



Overview and Scrutiny Committee

Date and Time - **Monday 10 June 2019 - 6.30 pm**

Venue - **Council Chamber, Town Hall, Bexhill-on-Sea**

Councillors appointed to the Committee:

Councillor P.N. Osborne (Chairman), B.J. Drayson (Vice-Chairman), J. Barnes, T.J.C. Byrne (ex-officio), J.J. Carroll, Mrs V. Cook, P.C. Courtel, S.J. Errington, P.J. Gray, A.K. Jeeawon, L.M. Langlands, C.R. Maynard and M. Mooney.

AGENDA

1. MINUTES

To authorise the Chairman to sign the minutes of the meetings of the Overview and Scrutiny Committee held on 29 April 2019 and 22 May 2019 as correct records of the proceedings.

2. APOLOGIES FOR ABSENCE

3. ADDITIONAL AGENDA ITEMS

To consider such other items as the Chairman decides are urgent and due notice of which has been given to the Head of Paid Service by 12 Noon on the day of the meeting.

4. DISCLOSURE OF INTERESTS

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

5. ROLE AND FUNCTIONS (Pages 1 - 6)

6. CIVIL PARKING ENFORCEMENT: PRESENTATION BY EAST SUSSEX

This agenda can be made available in large print, Braille, audiotape/CD or in another language upon request. For all enquiries please contact Louise Hollingsworth louise.hollingsworth@rother.gov.uk 01424 787815

COUNTY COUNCIL (Pages 7 - 10)

7. **HOUSING ALLOCATIONS POLICY** (Pages 11 - 62)
8. **PERFORMANCE REPORT: FOURTH QUARTER 2018/19** (Pages 63 - 76)
9. **THIRD SECTOR SERVICE LEVEL AGREEMENTS** (Pages 77 - 80)
10. **ANNUAL WORK PROGRAMME** (Pages 81 - 86)

Dr Anthony Leonard
Executive Director

Agenda Despatch Date: 31 May 2019

This agenda can be made available in large print, Braille, audiotape/CD or in another language upon request. For all enquiries please contact Louise Hollingsworth louise.hollingsworth@rother.gov.uk 01424 787815

Agenda Item 5.

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	10 June 2019
Report of the	-	Executive Directors
Subject	-	Role and Functions

Recommendation: It be RESOLVED: That the report be noted.

Introduction

1. As part of the Members Induction process for 2019, it has been agreed that a report outlining each Committee's roles and responsibilities will be presented to the first meeting of each Committee in the new municipal year.
2. The Local Government Act 2000 states that Councils must have at least one Committee that has the power to review or scrutinise decisions or actions which affect the authority's area or its residents. The more recent Local Government Act 2007 provides for wider security powers to include external scrutiny of other organisations. The Scrutiny Committee acts as a critical friend to the Cabinet (Executive) and other local service providers, helping to monitor performance and develop policies, and also has the power to hold the Cabinet to account by "calling in" decisions before or after they have been taken.
3. The OSC is comprised of 12 Members appointed in accordance with political balance rules. All Members of the Council are entitled to attend meetings of this Committee and are able to address it with the Chairman's consent. Although this Committee is governed by the Council Procedure Rules that apply to all meetings of Committees and Sub-Committees (Part 4-1 of the Constitution), meetings are usually conducted in a more informal way.
4. The OSC receives reports largely on the external facing services of the Council, as well as partner organisations and stakeholders. The Annual Work Programme reported elsewhere on this agenda will give an understanding of the types of reports that will be submitted to the Committee over the coming municipal year. When considering the Work Programme, this is an opportunity for Members to discuss potential items that they may want to include on it.
5. Attached at Appendix A is a copy of the OSC's Terms of Reference. The Committee can report direct to Cabinet on matters where Members of the OSC have given express authority or where timescales dictate. The Committee also reports directly to full Council in accordance with Article 6 of the Council's Constitution when making an annual report and call-in report. A copy of the Committee and Decision Making Structure of Rother District Council is attached at Appendix B.
6. The general responsibilities of the OSC (in accordance with Article 6 of the Constitution) include:

- Assisting the Council and the Executive in the development of its budget and policy framework;
- Considering and implementing mechanisms to encourage and enhance community participation in the development of policy options; and
- Reviewing and scrutinising the performance of other public bodies in the area and inviting reports from them by requesting them to address the OSC and local people about their activities and performance.

7. The remaining dates arranged for meetings of the Committee for the 2019/20 municipal year are as follows:

2019: 22 July; 9 September; 14 October; and 25 November.

2020: 27 January; 16 March; and 27 April.

However, the Chairman may call additional meetings throughout the year as required.

During the last Council, meetings of the OSC were held on a Monday evening at 6:30pm.

8. As part of the Council's commitment to Member training and development, specific Committee training has been arranged. The Overview and Scrutiny Training day for this year took place on Friday 24 May and was presented by an external trainer.

Conclusion

13. This report outlines the key role and functions of the OSC.

Malcolm Johnston
Executive Director

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

There are no risks associated with this report.

Overview and Scrutiny Committees**6.1 Terms of reference**

The Council will appoint at least one Overview and Scrutiny Committee to discharge the following functions conferred by section 21 of the Local Government Act 2000:

- Provision and management of cultural, domestic, housing, leisure and recreational activities and facilities.
- Food Hygiene, Health and Safety and Licensing.
- Crime and Disorder Committee.
- Review of the provision of education, health and social services by other authorities and agencies.
- Economic Growth & Employment.
- Regeneration Partnerships.
- Tourism Promotion.
- Protection & enhancement of the Built and Natural Environment.
- Sustainability issues.
- Planning and Transport.
- Emergency Planning.
- Local democracy and the achievement of effective, transparent and accountable decision making.
- Consultation arrangements.
- Modernisation.
- Corporate strategy - performance management aspects.
- Monitoring of the Council's key plans, policies and strategies.
- Publication of performance information.
- Council's Annual Report.
- Council's significant partnerships - contracts and service level agreements
- Capital and revenue budgets.
- Medium Term Financial Revenue Strategy; the Capital Strategy; the Asset Management Plan; and the Procurement Strategy.
- Development / review of the budget consultation process.

6.2 General role

Within their terms of reference, Overview and Scrutiny Committees will:

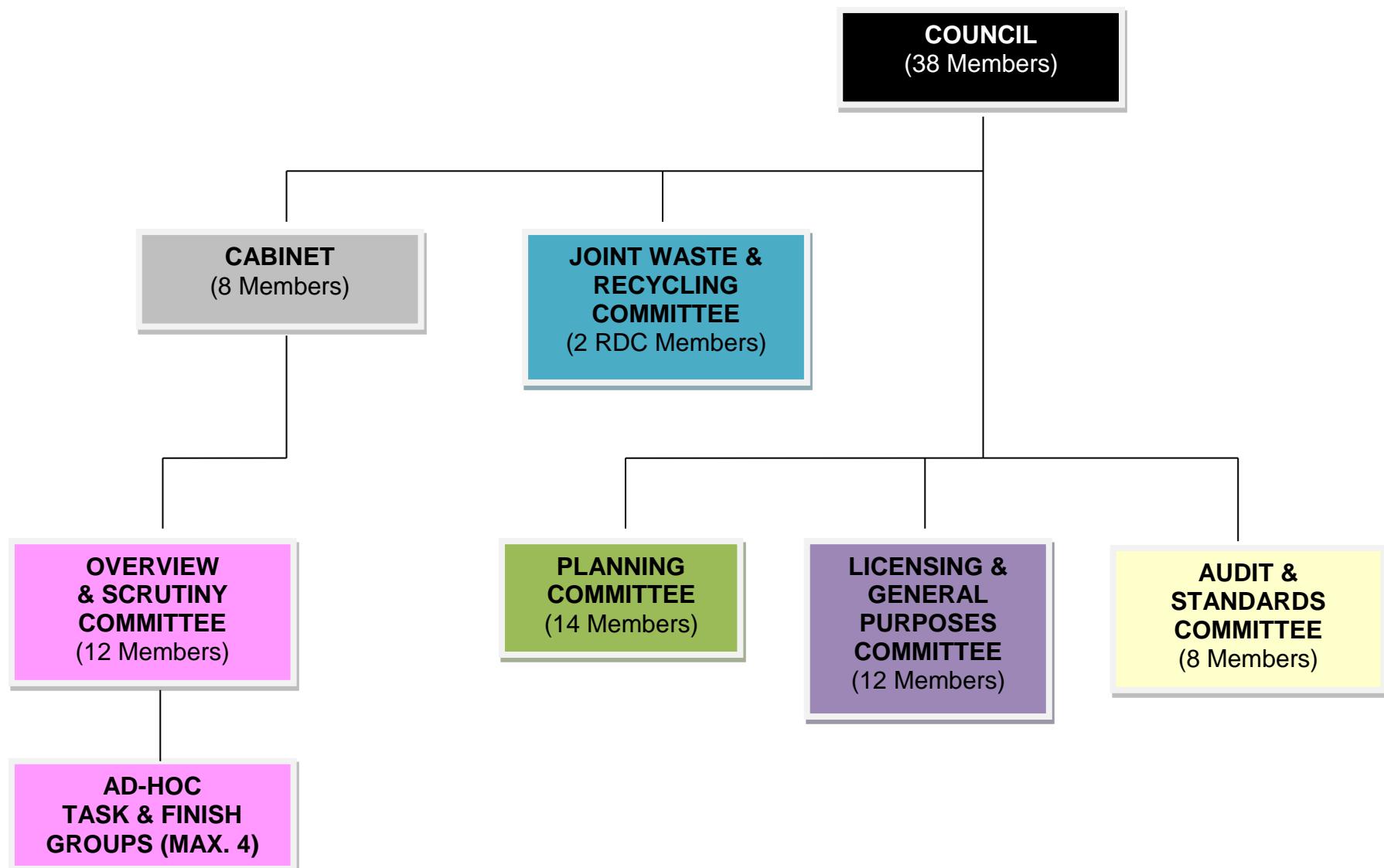
- (i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (ii) make reports and/or recommendations to the Council and/or the Executive and/or any joint or area Committee in connection with the discharge of any of the functions of the Council or the Executive, as appropriate;
- (iii) consider any matter affecting the area or its inhabitants; and
- (iv) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive and/or any Area Committees appointed.

6.3 Specific functions

- (a) **Policy development and review.** Overview and Scrutiny Committees may:
- (i) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - (ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
 - (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - (iv) engage with and question Members of the Executive and / or Executive Directors, Heads of Service or such other officers as may be determined by the appropriate Executive Director, about their views on issues and proposals affecting the area; and
 - (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
- (b) **Scrutiny.** Overview and Scrutiny Committees may:
- (i) review and scrutinise the decisions made by and the performance of the Executive and/or Council officers both in relation to individual decisions and the impact of those decisions over time;
 - (ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - (iii) engage with and question Members of the Executive, Executive Directors, Heads of Service or such other officers as may be determined by the appropriate Executive Director, about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
 - (iv) make recommendations to the Executive and/or Council arising from the outcome of the scrutiny process;
 - (v) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and residents about their activities and performance; and
 - (vi) engage with and question and gather evidence from any person (with their consent).
- (c) **Finance.** Overview and Scrutiny Committees may exercise overall responsibility for any finances made available to it
- (d) **Annual report.** Overview and Scrutiny Committees must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

6.4 Proceedings of Overview and Scrutiny Committee

Overview and Scrutiny Committees and any appointed formal Sub-Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.



This page is intentionally left blank

Agenda Item 6.

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	10 June 2019
Report of the	-	Executive Director
Subject	-	Civil Parking Enforcement: Presentation by East Sussex County Council

Recommendation: It be RESOLVED: That the presentation by East Sussex County Council be noted.

Introduction

1. This report introduces the presentation by East Sussex County Council (ESCC) on the outcome of the recent consultation exercise into the Civil Parking Enforcement (CPE) proposals for the district, by giving Members information as to how the Council has arrived at this point.

Background

2. Control of parking on-street is a statutory power conferred by legislation and intended to assist in delivering safe and efficient traffic management.
3. CPE is governed by Part 6 of the Traffic Management Act, 2004. Rother District Council (RDC) is not an enforcement authority under this Act, but can make a request through ESCC to introduce CPE if convinced of the business case. There are a number of major hurdles to pass in the application process. The most recent operational guidance on CPE is available at: <https://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions>
4. Enforcement under the 2004 Act is intended to support:
 - a) managing the transport network to keep traffic flowing;
 - b) improving road safety;
 - c) improving the local environment;
 - d) improving the quality and accessibility of public transport;
 - e) meeting the needs of people with disabilities; and
 - f) managing and reconciling the demands for kerb space.

Discussion

5. Following a presentation by ESCC to the Overview and Scrutiny Committee (OSC) in November 2015, it was agreed to add a review of on-street parking on to the work programme (Minute OSC15/30 refers).
6. A Civil Parking Enforcement Task and Finish Group (CPET&FG) was established to:
 - a) Review the ESCC business case for CPE.
 - b) Review the options and key requirements and costs of each option

- available for CPE.
- c) Assess the impact of CPE and charging structure on RDC's off-street parking regime (with consideration of including off-street parking in the CPE order).
 - d) Gauge the appetite of local residents and businesses for CPE.
 - e) Consider associated highway schemes that ESCC or others will be looking to deliver in the future.
 - f) To consider the provision of electric vehicle charging points across the district.
7. The CPET&FG met on five occasions between September 2017 and February 2018 and received presentations and representations from a number of sources. The minutes of the meetings can be found at:
<http://www.rother.gov.uk/article/12915/Civil-Parking-Enforcement-Task-and-Finish-Group>.
8. The final report from the CPET&FG was agreed by OSC at its meeting on 19 March 2018 (Minute OSC17/51 refers), with the following recommendations being agreed by Cabinet on 9 April 2018 (Minute CB17/86 refers) and by full Council on 21 May 2018 (Minute C18/13 refers):
- a) Rother District Council write to East Sussex County Council to support an application to be submitted to the Department for Transport for Civil Parking Enforcement to be adopted;
 - b) Subject to CPE being adopted East Sussex County Council be requested to establish a parking board for Rother District Council to monitor the day to day running of the scheme;
 - c) the current charging structure and tariffs in Rother District Council's off-street car parks remain unchanged until the Civil Parking Enforcement decision is taken;
 - d) the Council's off-street parking provision remain under the current management framework of The District of Rother Parkin Places Order 1983;
 - e) when the Council's Planning Core Strategy is reviewed, Electric Vehicle Charging Points be considered in planning policy, and subject to government advice received, as well as technological and industry advances;
 - f) the indicative timetable for Civil Parking Enforcement be noted;
 - g) future East Sussex County Council consultation on the detail of the Traffic Regulation Orders changes, includes liaison with the affected Ward Members to obtain the Council's comments for their areas;
 - h) the Civil Parking Enforcement Task and Finish Group be reconvened six months after Civil Parking Enforcement was adopted to consider the impact of the Civil Parking Enforcement Scheme in preparation for the first annual review;
 - i) during the first annual review, the Car Parking Review Working Group be reconvened to consider assessment of the impact of Civil Parking Enforcement on the usage and charging structure of the Council's off-street parking operation; and
 - j) Rother District Council notify Sussex Police of the recommendation to Cabinet and full Council that the Council support East Sussex County Council making an application for Civil Parking Enforcement and that in the interim the Police continue to carry out enforcement of illegal and dangerous parking.

Conclusion

9. The implementation and enforcement of CPE is a matter for ESCC but they have adopted a very collaborative approach with this Council to the development of the proposed scheme across the district.
10. The purpose of the presentation to this meeting is to provide Rother DC Members with feedback on the consultation carried out earlier this year and any amendments to the proposed scheme arising from that consultation.

Malcolm Johnston
Executive Director

Risk Assessment Statement

The introduction of CPE may meet with varying responses from residents and businesses. Some may approach it as introducing better managed enforcement. Others may object as it may disrupt current parking habits. The CPET&FG considered carefully ESCC's charging proposals and felt they would not be harmful to the economy.

This page is intentionally left blank

Agenda Item 7.

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	10 June 2019
Report of the	-	Executive Director
Subject	-	Housing Allocations Policy

Recommendation: It be **RESOLVED:** That Cabinet be requested to approve the draft Consultation Plan and the draft Housing Allocations Policy for consultation with residents and wider stakeholders.

Head of Service: Joe Powell

Introduction

1. The purpose of this report is to ask Members to approve the draft Housing Allocations Policy 2019 and the associated draft Consultation Plan, as attached at Appendices 1 and 2 respectively.

Background

2. The overall aim of the Housing Allocations Policy is to provide a framework for the equitable, effective and accountable allocation of social housing. Social housing is in very limited supply and accounts for only 10% of the total housing stock in Rother; this percentage is below the national average of 17%. Therefore, only those in the highest housing need, with a local connection to the area are likely to obtain social housing.
3. There is also a growing demand for social housing locally. The main factor contributing to this rise in demand is the inability of many households on low incomes to be able to afford other forms of housing. There are presently 1,600 households on the Housing Register with only 192 allocations having been awarded in 2018/19.
4. The principle purpose of a Housing Allocations Policy is to meet the Council's statutory obligations under [Section 166A\(1\)](#) of the Housing Act 1996, these include:
 - Who is eligible for the Council's Housing Register;
 - How the Council will assess applications to the Council's Housing Register and determine eligibility and priority;
 - How the Council will allocate social housing; and
 - How the Council will process requests for reviews of decisions made.

5. It is important to note that the Council does not own or manage any social housing stock within Rother as the Council transferred its social housing stock to Rother Homes, now Optivo in 1996. When the Council transferred its housing stock into new ownership and management it retained the statutory function of allocating social housing to its residents. The Council also allocates social housing to other housing associations within the district.

