

**Cotswold District Council**

## **HOUSING PLAN 2016-2020**

# **Sustainable homes for thriving communities**

**Incorporating the Housing Action Plan, Homelessness Strategy,  
Strategic Tenancy Policy, and Policy on Discharging Statutory  
Homelessness Duty into the Private Sector**

**April 2016**

**Foreword by Cabinet Member for Planning and Housing**

**To be drafted.**

## **HOW TO BE INVOLVED IN THE CONSULTATION**

This is a draft Housing Plan consultation document that highlights the issues and what are considered to be the priorities for action in the Cotswold district for the next 4 years. The document proposes an action plan for the next 2 years. This will be reviewed on a quarterly basis and amended accordingly; to make sure that it continues to be relevant to both national and local circumstances.

We would like to hear your views on this draft plan. At the foot of this page there is a list of consultation questions that we would like you to consider and comment on. General comments and suggestions are also welcome.

To make consultation easier, an online consultation system has been provided that allows you to read the document and comment online. You can access the system at: XXX

If you wish to see a paper copy of the document these are available at each of the Council offices. You can also download a copy from the Council website. The Council has a responsibility to consider the environment and therefore will not be providing printed copies of this strategy to individuals. However, if you are experiencing difficulties and need a printed copy of this document or need it in another format such as Braille, large print or in another language, please contact us.

The public consultation period will start on Tuesday 3 May 2016 for a period of 6 weeks. The deadline for responses is midnight on Tuesday 14 June 2016. We hope that key stakeholders including local residents, communities, landlords, registered providers, local businesses and partners will participate in this consultation to influence and shape the way housing needs can be met.

As part of the consultation process the Overview and Scrutiny Committee will be invited to comment formally on the consultation draft Housing Plan.

Once all comments have been received, we will collate them and review the Housing Plan accordingly. The collated responses and the Council's responses will be published on our website within six weeks of the consultation closing.

## **CONSULTATION QUESTIONS**

1. Have we identified the right priorities?
2. Are there any other priorities that should be included in this Housing Plan?
3. Is the Action Plan correctly prioritised?
4. What might pose a threat to the delivery of our priorities?
5. What other comments or suggestions do you have about this Plan?

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## **Introduction.**

Welcome to the Council's new Housing Plan which supersedes any existing or former strategies. This Plan builds on the outcomes of previous plans and incorporates a number of separate policies and strategies. It includes:

- The Housing Plan
- Homelessness Strategy
- Strategic Tenancy Policy
- Policy on Discharging Statutory Homeless Duty into the Private Rented Sector

Bringing together related policy and strategy documents in one place will facilitate a holistic approach to housing within the district. Whilst contributing to the whole vision each policy or strategy can be reviewed and updated individually in conjunction with its actions.

This Housing Plan looks at the whole housing market recognising that all housing tenures, are important in meeting the housing needs and demands of the district and the relationships between the different sectors. National polls show that most people in England would prefer to own their own home, but barriers such as the availability of finance prevent them accessing that sector (Source: Council for Mortgage Lenders). Consequently, more people seek private rented accommodation resulting in rising market rents and greater demand for social housing.

The Plan also recognises that we will not meet all of our housing requirements through new development. We also need to make better use of our existing housing.

Challenging economic times, strain on public finance and welfare reform require a fresh approach to creating housing opportunities and enabling people to improve their financial position.

The housing vision for the District is that local people can live in high quality homes which they can afford and maintain. The Housing Plan aims to provide the best possible housing opportunities and housing related services to local residents as well as contributing to the Cotswold District Council's draft priorities. These are:

- To provide high quality services at the lowest possible cost to Council Taxpayers
- To protect the local environment whilst supporting economic growth
- To champion issues which are important to local people

The Plan has been produced by the Council in consultation with partners to meet the housing requirements of local people and communities. The Council no longer owns any housing stock, so working with a wide range of partners in the public, private and voluntary and community sectors will be critical to the implementation of this strategy. The Council will need to build on existing relationships and forge new ones to make the most of new opportunities.

It also recognises that housing investment contributes to wider outcomes for the district including job creation and the local economy. The Confederation of British Industry's (CBI) report "Housing Britain: Building new homes for growth" identifies the importance of decent and affordable housing in attracting and retaining employees. Housing also contributes to the sustainability of our communities, educational achievement and the health and wellbeing of our residents.

Six Strategic Housing Priorities have been identified along with key challenges and opportunities. The specific actions associated with the priorities and details on how they will be implemented are contained in the Action Plan. The Action Plan does not include the very

important “business as usual” activities such as meeting partners and other stakeholders which enable the actions to be delivered.

This strategy is written at a time when government policy is changing rapidly and local strategies are evolving in response. To be able to respond quickly and effectively to changes in legislation and Government guidance, the actions in the draft Action Plan cover the first two years of the strategy and will be reviewed quarterly. Also, the Council has delegated authority to the Cabinet Member for Planning and Housing to approve changes at the recommendation of senior officers.

The strategy contains a number of terms which may be unfamiliar to the reader. These are explained in the glossary.

### **Why we need a Housing Plan?**

The Housing Plan will assist the Council to:

- meet the requirements of the Housing Acts of 1985 and 2004 in relation to assessing housing needs and standards. It also shows how the Council will fulfil its statutory duties in respect of the Housing Act 1996 (as amended by the Homelessness Act 2002), Part 7 (preventing and reducing homelessness).
- demonstrate how the council is seeking to address the housing issues of the district through a range of initiatives not just the development of new homes.
- show how the Council is responding to national and local developments in housing, welfare and health.
- communicate the Council’s priorities to our partners, residents and other stakeholders so they can identify their roles in improving housing within the district.

The Housing Plan is a key part of the strategic housing function which can be divided into four elements: intelligence gathering, policy and strategy development, implementation, monitor and review. These elements form an on-going process (see Figure 1).

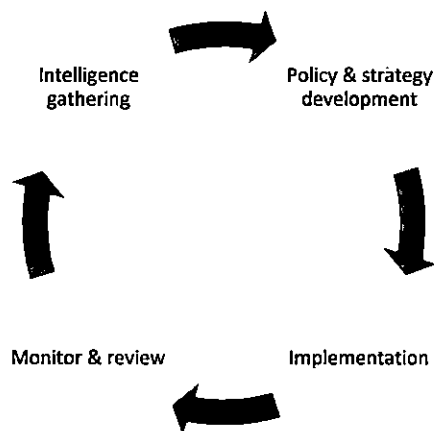


Figure 1: the Strategic Housing Function

The Housing Plan is based on intelligence gathered from a wide evidence base which is referenced within the text; and consultation with partners, including Registered Providers (RPs) and voluntary sector organisations. This formed the basis for a draft strategy for wider public consultation.

The Action Plan shows in more detail how the strategy will be implemented in the first two years. Progress will be monitored quarterly and the Action Plan will be reviewed accordingly.

### **Equality of opportunity.**

Cotswold District Council is committed to equality of opportunity. In delivering this strategy it seeks to ensure equality in accessing housing, housing related support and advice. An Equalities Impact Assessment of the Housing Plan has not identified any adverse effects.

## **The National Context.**

**'Laying the Foundations: A Housing Strategy for England' (2011).** This set out the Government's plans to reform the housing market, including measures to stimulate house building, reform the social housing sector, improve the private rented sector and bring empty homes back into use.

**The Localism Act (2011).** The Act made substantial changes in housing. It introduced fixed term affordable tenancies for registered providers at 80% of market rent to offset reductions in public funding to develop affordable homes. There were also changes to: social housing allocations and regulation; the discharge of duties to homeless households; the right to buy; and new rights and powers for communities in respect of planning and development.

**The National Planning Policy Framework (NPPF).** replaced most of the existing national planning policy statements. The NPPF and associated National Planning Policy Guidance guides development proposals and Local Plan policies.

**New Homes Bonus.** introduced in 2011/12 to help increase the level of house building. Local authorities receive the equivalent of the annual council tax raised for every new home and empty property brought back into use for six years. There is an additional enhancement for affordable homes.

**The Energy Act 2011.** introduced provisions to increase energy efficiency in private rented sector homes. Legislative changes in April 2018 will make it unlawful to let residential or commercial properties that fail to meet a minimum energy standard.

