

22 March 2016 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks
Despatched: 14.03.16



Housing & Health Advisory Committee

Membership:

Chairman, Cllr. Lowe; Vice-Chairman, Cllr. Parkin
Cllrs. Mrs. Bosley, Dr. Canet, Eyre, Gaywood, Halford, Horwood, Parson, Pearsall, Scott and Ms. Tennessee

Agenda

	Pages	Contact
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Committee held on 1 December 2016, as a correct record.	(Pages 1 - 4)	
2. Declarations of Interest Any interests not already registered		
3. Actions from Previous Meetings (if any)		
4. Update from Portfolio Holder	(Pages 5 - 8)	
5. Referrals from Cabinet or the Audit Committee (if any)		
6. Disabled Facilities Grant Update	(Pages 9 - 10)	James Cox Tel: 01732227312
7. District Deal and health priorities	(Pages 11 - 14)	Hayley Brooks Tel: 01732 227272
8. Emerging legislation and related strategy	(Pages 15 - 22)	Gavin Missons Tel: 01732 227332
9. To note minutes of the Health Liaison Board To note the minutes of the meeting of the Health Liaison Board held on 2 March 2016.	To follow	

10. **Work Plan**

(Pages 23 - 24)

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227247 or democratic.services@sevenoaks.gov.uk.

HOUSING & HEALTH ADVISORY COMMITTEE

Minutes of the meeting held on 1 December 2015 commencing at 7.00 pm

Present: Cllr. Lowe (Chairman)

Cllr. Parkin (Vice Chairman)

Cllrs. Mrs. Bosley, Eyre, Halford, Horwood, Parkin, Pearsall and Rosen

Apologies for absence were received from Cllrs. Dr. Canet, Gaywood, Parson and Ms. Tennessee

Cllrs. Abraham, Hogg, McGregor, Piper, Raikes, Searles and Miss. Stack were also present.

22. Minutes

Resolved: That the Minutes of the meeting of the Committee held on 22 September 2015 be approved and signed by the Chairman as a correct record.

23. Declarations of Interest

No additional declarations of interest were made.

24. Actions from Previous Meetings

There were none.

25. Update from Portfolio Holder

The Portfolio Holder's update was noted.

26. Referrals from Cabinet or the Audit Committee

There were none.

27. To note minutes of the Health Liaison Board

The unpublished draft minutes of the meeting of the Health Liaison Board held on 25 November 2015 were tabled, which the Committee noted. The Chairman of the Health Liaison Board advised that there had been a good presentation from both Clinical Commissioning Groups (CCGs) which linked well with the Council's own priorities. There had been a good discussion with regards to the Council's own health priorities and how they could be absorbed within all the Council's activities.

28. Work Plan

The work plan was noted.

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Housing & Health Advisory Committee - 1 December 2015

29. West Kent Housing Association

The Chairman welcomed Colin Wilby Chairman of the Board of Management, and Deborah White Housing and Communities Director of West Kent Housing Association (WKHA). Members had submitted some questions in advance which had been forwarded to West Kent Housing prior to the meeting. A fuller response to questions answered by the WKHA was [given](#) to Members after the discussion.

- How do you deal with tenant's anti-social behaviour?

The Housing and Communities Director advised that there were a range of different methods used to deal with tenant's anti social behaviour which included: encouraging neighbours to talk and to take responsibility, for example by logging everything; depending on the severity of the situation there was mediation and restorative justice with a view to change behaviour. If nothing worked then they had the power to apply for an eviction as had mandatory grounds to now, however even then it had to be proved to a judge that it was reasonable and proportionate and all other routes had been exhausted. This year, from January to November 2015, 307 cases had been closed out of 315 reports. Some as there had been no evidence or had been withdrawn. In 2014 three people had been evicted due to anti sociable behaviour. This was a big step and judges did not do it lightly. In response to a question she advised that a community impact assessment was always completed, but a court order order was still required for a conviction. Cases which had been successful were where the evidence had been supported by neighbours as this had a good impact on the judge.

In response to a question on follow up practices, she advised that they encouraged people not to give up on filling out log sheets even though it could be disheartening. It was not a quick process and they tried to support people. Procedure should be followed and it should be agreed with the complainant how they were to be contacted, in what format and how often they were to be kept up to date. Unfortunately the amount of information possible to relay was subject to the Data Protection Act and this could also cause frustration

In response to question she replied that there was no mechanism for instant eviction even for a serious criminal conviction. An application could not be made until conviction and they would still have to follow the same eviction procedure.

