

04 June 2024 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 24.05.24



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# Housing & Health Advisory Committee

## Membership:

Chairman: TBD; Vice-Chairman: TBD

Cllrs. Bulford, Camp, Clack, Perry Cole, G. Darrington, Edwards-Winser, Gustard, Harrison, Hudson, Manston, Scott 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
Apologies for Absence		
1. <b>Appointment of Chairman</b>		
2. <b>Appointment of Vice Chairman</b>		
3. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 23 January 2024, as a correct record.	(Pages 1 - 4)	
4. <b>Declarations of Interest</b> Any interests not already registered.		
5. <b>Actions from Previous Meetings (if any)</b>		
6. <b>Update from Portfolio Holder</b>		
7. <b>Referrals from Cabinet or the Audit Committee (if any)</b>		
8. <b>Sevenoaks District Health &amp; Wellbeing Action Plan 2024/25</b>	(Pages 5 - 26)	Kelly Webb Tel: 01732 227474
9. <b>Housing Allocation Policy Review</b>	(Pages 27 - 76)	Alison Simmons Tel: 01732 227272

10. **Housing Standards in the Private Rented Sector** (Pages 77 - 96) Alison Simmons  
Tel: 01732 227272
11. **Rural Exceptions and Local Needs Housing** (Pages 97 - 108) Alison Simmons  
Tel: 01732 227272
12. **Work Plan** (Pages 109 - 110)

#### 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](mailto:democratic.services@sevenoaks.gov.uk).

Housing & Health Advisory Committee

Minutes of the meeting held on 23 January 2024 commencing at 7.00 pm

Present: Cllr. Perry Cole (Chairman)

Cllr. Harrison (Vice Chairman)

Cllrs. Bulford, Clack, Edwards-Winsler, Gustard, Hudson, Lindop and Streatfeild

Apologies for absence were received from Cllrs. Camp, G. Darrington and Cathy Morgan

35. Minutes

Resolved: That the minutes of the meeting held 7 November 2024 be approved, and signed by the Chairman as a correct record.

36. Declarations of Interest

There were none.

37. Actions from Previous Meetings

There were none.

38. Update from Portfolio Holder

The Portfolio Holder, and Chairman, presented an update on the services within his portfolio. The number of people in temporary or emergency accommodation had been static since December 2023, at 103. This was a reduction from the level in March 2022, of 139. Quercus Housing were actively acquiring 8 homes in Edenbridge, 1 home in New Ash Green, and 2 homes in Sevenoaks town for affordable housing. The Hyde Housing and Town & Country had been accepted as preferred partners and become registered providers for the District. Town & Country would be delivering 14 new homes in Hextable.

The Annual Rough Sleeper Count was held in November 2023 in partnership with the Department for Levelling Up, Housing, and Communities, and was attended with the official Homeless Link Verifier, the Leader of the Council, and the Portfolio Holder for Housing & Health. Improvements to three pitches at the Hever Road Gypsy & Traveller Site were completed in November 2023, and they were moved into by new applicants in December.

### Agenda Item 3 Housing & Health Advisory Committee - 23 January 2024

The mobilisation of the One You Kent service at the Edenbridge Memorial Health Centre continued at pace. Having secured external funding to provide this service, an officer began their role on 18 December, and was training to start delivering the service. A second officer was set to begin in January 2024. The externally funded Health Inequalities Project in Swanley and Northern Parishes was ongoing. A two-part bid and proposal for the Interventions Lodging Model had been submitted to the Dartford, Gravesham, and Swanley Health Care Partnership, who had submitted it to the Integrated Care Board. The outcome of this submission was expected before the next meeting of the committee.

#### 39. Referrals from Cabinet or the Audit Committee

There were none.

#### 40. To note minutes of the Health Liaison Board

Resolved: that the minutes of the meeting held 10 January 2024 be noted.

#### 41. Men's Mental Health Programme, Head in The Game update

The Health & Communities Manager advised Members that the representative from Head In The Game was unable to attend the meeting last minute due to a safeguarding case.

Resolved: That consideration of the item be deferred to a future meeting due to the absence of the Head In The Game representative.

#### 42. Sevenoaks District Health and Wellbeing Action Plan 2023-24 Quarter 2 update

The Health Team Leader presented the report, which updated the Committee on the Health & Wellbeing Action Plan 2023-24 for Quarter 2. The Plan covered 50 actions under the three pillars of Wider Determinants of Health, Health Behaviours, and Places and Communities. Of these actions, 41 were actively being worked on, 4 were starting, 1 had not progressed, and 4 were lacking data. Work was ongoing for further developing the plan for 2024/25, in collaboration with partners, including the public sector, voluntary and community groups, and schools to gather new perspectives and ensure there was no duplication. The officer outlined some of the cases within the report.

The One You service at Edenbridge Memorial Health Centre was holding its first face-to-face healthy lifestyles programme on 23 January. 15 people had registered so far. A bid had been submitted for funding for the Swanley Health Inequality Project. A monthly Health & Wellbeing Workshop for Council staff had been formed.

In response to questions, the officer explained the circumstances for actions that were missing information. As a partnership plan, the organisations responsible for the actions had been approached, and this would be discussed at an upcoming meeting with them. However, it was emphasised that the Council had no power to demand

data from the organisations. If they were unable to progress their targets, then they would be reviewed to ensure the organisations were working towards realistic goals. The new draft Partnership Plan would be presented to Members for their feedback, which would include specific targets set within the Public Health Plan for the 2024-25 Action Plan. The information gathered from the Action Plan workshop on 16 January would also be included in the new action plan.

Members discussed the targets within the Action Plan. They expressed concern that the scale of some of the actions was inappropriate for a plan that covered the district. Whilst the work noted in the actions was positive, it did not impact the health problems of the district enough. Members discussed the possibility of introducing smart targets and/or outcome-based targets into the plan. The officer explained that outcome-based targets were a fundamental element of the plan, and that smart targets could be difficult, as changes to wider determinants of public health could take around 10 – 12 years to manifest. Changing public behaviours, such as through the Local Cycling & Walking Infrastructure Plan, took a significant amount of time. Funding constraints further limited the usefulness of smart targets in the short term. The actions further contributed to addressing the health problems of the district at scale by promoting partnership work between organisations.

Resolved: That the report be noted.

43. Work Plan

The Work Plan was noted as below:

**June 2024**

- Allocations Policy Review
- Sevenoaks District Health & Wellbeing Action Plan 2024/25
- Housing Standards in the Private Rented Sector
- Rural Exception Sites & Needs Update

**September 2024**

- Dartford, Gravesham, and Swanley Health & Care Partnership Funding Update
- Head in the Game update

THE MEETING WAS CONCLUDED AT 7:37PM

CHAIRMAN

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**HOUSING & HEALTH ADVISORY COMMITTEE – 4 June 2024  
SEVENOAKS DISTRICT HEALTH & WELLBEING PARTNERSHIP ACTION PLAN  
2024-25**

**Report of:** Sarah Robson, Chief Officer People & Places & Deputy Chief Executive

**Status:** For Decision

**Also considered by:**

- **Cabinet – 13 June 2024**

**Key Decision:** Yes

**Executive Summary:** The 2024-25 Sevenoaks District Health & Wellbeing Action Plan is set out to deliver against health targets.

**This report supports the Key Aim of Council Plan and Community Plan.**

**Portfolio Holder:** Cllr. Perry Cole

**Contact Officer(s):** Kelly Webb, Ext. 7474

**Recommendation to Housing & Health Advisory Committee**

To make recommendation to Cabinet to approve the Sevenoaks District Health & Wellbeing Partnership Action Plan 2024-25.

**Recommendation to Cabinet**

That Cabinet approves the Sevenoaks District Health & Wellbeing Partnership Action Plan 2024-25

**Reason for recommendation:** The Partnership to continue to deliver Health & Wellbeing across the District with specific actions.

# Agenda Item 8

## Introduction and Background

- 1 The Health & Wellbeing Partnership met in December 2023 and held a number of workshops to develop and deliver the new action plan.
- 2 Health and Wellbeing is an essential role in the Council and we have already seen a great success in the previous years action plan. KCC Public Health also saw this plan and have implemented it in their strategy as saw the Partnership as best practice for around Kent.
- 3 At the Health Liaison Board in January Members asked for there to be Smart Targets and Objectives and to see the draft before it came through committee. These actions were taken forward and under the 3 priorities there are smart targets and objectives. We had 2 comments back from members and they were added into the plan.
- 4 The draft 2023-24 Sevenoaks District Health & Wellbeing Action Plan is attached as the Appendix. It sets out Partnership activity aimed at addressing priorities. The Action Plan is a multi-agency document and is monitored on a quarterly basis by the Health & Wellbeing Partnership, to ensure that actions are on target and are helping to meet the identified success measures.

## Other options Considered and/or rejected

None to SDC. It is a Partnership document

## Key Implications

### Financial

There are no direct financial implications of developing the Plan but there are a number of budgets within the Council that are directly and indirectly attributed to aspects of the delivery of this plan. The plan is also one which requires a multi partnership approach and in doing so may require using partner's budgets, flexibly in order to maximise the potential outcomes and efficiencies that can be delivered. We have received some funding to deliver initiatives in the Northern Parishes through the Dartford, Gravesham & Swanley Health Care Partnership.

### 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. The plan is for everyone that resides and work in the District.



Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. 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.

Safeguarding

This strategy supports our Safeguarding Policy and includes a priority focusing on safeguarding adults and children at risk.

Community Impact and Outcomes

This document helps reduce the community impact and improve outcomes, by tackling and reducing certain health types. The plan ensures a partnership approach to provided targeted initiatives to increase health & wellbeing.

Wellbeing

Wellbeing is at the heart of the strategy. By developing a partnership approach to health and wellbeing, this strategy tackles to improve this throughout the District.

**Conclusions**

It is recommended that the report Health & Wellbeing Action Plan 2024-25 is approved.

**Appendices**

Appendix A – Sevenoaks District Health & Wellbeing Action Plan 2024-25

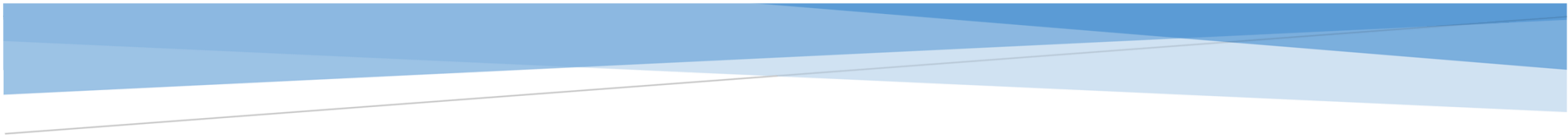
**Background Papers**

None

**Sarah Robson**

**Deputy Chief Executive and Chief Officer – People & Places**

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**HEALTH & WELLBEING PARTNERSHIP  
ACTION PLAN 2024-25  
DRAFT**

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Agenda Item 8

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## Introduction:

The Sevenoaks District Health & Wellbeing Partnership is a subgroup of the Sevenoaks District Local Strategic Partnership.

Terms of reference:

- To be a strategic group that will develop structures and processes for partnership working that improve health and reduces health inequalities amongst the population of the Sevenoaks District.
- To ensure a partnership approach to joint working to create a district wide holistic approach to improve health and wellbeing.
- To provide a structure for partners to work together in relation to identifying shared priorities, develop collaborative working, joint capacity building and information exchange.
- To improve communication between partners and agencies and enable a better understanding of each organisations roles and targets regarding health improvement.
- To identify local health needs through sharing existing evidence held by partners and undertaking additional local needs assessments as appropriate.
- To oversee the delivery of the Choosing Health priorities and jointly identified needs and produce and monitor an operating plan.
- To evaluate the work of the group on a continuing basis in order to contribute to the knowledge base of what is effective in locality partnership development and working.
- To provide a structure for coordinated activity which addresses health inequalities targets contained in the Sevenoaks District Community Plan, Local Plan, the Kent and Medway Integrated Care Strategy, the Choosing Health Agenda and other relevant strategies which may arise from time to time.
- To work collaboratively through the partnership to deliver the priorities outlined in the Kent and Medway Integrated Care Strategies including Shared outcome 1: Give children and young people the best start in life, Shared outcome 2: Tackle the wider determinants to prevent ill health, Shared outcome 3: Supporting happy and healthy living and Shared outcome 4: Empower people to best manage their health conditions.

## Information on the Partnership

**Budgets:** Many partner agencies are faced with depleting budgets and savings needing to be made, both as a result of covid, worsening national finances and cost of living. This will impact upon this action plan being delivered both in terms of resources available for delivery, staff and grants available. This has been considered in the formation of this Health & Wellbeing Plan and how those resources available can be best used to ensure the delivery of the identified priorities.

**Cost of Living:** The increased pressure of the Cost-of-Living Crisis continues to impact on residents as well as individual agencies. These impacts need to continue to be monitored by partners and the impact on delivery against our priorities.

### The Action Plan

The Action Plan sets out the overall targets for the Health & Wellbeing Partnership. It does not include details of the numerous activities already undertaken by partners, town and parish councils, the voluntary sector and others as part of their day-to-day work, but highlights activities in addition to core work, which partners will undertake throughout the forthcoming year.

### Funding and monitoring

Funding for the actions included within the Action Plan is available from a number of sources, including partners' own budgets, KCC Public Health, and other small amounts of funding from a variety of sources.

Quarterly monitoring will take place to ensure that individual projects continue to deliver positive results as well as value for money and that this Action Plan is on target.

### Equalities

In preparing the action plan, issues such as equality and diversity were considered. The Health & Wellbeing Partnership recognises that everyone has a contribution to make to our society and a right to access services without being discriminated against or disadvantaged because of their:

- Race, colour, nationality, ethnicity.
- Gender, marital status or caring responsibility.
- Sexual orientation.
- Age.
- Physical or mental disability or mental health.
- Religion or belief.
- Health status.
- Employment status.

## Priorities:

### Priority 1 Wider Determinants of Health

#### Objectives:

- To have a consistent approach with partners on delivering health initiatives across the District
- To maintain the Partnership through Quarterly meetings and regular updates.
- Support for families in poverty – In light of the stark inequalities across Sevenoaks and the impact of the cost-of-living crisis. Explore opportunities for work on hygiene poverty/banks and opportunities for apprenticeships/initiatives to support the long term unemployed.
- Partners to have Health in all Policies embedded through their organisation by 2025

#### Smart Targets:

- Increase the number of residents attending community health groups/sessions by 5%.
- Partners to have Health in all Policies embedded through their organisation by 2025
- Number of Disabled Facilities Grants allocated.

### Priority 2 Health Behaviours

#### Objectives:

- Contribute to a reduction on excess weight in children. (The indicator (year 6 excess weight) by PCN show the rate is worse than the England average for Swanley and Rural PCN but not for Sevenoaks PCN.)
- Increase residents' knowledge of Healthy lifestyle behaviours and strategies and facilitate Health Eating through educational and practical Cooking Courses, Early Help Programmes & Local Children's Partnership
- Help residents through Cost of Living by providing information on local services and initiatives
- Utilise links with parishes.

#### Smart Targets

- 80% of attendees of Why Weight to complete the course and 60% of completers maintain weight loss
- Support the uptake of local health checks by 5%
- Increase membership to all three Leisure Centres and Lullingstone Golf Course each qtr.

## Priority 3 Places & Community

### Objectives:

- Work on the stigma on mental health and work with partners on local services available especially for men and young boys
- To work with KCC on delivering the Public Health Strategy's priorities.
- Number of Homelessness Preventions
- Explore causes of high A&E Attendances for 0–4-year-olds
- Support the elderly through various support programmes

### Smart Targets

- Deliver eight creative engagement programmes to support improved mental health and wellbeing for 100 people across West Kent.
- Provide counselling support to 100 people across West Kent
- Increase membership to the Online Better Together Community by 5% especially around health initiatives
- Increase Digital Inclusion and reduce isolation in rural communities (baseline to be determined).
- Increase opportunities for accessing mental health programs and physical activity programs for residents from under-represented groups.



Ref	2024-25 Priority Action	Lead Agency	Other Partners	By When
<b>Wider Determinants of Health</b>				
WDH1	Provide supportive working and volunteering opportunities for people living with mental health issues. 65% of staff and 50% of volunteers at West Kent Mind have lived experience of mental health issues.	West Kent & North Kent Mind	ALL	March 2025
WDH2	<p>Support Improve awareness and increase referrals to Dementia Cafes</p> <p>Promote local Dementia Forget-me-not Cafe Groups and Activities of which there are 6 in the district per month.</p> <p>Deliver dementia awareness session delivery to different departments and businesses through local plan, shop safe and parish councils.</p> <p>Promote the various local and national dementia helplines.</p> <p>Attend GP Locality training days to talk about Dementia, bringing together experts in dementia, GP's, District Nurses etc.</p> <p>Deliver Run Walk Push at Knole Park in May 2024</p>	<p>The Good Care Group</p> <p>Sevenoaks Area Dementia Friendly Community</p>	ALL	March 2025
WDH3	Embed a Health in All Policies approach at SDC and work with partner agencies to embed this in their organisation	SDC Communities and Health Team	All	March 2025
WDH4	Update on how the Workplace Travel Plan is working/being delivered across the district.	Planning Team at SDC	Kent Transport KCC Whole Systems Obesity Team KCC Kent Connect	March 2025

WDH5	Adapt the physical design of Sevenoaks District so that healthy lifestyle choices become a routine part of resident's lives.	Sevenoaks District Council Planning Team	Sevenoaks District Council Health Team	March 2025
WDH6	Encourage more client-facing organisations to engage in Mental Health Awareness and Mental Health First Aid training – 500 people across West Kent engage in MH training.	West Kent Mind & North Kent Mind	Mind (National) Multiply KCC	March 2025
WD7	Seek out, Consider and promote opportunities to reduce Cost of Living Impact on residents.	SDC People & Places KCC Financial Hardship	All	March 2025
WD8	Offer opportunities to access leisure centres for those who might not be able to afford it. Provide concessions for children in care, explore funding for other programmes. Provide a concessionary rate to increase the opportunity for disadvantaged groups to access facilities	Everyone Active	All	March 2025
WD9	Identify external funding to provide low-cost activities within areas identified as a high deprivation area.	Everyone Active	All	March 2025
WD10	Provide free open days for the local community to access the centre. Sites to host an Everyone Active free open day at least once a year.	Everyone Active		March 2025
WD11	Provide opportunities for local residents to get into employment. Attend employment fairs to promote work opportunities. Work with College's in Sevenoaks to help provide people with employment opportunities/ Advertise jobs through Sevenoaks channels.	Everyone Active		March 2025
WD12	Work with educational partners and employment organisations to deliver apprentice programmes – minimum of 3 apprentices per year. Provide a minimum of 12 work experience placements for local school children. Provide 5 work placements for people and adults with disabilities per annum. Advertise and employ locally.	Everyone Active		March 2025

	<p>Provide opportunities for volunteers to support events such as open days, events, national fitness day etc.</p> <p>Provide a pathway between school, everyone active coaching programmes and club access.</p> <p>Provide discounted or fully funded qualifications and courses including NPLQ, Swim England teaching qualifications and sports coaching courses</p>			
<b>Health Behaviours:</b>				
HB1	Continue to provide services that contribute towards the reduction of smoking/vaping in Sevenoaks District with particular targeting for at-risk groups.	KCHFT Smoking Cessation Service	All	March 2025
HB2	Improve the diagnosis rate of Diabetes for residents. Work with partners on action to be able to deliver this and help residents to identify early signs of diabetes	Living Well, Taking Control' Partnership between charities Health Exchange and Westbank Community Health and Care.	KCHFT NHS Health Check Service	March 2025
HB3	Deliver a local cooking/healthy eating project online and face to face. Deliver in rural areas	SDC Communities and Health Team	All	March 2025
HB4	Support adults to adopt healthy lifestyle choices that facilitate weight loss- access to Why Weight courses and advice. Increase number of referrals and maintain of weight Increase core strength, flexibility, physical health and cardio of over 65s, increasing activity and levels of participation for those with disabilities. To increase the amount of activities available to those who are disabled.	Sevenoaks District Council Health & Communities Team/Everyone Active	Everyone Active	March 2025
HB5	Increase uptake of One You Kent service at Edenbridge Memorial Health Centre	Sevenoaks District Council Health & Communities Team		November 2024
HB6	Promote healthy living throughout the centres. Support adults to adopt healthy lifestyle choices that facilitate increases in physical activity. Deliver a number of community initiatives at all 3 Leisure Centres and Lullingstone Golf Club.	Everyone Active	Sevenoaks District Council Health Team	March 2025