**The Health and Social Care Act 2012.** transferred Public Health responsibility to local authorities and established Health and Wellbeing Boards to ensure partnership working and supporting engagement with the wider determinants of health.

**The Care Act 2014.** focuses on the person's wellbeing and preventing or delaying needs. Councils have responsibilities towards their residents to keep them safe, support their general well-being and provide good information and advice about local services; working closely with partners to improve health and social care provision.

**Self-build and Custom Housebuilding Act 2015.** places a duty on local authorities to keep a register of individuals and community groups who are interested in acquiring land for self-build and custom-build projects and to take account of those interests in developing their housing initiatives and local plans; to allow volume house builders to include self-build and custom-build projects as contributing towards their affordable housing obligations, when working in partnership with a Registered Provider to deliver these homes.

**Welfare Reform.** changing the calculation and entitlement of housing benefit for social tenants in line with the private sector, where payments are assessed according to the size of the household and not the size of the property. Increasing deductions for non-dependent household members and the introduction of a cap on the maximum amount of benefit a household can receive to ensure that this is no more than the national average salary which will be £20,000 in the Cotswold District in 2016/17.

**Universal Credit** will see all benefits combined into one single, monthly payment. This is being introduced gradually into the district and will not be fully operational until XXX. The Council will need to work with partners to minimise the disruption to claimants to support people to manage their budgets.



**The Right to Buy.** the Coalition Government increased the maximum discount to £75,000 or 70% of the property value to re-invigorate the scheme. The new administration is considering extending the right to buy to tenants of housing associations. When the details of the new scheme are known the Council will be able to work with partners to assess the likely impact of the changes. During the last Government one replacement property was built for every nine sold under the re-invigorated Right to Buy.

**Help to Buy.** The Help to Buy scheme enables people to buy a new-build or existing home priced up to £600,000 with only a 5% deposit. 130 people have taken up the Government's Help to Buy scheme within the district (DCLG, June 2015). The majority have obtained equity loans There is concern that this will help to inflate house prices.

**The Housing and Planning Bill 2015.** The Housing and Planning Bill 2015-16 had its first reading in the House of Commons on 13 October and confirmed major recent housing policy announcements. The proposals contained in the Bill include:

- Councils will have a specific duty to promote the development of starter homes, available to qualifying first-time-buyers at a discount of 20% less than the market value. Local planning authorities will be required to publish public reports regarding Starter Homes provision.
- The implementation of the voluntary extension of the Right to Buy to registered providers.
- High Income Social Tenants: Mandatory Rent. The Secretary of State will have the power to set the levels of rent that registered providers of social housing must charge high income social tenants ('HISTs'). Following consultation on some of the detail, regulations will determine how much rent a HIST should pay. Outside of London, HIST will be defined as households with an income of over £30,000 per year.
- Self-build and custom house building is defined and local authorities will have a duty to grant permission on enough serviced plots of land to meet the demand for self-building and custom building in their area.
- The Bill includes a package of measures to help tackle rogue landlords in the private rented sector. These include local authorities seeking banning orders to prevent a landlord/letting agent from continuing to operate where they have committed certain housing offences, maintaining a national database of these landlords and allowing tenants or local authorities to apply for a rent repayment order where a landlord has committed certain offences

**Housing Finance.** The Budget in 2015 introduced the following housing finance changes which affect social and private providers:

- Rents in the social housing sector will be reduced by 1% a year for the next four years, which will affect the finance available to RPs for development programmes.
- Subsidies for social housing will be phased out with local authority and housing association tenants in England who earn more than £30,000 (outside London) having to pay up to the market rent
- 18 to 21-year-olds will not be entitled to claim housing benefit automatically, with a new "earn to learn" obligation
- Working-age benefits frozen for four years, this means housing benefit for people renting from private landlords will fall further behind inflation.
- Buy-to-let mortgage relief is limited to the basic rate of income. Previously, up to 45% could be claimed on interest payments on buy-to-let mortgages. Also, Landlords will have to provide evidence of repairs and improvements rather than automatically deducting 10% from their profits. Landlords have warned this will see costs passed on to tenants in the form of higher rents.

**The Comprehensive Spending Review (November 2015).** included the following provisions:

- Affordable homes funding increased, but focussed on home ownership rather than rented homes.
- 200,000 Starter Homes to be built supported by £2.3 billion funding.
- Housing benefit for housing association tenants capped at Local Housing Allowance.
- Funding for 135,000 "Help to Buy Shared Ownership" homes.
- £400m for 8,000 specialist homes.
- £200m for 10,000 Rent to Buy homes.
- Relaxation of rules on shared ownership, including councils' ability to set additional criteria e.g. local connection requirements.
- New funding arrangements for temporary accommodation to replace management fees.
- New Homes Bonus payment period reduced from 6 to 4 years.
- Energy Company Obligation to be replaced by a new domestic energy efficiency scheme.
- Enough public land to be released to provide 160,000 homes.

**The local policy context.** Housing has an impact and is affected by other services and organisations. It is important that these agenda and relationships are understood so we can support each other's work. The work identified in this strategy aligns to the aims and objectives set out in the following key local policies and plans:

- Cotswold District Council's policies including: The Corporate Strategy 2016 – 2019, the Empty Homes Strategy, The Strategic Tenancy Policy (see section Page 25 for the draft revised policy)
- The Private Sector Housing Renewal Policy (June 2013) sets out how the Council and its partners can improve occupier-owned and private rented homes in the District.
- The Police and Crime Plan 2013 – 2017 contains the priorities for making the county a safer and more peaceful place to live and work.
- Gloucestershire's Supporting People Strategy shows how partners will work together to deliver housing support services to vulnerable people to help them live as independently as possible, prioritising early intervention and prevention.
- Gloucestershire Health & Wellbeing Plan Strategy: Fit for the Future 2012-2032 focuses on strengthening health and wellbeing and preventing ill health in Gloucestershire.
- Gloucestershire's Strategic Economic Plan for Growing Gloucestershire (March 2014) recognises that housing is "critically important in securing economy growth" and the importance of the process of identifying housing need across the county.

## Key facts about the District.

Cotswold District covers an area of 450 sq. miles (1,165 sq km). Whilst the District is very rural, it lies in close proximity to some large urban areas with Swindon, Gloucester/Cheltenham and Oxford being the nearest. 80% of the District is within the Cotswolds AONB (a greater coverage by a national landscape designation than any other District in England). In the south of the District the Cotswold Water Park is the largest area of man-made lakes in the UK, covering an area of 33 sq. miles.

### Demography:

- 36,236 households in the district in 2011.
- Household size is projected to decline from 2.24 to 2.10 by 2032 (DCLG) reflecting the number of people living longer as well as family breakdown.
- Population of 82,881 (2011 Census) is projected to rise by 7,100 or 8.6% by 2031 (2012 based sub national projections)
- 2.2% of the population belong to Black, Asian and Minority ethnic groups (2011).
- Over 19,000 people live in Cirencester
- 18,489 people are aged 65 and over; 5,608 were living alone (2011).
- Increases are forecast in the over 55 age groups with large increases in the 80 and above age groups (SHMA 2014).
- 16.1% of the population had a long term health problem or disability in 2011 (an increase of 10.2% since 2001).
- Population forecasts to 2013 anticipate reductions in the 15 – 24 and 40 – 54 age groups (SHMA 2014)
- Household projections show a smaller proportion of 25-34 age group will set up their own households which could be important for the economy. Source: Neil McDonald with Christine Whitehead October 2014 (Revised).
- Between 2001 and 2011 there was a 21% increase in the number of 20-34 year olds living with parents (ONS report entitled “Young adults living with parents in the UK, 2011)