- Are your responsibilities for dealing with anti-social behaviour detailed in any policies or tenancy agreements?

Within the tenancy agreement there was a section on the use of the property and nuisance and harassment. The tenancy agreement was what was used to demonstrate any breach of tenancy.

- Do all new tenants have a starter tenancy and can this be extended? How many tenants on average per annum, with starter tenancies are not given assured tenancies?

The Housing and Communities Director reported that all new tenants who had never been one before, were given a starter tenancy, which was fixed for 12 months, and reviewed during that period and automatically transferred to a fixed tenancy at the end of

that period. In 2014 there had been 216 starter tenancies, 14 had been extended and 4 ended. She reported that behaviour was often good during this starter period but that it was not always an indication of ongoing good behaviour. During the 12 month period the starter tenancy was reviewed at 3, 7 and 9 months. Again the same eviction procedures applied and a tenant could end up living in the property for a number of years before the eviction was approved by the courts. By law they had to give 2 months notice of requiring possession.

In response to a question on how the eviction process was funded, she advised that they asked for costs, but these were rarely received even if awarded, and on top of that there was the cost of arrears, so it was mainly funded out of rents.

The 12 month period was laid down in legislation.

- Will your new business model (rent capping/RTB) include fixed term tenancies of say 5 years?

The Housing and Communities Director reported that they had some Fixed Term Tenancies but only in certain situations and it was not something they planned to introduce. In their view it was a question of giving tenants the opportunity to invest in their community and home, but was something that would be reviewed as they would need to look at the wider impact of Fixed Term Tenancies, and the possible knock on consequences. West Kent Housing said they were happy to have a dialogue with Members as to their perceived benefit of Fixed Term Tenancies, and to look at what Members were trying to achieve but were not sure at the moment whether the benefits of Fixed Term Tenancies outweighed the current process.

The Chairman affirmed that the Advisory Committee wanted West Kent Housing to know that they believed in Fixed Term Tenancies as a mechanism to help keep the register more fluid and to aid evictions for anti social behaviour and wanted West Kent Housing to hear their voice on this.

- How many are on the Register and what is average waiting time?

The Housing and Communities Director reported that there were currently 710 applicants on the waiting list. It was noted that the list would be looked at in the Members' workshop following the meeting. Members asked why people were allowed to refuse offered accommodation, and it was advised that they were choice based lettings and if they refused more than twice they lost priority within the band they were on.

- How will you manage the new right to buy legislation? And how will you replenish your stock? Due to Planning constraints in the district will this increase the number of future developments outside the district?

The Housing and Communities Director reported that they had already sold just less than 1500. Each property sold had to be replaced but it may not be possible within the district as there was just not the available land.

THE MEETING WAS CONCLUDED AT 7.53 PM

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Housing & Health Advisory Committee - 1 December 2015

CHAIRMAN

Housing & Health Advisory Committee

22 March 2016

Portfolio Holders Report

The Portfolios three priorities for this year are:

- Completing and bedding in the Housing Strategy
- Completing and bedding in the leisure strategy
- Putting the District Public Health deal into practice

Housing

After the successful housing strategy workshops we now have a clear direction of travel (which will be presented to members of the H&HAC tonight for approval) and this will be launched at our Spring Forum. Once we have the results from our HMNA (Housing Market Needs Assessment) survey we will be able to combine the district's objectively assessed need with our members direction of travel to produce our new Housing Strategy that will be launched next year. It will also form part of the local plan. In addition the Housing stock condition survey is underway which will provide more housing intelligence.

There will not be a phase 3 of the joint Moat and SDC 'Home of your Own' scheme as Moat has had to re-evaluate its finances, staff resources and work programmes and can not commit to a phase-3.

Phase-1 was delivered through 2014/15 and the under spend was then transferred to phase-2 which has been delivered through 2015/16. We have now hit the cut-off period as all remaining completions have to take place before 31/03/16. We are likely to have 8 out of the planned 12 cases achieved by the year end. We would have likely transferred any underspend to a phase-3, as per the first year, but this has all now changed. This underspend will be returned to SDC and we are looking at other ways we can use the money to assist people onto the housing ladder.

If the government changes direction and allows councils to keep the s106 affordable housing contribution and we have a guaranteed source of funding there maybe the possibility of us delivering a similar scheme with a different partner.