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	Increase awareness and opportunities for women and girls across the sites. Support women post-natal and anti-natal recovery and exercise.			
HB7	Explore opportunities for chair-based exercise programs in Northern Parishes and deliver sessions where possible	Maturity Movers	All	March 2025
HB8	Explore opportunities for small group, health condition-specific exercise programs in community.	Maturity Movers	All	March 2025
HB9	Support adults living with chronic conditions to adopt healthy lifestyle choices that facilitate increases in physical activity-Exercise Referral scheme. Directly deliver the Exercise on Referral and Cardiac Rehab sessions – A reduced concessionary membership for 12 months to be provided to those who complete the Exercise on Referral, Cardiac Rehab and Why Weight programmes.	Everyone Active	Sevenoaks District Council Health Team	March 2025
HB10	Identify local BAME/faith groups and consult with them around their needs and demand for activities to increase usage within BAME groups (Excel women & faith groups)	KCC Public Health		March 2025
HB11	Provide adapted health improvement services targeted at specific populations (where needed) to ensure all residents can benefit from good physical health	Involve Kent	Everyone Active	March 2025
HB12	Support children and young people to adopt healthy lifestyle choices and increase activity to include Family Fun Days. Provide casual sports for young adults.	Sevenoaks District Local Children's Partnership/Everyone Active	KCC-ALL	March 2025
HB13	Promote the Daily Mile scheme with local schools. Work with the local schools to deliver this	KCC Youth teams KCC Public Health Team		March 2025
HB14	Increase the number of Basic Health Checks (including blood pressure) completed in the district.	KCHFT	Everyone Active Pharmacies	March 2025
HB15	Establish a robust network of walking groups on all abilities across the district.	SDC Communities and Health Team Every Step Counts	All	On Going

HB16	Work in community and schools to increase awareness of vaping risks, aiming to reduce number of young people taking up the habit.	Kenwood Trust	KCC Youth Team	March 2025
HB17	Increase Healthy Start Uptake – both scheme registrations and vitamins registration Maintain and build on FSM registrations	KCC	All	March 2025
HB18	Work with the local Primary Care Networks on delivering their outcomes on mental health and Cost of Living support initiatives.	Sevenoaks PCN	SDC Health & Communities Team	March 2025
HB19	Investigate funding opportunities with HCPs to deliver healthcare needs initiatives across the district	SDC Communities and Health Team	All	March 2025
HB20	Investigate any available insight behind increased admission to hospital for 0–4-year-olds in Swanley (cold homes, immunisations uptake, overcrowding, GRT Community)	KCC Public Health SDC Communities and Health Team	All	March 2025
HB21	NHS Health Checks (including blood pressure) to be offered across the 3 Leisure Centres. Fitness teams to provide a basic health MOT including blood pressure, provide basic exercise advice and signpost to classes and activities.	Everyone Active	All	March 2025
HB22	To contribute to the ‘best start in life’ for physical health for under 5s and offer opportunities for children to learn fundamental skills in sport. To increase physical activity of young people by the end of Key Stage 2 (year 6) to develop healthy attitudes towards physical activity and work to reduce obesity levels. Inclusive holiday programmes for children with disabilities To provide holiday camps for children to attend for the day/week of holiday/s	Everyone Active	All	March 2025
<b>Places and Communities:</b>				
PC1	Work with older residents to prevent falls and limit the potential for hip fracture in older residents Include number of people attending and new referrals. Establish delivery of falls prevention training / intervention	Involve Kent, West Kent Falls Prevention Service	Sevenoaks District Health Team	March 2025

		Age UK Sevenoaks & Tonbridge Vitality Hub Everyone Active	Everyone Active	
PC2	Assist residents to live independently and keep them safe in their homes. Assist residents to discharge from hospital and provide grants to facilitate this. Introduce adult social care activities to leisure centres across the district. To support socialisation of those over 65 – In England more than 2 million people over the age of 75 live alone	Sevenoaks District Council Private Sector Housing Team/Everyone Active	Imago	March 2025
PC3	Set up and run joint initiatives (silver cafes) to tackle scams, phishing, whaling	All	All	March 2025
PC4	Promote the Better Together Online Community Hub, increase number of new services on the portal and increase number of users. To offer non-traditional sports hall activities at leisure centres.	Health & Communities Team/Everyone Active	All-health, voluntary-statutory	March 2025
PC5	Explore and promote the Joy app, social prescribers referring tool for residents and professionals. Get the number of uptakes onto the app.	All		March 2025
PC6	Working with Community Rail to set up young people initiatives	Railway Partnership		March 2025
PC7	Investigate opportunities for increasing number of volunteers for Dial a Ride service	Volunteer Forum IMAGO	All	March 2025
PC8	Develop and deliver men’s mental health drop-in programs and sessions. Explore potential of offering single-session/one-at-a-time therapy.	SDC Communities and Health Team	All	March 2025
PC9	Deliver community initiatives with Health & Communities Team	Sevenoaks District Health and Communities team	All	March 2025
PC10	Work with partners to improve accessibility opportunities for clients who experience digital inclusion barriers due to cost, connectivity issues etc. Assist older customers with using EA Digital Platforms	Kent County Council Compaid/Everyone Active		March 2025
PC11	Ensure non-digital advertising is employed to promote services to those residents with limited digital access.	KCC Compaid	All	March 2025
PC12	Increase number of community digital champions across the district (how many individuals have accessed the service)	KCC	Compaid	March 2025

			Sevenoaks District Health and Communities team WKHA Voluntary forum	
PC13	Increase attendance at local community events promoting digital services available through KCC digital hubs in local Libraries	KCC	Compaid Sevenoaks District Health and Communities team WKHA Voluntary forum	March 2025
PC14	Reported updates on the Air Quality Action Plan, which commits the District Council to carrying out 32 measures over a 5-year period (2022-2027) which aim to reduce pollution and or population exposure	SDC Environmental Team		March 2025
PC15	Seek opportunities to collaborate with the Family Hubs in Sevenoaks to support families in poverty.	SDC,	KCC	March 2025
PC16	Provision of Making Every Contact Count training to the partnership and wider voluntary sector	KCC Public Health	All	March 2025
PC17	Support clubs and organisations Offer spaces, build partnerships to ensure that local clubs and organisations are fully supported. Work with local clubs to run fitness days at site - Could link this with the annual open days.	Everyone Active	All	March 2025

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## Membership of the Health & Wellbeing Partnership and contact details

<p><b>Sevenoaks District Council</b> Argyle Road Sevenoaks Kent TN13 1GP Tel: 01732 227000 <a href="http://www.sevenoaks.gov.uk">www.sevenoaks.gov.uk</a></p>	<p><b>Kent Police</b> Argyle Road Sevenoaks Kent TN13 1GP Tel:01622 690690 <a href="http://www.kent.police.uk">www.kent.police.uk</a></p>	<p><b>Kent Fire &amp; Rescue Service</b> West Group HQ Sevenoaks Fire Station London Road, Sevenoaks Tel: 01622 692121 <a href="http://www.kent.fire-uk.org">www.kent.fire-uk.org</a></p>	<p><b>North Kent Mind</b> The Almshouses, 20 West Hill, Dartford , DA1 2EP 01322 291380 <a href="http://www.northkentmind.co.uk/">www.northkentmind.co.uk/</a></p>
<p><b>West Kent Health and Care Partnership</b>  <b>Dartford, Gravesham and Swanley Health and Care Partnership</b>  <a href="http://www.kmhealthandcare.uk/about-us/our-system/health-and-care-partnerships">www.kmhealthandcare.uk/about-us/our-system/health-and-care-partnerships</a></p>	<p><b>Kent Surrey and Sussex CRC Ltd</b> Maidstone Corporate Centre 3<sup>rd</sup> Floor, Maidstone House King Street Maidstone Kent, ME15 6AW Tel: 01622 239147 <a href="http://www.ksscrc.co.uk">www.ksscrc.co.uk</a></p>	<p><b>KCC Social Services</b> The Willows, Hilda May Ave, Swanley Kent BR8 7BT Tel: 0300 041 1400 <a href="http://www.kent.gov.uk">www.kent.gov.uk</a></p>	<p><b>Imago</b> 17-19 Monson Road Tunbridge Wells Kent TN1 1LS Tel: 01892 530330 <a href="http://www.imago.org.uk">www.imago.org.uk</a></p>
<p><b>KCC Early Help &amp; Preventative Service</b> c/o Swanley Youth Centre St. Mary's Road Swanley Kent BR8 7BU Tel 01322 615275 <a href="http://www.kent.gov.uk">www.kent.gov.uk</a></p>	<p><b>West Kent Mind</b> 34 St John's Rd, Sevenoaks TN13 3LW 01732 744950 <a href="http://www.westkentmind.org.uk/">www.westkentmind.org.uk/</a></p>	<p><b>The Good Care Group</b> 120 Leman Street London E1 8EU Tel: 0203 728 7577 Fax: 020 3728 7576 <a href="http://www.thegoodcaregroup.com/">www.thegoodcaregroup.com/</a></p>	<p><b>West Kent Housing Association</b> 101 London Road Sevenoaks Kent TN13 1AX Tel: 01732 749400 <a href="http://www.westkent.org">www.westkent.org</a></p>
<p><b>Kenward Trust</b> Kenward Road Yalding, Maidstone Kent ME18 6AH Tel: 01622 814187 <a href="http://www.kenwardtrust.org.uk">www.kenwardtrust.org.uk</a></p>	<p><b>Everyone Active</b> Sevenoaks Edenbridge Swanley Lullingstone <a href="http://www.everyoneactive.com/">www.everyoneactive.com/</a></p>	<p><b>Change Grow Live</b> (Drug and Alcohol Services) 18 Mount Pleasant Road Tunbridge Wells TN1 1QU <a href="http://www.changegrowlive.org/westkent/help#contact">www.changegrowlive.org/westkent/help#contact</a></p>	<p><b>DAVSS</b> PO Box 530 Tunbridge Wells Kent TN2 9TB Tel: 01892 570538 <a href="http://www.davss.org.uk">www.davss.org.uk</a></p>



<p><b>Kent Community Health NHS Foundation Trust</b> D, The Oast House, Hermitage Ct, Maidstone ME16 9NT 01622 211900 <a href="http://www.kentcht.nhs.uk/">www.kentcht.nhs.uk/</a></p>	<p><b>Living Well Taking Control LLP</b> Avoca Court, 27 Moseley Rd, Birmingham B12 0HJ 0300 302 0652 <a href="http://www.lwtcsupport.co.uk/">www.lwtcsupport.co.uk/</a></p>	<p><b>Mature Movers</b> Phone: 07904862283 Email: hello@maturemovers.uk</p>	<p><b>Involve Kent</b> Turkey Court Turkey Mill, Involve Kent- 30, Ashford Rd, Maidstone ME14 5PP Phone: 0300 081 0005 <a href="http://www.involvekent.org.uk/">www.involvekent.org.uk/</a></p>
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<p><b>Porchlight head office</b> 18-19 Watling Street Canterbury, CT1 2UA 01227 760078 <a href="mailto:headoffice@porchlight.org.uk">headoffice@porchlight.org.uk</a> <a href="http://www.porchlight.org.uk/">www.porchlight.org.uk/</a></p>			

## What is the Sevenoaks District like?

Sevenoaks District continues to be one of the safest places to live in Kent. Sevenoaks is a large District lying to the south east of London with an overall area of just over 143 square miles (370 square km). It is long and relatively narrow measuring 20 miles north-south by about 7 miles east-west. The Thames Gateway lies to the north, Surrey and East Sussex to the west and south and the rest of Kent, including Tonbridge and Tunbridge Wells to the east and south east. Despite adjoining the outer edge of London it is predominantly rural with 93% of the District as Green Belt.

Train services to London take just under 30 minutes from Swanley and just under 30 minutes from Sevenoaks.

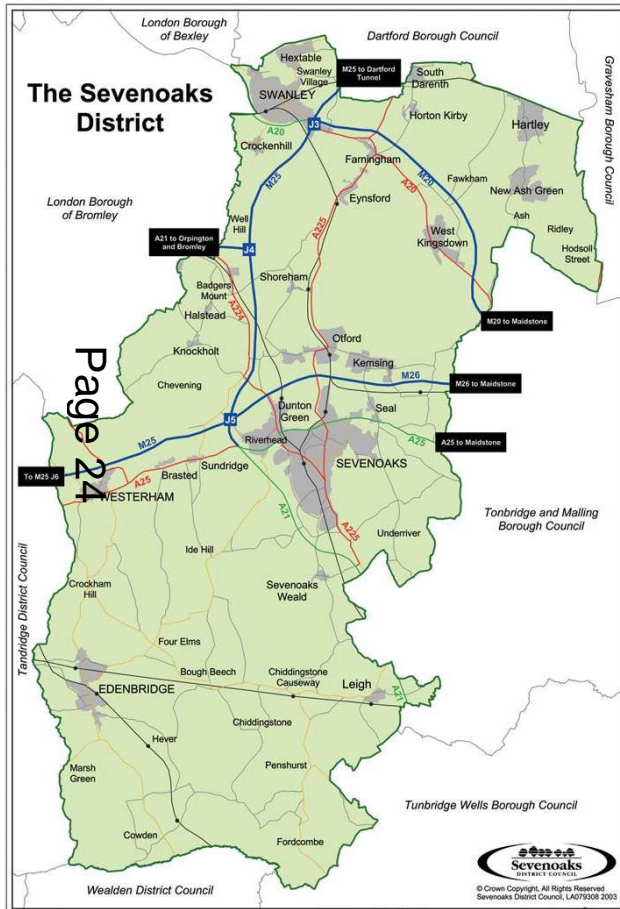
Sevenoaks District is perceived to be affluent but this masks local pockets of urban and rural deprivation. For example, Swanley St Mary's ward falls within the 10% most deprived wards in Kent and the South East (2015, Indices of Multiple Deprivation).

11.6% of children under 16 (2,465) live in low-income families in receipt of Child Tax Credit where rural deprivation is more isolating than poverty in the towns. The majority of children living in poverty (73.9%) live in lone parent families.

According to the Kent County Council housing led population forecast projections, the population of Sevenoaks District is forecast to grow by more than 13,500 by 2028.

The 2017 mid-year population estimates (Office for National Statistics) show that Sevenoaks District has a population of 119,400 residents and the third lowest population density in Kent measured at 3.1 persons per hectare.

According to Kent County Council the number of people over 65 is forecast to rise by 41.1% by 2036 (10,400 people) and the number of people over 85 is forecast to rise by 97.2% by 2036 (3,500 people).



**Enquiries to:**

Sevenoaks District Council  
Argyle Road  
Sevenoaks, Kent TN13 1GP  
Telephone 01732 227000

E-mail [health@sevenoaks.gov.uk](mailto:health@sevenoaks.gov.uk)

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## HOUSING ALLOCATIONS POLICY REVIEW

Housing and Health Advisory Committee – 4 June 2024

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

**Status:** For Consideration

**Also considered by:**

- Cabinet – 16 July 2024
- Full Council – 25 July 2024

**Key Decision:** Yes

**Executive Summary:**

As a Local Housing Authority, the Council has a statutory duty to publish a Housing Allocations Policy for assessing and prioritising applications for social housing to determine who can join the housing register and the criteria to determine the priority banding of each application.

Making changes to the Housing Allocations Policy requires a period of consultation. This report presents a revised draft Housing Allocations Policy 2024-2027, which has been refined in light of feedback received from the recent consultation exercise.

**This report supports the Key Aim of: Housing Strategy 2022-2027**

**Portfolio Holder:** Councillor Perry Cole

**Contact Officer:** Alison Simmons, Head of Housing, Extension7272

**Recommendation to Housing and Health Advisory Committee:**

- To note the feedback received from the consultation exercise.
- To consider the revised draft of the Housing Allocations Policy 2024-2027.
- To approve the draft of the Housing Allocations Policy 2024-2027 being presented for consideration by Cabinet on 16 July 2024 and, subject to any final changes, for the Housing Allocations Policy to be considered for adoption at Full Council on 25 July 2024.

**Recommendation to Cabinet:**

- To note the feedback received from the consultation exercise.
- To consider the revised draft of the Housing Allocations Policy 2024-2027.
- To approve the draft of the Housing Allocations Policy 2024-2027 being presented for consideration by Cabinet on 16 July 2024 and, subject to any final changes, for the

## Agenda Item 9

Housing Allocations Policy to be considered for adoption at Full Council on 25 July 2024.

### **Recommendation to Council:**

- g) To note the feedback received from the consultation exercise.
- h) To consider the revised draft of the Housing Allocations Policy 2024-2027.
- i) To adopt the draft of the Housing Allocations Policy 2024-2027.

### **Reason for recommendation:**

The Housing Allocations Policy sets out the Council's priorities for how social housing in Sevenoaks District is allocated and the guidelines that determine entitlement and eligibility to join the Housing Register.

The demand for housing from people in need of social housing in Sevenoaks, or wishing to move to Sevenoaks, is significantly higher than the number of homes available. There is an insufficient supply of social housing owned by Registered Provider/Registered Social Landlord/Housing Association to offer a home to everyone who would want it, or even to everyone who needs a home.

The proposed changes arising from the review will ensure that the Housing Allocations Policy 2024-2027 makes the most effective use of the social housing that becomes available across the District.

### **Introduction and Background**

- 1 Housing, health, wellbeing, and life chances are inextricably linked. A comprehensive, fair, transparent, and flexible Housing Allocations Policy enables the Council to manage expectations, make the best use of the housing stock across the District and plan for future housing supply across all tenures to meet the needs and aspirations of its current and future residents.
- 2 The Housing Allocations Policy enables the Council and its partners to work together to ensure we prioritise those in most need of affordable housing. The Council operates a Choice Based Letting Scheme, and the Housing Allocations Policy sets out a framework that describes how to register, the assessment process and property allocation process.
- 3 The recommendations within this review have all been subject to a comprehensive consultation exercise which included briefings, workshops, surveys, small meetings and one to one conversations.
- 4 The Council is legally required to consult to seek views and feedback from other partners and stakeholders. The feedback received has enabled amendments to be considered for inclusion within the Housing Allocations Policy.

- 5 The draft Housing Allocations Policy 2024-2027 was subject to public consultation between 28 November 2023 and 17 March 2024, through the following forums and the completion of surveys:

Homelessness and Rough Sleeper Strategy Forum

- 28 November 2023
- 9 February 2024

Staff Focus Group

- 7 March 2024

Councillors Focus Groups

- 5 March 2024
- 11 March 2024

### Outcome of Consultation

- 6 The results are summarised, by question, below.

#### Question 1

To ensure applicants bid for available and suitable properties we are proposing to introduce the following for Band A applicants:

If an applicant has been placed in Band A they are able to exercise choice and place bids for properties on Homechoice for an initial period of 6 weeks. If a Band A applicant does not bid for suitable properties that are advertised during the initial 6 weeks, the Council will place the applicant on autobid, and one offer of suitable accommodation will be made.

If an applicant refuses an offer of suitable accommodation their application will be reassessed and moved down to Band C.

**In agreement** – Subject to, if during the 6 weeks period there are no suitable properties for applicants to bid for, they will be given a further 6 weeks to bid before being placed on autobid.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended, and they will be removed from the Housing Register

**Recommendation:** It is recommended to approve this proposal subject to the above caveat.

#### Question 2

To ensure applicants bid for available and suitable properties we are proposing to introduce the following for Band B applicants:

If an applicant has been placed in Band B they are able to exercise choice and place bids for properties on Homechoice for an initial period of 8 weeks. If a Band B applicant does not bid for suitable properties that are advertised during the initial 8

## Agenda Item 9

weeks, the Council will place the applicant on autobid and one offer of suitable accommodation will be made.

