



# Uttlesford District Council

Chief Executive: Dawn French

## Housing Board

**Date:** Thursday, 7th December, 2017  
**Time:** 10.00 am  
**Venue:** Committee Room - Council Offices, London Road, Saffron Walden,  
Essex CB11 4ER

**Chairman:** Councillor M Felton  
**Members:** Councillors A Dean, T Farthing, J Freeman, A Gerard, P Lees,  
J Loughlin, A Mills, V Ranger and J Redfern

**Tenant Forum Representatives:** Carole Mandy and Simon Trimnell

### AGENDA PART 1

#### Open to Public and Press

- 1 Apologies for Absence and Declarations of Interest**  
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the Previous Meeting** 5 - 10  
To consider the minutes of the previous meeting on 21 September 2017.
- 3 Housing Revenue Account - Proposed Rent, Service and Support Charge Increase 2018/19** 11 - 14  
To consider the proposed rent, service and support charge increase 2018/19.
- 4 Development - General Update (verbal)**  
To receive a verbal general update on development.
- 5 The Moors - Little Dunmow** 15 - 24

To consider the potential development of The Moors, Little Dunmow.

**6 HRA Land Asset Management** 25 - 32

To consider the recommendations in the report in line with HRA Asset Management.

**7 Allocation Policy (verbal)**

To consider a verbal report on allocation policy.

**8 Homelessness Strategy (verbal)**

To consider a verbal report on homelessness strategy.

**9 The Housing and Planning Act - Implications for Environmental Health (Private Sector Housing) Services** 33 - 36

To consider the implications of the Housing and Planning Act 2016 for Environmental Health Services.

**10 Disabled Facilities Grant Update** 37 - 40

To consider an update on the Disabled Facilities Grant.

**11 Date of Next Meeting - 22 March 2018**

The date of the next meeting will be 22 March 2018.

**For information about this meeting please contact Democratic Services**

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## **HOUSING BOARD held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 10am on 21 SEPTEMBER 2017**

Present: Councillor M Felton (Chairman)  
Councillors A Dean, T Farthing, A Gerard, P Lees, J Loughlin and J Redfern.

Also present: C Mandy and S Trimmell (Tenant Forum Representatives), E Rogers (Tenant Regulatory Panel Representative)

Officers in attendance: S Baxter (Housing Enabling Officer), B Ferguson (Democratic Services Officer), R Millership (Assistant Director – Housing & Environmental Services) and J Snares (Housing Strategy and Operations Manager)

### **HB1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Freeman, Mills and Ranger.

### **HB2 MINUTES**

The minutes of the meeting held on 7 March 2017 were received and signed by the Chairman as a correct record subject to the following amendments:

#### **HB31 – MINUTES**

'Councillor *Foley* said this was a great result' - '*Foley*' to be replaced with 'Felton'.

Additionally, the minute numbering from HB36 onwards was out of sequence and required correction.

### **HB3 DEVELOPMENT PROGRAMME UPDATE 2017/18**

The Housing Enabling Officer presented the Development Programme update for 2017/18. She said 50 affordable new homes were expected to be delivered by Christmas, and 170 were expected by March 2018 if the good weather continued. Members were made aware of the Community Led Housing Fund, which provided technical support for community groups who wish to deliver affordable housing schemes. Community and information events would take place during the autumn and winter of 2017/18, and further information on the scheme would be available at the next Housing Board meeting.

Councillor Redfern said 100 new affordable homes had been the initial target for 2017/18, so to build 170 was fantastic news. She added that it would be

worth re-evaluating this target as UDC annually exceeded its initial aims. The Housing Strategy and Operations Manager agreed and said the target would be revised for 2018/19.

Councillor Dean said the numbers put before Members were encouraging, although it told him little with regards to the overall demand for Housing within the District. The Housing Strategy and Operations Manager said a report would be brought to Members, explaining the relationship between the Council's allocation policy and the demand for affordable housing in Uttlesford.

Councillor Redfern told Members she had been to a Community Led Housing fund presentation and felt it provided an opportunity to do something different, particularly in relation to the ongoing Local Plan process. Councillor Dean, who had also been attending a number of Housing information events, said the issue of affordable and social housing was complex, and further information and discussion was required. The Housing Strategy and Operations Manager said a workshop would be organised to brief Members on the potential of Community Led housing projects, as well as discussing the intricacies of affordable and social housing.

Councillor Gerard said the Steering Group for neighbourhood plans had carried out surveys across the District and had found overwhelming support in favour of affordable housing schemes. He said the surveys across different neighbourhoods (Saffron Walden, Thaxted, Newport) could be used to ascertain demand, and it would be useful for Members if such information was collated and evaluated.

HB4

#### **WALDEN PLACE – DEVELOPMENT UPDATE**

The Housing Strategy and Operations Manager updated Members on the proposed redevelopment of the existing sheltered housing scheme at Walden Place, Saffron Walden.

The existing sheltered housing was composed of two buildings; a Grade II listed building and an extension that had been built in the 1980s. The Grade II listed building was of considerable cost to the Housing Revenue Account and, as only one tenant now resided there, it would be expedient to detach the 1980s part of the shelter. The Housing Strategy and Operations Manager proposed a joint venture with a commercial developer to progress the redevelopment project, as to minimise risk to the Council, as well as maximising the return of a valuable asset. To do so, the HRA would contract Savills to ascertain the market demand for such a project and the conclusion of such findings would be reported back to the Housing Board before further action was taken.

Councillor Gerard asked why Savills had been chosen to carry out this research. In response, the Housing Strategy and Operations Manager said they

had been in discussion with Savills and were confident they possessed the necessary expertise to take the project forward. She reminded Members that they would only be contracted to carry out market research at this stage, to ascertain the general appetite for a joint venture.

Councillor Farthing asked why a joint venture was being considered when it could be more profitable for the Council to complete the project alone. The Housing Strategy and Operations Manager said the risk involved in redeveloping a listed building would be substantial and expensive, and the building could not be sold as it was attached to the 1980s housing shelter. She said it was a difficult situation and officers felt this was the best option available to them.

It was AGREED to recommend to Cabinet that the marketing strategy for the redevelopment project was progressed in partnership with Savills in order to ascertain the preferred disposal and development strategy for the scheme.

