent for Epsom – Sept 2023 | Annual salary level required for rent to be 30% of salary |
|------------------|---|---|
| 1 bed properties | £1300 | £51,000 |
| 2 bed properties | £1675 | £65,500 |
| 3 bed properties | £2375 | £88,000 |
| 4 bed properties | £3200 | £108,000 |

- 3.22 For low-income households in receipt of housing benefit or universal credit the maximum rent that will be paid is limited to the Local Housing Allowance (LHA) rate and there is a large shortfall between the median market rents charged by private landlords and the LHA rates set by government. This impacts on their ability to find and secure private rented accommodation and means they are more reliant on social housing. The table below outlines the LHA rate for Epsom, the current median private sector rents and the resulting shortfall.

| | Median pcm rent for Epsom – Sept 2023 | LHA rates pcm | Shortfall in LHA and Median monthly rents |
|------------------|---------------------------------------|---------------|---|
| 1 bed properties | £1275 | £872.60 | £402.4 |
| 2 bed properties | £1638 | £1096.98 | £541.02 |
| 3 bed properties | £2200 | £1371.24 | £828.76 |
| 4 bed properties | £2700 | £1730.25 | £969.75 |

- 3.23 There are other financial qualifying criteria contained in the policy but this remains unchanged.

4 Risk Assessment

Legal or other duties

- 4.1 Equality Impact Assessment

- 4.2 An extensive Equality Impact Assessment was undertaken when the Housing Allocation policy was agreed in July 2015. The proposed changes represent only minor changes and will have a positive impact on those households with protected characteristics.

- 4.3 Crime & Disorder

- 4.3.1 None for the purposes of this report

4.4 Safeguarding

4.4.1 Allocating social housing to households in housing need will have a positive impact on safeguarding.

4.5 Dependencies

4.5.1 None for the purposes of this report

4.6 Other

4.6.1 None for the purposes of this report

5 Financial Implications

5.1 There are no direct financial implications arising from this report.

5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

6 Legal Implications

6.1 The legislation requires Local Authorities to publish an allocation scheme for determining priorities and defining the procedures to be followed in allocating social housing. This policy has been drafted to comply with the requirements of the Housing Act 1996, as amended and takes account of statutory guidance issued by government.

6.2 **Legal Officer's comments:** None for the purposes of this report

7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Safe and Well – Ensuring current housing need is identified and availability of suitable accommodation.
- An Effective Council – Effective provision of the Council's homelessness and rough sleeper service.

7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** None arising from this report.

7.4 **Sustainability Policy & Community Safety Implications:**

7.5 **Partnerships:**

7.6 As the proposed changes represent only minor changes there is no requirement to consult with our partners or applicants.

8 Background papers

8.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Review of Housing Allocations Policy and Choice-Based Lettings Scheme - Social/Strategy and Resources Committees (Special Joint Meeting), 11 December 2014
- Review of Housing Allocations Policy and Choice-Based Lettings Scheme – Social Committee, 6 July 2015

Other papers:

- None

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Housing Allocation Policy and Choice Based Lettings Scheme

Updated 10/10/2023

**Telephone number: 01372 732000
contactus@epsom-ewell.gov.uk
www.epsom-ewell.gov.uk**

Tracking

| | | | |
|-----------------|---|------------------|-----------|
| Policy Title | Housing Allocation Policy and Choice Based Lettings Scheme | | |
| LT sign off | | | |
| Committee | Special joint Committee | Date Approved | June 2015 |
| Review due date | | Reviews Complete | |
| Service | Housing Services | | |

Revision History

| Revision Date | Revisor | Version | Description of Revision |
|---------------|---------------------------|---------|-------------------------|
| October 2023 | Housing Solutions Manager | | |
| | | | |
| | | | |
| | | | |

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Housing Allocation Policy and Choice Based Lettings Scheme

1. Introduction

This document outlines Epsom & Ewell Borough Council's Housing Allocation Policy and Choice Based Lettings Scheme (CBL) as required by the Housing Act 1996. There is no 'council housing' in Epsom and Ewell. The Council transferred its entire permanent housing stock through Large Scale Voluntary Transfer to Rosebery Housing Association in 1994. In order to meet housing need the Council has 'nomination rights' to a percentage of the housing association vacancies. This Policy identifies the priorities and procedures the Council will follow in allocating the Social Housing properties where it has nomination rights.

The intention in developing the Allocation Policy has been to have a scheme that prioritises housing applicants with a housing need and a local connection to Epsom & Ewell Borough Council.

The policy enables the Council to consider the individual needs of its applicants while making best use of the limited housing stock within the Borough. The policy sets out:

- Who is eligible & qualifies to be accepted onto the Housing Needs Register
- Who is not eligible & non-qualifying to be accepted onto the Housing Needs Register
- How to apply for housing
- How priority for housing applicants will be given
- What the decision making processes are
- How properties will be advertised
- How applicants will be selected
- How properties will be let
- How reviews will be conducted

Under the Housing Act 1996, as amended the Council is required to have an Allocation Scheme to determine priorities in allocating housing and to set out the procedures to be followed. This Policy has been drafted to comply with the requirements of the Housing Act 1996, as amended and takes account of statutory guidance issued by government.

Local Authorities may review their Allocation Schemes to set their own local priorities and restrict who will be eligible or qualify for their Housing Registers. Government guidance encourages Councils to make full use of the flexibilities within the allocation legislation to ensure that social homes go to people who need them.

In 2015 the Council reviewed the Housing Allocation policy and introduced the following changes:-

- The Council no longer operates an open register and restrictions are now placed on who can qualify for social housing with strengthened criteria relating to local connection, financial resources and behaviour
- The previous points-based scheme has been replaced by a banding scheme

- Qualifying applicants are placed in an application category as either a homeless applicant, a waiting list applicant or a transfer applicant and a quota of properties will be attached to each of the categories
- The level of choice available to homeless households living in temporary accommodation has been reduced and they will now be made one direct offer of suitable accommodation
- Reduced priority is given for waiting list and transfer applicants who refuse 3 suitable offers of accommodation
- Specific provisions have been made for armed forces personnel and right to move applicants
- Household & property size criteria have been reviewed to align them with the DWP Bedroom Standard.

In forming this Allocations Scheme, the Council has consulted with the Registered Providers (housing associations) with which the Council has nomination arrangements, local voluntary and statutory agencies. Housing applicants on the Housing Needs Register have also been consulted.

1.1 Legal Background

The main legislation underpinning the allocation of social housing is the Housing Act 1996, Part VI (as amended), the Localism Act 2011 and Homelessness Reduction Act 2017.

In framing the Housing Allocation Policy and Choice Based Lettings Scheme the Council has had regard to the following:

- Housing Act 1996 as amended by the Homelessness Act 2002, Housing and Regeneration Act 2008, Homelessness Reduction Act 2017, and other relevant legislation.
- Homelessness Code of Guidance published in February 2018 – (updated)
- Allocation of Housing (Procedure) Regulations 1997
- Allocation of Housing (England) Regulations 2002
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006
- Allocation of accommodation: guidance for local housing authorities in England was published in June 2012 – (updated)
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- Housing Allocations – Members of the Armed forces 2009
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012
- Improving access to social housing for members of the Armed Forces Statutory Guidance 2020
- Children’s Act 2004, sections 10 and 11
- Domestic Abuse Act 2021

- Improving access to social housing for victims of domestic abuse in refuges or other types of temporary accommodation statutory guidance on social housing allocations for local authorities in England, 2018
- The Immigration and Social Security Coordination (EU Withdrawal) Act 2020
- the Equality Act 2010

The Council has also had regard to existing case law, the Council's Homelessness & Rough Sleeper Strategy, and the Armed Forces Corporate Covenant when devising this scheme.

References in the Housing Allocation Scheme to statute and case law, regulations, and ministerial guidance are necessarily limited. They are not intended as a substitute for the original sources, which should be consulted directly where necessary. References to legislation and guidance are to the current version, incorporating any amendments.

1.2 Aims and Objectives of the Allocations policy

The overall aim of the Council's policy is to ensure that all social housing in the Borough that the Council has nomination rights to, is allocated fairly and objectively to those most in need, having regard to any legislative requirements and any regulations or Codes of Guidance issued by DCLG.

The policy has been written with a view to meeting the following key principles:-

- Operate an Allocation Policy and Choice Based Lettings Scheme for housing applicants with a local connection to Epsom & Ewell Borough Council who are in housing need that realistically reflects the housing options available
- Ensure those in housing need are given preference for housing, in accordance with the law and relevant Codes of Guidance
- Meet local needs and local circumstances
- Maintain an appropriate balance between the needs of homeless households and others in housing need
- Offer applicants as much choice as possible within the boundaries of high demand for housing and limited availability of resources
- Ensure that the process of applying for, and the allocation of, a housing is open, fair, transparent and accessible
- Make best use of the housing stock in the borough ensuring safe, sustainable and balanced communities are maintained, re-let times are minimised and under-occupation is reduced
- Consider appropriate priority for social tenants who want to downsize
- Recognise and address the housing and support needs of vulnerable people
- Ensure that Armed Forces Service personnel get appropriate priority
- Contribute to the prevention of homelessness and provide a wider housing options approach which encourages applicants to explore all of the alternative housing options
- Provide information and feedback on homes that are let through the CBL scheme in order to enable applicants to make informed decisions about their housing choices and on their future prospects of housing
- Prevent Housing Needs Register /Homelessness fraud
- Collect data on housing need as reflected in the Housing Needs Register to inform local & central government and other statistical returns

1.3 The Allocation Scheme

1.3.1 Definition of an 'allocation'

The Council maintains a single Housing Needs Register for people in need of affordable housing. The Housing Needs Register is used by the Council for allocating housing under Part 6 of the Housing Act 1996. This applies where the Council; -

- Selects a person to be a Secure or Introductory Tenant of accommodation held by that authority;
- Nominates a person to be given a Secure or Introductory Tenant of accommodation held by another Housing authority;
- Nominates a person to be an Assured Tenant of accommodation held by a Private Registered Provider (or Registered Social Landlord in Wales).

The term “Assured Tenant” includes a person with an Assured Shorthold Tenancy, including of an Affordable Rent property and “Secure Tenant” includes person with a Flexible Tenancy granted under s107A of the Housing Act 1985.

1.3.2 Lettings not covered by the Scheme

Not all nominations or lettings made by the Council are allocations made under Part 6 of the Housing Act 1996. The following are examples of lettings not covered by, or specifically excluded from the Allocation Scheme, under the provisions of the Housing Act 1996:

- Offers of Non-Secure Tenancies or assured shorthold tenancies to homeless persons pursuant to any duty under Part 7 of the Housing Act 1996
- The conversion of Introductory /Starter Tenancies into Flexible, Secure or Assured Tenancies
- Offers of tied accommodation made to Council employees (service occupancies)
- Offers of, or nominations to, accommodation made at the Council's own instigation rather than in response to an application. For example offers to tenants being decanted from their homes to allow major works to take place.
- Assignments and successions to tenancies
- Mutual Exchanges
- Transfers of tenancies made by Court Order under the Matrimonial Causes Act 1973 or other family legislation
- Vesting or disposal of tenancies by order of a Court
- Referrals to Assured Shorthold Tenancies by the Housing Options Team to prevent homelessness where the landlord is a Registered Provider or private landlord
- Any other situations, added by the Secretary of State through the making of regulations, in which the allocation scheme will not apply
- Existing secure, introductory and assured tenants seeking a transfer who are not considered to have reasonable preference are outside the scope of the provisions on Allocation of Housing Accommodation in Part 6 Housing Act 1996
- Supported housing and extra care housing, where additional support and social care services are required will not be advertised through Epsom & Ewell Home Choice and will be allocated by dedicated allocation panels. Allocations through these panels will be based on an assessment of the level of support and care required by the applicant.

1.4 Housing Stock Profile

As noted above, there is no ‘council housing’ in Epsom and Ewell. The Council transferred its entire permanent housing stock through Large Scale Voluntary Transfer to Rosebery Housing Association in 1994. In order to meet housing need the Council has ‘nomination

rights' to a percentage of the housing association vacancies. All tenancies allocated for settled social rented housing are Assured Tenancies. The term "Assured Tenancy" includes a person with an Assured Shorthold Tenancy, including of an Affordable Tenancy.

Rosebery Housing Association and Mount Green Housing Association also manage hostels and self-contained accommodation providing temporary accommodation to persons owed a duty under sections Part 7 of the Housing Act 1996, as well as properties let on Assured Shorthold Tenancies to prevent homelessness. These properties fall outside the allocation scheme.

1.5 Statement on Choice

Epsom & Ewell Borough Council has developed this Allocation Policy and Choice Based Lettings scheme to extend choice to all eligible applicants for social housing by giving them an opportunity to express their preference for the area and type of housing they want to live in. Wherever possible such preferences will be taken into account in allocating accommodation. However, this must be balanced with the requirement that the Council meets its legal duties as a local authority, addresses local housing need and ensures the efficient management of the housing stock to which we can nominate tenants. With the exception of homeless households to whom this Council has accepted the full homelessness duty, most applicants are therefore allowed to freely choose their preferred landlord, property type and area that they wish to be considered for. Exceptions to this are described in Section 1.5.1.

Waiting list and transfer applicants will be allowed to refuse 3 suitable offers of accommodation. A reasonable offer of accommodation is one that is suitable for the households needs. Applicants who refuse 3 suitable offers of accommodation will be entitled to remain on the Housing Needs Register but will have their priority reduced. Their degree of preference (banding) will continue to be determined by their housing need assessment but their Band Date will be amended to be the date of refusal of the third offer, therefore reducing their priority within the band.

Homeless households and emergency cases in Band A and will be made one suitable offer of nomination for accommodation within the borough.

It should be noted that in order to make the best use of the stock, available lettings plans and property selection criteria may specify that only applicants of a specific household type may bid for particular sizes or types of property. Where this is the case the property advert will set out clearly the particular criteria that applies to that property. Applicants will then be short-listed based on these criteria.

1.5.1 Restricted and Assisted Choice

Because some households need to move very urgently, it will not always be possible to meet all of their preferences for particular types of property or areas of the borough. Restricted choice will therefore apply to the following groups of applicants:

- Emergency Cases in Band A
- Statutorily homeless households

Arrangements for implementing restricted choice for each of these groups are detailed below.

1.5.2 Emergency Cases in Band A

These applicants will be made one suitable offer of nomination for accommodation within the borough. In determining the suitability of the property, consideration will be given to any medical needs that the household has, the location of employment, schooling and support networks, mobility and transport issues and any proven issues of violence or harassment.

If the applicant with an emergency banding refuses a suitable offer of nomination they will no longer be entitled to the emergency banding awarded. Any further nominations will then be made in accordance with the normal procedure regarding needs and choice.

1.5.3 Statutorily homeless households – Assisted Choice

For homeless households, an 'assisted choice system' will be in place. Where the Epsom & Ewell Borough Council has accepted a full statutory duty, a direct offer of one suitable property will be made anywhere in the borough. The Council will arrange for automatic bids to be made for these applicants from the date the Council accepts their homelessness application.

Offers to these applicants will generally be flats and could be located anywhere in the borough. However, in determining the suitability of a property, consideration will be given to any medical needs that the household has, the location of employment, schooling and support networks, mobility and transport issues and any proven issues of violence or harassment.

The Council can also discharge its statutory duty to homeless households through an offer of accommodation in the private rented sector, not necessarily within the borough. This does not require an applicant's consent but it will be in line with the relevant legislation.

In addition, where an applicant is unintentionally homeless, eligible for assistance and has a priority need for accommodation, the housing authority has a duty to secure that accommodation is available for occupation by the applicant. The authority may discharge its duty to make accommodation available by making a direct offer of accommodation under Part 6 of the 1996 Act if the applicant has the necessary priority under the allocation scheme.

In these cases, applicants will be advised that this offer is a final offer and if the offer is refused the Council will discharge any duty that may be owed under Part 7 of the Housing Act 1996 and possession proceedings will be commenced to evict them from their temporary accommodation.

Applicants have the right to request a review of our decision if they feel the property offered was unsuitable under the legislative requirements. Applicants offered suitable accommodation in discharge of our duty under Part 7 of the Housing Act 1996 have a right to accept the property, move in and still request a review regarding its suitability.

1.5.4 Epsom & Ewell Home Choice

In order to offer choice Epsom and Ewell Borough Council operates a Choice Based Lettings scheme known as Epsom and Ewell Home Choice. The Council will advertise housing association vacancies to which it has nomination rights in its offices, on the internet, on a dedicated telephone line and by newsletter. Applicants on the Housing Needs Register are invited to express an interest in, or bid for, the properties advertised. Applicants may make a total of 3 bids in any one advertising cycle.

1.6 Type of Allocation Scheme

This allocation scheme is a **Banding Scheme**. The Housing Needs Register is divided into five bands reflecting the reasonable and additional preference categories, outlined in the Housing Act 1996 and local priorities.

Applicants will be placed into an application category of either homeless, waiting list or transfer applicant.

Eligible and qualifying applicants in each application category are placed in one of five bands ranging from A (highest need) to E (lowest) which reflects their housing need in accordance with the 'reasonable preference categories' in the Housing Act 1996 Part 6 and the Council's local priorities for housing allocation.

The position in that band will be determined by the band date and then the registration/application date. Waiting time in each band ensures that once assessed will gradually move up towards the top of the band.

Where a household's circumstances falls into more than one band they will be placed in the band that affords them the greatest priority. Applicants will be placed in a band based on the category of their application: waiting list, transfer or homeless applicant.

1.6.1 Registration Date

All applications will be given a 'registration date'. This will be used when allocating properties to determine how long an applicant has been entered on the Housing Needs Register. The registration date of the application will be the date the fully completed form and documentation is received by the Council.

1.6.2 Band Date (Effective Date)

The Band Date is the date an application became eligible for inclusion in the band and will generally be an applicant's registration date or the date the Council were informed of the change of circumstances that entitled the applicant to be included in that band.

1.6.3 Moving between bands

The Council's banding assessment does not allow for movement between bands unless there is a notified and assessed change of circumstances that meets the criteria for a higher or reduced assessment. This means that it is not possible to move from one band to another simply through time accrued on the Housing Needs Register.

Where a household's circumstances change the application will be reassessed. If it is assessed that the applicant's circumstances change so they qualify for inclusion in a higher band or bedroom category, the band date will be considered to be the date the Council were advised of the change in circumstances.

If a household's circumstances change so that they require to be placed in a different application category their band date will be the date the Council made a decision that entitled the applicant to be included in that category.

If it is assessed that the applicant's circumstances change so they are no longer eligible for their current band or bedroom category and they have to be moved to a lower band or bedroom category, their band date will stay as their original band date.

The banding scheme reflects broad levels of housing need which may mean that some changes in the applicant's circumstances will make no difference to the banding placed in.

In certain circumstances applicants may be placed into a reduced priority band. This is explained in Section 9.11.

The criteria and details of the banding schemes are set out in Section 9.0.

1.6.4 Re-housing Quotas & Targets

As the demand for social housing in the borough is far higher than the supply, a system of re-housing targets operates to ensure that different categories of applicant for housing have a chance of being offered accommodation. The targets are balanced between the needs of homeless households, waiting list applicants and existing local transfer tenants. Applicants in each category will only be able to bid on properties advertised in the corresponding category.

Targets will be set annually to take into account the likely availability of properties during the year. Progress in meeting the targets is reviewed quarterly and where necessary amended. If any categories are not achieving their re-housing target(s), properties may be advertised as only available to those specific target groups.

2.0 The Housing Needs Register

The Housing Needs Register is the Council's list of households in need of social rented housing and is the primary access route into social housing in the borough. As there is no 'council housing' in Epsom and Ewell. Social rented housing is provided by a number of different housing associations, the largest being Rosebery Housing Association. The Council has 'nomination rights' to a percentage of the Housing Association vacancies, however the demand for housing exceeds supply and the Council uses the register to assess need and decide who will be put forward to each vacancy. The majority of vacancies will be allocated through the Council's choice based letting scheme, Epsom & Ewell Home Choice.

The Housing Needs Register includes the following types of applicant, subject to their meeting the eligibility criteria:

- Current housing association or Council tenants wishing to move
- New and existing housing waiting list applicants
- Homeless households

2.1 Who can apply to join the Housing Needs Register?

When applicants apply to join the Housing Register, the Council will first consider:

- Whether someone is eligible to apply for housing, and if yes;
- Do they qualify under the policy rules?

2.2 Eligibility and Qualification to join the Housing Needs Register

To qualify for inclusion on the Council's Housing Needs Register applicants must be over the age of 16 and be eligible & qualifying for Social Housing and not fall within any of the non-qualifying classes outlined in Section 2.5.

An applicant will be assessed for eligibility and whether they qualify for an allocation at the time of the initial application and again when the Council is considering making an allocation, particularly where a long time has elapsed since the original application.

2.3 Eligibility

2.3.1 Ineligible for inclusions on the Housing Needs Register

The statutory provisions of the legislation set out that the Council must exclude from their allocation scheme people who are ineligible for social housing.

2.3.2 Persons from abroad

A person may not be allocated accommodation under Part VI if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the Housing Act 1996.

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
- 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)).

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

2.3.3 Habitual Residence

In addition, most persons from abroad who are not subject to immigration control (including British Citizens) must also be habitually resident in the Common Travel Area and/or have the right to reside in the Common Travel Area in order to be eligible to join the Housing Needs Register. The Common Travel Area consists of the UK, the Channel Islands, the Isle of Man and the Republic of Ireland.

Applicants who have been resident in the Common Travel Area continuously for the two years prior to their housing application are likely to be habitually resident. The term 'habitual residence' is intended to convey a degree of permanence in the person's residence in the Common Travel Area. Where two years continuous residency have not been established (visits abroad for holidays or to visit relatives may be disregarded), the Council will need to make further enquiries to determine whether the applicant is habitually resident. See Appendix 1 for further guidance.

2.3.4 Existing Social Housing Tenants

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.

2.3.5 Existing Social Housing Tenants

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; while those who are considered to have reasonable preference for an allocation are specifically exempted from the eligibility provisions.

2.3.6 Managing applications for social housing from EEA citizens from 1 July 2021

EEA citizens who have not applied to the EU Settlement Scheme and who do not have a different form of UK immigration status will be considered to have no lawful basis for remaining in the UK. They will need to obtain status under the EU Settlement Scheme or another UK immigration status to resolve this. In line with the Withdrawal Agreements, late applications to the EU Settlement Scheme will be accepted where there are reasonable grounds for missing the 30 June 2021 deadline. An applicant who has made a valid application for the EU Settlement Scheme and is awaiting a decision, who was resident and exercising a qualifying right to reside in the UK by 31 December 2020 should be treated as eligible if they have a permanent right to reside (normally acquired after 5 years), are working, self-employed or a Baumbast Carer at the time of their application for social housing.

Newly arriving EEA citizens and their family members who have moved to the UK from 1 January 2021 will (unless they are eligible to apply to the EUSS in another capacity, such as being a joining family member) come under the new points-based immigration system. Under that system, access to social housing will be the same for EEA and non-EEA citizens. They will generally be considered eligible after indefinite leave to remain is granted, usually after five years of continuous residence; unless they are within one of the exempted categories under Regulation 3 of the Eligibility Regulations.

2.3.7 Statutory provisions regarding eligibility

The statutory provisions regarding eligibility in respect of persons from abroad are set out in section 160ZA of the Housing Act 1996. These requirements are set centrally. The Secretary of State may from time to time amend the classes of person eligible to be considered for housing. The Allocation Scheme would automatically be amended to reflect any such changes from the date of their implementation. Full the statutory provisions regarding eligibility are contained in chapter 3 of the Allocation of accommodation: guidance for local housing authorities in England and are outlined in Appendix 2.

2.4 Qualification

Under the Housing Act 1996 social housing may only be allocated to 'qualifying persons' and housing authorities are given the power to determine what classes or groups of people are qualifying or not qualifying for inclusion on the Housing Needs Register. These requirements are in addition to the provisions on eligibility in respect of persons from abroad, which continue to be set centrally by the Government.

2.4.1 Qualifying Persons

In order to qualify to be included on the Housing Needs Register applicants must fulfil the following criteria:

2.4.2 Local Connection

In line with statutory code of guidance the Council has elected to restrict a limited social housing available to applicants with a local connection with the borough. Therefore applicants without a local connection will not qualify for inclusion in the Housing Needs Register unless specifically provided for in legislation or the Exceptions to the Local Connection Criteria in Section 2.4.3.

Definition of a local connection under this policy is different to that under Part 7 of the Housing Act 1996, dealing with homelessness.