If an applicant refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended, and they will be removed from the Housing Register

**In agreement** – Subject to, if during the 8 weeks period there are no suitable properties for applicants to bid for, they will be given a further 8 weeks to bid before being placed on autobid.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended, and they will be removed from the Housing Register

**Recommendation:** It is recommended to approve this proposal subject to the above caveat.

### Question 3

Where Homeless applicants have accepted an offer of a suitable property and are yet to sign their Tenancy Agreement, the Council is considering suspending applicants from continuing to bid. Do you agree with this proposal?

**In agreement** – Subject to, in exceptional circumstances the Head of Housing will consider where there is good reason for an applicant to continue to bid.

**Recommendation:** It is recommended to approve this proposal subject to the above caveat.

### Question 4

Where Housing Register applicants have accepted an offer of a suitable property and are yet to sign their Tenancy Agreement, the Council is considering suspending applicants from continuing to bid. Do you agree with this proposal?

**In agreement** – Subject to, in exceptional circumstances the Head of Housing will consider where there is good reason for an applicant to continue to bid.

**Recommendation:** It is recommended to approve this proposal subject to the above caveat.

### Question 5

Housing Register applicants in Band C who have bid and been offered the property will be suspended from the Housing Register for up to 6 months in the following circumstances if they:

- Do not respond to a suitable offer of accommodation, and/or



- Do not attend an arranged viewing, and/or
- Refuse an offer of suitable accommodation?

**In agreement** – Subject to, in exceptional circumstances the Head of Housing will consider where there is good reason for an applicant to continue to bid.

**Recommendation:** It is recommended to approve this proposal subject to the above caveat.

### Question 6

Social housing is provided for those who cannot afford to buy or rent a suitable home on the open market.

We are proposing to set a higher cap for capital assets or savings of £20,000 or more, except where the applicant is applying for designated older persons' housing, in which case the total capital assets or savings threshold is £85,000.

**In agreement**

**Recommendation:** It is recommended to approve this proposal

### Question 7

For applicants who are residing in Social Housing and do not hold the tenancy and following a bereavement do not have the rights to succeed to the tenancy, should the applicants be assisted through the Housing Register to secure alternative accommodation if they are freeing up family sized accommodation.

**In agreement** – The Changing Spaces Officer will provide support to secure alternative accommodation.

**Recommendation:** It is recommended to approve this proposal.

### Question 8

In the current Policy, a Band D is awarded to a single concealed households (including young people who live in the family home), who meet the definition of Local Essential Worker, should this be opened up to include couples?

**In agreement**

**Recommendation:** It is recommended to approve this proposal

### Question 9

Should an exemption be included in the Local Connection criteria for applicants who are residing in an institution such as prison or secure unit, rehabilitation centre, refuge, hostel support accommodation scheme or semi-independent accommodation scheme and who did have a qualifying local connection through residence in settled accommodation within the Sevenoaks district immediately before they moved into their current accommodation?

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**In agreement** – Subject to the removal of prison or secure unit.

**Recommendation:** It is recommended to approve this proposal with the removal of prison or secure unit.

7 General comments arising from the consultation exercise include:

- Demand outstrips available supply
- Housing not available in the areas that residents have work, built up a support network and have family ties
- Households with school children, reschooling is a problem
- Applicants should remain on the Housing Register until a suitable property is found
- Social Housing is seen as a home for life
- If applicants have assets between £20k and £85k, then surely, they should be expected to buy or rent
- Suspend applicants even longer for refusing suitable accommodation
- Automated process before implementation

8 The Intermediate Housing Protocol gives priority to certain categories of applicants for Low Cost Home Ownership and other Intermediate Housing tenures. One such priority category is Local Essential Workers. The definition of Local Essential Workers is contained within the Housing Allocations Policy and currently requires Local Essential Workers to have been employed within the District for 3 years continuously at the point of application.

To encourage and assist Local Essential Workers to access Intermediate Housing, we have reduced the 3 years requirement to 1 year. This will apply to Intermediate Housing only.

9 The Sevenoaks District Housing Register Allocations Scheme July 2022–June 2027 included the allocation of vacant pitches on the Council's Hever Road Traveller site. Following the approval of the Sevenoaks District Gypsy and Traveller Allocation Policy, Romani Way, Edenbridge in July 2023 the reference to the allocation of vacant pitches at Hever Road has been removed from the draft Housing Allocations Policy.

10 Periodic reviews of the Housing Allocations Policy will continue on an annual basis, whereby minor amendments (which do not represent a major change of Housing Allocations Policy), may be made. This is delegated to the Chief Officer (People and Places) and Head of Housing in consultation with the Portfolio Holder for Housing and Health. Through this mechanism, it is intended the Policy will retain its relevance and robustness throughout its remaining 3 year lifespan.

11 The proposed changes ensures that the Housing Allocations Policy works to make the most effective use of the social housing that becomes available. This is important because the supply of homes is limited, and the district can only meet a small amount of the demand each year.

### **Other options Considered and/or rejected**

None

### **Key Implications**

#### Financial

There are no financial implications.

The new Housing Allocations Policy will assist the Housing Options and Solutions Team in making and defending decisions, thereby freeing up officer time for other duties.

#### Legal Implications and Risk Assessment Statement.

The Council is required to have a Housing Allocations Policy that complies with the statutory provisions contained in the Housing Act 1996 (as amended). Failure to have a lawful Policy will lead to legal challenges that the authority would not be in a position to defend.

#### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and varies between groups of people. The results of this analysis are set out in Appendix 2.

#### Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. 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**

As a Local Housing Authority, the Council has a statutory duty to publish a Housing Allocations Policy for assessing and prioritising applications for social housing to determine who can join the housing register and the criteria to determine the priority banding of each application.

The proposed changes ensure that the Housing Allocations Policy works to make the most effective use of the social housing that becomes available. This is important because the supply of homes is limited, and the district can only meet a small amount of the demand each year.

It is believed that the proposed changes as set out in the Housing Allocations Policy 2024-2027 will ensure the policy retains its relevance and robustness throughout the remaining years of its lifespan.

## Agenda Item 9

### **Appendices**

Appendix 1 – Draft Housing Allocations Policy 2024-2027

Appendix 2 – Equality Impact Assessment (EIA)

**Sarah Robson**

**Deputy Chief Executive, Chief Officer – People and Places**



# Housing Allocations Policy

**2024-2027**

DRAFT

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## 1. Introduction

This Policy sets out the Council's priorities for how social housing in Sevenoaks District is allocated and the guidelines that determine entitlement and eligibility to join the Housing Register. This will supersede any existing and former scheme relating to the allocation of housing and is in accordance with the requirements of Section 167 of the Housing Act 1996 (as amended).

The Policy explains what help people can expect from the Council in meeting their housing needs and sets out the system and processes for vacant social housing allocation and information on nomination agreements with housing owned and managed by Registered Provider/Registered Social Landlord/Housing Association and other approved Providers. If an applicant does not meet any of the priority criteria set out within this Policy, they will be excluded from joining the Housing Register because they have no identified housing need for social housing. If an applicant's circumstances change, they will need to submit a new application.

The Council will consider all applications for social housing in accordance with this Policy, which sets out:

- Who qualifies to be included on the register
- How to apply to get on the register
- How we determine an applicant's priority on the register
- How to bid for available properties
- How available properties are allocated
- How we keep the register up to date
- How applicants can seek a review of decisions made regarding the application assessment and allocation process

The demand for housing from people in need of social housing in Sevenoaks, or wishing to move to Sevenoaks, is significantly higher than the number of homes available. There is an insufficient supply of social housing owned by Registered Provider/Registered Social Landlord/Housing Association to offer a home to everyone who would want it, or even to everyone who needs a home.

This Housing Allocations Policy ensures that we allocate the limited number of social homes available as fairly as possible and to those in the greatest need. The Policy is designed to ensure we comply with our legal obligations and to support the objectives of the Council's Housing Strategy.

Some homes have a Local Lettings Plan applying or they may be located on a Rural Exceptions Housing site. This means these homes may not be to those in greatest housing need.

Specific Allocation Policies may be implemented and apply to supported housing schemes or other specialised accommodation, including the Romani Way, Hever Road, Edenbridge Gypsy and Traveller site.

## 2. Aims and Objectives

The broad objectives of the Policy are to:

- Ensure we are letting properties in line with housing law
- Determine the priority of applicants in a clear, transparent, and consistent way
- Ensure that homes are allocated fairly and to those in greatest need
- Provide accurate and timely advice and information to allow applicants to make informed choices about their housing options
- Create sustainable communities by the use of Local Lettings Plans
- Make the best use of the housing stock within the District, working with our Registered Provider/Registered Social Landlord/Housing Association partners to ensure that vacant homes are let quickly and efficiently
- Give applicants a choice of housing accommodation, or the opportunity to express preferences about housing accommodation, where this is reasonably practicable, by using choice based lettings through Kent Homechoice

### 3. Local Connection Criteria

Applicants will not be able to join the Housing Register if they do not have a local connection with the District. A local connection under this Policy means you are:

- Currently living in the Sevenoaks District and you 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
- 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
- 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
- An applicant for whom we have accepted the main housing duty under the homelessness legislation (Section 193 Housing Act 1996)
- A serving member of the Regular Armed Forces or a former member within five years of discharge (or a bereaved or separated spouse or civil partner of such a member)
- A serving or former member of the Reserve Armed Forces within five years of discharge who needs to move because of a serious injury, medical condition or disability sustained as a result of their service

In exceptional circumstances, applicants will not need to demonstrate a local connection. This can include (but is not limited to) applicants who:

- Have had a break in the period of continuous residence or employment due to circumstances beyond their control. For example, a temporary move to escape violence or threats of violence, or a temporary change to their usual place of work
- Are currently residing outside Sevenoaks District but need to move into the District to provide or receive significant and ongoing care or support to, or from, a close family member (ie children, parents, or siblings, only). A care giver or care receiver must currently live a minimum one hour's journey time away. This is measured by shortest car journey or, if the applicant does not have access to private transport, the shortest timetabled public transport route
- Need to move to receive significant and ongoing care or support from regulated providers



- Are at risk of violence or harassment (including domestic abuse or hate crime) and that risk would be substantially reduced by a move to a permanent home in the District
- Have fled from another local authority due to domestic abuse and are currently placed in a refuge or other form of temporary accommodation by the Council
- Are aged 55 years or over and wish to apply for designated older persons' housing
- Are unable to demonstrate a local connection because they are travellers who have been pursuing a nomadic lifestyle in accordance with their cultural tradition
- Are residing in an institution such as rehabilitation centre, refuge, hostel, supported accommodation scheme or semi-independent accommodation scheme, and who did have a qualifying local connection through residence in settled accommodation within the Sevenoaks District immediately before they moved into their current accommodation

Different local connection criteria will apply to new social housing provided on Rural Exceptions Housing sites and other sites in parishes where local needs nomination arrangements have been approved by the District Council. Here, priority will be given to applicants with a local connection to the host Parish followed by specified neighbouring parishes. Full criteria is set out in the legal agreement or Local Lettings Plan applying to each site. Details of the sites and the local connection criteria applying, can be obtained from [housing.policy@sevenoaks.gov.uk](mailto:housing.policy@sevenoaks.gov.uk)

#### **4. Qualifying Persons**

Section 160ZA Housing Act 1996 (as amended) gives power to Local Authorities to define classes of applicants that will be considered as qualifying persons. Qualification must be met at both point of application and point of offer. The Secretary of State may prescribe who are or who are not, qualifying persons.

Anyone aged 16 years or above is able to join the Housing Register unless they are ineligible or disqualified. You will be ineligible if you are a person the Government says cannot be on the list (this includes people who are subject to immigration control and do not have permission to be in the United Kingdom (UK), or whose immigration status does not allow them to benefit from government help).

#### **5. Ineligible due to Immigration Status**

The Government states that normally we will not be able to allocate social housing to persons who are not already social housing tenants and who need leave to enter or remain in the UK. This applies to all persons except British citizens or persons with a right to reside in the UK under the Withdrawal Agreement entered into between the UK and the EU.

If you need leave to enter or remain in the UK (regardless of whether you have leave) you will only be eligible to join the Housing Register if you are a person who falls into one of the following:

- Recorded by the Secretary of State as a refugee
- Granted Exceptional Leave to Remain outside of the Immigration Rules who is not subject to a condition of non-recourse to public funds
- Granted unconditional and unlimited leave to remain in the UK, is habitually resident in the Common Travel Area (UK, Channel Islands, Isle of Man or Ireland) unless they

are sponsored, have been resident for less than five years and at least one sponsor is still alive

- Granted Humanitarian Protection
- Granted limited leave to enter or remain in the UK on family or private life grounds under Article 8 of the European Convention of Human Rights under 12 paragraph 276BE (1) or 276DG or Appendix FM of the Immigration Rules who is not subject to a condition of non-recourse to public funds
- Habitually resident in the Common Travel Area and who has been transferred to the United Kingdom under Section 67 of the Immigration Act 2016 and has limited leave to remain under paragraph 352ZH of the Immigration Rules
- Habitually resident in the Common Travel Area and who has Calais leave to remain under paragraph 352J of the Immigration Rules (Effective from 1 November 2018)
- Limited leave to enter and remain in the UK as the family member of a 'relevant person of Northern Ireland' by virtue of Appendix EU of the Immigration Rules
- Habitually resident in the Common Travel Area and who has limited leave to remain in the UK as a stateless person under paragraph 405 of the Immigration Rules
- Has limited leave to enter or remain in the United Kingdom by virtue of Appendix Hong Kong British National (Overseas) of the Immigration Rules, is not subject to a condition of non-recourse to public funds and is habitually resident in the Common Travel Area
- Has been granted leave to enter or remain under the Afghan Relocations and Assistance Policy or the previous scheme for locally employed staff in Afghanistan
- Has leave to enter or remain who left Afghanistan in connection with the collapse of the Afghan government, but not if not subject to a condition of non-recourse to public funds or if the person has been given leave to enter or remain in the United Kingdom upon an undertaking given by their sponsor and has been resident in the Common Travel Area for less than five years and whose sponsors have not died

Certain persons in the UK who have limited leave to remain are exempt from the residential criteria and Local Connection set out in this Scheme if they are identified by Government as a Ukraine refugee, as set out in the updated Regulations which took effect from 22 June 2022.

The Government states that we cannot allocate housing to anyone unless they are habitually resident in the Common Travel Area, subject to certain exceptions for persons with rights of residence under the Withdrawal Agreement and persons who are in the UK as a result of being deported or expelled from another country.

The Government states that we cannot allocate housing to a person from abroad whose only right to reside in the UK is based on their status as a jobseeker or an initial three months' right of residence or is a derivative right of residence based on being the principal carer for a British citizen.

The Council is not allowed to allocate housing to an ineligible person by granting them a joint tenancy with another eligible person.

These rules do not apply to a person who is already a Secure or Introductory Tenant or an Assured Tenant of a Registered Provider/Registered Social Landlord/Housing Association. In that case, you are free to apply for a transfer regardless of your immigration status.

The detailed provisions of these rules are complex and the above is only a summary of them. They are subject to change by statutory instruments issued by Government from time to time.

## 6. Unacceptable Behaviour

Unacceptable behaviour is behaviour that is sufficiently serious enough for us to consider you to be unsuitable to be a social housing tenant. You will not usually qualify to be included on the Housing Register if you or a member of your household, has behaved in an unacceptable manner in the preceding two years on the date of your application.

Examples of unacceptable behaviour include, but are not limited to the following:

- Eviction or otherwise lost accommodation as a result of anti-social behaviour or rent arrears
- Conviction of criminal offences in or near your home and we are satisfied you still pose a threat to neighbours or the wider community
- Threatening or aggressive behaviour towards our staff or contractors
- Racial, sexual, or homophobic harassment, or harassment due to sexual orientation

The decision to disqualify you will be made by the Housing Register Panel. The Panel will take into account any supporting information from you, your current or previous landlords, and the Police, the Community Safety Unit, Probation, or any other relevant professional body.

## 7. Banding System

To be as fair as possible in deciding who should be offered social housing, we use a banding system to determine priority for rehousing. Assessment is based on an applicant's housing circumstances, suitability of the property and any long term medical problems.

Persons eligible to join the Housing Register will have their application assessed by the Council's Housing Register Team and placed into one of four bands, in accordance with the 'Fair and Flexible' Statutory Guidance. The Bands are referred to as 'A, B, C and D.' Applications in Band A will be given the highest priority for rehousing, Band B the next highest, then C with Band D applicants having the lowest priority.

All references to "transfer applicant" means, existing tenants of a Registered Provider/Registered Social Landlord/Housing Association partners who are currently living in social housing in the Sevenoaks District.

### Band A

Applicants in Band A have an urgent need to move and therefore the highest priority for social housing. However, other housing options may still need to be considered so that Applicants can move more quickly, and the Housing Options and Solutions Team will discuss this with you.

This Band includes the following:

- Those with an urgent need to move as their current accommodation is unsuitable for their medical or disability needs and due to this, they are unable to be discharged home from hospital or other clinical or respite facilities (eg "bed blocking")
- Where an applicant has a terminal illness, and the current accommodation is unsuitable for their medical needs and end of life care or cannot be suitably adapted

(such suitability/capability is as assessed by Kent County Council Occupational Therapy and/or the Council's Private Sector Housing team)

- Where an applicant or a member of their household has an urgent medical condition or there is an emergency medical situation, and the current home is not suitable for their medical needs or is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by Kent County Council Occupational Therapy and or the Council's Private Sector Housing team)
- Transfer applicants currently living in a designated wheelchair accessible home or a home with significant and useable adaptations (as assessed by the Registered Provider/Registered Social Landlord/Housing Association) but those adaptations are not required by any member of the household
- Transfer applicants who need to move because their home is scheduled for redevelopment
- Applicants who have been assessed by the Housing Register Panel as needing a move under the National Witness Mobility Programme (NWMP) or other similar vulnerable person protection scheme
- Where the Private Sector Housing Team have assessed there are one or more Category 1 hazards (as assessed under the Housing Health and Safety Rating Scheme) or other severe property conditions that impose an imminent risk of harm to the occupants and remedial action is considered unreasonable or impractical for cost or other reasons
- Applicants who have been assessed by the Housing Register Panel as needing to move due to an immediate, urgent, or exceptional need
- Where there is a rehousing obligation because a demolition, prohibition or compulsory purchase order has been served in respect of the applicant's current accommodation
- Transfer applicants who are looking to downsize and move to a home with at least one bedroom fewer than in their current home
- Serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- The bereaved spouse or civil partner of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- An applicant who is being made redundant from, or is retiring from, a job that includes tied accommodation and their departure from the job means they are required to give up their tenancy
- Homeless applicants who are fleeing domestic violence or abuse, where we have accepted the *Main Housing duty* to secure accommodation under Part 7 of the Housing Act 1996, and who are assessed as being at imminent risk of harm in their current accommodation (such current accommodation may include temporary accommodation arranged by the Council)
- Applicants who have been assessed by the Council's Private Sector Housing Team as statutory overcrowded (Housing Act 1985) and requiring an additional bedroom(s) to meet the needs of their household in accordance with "suitable size of accommodation (Section 9)

If an applicant has been placed in Band A they are able to exercise choice and place bids for properties on Homechoice for an initial period of six weeks.

If during the six week period there are no suitable properties for applicants to bid for they will be given a further six weeks to bid.

If a Band A applicant does not bid for suitable properties that are advertised during the six weeks cycles, the Council will place the applicant on autobid and one offer of suitable accommodation will be made.

If an applicant refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

### Band B

Applicants in Band B have a high level of housing need and likely to have to wait some time to be rehoused. Alternative housing options should therefore be discussed with the Housing Options and Solutions Team.