### Housing stock.

- In 2011 there were 39,944 residential dwellings in the District
- It is projected that an additional 8,400 homes will be required by 2031 (Source: 'The Objectively Assessed Housing Needs for Stroud, Forest of Dean and Cotswold' by Neil McDonald with Christine Whitehead.)
- Parts of the District are in the 10% most 'deprived' nationally in terms of access to housing and services due to the rural nature of the area (Source: “Supplement to Cotswold Economy Study 2012 and Economy Evidence Paper 2013” November 2014.)
- There are 6,193 homes in the social housing sector. (Source: HCA Statistical Data Return 2014)
- 65.7% of properties were owner occupied (2011 Census)
- 885 empty homes, 248 had been empty for over 6 months (Oct 2014; DCLG);
- 1540 dwellings are second homes
- Private rented stock increased from 12% of the total stock in 2001 (Source: ONS Tenure – Households UV63) to 15.3% in 2011 (Source: ONS Table KS402UK)
- Cotswold has the greatest proportion of large dwellings in the county: 28.4% contain four or more bedrooms (SHMA 2014)

### Private dwellings quality (figures in brackets are English Housing Survey 2009 averages):

- Excess cold category 1 hazard is estimated to be present in 21% of homes (9%)
- 42% of private homes do not meet the decent homes standard (32%)

- 16% of private homes fail thermal comfort standards (11%)
- Housing Health and Safety Rating System Category 1 hazards 34% (22%)
- Percentage of vulnerable households in non-decent homes was 7% (7%)
- The estimate for fuel poverty was 19% (18%)

Source: BRE Housing Stock models and options for developing further private sector housing information (2012)

#### **Affordability:**

- Average (mean) house price £356,908 (Land Registry, 2014)
- Mean annual earnings £23,098 (ASHE Income table 8.1a 2014 all employees)
- Gross annual income needed for a mortgage (80% at 3.5x) was £81,579 in 2014
- Ratio of house prices to incomes based on the above figures is 15.5 (Home Truths NHF 2015/16)
- Using DCLG lower quartile comparisons for earnings and house prices the ratios have worsened changing from 10.88 in 2009 to 11.15 in 2013
- Median annual gross household income £29,360 (SHMA 2014)
- Median savings £10,598 (SHMA 2014)
- Mean annual rent £12,060 (VOA, December 2015)
- Average number of social housing lettings via Gloucestershire Homeseeker was 433 per year from 2012 to 2015

#### **Housing need:**

- 1469 households were on the housing register in Sept 2015
- It is estimated that 4 single people sleep rough in the district at any one time (CDC data September 2015)
- 26.7% of households in need are single people under 35 years of age
- 15.2% in housing need also have a support need (SHMA2014)
- 317 (49.6%) new households each year cannot afford market housing (SHMA 2014)
- 1326 households presented as homeless between 2012 and 2014
- 278 households were accepted as homeless between 2012 and 2014

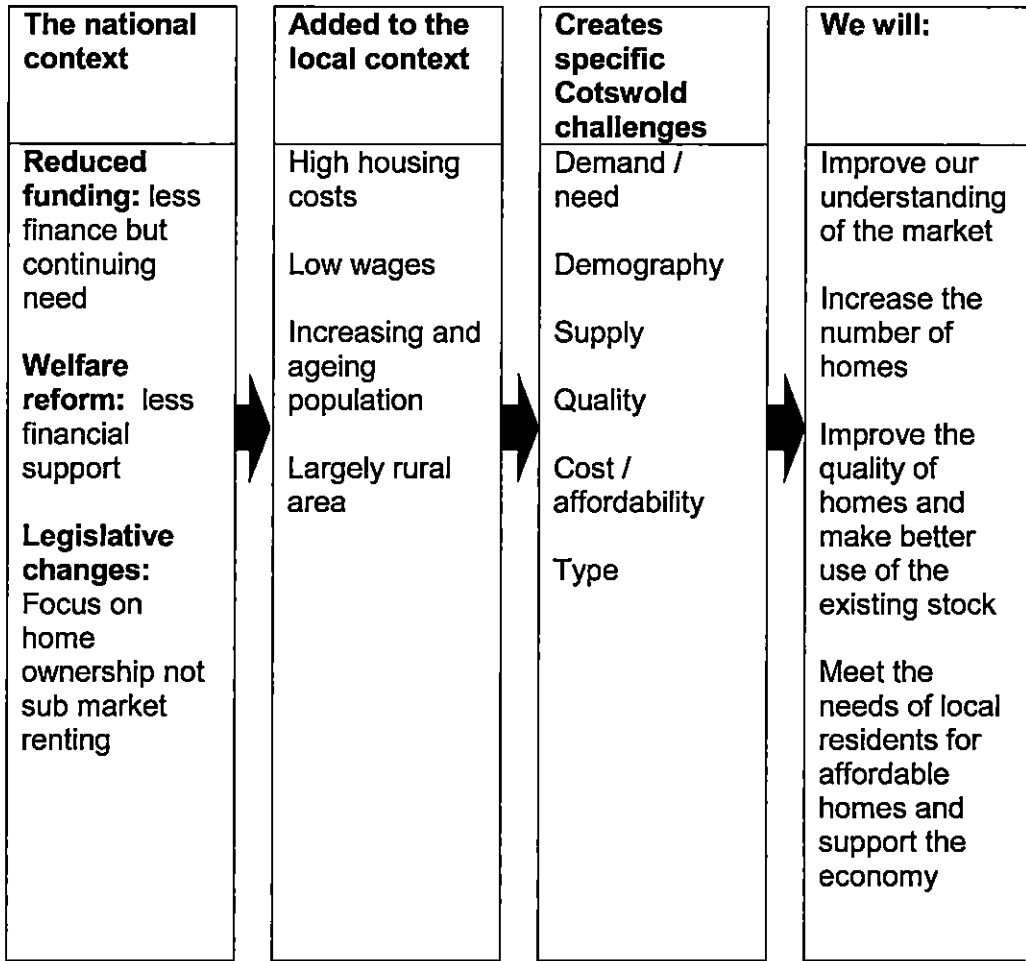
#### **Economy.**

- Economic activity and services are mainly in Cirencester and seventeen smaller sustainable communities
- In 2011, 40,303 (67.1%) of people aged 16-74 were in employment (increased by 5.4% since 2001).
- over 30% of jobs (around 13,500) based in Cirencester (ONS 2011 Census data)
- In the same period there were 1,491 unemployed people, this equates to 2.5% of people aged 16-74 (increased by 50% since 2001).
- 9.7% of households are living in fuel poverty (HECA Progress Report 2015)
- Cotswold has the lowest unemployment in the County (1.6%) (SHMA 2014)
- 8,000 (13.3%) people work from home in the district; double the national average and significantly higher than Gloucestershire's average of 8.5% (Nomis, 2011)
- There were 4,204 households claiming housing benefit in May 2015 (DCLG); approximately 1,248 (29.7%) were working full or part-time (CDC data).

(Source: Office for National Statistics (2011) Census of Population unless otherwise stated.)

**The Housing Challenge and the Vision for the Council.**

The challenge is to provide a greater choice of high quality housing in all tenures across the district which are affordable to local people and reflect local earnings.



**The Vision.**

The Council’s housing vision for the District is that local people can live in high quality homes which they can afford and maintain that support thriving healthy inclusive communities.

## **Strategic Priority One: Understanding the Cotswold Housing Market Area**

The priorities and tasks identified in this housing plan are based on a sound understanding of the local housing market area across all tenures and the effects of external forces e.g. legislative, economic and funding changes.

### **Key achievements 2012 – 2016:**

- Working with partners the Strategic Housing Market Assessment for the county was updated in 2014, with specific sections for each district council area.
- The Gloucestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment was completed in 2013.
- A comprehensive list of the district's social housing stock was created and is being updated as new developments are delivered.
- Different models of housing have been introduced into the district including shared equity, discount market homes and rent to buy.

### **Challenges and opportunities:**

- Housing is a rapidly changing environment at the national level. Understanding the effects of changes in Government policy and the economy on the local housing market is critical to developing Council policies and plans e.g. Local Plan housing policies.
- Change also brings opportunity. Housing providers are seeking different ways to deliver affordable housing. Identifying and piloting appropriate new models will increase the choice available for local people.
- Despite significant changes to the way affordable housing is financed, providers who have not worked in the district previously are developing homes here.
- High prices in the Cotswold district are supported by the attractiveness of the area to people moving from more expensive areas which encourages speculative development. The Cotswold housing market is the 5th most expensive outside London (10th including London) according to the National Housing Federation.