## HB5 **DEVELOPMENT UPDATE – VERBAL**

The Housing Strategy and Operations Manager updated Members on developments occurring across the District.

### **Reynolds Court, Newport**

The demolition phase was now underway, although there had been problems with UK Power and asbestos had been found. The completion of phase two was forecast for October 2018.

### **Hatherley Court, Saffron Walden**

Work had been going ahead despite the need to move a water main, which had prevented the building of two flats during phase one. Phase one was due for completion in January 2018, phase two was due in September 2018.

### **Sheds Lane, Saffron Walden**

Work would commence on site on the 2<sup>nd</sup> October for a bungalow and two 2 bed houses. The predicted build time was 36 weeks.

### **Frambury Lane, Newport**

The application had been submitted and The Housing Strategy manager had met with the parish council. Councillor Gerard said the parish council had an issue with a row of trees that hindered access to a footpath on the site and would like them removed. There was uncertainty regarding the species of tree and the Chairman said further research would be required before a decision could be made.

### **Newton Grove, Dunmow**

Planning permission had been granted and contract procurement was underway.

### **The Moors, Little Dunmow**

The site had now been emptied and pre planning advice had been taken. The planning application would be submitted by the end of October and early demolition of the properties was being considered to mitigate council tax liability. Japanese knotweed had also been discovered on the site.

### **Station Road, Wendens Ambo**

The plot had been sold for £125,000 and the sale was now with the solicitors.

### **Hilltop Lane, Saffron Walden**

Plans had been submitted for outline planning permission for a 2 bed bungalow on the plot.

### **Walden Road, Radwinter**

Eight properties have been purchased with Right to Buy receipts at a cost of £1,250,000. The sales process would begin shortly and advertising would begin in a few weeks. Councillor Redfern said the opportunity had been so immediate that there had been no time to discuss the purchase with the Housing Board. She added that she was in correspondence with Kemi Badenoch MP, in regards to the constraints and problems UDC faced with the Right to Buy receipt process.

HB6

## **HOMELESSNESS UPDATE**

The Housing Strategy and Operations Manager updated Members on the latest homelessness figures in the District and on the latest developments regarding the Homelessness Reduction Act.

Councillor Dean asked if the Act would change the way in which homelessness would be assessed. The Housing Strategy and Operations Manager said the rudiments of the Act were known, but housing officers were still waiting on official guidance from Government. The emphasis would be placed on preventing homelessness in the first place, which in practice would not differ greatly from the current procedure. She added that local authorities would not be obliged to house everyone and a criterion of need would still have to be fulfilled.

Councillor Farthing asked how homelessness was prevented in the cases and figures outlined in the report. The Housing Strategy and Operations Manager said officers spoke to landlords, parents and tenants to help people stay in or find accommodation before homelessness had taken place.

HB7

## **HRA BUSINESS PLAN ACTION PLAN**

The Assistant Director – Housing and Environmental Health said changes to the Government’s housing policy had affected the HRA Business Plan, for both the short term and in future years. The imposition of a 1% annual rent cut had impacted on resources and the Plan would run into deficit by 2020 if action was not taken. She said the refinancing of loans was being considered and she would report back her findings to the Board in December when a course of action would be decided.

Members were informed that the tenancy sustainment team had been put in place and had carried out their work successfully. The service had been nominated for a Partnership Working Award in this year’s ‘You Make the difference in Essex Awards.’

The deliver Sheltered scheme redevelopment programme was ongoing and the Assistant Director – Housing and Environmental Health said the next meeting should be held in Hatherley Court so Members could familiarise themselves with the development.

Councillor Dean said he would like the Board to give serious thought to the regeneration of existing housing estates, so that they too would reflect the aspirational values of garden communities, as outlined in the Local Plan. Councillor Redfern urged Members to be realistic with their expectations and said a public campaign could be established so members of the community could get involved in taking pride in their area.

HB8

## **ALLOCATION POLICY (VERBAL)**

Members were asked to consider the allocation of affordable housing in the District, specifically with regards to who was defined as a ‘key worker’ and therefore prioritised on the housing register.

Councillor Lees said the average cost of a house in the District was beyond the reach of a worker on an average salary. Councillor Loughlin expressed her dislike of the term key worker as all people who worked in the District deserved an affordable place to live.

The Housing Strategy and Operations Manager said a report would be brought to a future meeting to consider UDCs allocation policy.

HB9

## **UNIVERSAL CREDIT UPDATE (VERBAL)**

The Housing Strategy and Operations Manager presented a verbal report on the rollout of Universal Credit in the District, which would be rolled-out to new

claimants from October 2017. There were a number of issues with the new system including a substantial rise in arrears in places where it had already been put into effect. This was mainly attributed to the longer processing time for claims which could take between six to twelve weeks. Other changes included the restriction to single room rent for single people under 35; the necessity of having documents verified by the job centre; and no housing benefit for people aged 18 to 22 years old from the end of October. She added that a Welfare Officer had been employed by the housing benefits department to assist the public with their claims.

HB10

#### **TENANT REGULATORY PANEL UPDATE (VERBAL)**

Mrs Rogers presented the TRP review that had been completed in 2016. She told Members that 100 tenants had been interviewed and recommendations had been proposed to the Council based on these findings. She added that the review would be carried out again to assess the effectiveness of the changes implemented.

In terms of the TRPs Void Review, Mrs Rogers said work was still required in terms of the accessibility of information, although some improvements had been made and information was now being shared more widely. She said the process had been complicated by the high turnover of staff throughout the department.

Councillor Dean asked Mrs Rogers if she was satisfied with the Council's response to the TRPs reviews. She said she was, and that the TRP worked closely with the Housing department and had frequent dialogue.

The Chairman thanked Mrs Rogers and the TRP for a professional and thorough report.

HB11

#### **DATE OF NEXT MEETING**

The date of the next meeting was confirmed as 7 December 2017 at 10:00am and would be held in Hatherley court.

The meeting ended at 12:00pm.