For the purposes of this policy an applicant has a local connection with the borough if s/he falls in one of the following classes:

Residence

- a) the applicant or the joint applicant must live in the borough and have done so continuously for the last 2 years.

Residence through family member

- b) the applicant or the joint applicant has a connection with the borough because s/he has an mother, father or adult child, brother or sister (including those by legal adoption) who has lived in the borough for at least 5 years and there is an evidenced need to move/live in the borough to provide or receive care or support because of an current and ongoing welfare and/or health reason.

Working

- c) the applicant or the joint applicant has a connection with the borough through employment, which means that s/he:
 - i. has been and is in continuous employment in the borough for more than 2 years (although not necessarily with the same employer), and
 - ii. the employment must be of at least 16 hours per week, or
 - iii. has been and is in self-employment for more than 2 years with an ongoing viable venture which is undertaken within the borough, and
 - iv. Any work undertaken must be genuine and effective.

2.4.3 Exceptions to the Local Connection Criteria

The following exceptions will apply to qualifying classes:

Armed Forces Personnel

Regulations provide that authorities must not disqualify the following applicants on the grounds that they do not have a local connection with the borough:

Those where any member of the applicant's household comes within the scope of the Regulations, namely:

- i) is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing

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- ii) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence where the death of that person's spouse or civil partner where
 - the spouse or civil partner has served in the regular forces; and
 - their death was attributable (wholly or partly) to that service; or
 - iii) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.
 - iv) Divorced, separated spouses or civil partners of those serving in the regular forces living in armed force accommodation provided by the Ministry of Defence who will shortly be no longer entitled to reside or are no longer entitled to reside in accommodation.

The Council requires proof of Armed Forces status. This proof should be official confirmation of current employment, discharge papers, or other proof such as confirmation provided by the Royal British Legion.

The definition of 'regular' and 'reserve' forces will reflect the definition set out in section 374 of the Armed Forces Act 2006.

Social Housing Tenants – The Right to Move

On 20 April 2015 *The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967)* came into force. Consequently the proposed Allocation Policy has been amended to reflect these statutory changes.

The Regulations ensure that, where local housing authorities decide to use a local connection requirement as a qualification criterion, they must not apply that criterion to certain persons so as to disqualify them from an allocation of social housing. Specifically, a local connection requirement may not be applied to social tenants in England who:

- have reasonable preference under s166 (3) of the Housing Act 1996 because of a need to move to the local authority's district to avoid hardship, and
- need to move because the tenant works or has been offered work in the district of the authority and has a genuine intention to take up the offer.

Persons, who at the date of their application, are social housing tenants with an assured, introductory or secure tenancy and do not reside in the borough of Epsom & Ewell, will be deemed to have a local connection if:

- they need to move to borough to avoid hardship; and
- their work is located in the borough of Epsom & Ewell; or
- they have an offer of work in the borough of Epsom & Ewell that they have a genuine intention to accept.

The Council will require documentary evidence to confirm work or an offer of work. Their employer will also be contacted. This will be checked again before an offer of social housing is made.

To assess whether they need to move to avoid hardship the Housing Solutions Manager will make an assessment and will take into account the following factors:

- the distance and/or time taken to travel between their work in Epsom & Ewell and their current home;
- the availability and affordability of transport from their current home to their work in Epsom & Ewell taking into account the level of their earnings;
- the nature of their work and whether similar opportunities are available closer to their current home;
- other personal factors, such as medical conditions and childcare, which would be affected if they could not move;
- the length of their work contract; and
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship

This will also apply to apprenticeships and offers of apprenticeships but does not apply to work that is short-term or marginal in nature, or ancillary to work in another borough. Voluntary work is also excluded.

Persons who qualify under this section will be assessed in accordance with the welfare or hardship criteria outlined in section 9.3 of this policy and any quotas that may be set aside for this group will be set annually in line with section 16.1 of this policy.

Households accepted as homeless by Epsom & Ewell Borough Council

A household who has been accepted as homeless by Epsom & Ewell Borough Council under the Housing Act 1996 (and has not been referred to another authority on 'local connection' grounds) and duty has yet to be discharged, will be deemed to be a qualifying person with regard to local connection within this policy. People found to be homeless who have a local connection, are defined by the Housing Act 1996 Part 7.

Applicants placed outside the borough by the Council into temporary accommodation under the homelessness legislation will retain a local connection for the purposes of qualifying for the Housing Needs Register.

Retained local connection

Applicants placed outside the borough by the Council into accommodation with a supported housing provider will retain a local connection for the purposes of qualifying for the Housing Needs Register.

Where an applicant has been assisted by the Council with privately rented accommodation through the Rent Deposit Bond Scheme (to prevent homelessness) and that accommodation is outside of the borough, the applicant will be assessed as still having a local connection whilst they remain in that accommodation.

Where someone is in care or an institution outside of the borough they will be treated as having a local connection if they can show that they met the residence local connection prior to being placed there.

Care leavers where Surrey is the corporate parent will be able to join the Housing Register. Care leavers up to the age of 21 have care leavers status. When a care leaver passes the age of 21, they will lose care leaver status on the register and be prioritised in the same way as a non-care leaver. The exception to this would be where a care leaver has been granted extended status up to the age of 25 by Surrey County Council Children's Services.

A care leaver in Surrey where another Tier 1 local authority is the corporate parent will not receive care leaver status on the register, although they will be eligible for the housing register if they meet another local connection criteria as stated above.

Assessing Reasonable Preference households who do not fulfil the location connection qualification criteria

Council's Allocation Scheme must give Reasonable Preference to applicants who fall into the categories. The Council cannot automatically reject an applicant who does not qualify under Local Connection criteria but who may still fall into a Reasonable Preference group for housing need. Persons who do not meet the local connection qualification criteria but who fall within the statutory reasonable preference groups will be deemed to qualify to join the Housing Needs Register, however they will be placed in Band D. Applicants who apply without a local connection, but consider that the reasonable preference criteria may apply, must indicate this on their application form.

Special or Exceptional Circumstances

Exceptions may be made to the local connection criteria on a case by case basis. For example, where the applicant provides documentary evidence that can be verified to show that they have special circumstances through which a local connection has been established with the borough or where applicants are fleeing domestic abuse or other vulnerable people for whom returning to their area of origin would place them at risk, and there is third party evidence of the risk e.g. from the Police, Probation, Adult Social Care and Children's Services etc.

In these cases the information will be reviewed on a case by case basis by the Housing Solutions Manager, who will make a decision on whether the exemption should be granted.

Exceptions may also apply if the Council has agreed to assist another Council or housing provider through a reciprocal or partnership arrangement, such as through the Surrey Mobility Scheme or Witness Protection scheme.

2.4.4 A Local Connection will not be established

Where the applicant has been placed in temporary accommodation within the borough by another local authority in the discharge of their homelessness duties or as a prevention option.

Where the applicant has been placed in supported housing within the borough by another local authority and has no qualifying local connection to this borough. Time spent living in the supported housing in Epsom & Ewell will not count as a local connection.

Where the applicant is living in a hostel accommodation or supported housing in the borough they will not be considered to have any local connection unless previous residence or other

qualifying local connection in the borough can be proved. Time spent living in this accommodation in Epsom & Ewell will not count as a local connection. **Agenda Item 5
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Where the applicant qualified for registration because the Council owed them the main homelessness duty and the Council has ceased to be subject to that duty because of the refusal of a suitable offer, and the applicant does not have any other qualifying local connection for the Housing Needs Register.

2.4.5 Applicants Aged 16 or 17 years

Applicants aged 16 or 17 years will be accepted onto the Housing Needs Register providing they do not fall within the groups of applicants who are not eligible or do not qualify. Their application will be jointly assessed by the Council and Surrey County Council's Children's Services before any offer of accommodation is made. A suitable guarantor will need to be identified if the young person is offered a tenancy, which will need to continue until the applicant reaches the age of 18 years.

2.5 Non-Qualifying Persons

Non-qualifying persons will not be entitled for inclusion on the Housing Needs Register regardless of local connection. Following classes of persons are classed as non-qualifying persons:

Financial Resources

The Council has set financial qualifying criteria so that people with sufficient household income, savings or assets, or own their own home will not qualify to join the Housing Needs Register. The following classes of applicant will not be entitled for inclusion on the Housing Needs Register:

- a) Single people or couples without dependent children with gross annual earnings of **£40,000** or more
- b) Couples or single parents with dependent children with gross annual earnings of **£65,000** or more
- c) Applicants with capital or assets in excess of £16,000, with the exception of compensation paid to armed forces personnel for an injury or disability sustained on active service
- d) Owner Occupiers or those with a financial interest in a property – exceptions may apply on a case by case basis to elderly or disabled owner occupiers with a local connection who need sheltered/adapted accommodation and whose home/assets are not of sufficient value to secure such accommodation privately
- e) Applicants who have within 5 years of the date of application disposed of, or deprived themselves of an asset, which they could reasonably have been expected to use to resolve their housing difficulties.

The financial qualifying criteria thresholds will not apply to existing social housing tenants living in the borough who are looking to downsize.

Behaviour

The behaviour of applicants, any member of their household or persons who might reasonably be expected to reside with them, will be taken into account in determining their qualification to join and to remain on the Housing Needs Register.

The behaviour that may affect qualification to join and to remain on the Housing Needs Register is wide ranging and is set out below.

Behaviour – deception and fraud

- a) The applicant is seeking to obtain accommodation by making a false or misleading statement or by withholding relevant information or by failing to inform the Council of any material change in circumstances. These applications may be referred to the Council's Fraud Team for full investigation and may lead to prosecution.
- b) The applicant has an unspent conviction (under the Rehabilitation of Offenders Act 1974) for housing or welfare benefit related fraud.
- c) The applicant has obtained a tenancy by deception and/or tenancy fraud i.e. subletting a social home without permission. All applications will be referred to the Council's Fraud Team who will undertake investigations, which may lead to prosecution.
- d) In all cases, applicants will be disqualified from the Housing Needs Register for a minimum period of two years. Applicants who have been convicted of fraud or deception will be disqualified from the Housing Needs Register for five years.
- e) 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).
- f) If an applicant obtains social housing by deception, the Council or registered provider landlord may seek possession of a tenancy granted as a result of a false statement.

Behaviour – anti-social or criminal behaviour

The Council takes anti-social behaviour seriously and does not believe that tenants or those living in a community should be adversely affected by the behaviour of their neighbours or those living nearby.

- d) An applicant will not be entitled for inclusion on the Housing Needs Register if they or a member of their household has engaged in anti-social behaviour or criminal activity or conduct that makes them unsuitable to be a tenant within two years of the date of the application.

Examples being:

- Any unacceptable behaviour which, if the applicant were a secure tenant, would entitle the housing authority to an outright possession order under the grounds for possession in the Housing Act 1985
- Breaching a condition of the tenancy agreement
- Neglect of a property
- Arson
- Anti-social behaviour

- Nuisance
- Illegal or immoral behaviour
- Violence or threats of violence
- Racial abuse or harassment
- Homophobic abuse or harassment
- Domestic abuse or domestic violence
- Being convicted of an arrestable offence committed in, or in the vicinity of their home
- Causing the condition of the property to deteriorate by a deliberate act, or by neglect.

Where the Council is satisfied that these amount to anti-social or criminal behaviour, which would make the applicant unsuitable to be a tenant, the applicant will not qualify to join the Housing Needs Register. However, if the behaviour or convictions are deemed to have had no impact on the applicants' conduct of a tenancy, the application may not be affected. This will be assessed by a Housing Solutions Manager in conjunction with police/probation reports.

Where the Council has reason to believe that unacceptable behaviour is due to a physical, mental or learning disability, the person will not be determined as ineligible without first considering whether they would be able to maintain a tenancy satisfactorily with appropriate care and support. In such cases the Council will consult as appropriate with any relevant agencies, including Social Services, the Council's independent medical adviser and local providers of support services.

Each Housing Association has its own rules and criteria may still refuse to accept an applicant for a nomination.

Behaviour – housing related debt

- e) Applicants or a member of their household has rent arrears or have an outstanding housing related debt with the Council, current or former rent arrears/debt with a housing association or private landlord and who have not made and maintained suitable repayment arrangements with the debtors. A suitable repayment arrangement will normally mean having an agreed plan in place and payments have been maintained for a period of at least 6 months. If accepted as a qualifying person the applicant would need to have cleared the debt before being considered for a nomination. Each Housing Association has its own rules and criteria may still refuse to accept the applicant for a nomination.

Housing related debts includes:

- rent arrears at a current tenancy* or any former tenancies
- housing benefit overpayment at a current or former tenancies
- court costs associated with possession action or injunctions to address anti-social behaviour
- rent arrears from any temporary accommodation placements
- rent arrears from any current or previous hostel or supported housing placements
- withheld deposits or claims on any bonds which were provided by this Council or any other social housing provider to secure a private tenancy
- an outstanding loan for rent in advance made by this Council to the applicant in order to secure a private tenancy

- any housing debt which has been written off by a social housing landlord within a reasonable period of time
- outstanding re-chargeable repairs associated with a current or former social housing tenancy
- storage charges.

*Exceptions may be made for existing social housing tenants living in the borough, who have current rents arrears caused as a result of the removal of spare room subsidy, and who are looking to downsize to a smaller property.

Behaviour – deliberately worsening circumstances

- f) Where there is evidence that an applicant has deliberately worsened their circumstances in order to qualify for a higher priority under the scheme, they will not be able to join the Housing Needs Register for 12 months from the date the Council has informed the applicant of this decision.

This includes failure to take reasonable actions or follow advice which would prevent them becoming homeless or improve their housing circumstances, for example, accept an offer of suitable private rented or housing association accommodation which, given their situation, would be reasonable to do so. This may also include failure to bid for suitable accommodation that they may have been offered.

2.5.1 Exceptions to the non-qualifying criteria

Households accepted as homeless by Epsom & Ewell Borough Council

A household who has been accepted as homeless by Epsom & Ewell Borough Council under the Housing Act 1996 (and has not been referred to another authority on 'local connection' grounds) and duty has yet to be discharged, will be deemed to be a qualifying person within this policy. However, in the following situation further restrictions may apply.

- For homeless applicants where it is considered that they have enough financial resources as outlined in Section 2.5 the Council will seek to discharge that duty to the homeless households through an offer of suitable accommodation in the private rented sector, which may not necessarily be within the borough.
- Homeless applicants who have housing related debt will not be considered for a nomination until they have cleared the debt and can demonstrate that they can maintain a good rent payment history throughout their tenancy. See Section 9.11.
- Homeless applicants where they, or any member of their household, is engaging in anti-social behaviour or criminal activity the applicant will not be considered for a nomination if there has been formal action for anti-social behaviour or criminal activity taken against them within two years.

The accommodation needs of applicants who are subject to Multi Agency Public Protection Arrangements (MAPPA)

S325 of the Criminal Justice Act 2003 imposes a duty to co-operate on housing authorities in Multi-Agency Public Protection Arrangements (MAPPA) cases.

An exception to the non-qualify policy may be made for serious offenders subject MAPPA whose re-housing is a public protection issue. Normally these cases will be considered in

partnership with probation, police and registered social landlords under the Housing of Offenders Protocol.

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Exceptions may be made to the non-qualifying criteria on a case by case basis when it is considered appropriate in light of all circumstances, including other statutory obligations.

2.6 Notifying ineligible and non-qualifying applicants

The Council will write to anyone who is being excluded from the Housing Needs Register giving their reasons. Applicants have the right to ask for a review of a decision to exclude them from the Housing Needs Register and to be informed of the decision on the review and the grounds for it. See Section 19.2.

Where an applicant who the Council in the past has decided is to be treated as ineligible or non-qualifying and the applicant considers that they should no longer be treated as such they may make a fresh application to the Council.

On that fresh application it will be for the applicant to show the Council that their circumstances or behaviour have changed so that they should not now be excluded. Any such change will be considered by the Council on its merits and against the Council policy and local conditions at the time of the fresh application.

If at any time the Council obtains information that leads it to believe that an applicant already on the Housing Needs Register is ineligible or not qualifying, it will inform the applicant in writing. The applicant will be given 28 days to provide information showing that they are eligible or qualifying. If they do not reply within this period, or if they reply but the Council remains of the view that they are ineligible or non-qualifying, they will be removed from the Housing Needs Register.

2.7 Evidence Required

The burden is on the applicant to satisfy the Council with appropriate information and evidence that they are eligible by law and considered to be a qualifying person. Additional information may be requested by the Council at any stage. **Failure to respond to a request for information within 14 days will result in the application being closed, suspended and/or cancelled. This decision will be notified to the applicant in writing, advising of the right to request a review.**

3.0 Applying for Social Housing

3.1 How to Apply

To apply for social housing, applicants must be registered on the Council's Housing Needs Register. All applicants requesting entry on to the Housing Needs Register must complete an on-line application form and provide the required supporting documentary evidence.

The online application form can be completed via Epsom & Ewell HomeChoice at www.eebc-homechoice.org.uk.

The on-line application form asks for information about the applicant and any household members and about the applicant's current accommodation. It is important to answer every question on the on-line application form.

An instruction guide on how to apply is available on the HomeChoice website. However if an applicant cannot access the internet or needs assistance they should contact Housing Services and we will arrange an appointment.

Any incomplete on-line application forms will not be processed. The registration date of the application will be the date the on-line form is submitted as long as the required documentation is received within fourteen days. If the documentation is received after this period that date will be used as the registration date.

3.2 Supporting Documentation

At the time of applying all applicants will be required to provide Housing Services with the required documents within 14 days of submitting their on-line application. Original documentation must be provided where requested.

A list of required documents can be found on the HomeChoice website. These will also be on the PDF of the application emailed to the applicant. Documents can be uploaded on the Homechoice website - www.eebc-homechoice.org.uk – either as part of the social housing application or by using "Upload/ Review Documents" link on the applicants account page. Any hard copies documents provided will be electronically scanned and returned to the applicant.

Supporting documentary evidence will normally include:

- Photographic proof of identity for all household members
- Evidence of their right to be allocated housing in the UK if they are not British Citizens. Note: Under recent regulations some people have the right to reside in the UK but no right to housing.
- Proof of current address
- Proof of their local connection
- Proof of income, savings, assets
- Proof that any dependent child(ren) reside with the applicant i.e. child benefit
- Any other evidence required to demonstrate that the applicant are eligible and qualify to join the Housing Needs Register
- Additional information will be required where an applicant currently or has previously owned a property.
- Applications who do not provide the documents within 14 days of submitting their on-line application will have their application closed.

Applications who do not provide the required documents within 14 days of submitting their on-line application will have their application closed.

Applicants will also need to provide further documents at the later verification stage, prior to being considered for nomination.

3.3 Applicant's consent and declaration

When an applicant applies for social housing, they will be required to make an on-line declaration to confirm that:

- The information they have provided is true and accurate
- They will inform the Council of any change in circumstances that might affect their housing needs application/registration

- They consent for the Council to contact and share information with Social Housing providers and support agencies, Citizens Advice Bureau, Citizens Advice Authorities, Social Services, the Police and Probation Services, former landlords/agents, the Benefit Agency (DWP), local Councillors, Doctors and other health professionals including the Primary Care Trusts, as applicable.
- They consent to the Council making enquiries of any relevant persons to confirm the information on the application form is correct.

The Council may take legal action against applicants who withhold or provide false information regarding their housing application.

Where an applicant has been allocated a property as a result of providing false information, the Landlord of that property may take court action to obtain possession of the property.

3.4 Verification

The Council will verify all applications and supporting information provided, this may include inviting the applicant for an interview, undertaking a home visit **and referring all applications to the Fraud Team.**

Further verification will be required at the time an applicant is nominated for a property and the Council may check information with other sources as allowed by the law, including credit referencing agencies. See Section 20 & 21.

4. Assessment

Once the applicant has provided all the required information the application will be assessed.

Eligible and qualifying applicants will be placed into an application category of either homeless, waiting list or transfer applicant. Applications will then be assessed according to their level needs and will then be placed in one of five bands.

The position in that band will be determined by the band date and then the registration/application date. See Section 9.

An applicants' bedroom entitlement will be assessed in relation to their household size according to the Council's Bedroom Standard Criteria. See section 10.1.

They will then be registered on the Council's computer system for the Housing Needs Register and will be able to bid for properties through Council's Choice Based Lettings Scheme, Epsom & Ewell Home Choice.

4.1 Registration Date

All applications will be given a 'registration date'. This will be used when allocating properties to determine how long an applicant has been entered on the Housing Needs Register. The registration date of the application will be the date the on-line form is submitted as long as the required documentation is received with fourteen days. If the documentation is received after this period that date will be used as the registration date.

4.2 Band Date (Effective Date)

The Band Date is the date the an applicant became eligible for inclusion in the Register and will generally be an applicant's registration date or the date the Council were informed of the change of circumstances that entitled the applicant to be included in that band. (See Section 10.1 Bedroom Standard Criteria.)

5.0 Notification

After assessment the Council will write to eligible and qualifying applicants to inform them of their:

- Registration date
- Priority Band and Band Date
- The bedroom category
- Their unique reference number, which will allow them to bid for properties through the choice based letting scheme Epsom & Ewell Home Choice
- Likely chances of being housed

If an applicant is not eligible or does not qualify for inclusion on the Register, the Council will notify them in writing, giving the reasons for the decision and informing them of the right to request a review of the decision. See Section 19.2.

They will also advise that information about alternative housing options which include private sector opportunities and shared ownership, can be provided by Housing Options Services.

6.0 Application, Renewal, Change of Circumstances & Cancellation

6.1 Annual Renewal

The Council considers that applicants wishing to be considered for social housing should take responsibility for ensuring that they comply with the renewal process.

All applicants registered will be required to renew their Housing Needs Register application on an annual basis. On the anniversary of an application the Council will send out a renewal notice to those applicants. All applicants who receive this notice must update their on-line application form with 28 days. If the updated on-line form is not submitted within 28 days the applicant will be informed in writing that the application has been cancelled and that their application will be removed from the Housing Needs Register.

Where an applicant wishes to re-join Housing Needs Register at a later date their new registration date will be the date they re-apply and their application will have to be re assessed.

6.2 Change of Circumstances

Applicants are required to notify Housing Services immediately of any changes in their personal circumstances that affects their housing needs in order that any necessary amendments can be made to their application. This can be done at any time by updating their on-line application form. If an applicant moves address they will be required to update their on-line form and their application will be reassessed based on their new housing circumstances.

Applicants will be required to provide Housing Services with the documentation to support any change of circumstances within 14 days. The date used to assess the change of

circumstances will be the date the documentation are received by the Council. This will not be backdated.

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Any delay in notification will affect an applicants' priority for rehousing and could result in an application being cancelled or excluded from the Housing Needs Register. See Section 2.4.

Notifying other departments of the Council such as Housing Benefits, etc of change of address or circumstances, does not qualify, as information is not routinely passed between departments.

If following an update or the renewal of an application a change in the applicant's circumstances results in a band change, the Council will inform the applicant in writing of the new band, the reason for it, the applicable priority date and of their right to request a review of this decision. See Section 19.2.

6.3 Cancelling an application

An application will be cancelled from the Housing Needs Register in the following circumstances:

- At the applicant's request
- If the applicant becomes ineligible or non-qualifying for housing
- **Where the applicant has been found to have made a fraudulent application**
- When the applicant has been housed through the allocations policy
- When a tenant completes a mutual exchange
- Where an applicant does not maintain their application through the renewal process, or where they move and do not provide a contact address
- Where the applicant has died

When an application is cancelled, we will write to the applicant or their representative to notify them. Where an applicant has been highlighted as vulnerable, the Council will contact the applicant to check their circumstances before cancelling the application. If the applicant wishes to appeal against a decision to cancel their application they may contact the Council in writing within 21 days of the date of the cancellation letter to request a review. See Section 19.2.

7. Who can be included on the application and be considered part of the household?

Members of the applicant's household will normally be permanently residing with the applicant as their only or principal home at the time of registration and still be resident with the applicant at the time of allocation of a property. For the purposes of this Policy people in the following categories will be considered members of the household:

Applicant or joint Applicant

- Sole applicant
- Married or civil partners, or
- Cohabiting partners who are living with the applicant and can show evidence that they are in a long term & enduring relationship
- Any adult siblings who have lived together for more than 12 months

Dependent Children (Under 18)

Any parent(s) and dependent children or foster children permanently residing with the applicant(s) or who would reasonably expect to be permanently residing with them. The applicant(s) will be required to provide proof that the child resides with them as their main home. Children are only treated as living with the parent that is responsible for them and provides their main home. For a person to be treated as responsible for a child or young person, the child or young person must normally be living with that person as their main home. If a child or young person spends equal amounts of time in different households, or there is a question as to whom they normally live with, they will be treated as living with the person who is receiving child benefit for them. Any reference to child includes those by legal adoption.

