

# COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE MEETING

Date: Tuesday 11 February 2020  
Time: 6.30 pm  
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors M Burton, Joy, Khadka, Mortimer (Chairman), Powell (Vice-Chairman), Purle, D Rose, M Rose and Young

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

---

## AGENDA

Page No.

- |   |          |
|---|----------|
| 1. Apologies for Absence  |          |
| 2. Notification of Substitute Members   |          |
| 3. Urgent Items   |          |
| 4. Notification of Visiting Members   |          |
| 5. Disclosures by Members and Officers  |          |
| 6. Disclosures of Lobbying  |          |
| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information. |          |
| 8. Minutes of the Meeting Held on 14 January 2020   | 1 - 5    |
| 9. Presentation of Petitions (if any)   |          |
| 10. Questions and answer session for members of the public (if any)   |          |
| 11. Questions from Members to the Chairman (if any)   |          |
| 12. Committee Work Programme  | 6        |
| 13. CHE Q3 Budget & Performance Monitoring 19-20  | 7 - 30   |
| 14. Access to Services Review   | 31 - 39  |
| 15. Housing Allocation Scheme Review  | 40 - 102 |

---

**Issued on Monday 3 February 2020**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

### **PUBLIC SPEAKING AND ALTERNATIVE FORMATS**

If you require this information in an alternative format please contact us, call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk).

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting, i.e. by 5 p.m. on Friday 7<sup>th</sup> February 2020. If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk).

## **MAIDSTONE BOROUGH COUNCIL**

### **COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 14 JANUARY 2020**

**Present:** Councillors M Burton, Joy, Khadka, Mortimer (Chairman), Powell, Purle, D Rose, M Rose and Young

63. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

64. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

65. **URGENT ITEMS**

The Chairman informed the Committee that he had agreed to take an update to the Committee Work Programme as an urgent item. He had also agreed to take a question from Councillor Purle relating to the introduction of a Water Refill Scheme (which would be taken at Agenda Item 10).

66. **CHANGE TO THE ORDER OF BUSINESS**

The Chairman indicated his wish to move Agenda Item 14 – Local Health Care Provision in Maidstone before the consideration of Agenda Item 12. This was due to NHS representatives being present at the meeting to answer any questions from Members of the Committee in regard to that item.

67. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

68. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers

69. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

70. **EXEMPT ITEMS**

**RESOLVED:** That all items be taken in public as proposed.

71. MINUTES OF THE MEETING HELD ON 16 DECEMBER 2019

**RESOLVED:** That the minutes of the meeting held on 16<sup>th</sup> December 2019 be approved as a correct record and signed.

72. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

73. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC (IF ANY)

Councillor Purle asked the following question of the Chairman:

Due to webcast being unavailable for the majority of the Committee meeting, the question and subsequent answer is set out below.

**"Refill schemes appear to have a role to play in the reduction of single-use plastic and indeed in improving amenity for local residents. You may already be aware of these and details are available at: [www.refill.org.uk](http://www.refill.org.uk) As well as local businesses providing free tap water, these may be combined with council provision of fountains. Maidstone traditionally had drinking fountains via the Queen Victoria Monument outside the Town Hall but these have long fallen in abeyance.**

**"Is the Council able to provide (1) an update on whether it has undertaken any work in contemplation of launching a refill scheme in Maidstone and (2) estimates of the comparative cost of providing (a) new drinking fountains in Maidstone, and (b) reinstating the old fountain?"**

The Chairman responded to the question, stating:

*"The Environmental Services team recognised the opportunity a refill scheme in Maidstone would have in supporting its Waster Strategy and reducing unnecessary plastic waste. Work started in late 2019 on developing a refill scheme for Maidstone, including researching the national Refill.org.uk scheme recently introduced in Ashford. Initial discussions have also been held with One Maidstone to identify businesses who would be willing to take part. Three locations for new water fountains specifically designed to re-fill reusable bottles have been identified; two in the Town Centre and one at Mote Park.*

*"You will also note that capital funding for the three fountains is sought under agenda item 13 in this evening's meeting. The 15k requested includes the purchase and installation of 3 units designed only to re-fill bottles. This reduces the risk of the units being subject to anti-social behaviour and public health concerns. This cost also includes a servicing agreement and signage to support both aspects of the scheme. Reinstatement of the fountain in the Queen's Monument was considered, however is not viable due to the level of disruptive work required to*

*recommission the fountain and the public health risk of using a direct-drinking unit"*

74. COMMITTEE WORK PROGRAMME 2019/20

The Chairman reminded Members of the recent updates to the Committee Work Programme 2019/20.

Members also noted that a workshop on biodiversity would be held on 17<sup>th</sup> February 2020.

