



Uttlesford District Council

Chief Executive: Dawn French

Housing Board

Date: Thursday, 14th March, 2019

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 (Vice-Chair), J Freeman, A Gerard,
P Lees, J Loughlin, A Mills, V Ranger and J Redfern

Tenant Forum Representatives: Carole Mandy and Simon Trimnell

AGENDA

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 - 8

To consider the minutes of the previous meeting.

3 Consultant's Brief for Future Housing Strategy and Allocations Policy

9 - 20

To consider the Consultant's Brief for Housing Strategy and Allocations Policy.

4 Private Sector Housing Update

To receive a verbal update on private sector housing.

5 Development Site - Saffron Walden

21 - 28

To consider the report on a development site at Saffron Walden.

6 Development Update

To receive a verbal development update.

7 Draft Tenancy Fraud Policy

29 - 44

To consider the draft Tenancy Fraud Policy.

For information about this meeting please contact Democratic Services

Telephone: 01799 510369 or 510548

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General Enquiries

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**HOUSING BOARD held at COMMITTEE ROOM - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on THURSDAY,
22 NOVEMBER 2018 at 10.00 am**

Present: Councillor M Felton (Chairman)
Councillors A Dean, P Lees, J Loughlin, V Ranger and
J Redfern

Officers in attendance: A Bochel (Democratic Services Officer), R Millership (Assistant
Director - Housing, Health and Communities) and J Snares
(Housing Strategy and Operations Manager)

HB9 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Farthing, Gerard and Mills.

HB10 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 5 July 2018 were approved and signed by the Chairman as a correct record.

Councillors Ranger and Redfern gave an update on the action at HB6: that 'Councillors Ranger and Redfern would take the issue of collecting Section 106 money forward to discuss with the Cabinet and Directors'. The Council was bound by the National Planning Policy Framework (NPPF) which now provided Councils with the ability to collect Section 106 receipts on developments of 14 or more properties, or on sites over ½ a hectare. Receipts could also be collected on sites where the density was lower than the NPPF standard.

Councillor Redfern commented on HB3 which summarised a presentation on specialist housing schemes for people living with dementia. A development for such a scheme within the district had failed to find a site. The Board agreed that officers should approach the Planning Development Team to see if they could suggest suitable sites.

HB11 **HOUSING REVENUE ACCOUNT - PROPOSED RENT, SERVICE AND SUPPORT CHARGE INCREASE 2019/20**

The Assistant Director – Housing, Health and Communities gave a summary of the report.

The Assistant Director – Housing, Health and Communities noted that the main issue with providing the Lifeline service was that even though the Council offered better value for money, the fact that other providers were cheaper meant that the

Council was losing customers. She said this was the reason why the recommendation was not to raise prices this year.

The Housing Strategy and Operations Manager said the Council already did a lot of publicity work on its Lifeline service.

The Assistant Director – Housing, Health and Communities said the Council would be hit by the impact of rent charges reductions. The Government were now expecting that the Council borrow beyond the old debt cap. It was problematic that maintenance and development were interlinked, because it was necessary to borrow in order not to pay back Housing Revenue Account receipts. This was not an efficient way of working.

Councillor Dean said he wanted it to be noted that he had concerns about the government's policy of 1% rent reduction for general needs and supported accommodation.

RESOLVED to

- recommend to Cabinet for approval HRA dwelling rents for 2019/20 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
- recommend to Cabinet for approval the increases in garage rent, support and service charges as detailed below:
 - Garage rents are increased by RPI of 3.3%
 - Housing related support charges are increased in line with actual costs
 - Intensive housing management charges are increased in line with actual costs
 - Lifeline charges remain the same
 - Heating, Service and Sewerage charges are increased in line with actual costs

HB12 VOID UPDATE

The Housing Strategy and Operations Manager gave a summary of the report.

Officers said a further asbestos survey on a property would be necessary in order to carry out invasive work. It was the nature of the Council's stock's age that more problems were revealing themselves with time.

HB13 WALDEN PLACE, SAFFRON WALDEN

The Assistant Director – Housing, Health and Communities said plans had changed since this item had last been brought to the working group. The Council was now in a position to do the work itself, rather than running a complex joint venture.

In response to a Member question, the Assistant Director – Housing, Health and Communities said there would probably be up to 4 flats at the property once it had been refurbished. It would be necessary to bring an item to Council to request permission to borrow the funds for the development.

Members noted that parking for resident cars and scooters was an important issue.

RESOLVED to

- recommend to Cabinet that the redevelopment of Walden Place is progressed as a council funded and managed project subject to budget availability.
- create a task and finish group to monitor the progress of the development of Walden Place, subject to the approval of the project by Cabinet.

HB14 HOMELESSNESS UPDATE

The Housing Strategy and Operations Manager gave a summary of the report.

In response to a Member question, officers said that the Council's supply of temporary accommodation was currently enough to meet need in the area.

HB15 DEVELOPMENT UPDATE (VERBAL)

The Housing Strategy and Operations Manager gave the following update on development:

Hatherley Court

Phase 1 was coming to an end. There had been issues with the contractor. It had also been necessary to redesign the water pressure system. It was hoped this phase would be finished by Christmas.

Frambury Lane and Newton Grove

The groundwork was now being prepared.

The Moors

A planning application had been submitted. It was hoped that there would be a good amount of interest from developers. Officers would be applying for a Homes England grant.

St John's Close

The Council has completed the purchase of one property in St John's Close and the other purchase was still with the legal department. The property we now own is currently going through the void process and would be used as temporary homeless accommodation, as would the other one once the purchase was completed.

The Elms, Duton Hill

The Council had accepted an offer of £325,000 for this property.

Dunmow

The Council was buying a one-bedroom property here from a housing association, this would just go into our general needs stock.

HB16 **HOUSING STRATEGY UPDATE (VERBAL)**

The Housing Strategy and Operations Manager said the strategy needed to be revised in relation to the local plan, to take into account the plan's approach to community-led housing and affordable housing. It would likely not be finalised until after the elections in May 2019.

HB17 **DATE OF THE NEXT MEETING**

The date of the next meeting was 14 March 2019.

The meeting ended at 11.35.