Officers and cabinet members met with the two Sevenoaks MPs: Michael Fallon and Tom Tugendhat to update them on the housing strategy on Friday 15 January and updated Gary Johnson only has one ward in the District. We have been in constant correspondence with both MPs about our housing strategy and issues with the Housing & Planning Bill.

We will be hosting a Housing Forum in April to launch our new Housing Strategy and showcase our achievements such as HERO. It will focus on the King's Fund Report: *The district council contribution to public health: a time of challenge and opportunity* and how the district council is implementing the report starting with housing.

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It is also Pat Smith's grand finale as our Chief Housing Officer and a chance for her colleagues across the county to say goodbye. DCLG Minister: Marcus Jones will be attending and Michael Fallon MP will be recording a message for it. All members have been invited. The event will be sponsored.

I attended the No Use Empty Conference at KKC on 2 December and will be looking at working with Roddy Hogarth to do more with empty homes from both an economic development point of view as well as a housing one.

I met with West Kent Housing on Friday 29th January to discuss their Emerald Homes strategy going forward. Also met with Toby Fox of 3 Fox International on 5 March to discuss possible dementia plans in Swanley. Will have to meet with 3 Fox International, West Kent HA, Swanley Town Council and the SDC Master plan to move ideas forward.

Health and Leisure

I attended the singing for mental health choir at County Hall on 9 December and can see the real benefits of singing and friendship for people with mental health issues.

We held the Leisure Strategy Workshop on 18 January which was Chaired and led by Cllr Mike Horwood who leads on Leisure.

I attended the Transforming Leisure and Cultural Services – From Subsidy to Surplus conference on 23 February with Lesley Bowles to gain ideas for how we can improve our leisure facilities.

Cllr Faye Parkin chaired a dementia conference on 24 February as the council's lead member on older people. This was a well attended event and provided much needed information and a market place environment of solicitors providing services regarding Powers of Attorney, financial and wellbeing advice.

We have submitted the SDC District Health Deal bid to Andrew Scott Clark (Public Health at KCC) focussed on how we can work in partnership with them, the CCGs and Health and Wellbeing Board to keep the district health with a particular focus on our three health objectives:

- Tackling the rise of obesity
- Mental health support including tackling dementia
- Ageing well and tackling prevention of dementia development

This is currently on hold as KCC have frozen all their commissioning but we are hopeful of a positive response from the county in the future.

Margot McArthur is our new Mental Health Champion.

I met with KCC Portfolio Holder, Gary Cooke and Rebecca Spore, Head of Property at KCC; Jane Parish from Sencio, Pat Bosley, Lesley Bowles and our legal department on to try and find a solution to the problems at the Wildernesse Sports Centre. We will decide our future and then go back to sort out all the other outstanding issues. We met again in February to consider the future of the site and to tour it.

Dementia update

- Dementia friendly training for all front line staff including Dunbrik
- Dementia friendly training for taxi drivers with stickers showing they are dementia friends
- Shop safe scheme launched for people living with dementia
- Community Safety Partnership works closely with social care and refer people for care packages

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DISABLED FACILITY GRANTS UPDATE

Housing & Health Advisory Committee - 22 March 2015

Report of Chief Housing Officer

Status: For Consideration

Key Decision: No

Portfolio Holder Cllr. Lowe

Contact Officer James Cox Ext. 7312

Recommendation to Housing & Health Advisory Committee: That the report be noted.

Introduction and Background

- 1 Disabled Facility Grants (DFGs) are a mandatory grant with the legislative framework provided by the Housing Grants, Construction and Regeneration Act 1996. Since 1990 Sevenoaks District Council has been under a statutory duty to provide grant aid to disabled people for a range of adaptations to their home.
- 2 The key principle of an adaptation is to modify the home environment in order to overcome obstacles or enable independent living, privacy, confidence and dignity for individuals. Works often undertaken to ensure independent living includes stair lifts, flush floor showers through to extending a dwelling.
- 3 DFGs for adults are means tested, although grants for children are exempt from this assessment. The maximum grant is currently £30,000 with the majority of funding coming from Central Government. 15/16 SDC's DFG allocation was £477,177 with SDC providing a further £57,000.