Introduction

6. The draft Housing Allocations Policy at Appendix 1 has been developed following an officer-led review of:
 - The level and type of demand for social housing in the district;
 - The number and type of households awarded social housing in recent years;
 - Practice in other local authority areas;
 - Formal review requests from residents;
 - Information gathered from regular engagement with community groups, parishes and other stakeholders; and
 - A Council led housing task and finish group.
7. The purpose of the officer-led review was to ensure that the draft Housing Allocations Policy continues to meet its stated objectives effectively. The proposed Housing Allocations Policy objectives are to:
 - Ensure the allocation of housing contributes towards socially, economically and demographically balanced communities;
 - Maximise the use of housing stock in the district;
 - Assist the Council and its partners in meeting statutory duties;
 - Reduce the use of temporary accommodation;
 - Prevent people becoming statutorily homeless;
 - Allocate and let social landlords accommodation fairly, openly and transparently;
 - Minimise property void periods;
 - Promote social inclusion; and
 - Promote and achieve equality of opportunity.
8. A factor in the Council's ability to make changes to the Housing Allocations Policy is that it has a duty to provide 'reasonable preference' to certain categories of household when considering both their eligibility for the register and their priority for housing as these are ensured under statute. Examples include the requirement to afford local connection to households fleeing domestic violence from another area; another example is the need to provide a level of priority to households that are homeless.
9. It could be assumed that a clear priority of the Housing Allocations Policy to prioritise social housing for households who have no home; however, there are a number of other types of urgent housing need which have to be considered. It is also important to recognise the role of the Housing Allocations Policy in supporting the redistribution of family-sized social housing from older households without children within their household to younger households with children.
10. The Council will need to consider a range of competing priorities to ensure that it meets the key objective of promoting socially, economically and demographically balanced communities. The consultation process will assist the Council in its review of the draft Housing Allocations Policy and support it to achieve its key aim to ensure the equitable, effective and accountable allocation of social housing for the district.

Proposed Revisions

11. A detailed description of the main changes being proposed within the consultation, together with consultation questions can be found at Appendix 3. The reason for any proposed change is included as well as an indication of which policy objective(s) the change is designed to promote. This summary document will form the main consultation literature and includes a number of questions about the proposed changes, the responses to which will inform the final policy document.
12. The main change proposed is to revise the banding structure. The present Housing Allocations Policy consists of four bands; the proposal is to move to a new two-band system. To remind Members, within the current Policy households are awarded one of four bands from A (highest priority) to D (lowest priority) depending on their housing and related circumstances.
13. The revised Housing Allocations Policy proposes that households in the most urgent housing need will all be given equal priority and be placed in an ‘urgent priority’ band. All other households, assessed as eligible for the register, will be placed in a second, lower priority band known as the ‘waiting list’. The proposal is that households within the second band will be awarded points, which will be allocated according to their level of housing need. It is possible to review the proposed new banding structure in detail on pages 17-20 of the draft Housing Allocations Policy at Appendix 1.
14. A second significant proposed change is a revision of the order in which households are nominated for social housing. This process is important as the need to nominate households according to their level of housing need does not support the Council to meet its objective to promote socially, economically and demographically balanced communities. Most social housing is located in Bexhill and there is an even greater shortage of social housing in rural areas; therefore, it is perhaps desirable to ensure those with a local connection to a respective rural parish are prioritised over those who are from other areas of the district. An explanation of the parish clusters and how these are defined can be found in Appendix 1 of the Housing Allocations Policy document at Appendix 1 of this report.
15. It is proposed therefore, that when awarding social housing the Council will firstly prioritise households on the Housing Register with the highest level of housing need; from the remaining list of households (who will have the same level of priority) an assessment of local connection will be made to reduce the list of potential nominees further; finally, the assessor will consider how long any remaining households have been on the Housing Register and nominate the remaining households accordingly.

Consultation

16. The draft consultation plan, as attached at Appendix 2, sets out the groups that will be consulted and the methods of engagement. The majority of the consultation will take place via an online questionnaire, however, telephone and written consultation responses will be accepted.
17. The consultation questionnaire, attached at Appendix 3, sets out a number of questions related to the draft document and proposed changes to the policy.

The intention is to keep the questionnaire concise with the main objective of collating views on proposed changes.

Conclusion

18. A review of the current Housing Allocations Policy is recommended so that the Council can continue to respond to increasing demand for social housing effectively, improve the efficiency and transparency of allocations and revisit the Council's priorities for allocation. In order to complete this review the Council is obliged to consult local residents and other stakeholders on the proposed changes so these can be revised and adapted to meet the needs of the community. It is recommended, therefore, that Cabinet approve the draft Housing Allocations Policy for consultation with residents and wider stakeholders.

Malcolm Johnston
Executive Director

Risk Assessment Statement

If the Council fails to allow consultation of the revised Housing Allocations Policy to take place, Rother will be breaching a statutory duty to consult and will not be able to introduce the revisions.

The Housing Allocations Policy must be regularly reviewed to ensure changes in demand for social housing are considered and households prioritised depending on their circumstances so that the Policy remains fit for purpose. Failure to do so could result in the Council not making best use of its housing stock to prevent and relieve homelessness. This may result in the number of households made homeless, impacting on the health and wellbeing of these households while also increasing the cost to the Council of accommodating homeless households in temporary accommodation.

Contents

1.	Introduction	3
2.	Background	4
3.	Equality	5
4.	Regulatory Code and Legal Framework	5
5.	Deliberately Withholding Information or Providing False Information	6
6.	Members of the Council, Staff and their Relatives.....	6
7.	Confidentiality, Data Use, and Data Protection.....	7
8.	Access to Personal Files	7
	APPLYING TO THE HOUSING REGISTER.....	8
9.	Eligibility and Qualification	8
9.1	Eligibility.....	8
9.2	Qualification Criteria.....	8
10.	Who can be Included on your Application	13
11.	Who Cannot Be Included on Your Application.....	13
12.	Applying for Medical or Welfare Priority	14
13.	Change in Circumstances	14
14.	Renewal of Housing Applications.....	15
	ASSESSING AND PRIORITISING HOUSING APPLICATIONS.....	16
15.	Housing Needs Assessment	16
16.	Housing Need	16
17.	Bedroom Eligibility	19
18.	Deciding the Effective Date	20
19.	Medical Assessments	20
20.	Welfare Assessments	20
21.	Mobility Groups.....	21
22.	Unsatisfactory Housing Conditions	22
	ALLOCATION OF HOMES	23
23.	Choice Based Lettings.....	23
23.1	Exemptions.....	23
23.2	Finding a Home	23
24.	Priorities	24

25.	Offer of Accommodation	25
26.	Refusing an Offer of Accommodation.....	25
27.	Failing to Respond to an Offer of Accommodation	25
28.	Direct Lets.....	26
29.	Local Lettings Plans	26
	REQUESTING REVIEWS AND MAKING COMPLAINTS	28
30.	Request for review/ appeal of a decision	28
31.	Complaints.....	28
32.	Complaints relating to housing association lettings	28
	Appendix 1: Local Connection Criteria: Parish Groups	29
	Appendix 2: Applicants with a Right to Move	30
	Appendix 3: Housing First Pathway	33
	Appendix 4: Glossary	34

1. Introduction

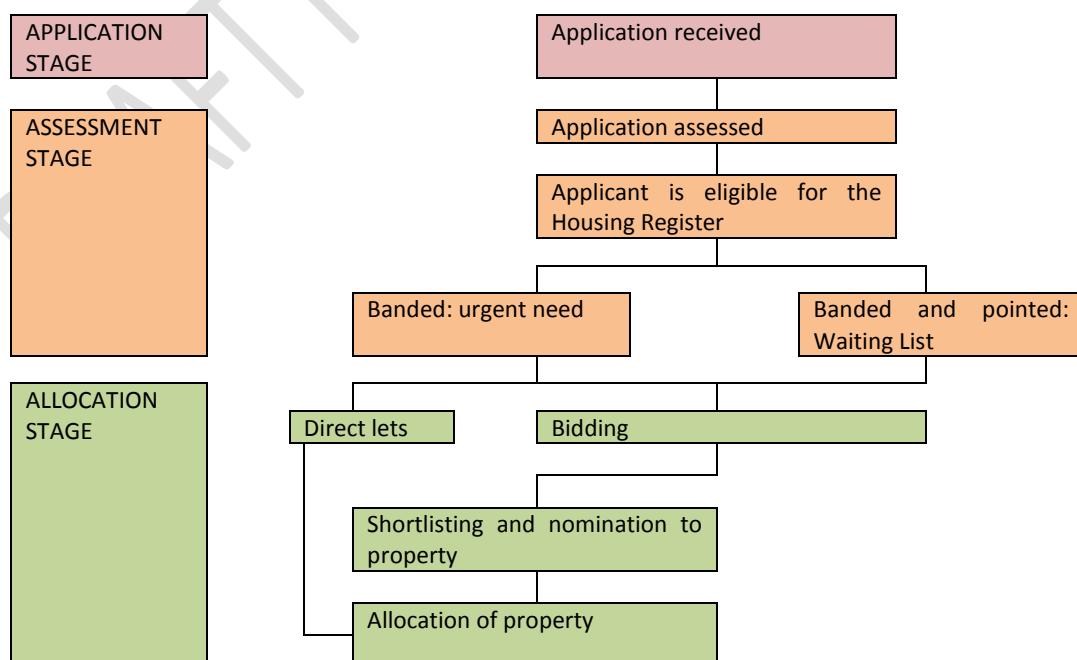
The overall aim of the Allocations Policy is to provide a framework for the equitable, effective and accountable allocation of affordable housing in Rother. We have designed this policy to help us meet the following objectives:

- Ensure the allocation of social housing contributes towards socially, economically and demographically balanced communities
- Maximise the use of social housing stock in the district
- Assist the Council and its partners in meeting statutory duties, particularly in relation to ensuring reasonable preference to priority groups
- Reduce temporary accommodation use
- Prevent people becoming statutorily homeless
- Allocate social landlords accommodation fairly and in an open and transparent way
- Minimise property void periods
- Promote social inclusion
- Promote and achieve equality of opportunity

It must be recognised that the demand for social housing within the Rother District area is very high and cannot be met from the available resources. Only those in the highest housing need, with a local connection to the area are likely to obtain social housing through the scheme. This policy will help us to prioritise those in the highest housing need, and to do this we must exclude those who are able to access housing in the private sector (whether rented or ownership) from the highest need category.

The Customer Journey

The flow chart below sets out the expected customer journey from making the initial application to join the Council's housing register, to successful allocation of social housing. This document follows a similar route including sections regarding applying to the housing register (application stage), assessing and prioritising applications (assessment stage), and allocations of homes (allocation stage).



2. Background

Rother District Council (the Council) transferred its social housing stock in 1996 and no longer owns any ‘council’ housing. It has nomination rights to some of the social housing stock in Rother owned by social landlords when the property becomes vacant. Primarily, this policy document sets out how we use those nominations rights.

The purpose of this document is to set out the Council’s policy for:

- Who can apply to the Council’s Housing Register
- How the Council assesses applications to the Council’s Housing Register
- How the Council allocates homes in the Rother district owned by the Council’s social landlord partners, and which the Council has nomination rights
- How the Council will deal with requests for a review of decisions made

The Council and its partner social landlords use a Choice Based Lettings scheme called Homemove and available properties are advertised through this scheme. All applicants who apply for social housing become members of Homemove and can search and ‘bid’ for properties that they are interested in. The ‘bidder’ with the highest level of priority, a local connection to the parish cluster¹ where the vacancy occurs, and the most time registered at that priority level is usually offered the property, in accordance with this allocations policy.

Optivo own and manage the majority of Rother’s social housing stock, following Large Scale Voluntary Transfer in 1996. The Council has a 100% nomination right to access Optivo’s new build social housing stock and 75% of relets. The Council also generally has up to 75% nomination arrangements with other social landlords operating in the Rother district that are administered by Rother District Council through the Housing Register function. Social housing stock in Rother equates to approximately 9.7% of total housing stock in the district. This compares to the national average of 17.4% of all housing stock. The following social landlords have social housing stock within Rother:

- Clarion www.clarion.com
- English Rural Housing Association www.englishrural.org.uk
- Five Villages Housing Association www.fivevillages.org.uk
- Hastoe Housing Association www.hastoe.com
- Optivo Housing Association www.optivo.org.uk
- Orbit Housing Association www.orbit.org.uk
- Sanctuary Housing www.sanctuary-housing.co.uk
- Southern Housing Group www.shgroup.org.uk
- Sussex Housing and Care www.sussexhousing.org.uk

All nominations and lettings dealt with under this policy are for social and affordable rented properties, however, single nomination agreements are in place for supported housing and these are dealt with by East Sussex County Council - Adult Social Care Services. The current schemes dealt with in this way are:

¹ Appendix 1 sets out the areas included within each parish cluster.

- The Orangery, Bexhill
- Newington Court, Ticehurst
- St Bartholomew's Court, Rye Foreign

The following supported accommodation is subject to direct letting:

181a London Road, Bexhill
Pathways, Bexhill

In many instances supported housing will have additional eligibility criteria. If you feel you require this type of property, please contact the Council's Housing Needs team for further advice.

Shared ownership homes are not dealt with under this policy. Details can be found at:
Homebuy - <https://www.helptobuyese.org.uk/>

3. Equality

The Council will ensure its policies and practices are non-discriminatory and will promote equality by preventing and eliminating discrimination on the grounds of race, disability, gender, age, sexual orientation, religion, pregnancy, or marriage status. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals. The Council's aim is to create an environment where equality is at the heart of everything we do.

The impact of this policy on the diverse range of groups within our community will be monitored, to ensure that it promotes equality to everyone. In order to achieve this, all applicants will be asked to provide details of their circumstances and any personal information when they apply to join the housing register.

The Council will ensure all eligible and qualifying applicants have equality of information about the service and equal opportunity to apply, express an interest in and receive offers of accommodation.

To ensure that vulnerable groups are not disadvantaged in applying to the housing register, the Council will offer assistance to complete the online form if the applicant is unable to use a computer and has no friend, relative or advocate assisting them. When this is not possible the Council may refer the applicant to an outside organisation who will assist the applicant to submit an application.

4. Regulatory Code and Legal Framework

The Council is required by [Section 166A\(1\)](#) of the Housing Act 1996 to have an allocation scheme for determining priorities and for defining the procedures to be followed when allocating social housing.

Although the Council no longer has a statutory duty to administer a formal Housing Register, (i.e. it is able to contract out this function) it has made a policy decision to retain the register

as a means of prioritising applicants, identifying needs and to inform the Housing, Homelessness and Rough Sleeping Strategy for the District. This Policy has been produced to ensure compliance with the requirements of the Housing Act (1996) Part VI, as amended by the Homelessness Act (2002), the Homeless Reduction Act 2017, the Localism Act (2011) and the Codes of Guidance on Allocations and Homelessness.

5. Deliberately Withholding Information or Providing False Information

Fraudulent behaviour is not acceptable to the Council and appropriate action will be taken.

It is a criminal offence:

- to knowingly or recklessly make a statement which is false; or
- to knowingly withhold information which the authority has reasonably required an applicant to give the council in connection with dealing with their application

The Council decides when these offences apply and when to institute criminal proceedings.

The Council may take action against the applicant which could result in the loss of their home and a fine of up to £5000.

The Council may request supporting documentation in relation to any application from any member of the household to determine if a person is an eligible or qualifying person. It may request details in order to assess the application. This may include information including financial, medical, employment, property ownership or information relating to the disposal of a property or any other material that may be required from time to time to allow the council to reach a decision under the Policy.

Failure to provide the requested information may lead to an application being suspended for a period. Continued failure to provide any information will lead to an application being cancelled. Any applicant or third party person submitting information under this policy may be liable to prosecution.

Any person found to have supplied false or misleading information will have their application cancelled.

6. Members of the Council, Staff and their Relatives

So that the council can be seen to be acting transparently and equitably, the following rules apply:

Applications

Any housing register applicant, including existing housing association tenants, must tell the council when they apply to the housing register if they are:

- An elected member of the Council; or
- A council member of staff; or
- A board member of a partner social landlord; or
- A relative of any of the above

All applications in any group set out above will be identified on the council's computer systems to show their status under this section of the Allocations Policy.

Where an applicant fails to disclose the above information but it subsequently comes to the council's attention, the Housing Register application will be cancelled.

Lettings

The approval of the Council's Housing Needs Manager is required for any lettings made to all applicants in any group set out above.

7. Confidentiality, Data Use, and Data Protection

All information held on the Housing Register is confidential and will be used for the purposes of allocating social housing.

By signing the Housing Register application form (including electronic signatures where relevant), applicants give their consent for the Council to disclose information about them which is necessary for nominating them to a home that may be available for letting by a social landlord, this may include other housing opportunities including the private rented sector. Data will also be used for the purposes of identifying types of housing needs across the district.

Information about Housing Register applicants is only disclosed without an applicant's consent in the following defined circumstances:

- In accordance with s115 of the Crime and Disorder Act 1998 as part of a criminal investigation;
- Where there is a serious threat to the applicant themselves or to another party's staff or contractors if the information is not disclosed;
- Where information is relevant to the management or support duties of a proposed landlord or support organisation to ensure the health and safety of the applicant, a member of his or her household, or a member of staff.

8. Access to Personal Files

An applicant is entitled to see the entry on the Housing Register relating to them and receive a copy of the details held. An applicant will be notified of any status or priority change to their entry on the Housing Register.