**RESOLVED:** That the Committee Work Programme be noted.

75. LOCAL HEALTH CARE PROVISION IN MAIDSTONE

The Chief Executive presented her report on Local Health Care Provision in Maidstone.

The Chief Executive also introduced NHS Representatives, Dr Tony Jones and Ruth Wells, both of whom were in attendance to provide further details and answer questions from Members in response to this report.

The Chief Executive also highlighted the two concerns raised by Members, the general healthcare workforce and infrastructure available in providing healthcare services within Maidstone.

The Committee noted the ratio of patients to healthcare professionals:

- Across West-Kent, there is an average of 2057 patients per GP; Across Maidstone the average is 2372 patients per GP.
- Across West-Kent, there is an average of 1122 patients per healthcare professional; Across Maidstone the average is 1026 patients per staff member

The Chief Executive emphasised that the interactions between patient(s) and healthcare professionals was changing and it should be recognised when facilitating discussions on the provision of appropriate healthcare within the area.

The Committee were made aware of the following points:

- The CCG was currently reviewing the contents of the Local Plan, to assess where future housing developments would be located in order that GP and Local Healthcare demands could be assessed
- The need for a new GP Practice in Maidstone had been identified
- The proposal to create a Local Care Hub – which would not include GP services, to enable different healthcare professionals to work alongside one another, facilitating improved healthcare provision. Services could include diagnostic services, x-rays and minor injuries treatment.
- That the CCG concluded that there should be three hubs and potentially two mini hubs

- Phase 2 of this review had been completed, with conclusions to be released in March 2020
- Locations for these hubs have been shortlisted, although not made public knowledge at this current time

In response to questions from members the Chief Executive responded as follows:

- In regard to a further surgery at Allington it was envisaged that the Stage 2 process would go through Central Government in February 2020
- In regard to the issues in Marden, the details will be circulated by email to Members
- Population growth is a significant issue for GP surgeries, key to improving the situation is significant infrastructure to adapt to the increasing demands of population growth

The link between housing and healthcare was discussed, as increasing population growth and the number of housing developments affect demand on local healthcare services. It was noted that a pilot scheme with the public health observatory was being conducted to analyse the relationship between where a person lives and what healthcare needs they have, to enable targeted case management to areas of concern in the future. The Chief Executive also advised of a pro-active approach to healthcare provision within the borough, to reduce the complexities of issues and costs to the individual and the authority.

In response to questions from Members, the Chief Executive confirmed that there was ongoing work on the recruitment and retention of healthcare staff, with the new Kent Medical School accepting students from September 2020.

The Chairman thanked the Chief Executive for her report and the NHS Representatives for their contribution.

**RESOLVED:** That the report be noted.

#### 76. FEES & CHARGES 2019/20

The Committee considered the Interim Head of Finance's report, which drew attention to discretionary and statutory charges, in particular:

- 97% of charges within the remit of the Committee were discretionary, 3% statutory, with total charges valuing £3million
- A 2.59% increase in adult cremation charges
- No increase in fees for recycling and refuse collection

**RESOLVED:** That the proposed discretionary fees and charges set out in Appendix 1 to this report be approved.

## 77. MEDIUM TERM FINANCIAL STRATEGY AND BUDGET PROPOSALS

The Director of Finance & Business Improvement introduced his report on the Medium-Term Financial Strategy and Budget Proposals and outlined the following points:

- There had been an increase in the cost of CCTV provision, which had resulted in the release of £30k from a contingency fund to fill the gap. There would still be an overall saving from bringing CCTV in-house.
- Within the revenue budget proposals £60k had been allocated for the ongoing provision of a Climate Change Officer and ancillary costs.

The Head of Housing and Community Services advised that the increased CCTV budget and unforeseen costs could be attributed to technical reasons. It was also confirmed that whilst savings are still envisioned, the full cost of operating the system would be confirmed after 12 months in operation.

Concerns were raised by some Members as they felt that cost of the provision of water fountains had not been fully explained. The Head of Environment & Public Realm responded that the provision of the water fountains was included within the Waste Strategy related to an investment in infrastructure initiative to reduce waste. It was felt they needed further information before this could be approved.

In view of this, Councillor M Burton requested that a report on the water fountains be made available for Members at the next Committee meeting.

### **RESOLVED:**

1. That the revenue budget proposals for services within the remit of this Committee, as set out in Appendix A, be agreed for submission to Policy and Resources Committee; and
2. That the capital budget proposals for services within the remit of this Committee, as set out in Appendix B, be agreed for submission to Policy and Resources Committee; and
3. That a report providing further details on the provision of water fountains be presented to the next meeting of this Committee.

## 78. DURATION OF MEETING

6.30 p.m. to 8.45 p.m.