Current position 2015/16

- 4 Current expenditure on DFGs means it is expected the entire budget of £534,000 will be spent by 31st March.
- 5 Between 1st April 2015 and 1st March 2016, 93 grants were approved.
- 6 A significant number of the applications from home owners have been assisted by using our own in house DFG advice service. This service has provided a more streamlined and holistic approach ensuring not only the DFG is provided in a timely manner but additional benefits are obtained for the

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customer through identifying other discretionary funding sources, maximising income through close working with HERO and promoting the Switch and Save scheme.

Position going forward 2016/17

- 7 The funding for DFGs has now been incorporated into the Better Care Fund and ring fenced for the administration of DFG's. It has recently been announced the allocation received by each local authorities is to be dramatically increased, for SDC our increase is 86% resulting in an allocation of £889,177. It has yet to be seen, after a recent Department of Health announcement, whether all our allocation will be available for providing mandatory DFG's.
- 8 With such an increase for 2016/17, Housing Standards are thinking how we can forge closer links with external agencies and local health providers. There is an obvious overlap within SDC between Health and Community Services and Housing Standards so both Hayley Brooks and myself are working together on how we can promote DFGs and reach groups that may have historically been overlooked.
- 9 The forthcoming year will be challenging and because of this initiatives to ensure adaptations can be undertaken in a timely manner and ensuring demand for DFGs is actively promoted are already being considered and implemented.

Key Implications

Financial

One directly arising from this report.

Legal Implications and Risk Assessment Statement

None directly arising from this report

Equality Assessment

The report is for information and the decision to note has a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

Members are asked to note the report

Pat Smith
Chief Housing Officer

DISTRICT DEAL AND HEALTH PRIORITIES

Housing and Health Advisory Committee - 22 March 2016

Report of Chief Officer Communities & Business

Status: For Information

Key Decision: No

Executive Summary: This report provides Members with an update on the potential health improvement arrangements and work on the three key health priorities

This report supports the Key Aim of reducing health inequalities and improving health and wellbeing

Portfolio Holder Cllr. Lowe

Contact Officer(s) Hayley Brooks Ext. 7272

Recommendation to Housing And Health Advisory Committee: That the report be noted.

Introduction and Background

- 1 This Council works with key partners including Kent Public Health Team, GP Clinical Commissioning Groups (CCGs), local health and social care providers and the voluntary sector to meet the Healthy Environment priorities within the Community Plan to reduce health inequalities and improve the health and wellbeing of residents.
- 2 This Council is represented by an elected Member and Officer on each of the two local Health and Wellbeing Boards (Dartford, Gravesham & Swanley and West Kent) and contributes to the operation of the Board to meet local health needs and develop partnership arrangements between Kent County Council, CCG's and District Councils to improve population health.
- 3 This Council's frontline services, public assets and local partnerships have a unique and multi-dimensional role in improving health outcomes across the wider determinants of health, health improvement and health protection with local communities.
- 4 Over the last six years, this Council has been commissioned by Public Health, which is now the responsibility of Kent County Council, to deliver a range of health and wellbeing prevention programmes.

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- 5 Officers have been working with the Portfolio Holder on a District Deal which will outline possible future working arrangements with Kent County Council to deliver locally based health prevention and improvement services as part of a partnership agreement.

Key Health Priorities

- 6 Health inequalities within this District can have a major impact on people's health. Differences in health status reflected in differing social and economic conditions of local communities can play a major part of a person's short and long term health.
- 7 This Council has a key role to play in influencing the wider determinants of health. This involves building good health practices into policy decisions and strategic plans, as well as frontline services to have a positive impact on improving health across services.
- 8 Three key health priorities have been identified for this District which include:
 - Tackling the rise of obesity
 - Supporting people's mental wellbeing and dementia
 - Supporting older people to lead fulfilled and independent lives
- 9 The Kings Fund Report outlines the greater role district councils can have on improving the health and wellbeing of local residents. Some of the key functions delivered by this Council that can play a significant role in preventing ill health include Housing, Planning, Licensing, Environmental Health, Community Safety, Economic Development and Planning.
- 10 Members will be updated at the meeting with a presentation on this work.

Key Implications

Financial

- 11 There are no financial implications for the Council associated to this report.

Legal Implications and Risk Assessment Statement.

- 12 There are no legal implications for the Council associated to this report.

Equality Assessment

- 13 No decision is required as part of this paper and therefore no perceived impact on end users.

Conclusions

- 14 For Members to consider this Council's health priorities and links with existing Council functions to holistically deliver health improvement for local residents.

