14 June 2023 at 7.00 pm



Council Chamber, Argyle Road, Sevenoaks Published: 06.06.23

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Housing & Health Advisory Committee

Membership:

Cllrs. Bulford, Camp, Clack, Perry Cole, G. Darrington, Edwards-Winser, Gustard, Harrison, Hudson, Lindop, Morgan and Streatfeild

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

		Pages	Contact
Аро	logies for Absence		
1.	Appointment of Chairman		
2.	Appointment of Vice-Chairman		
3.	Minutes To agree the Minutes of the meeting of the Committee held on 7 February 2023, as a correct record.	(Pages 1 - 6)	
4.	Declarations of Interest		
5.	Any interests not already registered Actions from Previous Meetings (if any)		
6.	Update from Portfolio Holder		
7.	Referrals from Cabinet or the Audit Committee (if any)		
8.	Role of the Advisory Committee and Key Challenges	(Pages 7 - 8)	Sarah Robson Tel: 01732227129
9.	West Kent Housing Update	(Pages 9 - 10)	Sarah Robson Tel: 01732227129

10.	Intermediate Housing Policy	(Pages 11 - 20)	Liz Crockford Tel: 01732227482
11.	Gypsy and Traveller Allocation Policy	(Pages 21 - 34)	Sharon Donald Tel: 01732 227131
12.	Home Upgrade Grant (HUG) 1 update	(Pages 35 - 36)	Sharon Donald Tel: 01732 227131
13.	To note minutes of the Health Liaison Board To note the minutes of the meeting of the Health Liaison Board held on 7 June 2023.	To Follow	
14.	Work Plan	(Pages 37 - 38)	

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 227000 or democratic.services@sevenoaks.gov.uk.

HOUSING & HEALTH ADVISORY COMMITTEE

Minutes of the meeting held on 7 February 2023 commencing at 7.00 pm

Present: Cllr. Maskell (Chairman)

Cllr. Harrison (Vice Chairman)

Cllrs. Bonin, Dr. Canet, Penny Cole, Perry Cole, G. Darrington, Edwards-Winser, Esler, and Griffiths

Apologies for absence were received from Cllrs. Bulford and Clack

Cllr. P. Darrington was also present.

79. <u>Minutes</u>

Resolved: That the Minutes of the Advisory Committee held on 22 November 2022 be approved and signed by the Chairman as a correct record.

80. <u>Declarations of Interest</u>

There were none.

81. Actions from Previous Meetings (if any)

The action was noted.

82. <u>Update from Portfolio Holder</u>

The Portfolio Holder, and Chairman, presented an update on the services within their portfolio. A quarterly Homelessness and Rough Sleeping Forum was launched with partners to prevent and address homelessness. A multi-agency housing hub would be held every month, to support customers with their housing and related needs.

There had been a reduction in the number of residents in temporary or emergency accommodation, from 139 in March 2022 to 100 in December 2022. The Empty Homes Strategy action plan was approved by Cabinet in December 2022, and recruitment had commenced for an Empty Homes Energy Efficiency Officer. This would help residents facing fuel poverty and promote energy savings, and expand the amount of accommodation available.

The Healthy Walks scheme had restarted following the pandemic, and the number of Health Leaders had grown. The Council had achieved the Gold accreditation for the Kent and Medway Health in the Workplace Award. A Health in all workplaces

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policy was being developed to ensure health and wellbeing were prioritised across all Council services.

In response to questions, the Chief Officer for People & Places outlined the support provided to food banks. The Household Support Fund had provided funding to food banks. The HERO team would visit food banks and provide leaflets providing advice and links to support networks.

83. <u>Referrals from Cabinet or the Audit Committee (if any)</u>

There were none.

84. <u>To note minutes of the Health Liaison Board</u>

Resolved: That the Minutes of the Health Liaison Board meeting held 17 January 2023 be noted.

CHANGE IN ORDER OF AGENDA ITEMS

The Chairman, with the Committee's agreement, brought forward consideration of agenda item 8 (minute 85) to take place after agenda item 6 (Minute 84).

85. <u>2023-24 Sevenoaks District Health & Wellbeing Action Plan</u>

The Health Team Leader and Health & Communities Manager presented the report, which set out the Health & Wellbeing Action Plan for 2023/24. This was built on the current Action Plan and feedback from partners and stakeholders regarding the scope and opportunities for collaborative work.

The Action Plan proposed a new population health approach to planning, with an emphasis on reducing health inequalities as well as improving overall health. The three main pillars for this were the wider determinants of health, health behaviours and lifestyle, and places and communities.

In response to questions, they explained that the plan would be updated quarterly, to ensure the actions were meeting needs. The information would also be shared with Town and Parish Councils. Possible guidance for councils and community groups would be examined at the quarterly partnership meetings.

Resolved: That it be recommended to Cabinet that the Health & Wellbeing Action Plan for 2023-24 be approved.

86. <u>Homelessness Review 2022 and draft Homelessness and Rough Sleepers</u> <u>Strategy 2023-2028</u>

The Head of Housing presented the report, which presented the findings of the Homeless review and outlined the Homelessness and Rough Sleepers Strategy for 2023-28. The strategy had identified the need to increase the number of affordable homes in the District to meet the needs of residents. It aimed to

address this through prevention, intervention, and sustainable solutions, delivered alongside partnership organisations.

The consultation process gathered feedback from an online survey, consultation with Members, the new Homeless and Rough Sleeper Strategy forum, and partnership organisations. This process identified several key priorities, including the delivery of more social and affordable housing, promoting the housing options available, the information available to customers, and the importance of involving people with lived experience of homelessness in the strategy.

She outlined some of the steps taken to address these concerns. The Registered Provider Eligibility Criteria had been approved by Cabinet, which would help enable additional social and affordable housing. The Empty Homes Strategy would aim to bring more properties back into use. Face to face support was being provided at the Council Offices and the Swanley Hub, offering a wide range of support for homelessness and other issues, in conjunction with other Council teams and partners. The Landlord Incentive Scheme was being reviewed, and some successes had been had in working with landlords to transition people in temporary accommodation into 6 and 12-month tenancies. The Council was working with the Kent Housing Options Group to review temporary accommodation providers and ensure consistency and competitive rates.