# Agenda Item 3

<b>Committee:</b>	Housing Board	<b>Date:</b>	7 December 2017
<b>Title:</b>	Housing Revenue Account – Proposed Rent, Service and Support Charge Increase 2018/19		
<b>Report Author:</b>	Roz Millership – Assistant Director Housing and Environmental Services	<b>Item for decision:</b>	Yes
	Angela Knight – Assistant Director Finance		

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## Summary

1. This report sets out 2018/19 Housing Revenue Account (HRA) changes in dwelling rents, garage rents, housing related support (HRS) charges and service charges
2. The recommendations will be discussed by the Tenants forum on 1 December 2017.
3. The Housing Board and Tenants forums recommendations will be reviewed by Scrutiny Committee on 6 February 2018 prior to approval by Cabinet on 15 February 2018 and referral to Full Council on 23 February 2018.

## Recommendations

4. The Housing Board is requested to recommend to Cabinet for approval decreases in HRA dwelling rents as detailed below:
  - General needs accommodation - a 1% reduction in rent as per central government legislation
  - Supported accommodation - a 1% reduction in rent as per central government legislation
  - All dwelling rents to be revised to the formula rent level when the property is re-let
5. The Housing Board is requested to recommend to Cabinet for approval the increases in garage rent, support and service charges as detailed below:
  - Garage rents are increased by RPI of 3.9%
  - Housing related support charges are increased in line with actual costs
  - Intensive housing management charges are increased in line with actual costs
  - Lifeline charges are increased by RPI of 3.9%

- Heating, Service and Sewerage charges are increased in line with actual costs

### Financial Implications

6. The relevant financial implications are included in the body of the report.

### Background Papers

7. None

### Impact

- 8.

Communication/Consultation	Tenant Forum
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

### Background

#### National Social Rent Policy

9. The Government confirmed a key change introduced from April 2016 which is a reduction in all social rents of 1% for 4 years.
10. Given the calculation of future rents is now on a statutory basis, a Rent Setting Policy/Equalities Impact Assessment is now no longer required.
11. It is proposed that the council continue with the policy of where rent is still not at the formula rent level that the rent be revised to the formula rent level when the property is re-let.

#### Financial Impact on annual rental income

12. This will give all tenants a 1% decrease in their current rent. The average rent in 2017/18 was £98.80 and in 2018/19 the average rent will decrease to £98.55. This figure includes properties that were re-let at formula rent in 2017-18 which has resulted in a slightly higher average rent. However Individual rents for tenants will be reduced by 1%.

#### Garage rents

13. The Council manages a total of 452 garages, of these 275 are rented by private residents. It is proposed to increase the garage rents by RPI of 3.9% (as at September 2017). The current weekly rent is £9.89 and this will increase to £10.28 (excluding VAT) per week for 2018/19.

i. Garage rent: **£10.28 (exc VAT) per week**

#### **Housing Related Support (HRS) charges and Intensive Housing Management (IHM) charges**

14. Two years ago the council reviewed all support and housing management charges in preparation for further cuts to HRS funding made by Essex County Council (ECC).

15. The review resulted in the introduction of an Intensive Housing Management (IHM) charge to recover a proportion of the reduction in funding from ECC. The IHM charge is covered by Housing Benefit and its introduction therefore lessened the impact of the cuts to HRS for those tenants on benefits who previously had not contributed to support costs.

16. All HRS funding from ECC ceased from April 2017 and the cost of support and intensive housing management is now recovered in full from all sheltered tenants. The rationale that ECC made for these cuts is that people who require this type of support can claim appropriate benefits to pay for it themselves.

17. It is proposed to continue to calculate the charges for the council's sheltered housing scheme management service (made up from IHM and HRS) in line with actual costs. The charges to be set at:

i) Intensive Housing Management (IHM): **£12.73 per week**

ii) Housing Related Support (HRS): **£4.61 per week**

**TOTAL CHARGE: £17.34 per week**

#### **Lifeline Service**

18. It is proposed to increase by RPI of 3.9% the charges for the council's Lifeline service. The current weekly charge for the Lifeline service is £4.28 and this will increase to £4.45 (excluding VAT) per week for 2018/19.

i) Lifeline service: **£4.45 (exc VAT) per week**

ii) Lifeline service plus extra sensors: **£5.45 (exc VAT) per week**

#### **Heating, service and sewerage charges**

19. The Council manages leasehold and freehold properties where service and sewerage charges are payable and these will continue to be calculated and charged in line with actual costs.

20. General needs and sheltered housing service and sewerage charges are calculated on the same basis as Leasehold/freehold properties.

21. Heating charges will be calculated and charged in line with actual costs.

22. Service charges for tenants as at 31<sup>st</sup> March 2012 in sheltered accommodation and not in receipt of Housing Benefit will no longer continue to be partially subsidised from the HRA as the transition period during which these charges were reduced by 25% annually has now come to an end.

### 23. Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Not implementing the 1% decrease	1 – the calculation of rents is now on a statutory basis	3 – would result in the council being penalised financially at a later date	To include the rental decrease in the 2018/19 budget setting
Support charges are not passed on to the tenant	2 – increase in charges is higher than expected due to Essex CC withdrawing all funding	3 - Financial risk to the HRA	Will need to look at further adjustments to the service

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.

<b>Committee:</b>	Housing Board	<b>Date:</b>	
<b>Title:</b>	The Moors Little Dunmow – Redevelopment		7 December 2017
<b>Report Author:</b>	Doug Malins – Development Manager	<b>Item for decision:</b>	Yes

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## Summary

1. This report provides the Housing Board with detail relating to the proposed redevelopment of the site at The Moors, Little Dunmow.

This site has been identified for the demolition and redevelopment of twelve council owned bungalows, with associated gardens and parking court.

## Recommendations

2. That the Housing Board:
  - a. Recommends to Cabinet that the site is redeveloped in line with the detail contained in this report.

## Financial Implications

3. Financial provision for the development of new Council owned homes is included within the Housing Revenue Account. The development of this site will also enable the use of some Right to Buy capital receipts.
4. The Indicative cost for the scheme has been calculated by our consultant Quantity Surveyor. The scheme is at the very early stage of development, so costs are currently “ball park figures” which will be updated as further detailed information becomes available. They do, however, take account of known site constraints and prevailing market conditions. The final cost will only be known following the tender process for the selection of a building contractor.

## Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

- None

- 6.