Committee: Housing Board **Date:** 14 March 2019
Title: Consultant's Brief for Housing Strategy and Allocations Policy Evidence
Report Author: Simon Payne, Local Plan Project Manager
01799 510465

Summary

1. This report considers a draft Consultant's Brief for work on the future Uttlesford Housing Strategy and Allocations Policy.

Recommendation

2. That the Board endorses the attached brief so that work can commence on preparing the evidence for the refresh of the Uttlesford Housing Strategy and amendments to the Allocations Policy.

Financial Implications

3. The commissioning of this consultant's work will be subject to a competitive tender. The costs of the work will be funded from provision in the Council's 2019/20 approved budget in relation to the delivery of the proposed Garden Communities.

Background Papers

4. No additional papers were referred to by the author in the preparation of this report.

Impact

- 5.

Communication/Consultation	No impact to date. Future work programme will address consultation and stakeholder programme.
Community Safety	No impact
Equalities	Positive impact given that the potential changes will support a mixed and balanced community within each Garden Community.
Health and Safety	No impact

Human Rights/Legal Implications	No impact
Sustainability	Potential positive impact given that widening the allocations policy to include workers will reduce the need to travel and also support the local economy.
Ward-specific impacts	No direct impacts
Workforce/Workplace	Positive impact given that the potential changes could also apply to workers that comply with household income criteria.

Situation

6. On 25th September 2018 the Scrutiny Committee received a detailed report about work to be done on the Council's affordable housing policy in the light of the proposed Garden Communities in the district. The Committee recommended that further work be done to allow the Uttlesford Housing Strategy to be refreshed. In particular the Committee noted the following interim ideas outlined in the report:
- changes to the affordable housing allocations policy to allow workers on permanent contracts within the district to be eligible subject to household income levels;
 - adoption of the term 'truly affordable homes';
 - consideration of eligibility to include workers within the immediate vicinity of proposed Garden Communities that adjoin the district boundary;
 - consideration of allowing under-occupation of affordable housing for families with opposite sex children below the age of 10;
 - investigation of alternative intermediate home ownership products such as Community land Trust homes not delivered by Housing Association Partners; and
 - adoption of strategies and policy that are adaptable over time.
7. These deliberations reflect the Council's key objectives which are set out in the Uttlesford Regulation 19 Local Plan and are derived from the Town and Country Planning Association Principles for Garden Cities and are as follows:
- to secure mixed and balanced communities from the start of the development linked with the timely delivery of social and physical infrastructure;

- to ensure that affordable housing provision not only addresses people on Uttlesford housing waiting list, or those in Council or Housing Association properties, but also delivers housing at suitable prices for local workers, their families and older people wanting to stay near their existing community who cannot afford market housing; and
 - to bring forward homes that meet the needs of those who will have a long term need for affordable housing including for older people.
8. Officers have now prepared a brief for obtaining the evidence for a refresh of the Housing Strategy in line with the report considered by Scrutiny Committee last September. The draft brief has been written in consultation with officers at Braintree District Council and Essex County Council to ensure consistency with emerging proposals for the whole of the West of Braintree Garden Community. It is recommended that consultants are commissioned given the amount of work involved and also the potential to bring in specialist expertise to these new areas of housing policy.
 9. It is expected that the work, and associated evidence base, will take three to four months to complete. The Garden Communities Master Developers will be consulted in analysing the evidence. It is recommended that the results of the work are reported back to the Housing Board and Scrutiny Committee prior to formal public and stakeholder consultation. This timing will allow the conclusions to inform the emerging Garden Community Development Plan Documents as well as considering the wider implications for the Council's Housing Strategy.

Conclusions

10. The attached brief covers the issues previously considered by the Scrutiny Committee and members are requested to support the brief in order to refresh the Council's Housing Strategy and Affordable Housing Allocations policy. This report will also be considered by Scrutiny Committee on 21st March.
11. The next scheduled Cabinet meeting is on 13 June 2019. In the event that the Board and Scrutiny Committee endorse the brief, and in order to make progress on this work, then officers will approach the Leader to ask him to make an urgent decision to allow this work to be initiated promptly.

Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
The local housing needs of the	3	Continued and increasing	Prepare and improve a new policy for the

district are not met		inward and outbound commuting	Housing Strategy
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- 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.

Appendix

A Housing Strategy for the Garden Communities in Uttlesford

Brief for the development of a Garden Communities Housing Strategy

Background information

Uttlesford District Council propose to deliver 18,500 new homes and jobs in three new Garden Communities at North Uttlesford, Easton Park and West of Braintree (the latter proposal is part of a single new settlement of up to 13,500 new homes in partnership with Braintree District Council).

The new communities will be built over the next 25 years and will be designed to support a high quality of life for all and create healthy, safe and vibrant places for living and working. The new communities will be developed in accordance with garden city principles defined by the Town and Country Planning Association. These principles include, creating environmentally sustainable communities of mixed tenure homes and housing types promoting a vibrant local economy with community ownership of land and the long term stewardship of assets.

North Uttlesford Garden Community

This Garden Community is expected to deliver 1,925 homes and jobs by 2033 including affordable homes to create a sustainable and balanced community. Local employment sectors include the internationally renowned Chesterford Research Park, delivering innovative research with links to the University of Cambridge. Other Science Parks with world leading businesses and research are nearby, including the Wellcome Genome Campus, Granta Park and Babraham Research Park.

Easton Park Garden Community

The number of homes and jobs expected to be delivered by 2033 amounts to 1,925. The biggest employer locally is Stansted Airport which provides services to Europe and beyond. The Airport has granted permission to increase the number of passengers it serves annually to 35 million with support for a further increase to a total 43 million per annum. This will require additional personnel and support staff.

West of Braintree Garden Community

This Garden Community is being delivered in partnership with Braintree District Council and the North Essex Garden Communities Company. It is expected that 3,470 new homes will be delivered by 2033 (of which 970 will be within Uttlesford district). Braintree District has higher percentage of people working in construction, manufacturing and professional services, than Essex does as a whole.