The strategy would be monitored with the support of the Homeless and Rough Sleeping Strategy Forum on a quarterly basis to feed into the annual update to the Committee to ensure the services provided were meeting the changing needs of residents.

Members discussed the affordable housing need for the District. They were advised that the current Core Strategy identified a need of 423 affordable homes per year. The Housing Team was working closely with the Planning Team to promote the delivery of affordable housing in new developments.

Resolved: That

- a) The feedback received from the public consultation be noted; and
- b) It be recommended to Cabinet that the draft Homelessness and Rough Sleepers Strategy be adopted.

87. <u>Application Of Additional Designated Rural Area Status In Relation To Core</u> <u>Strategy Policy SP3</u>

The Housing Strategy Manager presented the report, outlining the additional Designated Rural Area status designations successfully applied for via the Secretary of State, which came into force in December 2022. 17 Parishes were now fully designated as rural areas, and 10 were partially designated.

The Housing Strategy Manager explained that applying these new designations in relation to Core Strategy SP3 would apply the affordable housing obligation on the lower site threshold of 6 to 9 homes within these areas. This would maximise affordable housing contributions from smaller sites, which could then help deliver

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affordable housing in other areas across the District. This would not impact the rural exceptions housing programme.

Members were advised that affordable housing could be provided on Rural Exception Sites within these areas. These sites would have planning constraints and would be delivered for local residents in perpetuity.

Resolved: That it be recommended to Cabinet that the additional Designated Rural Area status conferred by the Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) Order 2022, as set out in Appendix A, in relation to Core Strategy Policy SP3 (Provision of Affordable Housing), be approved.

88. <u>Scope for Council's Energy Efficient advice</u>

The Housing Strategy Manager presented the report, which outlined the pilot energy efficiency advice service as proposed by the Committee in November 2022. Further work would be undertaken to create a draft service plan for consideration, including resource and finance implications.

The Committee discussed the potential for a service where officers would visit residents, survey their properties with a thermal imagining camera, and provide advice regarding energy efficiency. This paid service would not detract from the free services provided to households that needed support. The Housing Team were examining methods of signposting energy efficiency frameworks to contractors.

Members discussed the report, with consideration towards the positive relationship between the service and the Council's Net Zero ambitions.

Resolved: That

- a) The details of the scoping report be noted; and
- b) That the continued examination of options and costs/potential income associated with providing an Energy Efficiency Advisory Service to residents be endorsed.

89. <u>Home Straight Project Update</u>

The Housing Strategy Manager presented the report, and updated the Committee on the Home Straight Service. The service was provided as part of the Town and Country Housing Association's Home Improvement and Support Team, and was funded through the Better Care Fund. The service had seen an increase in the number and complexity of cases it dealt with since the pandemic. A dedicated Home Straight Officer was appointed to better address these cases, and had 28 live cases.

The Home Straight Officer worked in partnership with internal and external teams to provide a holistic approach to addressing hoarding. A key element of this was help with life skills, to ensure that properties are maintained once cleaned.

In response to questions, it was explained that referrals could be made by anyone, not just partnership organisations, and that they were tenure-blind. All referrals would be investigated. The Committee discussed the difficulties of changing behaviour. They considered the opportunities for expansion, identifying cases without waiting for referrals, against the limitations of resources.

Resolved: That

- a) The details of the report and the information regarding the Home Straight Service be noted; and
- b) That an update be presented to the Housing & Health Advisory Committee at a future meeting.

90. Work Plan

The Work Plan was noted, with the following additions:

14 June 2023:

- Home Upgrade Grant (HUG) 1 update
- Energy Efficiency project update
- West Kent Housing update

12 September 2023:

- Homes for Ukraine scheme update
- Sevenoaks District Health and Wellbeing Action Plan quarterly update

21 November 2023:

- Sevenoaks District Health and Wellbeing Action Plan quarterly update
- Rough Sleeper Initiative Fund Year 1 update
- Housing Strategy one year on

23 January 2024:

• Sevenoaks District Health and Wellbeing Action Plan quarterly update

THE MEETING WAS CONCLUDED AT 9.06 PM

CHAIRMAN

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ROLE OF THE ADVISORY COMMITTEE AND KEY CHALLENGES

Housing and Health Advisory Committee - 14 June 2023

Report of: Deputy Chief Executive and Chief Officer - People and Places

Status: For Information

Key Decision: No

Portfolio Holder: Cllr. Perry Cole

Contact Officers: Sarah Robson, Ext. 7219

Recommendation to Housing and Health Advisory Committee:

That the report be noted.

Introduction and Background

- 1 The purpose of this report is to provide details of the role of the Committee and the areas of responsibility including the key issues and challenges facing those areas.
- 2 The Terms of Reference are listed below and there will be a short presentation explaining the relevant service areas.

Terms of Reference

- 3 The following terms of reference are taken from Appendix R of the Council's Constitution.
- 4 Each Cabinet Advisory Committee shall:
 - (a) undertake policy initiation and development;
 - (b) consider such other matters as are referred to it by the Portfolio Holder;
 - (c) at the request of either Cabinet or the Audit Committee carry out specific research and development projects and to submit recommendations to Cabinet; and
 - (d) develop and approve its annual work plan ensuring that there is efficient use of the Committee's time.

- (e) The Cabinet Member be requested to provide a report to each meeting outlining their activities since the previous meeting and any decisions they intend to take in the following three months.
- 5 Within the areas of responsibility of: Housing Strategy and Policy, Housing Standards, Housing Needs, Homelessness, Empty Homes, Gypsy and Travellers, Disabled Facilities Grants, Health, Energy Efficiency, Fuel Poverty, HERO, Wellbeing.
- 6 The Cabinet Advisory Committees are to ensure that there is mutual respect and co-operation with all other Committees within the Council.

Key Implications

<u>Financial</u>

None.