Adult Children

Adult children who are not dependent and normally lives with the applicant but the adult child is in the Armed Forces and is away on operations.

Adult children who are still living at home because of a care need. The applicant will need to demonstrate to the satisfaction of the Council that care is necessary.

Adult children living in the family home may be considered to be a separate household if they live with their partner or have a child.

Adult children will be considered as a separate household where it would be reasonable to do so, and will be considered on a case by case basis.

Dependent relative

A dependent relative who is unable to live independently and there are no other reasonable options for the family and they have been part of the household for a minimum of six months.

The family will be expected to provide evidence to support this. Where necessary the advice of the Council's medical advisor or other independent medical advisor, may be sought on whether the relative needs to live with the family. Where this is not considered essential, other options, such as sheltered housing, will be discussed with the family before a decision is made as to whether the relative should be included in the application or advised to make a separate application.

Carers

Where the applicant can demonstrate to the satisfaction of the Council that a live-in carer is necessary, this will be taken into account in determining the size of accommodation needed for their household. There must be an established need for overnight care, which can be demonstrated by the person being cared for receiving Attendance Allowance, or receiving Disability Living Allowance (DLA) care middle or higher rate and Housing Services have been provided with sufficient medical evidence and details of the community care assessment to show care is required.

8.0 Assessing Needs and Level of Priority

This section of the policy sets out the factors which will be considered and the priority accorded to them when someone makes an application for housing. Applications will be

considered on an individual basis however all assessments and subsequent nominations will be made in accordance with this allocations policy.

8.1 How Needs are Assessed

An applicant's priority for housing will be assessed on the basis of the information provided in the application form they have completed, revised information provided by the applicant as a result of a change in their circumstances and other information which comes to the attention of the Council which is relevant to their application.

Qualifying applicants are assessed according to their current housing circumstances and the needs of their household and are placed in one of five priority bands A to E.

- Urgent Housing Need - Band A
- High Housing Need - Band B
- Identified Housing Need - Band C
- Low Housing Need/Reduced Priority - Band D
- No Housing Need - Band E

The Council's system for awarding bands is detailed on Appendix 2. The basis for that system is set out below in Section. 9.0.

8.2 Legal Duties

The Council is required by Part 6 of the Housing Act 1996 to have a scheme for determining its priorities and procedures to be followed when allocating housing accommodation. A Council's Allocations Scheme is required to give 'reasonable preference' to certain categories of people.

8.2.1 Reasonable Preference

The system for determining priority has been designed to ensure that reasonable preference is given to the following categories of people, as set out in s.166A(3) of the Housing Act 1996:

- people who are homeless (within the meaning of Part 7 of the Housing Act 1996 (including those who are intentionally homeless and those not in priority need))
- people who are owed a duty by any local housing authority under s190 (2), s193 (2) or s195 (2) of the Housing Act 1996 Act (as amended by the Homelessness Reduction Act 2017), (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3)
- people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- people who need to move on medical or welfare grounds and including grounds relating to a disability people who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others).

The scheme must be framed so as to give reasonable preference to applicants who fall within the categories set out in s166A(3), over those who do not. There is no requirement for the scheme to afford greater priority to applicants who fall within more than one reasonable preference category (cumulative preference) over those who have reasonable preference on a single non-urgent basis.

The Scheme allows additional preference to be given to those households identified as having the most urgent needs. In addition, the Council will take into account local circumstances in determining which applicants are to receive preference under the Scheme.

Applicants will not be given Reasonable Preference if they would only qualify for Reasonable Preference by taking into account a “Restricted Person”. A “Restricted Person” is a person subject to immigration control who is not eligible for homelessness assistance because they do not have leave to enter or remain in the UK or have leave which is subject to a “No Recourse to Public Funds” condition.

8.2.2 Additional Preference Categories

Section 166A(3) gives Councils the power to frame their allocation scheme to give additional preference to particular descriptions of people who fall within the statutory reasonable preference categories and have urgent housing needs. Additional preference will be awarded to:

- those who need to move urgently because of a life threatening illness or sudden disability
- families in severe overcrowding which poses a serious health hazard
- those who are homeless as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence

The Scheme must be framed so as to give additional preference to a person with urgent housing needs who falls within one or more of the statutory reasonable preference categories and who-

- is currently serving in the regular armed forces and suffering from a serious injury illness or disability which is attributable (wholly or partly) to her/his service
- formerly served in the regular armed forces
- is a bereaved spouse or civil partner who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of her/his spouse or civil partner whose death was attributable (wholly or partly) to service in the regular armed forces
- is, or had been, serving in the reserve armed forces (this includes the Territorial Army) and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to her/his service.

9.0 How applicants are prioritised

9.1 Awarding priority to people owed a duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017).

As outlined in Section 8.2 there is a legal requirement for housing authorities to frame their allocation scheme to give reasonable preference to people who are owed certain homeless duties. The applicant will be placed in the appropriate band dependant on what duty is owed. **These are listed in Appendix 3.**

9.2 Awarding Priority to people who are occupying insanitary, unsatisfactory housing

Disrepair: Where an applicant raises these concerns about their current home it will be necessary for the Council's Environment Health Officer (EHO) to conduct an assessment of the accommodation under the statutory Housing, Health and Safety Rating System. This assessment will determine whether any 'Category 1 or 2 hazards' exist in the home that give rise to the award of greater priority to move (e.g. because of serious disrepair that presents a threat to the household's health). The results of such assessments may lead to enforcement action being taken against the property owner to address the hazard(s) identified and may not therefore necessarily lead to the award of greater priority for rehousing. We would expect the landlord to take action to remedy the problem in the first instance.

Households whose accommodation is assessed as being in extreme disrepair (Closure /Demolition Order) by the Council's Environmental Health Officer and the Council are satisfied that the problem cannot be resolved by the landlord within a reasonable timescale and continued occupation will pose a very serious risk to the applicant health will be placed in Band A.

Households whose accommodation is assessed as being in disrepair where the Council's Environmental Health Officer has determined the property poses a category 1 hazard under the housing, health and safety rating system, the Council are satisfied that the problem cannot be resolved by the landlord within a reasonable timescale and continued occupation will pose a significant risk to the applicant health will be placed in Band B.

Households whose accommodation is assessed as being in disrepair where the Council's Environmental Health Officer has determined the property poses a category 1 or 2 hazard under the housing, health and safety rating system, the Council are satisfied that the problem cannot be resolved by the landlord within a reasonable timescale and continued occupation will pose a risk to the applicant health will be placed in Band C.

Before awarding such bandings an assessment would be made as to whether all reasonable steps had been taken to remedy the situation, including securing more suitable accommodation elsewhere in the private sector.

Insanitary or unsatisfactory housing: Priority will be awarded where an applicant's current accommodation lacks particular basic amenities such as bath, kitchen or hot/cold water supplies, or these facilities have to be shared with another household.

Applicants living in unsatisfactory housing lacking basic facilities which cannot be provided by the landlord at reasonable cost within a reasonable timescale will be placed in Band B. This includes applicants without access at all to any of the following facilities: kitchen, bathroom, inside WC, hot or cold water supplies, electricity, gas or adequate heating.

Households with dependent children where the facilities such as kitchen and bathroom are shared with others who are not members of the applicant's household will be placed in Band B.

Households with dependent children with no living room or sharing a living room with another household (i.e. people they are not related to in a flat or house share situation) will be placed in Band B.

Couples and single people over 35 without dependent children sharing a bathroom and/ or kitchen with another household will be placed in Band C.

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Couples without dependent children with no living room or those sharing a living room with another household will be placed in Band C.

Before awarding such bandings an assessment would be made as to whether all reasonable steps had been taken to remedy the situation, including securing more suitable accommodation elsewhere in the private sector.

Under Occupancy: The Council considers existing social housing tenants living in borough to be unsatisfactory housed if they are under occupying their accommodation or not living in the type of accommodation suitable to meet their needs.

Social housing tenants living in the borough looking to downsize from their existing accommodation, move from general needs to sheltered accommodation or no longer need an adapted property will be placed in Band B.

Overcrowded: Where an applicant raises these concerns that their current home is overcrowded it will be necessary for the Council's Environment Health Officer (EHO) to conduct an assessment. This assessment will determine whether any overcrowding exist in the home that give rise to the award of greater priority to move.

There are two legal definitions of overcrowding as defined Under the Housing Act 1985, a dwelling is overcrowded when the number of persons sleeping there is such as to contravene either the "space standard" or the "room standard". These will be used to assess whether a property is overcrowded. If either or both of them apply, the property will be statutorily overcrowded. Applicants who are assessed as being statutorily overcrowded will be placed in Band B.

Households with insufficient bedrooms for their needs as assessed against the Council's bedroom standard will be placed in Band B.

Before awarding such a banding an assessment would be made as to whether all reasonable steps had been taken to remedy the situation, including securing more suitable accommodation elsewhere in the private sector.

9.3 Awarding priority to people who need on welfare or hardship grounds

Applicants may have a need for settled accommodation because of risks posed to an applicant's welfare, which other applicants would not face. Additional priority may be awarded to an applicant where there are particular welfare or social factors or exceptional circumstances, which are not covered elsewhere within the policy. For example, there may be care and support needs which make it important that settled accommodation is available so that these needs can be met and support services arranged, or the applicant will face hardship if unable to give or receive support.

This will need to be substantiated by other agencies and the Council will contact the Police, Social Services, Carers or other support workers as appropriate in carrying out a joint welfare/support assessment. The information will be reviewed on a case by case basis by the Housing Solutions Manager, who will, make a decision on whether priority should be granted. Additional priority will only be made in exceptional circumstances.

An application where the life of a household member would be in immediate danger if they continued to live in their current accommodation and this has been substantiated by other

agencies will be placed in Band A. e.g. Victims of domestic violence, racial harassment and applicants accepted under the National Witness Protection Scheme. **Agenda Item 5
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Applicants who need to move due to domestic abuse, actual violence or threats of violence or extreme harassment/intimidation, where their life is not in immediate danger, will be placed in Band B. This has to be substantiated by other agencies.

Applicants who are considered to have special circumstances requiring them to move which has been substantiated by two or more agencies, will be placed in Band B.

This award will only be made in exceptional circumstances. The Housing Solutions Manager will make the award of this band after a review of the applicant's circumstances.

Applicants who need to move on welfare grounds including to give or receive care or support, to take up a particular employment, education or training opportunity, to recover from the effects of violence (including racial attacks) or threats of violence, or physical, emotional or sexual abuse, will be placed in Band C. The Housing Solutions Manager will make the award of this band after a review of the applicant's circumstances.

9.4 Awarding priority to people who need to on medical grounds

Applicants who has indicated on the on-line application form that they or anyone in their household have an illness or disability, which is affected by their current home, or who may be vulnerable on physical or mental health grounds and in need of settled accommodation, are required to complete the medical section of the on-line application form. There will usually be a need to provide supporting documentation from the most appropriate health or social care professional that has direct knowledge of the applicant's condition, as well as the impact their condition has on their needs to be re-housed.

In most cases the Council will seek advice from the Council's Medical Advisor (or other independent medical advisor) who is an independent health professional. Where the information provided relates to minor ailments, a Council Officer may carry out an assessment.

The Council will consider all recommendations from health professionals and the Medical Advisor but the final decision on the medical priority awarded rests with the Council and not with the independent Medical Advisor.

Medical Priority

Medical priority will be awarded according to the extent to which the health or welfare of one or more members of the applicant's household is affected by their present housing conditions, the expected benefits of providing suitable alternative settled housing and whether the Council or its housing association partners could provide accommodation that would alleviate the medical condition or substantially reduce the difficulties caused by it.

Any medical or health/welfare condition must be current, ongoing and evidenced by health professional. In each case the recommendation is based on the judgment of need. Households with medical needs will be placed in one of the following bands: -

- **Band A - Medical Overriding** will be recommended where the applicant or one of the household has a life threatening condition or disability which is seriously affected by their current housing and the current accommodation is wholly inappropriate to occupy. Band A will also be given where current housing conditions and/or other circumstances are having such a serious major adverse effect on the medical

condition of any member of the household as to warrant emergency priority. All recommendations for Medical Overriding priority will be referred to the Council's Medical Advisor or other independent medical adviser.

- **Band B - High Medical Need** will be recommended where the current housing conditions are having a major adverse effect on the medical condition or disability of the applicant or one of the household, which creates a particular need for them to move. All recommendations for High Medical priority will be referred to the Council's Medical Advisor or other independent medical adviser.
- **Band C - Medium Medical Need** will be recommended on medical and/or disability grounds where the housing circumstances have an adverse effect on the applicant's or household member medical condition or disability but rehousing would only have a marginal impact on long term improvement and where there are no other suitable housing options. Recommendations for Band C will not always be referred to the Council's Medical Advisor or other independent medical adviser. However, where there is a recommendation for Band C and this is one of a range of needs, the Council's Medical Advisor's opinion may be sought as to whether additional preference should be given and the applicant placed in a higher band.
- **Band D - Low Medical Need** will be recommended where rehousing is unlikely to improve the applicant's health or where accommodation in itself is not affecting the illness then no medical need will exist and no priority will be given on this basis.

The Council's Medical Advisor or other independent advisor will make a recommendation on each referred household considered as a whole, based on the effect that their existing accommodation has on the medical condition of household members, and the anticipated benefit from rehousing.

Medical priority will be reviewed and may increase or decrease under the following circumstances if: -

- the applicant(s) move to alternative accommodation
- there is a change in the composition of the household
- there is a material change in the medical condition of an applicant or other member of their household.
- the condition is pregnancy related, following the birth of the child
- the condition is acute and the applicant had been awaiting treatment, and the treatment has now been completed.

Medical priority may not be awarded if the condition is short term and the applicant would normally be expected to make a full recovery, e.g. broken leg.

Medical priority may also be time limited in certain circumstances and reviewed at the end of the priority period. In such cases priority may be extended if suitable accommodation has not become available over the time limited period.

Applicants will be notified in writing of the decision about a medical or welfare award. They will be advised they have the right to request a review of the decision.

9.5 Awarding priority to Care Leavers

The procedure for assisting Care Leavers with rehousing is contained in the Joint Housing Protocol for Care Leavers.

Surrey County Council (SCC) is responsible for meeting the housing and support needs of any Looked After Children until they reach 18. SCC should ensure a Housing Needs Register application is completed on behalf of the Looked After Child from their 16th birthday. The Council will be involved in the pathway planning process of a looked after young person on or by the 17th birthday.

The Council will not cancel any application made on behalf of or by a Looked After Child (LAC) or Formerly Relevant Child (FRC) but will require a letter of confirmation of status and ongoing support by SCC at the time of application. It is the responsibility of SCC to keep the Council informed of all changes in circumstances and relevant information in respect of this applicant group.

A young person will be offered assistance to secure suitable housing when they leave care. In most instances this is likely to be supported housing so they are able to develop independent living skills. Private rented housing will be considered in appropriate circumstances.

Care leavers in supported or other housing will be monitored regularly through joint meetings and when they are assessed as ready to move on to more independent self-contained rented housing will be assisted to do so.

Care leavers where Surrey is the corporate parent who are assessed as ready to move into independent settled housing and have the life skills to manage a tenancy will be included in Band B when they are within 12 months of having to leave their care placement and Band C until they are within 12 months of having to leave their care placement. This will only apply to applicants where the originating borough was Epsom & Ewell for the purposes of a statutory duty by SCC.

For applicants where Epsom & Ewell is not the originating borough and the duty is held elsewhere, applications will be treated in line with general Housing Needs Register applications outlined in this policy.

A care leaver in Surrey where another Tier 1 local authority is the corporate parent will not receive care leaver status on the housing register, although they may be eligible for the housing register if they meet the other qualifying criteria.

9.6 Move on from Supported Housing within the Borough

Households living in supported accommodation where the original referral was made by the Council and they are ready for independent living and where a move on report has been completed by a support worker or landlord, identifying any on-going support that may be needed will be placed in Band B.

9.7 People in prison or detained in a specialist hospital as a result of an offence

Qualifying applicants who have been allowed on to the Housing Needs Register in light of the Council's duty to co-operate with other agencies, and who are imprisoned will be placed in Band E until such time as their discharge date. After which their application will be reassessed and placed in the appropriate band.

For offenders that have spent more than one year in prison or for other serious offenders a risk assessment will be required prior to their consideration for re-housing.

Offenders that are subject to MAPPA may qualify for Band B if considered appropriate.

Similar arrangements will apply for those that are detained in hospital having committed an offence.

9.8 No Fixed Abode, Roofless and Sleeping Rough

An applicant will be held to be of no fixed abode when they are staying with various friends; family members etc, and have no permanent home, which includes people who are living in an institution where they will have no accommodation available for them to occupy when they are discharged/ released. This includes prison, mental health units and accommodation; rehabilitation units and respite placements. It also includes people resident in a direct access night hostel where they otherwise have a local connection with Epsom & Ewell Borough Council. These applicants will be placed in Band D.

An applicant will be considered to be roofless when they are unable to stay with any friends, family members, or at hostels, night shelters etc, and the Council has reason to believe that they are permanently sleeping rough, in a tent or car and with no immediate access to any essential facilities. These applicants will be placed in Band C.

9.9 Awarding priority to Armed Force Personnel

Section 166A of the Housing Act 1996 provides that a local authority's must frame their allocation scheme to give additional preference to certain members of the armed forces who are in urgent housing need and who meet one or more of the following criteria:.

- is currently serving in the regular armed forces and suffering from a serious injury illness or disability which is attributable (wholly or partly) to her/his service
- formerly served in the regular armed forces
- is a bereaved spouse or civil partner who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of her/his spouse or civil partner whose death was attributable (wholly or partly) to service in the regular armed forces
- is, or had been, serving in the reserve armed forces (this includes the Territorial Army) and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to her/his service.

In line with the Government's Armed Forces Covenant published in May 2011 local authorities are also are strongly encouraged to take into account the needs of all serving or former Service personnel when framing their Allocation Schemes.

Applicants who have a local connection with the borough who are Armed services, former armed forces personnel or their bereaved spouse/partner who need to move urgently and have either an assessed housing need because of a serious injury, medical condition or disability sustained as a result of their service or are no longer entitled to reside in Ministry of Defence accommodation due to retirement, honourable discharge or redundancy. These applicants will be placed in Band B.

Applicants who have no local connection with the borough who are Armed services, former armed forces personnel or their bereaved spouse/partner who need to move urgently and have either an assessed housing need because of a serious injury, medical condition or disability sustained as a result of their service or are no longer entitled to reside in Ministry

of Defence accommodation due to retirement, honourable discharge or redundancy. These applicants will be placed in Band C.

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Armed Services or former armed forces personnel assessed as having no housing need with or without a local connection with the borough will be placed in Band D.

Applicants will need to advise the Council when they are due to leave military service and attend the Town Hall for a Housing Options interview prior to Band B priority being awarded.

For this purpose “the regular forces” and “the reserve forces” have the meanings given by section 374 of the Armed Forces Act 2006.”

9.10 Reciprocals

A reciprocal is where one Council re-houses an applicant from another Council or Registered Providers on the understanding that the Council or RSL who has given up a property will, at some stage, be offered a property for someone from their Housing Needs Register.

The Council will consider a reciprocal in the following circumstances:

- Where the applicant is fleeing violence, including domestic violence.
- Where special needs accommodation is vacant and there is no one on the Epsom & Ewell Borough Council’s Housing Needs Register in need of the type of accommodation in question.
- Where there are exceptional management reasons requiring a move e.g. when a tenant from another authority is to be a witness in criminal proceedings and needs to be moved for their own protection.
- Where a request for assistance is made through the mobility scheme for the re-housing of victims of violence in accordance with the current procedure agreed by the Surrey District Housing Authorities
- Where a request for assistance is made through the mobility scheme for the re-housing of offenders in accordance with the current protocol agreed by the Surrey District Housing Authorities and other partner agencies.

Before any agreement is given to a reciprocal, a full written report of the circumstances is required from the other Authority/Agency. The decision whether or not to accept a reciprocal will be made by the Housing Solutions Manager, who may also need to be satisfied that an applicant in housing need from Epsom & Ewell can be housed by the other Authority within a reasonable time. A written commitment to the granting of a property in return for re-housing is also required from the other Council or RSL.

If additional priority is regarded as appropriate the Housing Solutions Manager will decide which of the following awards should be given as described below.

- Band A will be awarded where, in very exceptional circumstances an applicant is assessed as needing an emergency move, e.g. an applicant’s life would be in immediate danger if they continued to live in their current property, or an applicant is unable to occupy their current property due to severe medical problems.

- Band B will be awarded where an applicant has an urgent need to move on welfare grounds or because of other special circumstances, or needs to move to a particular locality to avoid hardship to themselves or others and where a report for this has been received from an appropriate agency.
- Band C will be awarded where an applicant has a less urgent need to move on welfare grounds or needs to move to a particular locality to avoid hardship to themselves or others.

9.11 Reduced Priority

There are certain limited circumstances where the Council considers that it is appropriate to award a lower priority or reduce an applicant's priority. This will be particularly the case where the conduct or behaviour of an applicant and/or members of their household is not extreme enough to exclude from the Housing Needs Register but where it is considered sufficient to warrant a reduced priority being awarded.

Reduce Priority may be awarded in the following situations:

- Waiting list and transfer applicants who refuse 3 suitable offers of accommodation will have their priority reduced. Their degree of preference (banding) will continue to be determined by their housing need assessment but their Band Date will be amended to be the date of refusal of the third offer, therefore reducing their priority within the band.
- Applicants and/or members of their household where anti-social behaviour is not extreme enough to exclude from the Housing Needs Register but where it is considered sufficient to warrant a reduced priority being awarded. Evidence used to assess this will include reports from police and other agencies. These applicants will be placed in Band D.

The Council reserves the right to review the situation at its discretion and will require evidence of improvement in behaviour that has been for a period of no less than 12 months. This includes applicants who have been accepted as homeless. Once the Council is satisfied that there has been an improvement in behaviour the application will be reassessed and placed in the appropriate band according to their circumstances. The new band date will be the date they qualify for (re-)inclusion in that band and any previous time priority will be disregarded.

- Qualifying applicants who have housing related debt and do not have in place (and are keeping to) an agreed repayment plan. This includes applicants who have been accepted as homeless. These applicants will be placed in Band D.

Once an applicant has made and is keeping to an agreed repayment the application will be reassessed and placed in the appropriate band according to their circumstances. The new band date will be the date they qualify for (re-)inclusion in that band and any previous time priority will be disregarded.

- Applicants found to be Intentionally Homeless. Applicants will be placed in Band D and will remain in this band for 12 months from the date of the intentionality decision. After the 12 months the application will be reassessed and placed in the appropriate band according to their circumstances. The new band date will be the date they qualify for (re-)inclusion in that band and any previous time priority will be disregarded.

- Qualifying applicants who have deliberately worsened their circumstances and or and could have remained in a home they owned, rented or shared but have not disposed of it within the 5 years prior to making an application. Applicants will not be placed in Band D and will remain in this band for 12 months. After the 12 months the application will be reassessed and placed in the appropriate band according to their circumstances. The new band date will be the date they qualify for (re-)inclusion in that band and any previous time priory will be disregarded.

The information will be reviewed on a case by case basis by the Housing Options Manager, who will, make a decision on whether reduced priority should be granted. A decision may be made not to apply reduced priority where it is considered appropriate in light of all circumstances, including other statutory obligations.

9.12 Persons with No Housing Need

Applicants who do not have an identified housing need as defined in this policy will be placed in Band E.

9.13 Transfer Applicants

The transfer list is part of the Housing Needs Register. All applications from existing social housing tenants will be assessed on the same basis of housing need, i.e. needing larger or smaller accommodation, a medical or social need to move. Applications for transfer are not usually considered unless their current rent account is clear. Exceptions may be made for tenants living in the borough, who have current rents arrears caused as a result of the removal of spare room subsidy, and who are looking to transfer and downsize to a smaller property.

10. Bedroom Entitlement

The number of bedrooms for which each applicant will be considered will depend upon the size and composition of the applicant's household. The requirements for each size of household are set out below and are aligned to the DWP social sector size criteria as introduced following the Welfare Reform Act 2012. Applicants not dependent on benefits will be subjected to the same Bedroom Standard as this is considered to be the fairest way to allocate social housing without discriminating against those who are benefit dependent.