APPLYING TO THE HOUSING REGISTER

9. Eligibility and Qualification

When assessing applications to join the register we will ascertain whether an applicant is eligible to register and if they qualify for an allocation of accommodation.

9.1 Eligibility

Certain applicants cannot be considered for an allocation of accommodation and as such are not eligible by virtue of s. 160ZA (2) or (4) of the Housing Act 1996 (as amended by the Localism Act 2011) to join the housing register. These include:

- Persons subject to immigration control (unless classified as eligible by the Secretary of State)
- Other persons from abroad who the Secretary of State has decided are ineligible for an allocation of social housing accommodation

Joint tenancies: Under s. 160ZA (1)(b) the Council is unable to allocate to two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people apply and one of them is eligible, the Council may allocate to the person who is eligible. In addition, while ineligible family members must not be granted a tenancy, they may be taken into account in determining the size of accommodation which is to be allocated.

Existing tenants: The eligibility provisions do not apply to applicants who are already secure or introductory tenants. Most transferring tenants fall outside the scope of the allocation legislation by virtue of s. 160ZA(5).

If this section applies to you and you require further assistance please contact a member of the Housing Needs Team who will be able to advise you.

9.2 Qualification Criteria

Applicants who meet the following criteria are able to apply to join the housing register:

- are aged 18 or over
- have a local connection to Rother (See below for details)

Local Connection to Rother District

In order to qualify to join the housing register, applicants must meet at least one or more criteria relating to the following:

1. Residing in the District

The applicant or joint applicant has lived in the district, by choice, in their only home for a period of at least three years out of the last five years. Applicants will be awarded local connection to the parish or ward where this applies.

2. Family in the District

The applicant or joint applicant has close relatives who reside in a Parish or Ward in the Rother area as their only or principal home and have done so for at least the previous five years. Close relatives are defined as parents, adult children or brothers or sisters, including corresponding step relationships.

Relatives who are not considered to grant a local connection are grandparents, grandchildren, aunts or uncles, carers and non-adult children. These persons will only be used to establish a local connection where the Council considers that it is necessary for the applicant to be accommodated within the Parish or Ward in order to provide or receive medical or social care to/from the relative - at the discretion of the Council.

3. Employment in the District

The applicant or joint applicant has permanent paid employment (or a confirmed offer of such in the district). This must be for a minimum of 16 hours per week but will not include seasonal or temporary contracts.

A person carrying out work on a self-employed basis must be able to demonstrate that on average they work at least 16 hours per week and the majority of the work carried out is undertaken within the district.

Local connection will be awarded to the parish cluster (see 5. below) where the majority of work is carried out.

4. Military Personnel

Military personnel as defined in the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012:

Former and serving members of the Armed Forces (defined as those who left the armed forces within 5 years of the date they make an application for housing) will be given local connection to the Rother District and will be eligible for vacancies in all areas if they meet the following criteria:

- a) Serving members of the regular armed forces who need to move because of a serious injury, illness or disability attributable wholly or partly to their service;
- b) Former members of the regular armed forces;
- c) People who ceased , or will cease, to be entitled to live in Ministry of Defence accommodation following the death in service of their armed forces spouse or civil partner;

5. Care Leavers

If an applicant is (or was) a ‘child in care’ and has been placed in the district by an out of district care authority, the applicant will qualify under local connection providing they have been resident in the district for three out of the last five years.

6. Fleeing Violence

Those fleeing violence will be given local connection, providing evidence can be provided that they are unable to return to their place of origin due to fear of further violence.

7. Refugees

Refugees who were dispersed to and are living in the Rother District and who have been granted leave to remain within the last six months will be given local connection.

8. Parish Clusters

If an applicant has lived in Rother for the required three year period but has resided within different Parishes or Wards, local connection will be awarded to the Parish or Ward the applicant lived in the longest during that three year period, for the purposes of the allocation.

Applicants living in rural parishes will be housed in accordance with their needs and the availability of the existing rural social housing stock. In some parishes there are few or no homes. The Council must make the best use of the available social housing stock and house those in the most housing need in the area. To do this parishes are grouped in clusters to manage the housing need and demand for vacancies. Further detail regarding parish clusters is set out in Appendix 1.

Additionally, a person will not qualify to join the housing register if they:

- have Council or housing related debt which is in arrears, owed to a social or private landlord
- are currently in prison
- have provided false or misleading information or have withheld information that has been reasonably requested
- have been rehoused into social housing by the Council in the preceding 6 months
- have caused unacceptable or anti-social behaviour
- are a home owner or have sufficient means to afford alternative accommodation in the private sector
- have deliberately worsened their housing circumstances

See below for details:

Housing or Council Related Debt

Applicants with social housing or Council related debt in arrears in excess of £1000 will be ineligible until evidence has been provided that the debt has been paid or the applicant has maintained a payment agreement.

People currently in Prison

People who are currently in prison are invited to contact us to discuss the full range of housing options available to them, upon leaving prison, or shortly prior to release with the support of prison support staff.

People giving false or misleading information

People giving false or misleading information or withholding information that has been reasonably requested will not qualify to join the Housing Register.

People who have been housed

Applicants who have been rehoused into social housing by Rother District Council within the last 6 months, unless there has been a significant change to their circumstances and the accommodation is no longer suitable for their needs. This will only include cases where there is a significant need to move on medical grounds or the household composition has changed and the household is under occupying social housing accommodation.

Anti-Social Behaviour

An applicant or member of their household who the Council has identified as being involved in anti-social behaviour will not qualify for social housing until they have sustained 12 months with no reported issues of anti-social behaviour against them.

Home owners, or those with sufficient means

Applicants with sufficient financial means to secure their own accommodation will not qualify. This will include:

- a) Homeowners - Applicants that own or part own a property that the Council considers they could reasonably reside in (even if they are not currently living in it) or where if the property were sold, the equity could be used to purchase alternative suitable accommodation elsewhere in the district.

If an applicant owns a share in a property but is unable to live there, for example as a result of a relationship breakdown, the Council will consider if the value of the share is above the savings limit of £16,000 (in line with the upper threshold for Universal Credit qualification, as they are deemed to have enough financial resources to rent in the private sector). The Council will consider this to be above the threshold for financial resources, regardless of any other outstanding debts and the applicant will not qualify.

In certain circumstances where a homeowner has specific medical needs the Council will take into consideration the supply of accommodation suitable for the applicants specific needs and if the applicants housing need can be met in the Rother area. Where the Council agrees to assist a homeowner with

rehousing the applicant must place their property on the open market immediately.

- b) Applicants with a combined gross joint income of over £60,000 (disregarding disability benefits) will not qualify because they are deemed to have sufficient financial resources to enable the applicant and their household to find alternative accommodation in the private sector.

The figures are set as of April 2020 and will be reviewed three yearly to take account of inflationary changes.

- c) Any applicant with savings over £16,000 (in line with the upper threshold for Universal Credit qualification) will not qualify as they are deemed to have enough financial resources to rent in the private sector. Any deliberate disposal of assets (for example giving money away) in order to qualify will disqualify the applicant.

Applicants are required to disclose any savings they may have and failure to do so may result in the applicant being removed from the register.

Deliberately Worsening Housing Circumstances

Where the Council is satisfied that a housing applicant has either acted unreasonably or has deliberately worsened their housing circumstances, in the last 12 months, in order to qualify for a higher priority or to qualify for the Housing Register, then the applicant will not qualify to join the Housing Register for a period of 12 months. Examples of this include:

- Selling a property that is affordable and suitable for the applicant's needs
- Moving from a secure tenancy or settled accommodation to insecure or less settled or overcrowded accommodation
- Requesting or colluding with a landlord or family member to issue them with a Notice to Quit

Any applicant found to be 'ineligible' or 'non-qualifying' will be excluded from joining the Housing Register unless they become 'eligible' or 'qualifying'. The Council will write to all applicants found ineligible or non-qualifying, advising them of the reason.

Applicants can request a review of the decision to exclude them and the review procedure is set out on Page 29.

If an applicant becomes 'eligible' or 'qualifying' they must reapply using the online form and provide supporting evidence which confirms they are now 'eligible' or 'qualifying'.

Please note these categories may be updated if new legislation, guidance or regulations are introduced or if existing legislation, guidance or regulations are changed.

10. Who can be Included on your Application

An applicant can only include as part of their application members of their immediate family who live with them (or it is reasonable to expect would live with them) or other people who have an extenuating need to live with them. These include:

- Applicants husband, wife, civil partner or someone with whom they cohabit.
- Dependent children under 18 years who live with the applicant or who might reasonably be expected to live with them, where the applicant is the parent or guardian and is in receipt of Child Benefit. Applicants with contact arrangements for children will not normally be eligible for family type accommodation where the children have accommodation available to them with the other parent or guardian.
- Any other non-dependant adult who can demonstrate they are normally permanently resident with the applicant or have a clear need to do so. This will not include lodgers or anyone subletting from the applicant.
- Dependant Relatives – a relative who has joined or needs to join the household because they are unable to live independently will be included on the application only if there are no other housing options. Evidence from an appropriate social care professional will be required.
- A carer can be included on the application where it can be demonstrated that;
 - a) a live-in carer is essential on a 24 hour, daily and continuing basis; and
 - b) a live-in carer has been identified and has moved in with the household or is ready to do so when accommodation is made available; and
 - c) if the applicant were to claim Housing benefit the extra bedroom would be awarded, in conjunction with Housing Benefit regulations.

Receipt of carers allowance does not necessarily mean that it is necessary for the carer to live with the person being cared for. In all cases, regardless of whether or not the carer is in receipt of carer's allowance, it will be necessary for the applicant to provide evidence that they receive disability benefits and supporting medical evidence to show the need for a live in carer.

11. Who Cannot Be Included on Your Application

Family members not currently living with the applicant

The Council will not include in Housing Register applications, any family members who are not resident in the UK at the time an application is submitted. These household members will only be considered once the family has been reunited in the UK and can clearly demonstrate that the family member added to the application for social housing is residing in the UK lawfully.

Young people living away from home, such as students with a rent liability elsewhere will not be included on the application. (Normally students resident in designated halls of residence will not have a separate rent liability and can be included whilst resident in this accommodation).

Others who cannot be included on your application

- Family members who already have an existing housing application
- People sharing a property who are not in a relationship with the applicant

12. Applying for Medical or Welfare Priority

Applicants wishing to apply for medical priority must complete the medical section of the online form and provide supporting medical evidence which detail the diagnosis, symptoms and prognosis. If additional information is required a medical assessment form will be sent to the applicant.

Applicants wishing to apply for medical priority after their application has been assessed must request a Medical Assessment Form from the Homemove team.

It is unlikely that a GPs letter which simply states the applicant's medical condition and their wish to move will be enough evidence to constitute proof of a medical need to move. The Council requires evidence that a person's medical condition makes their current housing circumstances unsuitable and that options to support an applicant to remain in their home have been exhausted. Further information about how medical priority is assessed is detailed in section 19.

13. Change in Circumstances

Applicants will be required to inform the Council immediately of any change in their circumstances which may affect their qualification to join the Housing Register or priority for housing.

A change in circumstances includes:

- A change of address for the applicant or any other person on their application
- Any additions to the household or any other person the applicant would like included in the application, for example, the birth of a baby. The Council will decide whether the additional person can be included in the application, through application of the Allocations Policy
- Any member included in the Housing Register application who has moved out of the applicant's current home
- Any change in income, assets or savings, where these are above the thresholds set out in section 9.2
- A decline or improvement in a household member's medical condition

When the Council is informed of an applicant's change in circumstances, their Housing Register application is reassessed to take into account the new information. The Council will confirm in writing whether they are still eligible to remain on the Housing Register and whether there is a change to their priority for social housing.

14. Renewal of Housing Applications

All applicants will be required to re-register their application every year. Applicants will be advised when they are required to re-register. Failure to respond to the request to re-register will result in the application being cancelled. The Council reserves the right to ask for additional supporting information that is required to re-assess the application.

DRAFT FOR CONSULTATION

ASSESSING AND PRIORITISING HOUSING APPLICATIONS

15. Housing Needs Assessment

The Council will determine the applicant's level of priority based on the information provided. Applicants with an urgent housing need will be placed onto the urgent need category. Applicants with an urgent need will be prioritised by length of time within this band. All other applicants will be placed onto the housing register waiting list and priority awarded depending on the **suitability of their current accommodation**. Points are allocated to indicate the level of priority awarded relative to other households on the register.

Applicants are assessed as either Homeseekers or Transfer tenants. Transfer tenants are those already renting social housing in the Rother area. Homeseekers live in any other type of private sector home.

16. Housing Need

There are two housing need bands:

1. **Urgent Need** – Applicants with an urgent housing need, or currently living in social rented housing which is in short supply and does not meet their needs and is urgently required for housing families with children or those with disabilities. Applicants placed on this list may be subject to direct lettings, meaning when a suitable property becomes available an officer from the Council's housing team may allocate social housing directly.

Please note, applicants (other than those currently renting social housing which does not meet their needs) will only be placed on this list if they are assessed by the housing needs team as having particular difficulty accessing other forms of housing in the private sector.

2. **Waiting List** - All other applicants will be allocated points according to their level of housing need (based on the suitability of their current accommodation) and be placed in order of the number of points they have been awarded.

Urgent Need

- Transfer applicant releasing a property already adapted for disabled persons.
- Applicants considered to be in severe housing need as a result of housing conditions presenting an immediate threat of serious injury or if life threatening.

- Applicants accepted as homeless; ‘homeless at home’ and who has been assessed as having particular difficulty accessing other forms of housing in the private sector – for example, those subject to the benefit cap or with specific medical needs such as ground floor/level access.
- Applicant accepted as homeless and placed in temporary accommodation and has been assessed as having particular difficulty accessing other forms of housing in the private sector.
- Applicant is required to move on from care or supported accommodation from authorised partnership schemes where the applicant has been assessed as ready to move to independent living, and where a move on report has been provided.
- Applicant is at risk of homelessness within 56 days and has been assessed as having particular difficulty accessing other forms of housing in the private sector.
- Transfer applicant under-occupying family sized accommodation.
- Severe and immediate medical priority is awarded by the assessor after advice from the Council’s medical advisor or County Council occupational therapist, where there is a need to move and where the housing conditions are having a severe and immediate adverse effect on the medical condition of the applicant or member of the current household. This may include the following:
 - The applicant or member of household is at significant risk of falls or injury in current accommodation
 - The applicant or member of household is unable to access essential facilities and evidence is provided by relevant social care provider(s).
 - The layout of the property prevents the delivery of essential care services and evidence is provided by relevant social care provider(s).

Waiting List

Homelessness

- Applicant accepted as homeless and ‘homeless at home’ but has been assessed by the Council’s Housing Needs team as having no particular difficulty accessing other forms of housing in the private sector. 10 points
- Applicant accepted as homeless and placed in temporary accommodation, but has been assessed by the Council’s Private Rented Sector Access team as having no particular difficulty accessing other forms of housing in the private sector. 10 points
- Applicants accepted as homeless within temporary accommodation which is suitable for their needs. 5 points

Overcrowding (see section 17 – bedroom eligibility)

- Households currently lacking one bedroom 5 points

- Households currently lacking 2 bedrooms 10 points

Current housing conditions (See Section 22 – Unsatisfactory housing conditions)

- Housing conditions assessed as unsatisfactory by the Council's Environmental Housing team, where enforcement action has not resolved the situation 5 points

Medical (See section 19 – medical assessments)

- High medical priority awarded by the assessor after advice from the Council's medical advisor or County Council occupational therapist – where there is a need to move and the housing conditions are having a significant adverse effect on the medical condition of the applicant or member of the current household. This will include where there are significant difficulties with access to essential facilities within the property and/or access to the property. 15 points

- Property is largely suitable but there are difficulties with accessibility due to being located in a hilly location 5 points

Welfare (See section 20 – welfare assessments)

- Applicant meeting the Military Personnel Regulations (see section 9.2 (4)). 3 points

- Rural isolation – at risk of isolation due to rural location and lack of transportation 3 points

- Need to move to receive/give family support 3 points

- Anti-social behaviour (ASB) – experiencing ongoing issues of ASB verified by police 5 points

- Applicant granted permission to adopt or foster and lacking bedroom 3 points

- Move on from drugs or alcohol rehabilitation 5 points

- Requires sheltered accommodation 3 points

- Move on from Care 5 points

- Young adult with learning disability wishing to live independently 3 points
- 5 or more years on register 3 points

Insecurity of tenure

- Applicant is lodging and has a child or children under 10 years living with them 5 points
- Applicant is living apart from partner or family because there is no suitable accommodation available to them 5 points

Other

- Transfer applicants with a Right to Move (See appendix 2) 5 points

17. Bedroom Eligibility

The number of bedrooms an applicant is awarded is based on the Local Housing Allowance (LHA) criteria where one bedroom is allocated to each of the following:

Single Person/couple	1 bedroom
Two children under 16 of the same sex	1 bedroom
Two children under 10 of the same or opposite sex	1 bedroom
Any other child or person aged 16 or over	1 bedroom
An overnight carer	1 bedroom

Please note a second reception room will be considered available for use as a bedroom. For larger households who require four or more bedrooms, the prevailing housing stock in the district could mean that the provision of accommodation may not be achievable.

An additional bedroom for a child or partner can only be considered in certain circumstances. Our Social Landlord partners will not offer accommodation to applicants who would be considered to be under-occupying. Applicants requesting an extra bedroom for a child, a non-dependent or a couple can only be considered where the household member is unable to share with a bedroom on medical grounds and the additional bedroom can be afforded by the household. This will need to be formally agreed by the Council's Independent Medical Advisor and the Council's Housing Benefit department. Only applicants where the need for an extra bedroom is agreed by both parties will be awarded.