Legal Implications and Risk Assessment Statement

None.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices	
None	
Background Papers	
None	

Sarah Robson

Deputy Chief Executive and Chief Officer - People and Places

WEST KENT HOUSING UPDATE

Housing & Health Advisory Committee - 14 June 2023

Report of: Chief Officer People & Places

Status: For Information

Also considered by: N/A

Key Decision: No

Executive Summary: Tracy Allison, Chief Executive from West Kent Housing will be updating members about West Kent Housing

This report supports the Key Aim of: Community & Corporate Plan

Portfolio Holder: Cllr. Cole

Contact Officer(s): Sarah Robson, Ext. 7129

Recommendation to Housing & Health Advisory Committee

To note the report

Introduction and Background

1 West Kent Housing has the majority stock of housing in the Sevenoaks District. Tracy Allison will be providing an update for Members.

Key Implications

None to SDC.

Legal Implications and Risk Assessment Statement.

None

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

Wellbeing

This document supports wellbeing.

Conclusions

For the Committee to note the report

Appendices

None

Background Papers

None

Sarah Robson

Deputy Chief Executive and Chief Officer - People & Places

INTERMEDIATE HOUSING POLICY

Housing & Health Advisory Committee – 14 June 2023

Report of: Chief Officer - People and Places and Chief Officer - Planning and Regulatory Services

Status: For Decision

Also considered by:

• Cabinet - 13 July 2023

Key Decision: Yes

This report supports the Key Aim of: The emerging Local Plan 2040 and the Housing Strategy 2022-2027

Portfolio Holder: Cllr. Perry Cole

Contact Officer: Sharon Donald, Ext. 7131

Recommendation to Housing & Health Advisory Committee:

Comments are sought on a draft intermediate housing policy applying to Discounted Market Housing and proposed revisions to the Council's adopted local First Homes policy.

Recommendation to Cabinet:

That, subject to any comments, the draft intermediate housing policy applying to Discounted Market Housing and proposed revisions to the adopted local First Homes policy, be approved and adopted for implementation.

Reason for recommendation: To ensure housing policy helps to deliver a sustainable economy through the provision of a range of new affordable intermediate housing, thereby assisting local working people who are in housing need.

Introduction and Background

- 1. The National Planning Policy Framework (NPPF) sets out a range of intermediate housing tenures to help secure homes for working households. These include Shared Ownership housing, Discounted Market for Sale Housing and First Homes. A local First Homes policy was approved by Cabinet in December 2021. Local policy applying to Shared Ownership housing has been in place since 2013/14 via an Intermediate Housing Protocol (Portfolio Holder decision No. 36 and subsequent updates).
- 2. The current Sevenoaks Intermediate Housing Protocol April 2023, sets out the local policy parameters applying to the intermediate housing tenures of Shared Ownership housing and First Homes. The Protocol includes applicant eligibility, local connection criteria, how homes are to be re sold in future and the discount retained, etc. Currently there is no local policy for Discounted Market for Sale Housing, (referred to within this report as "Discounted Market Housing"), meaning the Protocol is silent on this tenure. This creates an information gap for customers both planning applicants and individuals wishing to get onto the property ladder. The intention of this report is to take forward a draft local policy for Discounted Market Housing which, if approved, will be included within the Protocol. The report also sets out proposed revisions to the adopted local First Homes policy, which are being put forward following a review of the policy after its first year of operation.
- 3. Discounted Market Housing

Discounted Market Housing is, in many respects, similar to the First Homes tenure. It comprises open market homes which are sold direct by the housebuilder to eligible buyers at a discounted price, where the percentage discount and eligibility criteria remain in place for future buyers. Based on current and emerging local plan policy, it is anticipated the level of homes provided as Discounted Market Housing will be very limited. The local First Homes policy parameters have therefore been used wherever appropriate.

The suggested draft local policy for Discounted Market Housing is:

- Discount to be set at a minimum of 30% of Open Market Value. The NPPF sets a minimum discount of 20%. The suggested 30% discount is as per the recommended revision to local First Homes policy and will provide consistency across the intermediate housing tenures;
- Individual applicant eligibility to be the same as for Shared Ownership housing, as set out on the <u>GOV.UK</u> website. Applicant eligibility is based on current home ownership status and a household income cap of £80,000 per annum. It is considered the proposed Discounted Market Housing applicant eligibility criteria will reach a wider pool of applicants than allowed for under First Homes, as this tenure is open to first time buyers only. A greater number of customers can therefore be assisted onto the property ladder through low cost home ownership;

- Exceptionally, and at the specific request of the District Council, the house-builder to be required, at first sale, to attempt to sell the homes, at the discounted price, within a prescribed marketing period, to a partner Registered Provider. This may enable the Registered Provider to convert said homes into social housing. This provision will be of particular interest where Discounted Market Housing homes are being provided voluntarily by the house-builder (as is proposed at the Sevenoaks Gas Holders application site), as the Registered Provider would be eligible to apply for Homes England grant funding. If a sale is not achieved to a Registered Provider within the prescribed marketing period, the homes would be made available for sale to individual applicants who meet the eligibility criteria;
- No price cap to be applied at first sale. This is a major difference to First Homes where a price cap of £250,000 applies. The price cap, when considered against local market values, prevents a wider range of homes being provided as First Homes. The absence of a price cap should allow for larger family sized homes to be provided as Discounted Market Housing;
- All homes must be deliverable within the confines of the household income cap. In other words, the maximum mortgage required by an eligible applicant for any given home must be viable on an annual household income of up to £80,000, or such cap applying at the time of sale;
- Local connection criteria to be applied for the first 6 months of marketing, for both first sales and re-sales. This is as per local First Homes policy. Specified members of the Armed Services will also be deemed to meet the local connection criteria. This is as per the policy applying to Shared Ownership housing;
- The District Council to charge individual eligible applicants a fee of up to £500 for processing applications, this is as per local First Homes policy. The District Council will be required to assess and authorise "authority to proceed" (with the sale) and "authority to exchange contracts". A number of local authority partners have processed an inaugural batch of First Homes sales. This work is reported to be complex and time consuming. Subject to the quantum of First Homes and Discounted Market Housing sales coming through, it is hoped the application fee may enable additional staff resources to be secured. There is very limited capacity within current staff resources;
- The tenure and its attributable S106 model clauses, to otherwise operate exactly as per local First Homes policy;
- 4. First Homes Policy

A local First Homes policy was adopted following Cabinet approval in December 2021. During the policy's first whole year of operation, we have gained valuable experience from negotiating First Homes on a number of planning application sites. This includes the inaugural First Homes, which are included as part of the outline permission at Broom Hill, Swanley (details are provided on the <u>Affordable Housing page</u> of the website). The policy has also been considered as part of the high-level viability work for the emerging Local Plan 2040. Finally, mortgage market conditions have changed dramatically during the past year and these have an important bearing on policy.