Communication/Consultation	Existing tenants, local residents, Parish Council, District Councillor and external agencies
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Community Safety	Appropriate precautions would be taken during works
Equalities	Equality and diversity is a key issue for the Council with regards to housing provision
Health and Safety	During the management of the project all risks will be constantly reviewed, revised and managed
Human Rights/Legal Implications	Legal team have been consulted
Sustainability	An opportunity to construct new thermally efficient homes for people in housing need.
Ward-specific impacts	Little Dunmow
Workforce/Workplace	There are sufficient resources in the housing team to manage the project

## Situation

7. This is a site of 12, now all vacated, Council owned bungalows with associated gardens and parking court to the rear. The bungalows have been monitored for a number of years and are all showing signs of worsening subsidence. The Council's maintenance team have confirmed that remediation of these subsidence issues is not economically viable, and furthermore, due to the nature of the bungalow's construction, any works undertaken would not be guaranteed.
8. It is also worth noting that there is Japanese Knotweed present on part of the site. The removal of this Knotweed, by a specialist contractor commenced on the 13<sup>th</sup> November 2017. They will also retain a watching brief on the site when the demolition and site clearance is underway, to ensure it has not spread from the area identified.
9. Attached to this report is a sketch proposal for the redevelopment of the site. This has been discussed with Planners as part of a Pre-Application, and subject to further detailed planning drawings being made available, it has received positive comments. The proposal is to demolish the existing bungalows, to be replaced by a mix of 16 dwellings consisting 5 x 2 bed chalet bungalows, 3 x 2 bed houses, 4 x 1 bed apartments and 2 x 2 bed apartments. The site slopes downhill from East to West. Therefore, the chalet bungalows are situated to the Eastern end of the site to minimise their impact on the Grade 2 listed "Brights Cottage" that borders the site to the East. Also attached are some 3D modelling plans that demonstrates how the impact of these proposals have been minimised, and fit in with the contours of the site.

10. The preliminary construction estimate for this development has been estimated at **£2,485,000 (£155,313 per dwelling)**. This sum does not appear to be unreasonable given current market conditions, and certainly is comparable to other developments undertaken by the Council in other parts of the District. There is also a **£300,000** allowance in this estimate to allow for abnormal site issues. These include Air Source Heat Pumps, enhanced elevational treatments to mitigate the impact of the development on the listed building, demolition, Japanese Knotweed removal, diversion of overhead power cables and other service diversions. The cost estimate will be further refined as more detailed drawings are available and when further site surveys are undertaken.
11. Prior to any planning application being submitted, the Council will carry out consultation exercises with both the Parish Council and the wider community. The Parish Council and district councillor are aware that proposals for the site are being worked up, as is the owner of “Bright Cottage”.

## Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
Not achieving planning permission	1 Planners supportive	4 Development not possible	Pre-planning discussions with planners
Underground services identified	2 Investigations to be carried out	3 Diversions possible but cost implications	Investigations to be undertaken at the earliest stage
Further “abnormal costs” identified	2. Surveys being undertaken	3 Potential cost implications	Contingency already included with cost estimate

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

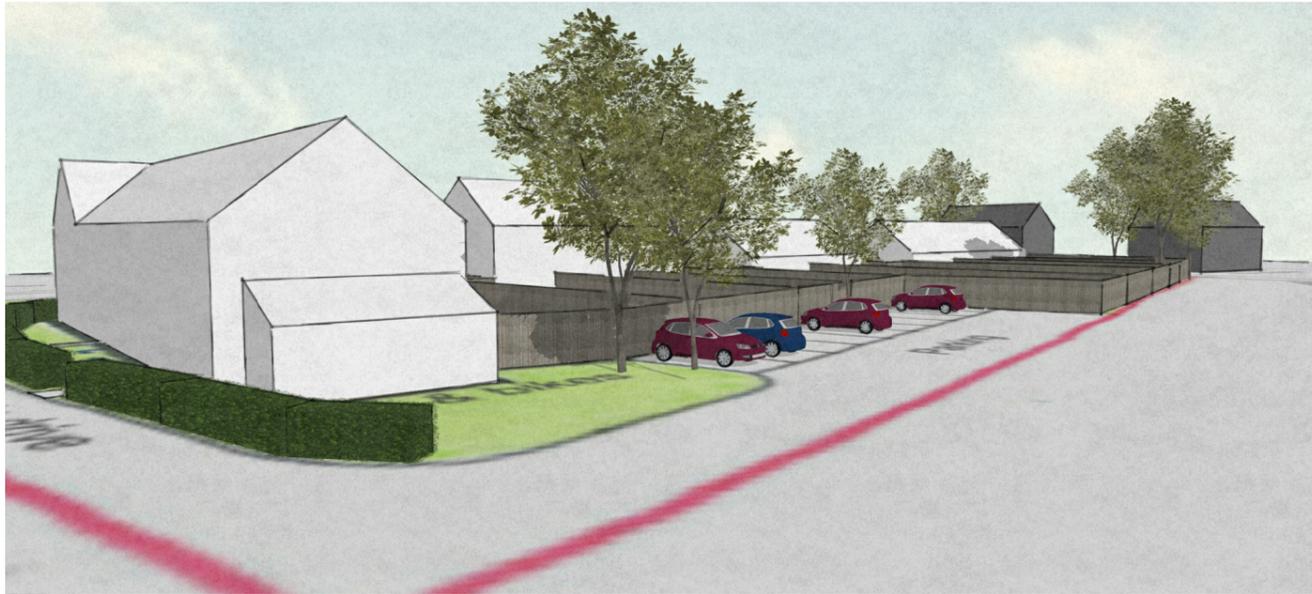
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VIEW OF PROPOSED HOUSES FROM STATION ROAD