This Band includes the following:

- Homeless applicants where we have accepted the main rehousing duty to secure accommodation under Part 7 of the Housing Act 1996 and they have the following additional needs:
  - Long term health conditions that are unlikely to improve as assessed by the Housing Register Panel
  - Households where there is a need to place them in Sevenoaks due to Child Protection Plans under Children Act 1989
  - Households with children who have an Educational Health and Care Plan
- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed as **not** being under imminent threat of violence in their current accommodation) where we have accepted the *Main Housing duty* to secure accommodation under Part 7 of the Housing Act 1996 and who have been placed in temporary accommodation and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the Council's homelessness duty
- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed as **not** being under imminent threat of violence in their current accommodation) where we have accepted the *Relief Housing duty* to secure accommodation under Part 7 of the Housing Act 1996 and who have been placed in temporary accommodation and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the Council's homelessness duty
- A member of the Armed Forces who is a tenant occupying HM Forces service accommodation, who is threatened with homelessness because they have been served with a valid notice to vacate their tenancy, or those who are otherwise leaving said service accommodation
- Where an applicant or a member of their household has a high medical condition and remaining in the current property is a major and direct contributory factor to pose a severe and life threatening risk to the member of the household, or the property is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by Kent County Council Occupational Therapy and/or the District Council's Private Sector Housing Team)

- Where the Private Sector Housing Team have assessed that there are one or more Category 1 hazards (as assessed under the Housing Health and Safety Rating Scheme) which are having a negative impact on the medical, disability or welfare needs of a member of the household and remedial action is considered unreasonable or impractical for cost or other reasons
- Applicants living in supported housing schemes within the District (or temporarily displaced to a supported housing scheme in another Borough or District) who have been assessed as ready to move on into independent living
- Young people (16 - 25 year olds) in care accommodation and considered ready to move out of care by Kent County Council Social Services
- Young people (16 - 17 year olds) who are threatened with homelessness
- Non-successor tenants with no priority need housed in one of the Registered Provider/Registered Social Landlord/Housing Association partners where the social landlord requires the person to move due to irregular occupation of a social property as a non-successor who is not considered to be in priority need as defined by the Housing Act 1996 (as amended)

If an applicant has been placed in Band B they are able to exercise choice and place bids for properties on Homechoice for an initial period of eight weeks.

If during the eight week period there are no suitable properties for applicants to bid for they will be given a further eight weeks to bid.

If a Band B applicant does not bid for suitable properties that are advertised during the eight weeks cycles, the Council will place the applicant on autobid and one offer of suitable accommodation will be made.

If an applicant refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

### **Band C**

Applicants in Band C have an identified housing need and should consider proactively looking at other housing options to resolve their housing difficulties. Alternative housing options should therefore be discussed with the Housing Options and Solutions Team.

This Band includes the following:

- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed as **not** being under imminent threat of violence in their current accommodation) where we have accepted the *Prevention Housing duty* to secure accommodation under Part 7 of the Housing Act 1996 and who have or have not been placed in temporary accommodation and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the Council's homelessness duty
- Applicants who are lacking a bedroom(s) and require an additional bedroom(s) to meet the needs of their household in accordance with "suitable size of accommodation (Section 9)

- Verified rough sleepers who have a local connection to Sevenoaks
- Where an applicant or a member of their household has a medical condition (“other condition”), and the current home is not suitable for their medical needs or is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by Kent County Council Occupational Therapy and/or the Council’s Private Sector Housing Team)
- Households where one or more members are awarded a priority on medical, disability or welfare grounds, as the current housing conditions are having a negative impact on the medical, disability or welfare needs of a member of the household. This includes where care is given or received (See Section 11)

Applicants in Band C who have bid and been offered a property will be removed from the Housing Register for up to six months if they:

- Do not respond to a suitable offer of accommodation, and/or
- Do not attend an arranged viewing, and/or
- Refuse an offer of suitable accommodation

In exceptional circumstances the Head of Housing will consider whether there is good reason for an applicant to continue to bid.

#### **Band D**

Applicants in Band D can expect to wait a very long time to be rehoused, unless they are applying for designated older person’s housing. They may wish to look at other housing options to resolve their housing difficulties.

This Band includes the following:

- Homeless applicants who have a housing need but where we do not owe a duty to secure accommodation, such as:
  - *non-priority* homeless households or
  - households assessed as having become homeless *intentionally*
- Applicants who meet none of the criteria in Bands A – C above, but are eligible, only, to be considered for properties on rural exception sites or accommodation in parishes where local needs housing nomination arrangements have been agreed by the Council

*Explanatory note: Applicants will only be eligible to bid for the above categories of housing and then only for vacancies that arise in their local parish or specified neighbouring parishes. They will not be eligible to bid for any other social housing. Their inclusion on the Housing Register means the District Council does not need to hold a separate register for rural exceptions and local needs housing. We know that applicants and Providers, as well as our own Housing staff, value the benefit and fairness of a single point of application for social housing.*

- Applicants aged 55 years and over who wish to be considered for designated older persons’ housing, and who are not currently residing in such accommodation, and who may, or may not, have a local connection to the Sevenoaks District

*Explanatory note: A local connection is not necessarily required for designated older persons’ housing. This is to ensure there is a ready pool of eligible applicants for whenever vacancies arise. Traditionally, vacancies occur more frequently in older persons’ housing and lettings tend to take longer. Wherever possible, the Council wants to ensure vacant homes are relet as quickly as*

*possible, as this makes the most efficient use of the social housing stock. If applicants aged 55 years and over have a local connection to the District and have other housing needs, they will be placed in the highest Band applying. Applicants who do not have a local connection to the District will only be eligible to be placed in Band D.*

- Singles and Couples, concealed households (including young people who live in the family home), who meet the definition of Local Essential Worker (see Appendix 1)

*Explanatory note: On selected new build housing sites, a small number of homes (to be agreed on a site by site basis by the Chief Officer People and Places), may be put forward for allocation to this category of applicant under the terms of a Local Lettings Plan (subject to approval by the Portfolio Holder for Housing and Health). This position will ensure applicants in housing need from the higher Bands will continue to have priority to the vast majority of homes that become available for letting. However, we recognise the needs of Local Essential Workers and the important work they do in the local economy. We wish to help where we can and this is particularly the case with young people who have lived in the District for many years, but who now want to move to their first independent home. The above will enable us to help Local Essential Workers in a small but careful way.*

### **Band Dates**

An Applicant's position on the register, and within bands, will be determined by the band date. The original band date will be the date the Applicant was accepted onto the Housing Register.

### **Moving up a Band**

When an Applicant moves up a band the band date will be the date it was agreed that the Applicant's priority should be increased.

### **Moving down a Band**

When an Applicant moves down a band because their priority has reduced their original band date will be used to determine where they are placed in the lower band.

If an Applicant is moved down from a priority band due to a change in circumstances, they will only be given the benefit of the original band date if they move back within 6 months due to the same set of circumstances. If there are a different set of circumstances, they will enter the band at the new band date.

If an applicant is making a homeless reapplication within two years of a Section 193(7 AA) Housing Act 1996 as amended (private rented sector offer) which ended the Section 193(2) Duty Housing Act 1996 as amended by the Council, then they will be given their original band date subject to acceptance of the reapplication by the Council.

## **8. Medical and Welfare Priority**

The level of medical need, urgent, high, or other, will be assessed and determined by the Housing Register Team. The assessment will be based on:



**Band A (Urgent medical need)**

A person will be awarded Band A if the household contains one or more members with a currently life threatening illness or disability, and whose housing circumstances are affecting their health very severely.

**Band B (High medical need)**

A person will be awarded Band B if one member of the household or more has a serious illness or disability and their present living conditions are affecting their health to a marked or life threatening degree and where a move is recommended to improve the health of the individual.

**Band C (Other medical need)**

A person will be awarded Band C if one or more of the households has an illness or disability of a moderate nature which is affected adversely by their living conditions, and where a move is recommended to improve the health of the individual.

The Council's assessment is not based on the nature or severity of any medical condition or disability but is focused on the direct impact that the current housing has on any condition or disability, and whether this could be alleviated by a move to a more suitable home.

*For example, priority may be awarded if you have mobility issues which make it difficult for you to climb stairs and you are unable to access your bedroom or bathroom facilities on a different floor as these are only accessible by stairs. In this situation, you would benefit from a move to a property that provides level living. We will only assess your priority on medical and/or welfare grounds if there is evidence that your current housing impacts directly on your medical condition, disability, or welfare. We will not usually assess your priority on medical or welfare grounds if your household is already in Band A as an assessment cannot increase your priority.*

Priority on medical or welfare grounds is assessed based on the information you submit. If you consider that anyone in your household has a medical condition that is adversely affected by your current housing, you must provide independent verification. This may be from your GP, Nurse, Hospital Consultant, Occupational Therapist, or other health care professional. In welfare cases you should provide independent verification of your circumstances from your Social Worker, Support Worker or other professional involved in your case. For medical cases we may ask you to provide further evidence or refer your case for independent medical advice.

For welfare assessments we may ask you to provide further evidence or (where appropriate) we may make a joint assessment with Social Services, or an appropriate support agency.

We assess your priority by looking at your current housing. If it meets the medical and welfare needs of you and all members of your household there will be no change in your housing priority. We look at whether your current housing makes a medical condition or disability worse, and whether it is possible to make relevant adaptations, such as providing a stair lift or wet room to your home. In mobility cases we look at the severity of your difficulties in relation to your property.

Factors such as the number of steps inside and leading to a property, width of internal doorways and circulation space, and whether you have a lift or ramp may be relevant. The

assessment will consider whether a move to more suitable housing would either improve the medical condition or substantially improve your quality of life. If you have medical needs, but a move would not significantly improve the situation, there will be no change in priority based on medical grounds.

Overcrowding may impact on the health and wellbeing of some or all members of your household and or the needs of any dependent children. This is taken into account in the banding priority awarded due to overcrowding, and usually no further priority will be awarded.

Similarly, when assessing priority on welfare grounds we will consult with other people involved in your care, as this may identify ways to help you stay in your current home with appropriate ongoing support. If this resolves your support needs, you will not be awarded any priority on welfare grounds. Otherwise, we look at whether your needs are made worse by your current housing. If so, we will consider whether a move to more suitable housing would improve things for you. If you have welfare needs, but a move would not significantly improve the situation, there will be no change in priority on welfare grounds.

If you need to move into the District in order to provide or receive significant and ongoing care or support to or from a close family member (children, parents, or siblings, only) you will need to meet to satisfy the conditions given in Section 11. You will not normally be eligible to join the Housing Register if you want to move within the District to provide or receive significant and ongoing care or support to or from a close family member.

If you are currently living in supported housing (including refuge) and have been assessed by the support provider as ready to move on into independent living, you will usually be awarded Band B priority on welfare grounds.

If you are experiencing difficulties in accessing your home due to nonmedical matters such as carrying children, shopping, prams, or pushchairs on external or communal stairs or do not have access to a private garden, you will not usually be awarded any change in priority based on medical or welfare grounds.

## 9. Bedroom Eligibility

Generally, social housing is offered in line with the following guide:

A single person:

- Shared accommodation
- Bedsit
- Studio flat
- One bedroom flat, house, or bungalow
- Or designated older persons' housing, if appropriate

A couple:

- One bedroom flat, house, or bungalow
- Or designated older persons' housing, if appropriate

Two adults (or couple with verified need for separate bedrooms):

- Two bedroom flat, house, or bungalow
- Or designated older persons' housing, if appropriate

A couple or single parent, with one child:

- Two bedroom flat, house, or bungalow

A couple or single parent, with two children:

- Two or three bedroom flat, house, or bungalow (depending on the age/gender of children)

A couple or single parent, with three or more children:

- Three or four bedroom house (depending on the age/gender of children)

There are exceptions to this guide, depending on individual circumstances, which include (but are not limited to) applicants where:

There is a medical recommendation for a bigger home for example:

- To meet a medical or disability need for an extra bedroom
- To accommodate a carer
- The available home has special adaptations which you need and there are no other applicants of the correct household size available that need those adaptations and the applicant is not subject to the "Under Occupation Charge"

Other reasons include the home is offered:

- As the result of an emergency
- To a homeless applicant as temporary accommodation
- Under the specific terms of a Local Lettings Plan
- To a Band A transfer applicant, where the applicant has reached the qualifying age for Pension Credit (ie the under occupation restriction, or "Under Occupation Charge", does not apply) and the applicant is downsizing from a home with at least 3 bedrooms, then such applicant is eligible to be considered for a 2 bedroom home or less, irrespective of the size of their household

Bungalows will usually only be allocated to households where the applicant or a member of their household has been assessed as needing level living accommodation.

## **10. Shared responsibilities for Children**

The Council acknowledge that many separated or divorced parents continue to share responsibilities for their children including providing a home for them.

Where any dependent children live with you some of the time and at other times with their other parent or guardian at a separate address, we will assess whether your address is their main home so that they can be included as members of your household.

The Council will consider the following:

- The financial support you receive including Child Benefit, Universal Credit/tax credits, disability benefits (if appropriate) and maintenance from their other parent or guardian
- Any Family Court Order(s) under the Children Act (1989) in respect of parental responsibility, contact or residency

- Supporting evidence from Social Services in respect of fostering, guardianship, or adoption placements. Whether the children currently reside with someone else for all or part of each week

Regardless of the amount of time that your children spend with you, if we decide that their main home is not with you, they will not be included on your Housing Register application; and they will not be considered when assessing overcrowding/under occupation or the size of property (number of bedrooms) that you can apply for or be offered under this Policy.

### 11. Carers

The applicant, or a member of their household, needs to give or receive essential care and support that is substantial and ongoing and that cannot be provided from, or in, their current accommodation.

A carer is someone who looks after and supports someone would not be able to manage without their help. This could be due to age, physical or mental illness or disability. It does not mean a professional care worker or personal assistant who gets paid for their work.

All care giver or receiver applications will be determined by the Housing Register Panel.

Under this Policy:

- A care giver or receiver may only be a partner, spouse, parent, sibling, or child
- Where the care giver and care receiver do not currently reside together in the same household, they must live at least one hour away from each other for each one way journey. NB If this journey is to be made by public transport, the journey time will be measured by the shortest timetabled route
- Applications will only be considered where the care receiver is in receipt of at least one of the following at the higher rate for care - Disability Living Allowance, the daily living component of Personal Independence Payment, Industrial Injuries Disablement Benefit, Attendance Allowance, or the Armed Forces Independence Payments, together with Carer's Allowance
- If Carer's Allowance is not claimed, the care giver must provide evidence of a recent assessment by social services or similar support agency, so it can be established that care and or support is substantial or essential, with at least 35 hours per week unpaid care being provided to the care receiver

If you have requested to be rehoused in order to provide a bedroom for your care giver or care receiver to live with you on a permanent basis (ie you do not currently reside together as a household), or to provide a bedroom for a non-residential overnight carer, in addition the following will need to be taken into account:

- Whether your care needs have been assessed by a medical consultant as requiring overnight support
- The level of care that you need and whether this is likely to change in the future
- The ability of your carer to provide the level of care required
- The location of your current accommodation and where your carer currently resides

Where an existing household requests to be rehoused to provide an additional bedroom due to a permanent medical condition or disability, which is seriously adversely affected by their current accommodation, the Council will consider:

- Additional rooms for extensive specialist medical equipment only where these that cannot be reasonably accommodated within the bedroom environment
- Where a 24 hour carer is required after the level of functioning has been assessed and continuous care funding has been agreed
- Additional rooms where there is a physical disability that prevent a couple or siblings from sharing a bedroom, only if a confirmed medical diagnosis and supporting letter from a medical consultant is provided confirming that you are unable to share a bedroom and the reasons as to why
- The management of a person with behaviour problems, due to a recognised medical condition where there is a confirmed medical diagnosis and supporting assessment from a medical consultant, is made more difficult due to the present accommodation, such as a child with ADHD, Autism or similar, requiring their own bedroom. The criteria is as follows: Where a child has a confirmed diagnosis of ADHD or Autism, and their behaviour is such that another person within the family would be at a proven critical risk if a bedroom was shared and there are no other arrangements that can be reasonably made within the accommodation

## 12. Exceptional Priority

To assist the national Police force to tackle serious crime and to support witnesses in the legal process, the Council works in partnership with colleagues in the National Witness Mobility Programme and will, as required, accept referrals from this source.

Such cases will have been assessed and verified by the National Witness Mobility Programme managers and referrals will only be accepted with the agreement of the Housing Options and Solutions Manager and Head of Housing. There are confidentiality considerations for such cases and no personal information will be taken until the applicant accepts a direct offer of accommodation in the District. Any proposed offer will be checked for suitability by the National Witness Mobility Programme before the offer is made and details of successful lettings may not subsequently be made available to the public.

## 13. Direct Lets

Certain properties are excluded from choice based letting (bidding) and are allocated by making a direct offer to an applicant. This includes (not limited to) the following applicants:

- With an immediate need to move on health or welfare grounds, where the current home is unsuitable, or where there is an immediate threat of violence
- Who are subject to current Multi Agency Public Protection Arrangements (MAPPA), and who pose a very serious risk to the community, where the type or location of properties that are suitable may need to be restricted
- Who have been temporarily decanted from their current housing to enable demolition or redevelopment work and who need to transfer to a suitable property within the new development
- With a need for a bespoke adapted/wheelchair accessible home which is to be provided within a new development (as assessed by the Housing Register Panel)
- To discharge our duty to provide accommodation to some homeless households under the Housing Act 1996 (as amended)

Wherever possible the direct letting of a property will match the applicant's assessed need in terms of number of bedrooms needed or floor level, and any essential requirements on health

and welfare grounds. Other factors such as nonessential preferences regarding the location or type of housing will not normally be considered.

#### **14. One Offer/Refusals**

Only one offer of housing will be made to applicants under this Policy, except in the case of applicants who are applying for designated older persons housing or for existing social housing tenants who are seeking to downsize.

Where we have accepted a homelessness duty, the offer of accommodation could be a property the applicant has bid for through Kent Homechoice, or a property bid for by a Housing Officer on behalf of the applicant, or a direct offer made to end the Council's homelessness duty. The final offer will be confirmed in writing stating that the Council's duty to the applicant under Part 7 of the Housing Act 1996 (as amended) will be ended. Every homeless applicant has the right to request a review of suitability of the accommodation offered in discharge of the Council's Part 7 duty.

An offer of suitable accommodation, which is arranged by way of a nomination to a Registered Provider/Registered Social Landlord/Housing Association or private rented sector property, will be considered to be a reasonable offer.

In all cases, offers will be seen as suitable if they reasonably meet the housing and medical needs of the household. Factors taken into account include property size, location, affordability and, where predetermined by the Accommodation Team, any areas that are considered unsafe. In considering suitability, the Council will give regard to the overall supply and availability of accommodation and the demands placed on it by all priority groups.

If an offer is refused, request for review of suitability with the reasons for refusal will be considered by the Housing Register Panel who will decide if the property offered was suitable. If the property offered was unsuitable, then one further offer will be made.

However, if the property offered was suitable then no further allocation will be made. If you refuse an offer:

#### **Band A**

If an applicant in Band A refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

#### **Band B**

If an applicant in Band B refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

## **Band C**

If an applicant in Band C who have bid and been offered a property will be disqualified from the Housing Register for 6 months if they:

- Do not respond to a suitable offer of accommodation, and/or
- Do not attend an arranged viewing, and/or
- Refuse an offer of suitable accommodation

## **Band D**

If an applicant in Band D who have bid and been offered a property will be disqualified from the Housing Register for 6 months.

See Section 26 for how to ask for a review of an offer if you feel the property is unsuitable for you.

## **15. Determining Priority**

### **Assessment and Priority List Date**

The Council assess all of the information you provide to support your application and may ask you to provide further evidence to support your application.

If you are eligible and not disqualified, the two main factors that determine priority on the register are your assessed need (Bands A to D) and your priority date. Your priority date will usually be the date that your online application is verified.

Where there is a subsequent relevant change in your circumstances that affects your priority Band assessment, your priority date will usually be changed to the date we were notified of the change. We will email to tell you whether or not you have been included on the Housing Register. If you have been included, we will tell you the size of property you are eligible to bid for and in which Band you have been placed. You have the right to request a review of the facts of your case that we have used in this assessment.

You must tell the Council of any change in your circumstances within 14 days of the change.

We will email you to let you know if the change affects your level of housing need and or your Band. The banding reflects broad levels of housing need, so some changes in your circumstances may make no difference to the Band you are in. However, sometimes a significant change in circumstances, such as a move to another address, the birth of another child, a change to your household income or savings or a substantial change in mobility may result in a reassessment of your priority. Your application will usually be suspended, and you will not be able to bid for any properties until you have provided enough written evidence to allow the changes to be verified and to reassess your banding, regardless as to whether your Band actually changes.