The Council will not offer a home that is larger or smaller than the identified need. The Council has decided to align its bedroom standard criteria with the criteria which apply to housing benefit applications. By doing so the Council will never knowingly under occupy a family home unless in special circumstances which are set out in the notes below.

10.1 Bedroom Standard Criteria

An assessment will be first made to assess who is to be considered part of the applicants' household as outlined in Section 7. The following criteria are then used to calculate the number of bedrooms rooms that a household requires.

One bedroom will be allowed for the following:

- every adult couple
- a single person aged 16 or over
- any two children of the same sex under the age of 16
- any two children regardless of sex under the age of 10

- any other child under the age of 16

10.1.2 Situations where an additional bedroom may be allowed

An additional bedroom may be allowed in the following circumstances:

- if the applicant has a disabled child who cannot share a bedroom due to their disability (see below)
- if the applicant is an approved foster carer (see below)
- if the applicant requires a non-resident carer who provides overnight care (see below)
- if the applicant has an adult child who is away on operations in the Armed Forces (see below)

Disabled Children

An additional bedroom may be allowed where there is a disabled child who cannot share a bedroom due to their disability.

A separate bedroom is allowed for a child in the household where that child is:

- in receipt of the care component of disability living allowance at the middle or highest rate; and
- is not reasonably able to share a bedroom with another child.

When an applicant says that their children cannot share a bedroom Housing Services should be provided with sufficient medical evidence to satisfy themselves of these factors. Housing Services will then have to assess the individual circumstances of the applicant and their family and decide whether their disabilities are genuinely such that it is inappropriate for the children to be expected to share a room. This will involve considering not only the nature and severity of the disability but also the nature and frequency of care required during the night, and the extent and regularity of the disturbance to the sleep of the child who would normally be required to share the bedroom. In all cases this will come down to a matter of judgment on the facts.

Foster Children

An additional bedroom is allowed if the applicant is an approved foster carer, and s/he:

- has a foster child living with them, or
- is between placements and has fostered a child in the last 12 months

Applicants who have become approved foster carers in the last 12 months but do not have a child living with them will be assessed on a case by case basis.

Only one extra bedroom is permitted regardless of the number or sex of foster children in the household.

Housing Services must be satisfied that all appropriate evidence is in place before allowing the additional room. The applicant will need to provide a letter confirming their approval from the social worker responsible for their assessment.

This additional bedroom criteria does not apply to special guardianships or private foster care arrangements.

If the applicant ceases to be an approved foster carer or their approval is revoked, the additional room will cease to apply to the size criteria.

Child in the Armed Forces

An additional bedroom is allowed if the applicant, or her/his partner, has an adult child/step-child, who normally lives with them, who is in the Armed Forces and:

- is away 'on operations'. This does not necessarily mean on duty outside the UK, it also covers pre-deployment training and post-operation leave (i.e. 'normalisation')
- has been a non-dependant when living at home
- intends to return to the claimant's home.

Member of the Armed Services means a member of the Naval Service, British Army or Royal Air Force of the Crown or members of the Reserve Forces.

Housing Services must be satisfied that that the adult son or daughter normally lives with them and has been deployed on operations. The applicant will need to obtain a letter from the son or daughter's chain of command in the armed forces, confirming the deployment.

Carers

An additional bedroom is allowed if the applicant or joint applicant, or her/his partner require an additional bedroom for a non-resident carer or team of carers who provides overnight care.

Housing Services must be satisfied that:

- The bedroom is 'reasonably required' for a non-resident overnight carer or team of carers who normally live elsewhere
- The care is received and required
- Care should be sufficiently regular and frequent to enable the applicant, or her/his partner to continue to live in the community
- There must be an established need for overnight care, which can be demonstrated by the person being cared for receiving Attendance Allowance (AA), or receiving Disability Living Allowance (DLA) care middle or higher rate and Housing Services has sufficient medical evidence and details of the community care assessment to show care is required.

This additional bedroom criteria does not apply if care is needed by another member of the household.

In cases where an additional bedroom is allow under the above criteria this does not mean that they will be entitled to housing benefit or universal credit for this additional room.

Disabled adults

Couples who are unable to share a bedroom because of a disability or need an additional room for storage of medical/special equipment would only be allowed an additional bedroom in exceptional circumstances where there is an overriding medical need supported by the Council's Medical Adviser.

When an applicant says that they cannot share a bedroom Housing Services should be provided with sufficient medical evidence to satisfy themselves of these factors. Housing Services will then have to assess the individual circumstances of the applicant and decide

whether their disabilities are genuinely such that it is inappropriate for them to be expected to share a room. This will involve considering not only the nature and severity of the disability but also the extent and regularity of the disturbance to the sleep of the person who would normally be required to share the bedroom. In all cases this will come down to a matter of judgment on the facts.












Where an additional bedroom is allowed under this criteria this does not mean that they will be entitled to housing benefit or universal credit for this additional room.

10.1.3 Situations where an additional bedroom is not generally allowed

Separated parents – shared care of children

Where parents who don't live together have shared care of their children the children are only treated as living with the parent that is responsible for them and provides their main home. For a person to be treated as responsible for a child or young person, the child or young person must normally be living with that person as their main home. If a child or young person spends equal amounts of time in different households, or there is a question as to whom they normally live with, they will be treated as living with the person who is receiving child benefit for them.

10.2 Bedroom Standard Criteria

| Bedroom Standard Criteria | | | | | |
|--|---|---|---|---|---|
| Household Size | Number of Bedroom | | | | |
| | Bedsit | 1 | 2 | 3 | 4 |
| Single Person |  |  | | | |
| Couple without children | |  | | | |
| Parent(s) with 1 child | | |  | | |
| Parent(s) with two children of different sexes who are both under 10 years of age | | |  | | |
| Parent(s) with two children of same sex under 16 years of age | | |  | | |
| Parents(s) with two children where one child is aged 16 years or over | | | |  | |
| Parent(s) with two children of different sex where the eldest is 10 years of age | | | |  | |
| Parent(s) with three or four children depending on the age and sex of the children* | | | |  |  |
| Parent Parent(s) with five or more children | | | | |  |
| One bedroom for any two children of different sex who are both under 10 years of age | | | | | |
| One bedroom for any two children of the same sex under 16 | | | | | |
| An additional bedroom for any remaining children or additional person aged 16 years or over to a maximum of 4 bedrooms | | | | | |
| An additional bedroom may be allowed if the applicant has a severely disabled child who cannot share a bedroom due to their disability | | | | | |
| An additional bedroom may be allowed if the applicant is an approved foster carer | | | | | |
| An additional bedroom may be allowed if the applicant requires a non-resident carer who provides overnight care | | | | | |

| | |
|---|-------------------------------------|
| An additional bedroom may be allowed if the applicant has an adult child who is away on operations in the Armed Forces | Agenda Item 5 Appendix 1 |
| A child up to 12 months is ignored in the calculation of room deficiency, but not in the assessment of rehousing bedroom requirement | |
| If any bedroom(s) fall below the minimum legal size requirement the Council can award points on the basis of room deficiency. | |
| There is a very limited supply of properties larger than 4 bedrooms, therefore all households who require a larger property will be considered for properties with 4 bedrooms. Any assessment of need will be made on this basis. | |

11.0 Type of Accommodation and Best use of Stock

The Council aims to make the best use of properties within the stock to which it nominates. When allocating or advertising properties consideration will be given to the best use of that property; therefore some households may be given additional priority for a particular vacancy. Properties with two separate reception rooms will be considered to have an additional bedroom. For example a 2 bedroom property with 2 reception rooms may be let as a 3 bedroom property.

Properties that are considered to be larger than an average property may be let to households with the greatest number of family members. For example, a property with 3 double bedrooms may be considered for a 6 person household before those with 5 persons.

The authority has a very limited supply of properties larger than 4 bedrooms, therefore all households who require a larger property will be considered for properties with 4 bedrooms.

Where a property has been adapted for a person with disabilities and a suitable applicant cannot be identified within a reasonable timeframe the property may be let as temporary accommodation to avoid removal of the adaptations.

11.1 Properties designated for older people

Some flats are designated for older people who are capable of living independently. To be eligible the applicant must be 55 years of age or older. For some of these flats good mobility is necessary, as many are the first floor without a lift.

Sheltered housing

This type of accommodation is for applicants aged 55 years of age or older who can live independently and are able to manage alone, but who prefer the added security of an alarm system and the assistance of support workers. This accommodation is also suitable for applicants who are able to care for themselves with the help of a social services care package.

Extra Care Sheltered Housing

These are sheltered schemes within which an extra care element available in a designated number of units. Applicants are assessed as to their suitability for this type of accommodation.

To apply, the applicant needs to be on the Housing Needs Register and to have had their needs assessed by Social Services. Care Managers are responsible for completing an assessment and a care plan, which will be considered by the housing provider.

12 Social & Affordable Rent Properties

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Appendix 1

There are different scales of rents in social housing and the Council will need to consider applicants to homes which could either be at a social rent or affordable rent, and will have regard to an applicant's stated means before doing so. Social rents are typically less than the market rent level and Affordable Rent properties have their rents set at a level of up to 80% of the market rent. These will be similar level to most private rented housing rents.

The vast majority of general needs properties available in the borough will now be let on Affordable Rents.

Housing Associations are also be able to let their properties on fixed-term tenancies of at least five (occasionally two) years.

13.0 Lettings of Properties

13.1 Advertising

When a property becomes available it will be advertised though the Council's choice based letting scheme, Epsom and Ewell Home Choice.

Properties are advertised on a weekly cycle from midnight Thursday to midnight the following Wednesday. They are advertised in the following ways:

- Via Epsom & Ewell Home Choice website www.eebc-homechoice.org.uk
- In a newsletter
- On display in the Reception area at Town Hall
- On our property information line 01372 732666

13.2 Re-housing Quota Targets

As the demand for social housing in the borough is far higher than the supply, a system of re-housing targets operates to ensure that different categories of applicant for housing have a chance of being offered accommodation. The targets are balanced between the needs of homeless households (HL), waiting list (WL) applicants and existing local transfer tenants (TR). When a property becomes available a decision will be made as to which category of applicant it will be advertised for. Applicants in each category will only be able to bid on properties advertised in the corresponding category.

13.3 Describing and Labeling Properties for Advertising

The advert will state if there are any special requirements that the applicant must meet such as age requirements, if the property is adapted or if a lettings plan applies to the property. Applicants who do not meet the requirements stated may still apply for the property providing it is suitable for their household size but preference may be given to those households who do meet the criteria, even if they are lower on the list (however they must have a high housing need - Band B).

13.4 Property Description

A property description would normally include the following information:

- Who owns the property and whether it is a specialist landlord
- Size and type of property
- Availability of a lift (if appropriate)

- Type of heating
- Any age restriction
- Any special features
- Parking facilities and if any garage is within the curtilage of the property
- If there is a garden, whether it is communal or for the properties sole use
- Weekly rent including any other charges
- Council Tax Band
- Local facilities e.g. access to shops, schools etc.
- The date the property is likely to be ready for occupation (if known)

13.5 Labelling

All properties advertised will be labelled with the eligibility criteria for that property. The Housing Needs Officer will be responsible for making a decision about labelling after liaising with the landlord and having regard to any lettings plans they may apply. Labelling will normally include the following:

- Minimum and maximum numbers of persons in the household
- Size and type of household the property is suitable for
- If applications are restricted to particular cases e.g. for adapted properties, criteria for Supported Housing Schemes
- Age requirements
- If pets are allowed
- Lettings plan or property selection criteria

13.6 Bidding for Properties

Applicants will be able to bid for a maximum of 3 properties during the advertising cycle. Bids will not be accepted after midnight on a Wednesday. Applicants will only be able to bid for a property that is suitable for their household size and fall within their application category. During the advertising cycle applicants can withdraw bids and reallocate the bid to other properties.

Applicants can express their interest in or bid in one of the following ways:

- Online via Epsom & Ewell Home Choice website, www.eebc-homechoice.org.uk
- By telephoning the 24hr automated bidding line on 0845 2701908
- By using the kiosk in the main Reception area of the Town Hall. Our staff will be happy to show you how to do this
- Local Libraries, such as the Ebbisham Centre
- By autobid, if applicants are unable to access the service in any other way. Applicants will need to tell us that they would like this facility

13.7 Vulnerable or Potentially Excluded Applicants

The Council believes that applicants should be given every assistance to access the Housing Needs Register and search/bid for suitable properties. For example, the provision of interactive telephone bidding will assist those with mobility issues, visual impairment and literacy.

To further assist potentially vulnerable or excluded residents the following methods will be used:

- Potentially vulnerable residents will be identified through the assessment process. These applicants will be contacted by the Council staff to establish

what support is required and to identify ways to ensure they can access the Epsom and Ewell Home Choice system

- Where applicants agree, support agencies will be provided with access on behalf of the applicant to view advertised properties and make proxy bids
- Automatic bids can be made for the most vulnerable residents to ensure that they are able to consider all suitable available properties. Further information will be required on the applicant's preferred properties and areas
- Direct mailing of adverts will be made available to all vulnerable applicants, on request
- Translation services are available online and by request at the Council Offices.

13.8 Excluded Properties

The Council is committed to advertising as many vacant properties as possible through the CBL system. There will be occasions when certain properties will not be advertised and the reasons for these exclusions will be monitored. See Section 15.

14.0 Short-Listing and Selection

After the close of the advertising and bidding cycle a shortlist of eligible applicants will be taken from the choice based lettings computer system. The shortlist will identify the order of applicants by placing all eligible bids into priority order. For Epsom & Ewell Home Choice properties priority is decided first by band, then band date and then by registration date. Applicants who do not meet the lettings plan or property selection criteria will be overlooked in favour of someone who does, even if they are lower than them on the shortlist.

If an applicant comes to the top of more than one shortlist the decision as to which property to offer is at the Council's discretion, however the Council may contact the applicant and ask them to decide which property is their first preference and will prioritise them accordingly.

Accommodation which has been advertised will be offered to the applicant who has the highest priority under the allocation scheme, and matches the letting criteria for that property, unless one of the exceptions outlined in Section 15.1 applies.

The Council reserves the right to offer a property out of a strict band priority and waiting time order to an applicant who has special needs and for whom the particular property is uniquely or unusually suitable (for example, location, layout, access or capacity for adaptation) to meet those needs.

If there are no eligible bidders for the property the Council may decide to consider an applicant who has bid but does not meet the eligibility criteria and make a direct offer, re-advertise it or where appropriate refer it back to the landlord.

14.1 Verification prior to nomination

The Council will verify all information provided by the applicant that is relevant to their eligibility and / or priority for an allocation of accommodation. Further verification, which may include inviting the applicant for an interview or completing a home visit, will be required at the time an applicant is allocated a property and the Council may check information with other sources as allowed by the law, including credit referencing agencies.

The Council will verify again that an applicant is still eligible, qualifying and meets the property criteria at the point of nomination. Prior to being considered for a property applicants

will also be required to provide any additional proof considered appropriate to confirm the applicant's circumstances, including evidence that all persons included in the application are resident at the address applied from.

Any applicant that does not provide the documents within the time scale requested will be deemed to have refused the property. See Section 14.5.

Where practicable, applicants will be visited at home to verify their circumstances prior to any offer of accommodation being made.

Checks will also be made by Housing Needs Officer to confirm:

Rent account status: The Council will contact the applicant's landlord (private and Registered Providers) to check that the applicant's rent account is up to date and has no arrears.

Anti-social behaviour / breaches of tenancy agreement: Checks will be made with the applicant's landlord and other relevant agencies regarding anti-social behaviour and breaches of tenancy agreement. If the applicant or members of their immediate household have been involved in anti-social behaviour and in the Council's view this makes the applicant unsuitable to be a tenant, the property will not be offered and the applicant may be removed from the Housing Needs Register.

Property Inspection/Home Visits: Applications living in temporary accommodation or a Rent Deposit Scheme property must have a home visit prior to the nomination proceeding. Those who have not maintained their property in a satisfactory manor will have the offer withdrawn. Those who do not agree to a visit will be treated as a refusal and the Council will look to discharge any duty owed to that applicant.

14.2 Nomination of Accommodation

Prior to nomination the Council will carry out any verification required. If the applicant is either ineligible for an offer or the required documentation to verify their circumstances is not provided the Council will overlook the applicant and move onto the next applicant on the shortlist. Where the applicant is eligible for an offer and the verification is completed, a formal offer of nomination will be made.

An offer of nomination is where an applicant is put forward for a housing association vacancy and this will be made to applicants in writing. This letter will set out the address, type, number of bedrooms and name of landlord of the property being offered.

An applicant's details will be passed to the relevant housing association, which will then make their own assessment and make a decision whether or not to accept the nomination. The housing association will then make arrangements for the applicant to view the property.

Once an applicant has been nominated and offered a property their application will be temporarily suspended until they have made a decision as to whether or not they will accept that offer. If they decide to accept the offer their application will remain temporarily suspended until they have signed a tenancy agreement, at which point their application will be cancelled.

If there is no response to an offer of accommodation after 3 working days the offer will be withdrawn and, after reasonable steps have been taken to check that the offer has been received, this will be treated as a refusal.

14.3 Viewing

In order to minimise delays multiple viewings may be arranged as appropriate. Multiple viewing is when a number of suitable applicants are invited to view the same property on the same day. Generally the top two shortlisted applicants may be offered an accompanied viewing of the property, with the first applicant being given first refusal. This is to ensure that if the applicant at the top of the short list decides not to take the property it can be quickly offered to the next person on the shortlist.

An immediate viewing may be arranged if the property is vacant or if the current occupier is happy for a viewing to take place. If this is not possible, the applicant will be advised when the property is due to become vacant and that they will be contacted to make an appointment to view once the keys have been returned.

If the applicant does not attend the appointment time set and does not contact the office prior to the appointment, they will normally be deemed to have refused the offer.

The applicant at the top of the shortlist will be given 24 hours after viewing a property and receiving an offer of a tenancy, to accept or refuse the offer. However on occasions they may be invited to sign for the tenancy at the viewing. If the offer is refused the person next on the short list will be offered the property.

Nominations to Housing Association vacancies will generally be made in accordance with the Council's Allocation Policy, however on some occasions the Housing Association may themselves have different eligibility criteria that the Council will need to apply when selecting a suitable household for the vacancy.

14.4 Withdrawal of Offers

All offers of accommodation will be on a provisional basis and may be withdrawn at any time until the tenancy agreement is signed.

In the following very exceptional circumstances, the Council may withdraw an offer of a property:

- Where there has been a change in the applicant's circumstances
- Where the applicant has provided false or misleading information
- Following verification the applicant is not eligible for the property
- Where an error has been made in the advertising criteria
- Where an error has been made in the assessments of the applicant's housing priority
- Where an offer of accommodation could put a vulnerable person at risk of any harm
- Where applicant may not have sufficient support to live independently
- Where the property is no longer available and has been withdrawn
- Where there is no response to an offer of accommodation after 3 working days the offer will be withdrawn
- Where applicants living in temporary accommodation or a Rent Deposit Scheme property have not maintained their property in a satisfactory manner.

14.5 Refusing an Offer of Accommodation & Penalties

Waiting list and transfer applicants will be allowed to refuse 3 offers of accommodation. A reasonable offer of accommodation is one that meets the needs of the households. Applicants who refuse 3 suitable offers of accommodation will be entitled to remain on the Housing Needs Register but will have their priority reduced. Their degree of preference (banding) will continue to be determined by their housing need assessment but their Band Date will be amended to be the date of refusal of the third offer, therefore reducing their priority within the band.

Homeless households and emergency cases in Band A and will be made one suitable offer of nomination for accommodation within the borough. See Section 1.5.1.

Homeless households will be advised that this offer is a final offer and if the offer is refused the Council will discharge any duty that may be owed under Part 7 of the Housing Act 1996 and possession proceedings will be commenced to evict them from their temporary accommodation.

Applicants have the right to request a review if they feel the property offered was unsuitable under the Housing Act 1996. Applicants offered suitable accommodation may accept the property, move in and still seek a review regarding its suitability.

14.6 Feedback

An important part of the choice based letting scheme is giving applicants feedback on who has recently been allocated properties. This information will enable applicants to make informed decisions about their likely chances of being housed in light of patterns of varying level of supply and demand.

Feedback on recent lets will be available on Epsom and Ewell Home Choice website and in the Home Choice Newsletters and will include:

- Property size and type
- Property location
- Number of applicants who applied for each property
- Band of successful applicant
- Band & Registration Date of successful applicant

15.0 Exceptions to the Standard Allocation and Advertising Process

15.1 Exceptions to the Standard Selection Process

Properties which have been advertised will be usually offered to the applicant who has the highest priority under the relevant allocation scheme, and who matches the letting criteria for that property, unless one of the exceptions applies.

Exceptions to this would be:

- (a) The applicant at the top of the list will not have sufficient support to live independently
- (b) The applicant at the top of the list has outstanding rent arrears or owes any housing related debts**

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- (c)** The applicant at the top of the list has been served with a Notice of Seeking Possession or Notice of Proceedings for Possession
 - (d)** The applicant has pets and the property is not suitable for certain pets or pets are not permitted
 - (e)** The applicant at the top of the list is not suited to, or is not eligible for, the vacant property
 - (f)** The allocation of the tenancy is likely to result in serious estate management difficulties
 - (g)** A mix of applicants is required to establish a balanced community
 - (h)** The applicant at the top of the list has sufficient financial means (at the time of eligibility to receive an offer), to secure his/her own accommodation
 - (h)** The property is subject to a lettings plan and the applicant at the top of the list does not meet the criteria (See Section 16.0, Letting Plans)
 - (i)** The applicant at the top of the list does not meet the advertised property criteria
 - (j)** Direct Allocations (See Section 15.2, Direct Allocations)
 - (k)** Anti-social behaviour. Applicants may be bypassed where they or any member of the household their family members have a recent history of antisocial behaviour
 - (l)** The applicant at the top of the list has a conviction for Housing/ Welfare Benefit fraud
 - (m)** The applicant at the top of the list circumstances have changed and this results in a reduction in the level of priority
 - (n)** The applicant at the top of the list has provided incorrect, false or misleading information, which has resulted in the application being awarded a higher priority than it deserves
 - (o)** Where there is a multi-property advert or more than one similar property is available, more than one applicant may be selected from a single shortlist.
 - (p)** To do so would conflict with the Council's objectives to make the best use of the nomination stock and to address housing need
 - (q)** The Council reserves the right to offer a property out of a strict band priority and waiting time order to an applicant who has special needs and for whom the particular property is uniquely or unusually suitable (for example, location, layout, access or capacity for adaptation) to meet those needs
 - (r)** The property is subject to a sensitive let and the household does not meet the eligibility criteria
 - (s)** 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

- (t) Where the applicant is living in temporary accommodation on a Rent Deposit Scheme property and they have not maintained their property in a satisfactory manner.

**This may not apply to existing social housing tenants living in the borough, who have current rents arrears caused as a result of the removal of spare room subsidy, and who are looking to transfer and downsize to a smaller property.

15.2 Direct Allocations

On rare occasions, the Council may decide to remove properties from Choice Based Lettings process and make a direct allocation. This allocation will still be made based on an assessment of applicants' needs and to the applicant who has the highest priority under the allocation scheme for that type of property.

The list below gives some examples of where the Council might do this.

- Sensitive allocations e.g. Public Protection cases
- Homeless households in temporary accommodation or short-term housing association accommodation arranged by the Council, to prevent homelessness who have failed to exercise choice will be made one suitable offer. The household will be advised that this offer is a final offer and if the offer is refused the Council will discharge any duty that may be owed under Part 7 of the Housing Act 1996 and possession proceedings will be commenced to evict them from their current accommodation
- Reciprocal & Special Mobility Arrangements. One offer will be made to meet the Council's obligations under the Surrey Mobility Scheme. If the offer is refused the referring authority will be advised that the Council is unable to assist this applicant further under this scheme
- Veterans re-housing agreement
- Witness Protection Mobility Arrangements
- Hard to let properties
- Social housing tenants living in the borough needing to down size to a smaller property where it will create a larger vacancy. In these circumstances the Council reserves the right to offer a property out of a strict band priority and waiting time order.
- Special Needs Register applicants ready to move on from Supported Housing
- An adapted property that has been identified as being particularly suited to a household's needs may be directly offered to that household
- Offers of assured shorthold tenancies for accommodation normally used as permanent stock in pursuance of any of the Council's duties under Part 7 of the Housing Act 1996
- Supported Housing and extra care sheltered accommodation - all applicants who meet the criteria for this type of accommodation will be subject to a separate assessment process. A direct offer outside the scheme will be made to the most suitable applicant.
- Applicants in Band A whose needs are considered to be so exceptionally severe as to warrant immediate/imminent rehousing.