VIEW OF PROPOSED HOUSES FROM STATION ROAD



VIEW OF REAR GARDENS & PARKING AREA



VIEW ALONG THE PROPOSED HOUSES TOWARDS BRIGHTS COTTAGE

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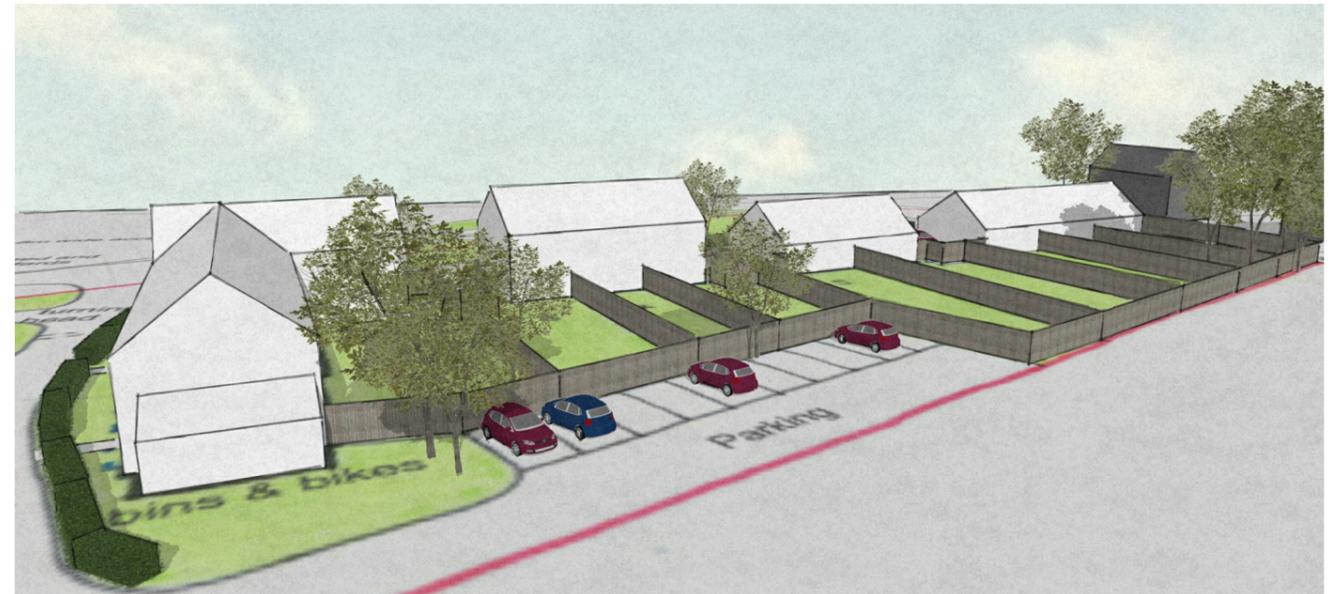
VIEW OF PROPOSED HOUSES FROM BRIGHTS COTTAGE



AERIAL VIEW OF PROPOSED HOUSES FROM STATION ROAD



VIEW OF BRIGHTS COTTAGE & PROPOSED HOUSES FROM STATION ROAD



AERIAL VIEW OF REAR GARDENS & PARKING AREA

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Existing entrance and parking area retained and upgraded

proposed 4.8m wide access road

Existing site entrance retained and upgraded to adoptable standards

existing dwellings to be demolished



private drive

bins & bikes

Parking

private drive

MOORS LANE

Brights Cottage

The Cottage

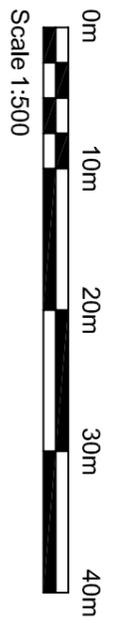
Willow Cottage

1.5 storey houses  
5 x 2B4P

2 storey houses  
3 x 2B4P

2 storey flats  
4 x 1B2P  
4 x 2B3P

**Total units = 16 dwellings**



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<b>Committee:</b>	Housing Board	<b>Date:</b>	7 December 2017
<b>Title:</b>	HRA Land Asset Management		
<b>Report Author:</b>	Judith Snares – Housing Strategy and Operations Manager - 01799 510671	<b>Item for decision:</b>	Yes

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## Summary

1. This report provides details relating to potential development plots located at The Elms in Duton Hill and Hilltop Lane in Saffron Walden.

## Recommendation

2. In line with the HRA Asset Management and Development Strategy and subject to Outline Planning Permission being granted for both sites, the Housing Board recommends to Cabinet:-
  - a. That the identified sites be sold on the open market by way of sealed bids, with a guide price for offers as advised by the selling agent. The guide price will be set to maximise income to the Housing Revenue Account whilst maintaining competitiveness and interest in the plots.
  - b. That the receipt received is ring-fenced to fund the acquisition/development of new properties.

## Financial Implications

3. Detailed in report.

## Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report:
  - a. HRA Housing Asset Management and Development Strategy

## Impact

- 5.

Communication/Consultation	Parish Councils
Community Safety	N/A
Equalities	N/A
Health and Safety	The development will be undertaken with full compliance to Health and Safety

	Regulations
Human Rights/Legal Implications	The Planning Application will be subject to the statutory consultation period, and the applications will be heard by UDC's Planning Committee
Sustainability	N/A
Ward-specific impacts	Duton Hill, Saffron Walden Shire
Workforce/Workplace	Housing Development

## Situation

6. One of the strategic objectives in the council's HRA Housing Asset Management and Development Strategy is to optimise use of existing council land via robust options appraisals.
7. As instructed by the Housing Board, officers have been examining the use of vacant sites for the building of new homes, the potential redevelopment of existing properties and the potential disposal of assets as a way of helping to fund the acquisition/development of new properties.
8. A number of sites for potential development have been identified and two further sites have been progressed to planning application stage.
9. The first site is The Elms, Duton Hill. This is a detached bungalow on a large plot that forms part of the housing stock. It is located down a quiet lane and is surrounded on all sides by private properties.
10. The property, currently void, is in need of modernisation which will require significant improvement and repair costs. Its location away from other council stock means that it is not ideally located for either ongoing maintenance or allocation as a council property.
11. It is therefore considered that the best use of this asset is to seek detailed planning permission for a 4 bedroom detached house and then sell through a sealed bids process. The size of the plot and its location in a rural private residential area should attract a great deal of interest.
12. The other site is a garden reduction situated to the side and behind 4 Hilltop Lane in Saffron Walden. This is a large plot obtained by dividing off part of the garden of the 3 bed house at No 4. This has still left No 4 with a standard size garden. The plot is in an area where other back land development has already occurred.
13. Development of this single plot for affordable Council housing would be expensive, and not financially viable. However, due to the location of the site,

this again should attract a large amount of interest as a development site for a private dwelling.