Local Plan Preparation

Uttlesford District Council has submitted a Local Plan to the Secretary of State for Examination which is expected to take place in Summer 2019. The Braintree Local Plan has also been submitted and an Examination is due to resume in the Autumn 2019 pending the preparation and consultation of further evidence.

Scope and objectives of the Housing Strategy.

There is often a mismatch between the type of new housing being delivered (in tenure, cost, design and delivery) and objectives of creating mixed and balanced communities which provide residents with the choice to live and work locally and to take an active role in their community.

The importance of this work is not only to ensure there is a mixed and balanced range of people living from the outset in the new communities, but also to ensure that housing provision supports a strong vibrant local economy, reduces the need to travel and supports high quality sustainable lifestyles.

The project will take a different approach to the issue by focussing in on the range and type of job opportunities that will arise in the new communities (for instance in education, social care or neighbourhood business) and then examine the delivery of housing options that will be affordable and attractive to these employees. The approach will be entirely consistent with the Town and Country Planning Association Garden City principles.

In addition, the project will assess the scope for using new technologies to support and encourage remote and homeworking through the provision of measures such as neighbourhood technology hubs. Employment will be defined broadly and include activities that promote enterprise, community development and the creative arts.

Overall aims of the Garden Communities Housing Strategy:

- To prepare a study that explores how decisions on housing types and tenure can help enable economic growth in key local and public sectors as well as reduce poor air quality by commuters in private cars. This will include an analysis of deliverability and will consider how innovations in housing policy might overcome challenges associated with housing affordability.
- To deliver a housing strategy for Uttlesford District Council and across the West Braintree Garden Community that directs and supports the delivery of new homes across the three new Garden Communities to deliver mixed and balanced communities. This Strategy and the evidence provided will then guide and direct discussions with land owners and their agents.

The provision of high quality housing design is an important aspect of the local plans and it is expected that urban design advice and Design Quality Panel will address these issues during all the stages of plan making and development management.

Objectives

1. To provide a framework that delivers the Council's ambition of a mixed and balanced community. Including details of who the homes are for, tenures required and the use of innovative housing models, including community led housing schemes and the need to address affordable housing for workers.
2. The framework should include the size, tenure and densities needed, together with forms of innovative building models, including self-build or modular housing.
3. Details should include how the Garden Communities aims of economic growth and sustainability will be met.
4. The Strategy should also take into account the findings of the Letwin Independent Review of Build Out and in particular the role of different types and tenures of homes in accelerating housing delivery.

The scope of services required is as follows:

1. Provide evidence of housing need based on demographics, health status and special needs for all members of society and reviewing the evidence base of the Strategic Housing Market Assessment that is relevant in relation to the proposed size and tenure of the proposed housing accommodation.
2. Provide analysis of how innovative and community led housing models can deliver housing costs of no more than 35% of net income (including welfare recipients) in partnership with local stakeholders, including housing associations. In addition to consider the scope for self build projects.
3. Provide analysis of how welfare reforms and the removal of Housing Revenue Account borrowing cap can enable the Council's ability to build or be involved in the delivery of new affordable homes.
4. Provide an analysis of public and private employment opportunities currently available and expected in the future through the Garden Communities and in the immediate vicinity of the Garden Communities. The Councils will provide a breakdown of these jobs types, expected numbers and delivery profile/timetable. The consultant will analyse expected income levels to identify affordability levels and profile where this information is available .

5. Guidance for a revised allocations policy for social, affordable and community led housing that includes provision for workers in permanent employment within the local area taking into account a household income threshold.
6. Provide evidence of how affordable housing can support and attract new employees to support the local economy and the provision of key services within the community in line with the analysis of expected employment opportunities.
7. Guide future allocations policy based on the evidence produced in the research of this study.
8. To provide advice about appropriate delivery models based on the tenures each proposed settlement needs to include alternative home ownership products such as community led housing (eg via a Community Land Trust or co-op housing model).
9. Examine how current and expected future technology can enhance the employment provision for home working employees who those who wish to start their own business. This may include Neighbourhood technology hubs where such provision is relevant to the housing offer.
10. Deliver presentations and reports to officers and members of each authority at agreed points. The topics will include; meeting social and housing need in the new communities; housing and employment strategies working together to support the local economy; and the role of diverse housing tenures and types to deliver new communities at pace.

The following are out of the scope of this project:

1. New evidence
2. Supplementary evidence identified will be commissioned separately.
3. Primary research with stakeholders via interview

Outputs:

- ❖ Clear evidence base with non- technical language
- ❖ Presentations to Officers and Members at agreed points
- ❖ Papers for presentations and discussions
- ❖ Draft Housing Strategy wording to supplement existing district wide strategies and for incorporation in appropriate Garden Community Development Plan

Documents (including the jointly prepared West of Braintree Garden Community DPD).

- ❖ Presentation of findings to Member Governance Board.
- ❖ Detailed consultation plan, devised and implemented. Consultation to include master developers as well as key registered social landlords and other housing providers and to take account of the consultation timetable of other local plan related work. Feedback presented as part of work with Member Governance Board.

Draft Housing Strategy with Executive Summary

Provide all primary evidence with Uttlesford District Council and Braintree District Council in an accessible format, clearly labelled and catalogued.

Approach to commission and engagement/consultation.

The consultants shall be appointed in partnership with lead housing and planning officers and members from each local authority.

- ❖ The consultant to work collaboratively with the lead officer (Name) in the provision of this work.
- ❖ Bids are invited from specialists with knowledge of housing, planning and finance, as well as community and stakeholder engagement.
- ❖ Evidence of ability to work with officers and stakeholders at all levels is required, with a focus on delivering complex ideas in non-technical language.
- ❖ Bids need to demonstrate the following:
 - ❖ A thorough and excellent knowledge of current legislation and best practice in the delivery of all forms of housing, including community led housing initiatives.
 - ❖ Experience of delivering Housing Plans and policies with stakeholders and partners.
 - ❖ A thorough understanding of the housing market, both local and regional.
 - ❖ Understanding and experience of how innovative housing models can ensure long term sustainability across the length of the Local Plan.
 - ❖ Excellent skills in explaining complex information in an accessible manner, both written and oral.