Your household will be placed in the appropriate Band according to its highest need, not the accumulation of its needs. For example, if you are awarded priority on the grounds of overcrowding and are lacking two or more bedrooms, you will be placed into Band C regardless of whether you have another need such as a nonessential medical or welfare reason for moving.

### Overcrowding/Under Occupation

We assess overcrowding and under occupation by comparing the number of bedrooms in your home against your household's needs and in acknowledgement of the minimum standards set out in the Housing Allocations Code of Guidance. You will be assessed as needing one bedroom for the following:

- Every adult couple
- Any other adult aged 18 or over
- Any two children of the same gender aged under 18
- Any two children under the age of 10

Households will be assessed as needing one bedroom for each of the following if they are assessed by the Housing Register Team as being included as part of the household:

- A member of your household who is temporarily absent from your home because they are attending a full time University or higher education course
- A tenant requiring a non-resident overnight carer. It must be demonstrated that it is essential that applicants require both day and night care. This will be assessed by the Housing Register Team and Housing Register Panel based on a care needs assessment provided by Kent County Council Adult Social Care Services
- A disabled child who cannot share a bedroom with their sibling due to their disability and to award this we will require confirmation of the need for an additional bedroom from a medical professional and proof of Disability Living Allowance with care awarded at middle or high rate. The Housing Register Team and Housing Register Panel will assess the information provided and their decision will be final
- An adult child who is serving away with the armed forces
- A room for a foster child or children – only one room will be awarded and is subject to confirmation of approved foster status from Kent County Council. Children who are on weekend or holiday visits do not count as being fostered
- Pregnancy will be included in the room calculation from 22 weeks gestation, although it will not be included in any overcrowding calculation until the baby is born

A bedroom is defined as any room intended to be used as a bedroom, in line with what is stated on any tenancy agreement and to reflect the level of rent charged. If your current home has two separate living/reception rooms, it is probable that one of these could be considered as suitable for use as a bedroom.

For the purposes of assessing overcrowding:

- Two children of the same gender would be expected to share a bedroom until the eldest reaches 18 years of age
- Two children of different gender would be expected to share a bedroom until the eldest reaches 10 years of age
- A couple or single parent would not be expected to share their bedroom with a child
- A room measuring less than 50 sq ft (4.65 sq m) would not be treated as a bedroom

### Deliberately worsening Circumstances

If we consider that an applicant has acted unreasonably to make their housing circumstances



deliberately worse in their previous accommodation without good reason, or with the aim of qualifying for a higher banding, no additional priority will be awarded.

This applies where an applicant or member of their household has committed antisocial behaviour that would render them unsuitable for rehousing. Cases will be reviewed once the applicant can demonstrate that this behaviour has been addressed. Where applicable, applicants will retain the banding and priority they held before worsening their circumstances.

## 16. Property Condition

If you rent your current home from a Private Sector Landlord and you state that your reason for seeking social housing is due to problems with the condition of your home, a member of our Private Sector Housing team will contact you and your Landlord or Managing Agent responsible for the property. You must cooperate with this and any subsequent property inspection that may be required. No priority will be awarded if you withhold your consent to allow the Council to contact your Landlord or Managing Agent or prevent works being carried out, for example by refusing to let contractors into your home to undertake the works.

If a visit is determined necessary by the Private Sector Housing team, they will inspect and assess your home using the Housing Health and Safety Rating System. We use this to identify and categorise any hazards to health and safety. A crowding and space hazard is included within the housing needs assessment of overcrowding and, if present, no additional priority will be awarded under property condition grounds.

Band A priority will only be awarded to applicants who currently occupy a property which has at least one Category 1 hazard (excluding crowding and space) where the conditions present an immediate threat of serious injury or are life threatening and where remedial action is considered unreasonable or impractical for cost or other reasons.

Examples of where remedial action is considered unreasonable or impractical is where:

- Work cannot be carried out to remedy a serious hazard with the applicant in residence and no alternative accommodation is available for the applicant to assist in progressing remedial works
- The risk from the hazard in the property is greater because of being an elderly person or having a young child but the property would be relatively safe for occupation by others

Band B priority will only be awarded to applicants who occupy a property which has at least one Category 1 hazard (excluding crowding and space) where:

- The hazard(s) identified pose a threat to the health and wellbeing of the occupants but where there is no immediate danger, or it is not life threatening, and remedial action is considered unreasonable or impractical
- You do not have access to one or more of the basic facilities: bathroom, kitchen, inside toilet, cold or hot water supplies, or gas/electricity and this cannot be remedied within a reasonable timescale (This does not apply if you live in shared accommodation and share facilities with another household)

Any priority awarded on the grounds of property condition will be removed if the necessary remedial works are completed before you are offered social housing.

### 17. Financial Criteria

If you have a total household income or capital (including savings) above the thresholds described below, you will not usually be included on the Housing Register. The current thresholds for households are:

- Without dependent children and with a shared accommodation/one bedroom need, a total gross annual income of up to £40,000
- With dependent children and a two bedroom need, a total gross annual income of up to £50,000
- With dependent children and a three bedroom need, or more, a total gross annual income of up to £60,000
- Total capital assets or savings of £20,000 or more, except where the applicant is applying for designated older persons' housing, in which case the total capital assets or savings threshold is £85,000 or more

When looking at gross income, everything will be taken into account including earnings, overtime payments, benefits, child maintenance and any other relevant income. The gross income level and the asset level will be based on average private rents, or the level of deposit required to buy an average priced property in the area and will be reviewed as part of the annual review of this Policy.

Current payments of the following are disregarded as income for the purposes of this assessment:

- Disability living allowance
- Attendance allowance and any benefit treated as attendance allowance
- Personal Independence Payments
- Armed Forces Independence Payment
- War pensioner's mobility supplement
- Payments in compensation for non receipt of the above

The financial thresholds do not apply to homeless persons to whom the Council owes the statutory homeless duties under Section 193 of Housing Act 1996 or transfer applications from Secure and Assured Tenants of Registered Provider/Registered Social Landlord/Housing Association eg tenants who wish to downsize.

All applicants must declare whether they own a home or have a legal interest in any land or property in the UK or abroad, so that it can be assessed whether this home is suitable for their needs and considered reasonable to occupy. If you own, or jointly own a property (including under a shared ownership arrangement), whether or not you currently live there, you will not usually be eligible to join the Housing Register. Homeowners who need to move on medical or welfare grounds, or grounds relating to a disability, may be eligible to join the Housing Register if their needs cannot be met by the purchase of a suitable property, funded by the proceeds of the sale of their current property or by using their current income and capital, including savings. All applications from homeowners will be considered by the Housing Options and Solutions Manager and Head of Housing.

If you exceed the income and savings limits but wish to apply to join the Housing Register due to exceptional circumstances, all such cases will be considered by the Housing Register Panel. If you are unable to join the Housing Register, you may wish to consider alternative affordable housing options. For information on First Homes and Help to Buy options, such as shared ownership, view our [affordable homes webpage](#).

### **18. Outstanding Housing Related Debt**

It is essential for our partner Registered Provider/Registered Social Landlord/Housing Association Landlords and Private Rented Sector Landlords to collect rent and other housing related debt.

Applicants who have an outstanding housing related debt owed to another Council, Registered Provider/Registered Social Landlord/Housing Association or Private Rented Sector Landlord, including, but not limited to, rent arrears, Council Tax arrears, Housing Benefit or Universal Credit over payments and rent deposit scheme arrears, will usually be disqualified from joining the Housing Register, unless they have entered into a repayment plan and have made continuous repayments in accordance with the plan for a minimum period of six months. In assessing an application to join the Housing Register, the Council will take into account the size of the debt, the means to pay and the degree of need.

Once an applicant has been accepted onto the Housing Register, repayments should continue to be made on a regular and sustained basis until the debt is cleared. If the applicant breaches their repayment plan, they will be suspended from receiving any offer of accommodation. If the applicant is successful in bidding for a social home, any outstanding debts must usually be cleared in full before a property will be allocated.

In some cases where an applicant has a debt where it is considered that although regular repayments are in place there is no reasonable prospect of them repaying the debt off because they are unable to gain employment because of physical or mental illness, learning or physical disability, or are unable to adequately manage their finances due to health or disability reasons, the offer may still be agreed. This decision will be made by the Housing Register Panel.

Applicants who have been cautioned or convicted of housing or welfare benefits related fraud where that conviction is unspent under the Rehabilitation of Offenders Act 1974, will usually be disqualified from joining the Housing Register.

An applicant may apply to join once this conviction is spent.

### **19. Allocations Exceptions**

The allocation of housing by a local housing authority (Sevenoaks District Council) is defined in Section 159 of the Housing Act 1996 and includes nominating a person to be an assured tenant of housing accommodation held by a Registered Provider/Registered Social Landlord/Housing Association.

The following are not “allocations” under this Policy:

- An offer of accommodation to an existing social housing tenant (transfer applicant) with no reasonable preference. Under the Localism Act 2011 such

cases are no longer subject to the Allocation rules set by Section 166 of the Housing Act 1996 Part 6:

- Succession to a tenancy on an existing social housing tenant's death pursuant to Section 89 Housing Act 1985, or
- Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenant's death, or
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004, or
- An introductory tenancy becoming a secure tenancy, or
- Mutual exchanges (a swap of homes) unless these relate to Rural Exceptions Sites or accommodation in parishes where local needs Local Lettings Plans have been agreed by the Council
- A Registered Provider/Registered Social Landlord/Housing Association initiated transfer (eg decant to alternative accommodation to allow for major works)
- Provision of non secure temporary accommodation in discharge of any homelessness duty or power
- Allocations which Registered Provider/Registered Social Landlord/Housing Associations make outside of their nomination agreement commitments with the Council
- Allocations where there may be public protection risks
- Where a Court makes a decision about a tenancy (such as an order under the Children Act)
- Where we let a property directly to someone as temporary accommodation only
- Where the tenant is returning to the property after refurbishment or improvement
- Tenancies granted under Section 39 of the Land Compensation Act 1973 or Sections 554 and 555 of the Housing Act 1985

Allocations to the following types of accommodation are not covered by this Policy:

- Supported Housing schemes (applicants for this type of accommodation will be signposted or referred to Adult Social Care/the relevant Supported Accommodation Provider)
- Extra Care Sheltered is housing for single people, or couples 55 years and over, who want to maintain independence in their own home but need some care and support. It is ideal for people who have long term deteriorating health conditions, people who need care at night or whose needs can change quickly. There is care on site, but it is not a care home.

Priority is not based on the Housing Register position alone. Instead, a Kent County Council Adult Social Care panel meeting is held for each available property to discuss the interested applicants and establish the most suitable candidate.

The Sevenoaks District have 50% allocations for:

- Emily Court, Dartford (Housing and Care 21) – 20 of the 40 apartments

If applicants are interested in these properties, you should apply to our Housing Register at [www.kenthomechoice.org.uk](http://www.kenthomechoice.org.uk) and contact Adult Social Care Services (03000 416 161) to request an assessment of your care needs.

## 20. Making an Application

Everyone who wants to be considered for inclusion on the Housing Register must complete the application process set out below:

- Follow instructions on how to apply for housing on the online application form at <http://www.kenthomechoice.org.uk/choice/>.
- Provide original documents to verify yours and your households identity and current housing circumstances on your online portal
- Complete any supplementary forms, provide an additional information requested and answer further questions on your online portal

This process ensures that all applicants are assessed in a transparent and consistent manner. That we have all the information needed about your household and current circumstances to determine whether you qualify to join the Housing Register and if so, what priority banding is appropriate.

You can complete an assessment form to record your household's housing needs if you are 16 years of age or over. You can only be included on one application for housing in this District. This can either be your own personal application or you can be included as a household member in another person's application.

You must complete the assessment form fully and accurately. We will use it to decide your priority on the Housing Register so that housing can be allocated fairly on the basis of the greatest need. We will carry out home visits and interviews to confirm housing needs.

If you are between 16 and 18 years of age, before you are offered social housing, your ability to manage a tenancy will be assessed, usually via a referral to Social Services or other support services, to identify any need for support. You will need a guarantor, usually your parent, legal guardian or other relative as any tenancy granted will be held in trust until you reach 18 years of age.

You are required to sign declarations to confirm that you:

- Have provided true, accurate and complete information
- Will notify us of any change in your circumstances within 14 days of the change
- Understand that information given on the assessment form will be shared with the Registered Provider/Registered Social Landlord/Housing Association Landlords, other Council departments, data matching companies and other relevant parties
- Consent to the Council making relevant enquiries to verify the information given on the assessment form
- Consent to the disclosure of relevant information by third parties to the Council or by the Council to third parties
- Understand that information provided may be used to help in the detection and prevention of fraud

If you do not have access to the internet, the Housing Register Team can help you make an application.

### Who can be included on your application?

You can include members of your household who are currently living together with you, including:

- Your partner, whether you are married, in a civil partnership or cohabiting
- You and your partner's dependent children under the age of 18, including adopted children
- Relatives, under this Policy means adult children, parents, or sibling, who have a need to live with you for which evidence is provided
- Someone who currently lives with you as your care giver

We will consider including partners, carers and dependents who are not currently living with you if you are:

- No longer able to live independently because you need care and support that they can provide (or they need care and support that you can provide) and you are unable to live together as your current accommodation does not meet any needs arising from a disability (see Section 11)
- Unable to live together as neither you nor any other member of your household have accommodation available which is large enough to accommodate your whole household together
- Where you are applying to set up an independent home for and your household

### Advice and information about your application

If you are homeless or threatened with homelessness, you should contact [housing@sevenoaks.gov.uk](mailto:housing@sevenoaks.gov.uk) for immediate advice and assistance. Further information can be found on our website at [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk).

Advice and information about your application to join the Housing Register can be obtained by emailing [housing.register@sevenoaks.gov.uk](mailto:housing.register@sevenoaks.gov.uk). All applicants can access their Housing Register application on their online portal. An applicant has the right to request general information to assess how their application is likely to be treated under this Housing Allocations Policy and whether and when housing appropriate to his/her needs is likely to become available.

Waiting times depend on number of factors:

- Personal circumstances including your priority banding and the size and type of property needed to meet your households needs
- Number of properties available for letting
- Number of bids placed by the applicant
- Changes in the law, regulations or guidance, or the rules of this Housing Allocations Policy

Only a very general indication can be given as to how long an applicant may have to wait to be successful by using historical allocations data. There is no guarantee of housing by a certain date regardless of the priority band awarded. Households with a relatively low need are likely to wait a very long time and many have no realistic prospect of receiving an offer of social housing.

## 21. How to Bid

Social housing within the Sevenoaks District is allocated through the Kent Homechoice (Choice Based Lettings) scheme <http://www.kenthomechoice.org.uk/choice/>.

Applicants who are eligible to join the housing register can express a preference over the area and type of accommodation in which they would like to live.

When properties are advertised on the Kent Homechoice website, applicants are able to express an interest (bid) for the appropriate size of home and choose the type and location of properties.

After a property is let, feedback about the number of households that made a bid, the priority band of the successful applicant, and their priority date is available to view to bidders on Kent Homechoice. This helps applicants to understand the availability of suitable properties, their likelihood of success when applying and to gain an indication of the time they could be waiting.

When your application has been accepted onto our Housing Register you will receive confirmation of your priority banding and details of how to access the Kent Homechoice bidding process. All housing offered by our Registered Provider/Registered Social Landlord/Housing Association partners is generally advertised on Kent Homechoice and each property will be available for applicants to place bids for a period of five calendar days.

The advertisements show photographs and give basic details of the properties including:

- The area
- Any specific criteria eg Rural Exception Housing and/or Local Lettings Plans
- Number of bedrooms
- Floor levels
- Weekly rent
- Service charges
- Age restrictions
- Pet restrictions

There are no restrictions on the number of properties that you can bid for, and you can place bids on any property that meet your household's needs as and when they are advertised.

If you prefer, we can set up auto bidding on your account which means that a bid will automatically be placed on all properties that meet your needs by the close of bidding so that you will be included on all of the relevant shortlists and do not miss any opportunities to be offered affordable housing.

If you do not have access to the internet, the Housing Register Team can help you place bids.

Certain properties will not be advertised on Kent Homechoice and will be offered as direct lets or will only be open for bids from certain applicants, eg designated older persons' housing and properties that have been adapted for wheelchair users. Properties made available through Rural Exception Sites or accommodation in Parishes where Local Lettings Plans have been agreed by the Council, will be open to general bidding but will only be allocated to applicants meeting the specific criteria set.

## 22. How homes are Let/Allocated

In most cases, homes are let following advertisement on Kent Homechoice. After an advertisement closes on Kent Homechoice, a shortlist is produced. In most cases, the property is offered to the household on the shortlist with the highest band and priority date. Within each band, the order of bids is ranked by the applicant's date of registration on the Housing Register, starting with the earliest.

The more property type and area choices an applicant makes the greater the chance the applicant will be successfully housed.

If two or more applicants share the same priority date within the priority band, the system will place them in order of priority. The applicant at the top of the shortlist will be verified to check that the information they have given is correct and that the property is suitable. Once verified, the highest priority applicant will usually be offered the property, subject to any additional criteria that apply such as a Local Lettings Plan, age restriction or suitability. If an applicant is not verified, does not respond to an offer or the offer is refused, the property will be offered to the next applicant on the shortlist, and so on, until the property is successfully let.

The relative position of bidders on the shortlist for a property may change between the close of bidding and when the property is offered. This will only happen where there is a change in the priority band awarded for one or more bidders on the shortlist, this would normally be as a result of the verification process. In such cases, the property will usually be offered to the applicant with the highest priority at the time the offer is made.

If there are no successful bidders, the property will usually be readvertised, or it may be offered as a direct let to another applicant on the Housing Register.

Where applicants have accepted an offer of a suitable property and are waiting to sign their Tenancy Agreement, the applicant will be suspended from bidding on further properties.

In exceptional circumstances the Head of Housing will consider where there is good reason for an applicant to continue to bid.

Registered Provider/Registered Social Landlord/Housing Association partners may have their own lettings policies which prevent a property being offered to an applicant.

Different shortlisting rules apply to Rural Exception Sites or accommodation in parishes where local needs housing nomination arrangements have been agreed by the Council. In these cases, the applicant's local connection to the host Parish followed by specified neighbouring parishes is considered first, followed by Band order and date of registration. An applicant's local connection to the Parish will be verified by the Parish Council (this will be done in anonymised form).

In exceptional circumstances, we may decide to restrict bidding and allocations to certain categories of applicant, eg homeless households. This restriction will be time limited, and our website will show how long it will remain in force before it is reviewed. The decision to impose restrictions will be made by the Chief Officer People and Places, Head of Housing in consultation with the Portfolio Holder for Housing and Health.



### 23. Annual Review of the Housing Register

It is our intention to review all applications annually, or earlier as and when required. Failure to respond within 28 days to a request to review your application, will result in your application being removed. If good reason can be shown why there was a failure to respond, then your application may be reinstated at the discretion of the Housing Register Team.

We will remind you to tell us about any changes in your circumstances. If you fail to respond or fail to provide any further information, we ask for within 28 days, we will assume that you no longer wish to be on the Housing Register, and your application will be removed. If you notify us of a change of circumstances, you must supply evidence of the change within 28 days so we can reassess your application.

Your application will be removed from the Housing Register if you:

- Accept an offer of accommodation made from the Housing Register
- Accept a private sector housing tenancy, including when we have provided financial assistance by way of a rent deposit, and no longer have a qualifying housing need
- Have not placed bids on suitable accommodation that have become available since your housing register application was live
- Do not respond to the annual review
- Do not respond to correspondence from the Council asking you to provide information
- Are no longer eligible to be included on the Housing Register
- No longer wish to be rehoused
- Have left temporary accommodation that we arranged for you, and we do not have your forwarding address
- Have moved without notifying us of your new address

### 24. Local Lettings Plans

In exceptional circumstances, the Council may develop Local Lettings Plans for specific properties or areas, in order to meet local housing need or support the development of balanced and sustainable communities.

Local Lettings Plans include criteria that are designed to address specific issues or needs and set out the priorities for letting homes within a specific housing development or area.