### **Action Plan priorities:**

- Maintain up-to-date knowledge of the housing market
- Maintain knowledge of the local housing stock and housing related support services
- Research and implement successful housing solutions

## **Strategic Priority Two: Increasing the supply and access to housing across all tenures**

Increasing the supply and access to housing involves all sectors of the housing market including home ownership, private rented and the social sector.

### **Key achievements 2012 – 2016.**

- 792 market homes delivered across the district (March 2015)
- 463 affordable homes delivered including (March 2015):
  - 3 rural exception sites (100% affordable housing) delivered 24 homes in three small communities
  - A local charity delivered 6 homes (including 3 affordable) for local people in Northleach.
  - Different home ownership models have been introduced into the district. 26 households have been able to purchase homes on a shared equity or equity loan basis.
- £7,573,875 grant funding supported the provision of affordable homes in the district

### **Home ownership**

#### **Challenges and opportunities:**

- Affordability is the key challenge facing the District. House prices and market rents are high in relation to local wages which affects the ability to save for deposits. The availability and price of land contributes to the high values.
- The availability and terms of mortgage finance restricts access to home ownership. The Mortgage Market Review required greater regulation by lenders e.g. income and expenditure checks from April 2014, meaning mortgage approvals for house purchase fell. The July 2015 figures showed an increase but had still not recovered to the January 2014 level. (Source: Bank of England).
- There are opportunities to promote different routes to home ownership including Help to Buy, rent – save – own models and custom and self-build.
- The district has an under-representation of people of working age when compared with the rest of the county. More affordable new market housing which meets local demand would assist working people to remain in the district and help to reduce the need for affordable housing e.g. starter home initiatives.
- The proportion of older people in our local population is rising significantly. Cotswold has the highest proportion of over 65s in the county. Many are owner occupiers who under-occupy their homes. Bringing forward attractive market housing for older people would encourage downsizing to more manageable homes and make better use of the housing stock.

### **Affordable housing**

#### **Challenges and opportunities:**

- Each year 574 new and existing households are in need of affordable homes because they cannot afford open market housing. This figure has risen from 535 in 2009 (SHMA 2014). New development of affordable housing will meet some of the need, but we also need to consider ways of reducing need.
- The Council's focus on preventing homelessness (rather than just responding to homelessness) will help to reduce this most extreme form of housing need.
- RPs fund affordable housing through their own investment, disposal of properties which have high maintenance costs and poor EPC ratings, loans secured on their portfolios and through obtaining land and properties at below market value from developers. Following Government imposed rent reductions (2015) and welfare

reforms since 2012 which affect the way they finance development RPs are reviewing their business plans. Most new affordable housing in the district is delivered under S106 agreements. HCA grant is not usually available for affordable housing on S106 sites, there is concern whether RPs can sustain delivery levels in future programmes.

- The Council has successfully piloted different tenure models which have assisted different client groups into home ownership e.g. discount market housing enabling people to purchase homes at 60 – 80% of open market value. We will continue to encourage innovative models.
- During the previous Housing Plan robust housing evidence and the viability of developments assisted S106 negotiations through which the Council is delivering a large number of affordable homes against targets. Currently, RPs are still looking to invest in the district. The Council will continue to work with RPs and developers to support the provision of affordable homes in the district.
- The introduction of the affordable rent tenure in the Localism Act has increased rents in the social sector to up to 80% of the local market rent for a similar property. The Council needs to work with providers to ensure that these rents remain affordable to people on local wages which are low in comparison to other areas (see the Strategic Tenancy Policy)
- Some of the District's affordable housing stock is old. De-commissioning stock which is beyond refurbishment economically, maintains standards within social housing and enables capital receipts to be reinvested locally by RPs. However, the challenge is to maintain social housing stock numbers in smaller rural communities.
- The Localism Act allowed RPs to grant tenancies for a fixed length of time (minimum two years in exceptional circumstances) with five years or more being the norm. Whilst this presents opportunities to make best use of affordable housing by managing over and under occupation it reduces security for the tenant and stability for the community. The Council has set out its position on flexible tenancies in its Strategic Tenancy Strategy. The Council will continue to work closely with RPs to balance these competing pressures.
- Community Infrastructure Levy is yet to be established, but there is concern regarding the impact on affordable housing delivery.

## **Private sector rented housing**

### **Challenges and opportunities:**

- There is a limited supply of affordable, quality, private rented accommodation. Availability and access to this sector is particularly difficult in the north of the district.
- Changes to welfare benefits may further reduce the availability of private rented housing to people on low incomes or in receipt of benefits. At the same time market rents are rising faster than local wages.
- Recognition of the increasingly important role that private rented housing plays in housing markets, assisting a variety of households, may offer opportunities to work with different providers of this tenure e.g. RPs.
- The work of the Environmental and Regulatory Services Partnership (ERSP) in promoting and maintaining good standards in the private sector can develop supply by increasing landlord confidence (see Strategic Priority Four for further information). Changes to stamp duty for Buy to Let purchases effective from 1 April 2016 may limit the potential to increase the private rented sector within the district.
- Working with owners to bring empty homes back into use could provide some additional rented accommodation



### **Self-build housing and custom built housing.**

Self-build housing includes a wide range of approaches which may be carried out by individuals or groups as a home to rent or own in both the market/private sector and social housing sector (see Glossary). Historically this sector has been a minor contributor to the housing stock, but Government feels it could be supported and encouraged to deliver more housing. Guidance will be issued to local authorities about their role in developing this sector, based on the evidence from the 11 vanguard local authorities who ran pilot projects.

#### **Challenges and opportunities:**

- The Council has limited land resources to assist self-builders but developer led sites present opportunities to identify plots.
- New guidance is being drafted to establish registers of people and groups interested in this sector.
- Lenders are being encouraged to financially support custom and self-builders.
- There is a growing awareness of the opportunities from potential self-builders

### **Community led housing.**

Local people can develop, manage and own affordable housing for their communities. The Council will seek opportunities to work with communities and other common interest groups to promote and enable them to develop housing through the enabling role and the work of the Rural Housing Enabler.

#### **Challenges and opportunities:**

- Co-housing where residents come together to manage their community and share activities is a growth housing sector nationally with local interest.
- The introduction of Neighbourhood Plans and the Community Right To Build in the Localism Act provide opportunities for community led housing and planning.
- Neighbourhood plans can help the development process by building community confidence that new development will suit local needs, encouraging investment in community infrastructure and underpinning the strategic policies of the local plan.

### **Rural Housing.**

Cotswold is a largely rural district. Generally, rural homes are more expensive than urban. In 2013, the premium for the south-west was £49,583 which equates to 27% (data contained in a Halifax press release 19 October 2013). Median workplace-based earnings were highest in *major urban areas* (£26,900) and lowest in *Rural-80 areas* (£19,700) which includes the Cotswold District (Source: Nomis 2013). The SHMA 2014 identified that the Cotswold district had the second lowest average incomes in the county but the most expensive housing. The popularity of the Cotswolds and the migration from urban areas and second home purchase (particularly by people from the London market) adds to the pressure on rural housing and reduces its affordability to local people.

#### **Challenges and opportunities:**

- New development in our villages has mainly been affordable housing developed by RPs in accordance with the Council's rural exception site policy. This had the advantage of reducing land values (and therefore improving affordability) but has the disadvantage of a reduced number of sites coming forward. The NPPF allows for an element of market housing where this would facilitate significant additional affordable

housing to meet local requirements. This may encourage more landowners and developers to come forward.

- An appraisal of each site will be needed to ensure there is evidenced local housing need for the affordable housing. The inclusion of market housing should enable the construction of affordable housing (rather than inflating land prices) and meet identified local demand and encourage downsizing.
- Housing needs surveys in villages provide a useful evidence base to enable parish councils to work with the District Council to bring forward development. A programmed approach to surveys to be undertaken will support a swifter response to planning applications and a proactive approach to bring sites forward where appropriate. These surveys will in future include an assessment of local demand for open market housing in the community.

### **Gypsy and traveller sites.**

The Housing Act 2004 and national planning guidance requires local authorities to assess and make provision for the accommodation needs of Gypsies and Travellers.