- ❖ “A thorough understanding of large and complex residential led growth projects and the various positions/drivers of stakeholder involvement. “
 - ❖ Excellent engagement and negotiation and presentation skills.
 - ❖ A clear understanding of the TCPA Garden City principles.
 - ❖ A clear and strong understanding of the development industry.
 - ❖ Experience of facilitating stakeholder engagement with all sections of the community.
4. Reporting and attendance is required with the Garden Community Delivery Member Governance Board and separate update meetings with the lead officers and members of both authorities as required
 5. The contact details of a named point of contact will be required.

The selected consultants are required to provide training to Members and Officers as required.

Submission of proposals

A fee proposal is required from prospective consultants and should incorporate the following:

- ❖ A detailed plan of work is required that sets out a timeline and key milestones
- ❖ Details of staff working on the project, their skills and experience, together with their daily rates, qualifications and an up to date C.V.
- ❖ Details of how the project will be managed in the event the lead contact changes.
- ❖ A fixed fee should be provided for the whole project, with key stages broken down. Travel, subsistence and other costs should be included. Separate, additional repayments will not be made after the bid is accepted.
- ❖ A daily rate of additional work which may be required in relation to this work should be included.
- ❖ Details of how the project will be checked for quality and accuracy should be included.
- ❖ Full details are required of any work which is expected to be contracted out.
- ❖ Potential conflicts of interest should be identified and a declaration that there are no conflicts of interest with third parties or other studies that would compromise the services provided.
- ❖ Contact details (including phone/email) for two referees from similar commissions and provide details as to how these commissions were successfully achieved.

- ❖ Confirmation that the consultant has public indemnity, public liability and employers liability insurance that meets UDC’s required standards.
- ❖ Contact details (email and phone number) for the main contact at the consultancy.

Please note that the Council may require proof of financial standing prior to appointment.

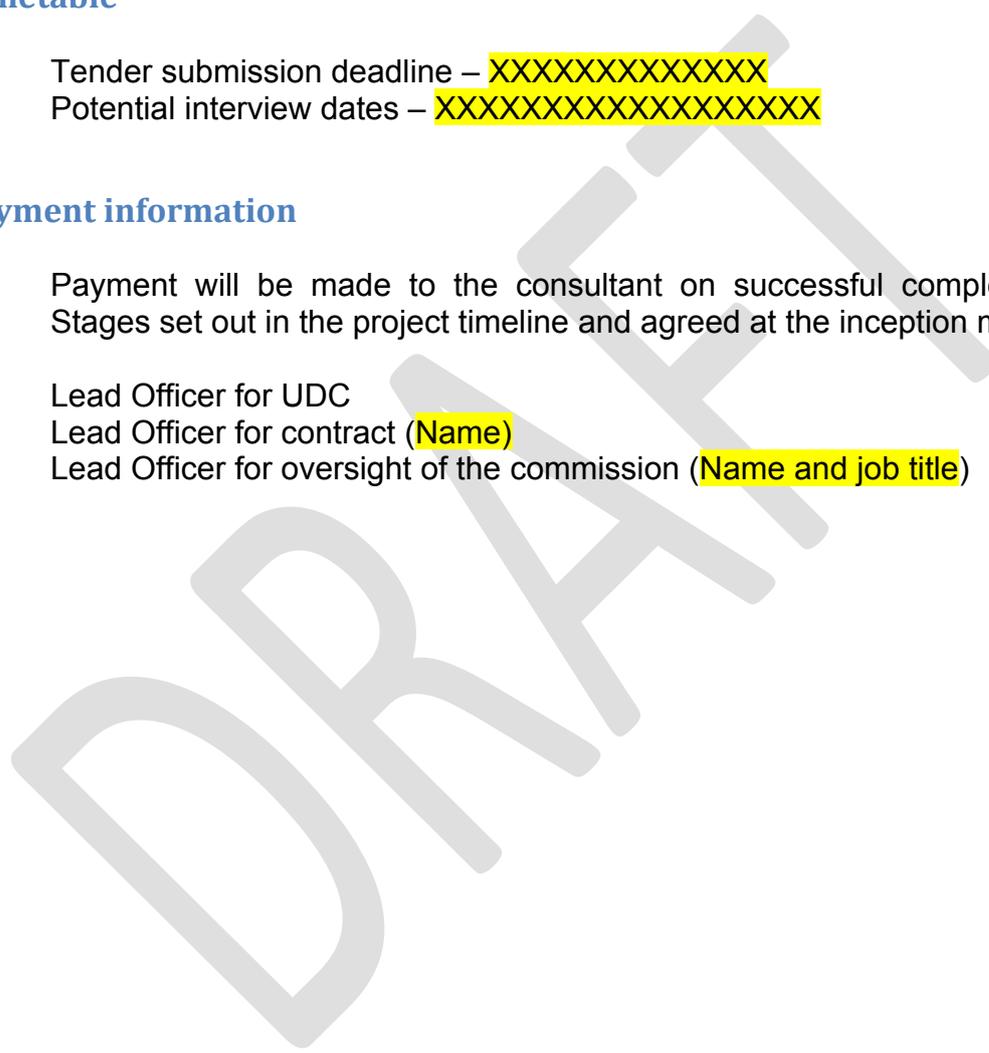
Timetable

Tender submission deadline – XXXXXXXXXXXXXXXX
Potential interview dates – XXXXXXXXXXXXXXXXXXXX

Payment information

Payment will be made to the consultant on successful completion of the Stages set out in the project timeline and agreed at the inception meeting.

Lead Officer for UDC
Lead Officer for contract (Name)
Lead Officer for oversight of the commission (Name and job title)



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Agenda Item 5

Committee: Housing Board

Date:

Title: Purchase of Development Site Thaxted Road
Saffron Walden using the Housing Revenue
Account

14 July 2019

**Report
Author:** Judith Snares – Housing Strategy and
Operations Manager - 01799 510671

Summary

1. This report details a proposal to purchase a development site in Saffron Walden, through the Housing Revenue Account (HRA) from Uttlesford District Council (UDC) General Fund.