## 2019/20 WORK PROGRAMME

	Committee	Month	Lead	Report Author
Housing Allocation Scheme Review	CHE	11-Feb-20	John Littlemore	Tony Stewart
Q3 Budget and Performance Monitoring	CHE	11-Feb-20	Mark Green	Chris Hartgrove/ Anna Collier
Review of Accessibility to Services for Residents - Scoping Report and Working Group Set Up	CHE	11-Feb-20	Angela Woodhouse	Orla Sweeney
Biodiversity Strategy Workshop	CHE	17-Feb-20	Jennifer Shepherd	Andrew Williams
Waste and Street Cleansing - Future Provision	CHE	17-Mar-20	Jennifer Shepherd	John Edwards
Annual Reports of Outside Bodies and Consideration of Outside Bodies for the Next Municipal Year	CHE	17-Mar-20	Angela Woodhouse	Mike Nash
Crime and Disorder Committee	CHE	24-Mar-20	John Littlemore	Martyn Jeynes
MBC Provided Gypsy and Traveller Sites - requested by Cllr Harwood	CHE	01-Oct-20	William Cornall	John Littlemore
Biodiversity Strategy	CHE	TBC	Jennifer Shepherd	Andrew Williams
MBC Affordable Housing Supplementary Planning Guidance (SPG)	CHE	TBC	William Cornall	Mark Egerton
Fireworks - RSPCA Guidance	CHE	TBC	John Littlemore	Tracey Beattie/Martyn Jeynes
GP Provision	CHE	TBC	Alison Broom	Alison Broom

Agenda Item 12



## Communities, Housing & Environment Committee

11 February 2020

### 3rd Quarter Budget & Performance Monitoring Report 2019/20

<b>Final Decision-Maker</b>	Communities, Housing & Environment Committee
<b>Lead Head of Service</b>	Mark Green, Director of Business Improvement
<b>Lead Officer and Report Authors</b>	Chris Hartgrove, Interim Head of Finance Paul Holland, Senior Finance Manager (Client) Claire Harvey, Data Intelligence Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

This report sets out the 2019/20 financial and performance position for the services reporting into the Communities, Housing and Environment Committee (CHE) as at 31st December 2019 (Quarter £). The primary focus is on:

- The 2019/20 Revenue and Capital budgets; and
- The 2019/20 Key Performance Indicators (KPIs) that relate to the delivery of the Strategic Plan 2019-2045.

The combined reporting of the financial and performance position enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues in their proper context, reflecting the fact that the financial and performance-related fortunes of the Council are inextricably linked.

#### Budget Monitoring

With regard to revenue, at the Quarter 3 stage, net expenditure of £5.375 million has been incurred against a profiled budget of £5.762 million, representing an under spend of £386,000. The Committee is also expected to remain within its overall net revenue expenditure budget for the year, recording a small under spend of £216,000 against its annual budget of £8.473 million.

With regard to capital, at the Quarter 3 stage, expenditure of £7.123 million has been incurred against a *revised* budget allocation of £13.069 million. At this stage, it is anticipated that there will be slippage of £4.165 million into 2020/21, across a range of schemes.

#### Performance Monitoring

Overall 89% (8) targetable quarterly Key Performance Indicators (KPIs), reportable to CHE, achieved their Quarter 3 target.

**Purpose of Report**

The report enables the Committee to consider and comment on the issues raised and actions being taken to address both budget pressures and performance issues as at 31st December 2019.

**This report makes the following Recommendations to the Committee:**

1. That the Revenue position as at the end of Quarter 3 for 2019/20, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted.
2. That the Capital position at the end of Quarter 3 be noted; and
3. That the Performance position as at Quarter 3 for 2019/20, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted.

**Timetable**

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Communities, Housing & Environment Committee	11th February 2020

# 3rd Quarter Budget & Performance Monitoring Report 2019/20

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>This report monitors actual activity against the revenue budget and other financial matters set by Council for the financial year. The budget is set in accordance with the Council's Medium-Term Financial Strategy which is linked to the Strategic Plan and corporate priorities.</p> <p>The Key Performance Indicators and strategic actions are part of the Council's overarching Strategic Plan 2019-45 and play an important role in the achievement of corporate objectives. They also cover a wide range of services and priority areas.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Cross Cutting Objectives</b>	This report enables any links between performance and financial matters to be identified and addressed at an early stage, thereby reducing the risk of compromising the delivery of the Strategic Plan 2019-2045, including its cross-cutting objectives.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Risk Management</b>	This is addressed in Section 5 of this report.	Director of Finance and Business Improvement (Section 151 Officer)