An additional bedroom will be considered where the applicant is able to demonstrate that:

- care has been arranged
- an extra bedroom has not already been provided for a non-resident overnight carer (or team of carers) in the same household

In addition, the disabled child or non-dependant adult must be in receipt of:

- middle or higher rate care component of Disability Living Allowance (DLA)
- Attendance Allowance (AA)
- the daily living component of Personal Independence Payment (PIP) or
- the Armed Forces Independence Payment (AFIP)

18. Deciding the Effective Date

An applicant's priority date is the date that the applicant was awarded that Band (Urgent need or waiting list).

Priority within the same band is based on a date order, according to the date the applicant was placed into that band.

If an applicant's band changes then their priority date changes to the date the applicant was awarded their new band status.

19. Medical Assessments

Medical priority under Urgent Need is only awarded in circumstances where there is a severe and immediate adverse effect and a move to alternative accommodation would significantly improve the health or quality of life of the applicant or a member of their household.

Medical priority is not awarded only because an applicant has a medical condition or disability. Priority is awarded when it can be evidenced that the current accommodation is having an adverse impact on the health of the applicant or member of the household. Some applicants with medical conditions or disabilities will not be awarded any medical priority despite the seriousness of their condition, if their housing is adequate for their needs.

Therefore, it is important to note that conditions which are not adversely affected by a person's housing conditions or where the condition is temporary are unlikely to receive medical priority under this scheme.

20. Welfare Assessments

Priority awarded on welfare grounds will cover a wide range of needs, including the need to:

- Provide a secure base from which a care leaver can build a stable life.
- Provide a secure base from which a person who is moving on from a drug or alcohol recovery programme can build a stable life.
- Provide accommodation, with appropriate care and support, for those who could not be expected to find their own accommodation, such as young adults with learning disabilities who wish to live independently in the community. The Council will work collaboratively with East Sussex County Council in these circumstances.
- Provide or receive care or support – this would include foster carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority. It would also include special guardians, holders of a residence order.

21. Mobility Groups

Applicants with medical issues will be assessed to determine if they have mobility issues and/or require a certain type of property.

All properties adapted for disabled people will be advertised across all bands. Properties will also be advertised with notes where the potential for adaptations or further adaptations exists and any further restrictions applicable.

Properties suitable for applicants with mobility needs or who require adaptations will be advertised with a mobility classification as below and priority will be given to those with a matching need.

- Mobility Group 1 – Typically suitable for a person who uses a wheelchair full time, i.e. indoors and outdoors. The property will provide full wheelchair access throughout.
- Mobility Group 2 – Typically suitable for a person with restricted walking ability and for those that may need to use a wheelchair some of the time. The property will have internal and external level or ramped access, but some parts of the property may not be fully wheelchair accessible.
- Mobility Group 3 – Typically suitable for a person able to manage two or three steps, may use a wheelchair but not full time, or may be unable to manage steep gradients. The property may have adaptations to assist people with limited mobility.

Where a disabled applicant applies for accommodation which does not meet his or her access needs, the Council will take into account whether it is reasonable and practicable to adapt that property when assessing the offer consistent with our duties under the Equalities Act 2010 and the Housing Grants, Construction and Regeneration Act 1996 and also whether it would meet the housing need.

On occasion accommodation offers may be withdrawn from a case where the housing need would not be met.

Applicants with mobility needs will be prioritised for ground floor or lifted accommodation where appropriate, and for bungalows.

22. Unsatisfactory Housing Conditions

The Housing Needs team may refer an application to the Council's Environmental Housing Team where there are major issues with regards to the condition of the applicant's existing property or an applicant raises issues of disrepair.

A case will only be referred if the person agrees to work with the Environmental Housing Team and any recommendations that are made. These referrals will require the Environmental Housing Team to make contact with the relevant landlord or managing agent who is responsible for the property. Any applicant who withdraws consent for the Environmental Housing Team to contact the Landlord or Agent will not be eligible for a banding assessment under this policy. No additional priority for issues such as damp and mould can be awarded without the case first being assessed by the Environmental Housing Team and the council will only award additional priority where this is recommended.

Following any inspection of the applicant's property if there is any required intervention and there is no prospect of this being completed within 6 months the following banding awards will apply:

- Unsatisfactory housing conditions as confirmed after a visit from the Environmental Housing Team and classed as a category 1 hazard(s) that cannot be rectified within six months (as assessed by the Council's Environmental Housing Team using the HHSRS (Housing Health and Safety Rating System (HA 2004, Part 1)) will be given priority pointing. If the works required are completed before an offer of accommodation is made then this priority award will be removed. Awards in this category will be removed if it is considered that the applicant has moved into accommodation that is not suitable to meet their needs or if the applicant refuses to cooperate with any works required.
- If the Environmental Housing team have assessed the property as uninhabitable, the Housing needs team will treat the household under Part 7 of the Housing Act (Homelessness).

ALLOCATION OF HOMES

23. Choice Based Lettings

Choice based lettings is a way of allocating social housing. It gives people seeking accommodation with a social landlord the choice to bid for accommodation as it becomes available. The Council operates a choice based lettings scheme through East Sussex Homemove.

You can use Sussex Homemove if you are an existing tenant seeking a transfer within your council's area or a homeseeker applying for the first time. The scheme covers all the available housing association homes, including sheltered housing.

23.1 Exemptions

Sussex Homemove does not include vacancies for the following accommodation:

- Extra care housing
- Specialist supported housing
- Shared ownership housing
- Some properties which may, in exceptional circumstances, be let directly

Please contact the Council's Housing Needs team if you think you require any of the housing options set out above.

23.2 Finding a Home

All available properties are advertised fortnightly on the SussexHomemove website: www.sussexhomemove.org.uk

The adverts will give information about each vacant property.

Properties will be advertised for Transfer applicants or Homesseekers, or both with other eligibility criteria for the property, including:

- a. The minimum and maximum number of persons in the household
- b. If there are age limits for households
- c. The mobility group, if applicable
- d. Whether the property has a social or affordable rent
- e. If persons require a care or support need
- f. If the property has a local lettings agreement or local lettings plan

How to bid for properties

Applicants can bid for up to three properties they are eligible for per bidding cycle.

Bids can be made online at sussexhome.org.uk or you can call 01424 787000 and the Council will be able to place a bid on your behalf.

All bids are checked against the eligibility rules, for example age restrictions or size of property. Ineligible bids will not be considered.

If an applicant does not bid they cannot be considered for a property.

If a bid is made by an applicant and the bid is successful, the applicant will be offered the property as an offer of ‘suitable accommodation’. At this stage, if relevant, Rother District Council will discharge any duty under homelessness legislation.

Once an applicant is re-housed via the Housing Register their application is automatically cancelled

23.4 Direct Lettings

The Council needs to retain some flexibility in order to deal with exceptional circumstances and in conjunction with the relevant Housing Association and Senior Officer reserves the right to let properties directly to suitable applicants. These properties will not usually be advertised via the Sussex Homemove scheme.

If an applicant refuses a direct let they must give their reasons for refusing in writing. The property will not be held empty while the refusal is reviewed but will be let to another applicant.

Further information on direct lettings is available at section 28.

24. Priorities

The Council have agreed priorities which form the basis for the policy. These priorities, set out below in order, provide a basic framework for how households will be prioritised for available social housing.

- Highest priority: Banding priority
- Local connection: Applicants who have a local connection to the parish cluster group (as set out in appendix 1)
- Waiting time: Time on register

Of those that bid on available properties, the bidder with a local connection to the parish cluster, the highest level of priority, and the most time registered at that priority level will usually be offered the property.

The way properties are allocated using the priorities set out above may be affected by increasing levels of homelessness or increasing numbers of urgent need assessments; therefore not meeting the objectives set out within the introduction of this policy. To ensure this does not have a detrimental impact on the way in which homes are allocated, property allocations will be reviewed on an annual basis. This may lead to minor changes to this policy, for example through the design of a lettings plan which ensures fair allocation from both the Urgent Need band and the Waiting List.

25. Offer of Accommodation

Up to three applicants will be shortlisted for each vacancy. Only successful applicants will be contacted.

The Council is unable to tell applicants what priority they are during the short-listing process, but feedback is provided on the Sussex Homemove website. The ranking shown may be subject to change pending verification of the shortlist.

The successful applicant will be offered the property and asked to sign the tenancy or make a decision to accept the property within 24 hours.

Applicants viewing housing association properties will be subject to housing association checks and will also be asked to provide documentation in support of their application.

All household members will be required to prove:

- a. Identity/ status
- b. Local connection to Rother and local connection at Parish/ Ward level
- c. Residency
- d. Income/ capital

Other supporting documentation may be requested as appropriate.

26. Refusing an Offer of Accommodation

If an applicant refuses an offer of a home from a housing association, Rother District Council will note the reasons for the refusal and the next applicant on the shortlist will be selected for the offer.

If the applicant who refused the offer has been given Urgent Need Band priority, with the exception of Transfer tenants under-occupying accommodation, the Council will assess the reason the property was refused. If the property is deemed to be suitable and of the right size the Council may decide to remove the Urgent Need Band priority.

In all cases the Council will also consider the availability and housing stock within the district when making its decision on suitability.

27. Failing to Respond to an Offer of Accommodation

If an applicant fails to respond to a written offer of accommodation within the timescales specified, without good reason, they will be considered to have refused that offer of accommodation.

28. Direct Lets

The Council needs to retain some flexibility in order to deal with exceptional circumstances and in conjunction with the relevant Housing Association and the Housing Needs Manager reserves the right to let properties directly to suitable applicants. These properties will not usually be advertised via Sussex Homemove scheme.

Direct lets may be considered for the following:

- To comply with a Court Order
- To fulfil an urgent statutory or legal duty
- Child protection/public protection issues
- Specially adapted properties
- Where a Local Lettings Plan is in place (see section below)
- Where a delay in providing an applicant with suitable housing is likely to prove costly to the Council
- Homeless households in temporary accommodation who have not bid

If an applicant to whom the Council has a statutory duty refuses a direct let they must give their reasons for refusing in writing. The property will not be held empty while the refusal is reviewed but will be let to another applicant.

29. Local Lettings Plans

The statutory basis for the use of local lettings plans is Section 166A (6)(b) of the 1996 Act; this allows local authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, in order to achieve a wide variety of housing management and policy objectives. In partnership with social landlords, the Council occasionally uses local lettings plans (LLP) to respond to local conditions.

The following are examples of criteria that could be used in LLPs covering an area or new build housing scheme:

- Age restrictions
- Giving priority to transfer applicants with a positive tenancy history
- Giving priority to working households where there is already a concentration of tenants/residents with tenancy support needs
- Giving priority to residents with a local connection to the area (in particular villages where community sustainability is a concern)

The following conditions will apply to a LLP:

- They may be developed to meet the particular needs of a local area
- There must be a clear, evidence based need, for example, to deal with recurring anti-social behaviour issues, or to meet rural needs and create more sustainable communities

- They will set out how applicants will be prioritised for the housing relevant to the LLP
- Equality impact assessment will be completed

The use of Local Letting Plans will usually be considered during the planning process for new build housing schemes.

DRAFT FOR CONSULTATION

REQUESTING REVIEWS AND MAKING COMPLAINTS

30. Request for review/ appeal of a decision

The applicant should put in writing to the Council their request for a review/appeal of a decision made by the Council, with details of the reason for the review/appeal request.

A senior officer not involved in the original decision, in consultation with the legal department will consider the facts of the case and decide whether or not to reverse or uphold the original decision.

We will advise applicants in writing of the decision of the review/appeal within 28 days. The 28 days begins from the review/appeal receipt.

An applicant will be advised of their right to seek independent advice and other remedies.

Repeat requests for a review/appeal of a decision will not be considered unless there has been a significant change in the applicant's circumstances.

Decisions made under Part 7 of the Housing Act 1996 (homelessness) will be decided in accordance with the legislation and its guidance.

31. Complaints

Any applicant wishing to make a formal complaint about any aspect of their application must follow the Council's formal complaints procedure which can be found on the Council's website: <http://www.rother.gov.uk/article/178/Complaints>

32. Complaints relating to housing association lettings

Complaints about adverts and allocations by the Council registered providers should be addressed to those partners. While we will do our best to assist in resolving such complaints and will take responsibility if the partner was acting on our instructions, we cannot be held liable for errors made or separate allocations policies followed by these bodies, which are independent of the Council.

Appendix 1: Local Connection Criteria: Parish Groups

Parish Groups for local connection priority

Housing applicants in local Parishes must be housed in accordance with their needs and the availability of the existing social housing stock. In some Parishes few homes become vacant so the Council must make sure it makes the best use of the available social housing stock to house those in the most housing need.

For the purposes of this policy vacancies in Bexhill will be available to all applicants and is not subject to the local connection rules.

The parish clusters are as follows:

1. Battle Parish Cluster

Battle	Netherfield	Bodiam
Ashburnham	Ewhurst	Penhurst
Brightling	Catsfield	Crowhurst
Dallington	Mountfield	Whatlington
Salehurst	Westfield	Sedlescombe

2. Rye and Rye Rural Parish Cluster

Rye	Brede	Camber
East Guildeford	Guestling	Icklesham
Fairlight	Iden	Beckley
Northiam	Peasmash	Pett
Playden	Rye Foreign	Udimore

3. Ticehurst Rural - including:

Burwash	Etchingham	Hurst Green	Ticehurst
---------	------------	-------------	-----------

If an applicant with a local connection to the parish cluster cannot be found on the shortlist then the applicant with the highest band priority with the earliest priority date regardless of local connection will then normally be offered the vacancy

Appendix 2: Applicants with a Right to Move

The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967) ('the qualification regulations 2015') came into force on 20 April 2015. These provide that local authorities must not disqualify certain persons on the grounds that they do not have a local connection with the authority's district. Specifically, a local connection may not be applied to existing social tenants seeking to transfer from another local authority district in England who: have reasonable preference under s.166(3)(e) because of a need to move to the local authority's district to avoid hardship, and need to move because the tenant works in the district, or need to move to take up an offer of work. This will ensure that existing tenants who are seeking to move between local authority areas in England in order to be closer to their work, or to take up an offer of work (hereafter referred to together as 'work related reasons'), will not be disadvantaged.

In order to qualify for an exemption of the local connection criteria the following will be taken into account in assessing if an exemption applies. The Right to Move qualification regulations 2015 (statutory guidance on social housing allocations for local housing authorities in England 2015) only apply if work is not short-term or marginal in nature, nor ancillary to work in another district. Voluntary work is also excluded.

Short-term

In determining whether work is short-term, the following are relevant considerations:

- whether work is regular or intermittent (This is likely to be particularly relevant in the case of the self-employed)
- the period of employment and whether or not work was intended to be short-term or long-term at the outset
- if a contract of employment that was intended to last for less than 12 months would be considered to be short-term.

Marginal

The following considerations would be relevant in determining whether work is marginal:

- the number of hours worked
- if less than 16 hours a week could be considered to be marginal in nature. This is the threshold below which a person may be able to claim Income Support and the threshold for a single person's entitlement to Working Tax Credit. (The fact that a tenant only works 15 hours a week, for example, may not be determinative if they are able to demonstrate that the work is regular and the remuneration is substantial).
- the level of earnings.

Ancillary

Ancillary Work must not be ancillary to work in another local authority's district. This means that, if the person works occasionally in the local authority's district, even if the pattern of work is regular, but their main place of work is in a different local authority's district, the work is excluded for the purposes of this policy.

A further relevant consideration would also be whether the tenant is expected eventually to return to work in the original local authority district. If a local authority has reason to believe this is the case, they should seek verification from the tenant's employer. A person who seeks to move to Rother to be closer to work in a neighbouring authority – for example, where the transport links are better in the first local are also excluded from the right to work

Voluntary work

Regulations exclude voluntary work. Voluntary work means work where no payment is received or the only payment is in respect of any expenses reasonably incurred.

Apprenticeship

The term 'work' includes an apprenticeship. This is because an apprenticeship normally takes place under an apprenticeship agreement which is an employment contract (specifically a contract of service).

Genuine intention to take up an offer of work

Where the tenant has been offered a job and needs to move to take it up, they must be able to demonstrate to the local authority's satisfaction that they have a genuine intention to take up the offer.

Verification and evidence

In all cases the council will want verification and evidence that the work or job-offer is genuine and therefore the following documentary evidence will be required:

- a contract of employment
- wage/salary slips covering a certain period of time, or bank statements (this is likely to be particularly relevant in the case of zero-hours contracts)
- tax and benefits information – e.g. proof that the applicant is in receipt of working
- tax credit (if eligible) P60 or other information related to the employment.
- a formal offer letter and letter of acceptance
- the employer to verify the position.
- letters should be on company headed paper.

Applicant must qualify for an allocation under the right to move both at the time of the initial application and when considering making an allocation. This means that proof will have to be provided that the person's circumstances have not changed. Any applicant that is suspected of attempting to supply false or misleading statements in order to obtain accommodation with the council commits an offence and may be prosecuted. If a property is allocated following false or misleading statements a person may face eviction. Section

166A provides that the council must frame the allocations policy to ensure that reasonable preference is given to move to the area, where failure to meet that need would cause hardship to themselves or others. Reasonable preference for the Right to Move Scheme has been set within the Waiting List band.

DRAFT FOR CONSULTATION

Appendix 3: Housing First Pathway

Applicants who require specialist housing will not be included in this allocations scheme. This includes single, homeless, non-priority; entrenched rough sleepers who will be assessed for the Council's 'Housing First' pathway.