Revisions to the local First Homes policy are therefore suggested as follows:

- Discount to be re-set to a "minimum of 30%". The national First Homes policy requires a minimum discount of 30%. National Planning Policy Guidance does not allow for discounts to be considered on a case by case basis, meaning a single level of discount must be applied across the District. Since December 2021, experience demonstrates the current local First Homes policy prescribed discount of 50% is frequently not achievable. Or, where a 50% discount is achievable, it "squeezes out" other affordable housing tenures which are in greater priority need within the District;
- The National Income Cap of £80,000 per annum to be used and reference to the Local Income Cap (£56,250 per annum), removed from local policy. Within the mortgage market, lenders are taking a robust view on affordability stress testing of applicants, particularly first time buyers. Interest rate rises have exacerbated matters further. The Local Income Cap is now considered insufficient to sustain a high loan to value mortgage supporting a purchase price of £250,000. The National Income Cap already applies to Shared Ownership housing and is recommended for Discounted Market Housing. Its application to First Homes will ensure consistency across all intermediate housing tenures.
- 5. Both Tenures

The policies set out above will apply to planning applications submitted after Cabinet approval is given, but will not apply to any application submitted after this date where there has been significant pre-application engagement.

Other options Considered and/or rejected

None.

Key Implications

Financial

None.

Resource (non-financial)

Local authorities participating in the Homes England First Homes pilot programme, have expressed concerns over their capacity to administer First Homes sales. This will equally apply to sales under the Discounted Market Housing tenure. By charging individual eligible applicants an administration fee, we hope to mitigate such capacity concerns.

Legal Implications and Risk Assessment Statement.

First Homes is a mandatory tenure under Government policy.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

The adoption of a local policy in relation to Discounted Market Housing and revisions to adopted local First Homes policy will ensure that, within the constraints of national policy, Sevenoaks District Council is best placed to deliver a sustainable economy through the provision of a range of new affordable intermediate housing, for local working households.

Appendices		
Appendix A - Sevenoaks Intermediate Housing Protocol April 2023		
Background Papers		
None		

Sarah Robson

Deputy Chief Executive and Chief Officer – People & Places

Richard Morris

Deputy Chief Executive and Chief Officer – Planning & Regulatory Services.

Appendix A

Sevenoaks District Intermediate Housing Protocol

Introduction

This protocol sets out the local policy applying in the Sevenoaks District to Intermediate Housing, specifically the low cost home ownership options of First Homes and Shared Ownership Housing.

First Homes offers first time buyers the opportunity to purchase a discounted, new build home. First Homes are offered for sale by the house builder. Find out more about First Homes.

Shared Ownership housing is offered for sale by Registered Providers of Social Housing, formerly known as housing associations. It allows an applicant to purchase a share of a property. This share can range between 10% and 75% and the price of the share is based on the property's open market value. The applicant then pays a subsidised rent to the Registered Provider on the remaining unowned share. Applicants have the opportunity to purchase further shares, this is known as 'staircasing'. Only the applicant and their household live in the property – the home is not shared with anyone else. Find out more about Shared Ownership housing.

Policy aims and objectives

- To establish a policy that is flexible, non-discriminatory and responsive to local needs, while contributing to inclusive and sustainable communities.
- To establish an efficient, transparent, fair and effectively controlled basis for the processing of applications.

First Homes – Local Policy

Discounted Price

First Homes are offered at a discount of 50% of the open market value of the property, unless otherwise agreed by us. The maximum price of a First Home on initial sale, after discount, is £250,000. The percentage discount will apply to a First Home forever and will be passed on every time the property is sold. In practice, this means the current owner will receive 50% of the open market value of the property when sold.

Priority for First Homes

When a First Home is marketed for sale, applicants with a local connection to the District, armed forces personnel and local essential workers, will be given priority.

Armed forces personnel includes active members of the Armed Forces, divorced/separated spouses or civil partners of current members of the Armed Forces, spouses or civil partners of a deceased member of the armed forces (if their death was wholly or partly caused by their service) and veterans within five years of leaving the armed forces.

Local connection, "close family" and who qualifies as a local essential worker, are set out in our <u>Housing Allocations Policy</u>. Close family must be resident in the District for at least three continuous years before the date of application.

Applying for a First Home

You must be a first time buyer. This means you and anyone you're buying with, must not own a home now or have owned one in the past, in the UK or abroad.

Your annual household income must be less than £56,250 (this income cap applies during the initial marketing period only) or less than £80,000 when the initial period has ended.

You will need a minimum 5% deposit and a mortgage to cover at least 50% of the purchase price.

The Council will charge the applicant applying to buy the First Home a one off, non-fundable fee of up to £500, to cover the cost of processing their application.

• Initial/First Sale

First Homes are marketed directly by the house builder usually on their own website or on home buying websites. Each house builder will usually have a sales office on site.

Once you have found a First Home that is available for sale, speak to the housebuilder's sales team. They need to carry out initial checks before forwarding your application to us. The Council is unable to process any application until it receives this information from the house-builder.

Resale

A First Home owner can put their property on the market at any time and this is likely to be through an estate agent. The home will need to be marketed as a First Home, at a discounted price, to those priority groups set out above, for a specified period of time. Full details will be provided in the title deeds relating to your property and will be clarified by the conveyancer acting for you.