Issue	Implications	Sign-off
<b>Financial</b>	<p>Financial implications are the focus of this report through high level budget monitoring. Budget monitoring ensures that services can react quickly enough to potential resource problems. The process ensures that the Council is not faced by corporate financial problems that may prejudice the delivery of strategic priorities.</p> <p>Performance indicators and targets are closely linked to the allocation of resources and determining good value for money. The financial implications of any proposed changes are also identified and taken into account in the Council's Medium-Term Financial Strategy and associated annual budget setting process. Performance issues are highlighted as part of the budget monitoring reporting process.</p>	Senior Finance Manager (Client)
<b>Staffing</b>	<p>The budget for staffing represents a significant proportion of the direct spend of the Council and is carefully monitored. Any issues in relation to employee costs will be raised in this and future monitoring reports.</p> <p>Having a clear set of performance targets enables staff outcomes/objectives to be set and effective action plans to be put in place.</p>	Director of Finance and Business Improvement (Section 151 Officer)
<b>Legal</b>	<p>The Council has a statutory obligation to maintain a balanced budget and the monitoring process enables the Committee to remain aware of issues and the process to be taken to maintain a balanced budget.</p> <p>There is no statutory duty to report regularly on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. One of the purposes of the Key Performance Indicators is to facilitate the improvement of the economy, efficiency and effectiveness of Council services. Regular reports on Council performance help to demonstrate best value and compliance with the statutory duty.</p>	Team Leader (Corporate Governance), MKLS

Issue	Implications	Sign-off
<b>Privacy and Data Protection</b>	The performance data is held and processed in accordance with the data protection principles contained in the Data Protection Act 2018 and in line with the Data Quality Policy, which sets out the requirement for ensuring data quality. There is a program for undertaking data quality audits of performance indicators.	Team Leader (Corporate Governance), MKLS
<b>Equalities</b>	There is no impact on Equalities as a result of the recommendations in this report. An EqIA would be carried out as part of a policy or service change should one be identified.	Equalities and Corporate Policy Officer
<b>Public Health</b>	The performance recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	There are no specific issues arising.	Director of Finance and Business Improvement (Section 151 Officer)
<b>Procurement</b>	Performance Indicators and Strategic Milestones monitor any procurement needed to achieve the outcomes of the Strategic Plan.	Director of Finance and Business Improvement (Section 151 Officer)

## 2. BACKGROUND AND INTRODUCTION

- 2.1 The Medium-Term Financial Strategy for 2019/20 to 2023/24 - including the budget for 2019/20 - was approved by full Council on 27th February 2019. This report updates the Committee on how its services have performed in the first nine months of the financial year with regard to revenue and capital expenditure against approved budgets.
- 2.2 This report also includes an update to the Committee on progress against its Key Performance Indicators (KPIs).
- 2.3 Attached at **Appendix 1**, is a report setting out the revenue and capital spending position at the Quarter 3 stage. Attached at **Appendix 2**, is a report setting out the position for the KPIs for the corresponding period.

### **3. AVAILABLE OPTIONS**

- 3.1 There are no matters for decision in this report. The Committee is asked to note the contents but may choose to take further action depending on the matters reported here.
- 

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 In considering the current position on the Revenue budget, the Capital Programme and KPIs at the end of December 2019, the Committee can choose to note this information or could choose to take further action.
- 4.2 The Committee is requested to note the content of the report and agree on any necessary action to be taken in relation to the budget position and/or the KPIs position.
- 

### **5. RISK**

- 5.1 This report is presented for information only and has no direct risk management implications.
- 5.2 The Council has produced a balanced budget for both revenue and capital income and expenditure for 2019/20. The budget is set against a backdrop of limited resources and a difficult economic climate. Regular and comprehensive monitoring of the type included in this report ensures early warning of significant issues that may place the Council at financial risk. This gives the Committee the best opportunity to take actions to mitigate such risks.
- 

### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 The KPIs update ("Performance Monitoring") is reported to service committees quarterly: Communities, Housing & Environment Committee; Economic Regeneration & Leisure Committee; and the Strategic Planning & Infrastructure Committee. Each committee will receive a report on the relevant priority action areas. The report is also presented to the Policy & Resources Committee, reporting on the priority areas of "A Thriving Place", "Safe, Clean and Green", "Homes and Communities" and "Embracing Growth and Enabling Infrastructure".
- 

### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The Quarter 3 Budget & Performance Monitoring reports are being considered by the relevant Service Committees during January and February 2020, including a full report to the Policy & Resources Committee on 12th February 2020.

- 7.2 Details of the discussions which take place at Service Committees regarding financial and performance management will be reported to Policy and Resources Committee where appropriate.
- 7.3 The Council could choose not to monitor its budget and/or the Strategic Plan and/or make alternative performance management arrangements, such as the frequency of reporting. This is not recommended as it could lead to action not being taken against financial and/or other performance during the year, and the Council failing to deliver its priorities.
- 

## **8. REPORT APPENDICES**

- **Appendix 1:** Third Quarter Budget Monitoring 2019/20
  - **Appendix 2:** Third Quarter Performance Monitoring 2019/20
- 

## **9. BACKGROUND PAPERS**

None.