14. An application for Outline Planning Permission for a 2 bedroom bungalow is being heard at Planning Committee on the 22 November 2017.
15. The sales proceeds from the sale of both sites would be ring-fenced within the HRA for the development of further financially viable Council housing development sites, thus achieving best use of housing assets whilst maximising the value derived from the money available for investment.
16. Drawings for both sites are attached to this report.

## Risk Analysis

17.

Risk	Likelihood	Impact	Mitigating actions
Not achieving guide price	1 Strong demand for housing in the locality	2 Accept a lower offer, or re-advertise to encourage greater competition/demand	Ensure site is widely advertised both in the press and on-line using the usual websites
Not obtaining outline planning permission	2 There is likely to be objections from neighbouring properties	3 If planning permission is not obtained ...	Pre planning advice has been sought for both sites

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

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Side Elevation ~ Plot 1

Front Elevation ~ Plot 1

Side Elevation ~ Plot 1

Rear Elevation ~ Plot 1

0 1 2 3 4 5m  
scale 1:100

**Materials Plot 1**

- Walls:** Red facing brick to approval of Local Authority.
- Roof:** Brown concrete tile to approval of Local Authority.
- Windows:** White uPVC. Glazing bars to be applied to face of glass both sides.
- Facias & Soffits:** Black uPVC
- Gutters & RWP:** Black uPVC
- Doors:** Composite door set with paint finish. Colour TBC.



Gross Internal Floor Area 62m<sup>2</sup>

Floor Plan ~ Plot 1



SITE PLAN - Proposed

0 2 4 6 8 10m  
scale 1:200



DO NOT SCALE FROM THIS DRAWING  
THE GENERAL CONTRACTOR IS TO CHECK ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE SUPERVISING OFFICER.  
ALL DIMENSIONS ARE SHOWN IN 'mm' UNLESS OTHERWISE STATED.

**NOTES:**

**SURFACING:**

- Private Drive**  
3.0-4.4m wide block paved private drive and parking to approval of Local Authority.
- Private Paths**  
Private footpaths to be formed with 450 x 450mm slabs to approval of Local Authority.
- Visibility Splay**  
1.5 x 30 / 45m visibility splay. Any planting that falls within the splay to be low rise (max. 600mm).
- Demolition**  
Existing garages and trees to be removed.

**SOFT LANDSCAPING:**

- Rear Gardens**
- Front Gardens**  
Front gardens to be turfed where shrub planting not shown.
- Proposed New Trees**  
Indicative locations of proposed new tree planting.
- Soft Landscaping / Planting**  
Location of proposed planting. Planting scheme to be agreed with Local Authority.

**BOUNDARY TREATMENTS:**

- 1.8m Close Boarded Fence**  
1.8m high close boarded timber fence.

**Development Summary:**

Bungalow	2 bedroom	3 person	62m <sup>2</sup>	1	Plot 1	
					<b>TOTAL</b>	<b>1 Dwelling</b>

Site Area approx. 0.20Ha  
Development density = 25 dwellings per hectare  
4 parking spaces (2 for No.4 and 2 for Plot 1)



LOCATION PLAN

0 5 10 20 30 40 50 60m  
scale 1:1250

**The Design Partnership**  
The Design Partnership (Ely) Ltd  
Clarendon House,  
10 Station Road,  
Chatteris  
Cambridgeshire PE16 6AG  
Tel: 01354 693111

Job Title  
Proposed Housing Development  
at Hill Top Lane, Chatteris  
for Uttlesford District Council  
Drawing Title  
**DRAFT FOR COMMENT**  
PLANNING SUBMISSION  
Site Plan, Floor Plan & Elevations

Date	Scale	Drwn	Dwg. No.	Rev.
June 17	Var @ A1	RW	UDC-751-P01	

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Side Elevation ~ North East



Front Elevation ~ North West



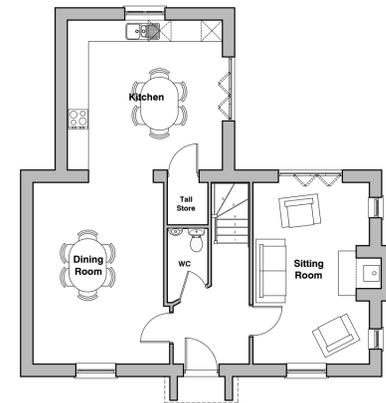
Side Elevation ~ South West



Rear Elevation ~ South East

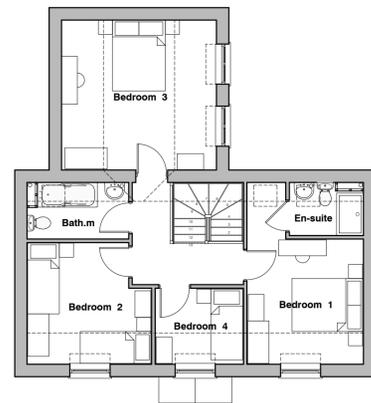
scale 1:100

scale 1:100



Ground Floor Plan

scale 1:100



First Floor Plan

scale 1:100

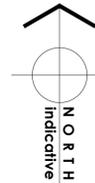
- Materials**
- Roof - Clay Plain tile to approval of local authority.
  - Brick - Buff facing brick to approval of local authority to finish.
  - Render - Painted render with wood float finish.
  - Weather board - Marley Elmrit Cedral or equal to rear wing.
  - Windows - Timber with weather board over head.
  - Doors - Painted timber.
  - Eaves - Painted timber with exposed rafter feet.
  - Rainwater goods - black aluminium or cast iron.

DO NOT SCALE FROM THIS DRAWING  
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ALL DIMENSIONS ARE SHOWN IN 'mm' UNLESS OTHERWISE STATED.



LOCATION PLAN

scale 1:1250



NORTH  
Indicative

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**KEY**

- Bungalow to be demolished
- 1200mm high close boarded fence
- 1800mm high close boarded fence around the site perimeter
- Existing trees (retained) to be protected during the construction process
- Existing hedges retained and protected during the construction process
- Area of front and rear lawn to be turfed with domestic landscaping borders around the edge
- Private drives to be surfaced with block paved setts. All to approval of Local Authority.
- Private paths / patios to approval of Local Authority.