Shared Ownership Housing – Local Policy

Find out more about <u>Shared ownership homes on the GOV website</u>.

Eligibility Criteria – "Eligible Applicants"

• See who can apply on the GOV website.

- Applicants must be able to afford the initial costs of purchase through savings or access to funds or such other reasonable amount stipulated by the Registered Provider.
- Applicants must have a bank or building society account.
- In the case of shared ownership housing developed specifically for older people, applicants must be at least 55 years old.

Prioritisation of applicants

• Initial/First Sale

The Registered Provider will consider eligible applicants in accordance with Homes England guidance and in the following priority order:

- 1) Serving members of the armed forces. Your offer may be prioritised if you previously served in the armed forces. It depends on what your role was. Please speak to the Registered Provider.
- 2) For an agreed marketing period of 8 weeks, the Registered Provider will give priority to applicants with a "local connection" to the Sevenoaks District (see below). The Registered Provider will advise the Council when the eight week period commences and ends. The Registered Provider will advise us of the number of homes sold to applicants with a local connection.
- 3) Following the end of the agreed marketing period, all other eligible applicants.

For Shared Ownership housing provided on a Rural Exception Site, additional criteria will apply. Please speak with the Registered Provider.

Re-Sales

A shared owner can sell their Shared Ownership Home at any time.

If the owner has 'staircased' their ownership and now owns 100% of their home, they can sell it on the open market. For example, through an estate agent. Different rules apply if the home is located on a Rural Exception Site. Please speak with the Registered Provider.

If the shared owner does not own 100% of their home, they must tell their Registered Provider landlord if they want to sell their home. This gives the Registered Provider the opportunity to find a buyer for their home. This is known as the "nomination period". The shared owner's lease will set out how long the nomination period will be in operation for this will either be a period of four weeks or eight weeks. At the end of the nomination period, if the Registered Provider has been unable to find a buyer, the shared owner can sell their home on the open market. For example, through an Estate

Agent. Different rules apply if the home is located on a Rural Exception Site. Please speak with the Registered Provider.

When prioritising applicants during the nomination period, the Registered Provider will follow the prioritisation of applicants as set out for initial and first sales, above. The Registered Provider will advise when a re-sale become available for sale. The Registered Provider will advise us if the home is sold to an applicant with a local connection.

Local Connection Criteria

Local connection to the District is set out in our <u>Housing Allocations Policy</u>.

Where homes are provided on a Rural Exceptions Site, a local connection to the relevant Parish will be required. Please speak with the Registered Provider for details. It should be noted, certain personal data may need to be shared with the relevant Parish Council(s) for the purpose of verifying an applicant's local connection to the Parish in question.

Sale of homes to District Council staff or Registered Provider staff/Board Members

When carrying out the initial assessment of an applicant's eligibility, the Registered Provider will ascertain whether the applicant is a member of staff or Board Member, or is a member of staff of the District Council. This is referred to as the "specified link". In all such cases, the following will be adhered to:

- If the specified link is with the Council, an applicant must be approved by the Council's Head of Housing before an offer of sale is made.
- If the specified link is with the Registered Provider, an applicant must be approved by a senior officer from the Registered Provider before an offer of sale is made.
- Applications will not be treated with any preferential treatment. The Registered Provider will scrutinise their applications to ensure accountability, fairness and justification for their case to proceed.
- Any staff member of the Registered Provider involved in processing the sale of the home, must have no personal relationship to the applicant.
- A Board Member must have no influence in the sale or allocation of a home or funding for the particular scheme.
- If approval to proceed with the specified link is given, the Registered Provider should keep a record of this approval on file.

April 2023

GYPSY AND TRAVELLER ALLOCATION POLICY

Housing & Health Advisory Committee – 14 June 2023

Report of: Chief Officer - People and Places

Status: For Decision

Also considered by:

• Cabinet – 13 July 2023

Key Decision: Yes

Executive Summary: The Sevenoaks District Housing Allocation Policy (SDHRAP) was approved by Cabinet on 7 July 2022 and adopted by Full Council on 19 July 2022. As part of the consultation and adoption of the SDHRAP, it was recommended that applicants for vacant pitches on the Romani Way, Hever Road traveller site would be required to join the Housing Register, in the same way that all other applicants requiring housing assistance are required to do and that a bespoke allocations policy would be prepared for the letting of pitches on this Council-owned site.

This report supports the Key Aim of: The Housing Strategy 2022-2027 and the Sevenoaks District Housing Register Allocations Policy 2022-2027

Portfolio Holder: Cllr. Perry Cole

Contact Officer: Sharon Donald, Ext. 7131

Recommendation to Housing & Health Advisory Committee:

To consider the draft Gypsy and Traveller Allocation Policy

Recommendation to Cabinet:

That, subject to any comments, the draft Gypsy and Traveller Allocation Policy, be approved and adopted for implementation

Reason for recommendation: To align the allocation of pitches at Romani Way, Hever Road with the SDHRAP. To set out how we will prioritise applicants and ensure that those who have a recognised housing need and are eligible for housing at Romani Way are able to apply. To make sure that pitches are allocated in a fair and transparent manner to households who are eligible and fall within the required definition.

Introduction and Background

1 The Council-owned Gypsy and Traveller site at Romani Way, Hever Road, Edenbridge, consists of 16 pitches. Currently applications for housing on the site are made directly to the Private Sector Housing Team, with details held on file and allocated in date order (subject to required checks).

During the consultation process for the Sevenoaks District Housing Register Allocations Policy 2022-2027 (SDHRAP), the current method for application and allocation of vacant pitches at Romani Way was reflected upon. The current method had been put in place prior to the introduction of Kent HomeChoice (Choice Based Lettings) which is used for the application and allocation of social housing.

With the approaching implementation of a new SDHRAP for the District and taking account of how social housing is now allocated, it was felt necessary to review the process for Romani Way and put a bespoke allocation policy in place for the allocation of vacant pitches.