Recommendation

2. Housing Board recommends that the development site in Thaxted Road Saffron Walden is transferred from the General Fund to the Housing Revenue Account for the consideration of £1.02million, subject to planning permission being secured for a scheme suitable for affordable housing

Financial Implications

3. Detailed in report.

Background Papers

4. HRA business plan

Housing Asset Management and Development Strategy

Impact

5.

Communication/Consultation	If the proposal proceeds this will be communicated to the local community
Community Safety	N/A
Equalities	Transfer of the site to the HRA to enable the delivery of council housing is consistent with the budgets for 2018-19 and 2019-20. These budgets have been informed by an EQIA. It would not divert HRA funds from adaptations for tenant households with a disability. The detailed design of scheme to be delivered as part of the development

	programme for council housing will be informed by consideration of the equalities implications of alternative options. Allocations of tenancies to the new homes would be in accordance with the council's allocations policy, which has also been informed by an EqIA.
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	Saffron Walden
Workforce/Workplace	Housing Development, Finance and Legal teams will need to allocate time to deliver the project

Situation

6. The opportunity has arisen for the HRA to fund a development site on Thaxted Road Saffron Walden, which could add up to 16 -18 new properties to the council's housing stock.
7. The HRA Business Plan is a part of the council's medium-term financial planning and is updated after completion of each quarterly Pooling Return submitted to DCLG. The HRA would fund the purchase of the land and build costs for this scheme from a mixture of Right to Buy (RTB) receipts and borrowing. RTB receipts need to be spent within agreed timescales so that they do not have to be returned to government with interest. The Government has recently removed the HRA borrowing cap from some stockholding authorities to enable accelerated delivery of more affordable homes in high value areas.
8. An independent valuation of the site has been carried out using the existing planning application proposals. The valuation has indicated that land prices in this area are between £3.5m and £5.5m per hectare. This site is 0.3 hectares and its location, next to a retail area, geographical layout and known contamination would put this site at the bottom range of this valuation. With these factors in mind the agreed price is £1.02m
9. Buying and developing this site would not only bring a Saffron Walden brownfield site into use, it would also increase the council's housing stock and ensure that best use can be made of RTB receipts in replacing stock lost through the RTB scheme.

10. There is a current planning application that has been submitted for this site. This will require some revisions to make the proposed properties suitable for affordable housing. The transfer of the site will however depend on a suitable planning permission being obtained.

Risk Analysis

10.

Risk	Likelihood	Impact	Mitigating actions
Not spending RTB receipts within the timescales agreed with government	3 Strong - although the HRA has a development programme, a spike in RTB sales last year has generated receipts that need to be spent on development land.	3 RTB Monies would have to be returned to government with interest which would constrain the HRA development programme	Identify development sites for purchase to enable future delivery of schemes providing further opportunities for the use of RTB receipts under a forward plan
Planning permission is not secured for an appropriate scheme to meet affordable housing needs	2 Objections have been received to the submitted scheme from statutory consultees. These will need to be resolved, but do not raise matters of principle.	2 The transfer would not go ahead	Identify development sites for purchase to enable future delivery of schemes providing further opportunities for the use of RTB receipts under a forward plan

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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Committee:	Housing Board	Date:	14 March 2019
Title:	Consultant's Brief for Housing Strategy and Allocations Policy Evidence		
Report Author:	Simon Payne, Local Plan Project Manager 01799 510465		

Summary

1. This report considers a draft Consultant's Brief for work on the future Uttlesford Housing Strategy and Allocations Policy.

Recommendations

2. That the Cabinet is recommended to approve the attached brief so that work can commence on preparing the evidence for the refresh of the Uttlesford Housing Strategy and amendments to the Allocations Policy.

Financial Implications

3. The commissioning of this consultant's work will be subject to a competitive tender. The costs of the work will be funded from provision in the Council's 2019/20 approved budget in relation to the delivery of the proposed Garden Communities.

Background Papers

4. No additional papers were referred to by the author in the preparation of this report.

Impact

- 5.

Communication/Consultation	No impact to date. Future work programme will address consultation and stakeholder programme.
Community Safety	No impact
Equalities	Positive impact given that the potential changes will support a mixed and balanced community within each Garden Community.

Health and Safety	No impact
Human Rights/Legal Implications	No impact
Sustainability	Potential positive impact given that widening the allocations policy to include workers will reduce the need to travel and also support the local economy.
Ward-specific impacts	No direct impacts
Workforce/Workplace	Positive impact given that the potential changes could also apply to workers that comply with household income criteria.

Situation

6. On 25th September 2018 the Scrutiny Committee received a detailed report about work to be done on the Council's affordable housing policy in the light of the proposed Garden Communities in the district. The Committee recommended that the work continue to allow the Uttlesford Housing Strategy to be refreshed. In particular the Committee noted the following interim ideas outlined in the report:
- changes to the affordable housing allocations policy to allow workers on permanent contracts within the district to be eligible subject to household income levels;
 - adoption of the term 'truly affordable homes';
 - consideration of eligibility to include workers within the immediate vicinity of proposed Garden Communities that adjoin the district boundary;
 - consideration of allowing under-occupation of affordable housing for families with opposite sex children below the age of 10;
 - investigate and deliver alternative intermediate home ownership products such as Community land Trust homes not delivered by Housing Association Partners; and
 - adopt strategies and policy that are adaptable over time.
7. These deliberations reflect the Council's key objectives which are set out in the Uttlesford Regulation 19 Local Plan and are derived from the Town and Country Planning Association Principles for Garden Cities and are as follows:
- to secure mixed and balanced communities from the start of the development linked with the timely delivery of social and physical infrastructure;

- to ensure that affordable housing provision not only addresses people on Uttlesford housing waiting list or those in Council or Housing Association properties but also delivers housing at suitable prices for local workers, their families and older people wanting to stay near their existing community who cannot afford market housing; and
 - to bring forward homes that meet the needs of those who will have a long term need for affordable housing including for older people.
8. Officers have now prepared a brief for obtaining the evidence for a refresh of the Housing Strategy in line with the report considered by Scrutiny Committee last September. The draft brief has been written in consultation with officers at Braintree District Council and Essex County Council to ensure consistency with emerging proposals for the whole of the West of Braintree Garden Community. It is recommended that consultants are commissioned given the amount of work involved and also the potential to bring in specialist expertise to these new areas of housing policy.
 9. It is expected that the work, and associated evidence base, will take three to four months to complete. It is recommended that the results of the work are reported back to the Housing Board and Scrutiny Committee prior to formal public and stakeholder consultation. This timing will allow the conclusions to inform the emerging Garden Community Development Plan Documents.