Examples of these criteria include:

- Village or Parish Connection - where an unmet housing need has been identified
- Local Essential Workers - see Appendix 1

Clear evidence of the need to vary the usual Policy will be required before a decision to introduce a Local Lettings Plan can be made. Consideration will always be given to the implications of a Local Lettings Plan for equal opportunities and the statutory 'reasonable preference' criteria. Local Lettings Plans will be reviewed and removed once their objectives have been achieved. Where a Local Lettings Plan is applicable to a property, this will be specified in the property advert.

Local Lettings Plans have to be agreed by the Head of Housing and Registered

Provider/Registered Social Landlord/Housing Association partners and then approved by the Portfolio Holder for Housing and Health

## **25. Housing Register Panel**

The Housing Register Panel comprises a group of three or more officers with at least one representative from the Accommodation Team, the Housing Options and Solutions Manager, the Head of Housing and an independent senior manager from the Council who is not connected to Housing Service. They will meet on a regular basis to make and review decisions. The Panel will be Chaired by a Senior Manager and the Accommodation Team Leader will be responsible for notifying the applicant of the outcome.

The Housing Register Panel may invite other relevant partners to attend, including but not limited to the Community Safety Team and Registered Provider/Registered Social Landlord/Housing Association partners. There is no right to review a decision made by the Housing Register Panel.

## **26. Consideration of Offers and Refusals**

After the shortlisting and checking processes, the successful bidder will be contacted by the Registered Provider/Registered Social Landlord/Housing Association partners to arrange a viewing of the property and attend a verification interview. If you are offered a home, then you would normally be expected to accept or refuse it within 24 hours of the viewing.

If you refuse an offer:

### **Band A**

If an applicant in Band A refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

### **Band B**

If an applicant in Band B refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

### **Band C**

If an applicant in Band C who have bid and been offered a property will be disqualified from the Housing Register for six months if they:

- Do not respond to a suitable offer of accommodation, and/or
- Do not attend an arranged viewing, and/or
- Refuse an offer of suitable accommodation

**Band D**

If an applicant in Band D who have bid and been offered a property will be disqualified from the Housing Register for six months.

If you feel the property, you have been offered does not meet your needs, you can ask for a review as to the suitability of the property and you will need to provide detailed reasons for your refusal.

Your request will be considered by the Housing Register Panel who will consider the suitability of the offer in accordance with your assessed needs taking into account (but not limited to):

- The size, floor level, space, and arrangement of the property, and whether it meets the housing needs of the household
- Any medical or welfare grounds for rehousing
- Any risk of domestic or other violence

We will not hold the property for you during the review period; it will be immediately reallocated to another applicant, and you will not receive any further offers during this time.

If the review confirms the property was suitable your refusal will result in your application being removed from the Housing Register and you being disqualified for 6 months. If your reasons for refusal are accepted by the Housing Register Panel and the property offered is considered to be unsuitable for your needs, you will be able to continue bidding without any penalty.

**27. Reinstatement of Exceptional Cases**

In exceptional circumstances the Council may reinstate applications which have been closed by the Council for a particular reason. Applicants should write to the Housing Register Panel who may reinstate their application or make an offer of accommodation if they are satisfied, and it can be proved that disqualification from the Housing Register would cause exceptional hardship to the applicant and their household. There will be no further right of review of the decision of the Housing Register Panel.

The effect of a decision to reinstate a closed application on the grounds of exceptional hardship will be that the application is treated as having been made on the date it was originally made, not the date on which it was reinstated.

**28. Ineligible or Removed from the Register**

The Council will write to you to notify you if we decide that you are not eligible or removed from the Housing Register. You have a right to review the decision, details of how we carry out the review can be found at Section 30 of this Policy.

**29. Inaccurate information provided**

The Council is under a duty to protect the public funds it administers and to this end may use the information you provide for the prevention and detection of fraud. It may share this information with other Council services, other Local Authorities, Government agencies and credit referencing agencies for the detection and prevention of crime.

It is an offence under the Housing Act 1996 and or the Fraud Act 2006 for anyone seeking help from the Council to:

- Give false or misleading information
- Withhold information that we have asked for on an assessment form or other correspondence
- Fail to tell us of a relevant change in circumstances which could affect the priority of housing awarded

This may result in prosecution; your application being closed and or any tenancy granted to you being terminated. Prosecution by the Council could result in a sentence of up to ten years in prison.

It is your responsibility to inform us of any change that could affect the priority that has been awarded. If we offer affordable housing to you and, on further investigation, it appears that your circumstances had changed before the offer in a way that affected your housing priority, we reserve the right to withdraw the offer. While the investigation is ongoing the property will not usually be held for you and will be reallocated to the next person on the shortlist.

When housing has been allocated on the basis of false or misleading information, legal action may be taken to obtain possession of the property. We will decide when these provisions apply and when to begin criminal proceedings.

The Housing Register is registered under the current data protection legislation. Information on it is received, held, and disclosed only for registered purposes. For Rural Exceptions sites and accommodation in parishes where local needs housing nomination arrangements have been agreed by the Council, applicant details may be shared with the host Parish Council prior to an offer of housing being made.

Applicants have the right to see information on their file relating to their Housing Register application except where this involves confidential third party information. If an applicant is not eligible or does not meet the qualifying criteria for inclusion on the Housing Register or respond to an annual review of their entry on the Housing Register or is otherwise removed from the Housing Register, their records will be kept for five years before being confidentially deleted.

### **30. Right to Review**

If an applicant does not agree with a decision made by the Council in respect of their application, they have the right to request a review of the decision. Circumstances in which an applicant may request a review include:

- The Council has decided that an applicant is not eligible or does not qualify for the Housing Register
- The applicant believes their application has been assessed incorrectly and placed in the wrong Band
- The applicant believes they should be eligible to bid for a size or type of property that they have not been permitted to bid for
- The Council has decided to withdraw an offer of accommodation
- An application has been removed from the Housing Register and the applicant's request to have the application reinstated has been refused

To request a review of a decision you must make a request in writing within 21 days of receiving it and clearly state why you do not agree with the decision. In exceptional circumstances an applicant can request an extension of time to request a review, their requests to be submitted by a representative or review request to be made verbally. We may ask you to provide more information and or attend an interview.

The review will look at your case based on the Policy, any legal requirements, and all relevant information. This includes information you have provided and any changes since the original decision was made, for example paying off rent arrears or setting up a repayment plan, or where someone responsible for antisocial behaviour has left your household.

All reviews will usually be completed by the Housing Register Panel. A review will normally be carried out within 56 days. Written notification of the review decision, including grounds for the decision, will be sent to the applicant at the correspondence address or email address provided for their application. If the applicant does not have a correspondence address or email address, a copy of the letter will be made available for collection from the Council Offices for period of at least 21 days.

If the applicant submits new information or evidence that was not available when the original decision was made, such as information relating to a change in circumstances, the application may be referred for a reassessment rather than a review. If the applicant does not agree with the decision made following the reassessment, they have the right to request a review.

### **31. Equality and Diversity**

Sevenoaks is a diverse District and home to people from a wide range of backgrounds and communities. We are committed to all our residents having the opportunity to reach their potential and seek to ensure our services meet all their needs.

The Council seek to ensure that no section of our community is excluded from the benefits and opportunities available and that we always have regard to the need to eliminate discrimination, harassment, and victimisation.

This Housing Allocations Policy will be applied consistently to everyone who applies to or is on the Housing Register, regardless of race, gender, disability, age, sexuality, sexual orientation, religion, or belief.

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.

### **32. Housing Allocations Policy Review**

The Housing Allocations Policy will remain in place and in operation for three years from the date of adoption.

Sevenoaks District Council's Housing Service is responsible for the Housing Allocations Policy and will complete an annual review 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. This will include an annual review of income thresholds. Authority to introduce such minor amendments is delegated to the Chief Officer People and Places, Head of Housing in consultation with the Portfolio Holder for Housing and Health.

We will seek to inform all applicants of any changes to this Policy by publicising details on our website and on Kent Homechoice.

DRAFT

## Appendix 1

**Definition of Local Essential Worker**

A Local Essential Worker is defined as someone who is employed in the Sevenoaks District in one of the following occupations ("specified occupations")

- Public sector frontline staff, meaning
  1. NHS nurses
  2. an NHS [allied healthcare professional](#)
  3. teachers, nursery nurses and teaching assistants
  4. police officers and Police Community Support Officers
  5. firefighters
  6. military personnel
  7. social workers
  8. local government officers
- Any other frontline public sector occupational group experiencing recruitment or retention issues as evidenced to the satisfaction of the Council.

A Local Essential Worker in one of the specified occupations is deemed to be employed in the following circumstances:

- Has been in paid fulltime employment or part time permanent employment for 16 hours or more per week for the last three years (if the applicant is applying for social housing in accordance with the Housing Allocations Policy 2024–2027) or the last year in respect of Intermediate Housing or
- Has been working at least 16 hours per week on a temporary or zero hour employment contract basis for the last three years (if the applicant is applying for social housing in accordance with the Housing Allocations Policy 2024–2027) or the last year in respect of Intermediate Housing or
- For Intermediate Housing only, where the applicant has yet to commence employment and has a contract for full time permanent employment or where the employment is expected to last for a period of at least one year.

**Plus:**

- The place of employment is/will be located in the District, ie this does not include where a head office or regional office is situated in the District but the applicant carries out their duties elsewhere. For those with a caseload or a roving remit (eg nurses, social workers, police officers, etc), the applicant would need to obtain written confirmation from their employer that a significant part of their day to day activity occurs within the District.

Applicants will need to provide documentary evidence to confirm that their employment, contract of employment and location of said employment, is genuine. Appropriate evidence could include:

- A contract of employment
- A letter from the employer confirming the nature and location of any roving remit
- Wage/salary slips or bank statements covering the required period of employment

### Protocol for Private Rented Sector Offers for Homeless Applicants

Sections 148 and 149 of The Localism Act 2011 introduced provisions which enable the Council to bring its statutory housing duty under S193 Housing Act 1996 to an end without the applicant's consent with an offer of suitable accommodation in the private rented sector with a minimum 12 month assured shorthold tenancy.

This approach will apply to homelessness cases where the Council accepted a homeless application on or after 1 January 2017.

This protocol sets out the basis on which the Council will use this power.

The Council's policy is that a Private Rented Sector Offer may be made to any homeless applicant where it is lawful to do so. Any Applicant whose homeless application was accepted on or after 1 January 2017 could be made a Private Rented Sector Offer. The Council acknowledge that a Private Rented Sector Offer may not be suitable for all homeless applicants and will carefully consider all the individual circumstances of each household when determining whether a Private Rented Sector Offer is appropriate.

The following general principles will apply when Private Rented Sector Offer are made:

- One suitable offer will be made
- The level of private rented sector housing supply will determine the number of households who have their full housing duty ended with a suitable offer
- Applicants will be selected for a Private Rented Sector Offer through criteria which meet the operational needs and will take into account the financial impact on the Council. It is the case that such criteria will not be static however the Council will upon request make the actual selection criteria used in relation to the decision taken to make a Private Rented Sector Offer available to the applicant

The selection criteria will include:

- Applicants who are currently in or will need an allocation of temporary accommodation provided by a third party at cost to the Council
- Applicants who have a need to move from their interim main duty housing accommodation
- That there are no exceptional circumstances relating to the need for the provision of social housing to provide longer term stability for a household for example where a household has a child or children on the at risk register or where a household requires an adapted property to meet long term disability needs. In accordance with legislation and statutory guidance the Council seeks to accommodate homeless applicants and their households in the Sevenoaks District as far as reasonably practicable. However, there is a serious shortage of accommodation in the District to meet the housing need and it will not be reasonably practicable to provide accommodation in the Sevenoaks District to every applicant and their household. There is an increasing need to use accommodation that may be some distance from the Sevenoaks District



The Council recognises that there are instances when personal circumstances indicate that an applicant should be given priority to be housed within the Sevenoaks District and the Council will prioritise those who have the greatest need to be in District.

Applicants who do not fall into the priority categories will be offered suitable Private Rented Sector Offer properties which are the closest geographically available to Sevenoaks District where no other suitable property is available in the District.

The Council accepts that, in addition to these priority categories, there may be exceptional circumstances which will need individual consideration, and these will be dealt with on an individual basis.

The Council assesses the suitability of every offer of accommodation that is made to the Applicant and all such offers are in line with all legislation, regulations, associated case law and statutory guidance.

Where there is a particular reason why the applicant cannot be housed in a particular location this will be taken into account when the Council decides whether a property is suitable.

The Council may need to relocate people who do not fall into the priority categories to areas outside of the District.

Applicants who express a preference to be housed outside of the District may be housed in the area of their choice if it is reasonable and practical to do so.

Further details are available in the Council's adopted Out of Area Placement Policy (July 2022) provided on the Council's website.

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## Appendix 2 - Equality Impact Assessment

<b>Summary of decision to be made:</b>	Adoption of the Housing Allocations Policy 2024-2027		
<b>Lead Officer (job title):</b>	Alison Simmons, Head of Housing		
<b>Date the final decision is due to be made:</b>	25/07/2024	<b>Date this assessment commenced:</b>	07/03/2024
<b>Is the decision relevant to the aims of the Public Sector Equality Duty to:</b>			
Eliminate discrimination, harassment, and victimisation	Yes/ No		
Advance equality of opportunity	Yes / No		
Foster good relations	Yes / No		

### Background

The Sevenoaks District Housing Allocations Scheme 2022 – 2027 (Approved in July 2022) determines eligibility for, and the allocation of, social housing within the District. Social housing is owned by Registered Provider partners as well as other Providers, including Quercus Housing. The Scheme provides greater opportunity to join the Sevenoaks District Housing Register for people with a genuine local connection and an identified housing need, including those in reasonable preference groups and with protected characteristics. The Scheme ensures priority is given to those in the greatest housing need, except where homes are delivered on Rural Exceptions Sites or where a Local Lettings Plan has been approved through Portfolio Holder decision.

Reviewing and making changes to the adopted Policy requires a period of consultation. The recommendations within this review have all been subject to a comprehensive consultation exercise. A revised Housing Allocations Policy 2024-2027 has been amended considering feedback received from the recent consultation.

Periodic reviews of the Housing Allocations Policy are allowed for, whereby minor amendments (which do not represent a major change of Scheme), may be made. This is delegated to the Chief Officer (People and Places) and Head of Housing in consultation with the Portfolio Holder for Housing and Health. Through this mechanism, it is intended the Housing Allocations Policy 2024-2027, subject to approval by Full Council on 25 July 2024, will retain its relevance and robustness throughout its remaining 3 year lifespan.

### Relevance to the Public Sector Equality Duty

As a Local Housing Authority, the Council has a statutory duty to publish a Housing Allocations Policy for assessing and prioritising applications for social housing to determine who can join the housing register and the criteria to determine the priority banding of each application. The proposed changes ensure that the Housing Allocations Policy works to make the most effective use of the social housing that becomes available. This is important because the supply of homes is limited but the demand for social housing is very high, and the district can therefore only meet a small amount of the demand each year. The Housing Allocations Policy applies to all applicants wishing to join the Housing Register, ensuring transparency and consistency of approach, thereby advancing equality of opportunity.

### Appendix 2 - Equality Impact Assessment

For each of the following characteristics:	Summarise available data, statistics or consultation findings.	State how the proposal will impact on people.	What action will be taken to reduce or mitigate any potential negative impacts	
Disability	No change sought	Not applicable		
Carers	No change sought	Not applicable		
Race	No change sought	Not applicable		
Sex	No change sought	Not applicable		
Age (also consider dementia)	Increased savings and assets allowance recommended for the over 55's who are accessing designated older persons' accommodation	It will assist a wider pool of older people to access designated older persons' accommodation which is more suitable for their housing needs	Older people may qualify to join the housing register and bid for designated older persons' accommodation across all 4 priority Bands  Irrespective of an applicant's savings (up to the allowance ceiling) vacant social housing will be allocated to those in the highest housing need (Band) unless a Local Lettings Plan has been approved	
Religion / Belief	No change sought	Not applicable		
Sexual Orientation	No change sought	Not applicable		
Pregnancy / Maternity	No change sought	Not applicable		
Marital or Civil Partnership Status	No change sought	Not applicable		
Gender reassignment	No change sought	Not applicable		
Armed Forces Community	No change sought	Not applicable		
Please tick the outcome of this assessment:	<input type="checkbox"/> No impact	<input type="checkbox"/> Adjust the policy	<input checked="" type="checkbox"/> Continue the policy	<input type="checkbox"/> Stop and remove the policy
How will you summarise the impacts in the committee report:	Set out in Section 6 - Outcome of consultation.			
When will you review this assessment:	02/08/2027			

Appendix 2 - Equality Impact Assessment

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## HOUSING STANDARDS IN THE PRIVATE RENTED SECTOR

Housing and Health Advisory Committee – 4 June 2024

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

**Status:** For information

**Also considered by:** Not applicable

**Key Decision:** No

**Executive Summary:** As requested by the Chair of the Advisory Committee, this report provides an update on Housing Standards within the Private Sector and the work of the Private Sector Housing Team.

**This report supports the Key Aims of:** Housing Strategy 2022-2027, Homelessness and Rough Sleeper Strategy 2023-2028, the Core Strategy 2011, and the emerging Local Plan 2040, and the Health and Wellbeing Action Plan

**Portfolio Holder:** Councillor Perry Cole

**Contact Officer:** Sharon Donald – Extension 7131

**Recommendation to Housing and Health Advisory Committee:**

To note the report

**Reason for recommendation:**

To raise awareness of Housing Standards within the Private Sector and the work of the Private Sector Housing Team.

### 1 Background

The private rented sector in Sevenoaks District has grown in terms of both the number and proportion of households that live in this tenure. The cost of accessing private sector housing in Sevenoaks District has increased markedly and the makeup of the sector has changed. Increased competition comes from within the district and further afield. These factors create a different climate for private rented sector housing than previously and have an impact on households' ability to access the sector. There are potential impacts on property conditions and management standards.

## 2 Private Rented Sector in the Sevenoaks District

The Targeted Review of Local Housing Needs (January 2022) identified that of the 50,947 dwellings in Sevenoaks District (in 2020) 12% were privately rented, amounting to circa 6,100 dwellings. Whilst social housing is home to the highest number of low income households, 22% of those households in the private rented sector were on low incomes with 19% of those households living in 'fuel poverty'. This is generally due to above average fuel costs which leave households with a lower residual income.

The number of private sector dwellings with an energy EPC at below Band E (A being the highest and G being the lowest) is estimated to be around 4,700 or 11.2% with around 640 having a rating of band F or G.

Analysis by the Building Research Establishment showed that the highest levels of Category 1 hazards, fuel poverty, excess cold and dwellings with F and G EPC ratings within the private rented sector, occur in the same wards, namely Cowden and Hever, Penhurst and Fordcombe and Chiddingstone.

*\*BRE Integrated Dwelling Level Housing Stock Modelling and Database; Sevenoaks - April 2020 [SDC Targeted Review of Local Housing Needs](#)*

## 3 Private Rented Sector – Statutory Duties of the Council

The Council is responsible for enforcing a wide range of statutory provisions relating to private sector housing and environmental conditions affecting health, wellbeing, and safety, these include:

- reducing the number of properties with serious risks to health and safety
- improving energy efficiency, warmth of homes and help reduce fuel poverty
- improving standards in private rented sector accommodation
- improving the standards in HMOs (houses in multiple occupation)

## 4 Role of the Private Sector Housing Team

The Private Sector Housing Team aims to protect and promote the health of the people of the District by improving the standard of private sector housing, public health, safety, and the environment through the provision of advice, support, and formal action where necessary.

Please see Appendix 1 for the staff structure of the Private Sector Housing Team.

The Council recognises that prevention is better than cure, but where necessary enforcement action will be taken. The term "enforcement" has a



wide meaning and applies to all dealings between the Council and those on whom the law places a duty.

## 5 Private Sector Housing Data

The table below provides details of the number of enquiries received by Private Sector Housing (Housing Standards) in relation to the condition of properties in the private rented sector from 2021 to 2024.

Reason for Enquiry	2021/2022	2022/2023	2023/2024
Damp and mould	10	23	26
Disrepair	58	55	56
Hoarding	4	2	0
Overcrowding	8	7	18
Filthy and Verminous	5	13	13
Total	85	100	113

Disrepair can include excess cold or heat, risk from falls and potential electric shocks.