2. Progress to date

Following research of current Gypsy and Traveller Allocation Policies and consultations, a draft policy has been prepared.

The draft policy seeks to deliver a sustainable community at Romani Way, whilst taking account of housing need and with a local connection criteria being included to embrace the culture of the gypsy and traveller community.

Officers from SDC met with residents of Romani Way on 22 March 2023, to discuss the emerging policy and to better understand their priorities for the site. The meeting was well attended and positive.

The main points of the Allocation Policy were considered and discussed. This included:-

- All interested applicants will need to apply to join the Housing Register and provide all required documentation prior to inclusion;
- Registered applicants will be prioritised using the SDHAS Banding criteria and placed into the relevant Band;
- Close family connections and length of time on the original waiting list will be taken into account;
- It is anticipated that vacant pitches will be advertised on Kent HomeChoice (subject to the new software being in place in time) – if this is not possible, vacant pitches will be advertised on the Council's website;

- Following advertisement, a shortlist of the top 3 applicants will be considered by a panel;
- The panel which will consist of officers from the Accommodation Team and an independent advocate for the residents of Romani Way.

The consensus of residents attending the meeting was that the introduction of a new Gypsy and Traveller Allocation Policy would be a fair and transparent method of allocating pitches when they become available at Romani Way.

Other options Considered and/or rejected

None.

Key Implications

Financial

There are no financial implications arising from this report.

Resource (non-financial)

Actions and progress to date have been delivered within existing resources.

Legal Implications and Risk Assessment Statement

The current application procedure is open to challenge. Introducing a revised process which is in line with the Council's overarching SDHRAP will ensure the method is open and transparent and meets current legislation.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

The existing allocation policy has been in place for many years and precludes the introduction of Kent HomeChoice – the Choice Based Lettings function for the allocation of all social housing in Kent. The introduction of a bespoke allocation policy for housing at Romani Way, Hever Road takes account of the Council's SDHAP whilst considering the culture of the gypsy and traveller community. The new policy

will bring the process in line with the advertisement and letting of social housing within the district and provide a fair and transparent method of allocating pitches when they become available.

Appendices

Appendix A - Gypsy and Traveller Allocation Policy

Background Papers

None

Sarah Robson

Deputy Chief Executive and Chief Officer - People & Places



Sevenoaks District Gypsy and Traveller Allocation Policy Romani Way, Edenbridge TN8 5NQ

1 Introduction

Sevenoaks District Council has one Gypsy and Traveller site situated at Romani Way, Edenbridge which consists of 16 pitches.

The Sevenoaks District Council's Gypsy & Traveller Allocation Policy is linked to a range of Council policies, schemes and strategies including the Sevenoaks District Council's Allocation Scheme (SDCAS) 2022. This Allocation Policy sets out the principles, procedures and decision making for pitch allocation at Romani Way.

The demand for pitches in the Sevenoaks District is often greater than the number available. This Allocation Policy describes how the local authority will prioritise applicants to ensure that households with a recognised need are able to register and sets out who is and who is not eligible to join the waiting list. how this assessment will be made and how decisions for the allocation of pitches will be made.

2 Aims and Approach

The Council has a duty to take account of housing need whilst ensuring effective management of the Romani Way site is not prejudiced.

This policy aims to make sure that pitches are allocated in a fair and transparent manner to households who are eligible and fall within the definition of gypsy and travellers as defined below, because they are homeless, vulnerable and have priority need, and to those who may have great difficulty in securing pitches on privately owned traveller sites with planning consent.

Allocation to pitches will be made to those households who fall within the following definition:-

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their families or dependants educational or health needs or old age have ceased to travel temporally or permanently, and all other persons with a cultural tradition of nomadism and/or caravan dwelling'.

Romani Way is specifically designed to meet the needs of the local gypsy and traveller community and we aim to support and enable a balanced community that is safe, and sustainable.

3 Eligibility

The following people/households are eligible to make an application to be considered for inclusion on the Council's Gypsy and Traveller register:

- Are from a Gypsy and Traveller background (see definition above)
- Be aged 18 or over
- Be currently living in the Sevenoaks District and have been resident for a continuous period of three years at the point of application. This does not include households placed in temporary accommodation under the homelessness legislation or Children Act 1989
- Be currently employed in the District, and your place of work is within the District and you have been working within the District continuously for the last three years at the point of application
- Be self-employed, where documentary evidence shows at least 50% of your work is within the District, and this has been the case continuously for the last three years at the point of application
- Be an applicant for whom we have accepted the main housing duty under the homelessness legislation (s193 Housing Act 1996)
- Members of the gypsy and traveller community who are transitory will have their application assessed on priority need
- People who apply as qualifying persons and meet the criteria because of exceptional circumstances or special needs, regardless of their previous address.

The following exemptions to the above eligibility criteria may apply:-

- Applicants who have previously lived in the District
- Applicants who have close family connections i.e. children, parents, grandparents or siblings only where those connections continue to exist.

The following households are not eligible for inclusion on the Council's Gypsy and Traveller register:-

- Those people or persons who do not meet the definition of Gypsy and Traveller as described above.
- Any person applying for a pitch in their own right who is under 18 years old unless they have a trustee and are deemed as having a priority need. Any person who is ineligible under the law because they are subject to immigration controls or who is ineligible for housing assistance.
- Any known and proven perpetrators of anti-social behaviour.

Existing family groupings will be considered when allocating pitches to new pitch occupiers to minimise potential conflict, both within the Romani Way site and with residents living nearby.

4 Procedure

Making an Application

Applicant(s) who meet the eligibility criteria can be considered for inclusion on the Gypsy and Traveller register. Everyone who wants to be considered must carry out the application process set out below:-

- Follow instructions on how to apply for housing on the online application form
- Provide original documents to verify your identify and current housing circumstances
- Provide information to prove that the eligibility and qualification rules can be met
- Complete any supplementary forms that we may send or answer further questions that we ask you.

Council officers in the Accommodation Team can assist with completing applications if required.

Verification checks will be carried out by the Council's Accommodation Team.