SITE PLAN (As Existing)

scale 1:250

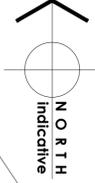


NORTH  
Indicative



SITE PLAN (As Proposed)

scale 1:250



NORTH  
Indicative

**The Design Partnership**  
The Design Partnership (Ely) Ltd  
Clarendon House,  
10 Station Road,  
Chatteris  
Cambridgeshire PE16 6AG  
Tel: 01354 693111

Job Title  
Proposed replacement dwelling  
The Elms Glebe Lane Little Easton for  
Utlesford District Council  
Drawing Title  
Plans, Elevations, Site and Location Plans  
PLANNING APPLICATION

Date	Scale	Drwn	Dwg. No.	Rev.
OCT 17	As Shown	aw	UDC-xxx P01	

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# Agenda Item 9

<b>Committee:</b>	Housing Board	<b>Date:</b>	7 December 2017
<b>Title:</b>	The Housing & Planning Act – Implications for Environmental Health (Private Sector Housing) Services		
<b>Report Author:</b>	Marcus Watts, Environmental Health Manager (Protection)	<b>Item for decision:</b>	No

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## Summary

1. This report briefs members on the Housing & Planning Act 2016 which introduced a range of measure that came into effect in 2017 to tackle rogue landlords. The main measures include the introduction of Civil Penalties and the extension of rent repayment orders.

## Recommendations

2. For the Housing Board to:
  - a. note the new powers available to the Environmental Health arising from the Housing & Planning Act 2016

## Financial Implications

3. From existing resources. Should the Council adopt the powers and develop a policy, any income received from a civil penalty can be retained by the local housing authority provided it is used to further statutory functions in the relation to private sector housing enforcement activities.
4. Operating costs will be covered within existing resources. There may be implications for debt recovery if landlords do not pay the civil penalty charge.

## Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report:
  - a. Housing & Planning Act 2016

## Impact

- 6.

Communication/Consultation	No communication/consultation has taken place
Community Safety	n/a

Equalities	n/a
Health and Safety	n/a
Human Rights/Legal Implications	<p>Officers will be able to use the additional powers given to them by the Housing and Planning Act 2016 to assist with cracking down on rogue landlords and disrupt their business model.</p> <p>There is a risk of legal challenge from landlords for the civil penalty, firstly to the Council after receiving the Notice of Intent and secondly to the First-tier Tribunal once the Final Notice has been received.</p>
Sustainability	n/a
Ward-specific impacts	All wards
Workforce/Workplace	Environmental Health

## Situation

7. The private rented sector is an important part of the housing market. In Uttlesford 14% of all dwellings are rented from a private landlord. The Government is aware that that they want to support good landlords who provide decent, well-maintained homes. However, they also want to tackle poor, criminal landlords who knowingly rent out unsafe and substandard accommodation.
8. The Housing and Planning Act became law on May 12, 2016 and introduced a range of measures to tackle rogue landlords. These measures include:
  - Civil penalties as an alternative to prosecution for certain specified cases.
  - Extension of the rent repayment order to cover additional specified offences.
  - A database of rogue landlords and property letting agents.
  - Banning orders for serious and prolific offenders.
  - Regulations for landlords to ensure that a qualified person has checked that the electrical safety standards are met in private rented properties and
  - Further clarification of abandonment.
9. Civil penalties and the extension of rent repayment orders came into effect on 6 April 2017. Banning orders and the database of rogue landlords came into force on 1 October 2017.

## Civil Penalties

10. The introduction of the civil penalties is in the expectation that the power will be used robustly as a way of cracking down on rogue landlords.
11. A civil penalty might be used as an alternative to a prosecution for offences under the Housing Act 2004. However, it is important to note that the burden of proof required for these offences remains the same as it would be for a prosecution. The offences would include:
  - Failure to comply with an Improvement Notice
  - Failure to licence a mandatory or additional licensable HMO
  - Contravention of an overcrowding notice
  - Failure to comply with Management Regulations in respect to HMOs
12. The maximum penalty that can be imposed is £30,000. However, the maximum should be reserved for the very worst offenders. The Council should develop its own policy on determining the appropriate level of the civil penalty in a particular case, having regard to
  - Severity of the offence
  - Culpability and track record of the offender
  - The harm caused to the tenant
  - The need to punish the offender
  - The need to deter the offender from repeating the offence
  - Act as a deterrent from others committing similar offences, and
  - The ability to remove any financial benefit the offender may have obtained as a result of committing the offence
13. The process for issuing a civil penalty is first to issue a Notice of Intent, which includes the proposed financial penalty, reasons for issue and rights to make representations.
14. A person who is given a Notice of Intent may make written representations to the local housing authority about the intention to impose a financial penalty within 28 days of receiving the Notice.
15. The Council will then decide whether to impose a penalty and its amount. After taking into consideration any representation, a Final Notice is issued requiring the said penalty to be paid within 28 days. Again, the notice must set out the amount, reasons for the penalty, details on how to pay, the period for payment (28 days), information on right to appeal and consequences of failure to comply with the notice.
16. The landlord has the right to appeal at the First-tier Tribunal against the decision or the amount. If the landlord does not pay a civil penalty it is referred to the County Court for an Order of the Court.

17. A policy outlining the appropriate level of civil penalty for Housing Act offences will need to be developed should the Council wish to adopt the civil penalty charge.

### **Rent Repayment Orders**

18. The Council and tenants are able to apply to the First-tier Tribunal for a rent repayment order. This is where the First-tier Tribunal can require a landlord to repay a specified amount of rent. Originally this could be sought where a property failed to obtain a HMO licence. The Housing and Planning Act 2016 has extended this to include:

- Failure to comply with an Improvement Notice
- Failure to comply with a Prohibition Order
- Breach of a Banning Order
- Use of violence to secure entry to a property under section 6 of the Criminal Law Act 1977
- Illegal eviction or harassment of the occupiers of a property

19. As the burden of proof required for the First-tier Tribunal to make its decision is that of a criminal standard, the Tribunal must be satisfied that the landlord has committed an offence or that the courts have convicted the landlord.

20. The guidance produced by Department for Communities and Local Government for rent repayment orders highlighted that Local Housing Authorities are expected to develop and document their own policy on when to prosecute and when to apply for a rent repayment order.

21. Following the adoption of a Corporate Enforcement Policy by Cabinet in October of this year, a review of the Environment Health Enforcement Policy will be made in 2018. The updated enforcement policy will take into account the application of rent repayment orders.