Action Taken	2021/2022	2022/2023	2023/2024
Informal	85	100	113
Formal	0	0	0

The table above details the action the Council has taken in respect of the enquiries received. All enquiries have been dealt with on an informal basis without formal action being required.

The Private Sector Housing Officers have provided:

- Advice as to how the enquirer can request repairs or improvements without the need for intervention from the Council
- A letter or telephone call to the Owner (without a visit), advising them of the information that the Council has received and allowing them a reasonable period to address the issues
- A visit with the Owner and/or Tenant to discuss the issues raised and agree the next steps to remedy

### 6 Housing Assistance Policy

The current Private Sector Housing Assistance Policy was adopted at Full Council in November 2017 with the last review undertaken in June 2022 in consultation with the Portfolio Holder.

The Policy reflects local housing conditions and its core objectives are:

- To instigate and formulate links with Health and third sector organisations to provide opportunities to improve the lives of the most vulnerable people, giving them control, placing them at the centre of their own care and support, and, in doing so, providing them with a better service and better quality of life
- Ensure households reside in property's that are free from category one hazards
- Provide not only financial assistance but assistance through a combination of education, encouragement, and direct/indirect financial assistance.

The Private Sector Housing Assistance Policy sets out the way in which grant assistance provided by the Better Care Fund, is administered by the Private Sector Housing Team. The Better Care Fund is allocated from central government on an annual basis and supports the delivery of both mandatory and discretionary grants to eligible households. The budget is managed and monitored by the Housing Strategy Manager.

Grant assistance can be provided in the following ways:

- Mandatory Disabled Facility Grant

In addition, the Council can offer discretionary grants as detailed below provided budgets allow:

- Discretionary Disabled Facility Grant
- Top Up Grants
- Relocation Funding
- Specific Situation Funding
- Accelerated Facility Grant
- Hospital Discharge Grant
- Safe and Secure Grant
- Housing Assistance Grant

However, Mandatory Disabled Facility Grant applications will take precedence over any discretionary applications.

## **7 Treating Damp and Mould seriously**

In the past three years the Council have seen an increase in the number of enquiries relating to damp and mould following the media coverage of the tragic death of a two year old from mould in a flat. This has raised awareness of the dangers and the need to report concerns.

Where a number of rooms in a property are deemed to be affected, but do not represent a Category 1 hazard and a building defect has been identified, the Council would consider serving an Improvement Notice to the owner/landlord under the Housing Act.

If the damp and mould is not considered to be a building defect and is considered to be associated with condensation (eg the occupant's lifestyle), the Council would provide advice and guidance (eg poor ventilation, lack of heating, drying wet clothes on radiators etc) and how it can be reduced/alleviated. The customer will be provided with our 'tackling damp, mould and condensation in your home' guidance leaflet (see Appendix 2) that will assist them in managing the cause(s) of the condensation.

We will consider serving an abatement notice to the occupants and/or landlord under the Environmental Protection Act 1990 and this would include a schedule of recommended remedial and ongoing maintenance.

## **8 Hoarding Project**

Hoarding disorder is a chronic difficulty with discarding possessions, even those without any monetary value, accompanied by a dysfunctional attachment to often worthless or unusable items. It results in excessive accumulation of belongings, often making for a cramped, unmanageable, or unhealthy living space.

As well as creating dangerous living conditions, this excessive need to accumulate possessions can have a detrimental impact on, relationships, and ability to function in daily life.

Whilst historically Councils have always tried to work with a householder to identify a way to reduce or eliminate hoarding and in cases where the resident is not willing to cooperate the Councils have served notices on the owner or occupier to "remove accumulations of noxious matter" which whilst removing the issue at that time did not deal with the long term mental health issues of the condition meaning that in many cases the Local Authority would have to have revisit the same customers.

In partnership with Town and Country we have a Home Straight Hoarding Coordinator service, operating 4 days a week. This service aims to offer a high

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quality, flexible and personalised support for people with hoarding behaviours and is tenure neutral.

The service is personalised to support customers in their homes aiming to address and reduce the risks connected to hoarding and works with customers to declutter homes enabling people to live more safely, providing support to help create happier and healthier lifestyles, while improving physical and mental wellbeing.

This service offers a holistic approach and looks to deal with other potential services the customers may require in order to remain in their own home safely such as:

- adaptations and lifelines through the Better Care Fund
- HERO Service for benefit advice
- Housing Options and Solutions Team to look at more suitable Housing along with Social Service to provide ongoing support for the customer

### 9 Fuel Poverty

The Private Sector Housing team have successfully bid and received Household Support Fund to deliver Energy Efficiency Projects for residents, details in the table below:

Energy Efficiency Projects	2022/2023	2023/2024
Budget Allocated	£6,000	£20,000
Outcomes	24 households assisted with several energy efficiency measures from the provision of radiator valves to door and window draught proofing	5 households received boiler replacements and 1 household a boiler repair

Funding has been received for this financial year and we are currently finalising the Energy Efficiency Projects to be delivered.

The Council have been awarded £871,613.63 to deliver HUG2 (Home Upgrade Grant 2) for off-gas homes over a period of 2 years. This is for homes that do not use mains gas for heating, so would use fossil fuel or electricity for heating.

The home needs to have an EPC (energy performance certificate) of D, E, F or G. Homes that do not have an EPC can apply as the assessment would be completed first.

The household gross income, not including benefits, needs to be below £36,000, and if a property is in an IMD (indices of multi-deprivation 1-3) area, the income is not considered.

Measures available include:

- Air Source Heat Pump
- Solar PV
- Cavity wall insulation
- External wall insulation (unlikely due to cost, though)
- Internal wall insulation
- Loft Insulation
- High heat retention electric storage heaters
- Double glazing/doors, but only where needed according to PAS guidelines.
- Smart controls

## **10 Landlords Forum**

The Council holds Landlords Forum twice yearly for Landlords working across the District to receive up to date information about the Private Rented Sector and providing Landlords with a chance to network, with fellow Landlords.

The Forum promotes the Councils Sevenoaks Landlords Hub. Sevenoaks Landlords Hub is our scheme that supports both local Landlords and local people looking for a home. Landlords who sign up get matched to suitable tenants on our waiting lists by our experienced team without expensive letting agent fees or advertising costs.

Landlords have access to other benefits, including free EPCs and Gas and Electric Safety checks, financial help, and support for their tenants.

The HERO Service works in conjunction with Sevenoaks Landlords Hub to support residents in the private rented sector and owner occupiers. Customers will receive personalised advice and support for:

- Saving money on fuel bills
- Debt, rent or mortgage guidance
- Welfare benefits
- Retraining and skills options, getting back to work
- Volunteering
- Referrals to Support Services
- Referrals for Housing Advice

In addition, in partnership with Tonbridge and Malling and Tunbridge Wells Borough Councils we hold a West Kent Landlord Forum twice a year. The

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Forum ensures that Landlords are kept up to date with new policy and legislation changes and their implementation.

### **11 Houses in Multiple Occupation (HMOs)**

The private rented sector in the District includes Houses in Multiple Occupation (HMOs). At present, the District has 18 licensable HMOs. The Council publishes a register of HMOs which can be found at [Houses in Multiple Occupation \(HMO\) register | Sevenoaks District Council](#).

Appendix 3 provides a definition and requirements for a property to be considered an HMO and gives details of costs for those HMOs that must be licensed.

### **12 Mobile and Park Homes**

The District has a number of private mobile and park home sites, details of each site and licence costs associated with them can be found at Appendix 4.

Residents pay pitch rental and either purchase a park home to be sited on the pitch or rent from the owner of the site. The licensing of residential caravan sites ensures better safety and fairer sales processes for residents, hence improving the conditions and quality of life for those living on residential caravan sites.

### **13 Private Sector Housing Enforcement Policy**

The Council adopted the current Private Sector Housing Enforcement Policy in March 2021. A copy is available on the Council's website at [Private Sector Housing Enforcement Policy](#).

The policy details how the Council will use its enforcement powers relating to legislation covering housing standards and issues regarding Public Health affecting poor housing conditions only and does not apply to mobile/park homes. This is addressed in a separate policy.

The policy is consistent with the Council's policy on the use of enforcement powers. This approach ensures that firm, but fair enforcement action will be taken on a case by case basis guided by the relevant legislation.

### **14 Housing, Health, and Safety Rating System**

The Council is responsible for enforcing statutory provisions relating to private sector housing and, by investigating standards within the sector, to reduce the number of properties with serious risks to the health and safety of residents.

Private Sector Housing Officers use the Housing, Health, and Safety Rating System (HHSRS) to assess housing conditions within the private sector.

The Housing Act 2004 introduced a risk assessment approach for local authorities to assess housing conditions in England and Wales. The Housing Health and Safety Rating System (HHSRS) came into force on 6 April 2006 to replace the previous housing fitness standard.

HHSRS is used to assess conditions in all private properties including those that are owner occupied, rented to single people or families and houses in multiple occupation (HMOs).

The underlying principle of the HHSRS is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor. When conducting a HHSRS inspection, a Private Sector Housing Officer will assess the property against 29 potential hazards.

Details of the 29 potential hazards, procedures and options for enforcement are provided in Appendix 5.

The range of actions available to the authority include:

- No action
- Informal action and advice
- Housing Act Notices
- Local Government Act Notices
- Public Health Act Notices
- Building Act Notices
- Smoke and carbon monoxide alarms – remedial notices
- Works in default
- Charges for enforcement
- Licensing, standards, and management of HMOs
- simple caution
- prosecution
- compulsory purchase orders
- Financial penalties including penalty charge notices and civil penalties
- Community Protection Warnings and Notices

### **15 Enforcement Principles**

The Council recognises that each case is unique and will be considered on its own merits. There are 4 main principles of enforcement, which will be followed by officers. These are as follows:

- Proportionality - action taken by enforcing authorities should proportionally reflect any risks and the seriousness of any breach.
- Consistency - a similar approach should be taken in similar circumstances to achieve similar results. It does not mean uniformity.
- Transparency - duty holders should be helped to understand what they have to do and what they should expect from officers. The differences

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between statutory requirements and advice or guidance about what is desirable should be made clear.

- Targeting - inspections or visits should be aimed primarily at activities that give rise to the most serious risks or where hazards are least well controlled. Action should be focused on those responsible for the risk and who are best placed to control it.

### 16 Enforcement Considerations

The following must be considered by the Private Sector Housing Officers when deciding the most appropriate course of action to take:

- Relevant legislation
- Government circulars and Guidance made under Section 9 Housing Act 2004, and other relevant statutory guidance notes.
- Best practice notes (Building Research Establishment (BRE), Chartered Institute of Environmental Health (CIEH), Chartered Institute of Housing (CIH) etc.)
- All investigations into alleged breaches of legislation will follow best professional practice and the requirements of:
  - The Human Rights Act 1998
  - The Regulation of Investigatory Powers Act 2000
  - The Police and Criminal Evidence Act 1984 – Codes of Practice
  - The Criminal Procedures and Investigations Act 1996
  - The Code for Crown Prosecution
  - Enforcement Guidance issued under Section 9 of the Housing Act 2004.

The Private Sector Housing team works with a variety of individuals and organisations in delivery of the Council's statutory duties that include:

- Landlords
- Owner Occupiers
- Tenants
- Estate Agents
- Registered Providers
- Police
- Fire Service
- Other Local Authorities



## **Key Implications**

### Financial

Although there are no direct financial implications arising from this report, it should be noted that licensing and inspections of Houses in Multiple Occupation and Mobile/Park Homes sites are subject to fees that are payable to the Council.

### Legal Implications and Risk Assessment Statement

*Park home sites require planning permission or a certificate of lawfulness for development of the site. A site licence from the Local Authority may be required. Since 2021, Park home site owners are required to submit an application for a Manager to be assessed as a 'fit and proper person'. Park home sites are inspected annually to ensure the site is in line with the license and is a safe place for residents to occupy.*

Houses in Multiple Occupation must be registered with the Council. A licence will be required for specific properties which, if granted will remain in place for 5 years. The Council is responsible for enforcing standards and can enforce a landlord to take action to correct any problems.

### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.

It should be noted that owners of protected Park home sites do not contravene the Equality Act so far as relating to age discrimination by entering into an agreement with a person that entitles only persons who have reached a certain age to station and/or occupy a mobile home on the site or by refusing to permit assignment of a mobile home agreement to anyone other than someone who has reached a certain age.

### Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. 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 Private Sector Housing teamwork with tenants, landlords and internal and external partners in their endeavours to bring about a variety of improvements to private rented properties so that they meet required standards. Using in depth

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knowledge, they provide advice and guidance in the first instance and where necessary carry out enforcement action in line with current legislation and the Council's Private Sector Housing Enforcement Policy.

Improved standards in the private rented sector can also help reduce cases of homelessness by focusing on information advice and guidance and in cases where this is not possible, ensure that any intervention is as effective as possible.

### **Appendices**

Appendix 1 – Private Sector Housing Team Structure

Appendix 2 – Condensation Factsheet

Appendix 3 – Houses in Multiple Occupation

Appendix 4 – Mobile Home Sites

Appendix 5 - Health and Safety Rating System (HHSRS)

### **Background Papers**

None.

**Sarah Robson**

**Deputy Chief Executive, Chief Officer - People and Places**

## Private Sector Housing Team Structure

The Council's Private Sector Housing Core Team consists of the following posts:

- Housing Strategy Manager
- Senior Private Sector Housing Officer – Housing Standards
- Private Sector Housing Officer– Housing Standards
- Senior Private Sector Housing Officer – Housing Assistance, Energy Efficiency, Empty Homes
- Private Sector Housing Officer – Housing Assistance
- Private Sector Housing Support Officer

The Better Care Fund funds the following posts site within the Private Sector Housing team who are employed by Town and Country Housing Association and Age UK. These posts ensure the core priorities of the Better Care Fund are met, including administration of mandatory Disabled Facilities Grants and discretionary grants such as Hospital Discharge and Safe and Secure Grants.

- Better Care Fund Coordinator
- Home Straight Officer
- One You Officer

The Home Upgrade Grant funds an Energy Efficiency Officer to deliver the Home Upgrade Grant 2 (HUG2) promotion and administration of the grant.

### Condensation Factsheet

This is by far the most common cause of dampness experienced by tenants and householders.

Condensation is caused by water vapour or moisture from inside the property coming into contact with a colder surface, such as a window or wall. The resultant water drops (condensation) may then soak into the wallpaper or paintwork or even plasterwork. In time, the affected damp areas then attract black mould that grows on its surface.

Condensation is usually found in the corners of rooms, north facing walls and on or near windows. It is also found in areas of little air circulation such as behind wardrobes and beds, especially when they are pushed up against external walls. Black mould is frequently seen on this type of dampness.

Most homes will be affected by condensation at some point. However, certain activities can increase the problem. Whether you are an owner-occupier or a rent-paying tenant, condensation and mould growth is often due to habits and lifestyle and is something that can be reduced or remedied by the occupant.

Cooking, washing, drying clothes indoors - all produce water vapour that can only be seen when tiny drops of water (condensation) appear on colder surfaces such as walls, windows, ceilings or mirrors.

**The 'amount' of condensation in a home depends upon different factors, including:**

1. how much water vapour is produced by the actions of its residents
2. how cold or warm the property is
3. how much air circulation (ventilation) there is

Simply turning up the heating will not sort out the problem, this may only temporarily reduce condensation. All three factors may need to be looked at to reduce the problem. The first sign of a problem is water vapour condensing on windows and other cold surfaces, which then takes a long time to disappear, allowing surfaces to become damp. The second indication is black mould patches growing on these damp areas.

#### **Black mould**

Mould spores are invisible to the human eye and are always present in the atmosphere both inside and outside dwellings. They only become noticeable when they land on a surface upon which they can grow and then multiply.

By dealing with the causes of condensation you will automatically deal with the problem of mould.

**Your Condensation Checklist**

<b>Produce less moisture</b>	✓
Keep the kitchen door shut and leave the windows open and/or extractor fan on when cooking.	
Cover pans when cooking and do not leave kettles boiling	
Ensure all washing is hung outside if possible. Avoid drying it on radiators. If you need to dry clothes indoors, open the window and close the door of the room where the clothes are drying, so that moisture can escape outside rather than circulate around your home.	
Ensure your home is not overcrowded. More people and pets living in your home means there will be more moisture produced.	
<b>Remove excess moisture</b>	✓
Always wipe dry the windows and window sills of your home every morning to remove condensation. This is especially important in the bedroom, bathroom, and kitchen - just opening the window is not enough.	
Open the bathroom window and/or keep the extractor fan on when taking a shower or bath.	
Keep trickle vents in windows open. They are designed to ventilate your accommodation without causing draughts.	
Open the bedroom windows (for up to 20 minutes) in the morning and throw back the sheets or duvet to air the bed and bedding. A window slightly open is as good as one fully open. (Remember to close your windows for security when you go out).	
<b>Heat your home</b>	✓
Having a medium-to-low level of heat throughout the house by keeping the heating on at low all day in cold weather will help to control condensation. Heating one room to a high level and leaving other rooms cold makes condensation worse in the unheated rooms. It will cost more initially to warm the walls, but when the walls are dry your heating bills will reduce.	
Do not put your heating on for short periods of time (one hour or less) – this will make the problem worse. The air will absorb moisture quicker than the walls can warm up.	
When the heating is turned off the air will cool quickly and condensation will be formed, cooling the walls further.	
Try to keep your home properly heated. It usually helps to have a low background temperature of at least 15 degrees in all rooms.	
<b>Remove mould growth</b>	✓
Mould growth should be removed as soon as you see it.	
Where there is mould wipe down or spray walls and window frames with a fungicidal wash that carries a HSE ‘approval number’ or a weak water and bleach solution.	
Do not remove mould by using a brush or vacuum cleaner as this may disturb the mould spores and can increase the risk of breathing problems.	
After treatment redecorate using a fungicidal paint or wallpaper paste – do not paint overusing an ordinary paint.	
<b>Ventilate your home</b>	✓
Make sure you are ‘cross-ventilating’ your home – opening a small window downstairs and a small one upstairs (they should ideally be on opposite sides of the house or diagonally opposite if you live in a flat). At the same	

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time, open the interior room doors, this will allow drier air to circulate throughout your home. This cross-ventilation should be carried out for about 30 minutes each day.	
Ventilate your kitchen and bathroom for about 20 minutes after use by opening a small top window. Use an extractor fan if possible.	
Keep a small gap between large pieces of furniture and the walls, and where possible place wardrobes and furniture against internal walls.	
Where possible remove or replace bulky furniture in your home to allow air to flow through rooms and near walls.	
Do not over-ventilate your accommodation by leaving the windows open as your walls will lose all the heat stored in them. Only open the windows for a short period at a time so that any moisture is able to escape. Then close your windows, leaving a small gap of about 5mm. It is advised to open the window slightly anytime that condensation is forming on the glass.	

### **Remember...**

Dealing with condensation is not easy. Only carrying out one or two of the above steps may not solve your problem. You need to do as many as possible every day, so that it becomes part of your habits and lifestyle.

## Houses in Multiple Occupation

A house or flat is a House in Multiple Occupation (HMO) if both of the following apply:

- At least 3 tenants live there forming more than 1 household
- The tenants share toilet, bathroom, or kitchen facilities

All HMOs must comply with the Sevenoaks District Council HMO amenity standards which contain requirements relating to minimum room sizes, personal washing and toilet facilities, kitchen facilities, gas and electrical installations, heating, furniture, and fire precautions.

[Guidance to HMO amenity standards | Sevenoaks District Council.](#)

HMO owners/managers must also comply with the Management of Houses in Multiple Occupation (England) Regulations 2006. These regulations impose duties in relation to:

1. Providing contact details to all tenants.
2. Fire precautions and means of escape from fire.
3. Water supply and drainage.
4. Annual gas safety checks.
5. Gas and electricity supplies.
6. Maintenance and cleaning of the property.
7. Waste storage and collection.

Tenants have duties under these regulations relating to complying with instructions and not hindering the manager from complying with their duties.