Conclusions

10. The attached brief covers the issues previously considered by the Scrutiny Committee and members are requested to support the brief in order to refresh the Council's Housing Strategy and Affordable Housing Allocations policy. This report will also be considered by Scrutiny Committee On 21st March.

Risk Analysis

11.

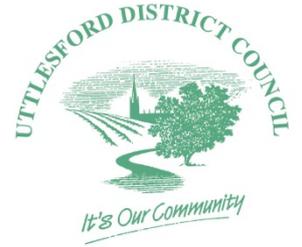
Risk	Likelihood	Impact	Mitigating actions
The local housing needs of the district are not met	3	Continued and increasing inward and outbound commuting	Prepare and improve a new policy for the Housing Strategy

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.



UTTLESFORD DISTRICT COUNCIL

TENANCY FRAUD POLICY

Introduction

With the high demand for social housing it is important that the Uttlesford District Council manages the risks of tenancy fraud effectively. The Council is committed to ensuring that our properties and those of our housing association partners are allocated to those in the most housing need and are occupied by those to whom they have been allocated.

Those who commit tenancy fraud are depriving people in genuine housing need from accessing social housing. This is unacceptable.

This policy details how the Council is tackling fraud by ensuring that the Council's housing stock is properly managed and that tenancy fraud is prevented and appropriately dealt with when detected.

Legislation

Following the implementation of the Prevention of Social Housing Fraud Act 2013, both local authorities and other registered social landlords have been given more powers to investigate social tenancy fraud. The Act creates new criminal offences of subletting, carrying a maximum sentence of 2 years' imprisonment and/or an unlimited fine, and allows the recovery of any profits made by tenants who sublet their properties.

The Council will make appropriate use of these powers, as well as utilising its ability to seek possession through the Courts under the Housing Act, and will take appropriate action when other criminal offences are committed, for example under the Theft Act 1968 and the Fraud Act 2006.

Proceedings may be brought under any relevant legislation as part of the Council's responsibility to tackle social housing tenancy fraud.

A non-exhaustive list of other legislation that can be used to combat tenancy fraud is listed below:-

- Law of Property Act 1925
- Criminal Evidence Act 1984
- Housing Act 1985 as amended
- Housing Act 1988 as amended
- Criminal Procedure and Investigations Act 1996
- Article 8, Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000
- General Data Protection Regulations and the Data Protection Act 2018

Definition of Tenancy Fraud

Tenancy Fraud can occur in a variety of circumstances and at any stage during the lifetime of a tenancy. The following list is not exhaustive but includes the main types of tenancy fraud:-

- Fraudulently obtaining a social housing tenancy by misrepresentation as to identity or personal circumstances.
- Withholding information or making a false statement when applying for a social housing tenancy
- Unlawful subletting, including subletting the whole property or multiple sublets within one property while ceasing to occupy the same.
- Non occupation by the tenant as their sole or principal home, including tenancy abandonment.
- Falsely claimed succession where a tenant dies and someone who is not eligible to succeed to the tenancy retains the property
- Unauthorised assignment of the tenancy such as an unauthorised mutual exchange or transfer of tenancy without the landlord's permission
- "Key selling" - where the tenant leaves the property and passes on the keys in return for a one off lump sum payment or favour
- Providing misleading information on identity or personal circumstances when purchasing a socially rented home under the Right to Buy

Impacts of Tenancy Fraud

Tenancy fraud can have the following harmful effects:-

- Preventing applicants in genuine need from accessing social housing, meaning they may spend longer in overcrowded or temporary accommodation
- Properties which are used fraudulently are more likely to be neglected and experience disrepair which can incur a greater level of cost for the Council to remedy when issues are identified
- Properties which are used fraudulently may be more likely to be associated with other illegal activity or anti-social behaviour
- Where a property is unlawfully sub-let, the sub-tenant may be unaware of their situation and find themselves at risk of financial losses, eviction and/or homelessness

- The Council can incur substantial and potentially irretrievable financial losses if a fraudulent Right to Buy application is not identified, in addition to the loss of a property which could have been allocated to an applicant in genuine need

Prevention of Tenancy Fraud

The Council's focus is on preventing fraud occurring and the measures that the Council takes to prevent social housing tenancy fraud includes the following:-

- Using a range of publicity methods to raise awareness of tenancy fraud amongst customers, the public and partner agencies. All applicants and tenants will be made aware that tenancy fraud is regarded extremely seriously, will not be tolerated and will be dealt with swiftly and severely. This will include warning notices placed within the standard application forms to ensure applicants are aware of the implications in providing false or misleading information
- The use of publicity as a deterrent will include articles periodically placed in the Tenant's Newsletter and on the Council's website. This will include publicity around successful prosecutions made by the Council
- Verifying information provided by the applicant on applying for social housing, or making a homeless application, or when signing up to a new tenancy. This will include checking forms of identification provided by the applicant, their tenancy history and their household circumstances
- New tenancy visits within 6 weeks of the tenancy commencing to check all correct persons have taken up occupancy
- Regular Tenancy Inspections to verify who is still in occupation
- Encourage tenants and members of the public to report suspected cases of tenancy fraud to the Council. A confidential webpage to report fraud is available
- Housing Officers will act upon reports of tenancy fraud and investigate cases using a variety of means, including ID verification, cross-reference checks and tenancy visits. Investigations will be conducted in accordance with relevant legislation to ensure that evidence gathered is admissible and collected lawfully
- Work in partnership with other service areas of the Council to cross-reference information in order to detect fraud.
- Provide data to Pan Essex data matching system. The Council also provides data for the National Fraud Initiative (NFI) which is an exercise that matches electronic data within and between public and private sector bodies to prevent and detect fraud.

Enforcement/Action

The Council's Housing Management and Legal Teams work together when social housing fraud is detected and take the most appropriate action considering the type and extent of the fraud.