# Third Quarter Budget Monitoring 2019/20

Communities, Housing & Environment Committee

11th February 2020

Lead Officer: Mark Green

Report Authors: Chris Hartgrove/Paul Holland



# Contents

<b>Executive Summary</b>	<b>Page 2</b>
--------------------------	---------------

## **Part A: Third Quarter Revenue Budget 2019/20**

<b>A1) Revenue Budget: Council</b>	<b>Page 4</b>
<b>A2) Revenue Budget: Communities, Housing &amp; Environment</b>	<b>Page 5</b>
<b>A3) Revenue Budget: Significant Variances (&gt;£30,000)</b>	<b>Page 7</b>

## **Part B: Third Quarter Capital Budget 2019/20**

<b>B1) Capital Budget: Council</b>	<b>Page 10</b>
<b>B2) Capital Budget: Communities, Housing &amp; Environment</b>	<b>Page 10</b>

# Executive Summary

This report provides Members with an overview of progress against the 2019/20 revenue and capital budgets as at 31st December 2019 (i.e. the Quarter 3 cumulative position) for the services falling within the remit of the Communities, Housing and Environment Committee (CHE). The analysis also includes both revenue and capital year-end projections (to 31st March 2020) for CHE services, as well as some important context, with consideration given to the Council's overall position.

The headlines for Quarter 3 are as follows:

## **Part A: Third Quarter Revenue Budget 2019/20**

- Overall net expenditure for the services reporting to CHE is £5.375 million, compared to the profiled budget of £5.762 million, representing an under spend of £386,000. Based on forward projections, CHE is expected to remain within its overall net revenue expenditure budget for the year, recording an under spend of £216,000 against a budget of £8.437 million.
- Overall net expenditure for the Council is £12.10 million, compared to the profiled budget of £12.211 million, representing an under spend of £0.111 million. The Council is also expected to remain within its overall net revenue expenditure budget of £20.561 million for the year.

## **Part B: Third Quarter Capital Budget 2019/20**

- Capital expenditure for the services reporting to CHE of £7.123 million has been incurred against a revised budget of £13.069 million. At this stage, it is anticipated that there will be slippage of £4.165 million.
- Capital expenditure for the Council overall of £28.754 million has been incurred against a *revised* annual budget of £42.647 million. It is anticipated that there will be slippage of £11.364 million at year end.