### **Challenges and opportunities:**

- In 2013 a new countywide Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTTSA) identified a need for an additional 26 pitches for Gypsies and Travellers by 2013 with 11 needed by 2022. Although the evidence may need to be reviewed following changes to Government guidance.
- Potential locations which meet the recommendations contained in the GTTSA have been identified to meet the identified need.

### **Action Plan priorities:**

- **Improve access to home ownership for local people**
- **Improve access to affordable housing**
- **Increase the supply and access to private sector rented housing**
- **Create opportunities for self-build housing and custom built housing**
- **Promote and enable community led housing**
- **Bring empty homes back into use for housing**
- **Increase the supply of rural housing**
- **Support the provision of gypsy and traveller sites**

### **Strategic Priority Three: Developing thriving, sustainable communities**

Houses are more than buildings, they are homes forming an integral part of local communities and the local economy. This strategic priority focuses on the wider role of housing in supporting inclusive local communities focussing on two key areas.

#### **Key achievements 2012 – 2016:**

- 244 clients were referred to the CAB debt advice project worker for assistance. 189 clients contacted the worker. Positive outcomes were recorded for 61%.
- £126,000 secured for health, social and or care needs of older people living in Tetbury through S106 negotiations
- Successfully trialled a shared tenancy for under 35s to mitigate welfare reforms
- 45 Landlords have 73 properties registered with the Council's "Fit to Rent" scheme

#### **Socially sustainable and healthy communities.**

Housing can contribute to creating socially sustainable communities promoting the well-being of local people and communities e.g. by reducing isolation and helping people to remain in their communities. Poor quality housing impacts on health (BRE Health Impact assessment 2012).

#### **Challenges and opportunities:**

- Ensure that new housing provision is of a high standard and meets the requirements of local communities and residents including those with additional needs.
- New developments provide opportunities to create balanced and sustainable communities through agreeing how homes are delivered and local lettings policies for the initial allocations
- New developments can contribute to wider community benefits including facilities and local services e.g. Tetbury (see achievements).
- Establishing activities and developing networks can reduce isolation and antisocial behaviour; maximising economic and health and well-being outcomes. The development of hubs and spokes across the district has provided increased opportunities for residents

#### **Financially inclusive communities.**

Welfare reform aims to support people into work whilst protecting the most vulnerable. The Council will work with partners to help residents to manage change in their household income.

#### **Challenges and Opportunities:**

- Ensuring homes meet defined requirements such as energy efficiency, mobility and access standards contributes to socially and financially sustainable communities. They reduce fuel poverty and encourage stability by reducing the need for people to move away from their community. Since May 2008 it has been mandatory for all new homes to be issued with an Energy Performance Certificates (EPCs) rating.
- It is no longer Government policy that all new dwellings will be zero carbon from 2016. There was concern amongst a number of house builders nationally that zero carbon homes would be too expensive to build (Sheffield Hallam University). However, energy efficiency is not just about the bricks and mortar but also the

behaviour of the person living in the home. Carbon emissions can still be improved if residents are aware of the best ways to use the facilities in their homes.

- RPs are under increasing financial pressure due to changes in development finance and welfare reform. The Council must continue to work with our delivery partners to ensure households with financial challenges can continue to access affordable, quality homes.
- Housing has an opportunity to support the local economy through the development process, procurement of services, securing inward investment and through strategic partnership work.
- Changes to the economy and welfare reform may lead to an increased demand for HMOs (Houses in Multiple Occupation). The Council's Public Protection Team already supports private sector landlords to maintain standards by providing advice and information (and where necessary enforces standards). It also ensures HMO properties are licensed.

**Action Plan priorities:**

- **Support socially sustainable and healthy communities.**
- **Support financially inclusive communities.**

**Strategic Priority Four:  
Provide housing and support services for our most vulnerable residents**

It is important to recognise the needs of particular groups who have additional housing and housing related support needs due to vulnerability because of age; mental, physical and sensory health related issues; addictions; or exposure to abuse. (The needs of homeless households are addressed in Strategic Housing Priority Six.) The District Council's main role in delivering housing and housing related support to vulnerable people is strategic: enabling specialist properties and commissioning housing related support services wherever possible in partnership with other organisations to improve viability and value for money by avoiding duplication of provision and sharing workload.

**Key achievements 2012 – 2016.**

- 445 Disabled Facilities Grants awarded between 2012 and September 2015 (latest date available)
- 5 bungalows have been delivered

**Key challenges and opportunities:**

- Reductions in Supporting People budgets and the introduction of personal budgets has significantly changed the care and support environment for vulnerable people.
- Influencing the commissioning of services to provide housing and housing related support which meet the needs of vulnerable Cotswold residents is a key challenge.
- The Strategic Housing team actively participate in established countywide partnership networks which have experience of commissioning and delivering successful projects in an effective and cost efficient manner e.g. the Supporting People Core Strategy Group, the Better Care Fund Housing Working Group and the Cotswold Health and Wellbeing Partnership.
- Flexible, new models of market and affordable housing are needed for older people and residents with supported housing needs and/or specific mobility requirements, to enable them to live independently for longer. This will include floating support as well as accommodation based solutions within new developments and existing provision e.g. the development of hubs which are providing support and reducing social isolation.
- Innovative solutions are needed to mitigate changes to welfare benefits which are creating a more challenging environment for claimants, particularly for young people.
- Whilst primary needs which create specific housing requirements can be identified for different client groups, individual needs are often complex and change over time. A flexible and innovative approach is needed to meeting housing requirements at different stages of the client's recovery.
- The Council and our partners already work with vulnerable residents e.g. through the distribution of Disabled Facilities Grant (DFG) and the work of the Home Improvement Agency. This contact provides an opportunity to offer information, advice and support to help people plan for the future so they can live independently in their own homes for longer.
- The Prime Minister has announced that Britain should resettle up to 20,000 Syrian refugees over the rest of this Parliament. The Council will continue to work with partners to house and support refugees to settle within our local communities.

**Action Plan priorities:**

- **Provide appropriate housing**
- **Ensure support services meet the needs residents**

**Strategic Priority Five:  
Making best use of the existing housing stock**

Good management and maintenance of the district's existing stock is equally important as delivering new homes. Empty properties are a wasted resource and can impact negatively on the neighbourhood and community. Whilst poor housing impacts on the health and well-being of residents.

**Key achievements 2012 – 2016:**

- The Council along with other partners has successfully bid for £3,295,000 of DECC funding to help reduce fuel poverty. The Central heating Fund is for 'first time central heating systems in fuel poor households that are not on gas'.
- Category One Hazards have been removed from 142 properties.

**Key challenges and opportunities:**

- The BRE Housing Stock Models report of 2012 identified that the condition and energy efficiency of private sector housing in the Cotswold District was generally worse than the national average. Improving the physical standards of housing in all sectors of the market will help people to reduce fuel poverty and maintain their independence by supporting appropriate adaptations.
- The Central Heating Fund award will help to improve the energy efficiency of the housing stock and contribute to fighting climate change. It can also provide economic benefits to local businesses and communities; as well as householders by reducing fuel poverty.
- The Government is introducing a new target for tackling fuel poverty which will require the Council to set a new target to address fuel poverty and produce strategy for achieving the new target.
- The Council through the work of the Public Protection team and the Housing Advice Service provide advice and support to assist landlords which helps to improve standards and increase the supply of private rented properties.
- The number of long term empty homes in the district (248) is relatively small, however they are a cause for concern for local communities and a wasted resource at a time of growing housing need. Bringing empty homes back into use contributes to meeting the district's requirement for additional homes (market and affordable), provides additional homes on brownfield sites not greenfield, improves the built environment, reduces anti-social behaviour and crime and maximises Council income. The Council has previously removed or reduced some Council Tax exemptions to encourage owners to bring the home back into use more quickly.
- The Government encourages local authorities to bring empty homes back into use through a combination of financial penalties and incentives including New Homes Bonus
- The Localism Act introduced changes to the regulation of social housing with the intention that more complaints will be resolved locally. Strategic Housing and the Housing Advice Service work closely with RPs to maintain standards and address issues raised e.g. through pre-tenancy training and money advice.