### **Risk Analysis**

22.

Risk	Likelihood	Impact	Mitigating actions
n/a information only item			

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

<b>Committee:</b>	Housing Board	<b>Date:</b>	7 December 2017
<b>Title:</b>	Disabled Facilities Grants Update		
<b>Report Author:</b>	Marcus Watts, Environmental Health Manager (Protection)	<b>Item for decision:</b>	No

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## Summary

1. The Disabled Facilities Grant (DFG) service was transferred back to the Environmental Health Service in April 2017 ending the previous long-term arrangements with The Papworth Trust, Home Improvement Agency.
2. This report provides an overview of the DFG service, information on funding and role of case working in delivering a comprehensive service that has already resulted in reductions in waiting times.

## Recommendations

3. That the Housing Board notes the content of the report and ongoing work to engage with the health and wellbeing agenda.

## Financial Implications

4. None - from existing resources.

## Background Papers

5. None.

## Impact

- 6.

Communication/Consultation	No communication/consultation has taken place
Community Safety	No direct impact on community
Equalities	No impact on equalities
Health and Safety	No impact on employee health and safety
Human Rights/Legal Implications	None – The Council is compliance with the legislative requirements of DFG provision
Sustainability	The service is sustainable, subject to external funding through the Better Care Fund

Ward-specific impacts	No specific impact
Workforce/Workplace	In house resource

## Situation

7. The Disabled Facilities Grant (DFG) is a mandatory housing grant. Legislation sets out the type of work the grant can be claimed for, the assessment process, the test of resource and maximum amount of grant payable (£30,000).
8. The Council's Environmental Health Service administers and provides DFGs to eligible disabled people. The aim of the grant allows low income disabled people to live as comfortably and independently as possible in their own home. Examples of some of the works include:
  - Door widening and the and installation of ramps
  - Improve access to rooms and facilities - e.g. stairlifts
  - Adaptations to bathrooms & kitchens
  - Provision of heating and lighting systems to make them easier to use
9. The DFG only funds adaptations in the private sector. The Housing Revenue Account (HRA) funds adaptations and equipment in Council homes.
10. DFG funded adaptations contribute to meeting a range of Public Health, NHS and Social Care outcomes, around prevention and Keeping People Well: the vast majority of disabled people live in general (not Specialist) housing and so home adaptations play a key role in enabling safe, healthy, independent living at home. Adaptations can reduce health and social care costs, help to reduce risk of injury (e.g. from falls), enable faster hospital discharge, delay onset of admission to residential care and reduce care costs.
11. Studies in a range of disciplines confirm that the home environment is a quantifiable determinant of health, quality of life and well-being. The quality and suitability of the home environment is particularly important for disabled people, older people, those living with a chronic disease or the consequences of a serious injury, and those who experience functional and cognitive difficulties. The DFG ultimately provides the financial help with home adaptations where disability coincides with low income and health inequalities.
12. DFG is becoming increasingly important as the population ages. Demand is increasing. Only a small portion of the housing stock is fully accessible and few new homes suitable for people with disabilities are being built, therefore modification of existing stock is becoming more significant.
13. The cost benefit of timely adaptations is well documented. A typical home adaptation costing £7,000 can delay entry to residential care by up to four

years, saving up to £73,000 per person (based on average home care costs of £20,000 per year).

14. In 2014 the funding allocation for DFGs passed from central government to Essex County Council (ECC) and in 2016/17 funding to the Council for this purpose was paid for the first time via Essex County Council as part of the Better Care Fund. Unfortunately, Uttlesford receives one of the lowest levels of funding allocation in the Country. The reasons for this are unknown but originate from a central government devised formula that has historically been unsuccessful in providing an equitable spread of resources to local authorities according to need.
15. In recognition of the rising need for adaptations, central government funding for the DFG has increased considerably. In 2016/17 provision rose from £220 million to £394 million and is projected to increase to over £500 million by 2019/20. In 2015/16 funding to Uttlesford was £98,000, yet our DFG expenditure was £210,000. In 2016/17 our allocation from the Better Care Fund increased to £160,000, with a total spend of £279,000. In 2017/18 this increased to £179,000. The shortfall in spend in all cases is covered by the Council's capital budget. In line with government projections, officers expect the grant increase to continue and consequently will result in savings to the Council's capital budget.
16. The increases in funding should create better opportunities for integrating the DFG programme with social care and health. There is also a push to encourage more pooling of other resources and create new working arrangements between local housing authorities and social care. Officers are currently working on the terms for these new arrangements. As Uttlesford will not be subject to any underspend from the ECC allocation, Officers are hopeful that funding opportunities will be made through the redistribution of underspends from other Councils in Essex.
17. The service has yet to develop its performance reporting and measure customer satisfaction, however anecdotal accounts have been very positive, with much praise awarded to the case worker position the Council filled to support the service.
18. The Case Worker post assists customers in a number of ways and can ease a lot of the worry associate with the grant and works process. This includes:
  - Visiting clients and providing assistance with the application process & means testing process
  - Checking to see if the customer is eligible for financial help
  - Checks that the referrals are value for money
  - Getting quotes, drawing up plans and inspecting works.
19. Since the transfer of DFG Services in April 2017, 28 cases have been referred to the service by Occupational Therapists. On average, customers are contacted within a few days and visits are made with the DFG Case

Worker within 12 days. The average referral to first visit assessment for 2015/16 under the management of the Papworth Trust was 30.5 days.

20. When comparing the average number of weeks from Occupational Therapist referral to completion of works, during 2015/16 The Papworth Trust reported 45.5 weeks. To date, the Environmental Health Service is on target to reduce the time by over 50% (currently 16 weeks).

21. Bringing DFG delivery back in house and developing the service continues to be a gradual process, however, the streamlining measures in place and resources allocated to the service have clearly brought significant reductions in waiting times. Reductions in waiting times will reduce further complications and ongoing care costs.

22. The Council is now in complete control of the process and, as the accountable body, is striving to improve the service. Over the next 12 months our priorities are to work with ECC to seek additional funding, explore how we can adapt and improve the service further and report on performance.

### Risk Analysis

23.

Risk	Likelihood	Impact	Mitigating actions
n/a information only item			

1 = Little or no risk or impact

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