Applicants cannot be placed on the Gypsy and Traveller register prior to verification or without receipt of all information requested.

Joint applicants will need to meet the eligibility qualification and information provision for both parties.

This process ensures that all applicants are assessed in a transparent and consistent manner, that we have all the information needed about the applicant(s) household and current circumstances.

5 Who can be included on an application

The policy allows the following household members to be included in a household application:-

- Main applicant
- Applicant's spouse, civil partner or unmarried partner in a genuine and longstanding relationship
- Children under the age of 18 whose main residence is with the applicant(s) and who is financially dependant on them. Where the applicant is not the parent, proof of guardianship will be required
- Adult children who have lived with the applicant(s) throughout their adult lives
- An adult relative that is dependant on the applicant(s) where there is evidence of a formal care arrangement e.g. receipt of carer's allowance
- Full-time carer for any person on the application

6 Exclusion from the Register

Certain people/households may be excluded from the register. The decision that a person/household is excluded may occur at the time of application or, if accepted on to the register, at anytime during the life of the application.

Applicants may not be eligible for inclusion on the Gypsy and Traveller register if there is evidence of recent behaviour, by an applicant or a member of their household, likely to affect the management of Romani Way and/or adversely impact the Romani Way community

Examples of exclusions could be where an applicant, or a member of the household, has:-

- Unspent convictions for violent or other serious offence (s).
- Unspent convictions for drug use or drug dealing.
- Used threatening language or behaviour to any officer of the Council.
- Been subject to an injunction over violent behaviour in the past three years.
- Behaved in an anti-social manner towards neighbours.
- Supplied false or misleading information when making a Gypsy and Traveller register application.
- Deliberately worsened their housing situation without reasonable cause.
- Moved on to Romani Way in advance and without permission.
- The applicant or a member of their household has property in Kent which they can reasonably be expected to occupy.

Where an applicant or any member of their household knowingly gives false or misleading information, or withholds information that has been reasonably requested, the Council will be entitled not to proceed any further with the application and a fresh application from the same applicant and/or any members of their household will not be accepted within 6 months.

Upon application, details of all household members over 18 will be sent to Kent Police, for checking against police records to verify details of any unspent convictions or cautions (according to the Rehabilitation of Offenders Act 1974, as amended) that have been provided (or not) by the applicant. The Council will exclude applicants where it is reasonably deemed that false or misleading information has been provided or the applicant(s) has chosen to omit details for the purpose of fraudulently gaining a pitch at Romani Way.

7 Priority Banding

In line with the Council's SDCAS, this policy contains a number of priority bands which ensure that the Council meets its policy aims and commitments. This means that some applications have more priority than others.

Eligibility for a pitch at Romani Way is based on priority order according to housing and support needs. The banding system provided at Appendix A ranks the level or urgency of a need for a pitch, from Band A (most urgent need) to Band D (reduced priority).

Following verification and assessment, each applicant(s) will be placed in a band dependant upon housing need. Applicant(s) will be notified of priority banding.

8 Advertising a Vacant Pitch

When the Council are notified of a pitch becoming vacant, the vacancy will be advertised through the Kent HomeChoice (Choice Based Lettings) scheme which can be access via the following link:-

http://www.kenthomechoice.org.uk/choice/

Applicants who are registered and eligible are able to express an interest (bid) for the pitch.

9 Offers

The Accommodation Team Leader will identify the applicant(s) in the highest priority band who have been waiting the longest within that band. They will consider if there are any other circumstances that need to be taken into account to ensure the safe and secure running of Romani Way so that existing residents can have quiet enjoyment of their home and the site.

A shortlist of 3 applicants will be made.

A panel consisting of representatives from the Council and an advocate for the Romani Way residents will consider the shortlist and make an offer of a pitch to the successful applicant.

Note: In the event that two or more applicants are deemed to have equal need, priority will be given to the applicant(s) who have been on the register for the longest time. If an applicant(s) goes up a band as a result of a change in circumstances, the original date of registration will be retained.

10 Site Rules/Licence Conditions

All successful applicants will be offered a pitch agreement (both applicants where the pitch agreement is jointly held) regulated by the Mobile Homes Act (MHA) 1983. The pitch agreement sets out the rules governing good conduct of site, advises that any

breach of the pitch agreement is likely to result in formal action being taken to remove the pitch occupier responsible from the site. The rules of the site are set out in the pitch agreement and are made up of implied terms used in the MHA and express terms which are sites specific. Once agreement is concluded under the procedures in the MHA, each applicant or joint applicant will be issued with a copy of their pitch agreement.

11 Review of decisions

Decisions made by the Council under the SDCAS

Applicants can request a review of a decision made by the Council under the SDCAS. The most common types of review concern the following:

- A decision that an applicant is ineligible on the grounds of unacceptable behaviour, serious enough to make them or a member of their household an unsuitable licensee
- A decision that an applicant should not be given reasonable preference
- Whether all the relevant facts about an applicant's case have been taken into account
- A decision on ineligibility because of immigration status under s.160A (3) or s.160A (5) of the Housing Act 1996 (as amended by the Homelessness Act 2002)

A letter will be sent to each applicant advising them of the decision. An applicant can appeal a decision either verbally or in writing before 21 days.

All decision letters will advise the applicant about the right to request a review of the decision, including details of where they can obtain independent advice such as via Shelter, Citizens Advice Bureaux or solicitors. If an applicant has problems requesting the review in writing, they will be given the opportunity to make their request verbally.

The Council will carry out the review based upon the facts provided. A senior officer who was not involved in the original decision will carry out the review. The review will be acknowledged within 3 working days and a response will be made within 10 working days, although where further enquiries are required such as from a GP, Social Worker or Housing Officers, additional time may be required. The applicant will be notified of the final decision as soon as is practicable.

Where an applicant is not satisfied with the review decision, they can apply to the High Court for a judicial review on a point of law.

If the applicant feels the Council has not acted within its stated policies or within the legislation, they have the right to direct their complaint in accordance with the Council's Corporate Complaints Procedure and then onto the Local Government Ombudsman.