15.3 Reciprocal Arrangements

The Council may, at its discretion and in partnership with other housing authorities or registered social landlords, enter into arrangements to nominate to or receive a nomination for supported, adapted or move on accommodation which is available within the Borough

and for which there is no one on Epsom and Ewell's housing register in need of the type of accommodation available.

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The Council may, at its discretion and in partnership with other housing authorities or registered social landlords, comply with a request for assistance made through the mobility scheme for the re-housing of victims of violence or re-housing of offenders in accordance with the current procedure agreed by the Surrey District Housing Authorities. See Section 9.10.

15.4 Sensitive Lettings

Occasionally a housing provider may request that a property is allocated as a 'sensitive let' this may, for example be due to a need to reduce incidents of anti-social behaviour in a particular area or to ensure that vulnerable people are not housed in an inappropriate area. When such a request is received the Council may decide not to advertise this property on Epsom & Ewell Home Choice. In this situation, an applicant will be nominated directly from the Housing Needs Register.

16.0 Lettings Plans

In order to ensure socially and economically balanced communities the Council operates two types of lettings plans; an annual lettings plan and local lettings plan for new build properties.

16.1 Annual Lettings Plan & Quotas

Each year the Council draws up a lettings plan and re-housing targets to be used as a guide to ensure that there is an appropriate balance of property allocation between the different categories of applicants on the Housing Needs Register

Targets will be set annually to take into account the likely availability of properties during the year. Progress in meeting the targets is reviewed quarterly and where necessary amended. If any categories are not achieving their re-housing target(s), properties may be advertised as only available to those specific target groups. Full details of the targets will be published annually on the Epsom and Ewell Home Choice website.

16.2 Local Lettings Plans (LLP)

Under the Housing Act 1996 local authorities are able to allocate particular accommodation to people of a description, whether or not they fall within the "reasonable preference" categories, provided that overall the authority is able to demonstrate compliance with the Act. This is the basis for operating Local Lettings Plans.

For new build schemes Local Lettings Plans can play an important role in widening housing choices for local people and contributing to socially and economically balanced communities. They can sometimes be designed so that properties are made available to households that would not otherwise have the opportunity to access affordable housing. This is to ensure that affordable housing seeks to meet a range of housing needs. There may be instances, therefore, where the Council will seek to assist households with limited housing need.

Local Lettings Plans may be used under this Allocations Scheme to achieve wider social and economic objectives. For example, they may be used to:

- Deal with concentrations of deprivation by setting aside a proportion of vacancies for applicants who are in employment or involved in significant community activities or to enable existing tenants to take up an offer of employment
- Create mixed and sustainable communities by allocating accommodation sensitively, taking into account any special circumstances affecting applicants and the wider community
- Attract key workers into the borough by giving them priority for a small number of properties even though they may not fall within one of the reasonable preference categories
- Provide accommodation for Members of the Armed and Reserve Forces
- Ensure properties which are particularly well suited to people with adaptation needs are prioritised most effectively or where the location of particular
- accommodation may address accessibility issues (e.g. ground floor flats for people with mobility problems or sensitive lets where older residents still reside)
- Consider child density within communities in order to ensure community stability in the longer term (e.g. the number and ages of children comprising a household seeking accommodation will be used to inform letting decisions)

Any LLP criteria used will clearly be displayed on the property adverts and applicants are then shortlisted according to these criteria.

17.0 Shared Ownership

Shared ownership is a scheme to help people to buy a home who cannot afford all of the deposit and mortgage payments. With shared ownership you buy a share of the property and pay rent to a landlord on the rest.

When you buy a home through shared ownership, you:

- buy a share between 10% and 75% of the home's full market value
- pay rent to the landlord for the share they own
- usually pay monthly ground rent and service charges, for example towards the maintenance of communal areas

Further information on shared ownership is available here - <https://www.gov.uk/shared-ownership-scheme> .

18.0 Performance Monitoring and Amendments to the Policy

18.1 Monitoring of the policy

This policy will be reviewed annually by officers and the Chair of the Community & Wellbeing Committee to:

- Consider whether the aims and objectives need amending
- Determine if the policy is meeting the objectives that have been set.
- Monitor the housing quotas/targets

18.1.2 Monitoring of Allocations

The Housing Solutions Manager is responsible for ensuring that allocations are made in accordance with the agreed policy. They will make random checks to confirm that allocations are being made appropriately and will take corrective action if required.

18.2 Discretion and amendments to the Housing Allocations Policy

This Housing allocation policy has been designed to provide a comprehensive policy framework compliant with current legislation, following government guidance and case law. It also has regard to local housing need and provision. It is important that the Allocation Policy remains sufficiently flexible and responsive to individual needs, changing legal requirements, case law and local circumstances.

The Allocation Policy aims to provide guidance to officers of the Council when making decisions on Housing Applications. Officers must retain the ability to act appropriately and proportionately when applying the policy to ever changing situations; the Housing Solutions Manager is therefore permitted to exercise his or her discretion (subject to compliance with the provisions contained in legislation and in with regard having been had to regulations or guidance laid down by the Secretary of State):

- To depart from the policy framework set out above where there may be situations which would operate unfairly to restrict an applicant's entitlement to housing
- In such situations where the applicant can demonstrate exceptional circumstances
- To offer accommodation to housing applicants assessed as requiring care and support on the condition that they comply with an agreed care plan or such supervision requirement as he or she may deem appropriate
- As otherwise set out in this document
- To make minor amendments to the scheme to ensure that it remains responsive to individual and local housing needs. (However, these changes should not significantly affect large numbers of applicants. The reasons for making any changes will be documented and available to the public).
- To implement such amendments as may be required to ensure compliance with the legislation and government guidance.

Where the Council is considering making significant changes to the policy it will consult with all necessary statutory and voluntary agencies. Any significant changes to the policy will require the approval of the relevant Committee.

19.0 Rights to Information and Reviews

19.1 Right to Information

Every applicant has the following rights regarding the provision of information:

- The right to request general information that will enable them to assess how their application will be treated, including whether they are likely to be eligible for reasonable preference
- The right to request general information that will enable them to assess whether housing appropriate to their needs is likely to be made available and if so how long it is likely to be before such accommodation becomes available

- The right to be informed of any decision about the facts of their case which is likely to be taken into account in considering whether to allocate housing to them
- The right to be informed of any decision that they are unsuitable to be a tenant, which is likely to be taken into account in considering whether to allocate housing to them

19.2 Right to Review

An applicant has the right to request a review of the following decisions:

- That they are ineligible or non-qualifying to join the Housing Needs Register or that they have become ineligible or non-qualifying
- That they are ineligible for an offer of accommodation
- That their application has been cancelled other than at their request
- Any other decisions relating to the Allocation Policy, including banding and priority dates.

An officer senior who was not involved in making the original decision or an independent review service will carry out these reviews. The procedure is:

- A request for a review must be made to the Council by within 21 days from the day on which the applicant is notified of the authority's decision. The applicant must clearly inform what decision they wished to be reviewed. The Council has discretion to extend the time limit if it considers this would be reasonable.
- An applicant may provide any additional information that they think the Council should take into account when reviewing its decision. This must be in writing and provided within 14 days from the date the Council notifies the applicant that it is carrying out a review.
- The review will consider all the relevant facts as of the date of the review.
- The applicant will be advised of the outcome of the review within eight weeks unless the applicant has agreed to an extension of time.
- There is no right to request a further review.

Reviews of decisions made under Part 7 of the Housing Act 1996 (Homelessness) are outside the scope of this Policy.

A homeless applicant has the right to a review of the suitability of an offer of accommodation. In addition they have a right of appeal to the County Court. Whilst seeking a review and appeal, the applicant may still move into the property in question, without prejudicing the outcome. Applicants will be advised of this procedure in writing at the time an offer is made.

20.0 Fraud & false Information

Affordable housing is in short supply and the affordable housing that exists provides a much valued opportunity for settled accommodation for those who qualify for it and need it.

The Council takes its responsibility to make proper use of public resources very seriously and therefore, takes a strong approach to dealing with fraudulent applications and false information.

It is the duty of the applicant to bring any material change in their circumstances, which might affect either their entitlement to rehousing by the Council, or their priority, to the attention of the Housing Needs Officer. If the applicant is unsure whether a change in circumstances is material or not, they should discuss this with the Housing Needs officer.

All applications are investigated to ensure assessments and decisions are accurate. The Council will therefore verify applications and the supporting information that has been submitted. This includes referring all applications to Council's Fraud Team.

Under Sections 2, and 3 of the Fraud Act 2006 and Under Section 171 of the Housing Act 1996, an applicant, or someone acting on their behalf, commits an offence if they

- knowingly or recklessly give false information, or
- knowingly withhold information that the Council has reasonably required the applicant to give.

Applicants who are found to have deliberately given false information, or withheld information, will have their application reviewed immediately. The application will be suspended pending the outcome of the review. This means the applicant will not be permitted to bid on HomeChoice, or be considered for a nomination.

The Council will undertake an investigation with partners, including Registered Providers and other agencies as appropriate. In addition these applications will be referred to the Council's Fraud Team for full investigation and may lead to prosecution. The applicant will be informed in writing of the outcome of the review.

If following the review the Council concludes that the applicant has not committed an offence the application will be reinstated as if no review had taken place. If following the review the Council decides that a person appears to have committed such an offence it will consider taking one or more of the following actions –

- Removing the applicant from the Housing Needs Register
- Not allowing the applicant to join or re-join the Housing Needs Register for a period of not less than two years.
- Instigating criminal proceedings and / or eviction from any social housing gained in partnership with the Registered Provider.

A review of an application will also be undertaken if an applicant is found to have deliberately changed or worsened their housing situation in order to be placed in a band higher than they would normally be awarded.

Notifying the Council of a suspected fraudulent approach

If a member of the public is aware or suspects that an applicant may have withheld information or provided false or misleading information, then they should notify the Council's Fraud Team:

Email: fraud@epsom-ewell.gov.uk

21.0 Credit Checking and National Anti-Fraud Network (NAFN)

The Council works in partnership with the NAFN and all applications are subject to a full credit checking process using independent companies. By making an application for social

housing an applicant is agreeing to this process. There are also a questions on the application form which an applicant is required to answer regarding shared accommodation with other agencies.

22.0 Allocations to Staff, Elected Members or their Family Members

Members of staff, elected members and their family who require housing may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying.

If an applicant who is a member of staff, elected member or a member of their family, makes a successful bid for a property, Head of Housing & Environmental Services will be informed and must approve the letting prior to the formal offer being made.

All allocations to staff, elected members or members of their families will be in accordance with the policy as it applies to applicants generally, with no preferential (or detrimental) treatment.

23.0 Equal Opportunities

This Council is strongly committed to fairness and equal treatment for all. The Council aims to treat everyone equally and fairly regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. In doing so we aim to meet our Public Sector Equality Duty to prevent and eliminate unlawful discrimination, advance equality of opportunity and foster good relations between those with a protected characteristic. The Council has carried out an Equality Impact Assessment of this Allocation Policy which is available on www.epsom-ewell.gov.uk.

24.0 Data Protection, Signed Declaration & Authorisation

The Council's Housing Register is registered under the Data Protection law, and information on it including medical information is received, held, and disclosed only for registered purposes.

In line with the Data Protection law information regarding a person's application for housing will not be disclosed to any third party or member of the public without the applicant's consent unless the Council is able or required to do so legally. Copy of Housing services privacy notice is available on www.eebc-homechoice.gov.uk.

Applicants who wish another person to represent them must provide authorisation to that effect. There is a section on the one-line application that allows for this.

By submitting the housing application form an applicant gives consent for Epsom & Ewell Borough Council to make relevant enquiries with regard to their housing need and their potential ability to manage a future tenancy. This includes conducting a search with a credit reference agency to verify the information given.

Information about an applicant relating to their housing situation, housing needs and/or homelessness application/s may be gathered from and shared with third parties such as private sector landlords, housing associations, lettings agents, health services, Surrey County Council, children, family and adult services, education services, Department of Work and Pensions, Housing Benefit and Council Tax services, Job Centre Plus, National Fraud Initiative, the Police, prisons, probation, youth offending services, secure training units, contractors that repair the Council's emergency accommodation, providers of emergency

accommodation, debt collection agencies acting on behalf of the Council, East Surrey Outreach Service, the Employment, Training and Housing Options Service, the Homelessness Bureau, voluntary sector organisations and for the purpose of gathering feedback as one of the Council's customers, and Ministry of Housing, Communities and Local Government (MHCLG) .

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24.1 Access to Personal Information

In line with the Data Protection Act law, Housing Services believe that people have a right to see what information is kept about them on written records. As far as possible we will make this available, subject to certain restrictions. If you wish to view your records, please contact Housing Services:

The Town Hall
The Parade
Epsom
Surrey
KT18 5BY
01372 732000

24.2 Data Retention

Applicant's details will be kept and updated in accordance with our legal obligations and in line with statutory retention periods.

25.0 Information about the Housing Allocation Policy and Choice Based Lettings Scheme

This document is available for inspection during working hours at Housing Services at the Town Hall. Copies of this document are also available from the Council or the document can be downloaded from the Council's website at www.epsom-ewell.gov.uk or <https://www.eebc-homechoice.org.uk>

A summary of this Housing Needs Register and Allocations Policy will be made available free of charge to any member of the public who asks for one.

Habitual Residence

1. In practice, when considering housing applications from persons subject to the habitual residence test, it is only necessary to investigate habitual residence if the applicant has arrived or returned to live in the UK during the two-year period prior to making the application.

Definition of habitual residence

2. The term 'habitual residence' is not defined in legislation. Housing authorities should always consider the overall circumstances of a case to determine whether someone is habitually resident in the Common Travel Area.

General principles

3. When deciding whether a person is habitually resident, consideration must be given to all the facts of each case in a common-sense way. It should be remembered that:

- the test focuses on the fact and nature of residence
- a person who is not resident somewhere cannot be habitually resident there
- residence is a more settled state than mere physical presence in a country. To be resident a person must be seen to be making a home. It need not be the only home or a permanent home but it must be a genuine home for the time being. For example, a short stay visitor or person receiving short term medical treatment is not resident
- the most important factors for habitual residence are length, continuity and general nature of actual residence rather than intention
- the practicality of a person's arrangements for residence is a necessary part of determining whether it can be described as settled and habitual
- established habitual residents who have periods of temporary or occasional absence of long or short duration may still be habitually resident during such absences

Action on receipt of an application

Applicant came to live in the UK during the previous two years

4. If it appears that the applicant came to live in the UK during the previous two years, authorities should make further enquiries to decide if the applicant is habitually resident, or can be treated as such.

Factors to consider

5. The applicant's stated reasons and intentions for coming to the UK will be relevant to the question of whether he or she is habitually resident. If the applicant's stated intention is to live in the UK, and not return to the country from which they came, that intention must be consistent with their actions.

6. To decide whether an applicant is habitually resident in the UK, authorities should consider the factors set out below. However, these do not provide an exhaustive check list of the questions or factors that need to be considered. Further enquiries may be needed. The circumstances of each case will dictate what information is needed, and all relevant

factors should be taken into account.

Why has the applicant come to the UK?

7. If the applicant is returning to the UK after a period spent abroad, and it can be established that the applicant was previously habitually resident in the UK and is returning to resume his or her former period of habitual residence, he or she will be immediately habitually resident.

8. In determining whether an applicant is returning to resume a former period of habitual residence authorities should consider:

- when the applicant left the UK
- how long the applicant lived in the UK before leaving
- why the applicant left the UK
- how long the applicant intended to remain abroad
- why the applicant returned
- whether the applicant's partner and children, if any, also left the UK
- whether the applicant kept accommodation in the UK
- if the applicant owned property, whether it was let, and whether the lease was timed to coincide with the applicant's return to the UK
- what links the applicant kept with the UK
- whether there have been other brief absences
- why the applicant has come back to the UK

9. If the applicant has arrived in the UK within the previous two years and is not resuming a period of habitual residence, consideration should be given to his or her reasons for coming to the UK, and in particular to the factors set out below.

Applicant is joining family or friends

10. If the applicant has come to the UK to join or rejoin family or friends, authorities should consider:

- whether the applicant has sold or given up any property abroad
- whether the applicant has bought or rented accommodation or is staying with friends
- whether the move to the UK is intended to be permanent

Applicant's plans

11. Authorities should consider the applicant's plans, e.g:

- if the applicant plans to remain in the UK, whether their stated plan is consistent with their actions
- whether any arrangements were made for employment and accommodation (even if unsuccessful) before the applicant arrived in the UK
- whether the applicant bought a one-way ticket
- whether the applicant brought all their belongings
- whether there is evidence of links with the UK, e.g. membership of clubs

12. The fact that a person may intend to live in the UK for the foreseeable future does not, of itself, mean that habitual residence has been established. However, the applicant's intentions along with other factors, for example the disposal of property abroad, may indicate that the applicant is habitually resident in the UK.

13. An applicant who intends to reside in the UK for only a short period, a holiday or to visit friends is unlikely to be habitually resident in the UK. Agenda Item 5
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Length of residence in another country

14. Authorities should consider the length and continuity of an applicant's residence in another country:

- whether the applicant has any remaining ties with his or her former country of residence
- whether the applicant stayed in different countries outside the UK

15. It is possible that a person may own a property abroad but still be habitually resident in the UK. A person who has a home or close family in another country would normally retain habitual residence in that country. A person who has previously lived in several different countries but has now moved permanently to the UK may be habitually resident here.

Centre of interest

16. An applicant is likely to be habitually resident in the Common Travel Area despite spending time abroad, if his or her centre of interest is located in one of these places.

17. People who maintain their centre of interest in the Common Travel Area for example a home, a job, friends, membership of clubs, are likely to be habitually resident there. People who have retained their centre of interest in another country and have no particular ties with the Common Travel Area are unlikely to be habitually resident.

18. Authorities should take the following into account when deciding the centre of interest:

- home
- family ties
- club memberships
- finance accounts

19. If the centre of interest appears to be in the Common Travel Area but the applicant has a home somewhere else, authorities should consider the applicant's intentions regarding the property.

20. It is not uncommon for a person to live in one country but have property abroad that they do not intend to sell. Where such a person has lived in the Common Travel Area for many years, the fact that they have property elsewhere does not necessarily mean that they intend to leave, or that the applicant's centre of interest is elsewhere.

Allocation of accommodation: guidance for local housing authorities

Chapter 3 - Eligibility and qualification

3.1 This chapter provides guidance on the provisions relating to an applicant's eligibility and qualification for an allocation of social housing.

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

- if an applicant is eligible for an allocation of accommodation, and
- if he or she qualifies for an allocation of accommodation

Eligibility

3.3 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

3.4 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

3.5 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

3.6 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

(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)).

3.7 The regulations setting out which classes of persons from abroad are 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

3.8 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).

3.9 The provisions of section 7(1) of the Immigration Act 1988 and the Asylum and Immigration Act 1996 have been saved for the purpose of housing legislation to protect the rights of EEA citizens, and their family members, who have citizens' rights pursuant to the Withdrawal Agreement.

This will ensure that EEA citizens, and their family members, who

1) have acquired limited leave to enter and remain in the UK (also known as pre-settled status) by virtue of Appendix EU of the Immigration Rules ("the EU Settlement Scheme"); or

2) were frontier working in the UK prior to 31 December 2020. will continue to be treated as 'persons not subject to immigration control' in the instances where they would previously have been, so that their eligibility for the allocation of social housing can be judged on the basis of Regulation 4 of the Eligibility Regulations as was the case prior to 31 December 2020.

3.10 EEA citizens, and their family members, who have been granted indefinite leave to enter or remain (also known as settled status) under the EU Settlement Scheme, do not need the savings to apply to them. Their eligibility should be judged on the basis of Class C of Regulation 3 of the Eligibility Regulations, as is the case for persons subject to immigration control who have been granted indefinite leave to remain. In general, they should be eligible provided they can demonstrate habitual residence in the Common Travel Area. For the purpose of this guidance references to "the Withdrawal Agreement" in this note are to the "Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (2019/C 384 I/01)". Equivalent provisions are to be found in separation agreements relating to the European Economic Area/European Free Trade Agreement and the EU/Swiss Free Movement of Persons Agreement, which are also given effect in domestic law by the European Union (Withdrawal Agreement) Act 2020.

3.11 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 3.14 (iii) below) with the UK which allows free movement

(iv) by operation of the savings provisions referred to in paragraph 3.9 above, EEA citizens, and their family members, who have established citizens' rights in accordance with Part 2 of the Withdrawal Agreement, i.e. those who were residents and exercised a right to reside in the UK derived from European Union law or any provision under section 2(2) of the European Communities Act 1972, and those who were frontier working, before

31 December 2020. Whether an EEA citizen (or family member) has exercised a particular right to reside in the UK or rights to be treated as a frontier worker will depend on the particular circumstances, at that particular time. For example, whether the EEA citizen is a jobseeker, a worker, a self-employed person and so on.

(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.

For the purpose of this guidance, 'EEA citizens' means citizens of any of the EU member states, and citizens of Iceland, Norway, Liechtenstein and Switzerland.

3.12 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 paragraph 3.14 below).

3.13 If there is any uncertainty about an applicant's immigration status, it is recommended that authorities contact the Home Office.

Persons subject to immigration control who are eligible for an allocation of social housing

3.14 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: normally granted 5 years' limited leave to remain in the UK;
- ii) a person granted exceptional leave to enter or remain in the UK granted outside the provisions of the Immigration Rules; and whose leave to enter and remain is not subject to a condition requiring them to maintain and accommodate themselves, and any person who is dependent on them, without recourse to public funds. Exceptional leave to remain now usually 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 or remain and will be regarded as having settled status. However, where indefinite leave to enter or remain was granted as a result of an undertaking that a sponsor would be responsible for the applicant's maintenance and accommodation, the applicant 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 - in order to be eligible. Where the sponsor has (or, if there was more than one sponsor, all of the 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 paragraphs 339C – 344C of the Immigration Rules;
- v) a person who has limited leave to enter or remain in the United Kingdom on family or private life grounds under Article 8 of the Human Rights Act, such leave granted under paragraph 276BE (1), paragraph 276DG or Appendix FM of the Immigration Rules, and who is not subject to a condition requiring that person to maintain and accommodate themselves, and any person dependent upon them, without recourse to public funds;
- vi) a person who is habitually resident in the Common Travel Area and who has been transferred to the United Kingdom under section 67 of the Immigration Act 2016 and has limited leave to remain under paragraph 352ZH of the Immigration Rules;

- vii) a person who is habitually resident in the Common Travel Area and who has Calais leave to remain under paragraph 352J of the Immigration Rules. (Effectively from November 2018);
- viii) a person who is habitually resident in the Common Travel Area and who has limited leave to remain in the UK as a stateless person under paragraph 405 of the Immigration Rules;
- ix) a person who has limited leave to enter and remain in the UK as the family member of a 'relevant person of Northern Ireland' by virtue of Appendix EU of the Immigration Rules;
- x) a person who has limited leave to enter or remain in the United Kingdom under Appendix Hong Kong British Citizen (Overseas) of the Immigration Rules, who is habitually resident in the Common Travel Area, and who is not subject to a condition requiring that person to maintain and accommodate themselves, and any person dependent upon them, without recourse to public funds;
- xi) a person who has been granted leave by virtue of the Afghan Relocations and Assistance Policy or the previous scheme for locally-employed staff in Afghanistan; and
- xii) a person with leave to enter or remain in the United Kingdom who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021 and who is not subject to a condition of no recourse to public funds and has not been given leave to enter or remain as a result of an undertaking that a sponsor would be responsible for the applicant's maintenance and accommodation. However, a person who was sponsored will be eligible for an allocation of accommodation if the applicant has been resident in the Common Travel Area for 5 years since the date of entry (or the date of the sponsorship undertaking, whichever is later) or their sponsor(s) have died.
- xiii) a person in the UK who left Ukraine in connection with the Russian invasion on 24 February 2022 and had resided in Ukraine immediately before 1st January 2022, and who has been granted leave in accordance with Immigration Rules made under section 3(2) of the Immigration Act 1971.
- xiv) a person in the United Kingdom who has limited leave to remain granted in accordance with Appendix Ukraine Scheme of the Immigration Rules pursuant to an application made by that person from within the United Kingdom.
- xv) a person who has limited leave to remain granted in accordance with Appendix Temporary Permission to Stay for Victims of Human Trafficking or Slavery of the Immigration Rules.
- xvi) a person who was residing in Sudan before 15 April 2023 and left Sudan in connection with the violence which rapidly escalated on 15 April 2023 in Khartoum and across Sudan; has been granted leave in accordance with the immigration rules; and whose leave is not subject to a condition of no recourse to public funds and was not given as a result of an undertaking that a sponsor would be responsible for the applicant's maintenance and accommodation. However, a person who was sponsored will be eligible for an allocation of accommodation if the applicant has been resident in the Common Travel Area for 5 years since the date of entry (or the date of the sponsorship undertaking, whichever is later) or their sponsor(s) have died. Other persons from abroad who may be ineligible for an allocation.