The Council's Housing First Pathway is currently in development.

DRAFT FOR CONSULTATION

Appendix 4: Glossary

Bidding cycle
A bidding cycle is the period you have to bid upon a property which has been advertised on Homemove. You can choose to "bid" on any property that meets the criteria established when your place on the housing register has been confirmed.
The bidding cycle runs from 00.01am on Thursday to 23.59 the following Wednesday.
Choice Based Lettings
Most council and housing association homes are now let through local choice-based lettings (CBL) schemes rather than allocation through the local Council. This allows you to make choices about which properties you would like to bid on.
Direct lets
Direct lets are homes which we, with agreement from the social landlord partner, allocate directly to an applicant, usually in the urgent need band of the housing register.
Entrenched rough sleeper
Entrenched rough sleepers have a long history of sleeping rough. Entrenched rough sleepers are more likely to develop additional physical and mental health needs and substance misuse issues. This can make it a lot harder for them to engage with support services, to leave the streets and to rebuild their lives
Local lettings plan
A Local Lettings Plan (LLP) is an additional criteria for a specific area, estate or block of apartments. It means that the LLP properties affected will be allocated in a different way to the usual approach.
Shared ownership
A system by which the occupier of a dwelling buys a proportion of the property and pays rent on the remainder, typically to a housing association.
Social inclusion
Social inclusion is the act of making all groups of people within a society feel valued and important.
Social Landlords
The general name for not-for-profit housing providers approved and regulated by Government through Homes England. The vast majority of Registered Social Landlords are also known as Housing associations.
Transfer applicant/transfer tenant
A transfer applicant or tenant is the name given to a housing register applicant who is already a Housing Association tenant.
Void periods
A void period is the period of time that a property is empty before a new tenancy is assigned.
Voids
Voids is the name given to a vacant property.

DRAFT FOR CONSULTATION

This page is intentionally left blank

RDC HOUSING ALLOCATION POLICY CONSULTATION PLAN 2019

Rother District Council seeks to identify any gaps for inclusion and gather evidence of the potential impact of proposed changes to the Housing Allocations Policy. This includes understanding the strength of feeling on the changes, for existing and potential social housing tenants and local providers of social and affordable housing.

Aims of the consultation

This consultation will give the Members of Rother District Council (the Councillors) further evidence to take into account when making a final decision on the content of the policy.

Who we will consult:

Resident target groups:	Statutory Partners:	Voluntary sector partners:	Internal/other:
<ul style="list-style-type: none"> • Current and potential housing needs applicants • Existing social housing tenants 	<ul style="list-style-type: none"> • Local providers of social housing where the Council has nomination rights • Department Work & Pensions • Mental Health Services • ESCC • Neighbouring local authorities 	<ul style="list-style-type: none"> • Local organisations that support vulnerable groups that could be affected by changes to the policies 	<ul style="list-style-type: none"> • Finance • Housing Benefit & Council Tax • Parish / Town Councils • Customer Services • Legal Services • Planning

How we will consult:

GROUP	METHOD	COMMUNICATION
Benefit & Debt Advice Service	On-line questionnaire	Via e-mail with link to questionnaire
Brighton Housing Trust	On-Line questionnaire	Via e-mail with link to questionnaire
Citizen's Advice Bureau	On-line Questionnaire	Via e-mail with link to questionnaire
Customer Services	Request for comments	Via e-mail, meeting if required
Depart Work & Pensions (DWP)	On-Line questionnaire	Via e-mail with link to questionnaire
ESCC Adult Social Care	On-line Questionnaire	Via e-mail with link to questionnaire
ESCC Children's services	On-line Questionnaire	Via e-mail with link to questionnaire
ESCC Gypsy & Traveller liaison	On-line Questionnaire	Via e-mail with link to questionnaire
Finance	Request for comments	Via e-mail, meeting if required
Hastings Advice & Representations Centre (HARC)	On-line questionnaire	Via e-mail with link to questionnaire
Hastings Furniture Service	On-line questionnaire	Via e-mail with link to questionnaire
Homelessness Unity Group	On-line questionnaire	Via e-mail with link to questionnaire
Homelessness/Housing Options clients	On-Line questionnaire	Leaflet with details given to applicants during interview
Homeworks	On-line questionnaire	Via e-mail with link to questionnaire
Housing Association Tenants	On-line	Via relevant newsletter

Appendix 2: Housing Allocation Policy Consultation Plan

GROUP	METHOD	COMMUNICATION
	questionnaire	
Housing associations – management teams	On-line questionnaire	Via e-mail with link to questionnaire
Housing Benefit & Council Tax	Request for comments	Via e-mail, meeting if required
Housing Register applicants	On-line questionnaire	Additional paragraph on all letters/emails going to new applicants
Legal Services	Request for comments	Via e-mail, meeting if required
Mental Health Services	On-line Questionnaire	Via e-mail with link to questionnaire
Neighbouring Local Authorities	On-line Questionnaire	Via e-mail with link to questionnaire
Other interested residents	On-line questionnaire	Via MyAlerts with link to questionnaire
Parish/Town Councils	On-line Questionnaire	Via e-mail with link to questionnaire
Planning & Strategy	Request for comments	Via e-mail, meeting if required
Rother Voluntary Action	On-Line questionnaire	Via e-mail with link to questionnaire
Southdown.org	On-line questionnaire	Via e-mail with link to questionnaire
The Mediation Service	On-line questionnaire	Via e-mail with link to questionnaire
SAFFA (Armed Forces charity)	On-line questionnaire	Via e-mail with link to questionnaire

In addition to the above plan, a local press release will be communicated, in order to raise awareness of the ongoing consultation and allow all residents to have their say.

As well as through the on-line questionnaire, all consultees will be given the opportunity to provide comments on the policy via e-mail or letter. The RDC social media accounts will provide regular reminders regarding the ongoing consultation. Paper copies of the questionnaire will be available at our 3 help points for those unable to take part on-line. Residents will also have access to the Help Point online computers.

Consultation will commence 8 July 2019. The deadline for consultation responses to be received is 30 August 2019.

Following the Consultation: The outcomes of the consultation will be used to formulate a draft Housing Allocations policy to present to Cabinet and full Council for adoption to cover the next five years (2020-25).

Rother District Council is reviewing our Housing Allocations Policy and we are requesting your views on the proposed changes.

Why are we reviewing the Housing Allocations Policy?

- We are required by [Section 166A\(1\)](#) of the Housing Act 1996 to have an allocation scheme for determining priorities and for defining the procedures to be followed when allocating social housing.
 - There are some areas of the current allocations policy which we feel should be amended to help us meet the objectives set out below
 - We feel the proposed changes will make the policy fairer and clearer
-

SECTION 1: Objectives

Overall aim of the policy:

- To provide a framework for the equitable, effective and accountable allocation of affordable housing in Rother.

The policy is designed to help us meet the following objectives:

- Ensure the allocation of social housing contributes towards socially, economically and demographically balanced communities
- Maximise the use of social housing stock in the district
- Assist the Council and its partners in meeting statutory duties, particularly in relation to ensuring reasonable preference to priority groups
- Reduce temporary accommodation use
- Prevent people becoming statutorily homeless
- Let social landlords accommodate fairly and in an open and transparent way
- Minimise property void periods
- Promote social inclusion
- Promote and achieve equality of opportunity

Q1. Do you agree with the overall aim of the policy?

Yes No

Q2. Do you agree with the objectives?

Yes No

Q3. Are there any objectives you feel should have priority?

Yes No

If yes, which objectives should have priority?

Q4. Are there any objectives you feel should not be included?

Yes No

Q5. Are there any objectives you feel are missing?

Yes No

If yes, which objectives are missing?

SECTION 2: Deliberately withholding information or providing false information

It is a criminal offence:

- to knowingly or recklessly make a statement which is false; or
- to knowingly withhold information which the authority has reasonably required an applicant to give the council in connection with dealing with their application

The Council may take action against the applicant which could result in the loss of their home and a fine of up to £5,000.

Any person found to have supplied false or misleading information will have their application cancelled.

Q6. Do you agree that the Council should take the above action in the case of an applicant deliberately withholding information or providing false information?

Yes No

SECTION 3: Eligibility and Qualification

The terms which set out eligibility to join the housing register are set out in legislation and therefore questions in this section relate only to qualification criteria, which local authorities are able set.

Applicants who meet the following criteria are able to join the housing register:

- Aged 18 or over
- Have a local connection to Rother District Council

The local connection criteria include:

- ✓ Residing in the district
- ✓ Family in the district
- ✓ Employment in the district
- ✓ Military Personnel
- ✓ Care leavers

- ✓ Fleeing violence
- ✓ Refugees

Further details on the above are set out in the draft consultation Housing Allocations Policy Document available at: [www.rother.gov.uk/consultations....\(to complete\)](http://www.rother.gov.uk/consultations....(to complete))

Q7. Do you agree with the qualification criteria?

Yes

No

Q8. Is there any criteria missing?

Yes

No

If yes, what criteria are missing?

Q9. Is there criteria included that you feel should not be included?

Yes

No

If yes, which criteria should not be included?

Additionally, a person will not qualify to join the housing register if they:

- ✗ Have current Council or housing related debt
- ✗ Are currently in prison
- ✗ Have provided false or misleading information or have withheld information that has been reasonably requested
- ✗ Have been rehoused into social housing by the Council in the preceding 6 months
- ✗ Have caused unacceptable or anti-social behaviour
- ✗ Are a home owner or have sufficient means to afford alternative accommodation in the private sector
- ✗ Have deliberately worsened their housing circumstances

Further details on the above are set out in the draft consultation Housing Allocations Policy Document available at: [www.rother.gov.uk/consultations....\(to complete\)](http://www.rother.gov.uk/consultations....(to complete))

Q10. Do you agree with the disqualification criteria?

Yes

No

Q11. Is there any disqualification criteria missing?

Yes

No

If yes, which criteria should be included?

Q12. Is there any disqualification criteria included that you feel should not be included?

Yes

No

If yes, which criteria should not be included?

SECTION 4:Who can be included on the application

An applicant can only include as part of their application members of their immediate family.

These include:

- ✓ Applicants husband, wife, civil partner or someone with whom the cohabit
- ✓ Dependent children under 18 who live with the applicant or who might reasonably be expected to live with them, where the applicant is the parent or guardian and is in receipt of Child Benefit.
- ✓ Any other non-dependent adult who can demonstrate they are normally permanently resident with the applicant or have a clear need to do so. This will not include lodgers or anyone subletting from the applicant.
- ✓ Dependent relatives
- ✓ Live-in carers, where a live in carer is essential on a 24 hour, daily and continuing basis

Q13. Do you agree with who can be included on the application?

Yes

No

Q14. Is there anyone missing?

Yes

No

If yes, who else should be included?

Q15. Do you disagree with any of the above being included in the application? If so, who and why?

Yes No

If yes, who should not be included?

Additionally, the following cannot be included on the application:

- * Family members not currently living with the applicant
- * Family members who already have an existing housing application
- * People flat sharing who are not in a relationship with the applicant

Q16. Do you agree with who should not be included on the application?

Yes No

Q17. Is there anyone missing?

Yes No

If yes, who else should not be included?

Yes No

If yes, who else should be included?

SECTION 5: Assessing and prioritising housing applications

The Council is proposing a move from 4 housing needs bands (A,B,C,D) to two bands. These will be an Urgent Need band and a Waiting List band. Only those with an urgent need to move, or who meet a strategic priority (for example – transfer applicant releasing a property adapted for disabled person), who are unable to access any other type of housing will be placed in the Urgent Need band. All other applicants will be pointed based on their current housing situation and placed in priority order on the Waiting List band.

Q19. Do you agree with the approach proposed above?

Yes No

Urgent Need band priority categories are set out below:

- ✓ Transfer applicant releasing a property already adapted or disabled person
- ✓ Housing conditions presenting an immediate threat of serious injury or if life threatening
- ✓ 'Homeless at home'
- ✓ Homeless in temporary accommodation
- ✓ Required to move on from care or supported accommodation
- ✓ At risk of homelessness within 56 days
- ✓ Transfer applicant under occupying family sized accommodation
- ✓ Severe and immediate medical priority

Further details on the above are set out in the draft consultation Housing Allocations Policy Document available at: [www.rother.gov.uk/consultations.....\(to complete\)](http://www.rother.gov.uk/consultations.....(to complete))

Q20 Do you agree with the categories set out above?

Yes No

Q21 Is there a category that you feel is missing?

Yes No

If yes, which category is missing?

Q22 Is there a category that you feel should not be included?

Yes No

If yes, which category should not be included?

Waiting List band categories – points awarded are set out below:

Homelessness

• 'homeless at home' but no particular difficulty accessing other forms of housing in the private sector.	10 points
• homeless and placed in temporary accommodation, but no particular difficulty accessing other forms of housing in the private sector.	10 points
• Applicants accepted as homeless within temporary accommodation which is suitable for their needs.	5 points

Overcrowding (see section 17 or consultation policy document – bedroom eligibility)

<ul style="list-style-type: none"> • Households currently lacking one bedroom 	5 points
<ul style="list-style-type: none"> • Households currently lacking 2 bedrooms 	10 points

Current housing conditions (See Section 22 of consultation policy document – Unsatisfactory housing conditions)

<ul style="list-style-type: none"> • Housing conditions assessed as unsatisfactory, where enforcement action has not resolved the situation 	5 points
--	----------

Medical (See section 19 of consultation policy document – medical assessments)

<ul style="list-style-type: none"> • High medical priority awarded where there is a need to move and the housing conditions are having a significant adverse effect on the medical condition of the applicant or member of the current household. 	15 points
<ul style="list-style-type: none"> • Property is largely suitable but there are difficulties with accessibility due to being located in a hilly location 	5 points

Welfare (See section 20 of consultation policy document – welfare assessments)

<ul style="list-style-type: none"> • Applicant meeting the Military Personnel Regulations 	3 points
<ul style="list-style-type: none"> • Rural isolation – at risk of isolation due to rural location and lack of transportation 	3 points
<ul style="list-style-type: none"> • Need to move to receive/give family support 	3 points
<ul style="list-style-type: none"> • Anti-social behaviour (ASB) – experiencing ongoing issues of ASB verified by police 	5 points
<ul style="list-style-type: none"> • Applicant granted permission to adopt or foster and lacking bedroom 	3 points
<ul style="list-style-type: none"> • Move on from drugs or alcohol rehabilitation 	5 points
<ul style="list-style-type: none"> • Requires sheltered accommodation 	3 points
<ul style="list-style-type: none"> • Move on from Care 	5 points
<ul style="list-style-type: none"> • Young adult with learning disability wishing to live independently 	3 points
<ul style="list-style-type: none"> • 5 or more years on register 	3 points

Insecurity of tenure

• Applicant is lodging and has a child or children under 10 years living with them	5 points
• Applicant is living apart from partner or family because there is no suitable accommodation available to them	5 points

Other

• Transfer applicants with a Right to Move (See appendix 2 of consultation policy document)	5 points
---	----------

Q23 Do you agree with the categories set out above?

Yes No

Q24 Is there a category that you feel is missing?

Yes No

If yes, which category is missing?

Yes No

If yes, which category should not be included?

Yes No

SECTION 6: Shortlisting Priorities

The following sets out how applicants will be shortlisted for available social housing:

1. Highest priority: Banding priority; then
2. Local connection: to 'Parish Cluster' (see Appendix 1 of the consultation policy document)
3. Waiting time: time on register

Q27 Do you agree with the shortlisting priorities set out above?

Yes No

SECTION 7: Direct Lets

The Council needs to retain some flexibility in order to deal with exceptional circumstances and will consider using direct lets under the following circumstances:

- To comply with a Court Order
- To fulfil an urgent statutory or legal duty
- Child protection/public protection issues
- Specially adapted properties
- Where a local Lettings Plan is in place (see section 29, consultation version of the policy document)
- Where a delay in providing an applicant with suitable housing is likely to prove costly to the Council
- Homeless households in temporary accommodation who have not bid on suitable properties

Q28 Do you agree that the Council should retain the ability to use direct lets in the circumstances outlined above?

Yes No

Q29 Are there any other circumstances that the Council should consider the use of direct lets?

Yes No

If yes, which other circumstances should the Council consider for the use of direct lets?

Section 8: Local Lettings Plans

Local Lettings Plans allow the Council to consider direct lets to respond to local conditions. The Council will consider the use of local lettings plans in the following circumstances:

- Age restrictions (eg older persons or younger persons to provide a 'balanced community')
- Giving priority to transfer applicants with a positive tenancy history
- Giving priority to working households where there is a concentration of tenants/residents with tenancy support needs
- Giving priority to residents with a local connection to the area (in particular villages where community sustainability is a concern).

Q20 Do you agree that the Council should retain the ability to develop local lettings plans in the circumstances set out above?

Yes No

APPENDIX 3
Consultation questionnaire

Please let us know if you have any other comments.

Agenda Item 8.

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	10 June 2019
Report of the	-	Executive Director
Subject	-	Performance Report: Fourth Quarter 2018/19

Recommendation: It be **RESOLVED:** That the Overview and Scrutiny Committee consider these findings and recommend any actions to Cabinet, as necessary.