# Part A

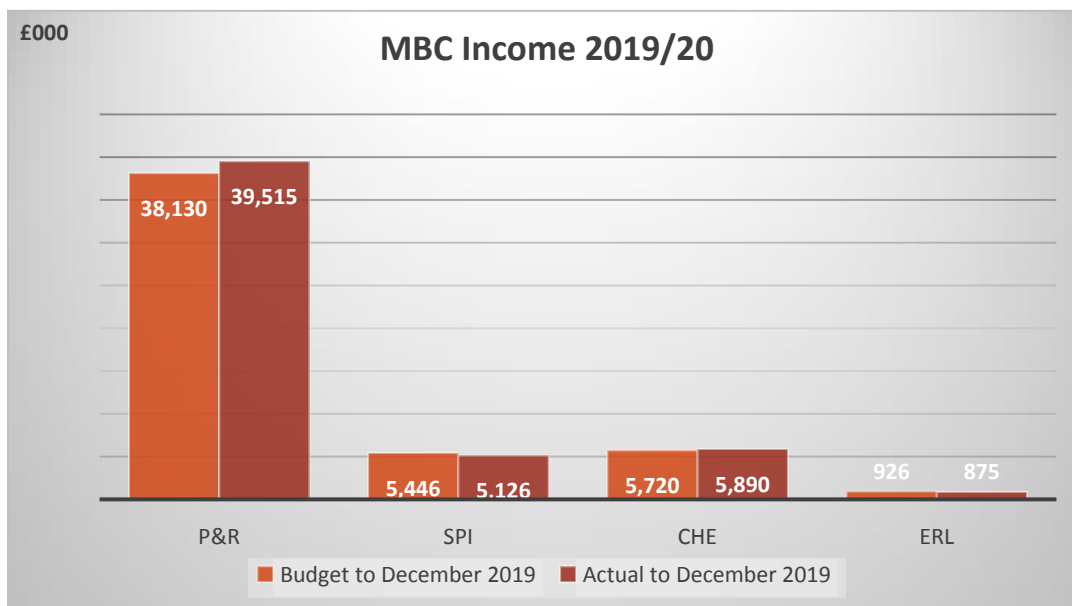
## Third Quarter Revenue Budget 2019/20

## A1) Revenue Budget: Council

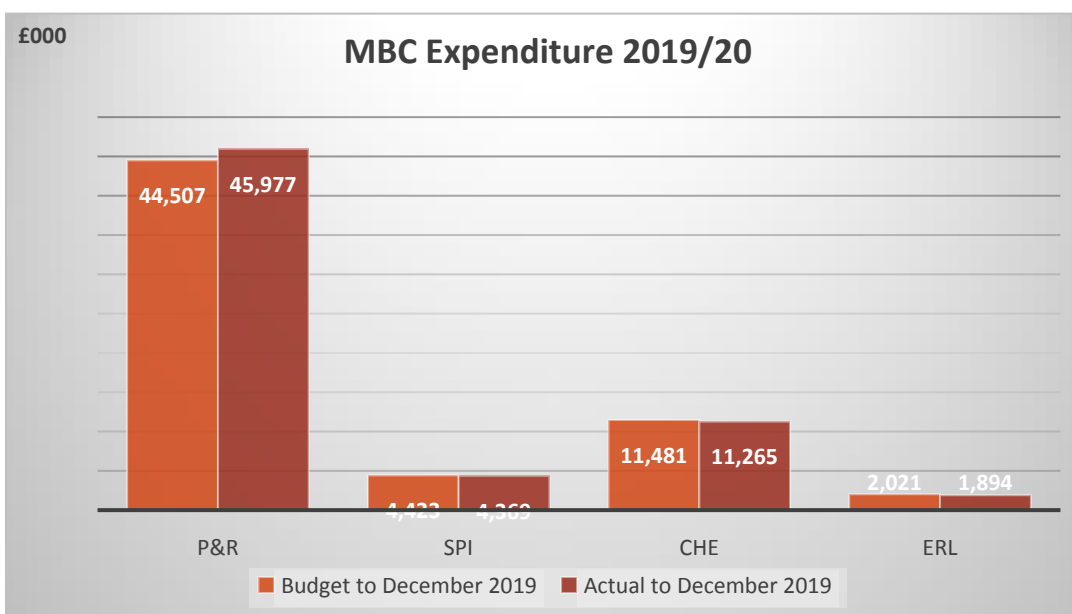
A1.1 At the Quarter 3 stage, overall net expenditure for the Council is £12.10 million, compared to the profiled budget of £12.211 million, representing an under spend of £0.111 million. Based on forward projections, the Council is expected to remain within its overall net revenue expenditure budget of £20.561 million for the year.

A1.2 The two charts below show the income and expenditure position for each service committee.

**Chart 1: MBC Revenue Budget: INCOME BY SERVICE COMMITTEE**



**Chart 2: MBC Revenue Budget: EXPENDITURE BY SERVICE COMMITTEE**



## A2) Revenue Budget: Communities, Housing & Environment (CHE)

A2.1 Table 1 below provides a detailed summary on the budgeted net expenditure position for CHE services at the end of Quarter 3. The financial figures are presented on an 'accruals' basis (e.g. expenditure for goods and services received, but not yet paid for, is included).

**Table 1: CHE Revenue Budget: NET EXPENDITURE**

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Cost Centre	Revised Budget for Year £000	Budget to 31 December 2019 £000	Actual £000	Variance £000	Forecast 31 March 2020 £000	Forecast Variance 31 March 2020 £000
Parks & Open Spaces	958	734	758	-24	958	0
Playground Maintenance & Improvements	144	106	87	18	144	0
Parks Pavilions	39	30	23	7	39	0
Mote Park	259	194	202	-9	259	0
Parks & Open Spaces Leisure Activities	-5	-4	-1	-3	-5	0
Mote Park Leisure Activities	-38	-28	-19	-10	-38	0
Allotments	12	10	8	2	12	0
Leisure Services Other Activities	10	10	14	-4	10	0
Cemetery	50	56	33	23	50	0
National Assistance Act	-0	-0	-3	2	-0	0
Crematorium	-810	-485	-416	-69	-795	-15
Community Safety	45	39	27	12	45	0
PCC Grant - Building Safer Communities	0	0	-8	8	0	0
C C T V	207	155	206	-50	270	-63
Drainage	32	24	11	13	32	0
Licences	-6	-3	-5	2	-6	0
Licensing Statutory	-66	-50	-74	25	-66	0
Licensing Non Chargeable	8	6	6	-0	8	0
Dog Control	29	19	31	-12	29	0
Health Improvement Programme	9	9	0	9	9	0
Pollution Control - General	45	43	23	20	45	0
Contaminated Land	0	0	-0	0	0	0
Waste Crime	0	2	5	-3	0	0
Food Hygiene	2	1	-4	6	2	0
Sampling	3	2	0	2	3	0
Occupational Health & Safety	25	17	-4	21	25	0
Infectious Disease Control	1	1	1	-0	1	0
Noise Control	1	1	0	1	1	0
Pest Control	-12	-9	-9	0	-12	0
Public Conveniences	203	148	156	-8	203	0
Licensing - Hackney & Private Hire	-64	-50	-43	-7	-64	0
Street Cleansing	1,131	835	821	13	1,131	0
Household Waste Collection	1,183	890	879	10	1,183	0
Commercial Waste Services	-64	-48	-32	-16	-64	0
Recycling Collection	713	451	384	67	629	84
Community Environmental Engagement	0	0	0	0	0	0