3.15 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 3.17 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). 'Jobseeker' has the same meaning as in regulation 6(1) of 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 UK is a derivative right to reside to which they are entitled under regulation 16(1) of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant meets the criteria in regulation 16(5) of those Regulations;
- (v) a person whose only right to reside in the Common Travel Area is a right equivalent to one of those mentioned in sub-paragraph (ii) to (iv) above.

3.16 For the purposes of determining eligibility for an allocation of social housing, a person who is not subject to immigration control and who falls within categories (ii) or (iii) in paragraph 3.15 above should be treated as ineligible. This is regardless of whether such person has been granted limited leave to enter or remain in the UK by virtue of Appendix EU of the Immigration Rules; or a family permit issued under the EU Settlement Scheme granting them limited leave to enter the UK by virtue of the Immigration (Leave to Enter and Remain) Order 2000. Persons exempted from the requirement to be habitually resident.

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

- (i) an EEA citizen who has been granted pre-settled status and is in the UK as a worker (which has the same meaning as in regulation 6(1) of the EEA Regulations);
- (ii) an EEA citizen who has been granted pre-settled status and is in the UK as a self-employed person (which has the same meaning as in regulation 6(1) of the EEA Regulations);
- (iii) a person who is treated as a worker for the purpose of the definition of 'qualified person' in regulation 6(1) of the EEA Regulations pursuant to regulation 5 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 (as amended), (right of residence of an accession State citizen subject to worker authorisation);
- (iv) a person who is a family member of a person referred to in (i) to (iii) above and has been granted pre-settled status;
- (v) a person who is in the UK as a result of their deportation, expulsion or other removal by compulsion of law from another country to the UK;
- (vi) a person who is in the United Kingdom as a frontier worker for the purpose of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020 (SI 2020/1213) (as defined in paragraph 3.18 below);
- (vii) a person who is a family member of a person referred to in (vii) above and has a right to reside by virtue of having been granted limited leave to enter or remain in the United Kingdom, as a family member of a relevant EEA citizen, under the Immigration Act 1971 by virtue of Appendix EU to the Immigration Rules made under section 3 of that Act;
- (viii) a person who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021.
- (ix) a person who left Ukraine in connection with the Russian invasion on 24 February 2022 and had resided in Ukraine immediately before 1st January 2022 and is not subject to immigration control.
- (x) a person who was residing in Sudan before 15 April 2023 and left Sudan in connection with the violence which rapidly escalated on 15 April 2023 in Khartoum and across Sudan.

3.18 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. A person who is no longer working does not cease to be treated as a 'worker' for the purpose of regulation 6(1)(b) of the EEA Regulations, if he or she:

- (a) is temporarily unable to work as the result of an illness or accident; or
- (b) is recorded as involuntarily unemployed after having been employed in the

UK, provided that he or she has registered as a jobseeker with the relevant employment office, and:

(i) was employed for one year or more before becoming unemployed, or Appendix 1

(ii) has been unemployed for no more than 6 months, or

(iii) can provide evidence that he or she is seeking employment in the UK and has a genuine chance of being engaged; or

(c) is involuntarily unemployed and has embarked on vocational training; or

(d) has voluntarily ceased working and embarked on vocational training that is related to his or her previous employment.

3.19 EEA citizens who have established citizens' rights in accordance with Part 2 of the Withdrawal Agreement can be joined by close family members (spouses, civil and unmarried partners, dependent children and grandchildren, and dependent parents and grandparents) who live in a different country at any point in the future, if the relationship existed before/on 31 December 2020 and still exists when the family member wishes to join the EEA citizen in the UK. The family member will have 3 months from their date of arrival to apply to the EU Settlement Scheme. If the family member is a third country citizen, they can apply for an EU Settlement Scheme family permit or EEA family permit. Information relevant to this can be found at: <https://www.gov.uk/family-permit/>. '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. When considering the eligibility of a family member, housing authorities should consider whether the person has acquired indefinite leave to remain in the UK in their own right, for example, a family member at the point they are eligible and are granted settled status under the EU Settlement Scheme.

The Habitual Residence Test

3.20 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.

3.21 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 1 for further guidance).

Managing applications for social housing from EEA citizens from 1 July 2021

3.22 EEA citizens who have not applied to the EU Settlement Scheme and who do not have a different form of UK immigration status will be considered to have no lawful basis for remaining in the UK. They will need to obtain status under the EU Settlement Scheme or another UK immigration status to resolve this. In line with the Withdrawal Agreements, late applications to the EU Settlement Scheme will be accepted where there are reasonable grounds for missing the 30 June 2021 deadline. An applicant who has made a valid application for the EU Settlement Scheme and is awaiting a decision, who was resident and exercising a qualifying right to reside in the UK by 31 December 2020 should be treated as eligible if they have a permanent right to reside (normally acquired after 5 years), are working, self employed or a Baumbast Carer at the time of their application for social housing.

3.23 Newly arriving EEA citizens and their family members who have moved to the UK from 1 January 2021 will (unless they are eligible to apply to the EUSS in another

capacity, such as being a joining family member) come under the new points-based immigration system. Under that system, access to social housing will be available to EEA and non-EEA citizens. They will generally be considered eligible after their leave to remain is granted, usually after five years of continuous residence; unless they are within one of the exempted categories under Regulation 3 of the Eligibility Regulations.

| Band A - Urgent Housing | |
|-----------------------------------|---|
| | <p>Urgent Housing Priority - An application where the life of a household member would be in immediate danger if they continued to live in their current accommodation and this has been substantiated by other agencies. E.g. Victims of domestic violence, racial harassment and applicants accepted under the National Witness Protection Scheme or Surrey Domestic Abuse Mobility Scheme (SDMS).</p> <p>Medical Overriding Priority - Where the applicant or one of the household has a life threatening condition or disability which is seriously affected by their current housing and the current accommodation is wholly inappropriate to occupy. Band A will also be given where current housing conditions and/or other circumstances are having such a major serious adverse effect on the medical condition of any member of the household as to warrant emergency priority.</p> <p>Extreme Disrepair Priority - Households whose accommodation is assessed as being in extreme disrepair (Closure /Demolition Order) by the Council’s Environmental Health Officer and the Council are satisfied that the problem cannot be resolved by the landlord within a reasonable timescale and continued occupation will pose a very serious risk to the applicant health.</p> |
| Band B – High Housing Need | |
| Application Category | |
| WL/TR | <p>High Medical Need - Where the current housing conditions are having a major adverse effect on the medical condition or disability of the applicant or one of the household, which creates a particular need for them to move.</p> <p>Households whose accommodation is assessed as being in disrepair where the Council’s Environmental Health Officer has determined the property poses a category 1 hazard under the housing, health and safety rating system, the Council are satisfied that the problem cannot be resolved by the landlord within a reasonable timescale and continued occupation will pose a significant risk to the applicant health.</p> <p>Applicants living in unsatisfactory housing lacking basic facilities which cannot be provided by the landlord at reasonable cost within a reasonable timescale. This includes applicants without access at all to any of the following facilities: kitchen, bathroom, inside WC, hot or cold water supplies, electricity, gas or adequate heating.</p> <p>Households who are assessed as being statutorily overcrowded by the Council’s Environmental Health Officer.</p> <p>Households with insufficient bedrooms for their needs as assessed against the Councils bedroom standard.</p> |

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| | Households with dependent children where the facilities such as kitchen and bathroom are shared with others who are not members of the applicant's household |
| | Households with dependent children with no living room or those sharing a living room with another household (i.e. people they are not related to in a flat or house share situation). |
| | Applicants who are part of a reciprocal arrangement agreed with another local authority or RP and have an urgent need to move on welfare grounds. |
| | Applicants who need to move due to domestic abuse, actual violence or threats of violence or extreme harassment/intimidation. This has to be substantiated by other agencies. |
| | Applicants who are considered to have special circumstances requiring them to move where this is substantiated by two or more agencies. |
| WL | Applicants who have a local connection with the borough who are Armed services, former armed forces personnel or their bereaved spouse/partner who need to move urgently and have either an assessed housing need because of a serious injury, medical condition or disability sustained as a result of their service or are no longer entitled to reside in Ministry of Defence accommodation due to retirement, honourable discharge or redundancy. |
| | Vulnerable applicants who are retiring or whose contract is terminated on health grounds from tied accommodation, |
| WL | Applicants who are care leavers and who have been referred by Surrey Children Services and who are assessed as ready to move into independent settled housing and have the life skills to manage a tenancy will be included in Band B when they are within 12 months of having to leave their care placement. |
| WL | Households living in supported accommodation where the original referral was made by the Council. Applicants will only be considered when they are ready for independent living and where a move on report has been completed by a support worker or landlord, identifying any on-going support that may be needed. |
| WL | Multi agency public protection cases following liaison with the Police the Public Protection Team, Probation and registered social landlords. |
| ALL | Households for whom the Council has arranged an Assured Shorthold Tenancy in the private rented sector in order to prevent their homelessness and they have been in the accommodation for 12 months or more. |
| WL | Social housing tenants living in the borough looking to downsize from their existing accommodation. |

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| TR | Social housing tenants living in the borough in a property adapted for a disabled person which they no longer need and could be let to someone else with a need for this type of accommodation. |
| TR | Social housing tenants living in the borough qualifying for and wishing to move from general needs accommodation to sheltered accommodation or accommodation for older people. |
| TR | Households for whom the Council has accepted a duty to provide housing under Part 7 of the Housing Act 1996 from the date of their homeless application once the application have been determined. |
| HL | |
| Band C - Identified Housing Need | |
| Application Category | |
| ALL | Medium Medical Need – Where the applicant needs to move on medical and/or disability grounds where the housing circumstances have an adverse effect on the applicant’s or household member medical condition or disability but rehousing would only have a marginal impact on long term improvement and where there are no other suitable housing options. |
| ALL | Households whose accommodation is assessed as being in disrepair where the Council’s Environmental Health Officer has determined the property poses a category 1 or 2 hazard under the housing, health and safety rating system, the Council are satisfied that the problem cannot be resolved by the landlord within a reasonable timescale and continued occupation will pose a risk to the applicant health. |
| WL | Couples and single people over 35 without dependent children sharing a bathroom and/ or kitchen with another household |
| WL | Couples without dependent children with no living room or those sharing a living room with another household i.e. people they are not related to in a flat or house share situation). |
| WL | Households who are renting accommodation with limited security of tenure e.g. Bare Licence or an Assured Shorthold Tenancies. |
| WL | Households for whom the Council has arranged an Assured Shorthold Tenancy in the private rented sector in order to prevent their homelessness and they have been in the accommodation less than 12 months. |
| WL | Applicants who have no local connection with the borough who are Armed services, former armed forces personnel or their bereaved spouse/partner who need to move urgently and have either an assessed housing need because of a serious injury, medical condition or disability sustained as a result of their service or are no longer entitled to reside in Ministry of Defence accommodation due to retirement, honourable discharge or redundancy. |
| WL | Applicants who are care leavers and who have been referred by Surrey Children Services and who are assessed as ready to move into |

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| WL/TR | independent settled housing and have the life skills to manage a tenancy will be included in Band C until they are within having to leave their care placement. |
| WL/TR | Applicants who are part of a reciprocal arrangement agreed with another local authority or RP and have a need to move on welfare grounds. |
| WL/TR | Households who need to move on welfare grounds including to give or receive care or support, to take up a particular employment, education or training opportunity, to recover from the effects of violence (including racial attacks) or threats of violence, or physical, emotional or sexual abuse. |
| WL/HL | Applicants who are roofless or rough sleeping who have made a statutory declaration that they have no accommodation in which they can reside and whose circumstances are confirmed by the Housing Options Team |
| WL | |
| HL | Homeless households who accept an offer of private rented accommodation to end the main homeless duty. |
| HL | Applicant assessed as being threatened homeless and in priority need within the meaning of Part 7 of the Housing Act 1996 |
| HL | Applicant assessed as homeless or threatened with homelessness but is not in priority need within the meaning of Part 7 of the Housing Act 1996. |
| HL | Applicants who have made a homeless application to the Council which is currently under investigation, whether they are in interim accommodation or not. |

Band D - Reduced Priority or Low Need Housing

| Application Category | |
|----------------------|---|
| WL/TR | Low Medical Need – Where rehousing is unlikely to improve the applicant’s health or where accommodation in itself is not affecting the illness then no medical need will exist and no priority will be given on this basis. |
| ALL | Qualifying applicants and/or members of their household where anti-social behaviour is not extreme enough to exclude from the Housing Needs Register but where it is considered sufficient to warrant a reduced priority being awarded. |
| ALL | Qualifying applicants who have housing related debt and they do not have in place (and are keeping to) an agreed repayment plan. This includes applicants who have been accepted as homeless. |
| WL/HL | Applicants found to be Intentionally homeless. Applicants will be placed in Band D and will remain in this band for 12 months from the date of the intentionality decision. |

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|---------------------------------|---|
| ALL | Qualifying applicants who have deliberately worsened their circumstances and or and could have remained in a home, rented or shared but chose to leave or dispose of within the 5 years of an application being made. This includes not bidding on suitable properties that would resolve their housing need. |
| WL/TR | Applicants assessed as falling into one of the Reasonable Preference groups, including applicants accepted as homeless by another local authority, but who have a local connection with Epsom and Ewell Borough Council. |
| WL | Armed Services or former armed forces personnel assessed as having no housing need with or without a local connection with the borough. |
| WL/HL | Applicants who are no fixed abode and whose circumstances are confirmed by a Home Options Team. |
| WL | Applicants in hostels or supported housing projects within the borough but without a local connection, including those who were nominated placed/funded by another local authority/agency, with agreement that they would provide move on accommodation. |
| WL/TR | Households with a low priority medical condition affected by their housing circumstances. |
| Band E - No Housing Need | |
| Application Category | |
| ALL | <p>All other applicants who do not have an identified housing need.</p> <p>All other qualifying applicants not included in bands A, B, C or D.</p> <p>Elderly owner – occupiers seeking to move to sheltered housing.</p> <p>Applicants unable to take up housing for the foreseeable future. For example:</p> <ul style="list-style-type: none"> • applicants in prison • applicants detained on a hospital order. |

Application Category:
 WL – WAITING LIST APPLICANT
 TR – TRANSFER APPLICANT
 HL – HOMELESS APPLICANT

HOMELESSNESS: HALF YEAR UPDATE

Head of Service: Brendan Bradley, Head of Finance, Rod Brown, Head of Housing & Community

Wards affected: (All Wards);

Urgent Decision? No

If yes, reason urgent decision required:

Appendices: 1 - Mid-year 2023/24 action plan update

Summary

EEBC continues to have a significant financial outlay on temporary accommodation costs to meet its homelessness obligations under the Housing Act 1996 and Homelessness Reduction Act 2017. The level of expenditure is likely to exceed the budget set for 2023/24 and this report sets out the actions taken to minimise the uplift and identifies the available funding to cover the additional expenditure.

Recommendation (s)

The Committee is asked to:

- (1) **Note the actions which have been taken to manage homelessness over the past 6-12 months.**
- (2) **Agree to utilise Homelessness Prevention Grant (HPG) and homelessness grant reserves to cover the anticipated increase in expenditure to enable the Council to meet its duties under the Housing Act 1996 and Homelessness Reduction Act 2017.**
- (3) **Note that a further update will be provided at the Community & Wellbeing Committee in March 2024.**

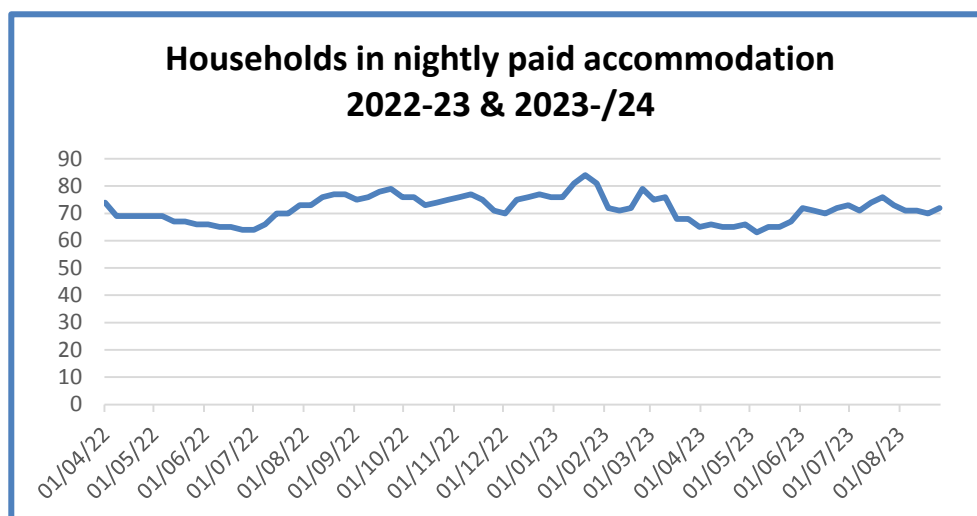
1 Reason for Recommendation

- 1.1 The Council has a statutory duty to assist homeless households under the Housing Act 1996 and Homelessness Reduction Act 2017. If we do not meet our statutory obligations, then Epsom & Ewell Borough Council (EEBC) will be in breach of its obligations and open to legal challenge.

2 Background

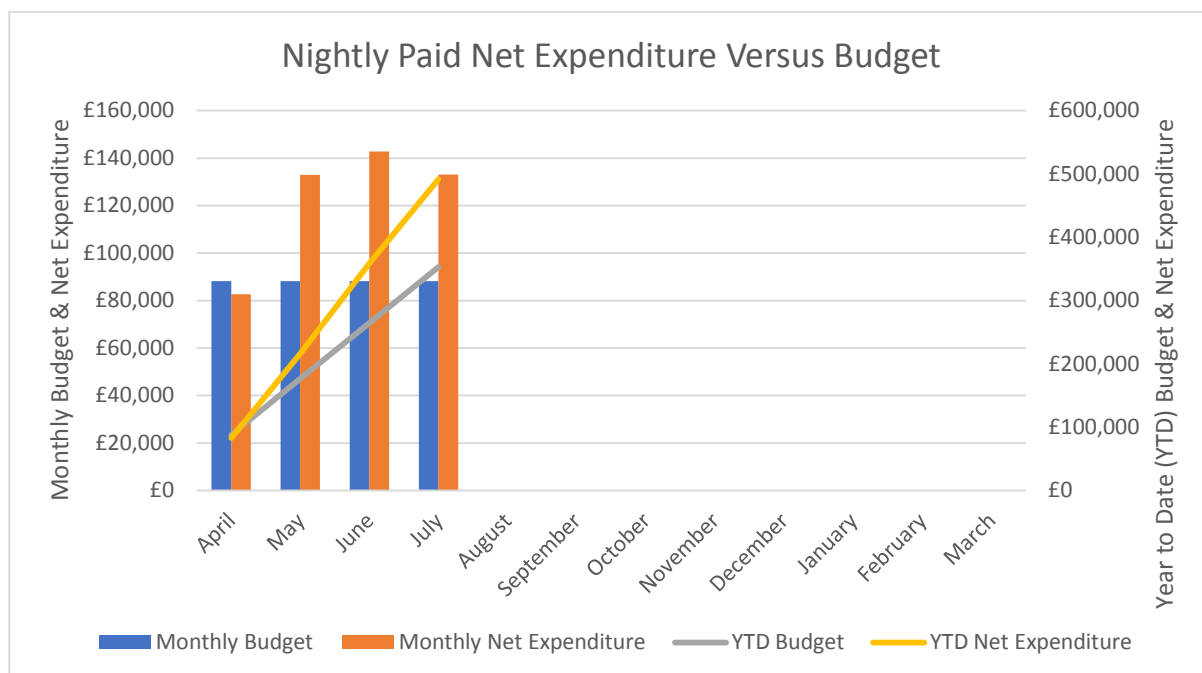
- 2.1 EEBC is spending large amounts on temporary accommodation to meet its homelessness obligations. The level of expenditure is set to rise above £1.5M for 2023/24, due to the consistently high number of homelessness approaches, a 15% increase in rental costs by our accommodation providers and a lack of alternative accommodation options.
- 2.2 The climate in which officers operate is increasingly challenging and even since the implementation of the homelessness strategy, in November 2022, the working environment has become more demanding. The cost-of-living crisis is having a significant impact on the number of households requiring assistance and the complexity of issues with which they present has intensified.
- 2.3 The cost-of-living crisis has also had a considerable impact on housing supply as rents have increased. Competition from other areas, including London boroughs, for placements has increased the demand on available stock.
- 2.4 In addition, affordable housing options in EEBC are severely limited, which is in part due to the low level of affordable housing development in recent years.
- 2.5 The Homelessness Strategy & Action Plan 2022-27 was agreed at the Community & Wellbeing Committee in November 2022. The Action Plan identifies the key objectives and lists the appropriate actions to be taken during the lifetime of the strategy (appendix A).
- 2.6 Since the strategy was agreed we have made significant progress against the actions and taken additional actions to improve the early identification, intervention & prevention of homelessness and increase the available accommodation options. These are outlined in appendix B.
- 2.7 The actions in appendix B demonstrate the success and hard work of the housing options and solutions team. However, despite their positive performance the number of households in temporary accommodation, including expensive nightly paid, remains consistent with 2022/23 figures, as shown in the below graph.

Fig X



- 2.8 The graph doesn't document the work of the team, as although the figure remains fairly consistent, the number of households entering and leaving temporary accommodation (TA) is considerable. The fact there has been no significant rise of households in temporary accommodation over the past 6-12 months shows how successful the team has been in finding housing solutions despite the considerable challenges.
- 2.9 Despite the hard work of the team the cost of accommodating households in TA has risen due to several factors. Competition from other local authorities, including London boroughs, is increasing demand and therefore costs and a significant number of landlords are leaving the temporary accommodation sector. This in turn has led to the team adapting its approach to procurement to ensure accommodation is available when it is required. For example, on occasion it may be appropriate to block book accommodation, which will not necessarily be utilised for the duration of the booking. In addition, the increase in energy costs has led to all our providers raising their rent levels by 15%.
- 2.10 The rent level which the Council can charge households for temporary accommodation is restricted by the Housing Benefit temporary accommodation subsidy formula and these have not increased since 2011. Consequently, the Council is unable to mitigate the increase in temporary costs by charging homeless households higher rents.
- 2.11 Fig Y (below) shows costs up until end of July 2023, which covers the first third of the year. You will note that the costs are already significantly above the budget and given that we are now approaching the coldest and most challenging part of the year, the numbers and associated costs are unlikely to fall. We therefore anticipate an overspend of c£200,000 by the year end, even if we utilise the additional Homelessness prevention Grant

Fig Y



- 2.12 Due to demand for accommodation, officers are on occasion having to use the Travelodge as no other accommodation is available. The gross cost for this can be in the region of £140 per night. The average net cost of nightly paid accommodation for a small family has increased by over 18% when compared with 2022/23 and is now c£23,500 pa.
- 2.13 One of the measures which housing has taken to minimise expenditure is to set up a Private Sector Leasing (PSL) scheme, where the Council leases a property for between 3-5 years from a private landlord for use as temporary accommodation. The equivalent net cost of a PSL property, compared to expensive accommodation such as the Travelodge, is c£6600 pa, so this represents a significant cost avoidance. As a result, we have expanded the PSL scheme and will continue to add to our portfolio.

3 Next steps

- 3.1 Members should be aware that the issues faced by the housing services teams are unlikely to dissipate over the coming 12 months. It is therefore likely that despite continued positive performance from officers, the number of households in temporary accommodation will remain high for the foreseeable future.
- 3.2 The economic outlook remains challenging and has had a direct impact on housing delivery, leading to fewer developments coming forward and thus an overall reduction in house building and the development of affordable housing. In addition, issues such as the closure of bridging accommodation for Afghans is likely to increase the pressure on housing services still further.

- 3.3 The on-going position within the service will continue to be reported monthly to the Chair and Vice Chair of this committee and officers will continue to complete the agreed actions as set out in the Homelessness Strategy and seek other opportunities to increase supply of suitable accommodation.
- 3.4 Officers will continue to outline the benefits of the PSL scheme to landlords.
- 3.5 Officers will also continue to work with housing association and other partners to find creative solutions to increase the overall supply of affordable housing within existing stock, through schemes such as purchase & repair.