Head of Service: Ben Hook

Introduction and Background

1. For the financial year 2018/19, Members of the Overview and Scrutiny Committee (OSC) and Cabinet selected a set of 8 key performance indicators (KPIs). These indicators stand as a barometer for the delivery of the council's Corporate Plan and those service areas Members wished to scrutinise over the year (Cabinet Minute CB17/71 refers). In the 2018/19 financial year, the focus was on housing and homelessness and the financial return on property assets.
2. This report brings before Members a summary of the council's performance against the selected indicators, giving the position at the end of the fourth financial quarter (1 January to 31 March 2019) and for the financial year 2018/19. The report gives Members an opportunity to scrutinise the progress towards the Council's stated aims, outcomes and actions in the Corporate Plan and make any necessary recommendations to Cabinet for future service delivery.

Results of Key Performance Indicators

3. During quarter 4, of the 8 individual measurements, 6 met or exceeded their target/forecast (green) and 2 indicators did not meet their target/forecast (red). This is an improvement on quarter 3. The results are summarised in the following table and reported in more detail in Appendix 1. Benchmarking can only be provided when what the Council measure is nationally collected, published and comparable to other local authorities. Benchmarking refers to a comparison with all English district councils using quartiles (dividing the list of all results into four equal parts) from the most recently published results.

PI Name	Status ¹	Q3 to Q4 Trend ²	2017/18 to 2018/19 Trend ³	Benchmarking Q4
Housing benefit: calendar days to process new claims	✓	↑	↑	Above median
Housing benefit: calendar days to process existing claims	✓	↑	↑	Best quartile
Homelessness applications received	●	↓	↓	N/c
Homelessness prevention & relief cases per 1,000 households	●	↓	↑	Worst quartile
Households in temporary accommodation (number)	✓	↓	↓	N/c
New homes built (net)	✓	↑	↑	N/c
Affordable homes built (gross)	✓	↑	↓	N/c
Council investment assets: return on investment	✓	↑	↑	N/c
Key: ✓ green/on target, ⚡ amber/just off target, ● red/off target ↓ worse performance, ↑ better performance, — no change N/c = not comparable to other areas				

Table 1: KPI summary performance, Quarter 4, 2018/19

Performance by Exception

4. Members also wished to have reported, by exception, any performance that is doing significantly better or significantly worse than its target/forecast. There are 3 indicators to report. Those not on target are:
 - a. Complaints to the Council about licensed premises (number)
 - b. Graffiti found on public land and buildings on inspection (percentage)
 - c. Fly tips in public places reported to the Council (number)
5. More information regarding these indicators is set out in Appendix 2.

Update on Waste and Recycling Rates

6. The publication 'Let's Recycle' recently published the recycling league table for 2017/18 and Rother District Council is 79 out of 345 local authorities, with a rate of 50.2% of households' waste sent for either re-use, dry mixed recycling or composting.
[Website link - https://www.letsrecycle.com/councils/league-tables/2017-18-overall-performance/](https://www.letsrecycle.com/councils/league-tables/2017-18-overall-performance/)

¹ Relates to whether reported performance met the target for the quarter

² Relates to this quarter's performance compared to the previous quarter (short term trend)

³ Relates to this year's performance compared to last year's performance at the same time (medium term trend)

OSC190610 – Performance: Fourth Quarter, 2018/19

7. The Council have quartile information comparing all English district councils in 2017/18 and Rother District Council's performance sits in the above median quartile but just at the edge of the best quartile that starts at 50.4%. The table below indicates our performance against the other East Sussex district and borough councils.

Local Authority	Position (out of 345)	Recycling rate (%) in 2017/18
Wealden	71	51.3
Rother	79	50.2
Eastbourne	226	38.9
Hastings	310	29.6
Brighton & Hove	317	28.6
Lewes	324	26.7

8. This performance indicator is also in the set of KPIs chosen for reporting in 2019/20. This is primarily to monitor the transition to the new contractor and any impact on performance. The number of missed bins per 100,000 collections is also in the new KPI set.

Conclusion

9. Members are requested to consider performance against targets or forecasts and pass any recommendations for action to Cabinet for their consideration.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

There are financial, reputational, statutory and health risks to Rother District Council and, more importantly, the wider community if Rother District Council does not monitor and manage its performance across all the services.

This report mitigates those risks because it ensures that reporting performance to Members takes place and gives Members an opportunity to scrutinise results and make remedial recommendations.

Any changes to risks on individual performance areas are included in appendices.

Performance KPI Report: Quarter 4, 2018/19

New Housing Benefit Claims on Time ✓

1. This measurement is the average number of calendar days it takes to process a new housing benefit claim from the date the claim is received to the date the decision is taken. The 2018/19 target is 35 calendar days for the average processing time.
2. The result for the fourth quarter was 21.57 calendar days, which bettered the target. Results are reported to and monitored by the Department of Work and Pensions and published online. Performance was just above median, the median is 22 calendar days. The average for the year is 29.82 calendar days, which is on target (green).

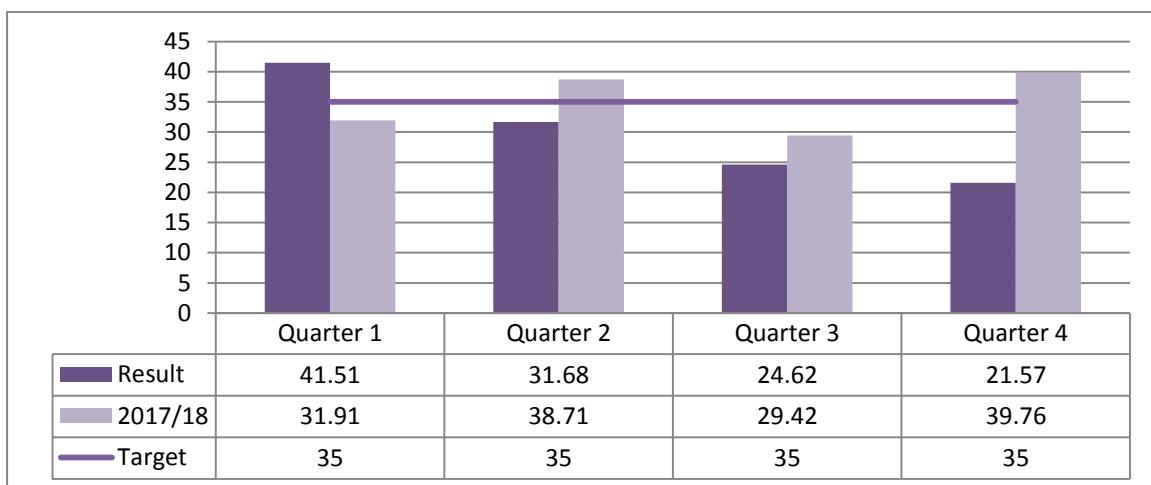


Figure 1: Processing time, new housing benefit claims. Polarity: Lower is better.

3. The Assistant Director Resources reports that at the end of March there was no backlog of work. Backlog is defined as work older than 5 working days. The latest performance figures show the positive effect of Rother District Council's decision to invest in the service. At the end of March no new work was being placed with the resilience contractors but they remain under contract to help if required. A review of systems and processes by the 'lean team' highlighted a number of further improvements, which are being explored. The main service improvement, which is already in progress, is to provide a greater number of online forms to encourage submitting supporting documents with claims. This reduces the frequency of requests to applicants for further information and speeds up processing. Further work is required to integrate online forms into our existing software. Other areas of automation are being explored which, if implemented, could release capacity within the team.
4. This indicator remains in the KPI set for 2019/20.

Changes to Housing Benefit Claims on Time ✓

5. This measurement is the average number of calendar days it takes to process a change to an existing housing benefit claim from the date of submission to the date of the decision. The end of year target was an average of 20

calendar days processing time. The target for quarter 4 was 17.33 calendar days.

6. The result for quarter 4 is 4.97 calendar days, which is best quartile performance. The target for the year was 20 days and the result was 18.66 days. Results are reported to and monitored by the Department of Work and Pensions and published by the Government. The median quartile is 7 days.

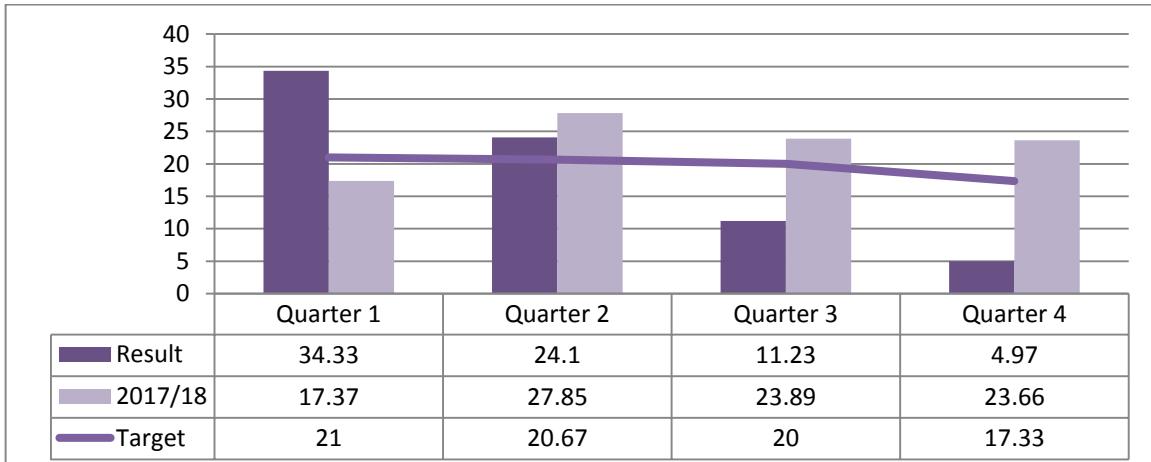


Figure 2: Processing days existing housing benefit claims. Polarity: Lower is better.

7. The Assistant Director Resources' report from paragraph 2 covers this measurement.

Homelessness Applications Received ●

8. This measurement is the number of homelessness applications received in the financial year. The forecast for 2018/19 was 204 applications; the Council received 331. The forecast for the fourth quarter was 51 and the Council received 106. Rother had 62% more applications than was forecast for the year.

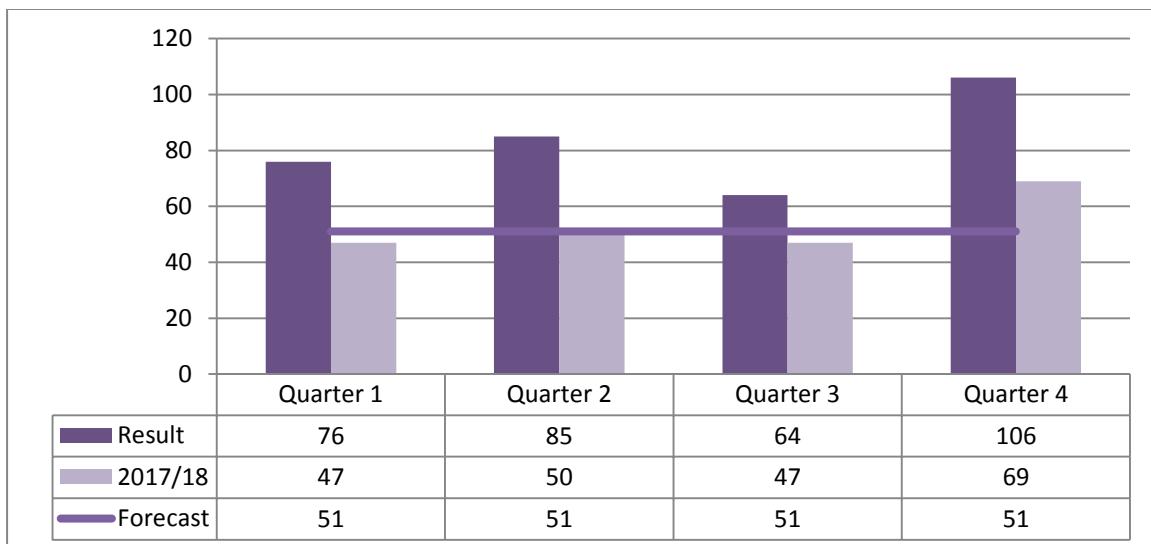


Figure 3: Homelessness cases Polarity: Lower is better

9. The Head of Service for Housing and Community reports the overall trend continues to be an increase in the number of households applying as homeless, mirroring wider regional and national trends. The new Homelessness Reduction Act introduced in April 2018 defines a person as threatened with homelessness if it is likely that they will become homeless in 56 days. Prior to April 2018 this period was 28 days; therefore, the new legislation generates more homelessness applications for the Council to process and manage.
10. This is the last quarter in which the number of homelessness applications received will be reported to the Overview and Scrutiny Committee (as part of the KPI set for monitoring without exception). It is felt that while this is an important quantitative indicator for officers to monitor and review it is not a precise indicator of performance. The principle reason being that the various elements that are driving an increase in homelessness are largely outside of the ability of local authorities to control. In future, the Council will report to the Overview and Scrutiny Committee the level of homelessness prevention being achieved (below), with a focus on the performance relative to other local authority areas.

Prevention of Homelessness Cases per 1,000 Rother Households

11. This measurement shows the number of households Rother prevented from becoming homeless through intervention, advice and assistance. It is expressed as the number of cases in proportion to 1,000 Rother households and can be benchmarked against other district councils in England.
12. The target for 2018/19 was 5 preventions per 1,000 households (above median performance). The result was 1.08 per 1,000 Rother households. In real terms it is 102 households assisted, 33 of which were delivered in quarter 4 (see below).

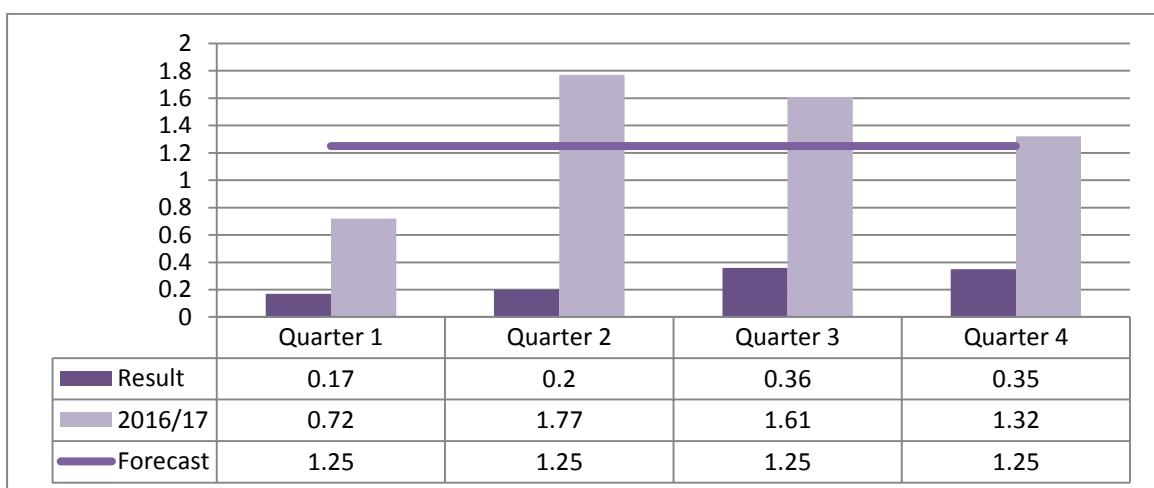


Figure 4 Cases of Homelessness Prevention per 1,000 Households. Polarity: Higher is better

13. The Head of Service for Housing and Community reports that the Council's performance in achieving positive homelessness preventions, while not the lowest in East Sussex, is below the average (see table below). It is perhaps expected to see the highest performing areas to be in the urban areas of Eastbourne and Hastings (where private rented accommodation is more readily available, per head of population).

Authority	Quarter 1	Quarter 2	Quarter 3	Quarter 4	2018/19
Eastbourne	0.64*	0.48	0.8	0.63	2.55
Hastings	0.29	0.8	0.46	0.68	2.23
Lewes	0.26*	0.22	0.29	0.27	1.04
Rother	0.17	0.2	0.36	0.35	1.08
Wealden	0.52	0.72	0.45	0.35	2.04
East Sussex	0.4*	0.51	0.47	0.44	1.82

* Estimated based on the average of result for quarter 2 to quarter 4.

14. The increase in homelessness in recent years from 199 homelessness applications in 2016/17 to 323 applications in 2018/19 (+62%) has been challenging. In the autumn of 2018/19 resources in housing increased, which has begun to show positive improvements in performance.
15. In addition, Rother are embarking upon a range of new projects designed to improve access to the private rented sector and increase our ability to prevent homelessness. The Council, in partnership with East Sussex partners, has been successful in securing three separate tranches of funding from the Ministry of Housing, Communities and Local Government. These new measures will target new specialist support to rough sleepers and households with children struggling to access private rented accommodation. This indicator remains in the KPI set for 2019/20.

Households in Temporary Accommodation (TA) ✓

16. This measurement is the number of households in temporary accommodation (TA), placed by Rother. The annual forecast for 2018/19 is 60 households. The result at the end of quarter 4 was 55 households in TA.