HMOs with 5 or more tenants must be licensed under the Housing Act 2004. The owner must apply to the Council by completing an application form, paying a fee, and providing the following documentation:

1. A simple layout plan of the property.
2. An Electrical Installation Condition Report (EICR).
3. A Gas Safety Certificate.
4. A current fire detection and alarm system inspection and servicing report.
5. An emergency lighting certificate (if applicable).
6. An energy performance certificate.
7. Tenancy agreements.

Properties will be inspected to determine whether they comply with the Council's HMO amenity standards and whether the person applying for the licence is a fit and proper person. If a licence is issued, it is valid for 5 years. Operating an unlicensed HMO is a criminal offence.

### HMO Licensing Fees

HMO licence Application (up to 5 units)	£972.00
Additional unit over 5	£23.00 per unit
HMO licence application renewal	£972.00

## Mobile Home Sites

The Caravan Sites and Control of Development Act 1960 prohibits the use of land as a caravan site without a site licence. The occupier of the land must obtain planning permission to use their land as a caravan site and then they must apply for a site licence by completing an application form and paying the relevant fee. An Officer from the Private Sector Housing Team will inspect the site and will consult with the Planning Department and the Fire Brigade.

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 require the Council to assess whether the Owner or Manager of the site is a fit and proper person. The site owner must complete an application form and pay a fee.

The Council will consider whether the applicant has a sufficient level of competence to manage the site, the management and funding arrangements for the site and whether the applicant has any criminal convictions.

If a licence is issued, it will have conditions attached. These relate to:

1. Spacing between caravans
2. Fire safety
3. Parking
4. Roads and footpaths
5. Lighting
6. Supply and storage of gas
7. Electrical installations
8. Water supply
9. Drainage
10. Refuse storage and disposal

An Officer from the Private Sector Housing Team will carry out an annual inspection of the site to ensure that these conditions are being adhered to.

### Mobile Home Site Fees

	Band A (single pitch)	Band B (2-10 pitches)	Band C (11-25 pitches)	Band D (26-50 pitches)	Band E (51-100 pitches)	Band F (101-200 pitches)	Band G (201-400 pitches)	Band H (401-800 pitches)
New applications	£0	£720	£770	£852	£1,017	£1,348	£2,554	£3,876

<b>Annual inspection fee</b>	Number of pitches on the site x £11.38
<b>Transfer of licence</b>	£99
<b>Amendment to licence</b>	£198
<b>Logging of site rules</b>	£66
<b>Fit and Proper Person Application</b>	£107.48



## Health and Safety Rating System (HHSRS)

The 29 potential hazards set out in the HHSRS are as follows:

1. Damp and mould growth
2. Excess cold
3. Excess heat
4. Asbestos and manufactured mineral fibres (MMF)
5. Biocides
6. Carbon monoxide and fuel combustion products
7. Lead
8. Radiation
9. Uncombusted fuel gas
10. Volatile Organic Compounds
11. Crowding and space
12. Entry by intruders
13. Lighting
14. Noise
15. Domestic hygiene, pests, and refuse
16. Food safety
17. Personal hygiene, sanitation, and drainage
18. Water supply
19. Falls associated with baths etc
20. Falling on level surfaces etc
21. Falling on stairs etc
22. Falling between levels
23. Electrical hazards
24. Fire
25. Flames, hot surfaces etc
26. Collision and entrapment
27. Explosions
28. Position and operability of amenities etc
29. Structural collapse and falling elements

For each hazard identified, the Council Officer must make two judgements:

1. What is the likelihood of an occurrence that could cause harm?
2. What is the likely outcome from such an occurrence?

HHSRS uses a scoring system to combine the likelihood and the severity of the outcome to produce a hazard score. Hazard scores are divided into 10 bands, A to J, with Band A being the most serious and Band J being the least serious.

Hazards which fall into bands A to C are called Category 1 hazards and hazards in bands D to J are called Category 2 hazards. For Category 1 hazards, Councils have a duty to take enforcement action. For Category 2 hazards, Councils have a discretionary power to take enforcement action.

In accordance with the Private Sector Housing Enforcement Policy, Officers will initially offer advice and work with the landlord to remedy any hazards.

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Should a landlord refuse or delay improvement works to remedy hazards that have been identified, the Council has various options for enforcement action. These include:

- **Serve an Improvement Notice** - This notice requires works to remove the hazard within a specified timescale. If the works are not completed, the Council may carry out works in default.
- **Take Emergency Remedial Action** - If there is an imminent risk of serious harm, the Council can carry out emergency remedial works.
- **Serve a Prohibition Order** - This Order prohibits the use of a residential dwelling or part of a residential dwelling. The Order becomes operative 28 days after it is served.
- **Serve an Emergency Prohibition Order** - If there is an imminent risk of serious harm, this Order can be served to prohibit occupation of all or part of the premises with immediate effect.
- **Serve a Hazard Awareness Notice** - This is a discretionary notice which can be served to notify the owner of the presence of a hazard and recommend remedial action.

**RURAL EXCEPTIONS AND LOCAL NEEDS HOUSING**

**Housing and Health Advisory Committee - 4 June 2024**

**Report of:** Deputy Chief Executive, Chief Officer People and Places

**Status:** For information

**Also considered by:** Not applicable

**Key Decision:** No

**This report supports the Key Aims of:**

Housing Strategy 2022-2027, the Core Strategy 2011, and the emerging Local Plan 2040

**Portfolio Holder:** Councillor Perry Cole

**Contact Officer:** Alison Simmons, Extension 7272

**Recommendation to Housing and Health Advisory Committee:**

To note the report

**Reason for recommendation:**

To raise awareness of local needs housing and the delivery of exception sites in rural areas of the District

**Defining rural exceptions and local needs housing**

- 1 The Sevenoaks District is a very popular and well connected place to live, but this also makes it expensive. This means there is a high level of need for affordable housing. The Targeted Review of Local Housing Needs 2022 identifies an annual need for 423 new affordable homes in the District. In February 2024, there were 989 applicants on the Housing Register who are in need of affordable housing for rent.
- 2 The opportunity to develop new housing in the District is highly constrained as 93% of the District is within the Green Belt and over 60% is within a Natural Landscape (formerly known as Areas of Outstanding Natural Beauty). These factors make it is very difficult to develop new affordable housing and this is especially true in rural areas of the District.
- 3 Rural exceptions housing schemes are small developments of affordable housing (normally less than 10 homes) built in response to an independently assessed evidenced need and in a location where planning constraints mean development would not normally be permitted. The homes are provided for local people in perpetuity, enabling them to stay in their community, benefit from family and friends'

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networks and contribute to local life. This can make a real difference to the sustainability of communities and the vitality of local services and amenities. Core Strategy Policy SP4 and emerging Local Plan 2040 policy H3 make provision for rural exceptions housing in the District.

- 4 Rural exceptions housing can only be developed in locations where affordable housing can be retained for the benefit of local people in perpetuity. This forms part of the planning consent and is included in the Section 106 legal agreement and recorded as a local charge at Land Registry.
- 5 Locations where affordable housing can be retained in perpetuity are known as Designated Protected Areas (DPAs) as per the Housing Act 1996 (as amended). In DPAs, Housing Association tenants are unable to buy their home under the statutory Right to Acquire and shared ownership lessees are unable to exercise their statutory right to staircase their ownership to 100%. Within the District, some parishes are within a DPA, some parishes are partially within a DPA and some are outside of a DPA. Appendix A provides a breakdown of DPA coverage by Parish in the District.
- 6 An extract of the Council's template S106 legal agreement is attached at Appendix B. This shows how "local people" is defined, ie someone who is considered to have a local connection to a Parish. Prior to the use of the agreed Section 106 template there may be slightly different local connection criteria.
- 7 The Council's Allocations Policy 2022-2027 sets out the allocation of homes on rural exception sites which is a departure from the adopted policy because priority for vacant homes is given to those with a local connection to the Parish rather than housing need.
- 8 To meet identified needs in areas that are not within a DPA and therefore unable to be considered for rural exceptions housing, Local Lettings Plans are used to secure "local needs housing" for local people. In addition, Local Lettings Plans are used on allocated and windfall sites in rural areas (whether inside or outside a DPA) where Core Strategy Policy SP3 has triggered the provision of onsite affordable housing. Local Lettings Plans are agreed between the Council and the partner Housing Association and require approval by the Portfolio Holder. The Local Lettings Plans apply to first letting and relets, replicating the position of rural exceptions housing. Local Lettings Plans are not registered as a local charge at Land Registry, they can be withdrawn at any time subject to agreement by the parties and in areas outside a DPA, they cannot prevent a tenant or lessee exercising their statutory rights.

### **The role of the Rural and Community Housing Enabling service (RACE)**

- 9 RACE is an independent service for Kent and Medway, providing expertise and working directly with communities to deliver housing that matches what local people need. It is hosted by the Kent Housing Group (of which the Council is a member). The service is fully funded until April 2025 through contributions from Local Authorities (including the Council) and Housing Associations. The RACE Steering Group is currently exploring how the service may be funded and continued after April 2025.
- 10 RACE works with Parish Councils, communities, housing teams at District and Borough Councils, Housing Associations, and local developers to identify rural communities where action needs to be taken to meet the housing needs of local

people and facilitate any development. It supports the delivery of local needs affordable housing, community led housing options and housing for older owner occupiers in rural communities.

- 11 RACE undertakes housing needs surveys, including the Council's 5 year programme of surveys, helps the Parish Council and Housing Association identify potential sites and acts as an honest broker between all partners. It supports, advises, and steers communities, Town and Parish Councillors from scheme inception to completion.

### Local housing needs survey programme

- 12 In April 2020, Cabinet approved a 5 year programme of local housing needs surveys across all 31 parishes in the District. The 5 year programme with the identified housing need is attached as Appendix C. A copy of each parish needs survey has been uploaded to the Local Plan 2040 evidence page.
- 13 Surveys provide a snapshot of need within a Parish. In conjunction with other supplementary data, eg the housing register and registrations of interest held by Housing Association, surveys provide an independently assessed evidence of need. Such evidence is essential to support and justify the development of new rural exceptions or support Local Lettings Plans for local needs housing.

### How sites are found for rural exceptions and local needs housing

- 14 Kent Housing Group has developed a *Guide to developing affordable homes in rural communities*, which is provided as a background paper. The process map on page 31 sets out how sites are found. Housing and Planning colleagues from the Council work very closely with RACE, the Parish Council, the partner Housing Association and other development partners in identifying potential sites. Any site to be taken forward is subject to the usual planning process.
- 15 The Council has been successful in securing new local needs housing on developments which are not rural exceptions housing sites. This includes Housing Association led developments (eg Gilchrist Cottages in Sevenoaks Weald – Local Lettings Plan) and on sites where affordable housing is triggered under Core Strategy Policy SP3 (eg Foxbury Farm in Seal – local connection criteria incorporated in the Section 106 legal agreement). It is anticipated new local needs housing will soon be secured via Local Lettings Plans at Egerton Nursery, Hextable and Salts Farm Depot, Fawkham.

### Schemes delivered and in the pipeline

- 16 A full breakdown of schemes delivered and in the pipeline is shown below. The breakdown shows affordable housing only. A number of more recent schemes include a small number of open market homes, as allowed for under national policy, as these are required to provide necessary cross subsidy.

#### Schemes delivered as at February 2024

Primary Parish	Address	Housing Association	Rented homes	Shared Ownership
Chiddingstone*	The Slaters, Bough Beech, Chiddingstone	Moat	10	0

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Chiddingstone	Redleaf Close, Chiddingstone Causeway	WKHA	7	3
Chiddingstone/ Leigh**	Charcott Green, Chiddingstone	WKHA	4	0
Leigh	Gibbs Field, Leigh	WKHA - Rent and English Rural Housing Association - Shared Ownership	7	3
Eynsford	Knight's Field, Bowers Lane, Eynsford	English Rural Housing Association	3	4
Fawkham	Six Acre Cottages, Valley Road, Fawkham	Moat	3	0
West Kingsdown	Maws Meadows, West Kingsdown	Orbit	16	4
Sundridge	Chapmans Close, Sundridge	WKHA	6	2
Farningham	Centenary Court, Braeside	WKHA	0	5
Sevenoaks Weald*	1A & 1B Gilchrist Cottages, Sevenoaks Weald	WKHA	2	0
Halstead/Knockholt **	Concorde Close, Halstead	English Rural Housing Association	2	0
Seal	Foxbury Close, Stone Street, Seal	English Rural Housing Association	6	0
Westerham*	St Mary's Court, Westerham (over 55s)	Moat	5	0
		<b>TOTAL</b>	<b>71</b>	<b>21</b>

### Permitted schemes in the pipeline

Primary Parish	Address	Housing Association	Rented homes	Shared Ownership
Seal	Mills Crescent	WKHA	9	0
Chiddingstone	Chequers Barn, Bough Beech	English Rural Housing Association	8	0
Chiddingstone***	New Tyehurst Farm, Chiddingstone Hoath	To be confirmed	3	1
Fawkham*	Salts Farm Depot	WKHA	5	2
Hextable*	Egerton Nursery	Town and Country Housing	5	0
Halstead	Yew Tree Cottages- Clarks Lane	English Rural Housing Association	10	0
		<b>Total</b>	<b>40</b>	<b>3</b>

\* via Local Lettings Plan    \*\* shared nomination rights    \*\*\* private developer led

English Rural Housing Association have applied for planning permission for a site in School Lane, West Kingsdown, where the affordable housing comprises 7 rented homes and 3 shared ownership homes. The application has encountered difficulties because it constitutes major development (10 homes or more) and, as such, Kent County Council (KCC) Developer Contributions are triggered. Although independent viability testing demonstrates the application is unable to support any contribution, KCC are seeking a claw back clause within the S106 agreement.

Unlike private developers, our Housing Association partners are not for profit organisations and therefore no profit is made on any individual scheme. The continued imposition of KCC Developer Contributions in these circumstances is of grave concern to our Housing Association partners. The application is awaiting determination.

### **Key Implications**

#### Financial

The service provided by RACE is crucial in assisting Sevenoaks District Council to deliver new rural exceptions and local needs housing. Should funding not be forthcoming to secure the RACE service beyond April 2025, the District Council will be unable to maintain its current levels of delivery.

#### Legal Implications and Risk Assessment Statement

Should emerging Local Plan 2040 policy H3 be diluted or removed, eg as a result of feedback received at the Regulation 18/19 consultation or during public Examination, it would adversely impact our ability to continue the delivery of new rural exceptions housing.

The imposition of KCC Developer Contributions on all major development sites, including rural exceptions housing sites, will impact the future delivery of new affordable housing in locations where reliance is placed on delivery through rural exceptions housing. Rural exception housing is already under tremendous financial strain and schemes rely on the inclusion of a small number of open market homes to provide cross subsidy. Cross subsidy allows scheme viability to be achieved but it does not allow for KCC Developer Contributions. KCC Developer Contributions are sought on 100% affordable housing schemes where these are major development sites. Consideration should be given to seek exemption from KCC Developer Contributions for rural exceptions housing schemes and 100% affordable housing schemes, which would place them in a similar to CIL exemptions for affordable housing schemes.

#### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. Vacancies arising in rural exceptions and local needs housing are allocated to those with a local connection to the parish and are unlikely to be allocated to the applicant in highest housing need. The impact has been analysed and varies between groups of people. The impact is monitored through the regular review of the Sevenoaks District Housing Register Allocations Policy 2022-2027.

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## 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 District Council has been successful in delivering new rural exceptions and local needs housing, which is helping local people remain in the local communities. The Housing Strategy and emerging Local Plan recognise the importance of this work continuing. In order for this to happen, it is essential robust policy is included in the emerging Local Plan 2040 and new funds are secured to continue the RACE service beyond April 2025. Exemption from KCC Developer Contributions would also assist ongoing and future delivery of rural exceptions housing and 100% affordable housing schemes.

### **Appendices**

Appendix A – Breakdown of Designated Protected Areas coverage by parish

Appendix B – How local connection to a parish is defined

Appendix C - Five-year programme of local housing needs surveys and need identified

### **Background Papers**

[Kent Housing Group's Guide to developing affordable homes in rural communities](#)

**Sarah Robson**

**Deputy Chief Executive and Chief Officer – People and Places**



**Breakdown of Designated Protected Areas by Parish**

Parish	Designated Protected Area Status
Ash-Cum-Ridley	Partial
Badgers Mount	Within
Brasted	Within
Chevening	Partial
Chiddingstone	Within
Cowden	Within
Crockenhill and Well Hill	Within
Dunton Green	Partial
Edenbridge	Partial
Eynsford	Within
Farningham	Within
Fawkham	Within
Halstead	Within
Hartley	Outside
Hever	Within
Hextable	Partial
Horton Kirby and South Darenth	Within
Kemsing	Outside
Knockholt	Within
Leigh	Within
Otford	Outside
Penshurst	Within
Riverhead	Outside
Seal	Within
Sevenoaks Town	Outside
Sevenoaks Weald	Within
Shoreham	Within
Sundridge with Ide Hill	Within
Swanley	Partial
West Kingsdown	Partial
Westerham and Crockham Hill	Partial

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**Extract from the template Section 106 Legal Agreement:**

Local connection to a parish is defined as:

*At all times allocate each of the Affordable Housing Properties to an Eligible Person who*

- (i) lives in the Parish and has done so continuously for the last three years to date; or*
- (ii) has lived in the Parish for at least five out of the last ten years to date; or*
- (iii) has previously been a member of a Close Family household living in the Parish and said household currently resides in the Parish and has done so for a minimum of 10 years continuous to date; or*
- (iv) are employed full-time in the Parish on a permanent basis or those who will be taking up such employment and whose main place of work is within the Parish; or,*
- (v) are self-employed on a full-time basis and the majority of their work is in the Parish; or*
- (vi) provide an important service, as agreed by the Council, requiring them to live locally.*

Please note: Prior to the use of the agreed Section 106 template there may be slightly different local connection criteria.

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**Programme of Local Housing Needs Surveys and need identified**

Parish	Timing of survey	Status	Local Affordable Housing need identified via survey*
Sevenoaks Weald	Year 1	Surveyed - September 2020	3 homes
Eynsford	Year 1	Surveyed - November 2020	5 homes
Badgers Mount	Year 1	Surveyed - January 2021	1 home
Crockenhill and Well Hill	Year 1	Surveyed - March 2021	6 homes
Farningham	Year 1	Surveyed - May 2021	13 homes
Brasted	Year 1	Surveyed - June 2021	5 homes
Edenbridge	Year 2	Surveyed - September 2021	45 homes
Fawkham	Year 2	Surveyed - November 2021	3 homes
Leigh	Year 2	Surveyed - November 2021	16 homes
Ash-Cum-Ridley	Year 2	Surveyed - March 2022	39 homes
Horton Kirby and South Darenth	Year 2	Surveyed - May 2022	13 homes
Shoreham	Year 2	Surveyed - June 2022	5 homes
Hextable	Year 2	Surveyed - June 2022	11 homes
Penshurst	<del>Year 2</del>	Parish Council funded their own survey - August 2021	16 homes
West Kingsdown	Year 3	Surveyed - September 2022	31 homes
Seal	Year 3	Surveyed - October 2022	8 homes
Cowden	Year 3	Surveyed - November 2022	2 homes
Swanley	Year 4	Surveyed - October 2023	32 homes
Chiddingstone	Year 4	Surveyed - September 2023	18 homes
Westerham and Crockham Hill	Year 4	Surveyed - November 2023	5 homes
Halstead	<del>Year 4</del>	Parish Council funded their own survey - August 2021	13 homes
Hever	Year 4	Survey completed - results awaited	
Knockholt	Year 4	Survey to be completed - June 2024	
Sundridge with Ide Hill	Year 4	Survey to be completed - May 2024	
Chevening	Year 4	Survey to be completed - June 2024	
Hartley	Year 5	Parish Council funded their own survey - final report awaited	
Dunton Green	Year 5		
Kensing	Year 5		
Otford	Year 5		
Riverhead	Year 5		
Sevenoaks Town	Year 5	Survey subject to funds and capacity of RACE	

\*Local Affordable Housing Need is identified via surveys, the Sevenoaks District Housing Register, registrations of interest and other approved data sources

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**Housing and Health Advisory Committee Work Plan 2024/25**

**10 September 2024**

- Dartford, Gravesham, and Swanley Health & Care Partnership Funding Update
- Head in the Game update

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