**Action Plan priorities:**

- **Improve quality of the housing stock and meet regulatory requirements**
- **Bring empty homes back into use**

## **Strategic Priority Six: Prevent and respond to Homelessness**

Cotswold District Council has a statutory duty to produce a homelessness strategy under the 2002 Homelessness Act. Strategic Housing Priority Six is the Council's Homelessness Strategy and contains the interventions and approaches which relate specifically to homelessness and require action. Including it in the Housing Plan enables homelessness to be seen within the District's wider housing context; alongside the factors which both prevent and address it e.g. increasing access to affordable and private rented homes, improving health, and increasing financial and social inclusion.

### **Key achievements 2012 - 2016:**

- 240 households were prevented from becoming homeless between 2012 and 2014
- Countywide domestic violence protocols have been agreed
- Produced and piloted pre-tenancy training to improve people's chances of obtaining and maintaining a tenancy
- Led procurement of countywide assertive outreach service to support rough sleepers away from the streets
- The level of rough sleeping in the district has not risen since 2012 (4 people); compared with an increase nationally of 18.8% between 2012 and 2014.

The focus for this housing plan is again on prevention rather than crisis management. This reduces the expense on the public purse and the damaging effects on the lives of homeless households.

### **Challenges and opportunities**

- The main concern is how the Council prevents an increase in homelessness in the face of welfare reform, reduced public spending and the wider economic challenges people face e.g. zero hours contracts.
- Involvement in a range of strategic and operational partnerships enables the Council to draw on the experience and skills of organisations from different sectors to address homelessness and deliver positive outcomes.
- Cotswold District Council's Homelessness Review, carried out in 2015 /16, identified the main reasons for homelessness where a duty was accepted by the Council. The top three reasons were broadly in line with the national picture and are as follows:
  - Eviction by parents, other family or friends (31%)
  - Loss of private rented accommodation (31%)
  - Domestic violence (16%)(The percentages are cumulative figures over the three year period 2012 – 2014)
- The nature of households becoming homeless
  - 47% of homeless households for whom a duty was accepted were single people deemed to be vulnerable often with complex needs.
- Local authorities can now discharge homelessness obligations into the private rented sector. This has not been possible in the Cotswold district due to the high demand for rented accommodation from other groups and a reluctance to let to homeless households.
- The use of planning obligations through the housing enabling role is bringing forward increased delivery of affordable homes. The increased availability of affordable accommodation has enabled households to move before being made homeless.
- DCLG funding has been obtained by the HPO working with partners to support a Countywide response to the victims of abuse.

**Action Plan priorities:**

5 (a) Prevent and respond to homelessness

5 (b) Prevent and respond to rough sleeping

5 (c) Deliver excellent homelessness services



## **Cotswold District Council Strategic Tenancy Policy.**

The Tenancy Strategy provides guidance for Registered Providers (RPs) operating in the Cotswold District Council area. It is an important part of the framework for how affordable homes are provided in the District. It sets out the Council's position on the provision of affordable housing including the use of Flexible Tenancies, Affordable Rents and the use of private sector tenancies for homeless households.

The objectives of the Tenancy Strategy are:

- To provide access to decent accommodation that people can afford
- To stimulate a diverse and resilient economy
- To support vibrant, mixed communities which offer opportunities for all the community
- Scope of Cotswold's Tenancy Strategy

The Tenancy Strategy covers the following areas:

- Flexible Tenancies
- Affordable Rents
- The Housing Register
- Using the private sector to house homeless people

### **Tenure options – flexible tenancies.**

The Localism Act allows Registered Providers to offer more flexible tenancies to make better use of existing homes by encouraging tenants to use Affordable Housing as a springboard to other tenures. The existing agreements between Registered Providers and their tenants were not affected.

The minimum recommended term for fixed term tenancies is two years with five years as the norm. The Council aims to balance the effective use of stock with the need to build sustainable communities. Affordable housing should provide households with the opportunity to develop links locally providing stability for them and their communities.

As before the Council continues to advocate fixed-term tenancies of five years minimum (including any probationary period). The minimum fixed-term of two years should only be used in exceptional circumstances, for example, on tenancies which are linked to employment or educational opportunities.

The use of fixed term tenancies can help ensure that specialist properties e.g. those adapted for use by disabled occupants, can continue to be made available for those who need them. This will best use is made of limited supply and best value is obtained from limited adaptation budgets.

### **Making a clear offer to applicants.**

Following the Localism Act, a variety of tenancies could be offered to new tenants:

- Fixed term tenancies at social rent
- Fixed term tenancies at affordable rent
- Lifetime tenancies at social rent
- Lifetime tenancies at affordable rent
- Starter tenancies (which will convert to one of the above after 1 year)

To enable households to make informed choices about their housing options the Council will work with RP partners to make the process of offering tenancies through the Choice Based Lettings Scheme as clear and transparent as possible, so that applicants can understand

and choose the option which is right for them. We see this as an important part of the Registered Providers pre-tenancy work in explaining tenants' rights and responsibilities.

### **Exceptions where lifetime tenancies should be offered.**

The Council believes that lifetime tenancies should be offered to some residents for whom social housing meets the need for a secure home; rather than acting as a springboard to other tenures. This would include long term supported housing for people with enduring mental health needs, learning disability, some types of physical disability and for older people in supported accommodation (but in most cases, not in adapted properties). Lifetime tenancies give security to these tenants and their carers and families. Additionally, lifetime tenancies should be offered to tenants involved in self-building or custom building in recognition of their contribution to providing their own housing solution.

### **Specialist housing.**

- **Properties with adaptations:**

The Council expects that homes which have been purpose built or adapted to accommodate people with physical disabilities will be let on Flexible Tenancies. Adaptations are made to make it easier for people with physical disabilities to occupy their homes. Such adaptations can be expensive. In making best use of the housing stock it is important that these homes are let to people who need them. If there is a change in the household's circumstances meaning the adaptations are no longer needed, the household should be re-housed.

- **Older peoples' housing:**

Usually lifetime tenancies would be expected to be offered to people moving into older people's housing. Particularly, if a household is giving up a larger home occupied on a lifetime tenancy, who might be put off from moving if a less secure tenancy is offered.

- **Supported housing:**

The Council expects Lifetime tenancies will usually be issued to tenants with a lifelong need for support that would disadvantage them in securing alternative accommodation. This applies to tenants in both general purpose accommodation and those in specialist and/or supported accommodation. If circumstances change so the same level of support is no longer required, it may be appropriate for support providers to assess whether residents have an improved level of independence which would enable them to move on rather than reviewing the tenancy at a particular point in time.

### **Ending a fixed term tenancy.**

RPs are expected to have robust procedures in place to ensure appropriate support is provided to residents approaching the end of a fixed term tenancy. This includes undertaking a tenancy review. If it is decided not to extend the tenancy, Registered Providers should be confident that tenants have received the advice and support necessary to provide a new housing solution which better meets their needs. Homelessness should not be the result of this decision.

Tenants over working age who do not have their tenancy renewed should be offered alternative accommodation that meets the needs of the tenants, from their RP's stock during the period of their tenancy.

Flexible tenancies not only seek to make best use of homes, but also to encourage tenants to take advantage of other opportunities by reviewing their circumstances regularly. This will require RPs to support tenants to access information about education, training, skills and work opportunities. This should be ongoing throughout their tenancy not just when it is

coming to an end. This support could range from signposting to offering employment or apprenticeships within their own organisations or through contractual arrangements with others.

**Affordable homes.**

The Council's aim is that people should have access to decent accommodation that they can afford; whether provided by housing associations or private sector landlords. RPs will be expected to demonstrate how their Affordable Rent Tenure properties satisfy the full definition contained in the NPPF including how they relate to local wages. Rent levels will be expected to be below the relevant Local Housing Allowance.

When bidding for new properties on new developments, RPs should reflect this guidance in their bids. RPs will be asked to demonstrate to the Council how rents relate to local wages as well as local prices. This information will be taken into consideration when support is requested by the HCA.