4 Risk Assessment

Legal or other duties

4.1 Equality Impact Assessment

- 4.1.1 Minimising homelessness will have a positive impact on inequalities.

4.2 Crime & Disorder

- 4.2.1 None for the purposes of this report.

4.3 Safeguarding

- 4.3.1 Assisting homeless households to access safe and secure accommodation will have a positive impact on safeguarding.

4.4 Dependencies

- 4.4.1 The budget will continue to be closely monitored and reported at the monthly Community & Wellbeing meetings.

4.5 Other

- 4.5.1 None for the purposes of this report.

5 Financial Implications

- 5.1 The original budget for 2023/24 was based on 58 families in nightly paid accommodation, but the Council is currently supporting 78. In addition, the average net cost of nightly paid accommodation for a small family has increased by an average of 15% when compared with 2022/23 due to an inflationary increase in prices charged by accommodation providers. As such, the latest monthly figures show the Council has spent £138k over its year-to-date budget at the end of July 2023.

- 5.2 A quarterly report is sent to the Department of Levelling Up Housing and Communities (DLUHC) to update on homelessness figures and current pressures. DLUHC responded to the increased pressures on local authorities earlier in 2023/24 with additional grant funding of £166k to help ease the financial pressures. If exceptional demand continues, it is possible that DLUHC will provide further additional resources for 2023/24, but further government funding cannot be relied upon until it is announced.
- 5.3 Factoring in the known additional funding, the forecast at quarter 1 anticipated a full year overspend of £200k for the service.
- 5.4 To mitigate the inflationary pressures, the Council's 2023/24 budget includes a contingency for inflationary pressures which can be applied to offset the inflationary increases charged by providers. To mitigate the overspend related to increased demand levels, EEBC also has a modest balance of uncommitted Homelessness Prevention Grant (HPG) reserves, which can be used, however, should the government provide additional resources, it is anticipated this would be used in the first instance. Should demand pressures continue into 2024/25, it is anticipated that in the absence of further government funding, there may be a continued need to apply the reserve while the service progresses initiatives to bring demand down to levels manageable within the budget.
- 5.5 **Section 151 Officer's comments:** The cost of managing homelessness continues to represent a key risk to the Council's financial position. Increased costs of nightly paid accommodation, combined with higher numbers of households requiring support, reinforces the importance of the council progressing the homelessness reduction action plan initiatives identified in this report.

6 Legal Implications

- 6.1 The Council's obligations, powers and duties in relation to homeless households are contained within the Housing Act 1996 and Homelessness Reduction Act 2017. If we do not meet our statutory obligations, then EEBC will be in breach of its obligations and open to legal challenge.
- 6.2 **Legal Officer's comments:** None for the purposes of this report

7 Policies, Plans & Partnerships

- 7.1 **Council's Key Priorities:** The following Key Priorities are engaged:

Safe & Well: Work with partners to improve health and wellbeing of our communities, focusing in particular on those who are more vulnerable.
- 7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 7.3 **Climate & Environmental Impact of recommendations:** Not applicable.

7.4 **Sustainability Policy & Community Safety Implications:**

7.5 **Partnerships:** Registered Providers, in particular Town & Country Housing (formerly Rosebery) and Transform, East Surrey Outreach Service (ESOS), local letting agents, private sector landlords, Surrey Housing authorities

8 Background papers

8.1 The documents referred to in compiling this report are as follows:

Previous Reports:

- [Homelessness & Rough Sleeping Strategy 2022/27](#) - Community & Wellbeing Committee November 2022

Other papers:

- none

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Key Objective 1 - The early identification, intervention & prevention of homelessness

Key

| No. | Action: What we will do? | Lead Officer | Target Date | Year | Rag Status | Narrative |
|-----|---|---|---------------------|--------|------------|--|
| 1.1 | Review, evaluate and monitor data to predict future trends of Homelessness, identify households at risk of homelessness and to inform new service improvements | Housing Solutions Manager | Quarter 1/ Annually | | On Track | Evaluation of data planned to take place in May 2023 |
| 1.2 | Identify the specific triggers, risk factors and causes of homelessness at different points in people’s lives. Building on that, we will develop a range of interventions specifically targeted at addressing these | Housing Solutions Manager | Quarter 1/ Annually | | | Follow on work from 1.1 |
| 1.3 | Research customer journeys into homelessness to identify early opportunities to prevent their homelessness and any barriers to doing | Housing Options Manager | 2024/5 | | | |
| 1.4 | Housing Services to deliver briefings to colleagues, professionals and elected members to provide up to date information about housing and homelessness to ensure that correct information is disseminated to residents | Housing Options Manager & Housing Solutions Manager | Annually | | On Track | Articles published in Staff Update Mar/Aug 23 on the new RSI funded Single Person Housing Options Office role/Spot light on Housing staff . Further information on downsizing planned. |
| 1.5 | Further develop partnership working with the DWP and local jobcentre plus to strengthen referrals and manage the impact of universal credit | Housing Options Manager | On-going | | On Track | Regular partnership meetings with DWP are ongoing |
| 1.6 | Encourage early identification and interventions from public sector partners, community and voluntary sector organisations who are able to effectively inform those at risk of homelessness to seek advice from EEBC | Housing Options Manager | 2023/4 | Year 1 | On Track | Surrey wide Mental Health protocol launch Jan 2023. Training rolling out March 2023. Team meetings with RHA and CAB held. Meeting with food bank (Good Company) held April 2023. Surrey wide young person & care leavers protocol finalised. |

On track

Slippage

Off Track

Completed

| | | | | | | |
|------|---|---|---------|--------|-----------|---|
| 1.7 | Review and update housing options information & pathway plans ensuring the customer has access to accurate, useful and comprehensive information about housing options | Housing Options Manager & Housing Solutions Manager | 2023/24 | Year 1 | Completed | Pathway plans updated Sept 22 and published on Homechoice website |
| 1.8 | Review & simplify the tasks for PHPs and accompanying advice literature. | Housing Options Manager & Housing Solutions Manager | 2023/24 | Year 1 | | |
| 1.9 | Publicise and promote the Council's prevention services more effectively in an accessible format and encourage residents to contact us early and before a crisis, ensuring customers know how and where to approach and what to expect from the service | Housing Options Manager & Housing Solutions Manager | 2024/25 | | | |
| 1.1 | Review use of social media and how we communicate our services to the wider general public for example Facebook, twitter, chat pages | Housing Options Manager | 2024/25 | | | |
| 1.11 | Devise an early identification & intervention protocol with all Registered Providers to address factors such as arrears, anti-social behaviour and tenancy sustainment | Housing Options Manager & Housing Solutions Manager | 2024/5 | | | |
| 1.12 | Work with Private Sector Landlords and Lettings Agents to develop early signposting protocols for tenants with arrears or other tenancy concerns, to the Housing Options Service, to prevent homelessness | Housing Options Manager & Housing Solutions Manager | 2024/5 | | | |

| | | | | | | |
|------|--|---------------------------|----------|----------|-----------------|---|
| 1.13 | Review the referrals received through Duty to Refer to establish where further work needs to be completed in terms of links and training | Housing Options Manager | Annually | | | |
| 1.14 | Explore a trauma-informed & motivational interviewing approach to the delivery of homelessness services | Housing Options Manager | 2023/24 | Year 1 | On Track | SCC& EEBC training of trauma-informed approach identified as part of safeguarding training . |
| 1.15 | Identify training needs and delivery training to meet any skill gaps and updates on new legislation and case law | Housing Options Manager | On-going | On-going | On Track | Training Needs Analysis of Housing Services team to be undertaken as part of MPC. Ongoing training organised. |
| 1.16 | Ensure flexible use of the Council's Homelessness Prevention fund | Housing Solutions Manager | On-going | On-going | On Track | This will be undertaken as part of 3.14 |

| Key Objective 2 - Reduce Rough Sleeping | | | | | | | Lwey |
|---|--|---|--------------------|----------|------------|---|-----------|
| No. | Action: What we will do? | Lead Officer | Target Date | Year | Rag Status | Narrative | |
| 2.1 | Further develop the Ending Rough Sleeping Delivery Plan | Housing Solutions Manager | 2023/24 | Year 1 | On Track | Updated version due to be submitted to DLUHC 14 April 2023 | On track |
| 2.2 | Continue to work with eSOS partners to maintain the provision of effective Outreach Services | Housing Options Manager & Housing Solutions Manager | On-going | On-going | Completed | East Surrey contract with ESOS/Thames Reach renewed for 2023/24. Procurement required for 2024 due to start Nov 2023. | Slippage |
| 2.3 | Deliver SWEP provision annually to prevent rough sleeping during severe weather | Housing Options Manage | On-going | On-going | Completed | 21 SWEP Placements made for winter 2022/23 | Off Track |
| 2.4 | Provide eSOS assessment beds | Housing Options Manage | On-going | On-going | Completed | 4 Assessments beds provided 2022/23 | Completed |
| 2.5 | Explore a 'Housing First' model for the most vulnerable homeless applicants | Housing Solutions Manager | 2022/23 2023/24 | Year 1 | Completed | Two RSAP Housing First properties purchased by Transform in 2023. Nominations to both RSAP property completed and residents have moved in and being supported. In addition DHLUC recently launch funding for Single Homelessness Accommodation Programme (SHAP). Early discussions with Tansform to submit a bid. | |
| 2.6 | Conduct a promotional campaign to the residents of EEBC to provide information and awareness on rough sleeping and promote good practice amongst the general public to prevent people becoming entrenched into street life | Housing Options Manager & Housing Solutions Manager | 2024/25 | | | ETHOS/Streetlink poster displayed at points around the borough | |
| 2.7 | Review accommodation and health support needs of single people with complex needs or challenging behaviours who experience recurring homelessness | Housing Options Manager & Housing Solutions Manager | 2024/25 | | | Pathway plans updated Sept 22 and published on Homechoice website | |

| | | | | | | |
|------|---|---|---------|--------|------------------|---|
| 2.8 | Develop a No Second Night Out approach to prevent all rough sleeping | Housing Options Manager & Housing Solutions Manager | 2023/24 | Year 1 | Completed | Assessments beds provided in conjunction with ESOS. £30K assessment bed funding granted by RS! |
| 2.9 | Apply for Rough Sleeper Initiative (RSI) funding to create a new post of Single Person Homeless Support Officer to work solely with Rough Sleepers and single homeless people at risk of rough sleeping | Housing Solutions Manager | Jun-22 | | Completed | RSI 2022-25 bid submitted Feb 22 and in June 22 EEBC were awarded £128,370 over 3 years to fund Single Person Housing Options officer post. Recruited Nov 22. |
| 2.1 | With our East Surrey Partners apply for Rough Sleeper Initiative (RSI) funding to enhance the ESOS Outreach Service | Housing Solutions Manager | Jun-22 | | Completed | EEBC submitted a joint RSI bid with MVDC, TDC, RBBC & ESOS and the partnership successfully secured £636,036 of RSI funding. This funding will enhance our existing East Surrey Outreach Service (ESOS) by:- Continue to fund the existing East Surrey Outreach Service Navigator Officer role for a further 3 years; Create 2 new East Surrey Outreach Service Support Officer roles for 3 years; Fund assessment beds for rough sleepers (approx £30k per LA each year); Provide money for personalised budgets for rough sleepers. (This is used for items like mobile phones or to purchase white |
| 2.11 | Look to implement corporate “sponsorship” of up to 5 people with more complex and longer-term patterns of rough sleeping at requested by DLUHC | Strategic Housing Manager | 2024/25 | | | |

| Key Objective 3 - Increase accommodation options: Social Rented Housing; Private Rented Accommodation; Supported and move-on Accommodation; In-borough Temporary Accommodation | | | | | | | | |
|--|--|--|------------------|--------|-----------------|---|--|-----------|
| No. | Action: What we will do? | Lead Officer | Target Date | Year | Rag Status | Narrative | | Key |
| Social Renting | | | | | | | | On track |
| | | | | | | | | Slippage |
| 3.1 | Address the housing needs of the borough, including affordable housing needs, through the development of our Local Plan. | Planning/ Strategic Housing Group | On-going | | | Draft Local Plan out to consultation | | Off Track |
| 3.2 | Review of planning policies to be addressed through Local Plan to deliver more social/affordable, supported & temporary accommodation. | Planning/ Strategic Housing Group | 2023/24/ Ongoing | Year 1 | On Track | Strategic Housing Manager contributed to consultation re Affordable housing policy. | | Completed |
| 3.4 | Work with Homes England to identify opportunities for the use of the Affordable Homes Programme 2021 to 2026 to fund Council developments of new affordable housing. | Strategic Housing Manager | 2023/24/ Ongoing | Year 1 | On Track | On going discussions with local RP's | | |
| 3.5 | Identify opportunities for the development of social/ affordable/temporary accommodation on Council owned sites. List of sites being prepared. | Planning/ Strategic Housing Group | On-going | | On Track | Micropods - Fairview Road. Planning submitted for Sept 2023? | | |
| 3.6 | Purchase residential street properties to provide social/affordable, supported & temporary accommodation. | Head Of Housing & Community | On-going | | On Track | 2 RSAP properties purchased with Transform | | |
| 3.7 | Explore opportunities for joint working with housing providers to create additional social/affordable, supported & temporary accommodation. | Strategic Housing Manager | 2023/24/ Ongoing | Year 1 | | Pathway plans updated Sept 22 and published on Homechoice website | | |
| 3.8 | Develop a programme for the dispersal of s106 affordable housing funding to provide additional, social/affordable, supported and temporary accommodation. | Strategic Housing Manager | 2023/24 | Year 1 | On Track | Discussions ongoing with relevant providers. | | |
| 3.9 | Review nomination agreements. | Housing Solutions Manager / Strategic Housing Manager | 2025/26 | | | | | |

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|-------------------------------------|---|---|------------------------|----------|-----------|--|--|--|--|
| 3.1 | Investigate ways to assist and / or incentivise social housing tenants under occupying larger family homes to downsize. | Housing Solutions Manager / Strategic Housing Manager | 2023/24 | Year 1 | On Track | Joint work with Housing Services, Housing Benefit & RHA has led to 7 households being downsized. Freeing up larger family sized social housing.Meeting held with RHA. RHA have set aside £24k in 23/24 budget for downzising initivies.Meeting planned with TCH Sept 2023. | | | |
| Private Rented Accommodation | | | | | | | | | |
| 3.11 | Review and update Rent Deposit Scheme policy, procedures and scheme documents. | Housing Solutions Manager | 2023/24 | Year 1 | Completed | | | | |
| 3.12 | Introduce rent in advance as a loan. | Housing Solutions Manager | 2022/23 | Year 1 | On Track | Rent In Advance process and documentation set up. Roll out planned for Autumn 2023. | | | |
| 3.13 | Set up e-learning pre-tenancy training and life skills to those threatened with homelessness or in temporary accommodation. | Housing Solutions Manager | 2025/26 | | | | | | |
| 3.14 | Review the current private rented sector (PRS) offer and explore/trial landlord incentives with a view to increasing local PRS opportunities. | Housing Solutions Manager/ Strategic Housing Manager | 2023/24 | Year 1 | | Bench marking undertaken with 10 other District and Boroughs. | | | |
| 3.15 | Provide enhanced information and support to customers on how to search for PRS properties to enable them to undertake future searches independently. | Housing Solutions Manager | 2023/24 | Year 1 | On Track | New Move-on Officer post providing enhanced support to homeless households to find private rented accommodation | | | |
| 3.16 | Arrange and co-ordinate an annual Private Sector Landlords forum. | Homelessness working group | 2024/25, then annually | | | | | | |
| 3.17 | Work across the housing market to maximise opportunities to increase the range of accommodation options for those who are homeless or threatened with homelessness. | Housing Solutions Manager | On-going | On-going | | | | | |

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|--|--|--|----------|----------|-----------|---|--|--|
| 3.18 | Support and advise private sector landlords to understand the implications of Universal Credit and develop appropriate strategies to encourage landlords to accept customers in receipt of welfare benefits . | Housing Solutions Manager | 2024/25 | | | | | |
| 3.19 | Encourage landlords to increase the length of tenancies to provide stability and security to tenants. | Housing Solutions Manager | 2025/26 | | | | | |
| 3.2 | Encourage landlords to offer more affordable rents - closer to LHA rates. | Housing Solutions Manager | On-going | | | | | |
| 3.21 | Facilitate the use of empty properties. | Head of Housing and Community | On-going | | | | | |
| 3.22 | Investigate the feasibility of rent guarantee/ insurance schemes for tenants and landlords. | Housing Solutions Manager | 2023/24 | Year 1 | | This will be undertaken as part of 3.14 | | |
| Supported and move-on Accommodation | | | | | | | | |
| 3.21 | Review our current provision of supported accommodation and explore the need for specialist supported accommodation for clients that have multiple and complex needs. | Housing Solutions Manager/ Strategic Housing Manager | 2024/25 | | | | | |
| 3.22 | Look to increase supported accommodation in partnership with other boroughs/districts, public bodies and Housing Associations. | Strategic Housing Manager | On-going | On-going | | DHLUC recently launch funding for Single Homelessness Accommodation Programme (SHAP). Early discussions with Transform to submit a bid. | | |
| 3.23 | Work with local social landlords to investigate developing a trial of a Housing First style approach. | Housing Solutions Manager | 2023/24 | Year 1 | Completed | Two RSAP Housing First properties purchased by Transform in 2023. | | |
| 3.24 | Work with Transform Housing & Support to deliver 4 units of supported move- on accommodation for Rough Sleepers, funded through Rough Sleeper Accommodation Program (RSAP) and the Homes England Move-On Fund. | Housing Solutions Manager | 2023/24 | Year 1 | Completed | Two RSAP Housing First properties purchased by Transform in 2023. Two properties in South Street completed | | |

| In-borough Temporary Accommodation | | | | | | | | |
|------------------------------------|---|---|---------|--------|-----------|---|--|--|
| 3.25 | Review the supply of temporary accommodation and identify future local temporary accommodation needs and how these can be best met. | Housing Solutions Manager / Strategic Housing Manager | 2023/24 | Year 1 | On Track | Discussions underway with THC regarding the future use of temporary accommodation units at Upper Hight Street and West Hill Court | | |
| 3.26 | Review and update temporary accommodation procurement plan. | Housing Solutions Manager / Strategic Housing Manager | 2023/24 | Year 1 | | | | |
| 3.27 | Review and update the temporary accommodation placement policy. | Housing Solutions Manager / Strategic Housing Manager | 2023/24 | Year 1 | | | | |
| 3.28 | Increase the number of private sector leasing scheme properties. | Housing Solutions Manager | 2023/24 | Year 1 | On Track | New Temporary Accommodation Appentice post being to increase capacity to take on new PSL properties. 1 new PSL taken on in Nov 2022, another in April 2023 and 4 bedroom house due Aug/Sept 2023. | | |
| 3.29 | Work with Sanctuary Housing to develop up to 14 units of in-borough temporary accommodation at Defoe Court. | Housing Solutions Manager | 2022/23 | | Completed | | | |
| | | | | | | | | |
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| Key Objective 4 - Improve the Health & Wellbeing of homeless people | | | | | | | Key |
|---|---|---------------------------|-------------|----------|------------|--|-----------|
| No. | Action: What we will do? | Lead Officer | Target Date | Year | Rag Status | Narrative | |
| 4.1 | Develop a make every contact matter ethos across the service and with partners. | Housing Options Manager | 2026/27 | | | | On track |
| 4.2 | Work with applicants to build on their own skills and strengths to develop their resilience and self-sufficiency. | Housing Solutions Manager | 2025/26 | | | | Slippage |
| 4.3 | Work closely with the SCC Public Health and Health Services to improve the health and wellbeing of vulnerable homeless people, especially those with multiple & complex needs through the work of the Surrey Homeless Multi-Agency Group (MAG). | Housing Solutions Manager | On-going | On-going | | | Off Track |
| 4.4 | Work in partnership with Surrey Adults Matter (SAM) to focus on delivering better coordinated services to improve the lives of adults facing Severe Multiple Disadvantage. | Housing Options Manager | On-going | On-going | On Track | Ongoing work in relation to Surrey Adults Matter (SAM). | Completed |
| 4.5 | Work with SCC Public Health/SAM to pilot the "Bridge the Gap" trauma informed Outreach Support Service for homeless people. | Housing Options Manager | On-going | On-going | On Track | Ongoing work in relation to Bridge the Gap. SCC looking for funding to expand scheme in future years | |

railway plans updated sept 22 2024

| Key Objective 5 - Ensuring sufficient support is available for homeless people | | | | | | Key | |
|--|---|---------------------------|-------------|----------|------------|---|-----------|
| No. | Action: What we will do? | Lead Officer | Target Date | Year | Rag Status | Narrative | |
| 5.1 | Ensure there is a clear documented housing pathway for groups who need specialist support, including each of the specified | Housing Solutions Manager | 2022/23 | Year 1 | Completed | Pathway plans updated Sept 22 and published on Homechoice website | On track |
| 5.2 | Review the internal and external support services provided and explore opportunities to provide a more targeted and efficient service, particularly to those with complex needs to intervene early to prevent recurring homelessness. | Housing Solutions Manager | 2024/25 | | | | Slippage |
| 5.3 | Continue to fund and work with our East Surrey partners and Thames Reach to provide a specialist outreach support services for rough sleepers. | Housing Solutions Manager | On-going | On-going | Completed | East Surrey contract with ESOS/Thames Reach renewed for 2023/24. Procurement required for 2024 onwards | Off Track |
| 5.4 | Continue to support those households to access employment, education and training through continuing to fund ETHOS and through working with the Employment Hub. | Housing Solutions Manager | On-going | On-going | On Track | ETHOS contract renewd for 2023. March 2023 started working with Successful Mum to help parents into work | Completed |
| 5.5 | Ensure that homeless households have the skills required to maintain a tenancy. | Housing Solutions Manager | 2025/26 | | | | |
| 5.6 | Continue to work with tenancy sustainment and floating support services to ensure that those households placed in temporary accommodation are receiving appropriate support and assistance. | Housing Options Manager | On-going | On-going | On Track | The new Move-On officer post is supporting homeless households in temporary accommodation and ensuring that households have a move on plan. | |
| 5.7 | Work with SCC to review our current provision of Housing Related Support provision. | Housing Solutions Manager | Annually | | | Pathway plans updated Sept 22 and published on Homechoice website | |

| | | | | | | |
|------|--|---|----------|----------|----------|---|
| 5.8 | Proactively work with households in temporary accommodation to identify and secure suitable alternative accommodation and ensure that each household has a move on plan. Investigate options of having a dedicated Housing Officer to support homelessness households once in temporary accommodation | Housing Options Manager & Housing Solutions Manager | 2023/24 | Year 1 | On Track | New Move-On post created April 2023 to support homeless households move on from both nightly paid accommodation and temporary accommodation. Post out to advert April 2023. |
| 5.9 | For some homeless households there are issues that prevent move on from temporary accommodation. There are a variety of reasons for this which include; the benefit cap, history of rent arrears, anti-social behaviour, offending, complex health issues and other risk issues that make both social and private landlords reluctant to accept them as tenants. We will identify these issues and put in place measures to try to address them. | Housing Options Manager & Housing Solutions Manager | 2024/5 | | | |
| 5.1 | Continue to support homeless household to find and secure private rented accommodation through the Council's Rent Deposit Scheme. | Housing Solutions Manager | On-going | On-going | On Track | Rent Deposit Officer has assisted 8 homeless households into private rented accommodation. 6 additional properties lined up. |
| 5.11 | Offer tenancy support and sustainment to households who are assisted to access private rented accommodation via the Council's Rent Deposit Scheme. | Housing Solutions Manager | On-going | On-going | On Track | Rent Deposit Officer provides on-going support to those homeless households assisted via Rent Deposit scheme. |
| 5.12 | Continue to support individuals and families that experience domestic abuse. | Housing Options Manager | On-going | On-going | On Track | |
| 5.13 | Continue to fund the Sanctuary Scheme to help victims of domestic abuse safely to remain in their homes. | Housing Solutions Manager | On-going | On-going | On Track | Surrey Wide Sanctuary Scheme now operational. Partnership meeting held in June 23 with North Surrey DA service (NSDA). |