Background Papers: District Council's Network - The Kings Fund Report - The district council contribution to public health: a time of challenge and opportunity:

http://www.kingsfund.org.uk/sites/files/kf/field/field_publication_file/district-council-contribution-to-public-health-nov15.pdf

Lesley Bowles
Chief Officer Communities & Business

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EMERGING HOUSING LEGISLATION AND RELATED STRATEGY

Housing and Health Advisory Committee - 22 March 2016

Report of: Chief Housing Officer

Status: For Consideration

Key Decision: No

Executive Summary: This report provides members with progress on the Housing and Planning Bill and preparations for the development of an updated housing strategy. It also provides background information for the topic discussion to enable Members to further develop the District Council's direction of travel in relation to future housing strategy.

This report supports the Key Aim of the Community Plan.

Portfolio Holder Cllr. Michelle Lowe

Contact Officer(s) Pat Smith (x7355)

Gavin Missons (x7332)

Recommendation to the Housing and Health Advisory Committee: That Members consider the report as part of the continuing development of the District Council's direction of travel in relation to future housing strategy.

Reason for recommendation: To ensure a joint Member/officer approach to the development of the District Council's next housing strategy.

Introduction/Background

- 1 There has been a radical shift in national housing policy in recent months and one which will require a very different response in local housing strategy and related planning policy.

Evidencing need

- 2 In response to the above, and led by the Portfolio Holder for Housing and Health, Members are working with officers to develop a new housing strategy.
- 3 The process commenced with a joint Member/officer committee workshop, which took place back in December 2015. Although housing activity falls

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within the remit of the Housing and Health Advisory Committee (HHAC), invites were extended to all Members to ensure a good geographical/expertise cross-representation. Through the workshop activity, the HHAC was subsequently able to determine a direction of travel in four key areas, as follows:

- I. Maximising the amount of affordable housing - being more creative with affordable housing planning gains and development methods;
 - II. Making best use of the existing housing stock - better matching of household need with housing type and influencing access to the private sector with support;
 - III. Managing housing needs - work with residents to improve behaviour; and
 - IV. Bring the District Council's work in housing, health and leisure together - minimising health inequalities by enabling suitable homes.
- 4 Within each of those four areas, Members supported officers to explore a number of individual actions/approaches as potentially interim measures. To carry the District Council over until such time as a planned housing needs study is undertaken to support the recently-completed Strategic Housing Market Assessment (SHMA). Subject to procurement, consultant availability and the project work itself, this housing needs study is expected to be complete towards the end of 2016.
- 5 The housing needs study will provide much more detailed data on key client groups including younger people, older people and a range of other vulnerable groups. The study will provide ward-level data (as per the District Council's 2006 housing needs study), though this will all be subject to cost and approval. It is hoped that the study will also cover particular property type and design aspects such as Lifetime Homes, mobile homes (occupied predominantly by older people, c700) and a range of traditional and emerging (and more digital-based) assistive technologies.
- 6 Although the study is some time away, this will allow for Government's policy changes to be confirmed and, in doing so, the new housing strategy will be able to directly respond to finalised policy very soon after its introduction and with a much stronger evidence base. It was therefore agreed as sensible to hold back on the more detailed housing strategy development until the District Council is in a much better position to plan.

Housing and Planning Bill 2015

- 7 The majority of change will be set out in the developing Housing and Planning Bill, which is yet to gain Royal Assent. That said, the policy framework is already clear enough to enable the District Council to start considering and developing its future response, as follows:

- Pay-to-Stay

- 8 Included as part of Government's recent deregulation package, HAs will be able to introduce Pay-to-Stay policies where tenants earning above £30,000 will be required to pay near-market rents through a tapering system, which is yet to be agreed. This is part of Government's plan to ensure that housing subsidised by the taxpayer goes to those most in need. At present, households can remain in social housing and continue to pay publicly-subsidised rent on lifetime tenancies as incomes grow way beyond that of a household deemed 'in need'.
- 9 Whereas stock-holding local authorities will be required to introduce a policy, HAs will have the option to do so and the District Council will have little control to either prevent or require such a policy, therefore. These policies have the potential to help free-up social housing (some tenants likely opting to move to the private sector) and also to increase revenue for HAs. This could be a timely measure to support a loss of future revenue as part of the 1% rent reduction requirement through 2016-20, and potentially beyond.
- 10 There is no confirmed early commitment by any of the District Council's HA partners to introduce such a policy, though it is expected that at least some will take advantage of the opportunity. The Chartered Institute of Housing (CIH) has recommended that income thresholds and rent levels should be set locally in line with local markets. It is also yet to be determined whether this rule would extend to supported housing schemes, though the current thinking is that an exemption will be applied.