## **Policy on discharging statutory homeless duty into the private rented sector**

### **Background.**

The Localism Act introduced significant changes to the way local authorities may choose to exercise their functions relating to applications made under Part 6 and Part 7 of the Housing Act 1996. The Localism Act allows local authorities to discharge the full housing duty owed to homeless households in the private sector by way of an offer of an Assured Shorthold Tenancy with a fixed term of at least 12 months. Households receiving such an offer will not be entitled to reasonable preference on the waiting list due to homelessness.

Due to the high demand for social housing and relatively low turnover of properties in the Cotswold District, applicants found to be eligible, unintentionally homeless, in priority need and with a local connection to the Cotswold District before the Localism Act changes could expect to receive an offer of social or affordable housing after a wait in temporary accommodation, unless they choose to seek their own accommodation in the private rented sector.

This policy is consistent with the Council's Housing Allocations Scheme. It complies with the Housing Act 1996 as amended by the Homelessness Act 2002, the Localism Act 2011, the Equality Act 2010, the Homelessness Code of Guidance 2006 and the Suitability of Accommodation Order 2012.

The Suitability of Accommodation Order 2012 states that an offer of private rented accommodation made under this policy should fulfil the following criteria to be considered suitable:

- Reasonable physical condition
- Gas safety record
- Electrical regulations are met
- Fire safety regulations are met
- Carbon monoxide alarm
- The landlord should be a "fit and proper person"
- Meets Houses in Multiple Occupation licensing requirements (where relevant)
- Energy Performance certificate
- 12 month fixed term tenancy agreement as a minimum

### **Overview, aims and objectives**

This document relates to the policy and procedures for discharging statutory homeless duties to the private sector. This document will be referred to as "the policy".

Each case will be considered on its own merits. The policy seeks to ensure that both a comprehensive and consistent Needs Assessment and Risk Assessment are carried out for each household. This approach will ensure that each household's needs are appropriately met.

This policy and associated procedure will seek to ensure that there is no unfair treatment of groups with protected characteristics on the grounds of those characteristics. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

## **Household assessment.**

### **Needs and risks.**

All households accepted as being owed the full statutory housing duty by The Council will be assessed under this policy to determine whether they are suitable for an offer of accommodation in the private sector.

The assessment of each household will include consideration of:

- Local housing allowance bedroom eligibility criteria
- Affordability
- Financial circumstances and ability to manage finances
- Ability to sustain a tenancy
- Ability to manage personal health and hygiene
- Mobility and physical health, including any requirement for adaptations
- Mental health
- Risk to self
- Access to support
- Safety
- Housing history
- Access to cultural and faith resources
- Area of choice
- Homeless application status
- Any relevant issue raised by the household or their advocate

The outcome of this assessment will inform the decision whether an individual household is suitable for an offer of accommodation in the private sector under this policy. Where a household is not considered to be suitable for an offer of private rented accommodation under this policy they will be awarded priority for social housing.

### **Size criteria.**

Each household will be assessed individually and there may be circumstances where it is appropriate to deviate from the guide below, providing the resulting tenancy remains suitable and affordable to the household and the household agrees that the property is appropriate (for example, where the household has a preference for an additional bedroom for a visiting child and can afford the additional cost).

### **Single person households:**

- Under the age of 35, **not exempt from shared accommodation rate:** shared accommodation only
- Under 35, exempt from shared accommodation rate: may be considered for shared accommodation, studio flats, bedsits and one bedroom properties
- Aged 35 or older: may be considered for bedsits, studio flats or one bedroom properties

### **Couples.**

- Considered for one bedroom properties

### **Families including expectant mothers.**

- Considered for properties in line with LHA size requirement

In all cases, the tenant will be over 18, accepted for the full housing duty by Cotswold District Council and assessed for a suitable offer of accommodation under the policy.

**Matching.**

The Council will seek to “match” a household to an available private rented property which best meets their needs and preferences. It is likely where an applicant has a strong preference to remain in a particular area or move to a particular area that this will be easier and quicker to achieve in the private market than from social stock. Ultimately the private landlord will have to agree to accept a particular tenant under this policy.

**Making the offer.**

Households accepted as homeless are entitled to one offer of suitable accommodation. The Council may consider its duty to a statutorily homeless household discharged if a suitable offer is refused. **The private rented tenancy must be available with a fixed term of at least 12 months.**

Where a household is considered suitable for an offer of private rented accommodation under this policy, and a suitable property is available they will be made this offer without delay. **This will be considered the household’s one offer of suitable accommodation and whether the household accept or refuse this offer, it will discharge the Council’s statutory homeless duty.**

The household’s homeless application will be closed once duty is discharged. If the household was on the waiting list their application will be re-assessed to take account of their new accommodation. If a statutorily homeless household successfully housed under this policy becomes unintentionally homeless from the accommodation within two years of the tenancy commencement, the full homeless duty is revived (regardless of priority need). This reinstatement of the homelessness duty can only happen once. When the household applies to a different Local Authority in these circumstances they may be referred back to the local authority which made the offer of accommodation under this policy, unless to do so would place the household at risk of harm. The revived duty may be discharged into the private sector again in accordance with this policy.

Should the household’s circumstances change in the future they should update their housing application accordingly.

**Refusal/failure to respond.**

If a statutory homeless household refuses or fails to respond to an offer of suitable accommodation under this policy, the Council’s duty to provide accommodation, including temporary accommodation, may end.

The household has a right to request a review of the suitability of the accommodation offer (see below).

Failure to respond or refusal of an offer of accommodation under this policy will result in the household’s waiting list application being reviewed.

**Suitability review.**

With an offer of accommodation under this policy, households will be advised of their right to request a review of the suitability of the accommodation. Agencies such as the Citizens Advice Bureau or Shelter will be signposted to if appropriate.

An applicant can request a review of the decision that a property is suitable and that the duty owed to them under the homelessness legislation is discharged within 21 days of being notified of the decision. Review requests received later than this will only be accepted in exceptional circumstances.

Review requests may be made verbally or in writing to the Council.

Once a review request has been received the Council will write to the applicant to acknowledge receipt of the request and to provide details of the review procedure.

The review will normally be completed within 56 days of the review being requested, unless a longer time period has been agreed.

The review will be carried out by a senior officer who was not involved in the original decision.

The review may be unsuccessful (original decision upheld) or successful (original decision amended). Once the review has been decided the Council will write to the applicant advising them of their decision.

This letter will be sent to the applicant's home address, or where this is no longer known, a copy will be available for collection from the Council's offices.

The decision letter will give reasons for any findings that are made against the applicant. It will also set out the limited right of appeal to the County Court (see below).

#### **Accommodation pending outcome of review.**

The Council is not obliged to provide temporary accommodation during the review process and would only do so in exceptional circumstances. A review can be completed after the disputed offer has been accepted provided this is within the timescales above. Applicants will be advised to accept the disputed offer even if they wish to request a review to ensure that, if unsuccessful, they are not left without accommodation.

#### **County Court Appeals.**

An appeal to the County Court must be made within 21 days of being notified of the review decision.

Applicants considering an appeal are advised to seek independent legal advice from a solicitor, Citizens Advice Bureau or Shelter. Details will be provided on request.

The Council is not obliged to provide temporary accommodation during the appeals process and would only do so in exceptional circumstances.

An appeal to the County Court may only be made on a point of law. In other words, there must be a concern about the basis on which the Council reached its decision. Applicants cannot appeal to the County Court just because they are disappointed by or disagree with the decision.

#### **Complaining to the Local Government Ombudsman.**

An applicant may complain to the ombudsman. But, as a general rule, the ombudsman will not become involved where legal remedies can be pursued. And, even if the situation may be one of maladministration, it will normally be necessary for the applicant to exhaust the council's internal complaints procedures first.

The Local Government Ombudsman may be contacted at:  
The Local Government Ombudsman  
PO Box 4771  
Coventry

CV4 0EH

Tel. 07624803014

W. [www.lgo.uk](http://www.lgo.uk)

**Reviewing the policy:**

This policy will be reviewed every two years, or on the release of significant new case law or guidance if sooner.