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Cost Centre	Revised Budget for Year £000	Budget to 31 December 2019 £000	Actual £000	Variance £000	Forecast 31 March 2020 £000	Forecast Variance 31 March 2020 £000
Social Inclusion	4	4	4	0	4	0
Public Health - Obesity	0	0	-28	28	0	0
Public Health - Misc Services	2	1	0	1	2	0
Grants	184	184	185	-1	184	0
Delegated Grants	2	2	2	0	2	0
Parish Services	127	127	126	1	127	0
Member's Community Grant	60	42	8	34	60	0
General Fund Residential Properties	-103	-77	-56	-21	-103	0
Strategic Housing Role	14	3	-6	9	14	0
Housing Register & Allocations	10	10	10	-0	10	0
Private Sector Renewal	-47	-48	-50	2	-47	0
HMO Licensing	-20	-15	-19	4	-20	0
Homeless Temporary Accommodation	492	369	352	17	492	0
Homelessness Prevention	262	-264	-293	29	195	67
Aylesbury House	18	18	15	2	18	0
Magnolia House	-7	-6	0	-6	-7	0
St Martins House	0	0	-3	3	0	0
Marsham Street	35	26	30	-4	35	0
Sundry Temporary Accommodation (TA) Properties	-30	-22	-15	-6	-30	0
Pelican Court (Leased TA Property)	0	-7	-10	2	0	0
2 Bed Property - Temporary Accommodation	-53	-38	-48	9	-53	0
3 Bed Property - Temporary Accommodation	-53	-40	-44	4	-53	0
4 bed Property - Temporary Accommodation	-5	-3	-1	-3	-5	0
1 Bed Property- Temporary Accommodation	-2	-1	0	-1	-2	0
Melville Road Supported Accommodation	-9	-7	-23	16	-9	0
Marden Caravan Site (Stilebridge Lane)	19	15	-5	21	19	0
Ulcombe Caravan Site (Water Lane)	7	-0	5	-6	7	0
Head of Environment and Public Realm	98	73	72	2	96	2
Bereavement Services Section	206	154	142	13	193	13
Community Partnerships & Resilience Section	479	369	343	27	440	39
Licensing Section	110	83	76	7	103	7
Environmental Protection Section	261	195	195	0	261	0
Food and Safety Section	255	192	192	-0	255	0
Depot Services Section	750	562	525	37	713	37
Head of Housing & Community Services	107	80	80	0	107	0
Homechoice Section	204	142	124	18	186	18
Housing & Inclusion Section	516	327	315	12	504	12
Housing & Health Section	255	139	115	24	231	24
Housing Management	253	165	147	17	236	17
Homelessness Outreach	6	-89	-112	23	-17	23
Salary Slippage 3CHE	-121	-91	0	-91	-0	-121
Fleet Workshop & Management	258	193	135	58	188	70
MBS Support Crew	-65	-49	-68	19	-65	0
Grounds Maintenance - Commercial	-86	-64	-102	38	-88	2
	8,437	5,762	5,375	386	8,221	216

A2.2 The table shows that, at the Quarter 3 stage, overall net expenditure for the services reporting to CHE is £5.375 million, compared to the profiled budget of £5.762 million, representing an under spend of £386,000. Based on forward projections, CHE is expected to remain within its overall net revenue expenditure budget for the year, recording an under spend of £216,000 against a budget of £8.437 million.

### A3) CHE Revenue Budget: Significant Variances (>£30,000)

A3.1 Within the headline figures, there are a number of both adverse and favourable net expenditure variances for individual cost centres. It is important that the implications of variances are considered at an early stage, so that contingency plans can be put in place and, if necessary, be used to inform future financial planning.

A3.2 Table 2 below highlights and provides further detail on the most significant variances i.e. those meeting or exceeding £30,000, either at the end of Quarter 3, or expected to do so by year-end.