- Right-to-Buy (2)

- 11 Introduced back in 1980, the original Right-to-Buy (RtB) applies to tenants of council-owned housing and this right still applies today. The District Council transferred its social housing stock to West Kent Housing Association (WKHA) back in 1989 and the majority of the District's social housing stock is consequently exempt from the original RtB. Tenants whose homes were built/acquired after 1996 do have a Right-to-Acquire (RtA), but discounts under this scheme are much less generous and take-up has consequently been minimal. There are around 1,300 homes in the District where tenants do still have a 'contractual' RtB, however, though this is diminishing as time goes by. The original RtB has had little effect in the District in recent years with those taking up the offer typically amounting to just two or three per annum.
- 12 Under the recent Voluntary Agreement between Central Government and the National Housing Federation (NHF), the new RtB2 is set to be extended to housing association (HA) tenants with a qualifying tenancy period (to also include RtA and RtB1 tenants) and the discount is set to be up to a maximum of £77,900 (based on length of tenancy). Unlike much of the District's traditional council housing which was built on mono-tenure estates, recent HA housing has been and continues to be built to more appealing designs (more consistent with the look of open market housing) and is mostly

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situated on mixed-tenure developments where homes are much more in demand and marketability is not an issue. As a result, tenants may be more inclined to purchase their homes and take up the new RtB2, it potentially being a good investment opportunity.

- 13 This could be further the case if Government's planned Pay-to-Stay (as per para. 8, above) is introduced and tenants on higher incomes are expected to pay near-market rents. In such cases, at least for those wishing to stay put, RtB2 could become a good and profitable option with an immediate gain in equity and comparable or cheaper monthly outgoings to existing rent payments. Government has advised that every home sold will be replaced nationally with a new affordable home, though the details of this still need to be clarified (location and caps etc).
- 14 The potential extension of RtB2 into rural areas is a particular concern, however. The District Council's rural housing programme is delivered through planning policy which can enable development on Green Belt land if the housing being built is affordable and specifically available for local people in perpetuity. As rules currently stand, this can be easily achieved through S106s and there have been no issues to date. The current rules enable a pretty failsafe mechanism, therefore.
- 15 If RtB2 were to be extended into rural areas, however, perpetuity protection would no longer exist and rural affordable housing could and probably would be lost to the private sector over time as it did in the early days of RtB1. This would not only affect existing schemes - those which were supported by the District's rural communities on the clear agreement that they were protected - but also bring to a halt any further such development in the District's rural parishes. There is the possibility of a portable discount whereby rural tenants could be given the option to purchase a social property elsewhere, though this approach would create several other issues.
 - Local connection
- 16 Adopted back in 2014, the District Council's current Intermediate Housing Policy requires that those applying for shared-ownership and other forms of intermediate housing must have a defined local connection to the District. Recently, however, Government has removed any such rules and this has had to be applied at local level, despite the District Council's existing policy position on local connection. As a result, it is to be expected that a proportion of any new or resale shared-ownership housing will be sold to people with no connection to the District - most likely to those moving out from the London boroughs and commuting back in (particularly as the income threshold has been raised to £80k). This will have an obvious effect on the District Council's strategy to meet local housing needs, though it is difficult to estimate the likely take-up from elsewhere as things currently stand.
 - Starter Homes

- 17 Starter Homes (SH) will be made available for first-time buyers aged under-40 and with no income limit - going against the key principle of affordable housing. Property values will be capped at £250,000, thereby limiting location/type in an area such as the Sevenoaks District. Homes will be sold at 20% below market value and there will be no rent applied on the unpurchased share (unlike shared-ownership, for instance). After a period of 5-years, the remaining 20% equity will be transferred to the purchaser at no cost. In its current form, this is a one-off affordable housing solution, therefore, and only for a narrow range of need.
- 18 Additionally, SHs could potentially be no more than investment opportunities for those looking for a significant and relatively short-term financial return far exceeding any typical market growth, i.e. they will gain 20% equity plus any uplift in property value during the product period. In addition, there will be no local connection for applicants and any future housing could not be secured for those with a defined connection to the area, whether that be living and/or working in the District (again, completely at odds with the District Council's Intermediate Housing Policy).
- 19 A new duty is to be placed on local authority planning departments to promote SHs and the District Council is likely to be required to provide this tenure in lieu of traditional affordable housing. This would create an issue as current evidence is based on other forms of affordable housing, firstly, with the SHMA being undertaken before this tenure was on the radar (and the District Council not asking the relevant question, therefore), and secondly, this would seriously limit choice for low-income households. As with other elements of the Bill, this is being challenged by the public sector, major lenders and other bodies such as the CIH, so there may well be a relaxation of rules - though this is all yet to be determined. This element of the Bill has the greatest potential to create wide-ranging negative effects across housing strategy and the meeting of housing need in the District.