In some cases it may be considered appropriate to allow the tenant to return the keys of the property with no need for further court action.

For tenants who do not surrender the property the Housing Team will instruct the Legal Team to instigate civil action through the courts serving Notice to Quit, Notice of Possession Proceedings or Notice Seeking Possession, as appropriate.

Where the Council considers that criminal prosecution should be pursued legal proceedings will be instigated by the Council's Legal Team.

Supporting sub-tenants

If a sub-tenant is discovered during an investigation the Council will support the household by offering advice and assistance which may be in the form of completing homeless application if applicable and applying to the Council's Choice Based Lettings Scheme. They will be advised of the legal process the Council will take in gaining possession of the property so that they are aware of the time scale involved for them to vacate the property.

Data sharing

The Council shares relevant information with third parties for the purposes of preventing, investigating and tackling tenancy fraud. When sharing personal information we will comply with all aspects of the General Data Protection Regulations (GDPR) and the Data Protection Act (DPA) 2018. The Council's GDPR privacy notices can be found on the Council's website at www.uttlesford.gov.uk

The Council also participates in data matching exercises such as the National Fraud Initiative in order to detect and prevent fraud, which involves all tenant data being shared with government or other social housing providers. The Council also assists government in their fraud enquiries.

Equality and Diversity

The Tenancy Fraud Policy will be operated strictly in accordance with Council policy irrespective of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership.

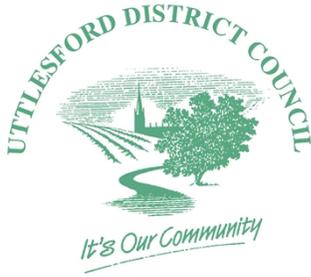
Review and Consolation

This policy will be reviewed within 24 months of implementation and prior to implementation will be consulted upon with the Council's Tenants Forum and Housing Board.

Publicity

A copy of this policy will be placed on the Council website and be available in print on request. It will be publicised to existing tenants via the Tenant's Newsletter.

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Uttlesford District Council

Fast-track equality impact assessment (EqIA) tool

What is this tool for?

This tool will help you to assess the impact of existing or new strategies, policies, projects, contracts or decisions on residents and staff. It will help you to deliver excellent services, by making sure that they reflect the needs of all members of the community and workforce.

What should be equality impact assessed?

You only need to equality impact assess strategies, policies, projects, contracts or decisions that are **relevant** to equality. If you are not sure whether your activity is relevant to equality take the 'relevance test' on Page 9.

How do I use the tool?

This tool is easy to use and you do not need expert knowledge to complete it. It asks you to make judgments based on evidence.

The tool uses a system of red flags  to give you an indication of whether or not your responses are identifying potential issues. Getting a red flag does not necessarily indicate a problem, but it does mean that your assessment is highlighting issues or gaps in data that may require further investigation or action.

If there is insufficient space to answer a question, please use a separate sheet.

General information		
1	Name of strategy, policy, project, contract or decision.	Tenancy Fraud Policy
2	What is the overall purpose of the strategy, policy, project, contract or decision?	To establish the measures the council will take to tackle tenancy fraud
3	Who may be affected by the strategy, policy, project, contract or decision? Uttlesford District Council Tenants in receipt of health related benefits	<input checked="" type="checkbox"/> Residents <input checked="" type="checkbox"/> Staff <input checked="" type="checkbox"/> A specific client group/s e.g. linked by geographical location, social economic factors, age, disabilities, gender, transgender, race, religion or sexual orientation (please state)
4	Responsible department and Head of Division.	Department: Housing Services Head of Service: Roz Millership
5	Are other departments or partners involved in delivery of the strategy, policy, project, contract or decision?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Housing Benefit, Council Tax, Legal, Audit
Gathering performance data		
6	Do you (or do you intend to) collect this monitoring data in relation to any of the following <u>diverse groups</u> ? Core monitoring data and tenants surveys	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Disability <input checked="" type="checkbox"/> Sex <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Gender Reassignment <input checked="" type="checkbox"/> Sexual Orientation <input checked="" type="checkbox"/> Religion & Belief <input checked="" type="checkbox"/> Pregnancy and Maternity <input checked="" type="checkbox"/> Marriage and Civil Partnerships <input checked="" type="checkbox"/> Rural Isolation

7	How do you (or how do you intend to) monitor the impact of the strategy, policy, project, contract or decision?	<input type="checkbox"/> Performance indicators or targets <input checked="" type="checkbox"/> User satisfaction <input checked="" type="checkbox"/> Uptake <input checked="" type="checkbox"/> Consultation or involvement <input checked="" type="checkbox"/> Workforce monitoring data <input checked="" type="checkbox"/> Complaints <input type="checkbox"/> External verification <input type="checkbox"/> Eligibility criteria <input type="checkbox"/> Other (please state): <input type="checkbox"/> None 

Analysing performance data

<p>8</p>	<p>Consider the impact the strategy, policy, project, contract or decision has already achieved, measured by the monitoring data you collect. Is the same impact being achieved for diverse groups as is being achieved across the population or workforce as a whole?</p>	<p> <input checked="" type="checkbox"/> Yes * <input type="checkbox"/> No* <input type="checkbox"/> Insufficient  <input type="checkbox"/> Not applicable  </p> <p><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p>
<p>9</p>	<p>Is uptake of any services, benefits or opportunities associated with the strategy, policy, project, contract or decision generally representative of <u>diverse groups</u>?</p>	<p> <input type="checkbox"/> Yes * <input type="checkbox"/> No* <input type="checkbox"/> Insufficient  <input checked="" type="checkbox"/> Not applicable  </p> <p><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p>

Checking delivery arrangements

10 You now need to check the accessibility of your delivery arrangements against the requirements below. Click on the hyperlinks for more detailed guidance about the minimum criteria you should meet.

If assessing a proposed strategy, policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.

	Yes	No 	N/A
The premises for delivery are accessible to all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultation mechanisms are inclusive of all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Participation mechanisms are inclusive of all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you answered 'No' to any of the questions above please explain why giving details of any legal justification.