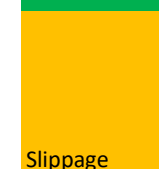
| | | | | | | |
|------|---|---|-----------|----------|-----------|--|
| 5.14 | Identify support needs at an early stage and refer to appropriate services (drug/alcohol, mental health, young persons, domestic abuse, ex-offenders, money advice, employment support, floating support, foodbank, CAB). | Housing Options Manager | 2023/4 | Year 1 | On Track | Single Person Officer post has created capacity to enable Housing Services to identify support needs and refer to appropriate services |
| 5.15 | Promote resilience and support to those who are or used to be homeless, to improve their resilience and reduce the risk of them from becoming homeless again. | Housing Options Manager & Housing Solutions Manager | 2025/6 | | | |
| 5.16 | Work with Children's Services and the Family Support team to identify families who need some additional help beyond accommodation needs and ensure arrangements are in place to refer households with children to Early Help/Family Support as early as possible. | Housing Options Manager & Housing Solutions Manager | 2024/5 | | | |
| 5.17 | Work with partners to identify tenants at risk of "cuckooing" and ensure rapid interventions are in place to support them. | Housing Options Manager | On- going | | | |
| 5.18 | Work in partnership with Surrey Adults Matter (SAM) to focus o | | 2023/4 | Year 1 | On Track | Ongoing work in relation to Surrey Adults Matter (SAM) & Bridge the Gap. SCC looking for funding to expand scheme in future years |
| 5.19 | Make referrals to furniture projects to ensure that homeless households have a furniture offer when moving into new accommodation | Housing Options Manager | On-going | On-going | Completed | Referrals to furniture project embeded into Housing Options/ RDS/ nominations process to ensure homeless households have a furniture offer (if needed) |

| Key Objective 6 - Partnership working | | | | | | |
|---------------------------------------|---|---|------------------------|----------|------------|---|
| No. | Action: What we will do? | Lead Officer | Target Date | Year | Rag Status | Narrative |
| 6.1 | Increase partnership working and make “homelessness Everybody’s Business”, raise awareness of the impact homelessness can have on households and ensure that all agencies know how to appropriately refer households into the Housing Options | Housing Options Manager & Housing Solutions Manager | 2024/25 | | | |
| 6.2 | Host an annual Homelessness forum with partner agencies. | Strategic Housing Manager | 2023-24, then annually | Year 1 | | |
| 6.3 | Host an annual Registered Provider Forum with a focus upon support for tenants at risk of homelessness. | Strategic Housing Manager | 2023-24, then annually | Year 1 | On Track | Meetings arranged with individual local RP's - RHA (TCH), Mount Green, Orbit, PA. |
| 6.4 | Host an annual Private Landlord’s Forum to increase the availability of private rented accommodation in the borough and to encourage good practice. | Homelessness working group | 2024-25, then annually | | | |
| 6.5 | Work in partnership to ensure appropriate multi-agency joint working and referral arrangements are in place for Housing Options Service and to explore how preventative services can be developed and improved. | Housing Options Manager | On-going | On-going | On Track | |
| 6.6 | Promote more joined up working with, health, prison and probation services to prevent homelessness on discharge or release from an institution | Housing Options Manager | 2022-23/ Ongoing | Year 1 | On Track | Surrey wide Mental Health protocol launched Jan 2023. Training rolling out March 2023. New Care Leavers protocol about to be launched. On going partnership work with Probation/Prision service |
| 6.7 | Work closely with the SCC Public Health and Health Services to improve the health and wellbeing of vulnerable homeless people | Housing Options Manager | 2022-23/ Ongoing | Year 1 | On Track | Pathway plans updated Sept 22 and published on Homechoice website |

Key



On track



Slippage



Off Track



Completed

| | | | | | | |
|------|---|---------------------------|------------------|----------|------------------|---|
| 6.8 | Further develop partnership working with the DWP and local Jobcentre plus to ensure the Housing Options Service has access to information and receive regular updates, including training on UC and other benefits. | Housing Options Manager | 2022-23/ Ongoing | Year 1 | On Track | Regular partnership meetings with DWP are ongoing |
| 6.9 | Maximise funding opportunities through partnership working to identify and bid for new initiatives, building upon recent successes (e.g. MEAM, Housing First, RSI, Next Steps and RSAP). | Strategic Housing Manager | 2023-24/ Ongoing | Year 1 | On Track | DHLUC recently launch funding for Single Homelessness Accommodation Programme (SHAP). Early discussions with Transform to submit a bid. |
| 6.1 | Work with partners to identify how those with lived experience of homelessness can be included in the design and delivery of services. | Housing Options Manager | 2024/25 | | | |
| 6.11 | Campaign and raise awareness of issues of homelessness that are linked to affordability and to LHA rates and Benefit Cap. | Strategic Housing Manager | 2024/25 | | | |
| 6.12 | Work with our Surrey partners in implementing the Domestic Abuse Act | Housing Options Manager | 2022-23/ Ongoing | Year 1 | On Track | Working with NSDA (North Surrey Domestic Abuse Service) to establish SCC wide Sanctuary Scheme to replace local Sanctuary Scheme |
| 6.13 | Work with our Surrey partners and Children Services in reviewing and implementing the Joint Housing Protocol for 16 & 17 year olds & the Care Leavers Protocol | Housing Options Manager | 2022-23 | On-going | Completed | Joint Housing Protocol for 16 & 17 year olds now Live. Care Leavers Protocol about to be launched |
| 6.14 | Work closely with our Surrey partners and Health Services to review and implement the Mental Health Protocol and the Hospital Discharge Protocol | Housing Options Manager | 2022/3 | On-going | Completed | Surrey wide Mental Health protocol launch Jan 2023. Training rolling out March 2023 |

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PLAYING OUT

| | |
|---|---|
| Head of Service: | Andrew Bircher, Interim Director of Corporate Services |
| Wards affected: | (All Wards); |
| Urgent Decision? (no) | |
| If yes, reason urgent decision required: | |
| Appendices (attached): | Appendix 1 – Play Streets Terms & Conditions Appendix 2 – Temporary Play Street Application form Appendix 3 – Play Street Consultation form |

Summary

The report provides details of the Playing Out (Play Streets) scheme and seeks approval from the Committee to introduce this to the Borough.

Recommendation (s)

The Committee is asked to:

- (1) To approve the introduction of the Playing Out scheme as detailed in the report below.

1 Reason for Recommendation

- 1.1 The below report seeks to introduce the details of the of the Playing Out scheme in the Borough.

2 Background

- 2.1 Playing Out is a not-for-profit organisation set up by parents in 2009, to activate street play across the UK. The term 'Play Street' is now being used interchangeably with Playing out, to refer to the movement of resident-led temporary road closures to allow children to play out in the street where they live.

- 2.2 Over 90 local authorities have play street schemes around the UK and at least a further 80 are developing one. We know that there are local Councils such as Elmbridge Borough Council and Azur and Worthing Council that are already running this scheme
- 2.3 The scheme, which is supported by Play England, allows for streets that are not a main road or bus route, to be closed to through traffic for short periods of time (up to 3 hours). This is organised by residents, with the agreement of their neighbours and allows children the freedom to play outside in the streets where they live and also helps to bring communities together. Volunteer stewards are at each road closure point and parents are responsible for their own children.
- 2.4 The playing out (play streets) scheme aligns well with some of the Borough's Health and Wellbeing priorities, such as:- Supporting the mental and emotional wellbeing of our residents, Supporting our residents to stay connected, as well as increasing children's physical activity and wellbeing and building strong, inclusive communities that overcome isolation.

3 Current Position

- 3.1 Epsom & Ewell Borough Council already have a process in place for requesting temporary road closures for street parties and events and the road closure process for Playing Out, would follow a similar process and be carried out by the same team.
- 3.2 A web page would need to be set up as well as an online and a paper application form. Links would have to be added to this that refer residents to the 'Playing out' website for guidance, information, and resources. Records of applications would need to be kept in line with the Councils GDPR and data retention policies.

4 Risk Assessment

- 4.1 If EEBC decided to go ahead with this initiative, the responsibilities would be as follows:-
 - 4.1.1 The Council would be responsible for:
 - Providing details of the proposed road closure to SCC highways for their consideration.
 - Providing guidance and a point of contact to help residents plan.
 - Providing a clear way of residents applying for the temporary road closure, this process is currently facilitated through an online application form on our website.

- Signposting the 'Playing Out' website where residents can download information and resources such as guidance for residents, risk assessment templates and steward training videos.

4.1.2 The Residents would be responsible for:

- Consulting with all residences and businesses within the proposed closure area
- Applying for the road closure within the timescales given considering when and for and how long they would like the road closed.
- Identifying and training volunteer stewards to man the closure points
- Ensuring there is no permanent damage to the Public Highway
- Ensuring parents are aware they are responsible for their own children.
- Ensuring the road closure and re-opening is managed safely using correct signage.
- Completing their own risk assessment to ensure all organisers are aware of any risks and their responsibilities.

Options/Issues

- 4.2 Accessibility for residents to cones/barriers/road closure signs etc. Some councils offer a pack of these items for a refundable deposit, but this is extra administration for the teams involved as well as physically making sure all items come back each time. It is the Councils intention not to offer equipment. There are, however, packs available to purchase through the 'Playing Out' website or items could be bought online and the Council will be signposting interested residents to this
- 4.3 As Play Streets are frequent events, unlike normal road closures, it is possible to apply for repeat closures using a single consent application including for several roads over a 12-month period.
- 4.4 If the Playing Out scheme is approved, we would aim for a commencement date of 1 December 2023, This would allow time to develop a webpage with online forms as well as creating media content. We would then look to review the scheme after a year.

Legal or other duties

4.5 Equality Impact Assessment

- 4.5.1 Playing Out sessions are inclusive community events and there are no advantages or disadvantages to any protected groups.

4.6 Crime & Disorder

4.6.1 No issues that arise from this report

4.7 Safeguarding

4.7.1 The organisers attention is drawn to the Terms and conditions ensuring a safe environment for play is created.

4.8 Dependencies

4.8.1 No issues that arise from this report

4.9 Other

4.9.1 None

5 Financial Implications

5.1 If the Council are not providing packs to residents, then the only financial cost would be the Officer time processing the applications and paperwork as well as the initial set up of a web page and online forms.

5.2 **Section 151 Officer's comments:** The set-up and administration costs can be funded from existing budgets.

6 Legal Implications

6.1 There are at least three pieces of legislation in use that can be used to enable a local street play scheme:-

- The 1847 Town Police Clauses Act
- The 1984 Road Traffic Regulation Act chapter 27 Part 11, section 16
- The 1984 Road Regulation Act chapter 27 Part 111, sections 29 and 31

6.2 Each piece of legislation has its advantages and disadvantages which will be assessed depending on the nature of the request received. However, it is anticipated that the majority of the temporary road closures will be processed under the Town Police Clauses Act 1847 as Business Support currently process road closures under this piece of legislation.

6.3 We have contacted Bristol City Council to find out more about their use of the Town Police Clauses Act 1847 for these Temporary Street Play Orders and are awaiting a response at the time of writing.

- 6.4 Public liability – some councils recommend that residents take this out, but the cost is so prohibitive that it is normally not mandatory. There are a few councils that have made it mandatory, but they have seen very few numbers of applications. Implementation of this scheme is unlikely to expose the Council to any additional liability as it is Surrey County Council as Highway Authority who would bear the responsibility of any road related claim.
- 6.5 Indemnity Clause – To ensure they are meeting their duty of care; many councils ensure their residents are aware of their responsibilities and ask their volunteer residents to sign an indemnity clause.
- 6.6 **Legal Officer's comments:** As above

7 Policies, Plans & Partnerships

- 7.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- Safe and Well
- 7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 7.3 **Climate & Environmental Impact of recommendations** No issues that arise from this report.
- 7.4 **Sustainability Policy & Community Safety Implications** None
- 7.5 **Partnerships:** None

8 Background papers

- 8.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Other papers:

- None

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PLAY STREETS

Guidance and Requirements & Terms and Conditions

Residents and organisations can apply to the council for a 'Temporary Play Street Order', however some roads in Epsom & Ewell may not be suitable such as main roads and Bus routes. The most suitable roads are quiet residential streets or cul-de-sacs where an easy alternative route for through traffic can be provided. Please note any existing Traffic Management Order or other statutory provision on the street to be closed will remain in force during the closure, unless specified to the contrary on the play street order. In the event of any conflicting road works the application may be refused by the highway authority

After we receive your application, we will consult with Surrey Police and Surrey County Council (The Highways Authority). Once we receive approval from the highway authority, we will then process the order for signing and sealing which will normally be emailed to you. We therefore recommend that you apply approximately 12 weeks in advance.

Consultation

Before submitting the application, the organisers are required to consult all affected residents/traders on the street. Consultation provides the opportunity for questions or concerns to be raised. Organisers must seek agreement with all affected residents by delivering a consultation letter to each property and completing a resident survey form. As part of the application process, you will need to submit the completed survey form showing the name, address and signature of at least 75% majority of the households showing evidence of support. Please complete the **Resident consultation form** and submit with a copy of the letter you provided to residents. Examples of **resident letters** you could give out to neighbours can be found on the Playing Out website.

Noise

Consideration should be given to those living or working nearby and any excessive noise should be minimised.

Please remind parents that they are responsible for their children at all times and not the stewards/organisers.

Risk Assessment

A risk assessment should be carried out and submitted for our records. Although a risk assessment does not guarantee that an incident won't happen, it can significantly help to reduce the probability. It is the organisers responsibility to do

this not the Council's. An example of a [risk assessment form](#) can be found on the Playing Out website.

Traffic management Plan

The organisers are required to submit a traffic management plan with their application. This should be a map clearly showing the area to be closed and the type and positioning of all temporary signs and barriers.

Stewards

Stewards must be positioned at each of the 'Road Closed' points and must stay in place apart from assisting cars of residents or visitors through/into and out of the closed area at walking speed. Stewards must be adults and be clearly identifiable ie wearing a hi-visibility jacket/clothing. Stewards have an important role and should be clear about their responsibilities are. Please see the [Steward training](#) Playing Out video to help train stewards.

Terms & Conditions

1. The event shall not be publicised by the use of flyposting on street furniture or elsewhere.
2. The organisers will be responsible for providing adequate supervision, stewardship and first-aid cover to ensure public safety for the event, but it should be noted that under no circumstances are stewards or marshals empowered or permitted to direct traffic. Each closure must always be supervised and maintained by responsible and clearly identifiable adults wearing hi-visibility jackets and each point of closure must be marshalled throughout the period of the event. All through-traffic is prohibited, and vehicles may enter or leave the road only at walking speed (5mph speed limit) and under supervision, once the road is clear of children playing. Any vehicles wishing to gain access to the closed section of road will be restricted to a walk through.
3. On-street parking for residents or visitors cannot be refused or restricted other than through an already existing Traffic Regulation Order.
4. No closure can be for more than 3 hours.
5. Applications will not be approved on the roads refuse collection day.
6. Any order made is entirely for the purpose of children's play and may not involve the placement of any structure on the highway during its use.
7. No obstructions shall be placed on fire hydrants, and organisers should endeavour to maintain an access path along the area of the closure for emergency vehicles.
8. Any signs, poles, tables, chairs, trestles etc. shall be positioned at a safe distance from road junctions, garage entrances and vehicular accesses to properties, and be placed to allow adequate access for emergency vehicles. All equipment should be removed before at the end of the event.
9. Alcoholic drinks cannot be consumed at a Street Play session. No activity requiring any form of licence (under the Licensing Act 2003) may be undertaken when this Order is in force. The street is closed for play only.
10. Fireworks, Bonfires and BBQ's are prohibited on the public highway.
11. It is the responsibility of the play street organisers to ensure that all barriers and signs are removed and that any rubbish is cleared before the road is re-opened. Any damage to the highway would also need to be made good.
12. You must pay to the council, the full cost of any damage to the highway or street furniture or other loss or damage suffered by it and of any claims made against it as a result of the making of the Notice and which arise from your

negligence. You may wish to take out Public Liability Insurance for the duration of your road closure(s)

13. Neither Epsom & Ewell Borough Council nor, Surrey County Council will be liable for any costs whatsoever arising from the event.
14. The Hirer will indemnify and keep indemnified the Council and its Members, Officers, servants or agents in respect of any loss liability claim or proceedings, howsoever arising under statute or common law arising out of or in the course of or by reason of the 'road closure' pursuant to the 'Temporary Play Street Order' except where such liability loss or damage results directly from the negligence of the Council, its servants or agents.

**There is lots of further free advice and resources on the [Playing Out website](#).
As well as details of how you can purchase equipment/signs etc for the day**

Application for Temporary Play Street Order

Use of this form

Information will only be used by Epsom & Ewell Borough Council and its employees in accordance with the Data Protection Act 1998 and General Data Protection Regulations (GDPR).

Applicant's details (please note this should be the named event organiser)

| | | | |
|--------------------------------|-------|-------------|---------|
| Name | Title | Forename(s) | Surname |
| | | | |
| Address (inc. postcode) | | | |
| Contact telephone number | | | |
| Email address | | | |

Group/organisation applying for temporary play street order (if applicable)

| |
|--|
| |
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Your role in the group/organisation (eg Secretary, Chairman)

| |
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| |
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Temporary Play Street Order Details

| | |
|--|------------------|
| Date(s) of closure | |
| Time of closure (use 24 hour clock) (maximum 3 hours each session) | From: To: |
| Named road to be closed (please detail the section required) | |
| Steward arrangements/numbers | |
| Alternative route for traffic or confirmation of stewarded access for residents if there is no alternative route | |

Have you have contacted residents and other people affected by the closure? **Agenda Item 8**
copy of the letter sent and the completed consultation form **Appendix 2**

Yes No

If you have received any objections or concerns, please detail them below.

Notes for organisers

The organiser/s must:

- Inform people whose property or premises is directly affected by the closure.
- Inform Epsom & Ewell Borough Council of any change to the named organiser.
- Place necessary road signs and barriers on the highway to warn other traffic that the road has been closed and to show any diversion route (to the requirements of the Police and the Highway Authority)
- Provide barriers manned by responsible stewards which are easily removable should emergency services require access (and not block access to fire hydrants)
- Ensure access for emergency vehicles at all times
- Ensure reasonable pedestrian access at all time
- Remove all signs and barriers at the end of the event and clear any resultant rubbish.

The organiser/s understand/s that:

- Epsom & Ewell Borough Council cannot accept responsibility for injury, accident or damage to persons or property (please see Terms & Conditions)
- No activity requiring any form of licence (under the Licensing Act 2003) may be undertaken when this Order is in force.
- Bonfires, barbecues and fireworks are prohibited on the Highways.
- Approval will not be given for closure on the roads refuse collection day

I am the named organiser Yes No

Please sign and date below to indicate that you agree with the notes for organisers:

Please ensure you have submitted your consultation letter and form, your traffic management plan and your risk assessment form along with this application

Signed

Date

**EPSOM & EWELL BOROUGH COUNCIL STREET PLAY
CONSULTATION FORM FOR STREET PLAY SESSION/S IN YOUR ROAD**

| NAME | SIGN FOR SUPPORT | ADDRESS |
|-------------|-------------------------|----------------|
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2024/25 BUDGET TARGETS REPORT

| | |
|---|----------------------------------|
| Head of Service: | Brendan Bradley, Head of Finance |
| Wards affected: | (All Wards); |
| Urgent Decision?(yes/no) | No |
| If yes, reason urgent decision required: | N/A |
| Appendices (attached): | None |

Summary

This report informs the Committee of the Council's revenue budget targets presented to the Strategy & Resources Committee in July. The report seeks guidance on the preparation of the Committee's service estimates for 2024/25.

Recommendation (s)

The Committee is asked to:

- (1) Note the implications of the budget targets presented to Strategy & Resources Committee on 13 July 2023.
- (2) Support the changes to services and savings previously identified in Table 1 of this report and that these are included within the budget presented to this Committee in January 2024.
- (3) Consider how additional income or savings can be generated to address the projected Council wide funding gap of £1.1m in 2024/25, rising to £2.5m by 2027/28.
- (4) Note that owing to the Council's projected budget deficit, any additional new revenue growth items (i.e. service enhancements resulting in increased net expenditure) supported by Policy Committees will need to be fully funded from existing budgets.

1 Reason for Recommendation

- 1.1 The recommendations will provide a clear framework for officers to develop a balanced budget for 2024/25, which is a statutory requirement.

2 Background

- 2.1 Local authorities face a great deal of financial planning uncertainty over the medium term. This is mainly because central government funding settlements have tended, since the pandemic, to be limited to one-year only. In addition, the economic environment remains highly challenging and difficult to forecast, with elevated inflation impacting demand for services, and the cost of delivering those services.
- 2.2 At its meeting on 13 July 2023, Strategy and Resources Committee agreed the budget targets and workstreams to enable the Council to work towards setting a balanced budget for 2024/25 and over the next Medium Term Financial Strategy four year-period.
- 2.3 The committee noted that excluding any new growth in expenditure, additional annual income/savings of £1.1 million are projected to be needed to achieve a balance budget for 2024/25, increasing to £2.5m by 2027/28.

3 Full Proposals

- 3.1 For financial planning purposes, latest forecasts show that the Council faces a projected budget deficit of £1.1m in 2024/25, rising to £2.5m by 2027/28.
- 3.2 To address this deficit, Strategy & Resources Committee agreed that the following workstreams should be progressed by Directors and Heads of Service:
 - 3.2.1 Officers to be tasked with identifying further efficiencies, although these are becoming harder to achieve after over a decade of austerity.
 - 3.2.2 A base review, which entails reviewing the year end position for 2022/23, identifying any potential savings, additional cost pressures and areas where savings can be developed.
 - 3.2.3 Service Reviews focusing primarily on discretionary services to be undertaken over the next four years with the aim of increasing efficiencies and effectiveness whilst reducing cost.
 - 3.2.4 Review of existing asset utilisation, to realise cost reductions in Council operational buildings and increased income from investment properties.
 - 3.2.5 Investigate income streams to maximise revenue from new and existing services, such as invest to save opportunities. Ensure any new powers are considered to generate additional income for the Council, such as the pending new charging policy for waste.

3.2.6 Undertake a review of reserves, providing a justification for the level of reserves retained.

3.2.7 A target to increase fees and charges income by 6% in both 2024/25 and 2025/26 (as previously agreed by S&R in July 2022), then by CPI+1% for both 2026/27 and 2027/28. Heads of Service review fees and charges annually to ensure increases are achievable and report fees and charges to policy committees for approval.

3.2.8 To maximise external funding and partnership opportunities.

3.3 Officers will maintain engagement with policy chairs and members throughout the budgeting process, and budget forecasts and assumptions will continue to be reviewed and updated throughout the process.

3.4 Delivery of previously agreed additional income/savings totalling £30,000 within this Committee are also required for a balanced budget to be achieved for 2024/25:

| Table 1 - Summary of Previously Agreed Additional Income Target for 2024/25 | | 2024/25 |
|---|-----|-----------|
| | | £000 |
| Additional net income from Community & Wellbeing Centre | C&W | 30 |
| Total | | 30 |

3.5 Furthermore, owing to the Council’s projected budget deficit, for any additional new revenue growth items (i.e. service enhancements resulting in increased net expenditure) supported by policy committees, the committee or Council will need to identify how these can be fully funded from existing budgets.

4 Risk Assessment

Legal or other duties

4.1 Impact Assessment

4.1.1 The Council has a statutory duty to set a balanced budget each year, demonstrating how planned expenditure on services will be fully funded.

4.1.2 Should the Council not progress the proposed budget strategy and fail to achieve a significant net reduction in its cost of services, there is a clear risk that reserves will continue to diminish with the Council eventually becoming unable to set a balanced budget.

4.1.3 Financial risk assessments will be completed with service estimates for this Committee in January 2024 and for Council in February 2024.

4.2 Crime & Disorder

4.2.1 None

4.3 Safeguarding

4.3.1 None

4.4 Dependencies

4.4.1 None

4.5 Other

4.5.1 None

5 Financial Implications

5.1 Financial implications are set out in the strategic financial planning report to Strategy & Resources Committee of 13 July.

5.2 **Section 151 Officer's comments:** It is important that the budgets target recommendations be agreed to maintain the future financial health of the Council.

6 Legal Implications

6.1 The Council has a statutory responsibility to set a balanced budget each year.

6.2 **Legal Officer's comments:** None for the purposes of this report.

7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.

7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** None

7.4 **Sustainability Policy & Community Safety Implications:** None

7.5 **Partnerships:** None

8 Background papers

8.1 The documents referred to in compiling this report are as follows:

Previous reports:

- 2024/25 Strategic Financial Planning report to Strategy & Resources
13 July 2023.

Other papers:

- Budget Book 2023/24
- Medium Term Financial Strategy 2020 to 2024

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