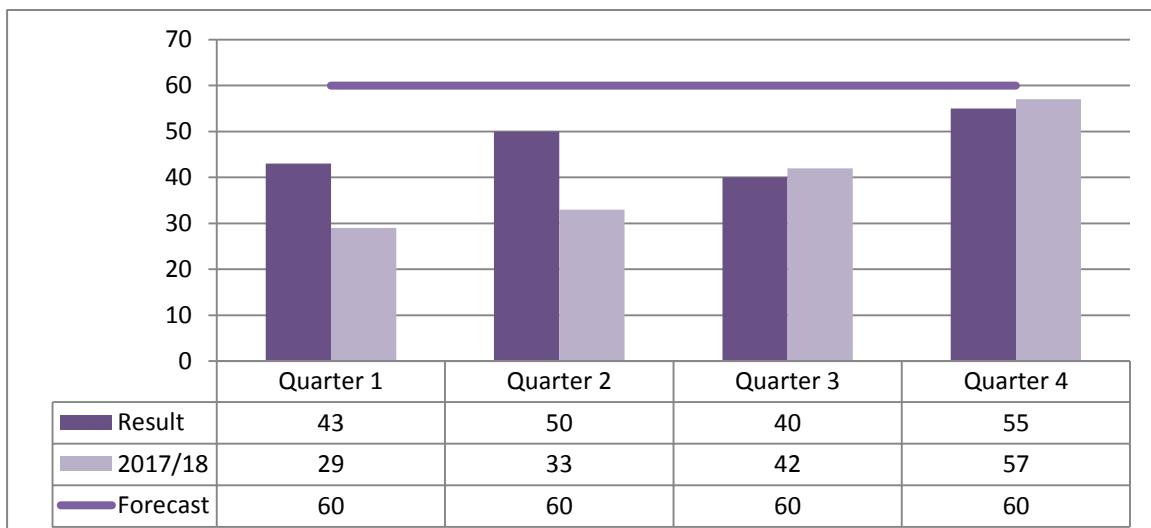


Figure 5: Households in Temporary Accommodation. Polarity: Lower is better

17. The Head of Service for Housing and Community reports that in total, 266 households were placed in TA between 1 April 2018 and 31 March 2019. The average number of placements per month for the year was 22 placements a

month. In comparison, in 2017/18 the Council placed a total of 221 households with 18 households being placed per month, on average.

18. The trend in rising TA use is another indication of the rise in homelessness being experienced locally. As is the case with homelessness generally, the factors driving the increase in TA use are many and complex with shortage of housing in the district being a significant factor. It is a priority for the Council to introduce a range of solutions, which have been developed to improve levels of homelessness prevention and avoid the need for TA.
19. In parallel, the Council is working to develop new forms of TA, which allow homeless households to remain in the local area, close to support networks, schools and employment. Until recently, all households placed in TA by Rother District Council were placed outside the area. In recent months, the Council have increased the supply of local provision to 13 units within Bexhill. In addition to the social and health benefits to the households able to remain close to local support networks the provision is also more affordable.
20. To complement the focus on improving the quality and affordability of accommodation, the Council are also focussing a range of new initiatives and resources at moving households on from TA into new homes. A number of new support workers are being recruited presently (funded by central government grants), to support the work of our co-located Home Works support officer, who has proven extremely effective at minimising TA use through effective homelessness prevention support.
21. In the coming months, a series of proposals will be coming forward to Cabinet, which will appraise the benefits of introducing a number of new TA initiatives (as well as to expand existing models) to reduce costs and improve outcomes for homeless households.

Net Additional New Homes in Rother

22. This measurement counts the number of all new homes in Rother, allowing for demolitions and change of use to give a net gain. The target for 2018/19 was 240 new homes. The target for the fourth quarter was 60. The estimated result was 103 new homes in quarter 4, giving a total of 254 for 2018/19. This is 68 more homes than were delivered in 2017/18 (186). However, these targets are well short of the Local Plan targets. The figure currently now required each year is 525 homes.

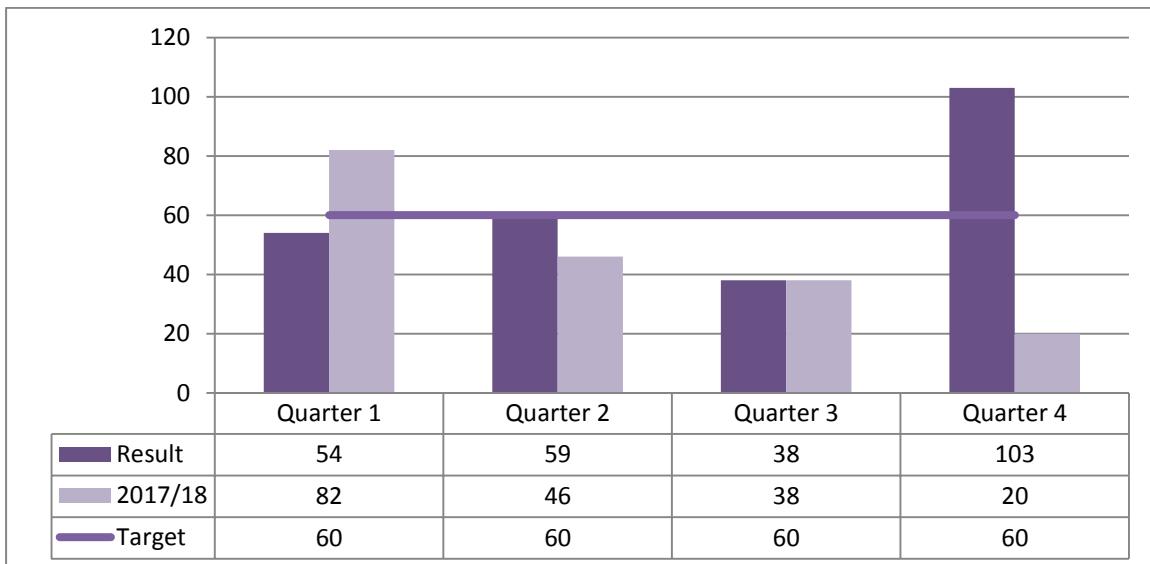


Figure 6: Net additional new homes. Polarity: Higher is better

23. The Head of Service for Strategy and Planning reports that the general trend of improving delivery is expected to accelerate because several larger schemes have commenced; however, it will still fall short of the annual required figure of 525 homes per annum.
24. This indicator remains in the KPI set for 2019/20 as the Council continue to monitor the impact of new developments and it is also part of the new Housing and Homelessness and Rough Sleepers Strategy. It will be reported, without exception, against both the target for planned supply and the housing supply target in the Local Plan.

New Affordable Homes ✓

25. This measurement is the gross number of new 'affordable homes' that have been completed in the district. By completed the Council mean that the home has been built and handed over from the developer to the provider for occupation by a tenant or purchaser. The home may not yet be occupied.
26. The target for 2018/19 was 10 new 'affordable homes'. This target was based on anticipated delivery at the time of setting the target. The Council exceeded the annual target with 60 new affordable homes built over 2018/19. The target for quarter 4 was 3 new homes. The result was 9 new affordable homes.

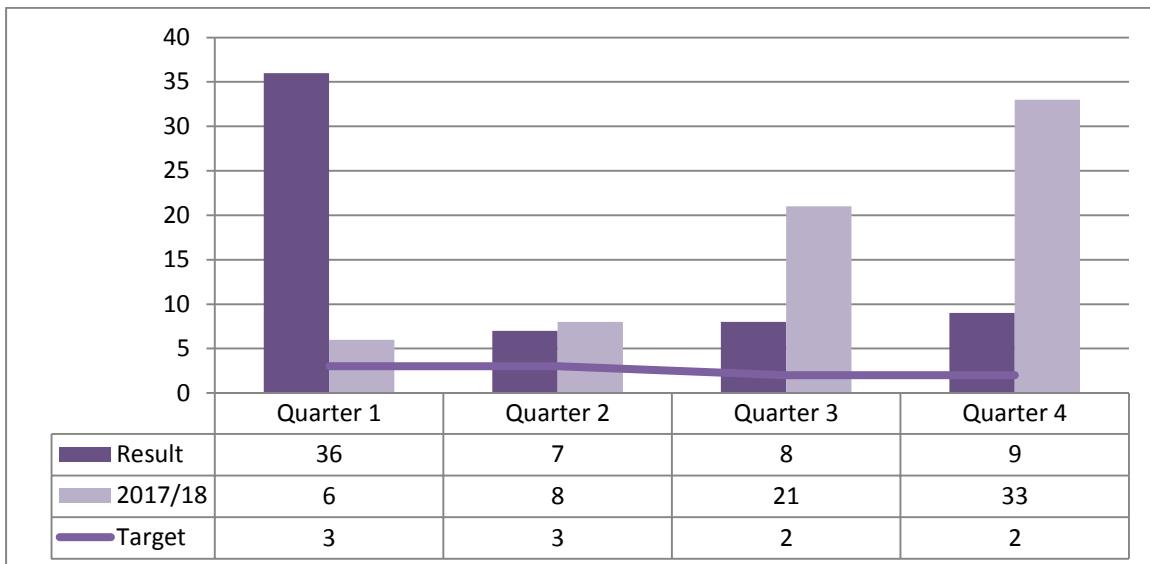


Figure 7: New affordable homes delivered. Polarity: Higher is better.

27. The Head of Service for Acquisitions, Transformation and Regeneration reports in quarter 4 there were 9 completions. There were 5 completions at Cricketers Field in Staplecross. This was made up of 4 x one-bedroom flats and 1 x two-bedroom house for affordable rent. There were 4 completions at Rosewood Park, Barnhorn Road, Bexhill. This was 4 homes for affordable rent made up of 2 x three-bedroom houses and 2 x two-bedroom houses.
28. Last quarter, it was reported to the Overview and Scrutiny Committee that it was expected there would be more completions at Rosewood Park (Bexhill) during quarter 4. A total of 26 affordable rent apartments, including 7 wheelchair accessible dwellings were due to complete by the end of March. Due to snagging delays, these homes were handed over to the housing association in April 2019. Therefore, although these homes are not reported in the financial year 2018/19, they have been delivered and will be included in the figures for 2019/20. This indicator remains in the KPI set for 2019/20.

Return on Investment from Investment Assets ✓

29. This measurement calculates the return on investment from the income, expenditure and value of the Council's investment assets. It was agreed to report this in cash terms as well as achieving the target percentage return on investment. The total net income for 2018/19 was £1,161,220 this included backdated rent of approximately £165,000.
30. The Council aims to achieve at least a 6% a year return on investment on our rented properties. (This is 6% of the value of the property calculated from net income, before costs of borrowing.) The overall return on investment for the year was 9.2% excluding backdated rents based on property valuations of £10.8m as of 31 March 2019, against a forecast of 6% for the financial year.

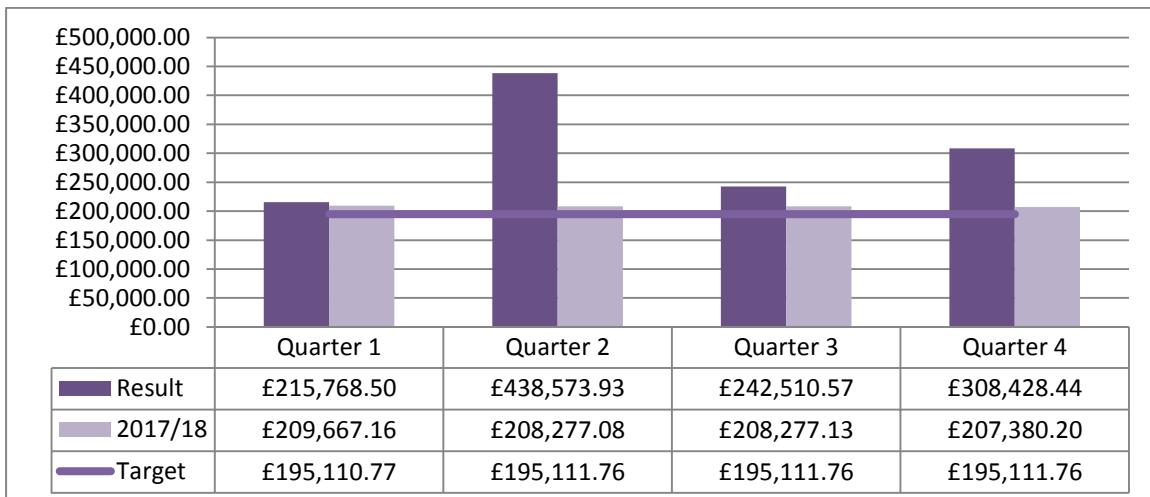


Figure 8: Net £ Income from Investment Assets. Polarity: Higher is better

31. The Head of Service for Acquisitions, Transformation and Regeneration reports the Council exceeded income targets for the quarter and for the financial year. The final result was mainly due to a combination of purchasing 3 properties in Beeching Road, the leasing of the Colonnade and the completion of re-negotiated rents from earlier in the year.

Performance Indicators by Exception: Quarter Four 2018/19

1. Complaints Made Against Licensed Premises to Environmental Health

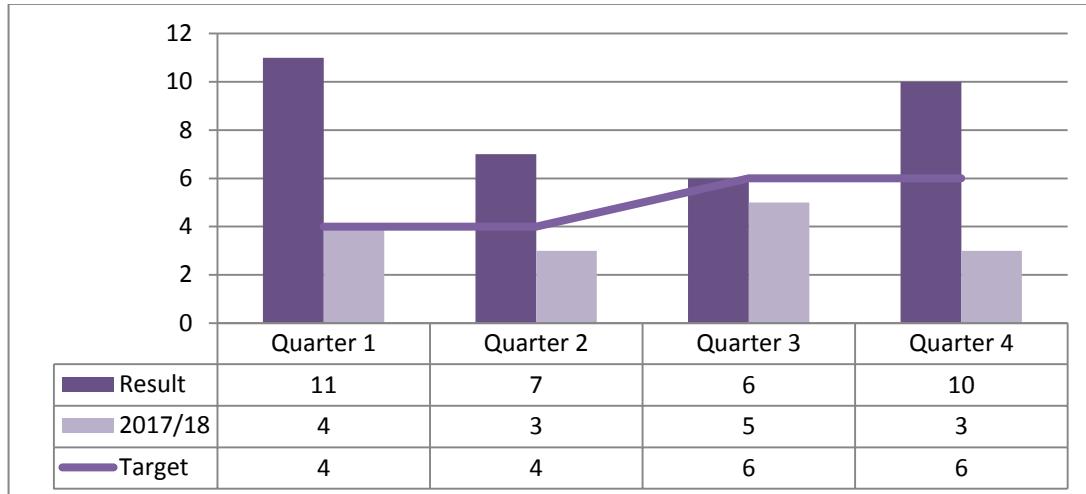


Figure 1: Complaints against licensed premises. Polarity: Lower is better.

Head of Service's Comments:

- 1.1 There was a 127% increase in complaints about licensed premises compared to last year. The peak months were 7 complaints in June 2018 and 6 complaints in March 2019. Twelve complaints were made about 4 premises, which increased the total number of complaints recorded. It is unusual for there to be more than one or two complaints to be made against a premises. In these cases the complaints related to events and festivals, which the Council will aim to control this year.

2. Graffiti when surveyed on public land and buildings

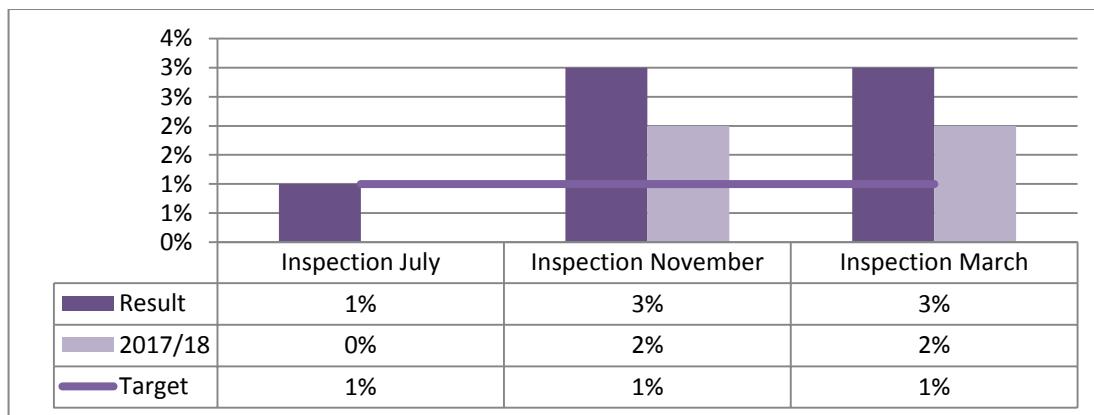


Figure 2: CIL receipts. Polarity: Lower is better.

Head of Service's Comments:

- 2.1 Three times a year, 300 randomly selected sites from across Rother are surveyed for graffiti, litter, detritus, fly posting and dog fouling.
- 2.2 The annual result shows an average of 7 incidents of graffiti per 300 sites surveyed, which is 3 more than last year. This is 21 incidents in the 900 site inspections over the year. However, it is the highest

annual number of incidences surveyed since 2009/10. The Committee will be updated in future reports if the apparent increasing trend continues under the new waste and recycling contract, which includes street cleansing.

3. Fly tips reported to the Council

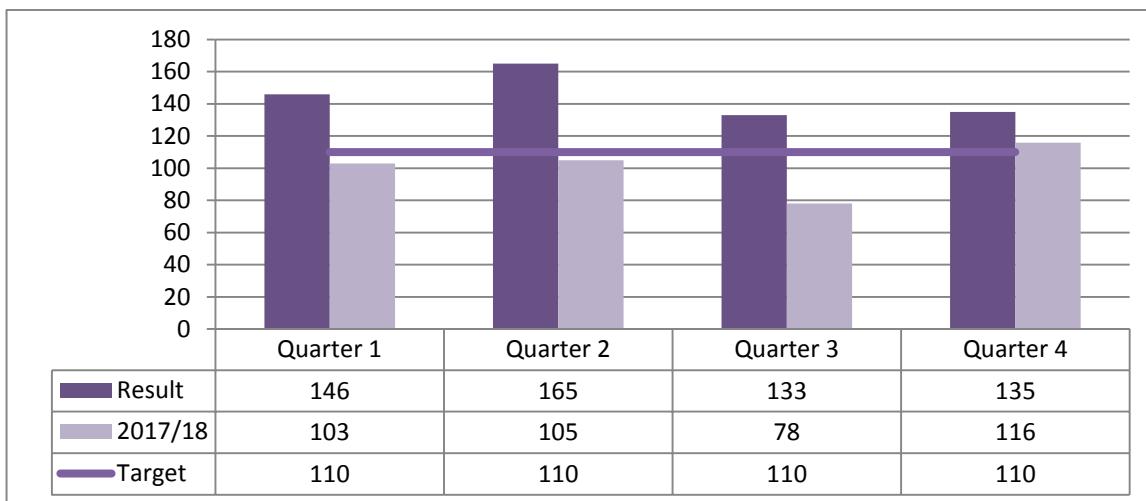


Figure 3: Fly tips reported to the Council. Polarity: Lower is better.