Checking information and communication arrangements

11 You now need to check the accessibility of your information and communication arrangements against the requirements below. Click on the hyperlink for more detailed guidance about the minimum criteria you should meet.

If assessing a proposed strategy policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.

	Yes	No 	N/A
Customer contact mechanisms are accessible to all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Electronic, web-based and paper information is accessible to all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Publicity campaigns are inclusive of all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Images and text in documentation are representative and inclusive of all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you answered 'No' to any of the questions above please explain why, giving details of any legal justification.

Future Impact

12 Think about what your strategy, policy, project, contract or decision is aiming to achieve over the long term and the ways in which it will seek to do this. This is your opportunity to take a step back and consider the practical implementation of your strategy, policy, project, contract or decision in the future. As well as checking that people from diverse groups will not be inadvertently excluded from or disadvantaged by any proposed activities, it is also an opportunity to think about how you can maximize your impact, reach as many people as possible and really make a difference to the lives of everyone in Uttlesford regardless of their background or circumstances.

Is it likely to inadvertently exclude or disadvantage any diverse groups?

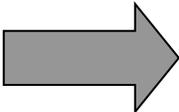
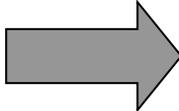
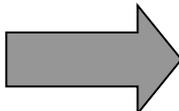
- No
- Yes * 
- Insufficient evidence 

*Please state any potential issues Identified.

OVERVIEW
70,000 residents
Demographic make up according to diverse groups.

Improvement actions	
13	<p>If your assessment has highlighted any potential issues or red flags, can these be easily addressed?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No* </p> <p><input checked="" type="checkbox"/> Not applicable</p> <p><i>*If Yes, please describe your proposed action/s, intended impact, monitoring arrangements implementation date and lead officer:</i></p>

Making a judgement – conclusions and next steps

14	<p>Following this fast-track assessment, please confirm the following:</p> <p><input checked="" type="checkbox"/> There are no inequalities identified that cannot be easily addressed or legally justified  No further action required. Complete this form and implement any actions you identified in Q13 above</p> <p><input type="checkbox"/> There is insufficient evidence to make a robust judgement.  Additional evidence gathering required (go to Q17 on Page 7 below).</p> <p><input type="checkbox"/> Inequalities have been identified which cannot be easily addressed.  Action planning required (go to Q18 on Page 8 below).</p>
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15	<p>If you have any additional comments to make, please include here.</p> <p><input type="checkbox"/> None</p>
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Completion

16	Name and job title (Assessment lead officer)	Judith Snares
	Name/s of any assisting officers and people consulted during assessment:	
	Date:	25 Apr 2019
	Date of next review:	25 Apr 2020
	<i>For new strategies, policies, projects, contracts or decisions this should be</i>	

one year from implementation.

When completed, a copy of this form should be saved with the strategy, policy, project, contract or decision's file for audit purposes and in case it is requested under the Freedom of Information Act.

Additional evidence gathering and action planning

- 17 If your fast-track assessment indicated that **complex issues** or **inequalities** were identified which could not be easily addressed, or you had **insufficient evidence** to make a judgement, you need to undertake an additional evidence gathering and action planning process. This is described below:
- (a) Gather and analyse relevant additional evidence (which may include engagement with diverse groups), to address gaps in your knowledge, enhance understanding of the issues and inform options for addressing these. Additional evidence is likely to include any or all of the following:
- Data gathering**
- Demographic profiles of Uttlesford
 - Data about the physical environment, e.g. housing market, workforce, employment, education and learning provision, transport, spatial planning and public spaces
 - Results of local needs analysis
 - Results of staff surveys
 - Research reports on the needs/experience of diverse groups
 - National best practice/guidance
 - Benchmarking with other organisations
- Consultation and involvement**
- Existing consultation findings that may provide insight into the issues
 - New, specially commissioned engagement with diverse groups
 - Expert views of stakeholders/employers organisations representing diverse groups
 - Advice from experts or national organisations
 - Specialist staff/in-house expertise.
- (b) For advice on evidence gathering or engagement with diverse groups please contact your departmental equality lead officer. Discuss any proposed consultation with your departmental equality lead officer to ensure it is coordinated with related exercises across the Council as a whole.
- (c) Use your evidence gathering, analysis and engagement with diverse groups to develop options for addressing inequalities or unmet need, consulting with relevant management teams, Members, strategic groups/partners where necessary to confirm proposed actions and resource issues.
- (d) When options for addressing any issues are agreed, if these cannot be implemented immediately integrate them into the appropriate service plan/strategic plan/multi-

	<p>agency strategy, so that it is clear how they will be delivered, when they will be delivered, by whom and how this will be monitored.</p> <p>(e) Identify how the continuing implementation and impact of the strategy, policy, project, contract or decision on diverse groups in Uttlesford will be monitored.</p> <p>(f) Having gathered evidence re-evaluate this assessment.</p> <p>(g) Following completion of the above, please confirm the following:</p>	
18	<p>The conclusions and agreed proposals: Draft policy until it has been agreed by the Tenants Forum and the Housing Board</p>	
	<p>Summary of evidence gathered, including any internal and external consultation (please include full document titles and dates of publication and consultation for audit purposes): Tenants, housing officers, members, internal audit</p>	
	<p>Date proposals to be implemented and lead officer: 01 April 2019 – Judith Snares</p>	
	<p>Where implementation is not immediate, please state in which service plan or strategy the proposed actions will be integrated: Housing Service Plan</p>	
	<p>Monitor arrangements (please include full details for audit purposes): Compints, management inspections, participation in National Fraud Initiative and Pan Essex Data Matching system</p>	
<p>Additional Comments</p>		
19	<p>If you have any additional comments to make, please include here:</p>	<p><input type="checkbox"/> None</p>
<p>Completion</p>		
20	<p>Name and job title (Lead Officer): Name/s of other assisting officers: Date: Date of next review (if any):</p>	<p>Judith Snares Housing Strategy and Operations Manager 25 Apr 2019 25 Apr 2020</p>
<p>When completed, a copy of this form should be saved with the strategy, policy, project,</p>		

contract or decision's file for audit purposes and in case it is requested under the Freedom of Information Act.