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### Glossary

Accommodation Based Solutions	Purpose built or adapted accommodation with support services provided as part of the setting.
Affordable Housing	There are a number of different types of products which come under the Government's definition of affordable housing. Affordable housing includes social rented, affordable rented and intermediate housing (both for rent and sale e.g. shared ownership, where a part share of the property is bought and rent payable on the un-owned share, enabling full occupation by purchaser/household ), provided to eligible households whose needs are not met by the open market. Eligibility is determined with regard to local incomes and local house prices.
Category 1 hazard	A category 1 hazard which presents a severe threat to health or safety of a resident
Commissioning	Commissioning is essentially a structured way of deciding how and on whom public money should be spent. Commissioning is a cycle that involves: Assessment (or reassessment) of need Identifying resources Planning how to use the resources Arranging service delivery through a procurement process Monitoring and reviewing service delivery
Community Infrastructure Levy	The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. Development may be liable for a charge under the Community Infrastructure Levy (CIL), if the local

	planning authority has chosen to set a charge in its area. Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy.
Commuted Sums	A capital payment made by a developer to the council usually in lieu of the provision of an item that would otherwise have been provided through a planning obligation, in the case of housing, a cash sum provided rather than the provision of provision.
Decent Housing	The definition of what is a decent home has been updated to reflect the Housing Health and Safety Rating System (HHSRS) which replaced the Housing Fitness Standard on 6 April 2006. To be decent, a dwelling should be free of category 1 hazards, (as set out on the HHSRS) and the existence of such hazards should be a trigger for remedial action unless practical steps cannot be taken without disproportionate expense or disruption.
Decommission	Withdraw (something, in this instance property) from service or use.
Department of Energy & Climate Change (DECC)	This ministerial department works to make sure the UK has secure, clean, affordable energy supplies and promote international action to mitigate climate change.
Department for Local Communities and Government (DCLG)	DCLG is a ministerial department of Government
English Housing Survey	The English housing survey is a continuous national survey commissioned by the Department for Communities and Local Government (DCLG). It collects information about people's housing circumstances and the condition and energy efficiency of housing in England.
Equality Impact Assessment	A tool to analyse whether policies and practices discriminate or disadvantage people and identify ways to address any concerns.
Equity loan	A loan for typically 20% of the purchase price of the property to reduce the amount of deposit required. The loan may be interest free for the first 5 years.
Financially inclusive	Financial Inclusion is about people having access to appropriate financial services, products and advice, together with skills, knowledge and confidence to deal with money effectively.
Fit to Rent	Fit to Rent is a voluntary and free service for private rented housing landlords and agents which recognises good quality, well managed lettings. The scheme aims to encourage good practice in the private rented market by giving approval to landlords and lettings that meet the property standard and a management code of practice.
Flexible tenancies	As a flexible tenant, you have a social housing tenancy for a fixed period. This is usually for at least 5 years, though in some cases it may be between 2 and 5 years.
Floating Support	Floating Support is a service that provides short term, flexible housing related support to vulnerable adults to enable them to maintain their independence in their own home (rather than moving to specialist accommodation).
Homes and Communities Agency (HCA)	The national housing and regeneration delivery agency for England, enabling local authorities and communities to meet the ambitions they have for their areas; and administers government funding to support housing and infrastructure provision.
Houses in Multiple Occupation (HMO"s)	A house is in Multiple Occupation (HMO) if: at least 3 tenants live there, forming more than 1 household, you share toilet, bathroom or

	kitchen facilities with other tenants.
Housing need	Defined by the DCLG as 'the quantity of housing required for households who are unable to access suitable housing without financial assistance'.
Housing Needs Survey	These contribute to the understanding of the scale, mix and tenure of housing likely to be needed by that community
Housing Register	The register is a list of households who are assessed as having a housing need and satisfy the eligibility criteria for that register. Properties let through the 'register' are predominantly social housing properties. This is run as a Choice Based Lettings system where households bid (register their interest) in vacant properties they would like to rent.
Housing Related Support	Housing Related Support is a service which assists previously homeless and /or vulnerable people to live independently in their own accommodation and enhance their quality of life.
Housing Strategy	A document that sets out the type of housing and services that people wish to see in the area. It sets out the priorities and means by which improvements will be made to secure these.
Housing Health and Safety Rating System (HHSRS)	The HHSRS is a method of assessing housing conditions. It employs a risk assessment approach to enable risks from hazards to health and safety in dwellings to be minimised.
Hub and spoke	Housing support, health care and other services can be provided to a geographical area from a central facility in the locality.
Localism Act 2011	The Act devolves greater powers to councils and neighbourhoods and gives local communities more control over housing and planning decisions.
Lower quartile	The point at which one quarter of the numbers are below that figure
Mean	The mean is the average of a set of numbers calculated by adding the numbers, then dividing that figure by how many numbers there are.
Median	The middle number when numbers are placed order of value
Migration	Movement of people to a new area or country in order to find work or better living conditions
National Planning Policy Framework	The National Planning Policy Framework sets out government's planning policies for England and how these are expected to be applied.
Neighbourhood Plans	Neighbourhood planning empowers communities to shape the development and growth of a local area through the production of a neighbourhood development plan, a neighbourhood development order or a Community Right to Build Order.
New Homes Bonus	Introduced by the coalition government in 2011, the scheme provides Local Authorities with a payment, equal to the national average for the council tax band on each additional property developed and paid for the following six years as a grant.
Open Market	A market in which prices are determined by supply and demand, there are no barriers to entry, and trading is not restricted to a specific area
Open Market Value	Financial value of the property for sale in the Open Market
Registered Providers	Registered Providers (formerly known as Housing Associations), are private non-profit making, organisations that provide low-cost social housing for people in need of a home. Any trading surplus is used to maintain existing housing and to help finance new homes. Although independent they are regulated by the state and commonly receive public funding.

Regulatory requirements	The Homes and Communities Agency (HCA) is a central government body that oversees (regulates) RP's in England. The regulatory requirements are what registered providers need to comply with.
Right to Buy	A right secured through the Part V of the Housing Act 1985 where a tenant holds a secure tenancy has the right to buy the property if they have lived there for more than 5 years and it is not an Elderly Person or Disabled accommodation,.
S106 Agreements	Councils may require developers to make some reasonable financial or practical contribution to the community to address housing or social issues.
Self-build	Is defined as a project where someone directly organises the design and construction of their new home. It covers a wide range of projects from the self-builder who designs and undertakes much of the construction work themselves to those who arrange for an architect/contractor to build their home.
Severn Wye Energy Agency (SWEA)	SWEA is an independent charity and not-for-profit company which aims to promote sustainable energy and affordable warmth through partnership, awareness-raising, innovation and strategic action.
Shared equity	The purchaser buys a home for a percentage of the market value typically 70% or 80%. Restrictions on future sales ensure the units are retained as affordable or the discount is recycled.
Social Sector	Refers to providers of social housing
Stamp Duty	Stamp Duty Land Tax (SDLT) is paid when a property or land over a certain price in England, Wales and Northern Ireland is purchased. The current SDLT threshold is £125,000 for residential properties and £150,000 for non-residential land and properties. There will be a 3% surcharge on stamp duty rates from April 2016 for buy-to-let properties and second homes.
Statutory Homeless Duty	In the context of this Housing Plan the statutory homeless duty means that the Council has accepted a legal duty to secure accommodation and make it available for the applicant's household under s.193 of the Housing Act 1996.
Strategic Housing Market Assessment (SHMA)	An assessment of the housing market area, and the drivers for population change and housing need that informs the requirement of objectively assessed need, and sets out the basis for an appropriate mix of properties including the size, types and mix.
Strategic Tenancy Strategy	Sets out the matters to which the registered providers of social housing in the local authority are to have regard in developing their tenancy policies and content of tenancies. It reflects the greater freedoms introduced by the Localism Act e.g. in respect of the types of tenancy that can be granted.
Supporting People	The supporting people programme commissions housing related support services through a working partnership of local government, health, probation, support providers and customers that use support services. The support available can help vulnerable people to live more independently. Examples of the kind of services commissioned and funded through the supporting people programme include domestic violence refuges, homeless hostels, sheltered housing and floating support services.
Vulnerable (Adult)	Someone who is (or may be) in need of support because of mental or other disability, age or illness.