Head of Service's Comments:

- 3.1 This year's result of 579 fly tips is the highest number of fly tips on public land in Rother on record, the next nearest result was in 2011/12 at 526 fly tips. Each removed fly tip incurs a cost to the Council that is payable to the contractor.
- 3.2 The situation is being monitored as nationally, there is an increase in fly-tipping. The Local Government Association has expressed concern about the inadequate sentences imposed by the Courts when fly-tippers are prosecuted, which does not act as a deterrent. In addition, ESCC are monitoring the impact of additional charges introduced in 2018 at the local Household Waste and Recycling sites. Further updates will be received if this increase continues after the implementation of the new contract.

This page is intentionally left blank

Agenda Item 9.

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	10 June 2019
Report of the	-	Executive Director
Subject	-	Third Sector Service Level Agreements

Recommendation: It be **RESOLVED:** That:

- 1) the process and Terms of Reference for reviewing expiring Third Sector Service Level Agreements be approved; and
 - 2) Member nominations be sought and approved for a small Task and Finish Group.
-

Head of Service: Ben Hook

Introduction

1. This Council has a strong track record of working productively with a range of local charitable, not-for-profit organisations that deliver services to our communities. For convenience, these organisations are collectively referred to as third sector in recognition of their distinct governance arrangements from both the public and private sectors.
2. The nature of the Council's formal relationships with third sector organisations has been subject to previous consideration and scrutiny. An Overview and Scrutiny Service Level Agreement (SLA) Task and Finish Group recommended the current range of SLAs to Cabinet in 2016 (OSC16/33).
3. This report deals with the need at this time to review a number of local third sector agreements as current agreements expire in March 2020.

Service Level Agreements

4. For organisations that the Council wish to support in providing services that complement the Council's own strategic goals and statutory duties, there are SLAs that specify the terms, conditions and service targets that the Council would wish to fund. A generic SLA template is modified to suit the needs of each separate agreement. The agreement is then monitored by a nominated lead officer to ensure delivery and the development of a sound working relationship that assists adaptation to changing needs. There is also Member representation on each of these SLA organisations who should report back annually to all Councillors via the Members' Bulletin.
5. At this time, there are five SLAs with organisations that are due to expire in March 2020 and it is appropriate that the future of these agreements are reviewed. Furthermore, there are three additional arrangements with third sector organisations for smaller amounts of grant funding, which also need to be reviewed. It is proposed that a small Task and Finish Group is formed of

three Members to assist with the completion of this task. The proposed Terms of Reference are attached at Appendix 1 and a list of organisations is included at Appendix 2. Any final recommendations agreed by this Committee regarding funding, can then be reflected in the budget proposals for 2020/21 when they are considered by Cabinet in December 2019.

Conclusion

6. Members are asked to elect three Members to the Task and Finish Group which will report back to this Committee in November 2019.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

There are a number of both strategic and operational risks connected to our relationship with third sector providers and the services they provide on our behalf. Of these, the need to get the specification and associated fee structure right has perhaps the highest rating. The quality of service provision carried out in the Council's name is important to secure, as is the flexibility of services and the need to adapt to a fast-changing social and economic environment.

THIRD SECTOR SLA TASK AND FINISH GROUP**Terms of Reference**

Aims and Origin	<ul style="list-style-type: none"> - The Vision in the Corporate Plan (2014-2021) states that the Council wishes to see: <i>“Rother district will be recognised for its high quality of life, as a place where there is a strong emphasis on community and neighbourhoods. This will be achieved by continuing to support and further encourage the development of vibrant, strong, safe and inclusive communities”</i>
	<p>This Council supports local community organisations to flourish and deliver value for money local services on a voluntary basis. Part of this role is carried out through commissioning third sector (not-for-profit/charitable) bodies to deliver services on our behalf.</p>
Scope	<ul style="list-style-type: none"> a) Review current arrangements b) Determine priorities and required outcomes c) Design service specifications and fee structures d) Secure approval to a range of Service Level Agreements as appropriate
Desired Outcome	<ul style="list-style-type: none"> - An efficient, evidence-based scrutiny process securing value for money services delivered in partnership with a number of third sector providers.
Timescale	<ul style="list-style-type: none"> - Preliminary meeting and review – August 2019 - Evidence gathering and interviews – September 2019 - Report back to Overview and Scrutiny Committee – 25 November 2019. Recommendations to Cabinet – December 2019.
Membership	<ul style="list-style-type: none"> - Three members, to be decided.
Officer Lead	<ul style="list-style-type: none"> - Alison Spring

THIRD SECTOR SLA TASK AND FINISH GROUP**List of Organisations****Service Level Agreement (SLA)**

Organisation	Brief Purpose	Current Fee	Member Representing
HARC (Hastings Advice and Representation Centre)	Services to those in housing need	£16,160	Cllr Coleman Sub: Cllr Mier
Hastings and Rother Mediation Service	Dispute resolution	£8,400	Cllr Thomas Sub: Vine-Hall
Rother Citizens Advice Bureau	Information, advice and guidance to residents	£85,000	Cllr Courtel Sub: Cllr Timpe
Bexhill Museum	Provision of independent museum	£8,500	Cllr Thomas Sub: Cllr Langlands
Rother Voluntary Action	Development and support to local community and voluntary organisations, strategic support and advice to the Council and LSP	£38,000	Cllr Brewerton Sub: Cllr Errington

And; unrestricted contribution of £1,000 to each of the following organisations:

Organisation	Brief Purpose	Current Fee	Member Representing
Action in Rural Sussex	Supporting rural communities in Sussex to be vibrant and diverse places in which to live and work	£1,000	Cllr Field Sub: Cllr Prochak
Hastings Furniture Service	Working to help people with low incomes to furnish and equip their homes	£1,000	Cllr Courtel
Rye Harbour Nature Reserve	Manage the nature reserve at Rye Harbour, protecting wildlife and the natural environment so that people can explore and enjoy	£1,000	Cllr Norton Mr A.H. Lloyd Sub: Mr Hoggart

Agenda Item 10.

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	10 June 2019
Report of the	-	Executive Director
Subject	-	Annual Work Programme

Recommendation: It be **RESOLVED:** That the Committee set its Work Programme for the new Council year.

Introduction

1. In accordance with the Constitution, the Overview and Scrutiny Committee (OSC) will:
 - a) receive reports from the Leader after each annual Council meeting on the Executive's Priorities for the coming year and its performance in the previous year and, if the Leader so chooses, on the state of the District [Part 4, paragraph 1(c)(i)]; and
 - b) approve an annual OSC Work Programme, including the programme of any Sub-Committees it appoints so as to ensure that the Committee and Sub-Committees' time is effectively and efficiently utilised [Part 4, paragraph 1(c)(ii)].
2. The Work Programme attached at Appendix A was agreed at the Committee's last meeting held in previous civic year (29 April). As the make-up of the Committee has changed significantly following the local elections in May, it will be for the new Committee to consider and agree its work programme going forward.
3. In order to manage the Committee's workload and ensure that there is sufficient time to fully consider the issues arising, it is recommended that priorities are set. These priorities should take account of the time and resources each work item will require and the importance of that item to the Council's priorities.

Other Considerations

4. In establishing its Work Programme, the OSC needs to consider the terms of reference for each scrutiny or review item, who it wishes to involve and consult with and which key partners or expert witnesses it may wish to involve.
5. In all of these considerations the most important one that the OSC should bear in mind is how the outcome of the Committee's deliberations will have a positive effect on the well-being of residents and businesses of the area. The OSC also needs to consider how scrutiny can be used to engage with the community either directly or by giving a high profile to matters of concern to residents.

6. Members will need to consider these issues in tandem with the Executive Priorities as set out in the Corporate Plan 2014-21 when setting the Work Programme.

Issues on the Doorstep

7. At the Member's Induction Day held on 9 May 2019, Members reported a number of issues that had been raised by constituents on the doorstep whilst Members had been canvassing. The main comments received referred to a Town Council for Bexhill, car parking, planning and dissatisfaction with politics in general.
8. Attached at Appendix B is an abbreviated version that indicates which issues are currently being addressed and those which Members could feed into the OSC's Work Programme, should Members so chose.

Sub-Committees and Task and Finish Groups

9. In accordance with the Constitution, the OSC may appoint up to four formal Sub-Committees or four informal Task and Finish Groups which can include residents, experts or representatives from outside bodies in their membership at any one time. The only proviso being that the same Heads of Service or officers are not involved in more than one active Task and Finish Group at any one time.
10. For clarity, informal Task and Finish Groups are not usually open to the general public and are not subject to the same time constraints in terms of agenda publication / access to information regulations. This allows for in-depth scrutiny of a particular area in an informal, relaxed setting, with key officers and Members formulating their views and gathering evidence in an informal way; this approach has been very successful in fostering good working relationships between officers and Members and has produced some excellent work. Whereas formal Sub-Committee meetings are held in the public domain and are subject to access to information regulations; this can sometimes have a detrimental effect on the workings of the Sub-Committee as a more formal style of meeting protocol dictates.
11. In setting and agreeing the Work Programme, Members should consider whether to maintain the existing Groups or establish new Sub-Committees or Task and Finish Groups and, if so, to make appointments to them.
12. During the last municipal year, the OSC established one new Task and Finish Group: the Tourism Task and Finish Group (TT&FG). The Housing Issues Task and Finish Group (HIT&FG) was still on-going until it was dissolved in July 2018. The Public Realm Working Group did not meet during 2017/18 or 2018/19 and was dissolved in November 2018 having completed its Terms of Reference with the Public Realm Strategy being recommended to Cabinet in January 2019.

Tourism Task and Finish Group

13. The TT&FG was established to review the current support to the tourism sector, including a summary of available visitor research across the district; agree work within the four areas of Future Opportunities and Trends Within the Tourism Sector, Marketing, Events and Visitor Accommodation; consult

relevant identified partners and key stakeholders to inform discussions; and produce a draft revised visitor economy chapter within the Economic Regeneration Strategy. The desired outcomes of the group were to review and inform Rother's visitor economy chapter and present a draft revised visitor economy chapter to Cabinet within the Economic Regeneration Strategy following the review. The Group comprised of Councillors Mrs M. Barnes, K.P. Dixon (Chairman), Mrs D.C. Earl-Williams, S.D. Elford, G.F. Stevens and M.R. Watson whilst undertaking its Terms of Reference. Councillor Oliver attended the September meeting as a substitute for Councillor Mrs D.C. Earl-Williams and the Cabinet Portfolio Holder for Public Realm, Culture and Tourism and Environment, Councillor Mrs S. Hart, and Transport and Bexhill Town Centre, Councillor I.R. Hollidge, also attended most meetings as observers to their portfolios.

14. The TT&FG have met six times and representatives from several organisations have attended including Blue Sail Consultancy, Tourism South East, Brochure Connect, East Sussex County Council (ESCC), Battle Marketing Group, 1066 Country, HEM Events, 18 Hours, De La Warr Pavilion, Rye International Jazz Festival and Strand House Guest Accommodation. The Group's recommendations were presented to the OSC in April 2019 for onward recommendation to Cabinet in June.

Bexhill Town Centre Steering Group

15. The Bexhill Town Centre Steering Group (BTCSG) has been established by Cabinet to deliver the vision and objectives of the Bexhill Town Centre Strategy June 2013; the Strategy seeks to collaborate with key groups and agencies in the area in its delivery plan.
16. The membership agreed by Cabinet in December 2018 is made up of the following: Portfolio Holder for Bexhill Town Centre (who acts as Chairman), Leader of Rother District Council (RDC), RDC Members for Bexhill Central Ward, Chairman of RDC Planning Committee, two business representatives to be nominated by the Chairman, Inward Investment – Locate East Sussex, ESCC Portfolio Holder for Transport and the Environment, one representative from the Bexhill Town Team / Coastal Community Team and Chief Executive Officer of the De La Warr Pavilion.
17. The overarching aims of the town centre strategy are to achieve enhanced commercial vitality; to reduce levels of deprivation and to maintain and enhance the quality of the built environment and public realm. In carrying out its purpose the BTCSG will engage fully with town centre communities and drive collaboration between the key agencies with responsibilities in this area.
18. The BTCSG continues to meet as and when required and reports directly to Cabinet however, the OSC has the ability to request an update from the Steering Group. In April 2017, Cabinet agreed the revised Terms of Reference.

Crime and Disorder Committee

19. In 2009, the Scrutiny Committee was designated as the Council's 'Crime and Disorder Committee' under section 19 of the Police and Justice Act 2006. This is not a separate working or steering group; it simply means that on an

annual basis, as part of their regular Scrutiny business, the OSC reviews the work of the Safer Rother Partnership (SRP) as the Council's Crime and Disorder Committee.

20. The Committee receives an annual report from the SRP. Members of the OSC can then decide whether there are any specific decisions or actions of the SRP that they believe require further scrutiny.

Conclusion

21. Members need to consider, set and agree the Committee's Work Programme for the year, taking into account the various issues set out within the report. The Work Programme should be flexible to accommodate any changes in priorities and circumstances, which may emerge during the year.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

Failure to set a realistic and achievable Work Programme which supports the Council's Aims and Executive's Priorities may result in the Council losing opportunities for the development of an effective overview and scrutiny function.

OVERVIEW AND SCRUTINY COMMITTEE

WORK PROGRAMME 2019 – 2020		
DATE OF MEETING	SUBJECT – MAIN ITEM (Capitalised)	Cabinet Portfolio Holder
10.06.19	<ul style="list-style-type: none"> • Annual Work Programme • Performance Progress Report: Year End and Fourth Quarter 2018/19 • Housing Allocations Policy • Review of Voluntary Sector Service Level Agreements 	Oliver Clark
22.07.19	<ul style="list-style-type: none"> • Review of Formal Substitute System for Committees • Colonnade Review 	Oliver
9.9.19	<ul style="list-style-type: none"> • Performance Progress Report: First Quarter 2019/20 • Revenue Budget and Capital Programme Monitoring to July 2019 	Oliver
14.10.19	<ul style="list-style-type: none"> • Medium Term Financial Strategy 2020/21 to 2023/24 	Oliver
25.11.19	<ul style="list-style-type: none"> • Performance Progress Report: Second Quarter 2019/20 • Revenue Budget and Capital Programme Monitoring to September 2019 	Oliver
27.01.20	DRAFT REVENUE BUDGET PROPOSALS 2020/21 KEY PERFORMANCE TARGETS 2020/21	Oliver
16.03.20	CRIME AND DISORDER COMMITTEE: TO RECEIVE AN REPORT FROM THE COMMUNITY SAFETY PARTNERSHIP <ul style="list-style-type: none"> • Performance Progress Report: Third Quarter 2019/20 • Revenue Budget and Capital Programme Monitoring to January 2020 	Brewerton Oliver
27.04.20	<ul style="list-style-type: none"> • Call-in and Urgency Procedures • Draft Annual Report to Council • Review of Task and Finish Groups / Outcomes 	Oliver
ITEMS FOR CONSIDERATION		
Presentation by 1066 Country Marketing [Minute OSC18/52 – 29 April] Tourism Review [Minute OSC18/52 – 29 April]		

Issues on the Doorstep April / May 2019

Induction Day – 9 May 2019

Points noted:

Rother District Council

<http://www.rother.gov.uk/residents>

- Residents feel disconnected to RDC
- Raising awareness of RDC and what we do.
- Making meetings more accessible – live streaming of meetings?
- Dissatisfied with politics in general – wanting change and difficult to discuss local issues.
- More focus on environmental issues and climate change.
- More affordable housing.
- Affordable Housing – should be built on larger plots to enable extensions as families grow.
- Queries over enforcement matters and length of time taken.
- RDC mapping system not that great.
- More support for local businesses.
- Bexhill Town Centre looking “tired”.
- Website not clear and easy to use.
- Protection of the High Weald AONB.
- Overdevelopment.
- Planning issues, out of hours service at RDC.
- Social deprivation and foodbanks.
- Condition of rented properties.
- Low level anti-social behaviour, potentially related to lack of facilities in the area.
- Motor homes on the seafront.
- Light pollution in the rural areas.
- Concerns over sheltered housing
- Unable to access foodbanks etc.
- Food recycling.
- Recreational facilities in Bexhill.

East Sussex County Council (ESCC) related matters

<https://www.eastsussex.gov.uk/>

- Clarity of understanding regarding the car parking issue and introduction of CPE
- Potholes.
- Access to public transport after 6.30pm.
- Speeding in rural villages.

Sussex Police related matters

<https://www.sussex.police.uk/>

- Speeding in rural villages.

Department of Work and Pensions (DWP) related matters

<https://www.gov.uk/government/organisations/department-for-work-pensions>

- Delays in benefit payments (Universal Credit).