12 Requesting a review of the reasonableness of an offer

A reasonable offer at present relates to an offer of a pitch on the Romani Road site. This is the only site that Sevenoaks District Council currently manages.

a) Non-Homeless applicant

If an applicant feels that an offer was not 'reasonable', they can request a review as above. If the review decision is that the offer was not reasonable, then the applicant's points will revert to the level they were prior to the offer refusal.

b) Homeless applicant

If the applicant has been accepted by Sevenoaks District Council under homelessness legislation, the review process will be slightly different. When refusing an offer, the reasons for refusal must be put in writing to the Head of Housing who will forward this to the Accommodation Team Leader. A review will then be arranged with the Council's solicitor and the relevant Team Leader/Manager.

Under the homelessness legislation, there would be an opportunity for the applicant to apply to the Council for a review of a decision to discharge duty.

13 Access to Information/Sharing Information

Applicants have the right to request general information to enable them to assess how their application will be treated under the policy.

Applicants have the right to see the information about their application that the Council holds on their files.

When applicants sign their application form, the Council will seek their consent to share information with other agencies such as Housing Associations, Social Services Departments, Police Authorities, Health Authorities, Education Services and other sections within Sevenoaks District Council. Information is shared on a "need to know" basis only in order to:

- Determine an applicant's priority
- Assess any potential risks to the applicant and or others who may be affected by the Council's actions in allocating the pitch
- Ensure suitable accommodation is provided for applicants

If an applicant is not eligible for the register, does not renew their application for a pitch or asks to be removed from the register, their application form will be kept for 5 years

Under s171, Housing Act 1996 (false statements and withholding information), the Council will take action to prosecute an applicant and will consider possession proceedings where an applicant has given false information in obtaining a pitch licence. The circumstances that an offence could have been committed would include:

- Any false information given on an application form for a pitch or withholding relevant information
- Any false information given in response to subsequent review letters or other updating mechanisms or withholding relevant information
- Any false information given or submitted by applicants during the proceedings of a review or withholding relevant information

14 Policy Statement

The Council will:

Ensure that the Council's policies on equalities and customer care are met and promote the health and safety and quiet enjoyment of pitches by all its site residents and ensure that the operation of this policy assists in meeting that outcome.

Ensure that pitches are allocated on the basis of priority need and the sustainability of Romani Way.

Comply with the Data Protection legislation and its seven principles.

Provide an efficient and helpful service which is responsive and sensitive to the needs of the Gypsy and Traveller community.

Acknowledge that Gypsy and Travellers belong to recognised ethnic groups and are protected groups under the Equality Act 2010, but "Gypsy and Traveller" includes a wider range of people as provided for in the definitions above.

Only offer a pitch to a main or sole pitch occupier who is eligible to apply in accordance with the criteria set out above.

Treat any adult applicant to be part of an existing household, or be it a joint pitch occupier in the same way as any other applicant for a new pitch. The same application details must be gathered, and checks must be carried out, before any agreement is made that they can join the household.

15 Grievances/Complaints

Any grievances or complaints can be handled using the Council's Complaints Procedure.

16 Equal Opportunities

Sevenoaks District Council will ensure that policies and procedures in allocating pitches at the Romani Way site do not discriminate directly or indirectly on grounds of sexuality, ethnicity, age, gender, religion or religious belief or disability.

To monitor the effectiveness of this allocations scheme, records are kept of the ethnic origin of all those applying for pitches and those who are offered pitches. The results are analysed and action is taken to ensure the service provided is fair, open and transparent service to all service users.

To ensure complete transparency, fairness and equality of opportunity, applicants who are staff of Sevenoaks District Council or Members of the Council, or related to, partner of, or living with, staff or Members of the Council, must disclose this at point of application. Failure to disclose this information may result in the application being suspended or cancelled as determined by the Chief Officer – People and Places.

17 Policy Review

This policy will remain in place and in operation for 5 years from the date of adoption.

Sevenoaks District Council's Housing Service is responsible for this policy and will review its operation every 12 months and follow any changes to the relevant legislation or regulations.

It may sometimes be necessary to make minor amendments, which do not represent a major change of policy. Authority to introduce such minor amendments is delegated to the Chief Officer – People and Places, in consultation with the Portfolio Holder for Housing and Health.

We will seek to inform all applicants of any changes to this scheme by publicising details on the Council's website and on Kent Homechoice (Choice Based Lettings).

Update on the Home Upgrade Grant Phase 1

Housing and Health Advisory Committee – 14 June 2023

Report of: Chief Officer People & Places

Status: For Information

Also considered by: N/A

Key Decision: No

Executive Summary: Sharon Donald, Housing Strategy Manager, will provide an update on the progress of the Home Upgrade Grant Phase 1 (HUG1).

This report supports the Key Aim of: Community & Corporate Plan

Portfolio Holder: Cllr. Perry Cole

Contact Officer(s): Sharon Donald

Recommendation to the Health and Housing Advisory Committee

To note the information.

Introduction and Background

- 1. The Council was successful in securing funding through the Sustainable Warmth Home Upgrade Grant fund to provide energy efficiency improvements to eligible residents across Sevenoaks.
- 2. This update will provide information on works carried out to date and case study examples.

Key Implications

Financial Implications

None to SDC.

Legal Implications and Risk Assessment Statement.

None

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Wellbeing

This document supports wellbeing.

Conclusions

For the Committee to note the report

None

Background Papers

None

Sarah Robson

Deputy Chief Executive and Chief Officer - People & Places

Housing and Health Advisory Committee Work Plan 2023/24 (as at 08/02/23)

12 September 2023:

- Homes for Ukraine scheme update
- Sevenoaks District Health and Wellbeing Action Plan quarterly update

7 November 2023:

- Sevenoaks District Health and Wellbeing Action Plan quarterly update
- Rough Sleeper Initiative Fund Year 1 update
- Housing Strategy one year on

23 January 2024:

• Sevenoaks District Health and Wellbeing Action Plan quarterly update

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