- Fixed-term tenancies
- 20 Stock-holding local authorities will be required to introduce fixed-term tenancies and these will be set between 2- and 5-years. As a Large-Scale Voluntary Transfer (LSVT) authority (the District Council transferring its social housing stock back in 1989), it will not be able to introduce the same rules. Instead, HAs will have the option to include such a rule and the District Council can only seek to influence such action.
- 21 HAs were initially given the option to introduce fixed-term tenancies as part of the Welfare Reform Act 2012. At that time, and in direct response to the Act, the District Council introduced a tenancy policy recommending that its partner HAs introduced such tenancies. Despite the District Council's policy position on fixed-term tenancies, there was very little take-up by HAs and it appears their position on these policies remain the same. Key HA concerns are typically the monitoring, managing and enforcing of such tenancies.

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- Property disposals

- 22 As part of the deregulation package, HAs will also be given much more power in relation to social sector property disposals (District Council consent required, at present), and the removal of any disposals proceeds funds. This could potentially see some HAs selling off high-value homes in the Sevenoaks District to prop-up diminishing budgets (no capital grant for rented schemes and 1% rent reduction, for instance) and to also potentially spend any proceeds outside of the District and/or on priorities not aligned with the District Council's own.
- 23 The Welfare Reform Act 2012 had previously introduced an option for HAs to transfer tenancies when vacancies arose (social rent to shared-ownership, for instance) or to dispose of units on the open market. This was to enable HAs to generate funding from their own businesses in lieu of reduced capital funding from Government. There were very few subsequent disposals in the District, however, which was a positive in terms of housing strategy. It is difficult to tell whether this new, but related, option will see any increase in disposals in the District - though with HAs now being in a very different financial environment, this could well be the case.

Next steps

- 24 Officers will continue to monitor the passage of the Bill and respond to any subsequent changes, as and when required. In the meantime, the housing needs study will be progressed to help build up the District Council's evidence base in preparation for an updated housing strategy.

Key Implications

Financial

Any financial implications of the Housing and Planning Bill will need to be further considered and determined when we have a confirmed national policy position. A further report will be brought back to the committee at a later date, therefore.

Legal Implications and Risk Assessment Statement

Again, it is difficult to determine anything at present so a further report will be produced at a later date.

Equality Assessment

Equality will be considered throughout this project period and through the development of any housing policy associated with the Housing and Planning Act. The Housing Policy Manager will complete all relevant assessments as part of the development of housing strategy, therefore. Where potential equality issues have arisen as a result of the developing legislation, the Portfolio Holder for Housing and Health has made Central Government aware.

Sustainability assessments will also be completed as part of the development of housing strategy.

Appendices

Discussion paper to be tabled on the night

Background Papers: None

Pat Smith
Chief Housing Officer

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Housing and Health Advisory Committee Work Plan 2015/16 (as at 23.02.16)

22 March 2016	14 June 2016	4 October 2016	29 November 2016
<p>New SDC Housing Policy (based on the December workshop) for recommendation for approval (Planning Advisory Committee members to be invited)</p> <p>Update on Right to Buy</p> <p>Health Priorities - Better Care Fund (including update from CCGs)</p> <p>Health Board Liaison update - Cllr Pat Bosley</p>	<p>Housing Needs Working Group Update</p> <p>Update on Climate Change Matters</p> <p>Scrutiny Committee Report on Leisure value for money across the district</p> <p>Role of the KCC Health Overview & Scrutiny Committee (HOSC) (Cllr Brookbank)</p> <p>Swanley as a Dementia Friendly Town (Cllr Searles)</p> <p>Health Liaison Board update</p>	<p>Budget: Service Reviews and Service Change Impact Assessments (SCIAS)</p> <p>Health Liaison Board update</p>	<p>Health Liaison Board update</p>

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