**Table 2: CHE Variances >£30,000 (@ Quarter 3)**

	Positive Variance Q3	Adverse Variance Q3	Year End Forecast Variance
<b>Communities, Housing &amp; Environment Committee</b>	<b>£000s</b>		
<b>Crematorium</b> – Higher than budgeted maintenance costs (e.g. additional landscaping costs of £31,000), partly driven by un-accrued (maintenance) expenditure from 2018/19 (of £18,000) is the reason for the budget pressure at the Quarter 3 stage, although the position is expected to improve by year end.		-69	-16
<b>CCTV</b> – The most significant factor in the budget overspend is the delay experienced in achieving a savings target of £73,300, anticipated as part of the new CCTV arrangements.		-50	-63
<b>Recycling Collection</b> – Savings from the purchase of wheeled bins (£32k April to September 2019) has been the biggest factor in lower than budgeted expenditure at the Quarter 3 stage. Current expenditure patterns are assumed to continue for the remainder of the financial year.	+67		+84
<b>Members Community Grant</b> – 24 out of 55 members (44%) have used at least some of their 2019/20 allocation at the Q3 stage, with 2 members utilising their full allocation. It is assumed that the remaining balance will be utilised during Q4.	+34		0

<b>Table 2 cont.</b>	<b>Positive Variance Q3</b>	<b>Adverse Variance Q3</b>	<b>Year End Forecast Variance</b>
<b>Communities, Housing &amp; Environment Committee</b>	<b>£000s</b>		
<b>Homelessness Prevention</b> – Significant underspends on the service include the Guaranteed Rent scheme budget (£20,000), Marketing (£16,000) and General Expenses (£39,000). The Guaranteed Rent scheme is currently on hold.	+29		+69
<b>Community Partnerships &amp; Resilience Section</b> – a budget surplus is being experienced in this cost centre following a recent re-structure (£10,000), which is being added to by a "Standby" budget surplus (£13,500). The re-structure forms part of the delivery of a £50,000 agreed savings target for 2020/21.	+27		+39
<b>Depot Services Section</b> – Lower employee costs are being experienced following the recent implementation of a staff re-structure.	+37		+37
<b>Salary Slippage</b> – This is a credit budget, which allows for service underspends on salaries, due to temporary vacancies arising from staff turnover. There is currently an adverse variance, which is expected to be offset by service underspends by the year end.		-91	-121
<b>Fleet Workshop &amp; Management</b> – A reduced need for vehicle hire (saving £38,000, following the recent purchase 3 new sweepers) is the single largest item in reduced expenditure at the Quarter 3 stage.	+58		+70
<b>Grounds Maintenance Commercial</b> – Additional income has been generated in this area from Section 106 funded works, although this surplus is expected to be offset by a shortfall of £27,000 on miscellaneous other external income by the year end.	+38		+2



## Part B

# Third Quarter Capital Budget 2019/20

## B1) Capital Budget: Council

- B1.1 The overall five-year Capital Programme for 2019/20 to 2023/24 was approved by the Council on 27th February 2019. Most capital funding will now come from prudential borrowing as other sources of funding are not sufficient to cover the costs of the programme, although funding does continue to be available from the New Homes Bonus (NHB).
- B1.2 The *revised* 2019/20 element of the Capital Programme has a total budget of £42.647 million. At the Quarter 3 stage, capital expenditure of £28.754 million has been incurred. It is anticipated that there will be slippage of £11.364 million at year end.

## B2) Capital Budget: Communities, Housing & Environment Committee (CHE)

- B2.1 Progress towards the delivery of the 2019/20 CHE element of the Capital Programme at the Quarter 3 stage is presented in Table 3 below. The budget for 2019/20 includes resources brought forward from 2018/19.
- B2.2 At the Quarter 3 stage, expenditure of £7.123 million has been incurred against a *revised* budget of £13.069 million. It is anticipated that there will be slippage of £4.165 million at year end (the Committee will be asked to approve/note the carry forward of resources into the next financial year).

**Table 3: CHE Capital Programme 2019/20 (@ Quarter 3)**

Capital Programme Heading	Adjusted Estimate 2019/20 £000	Actual to December 2019 £000	Budget Remaining £000	Q4 Profile £000	Projected Total Expenditure £000	Projected Slippage to 2020/21 £000
<b>Communities, Housing &amp; Environment</b>						
Brunswick Street - Net Cost of Scheme	2,514	1,750	765	765	2,515	-0
Union Street - Net Cost of Scheme	975	618	358	358	976	-0
Indicative Schemes	3,475	1,070	2,405		1,070	2,405
Housing - Disabled Facilities Grants Funding	1,570	407	1,163	250	657	913
Temporary Accommodation	3,236	2,816	421	80	2,896	341
Gypsy Site Improvement Works	42	33	9	9	42	-0
CCTV Upgrade and Relocation	150	120	30	30	150	0
Commercial Waste	180	196	-16		196	-16
Street Scene Investment	147		147	50	50	97
Flood Action Plan	100		100	100	100	
Continued Improvements to Play Areas	422	60	362	25	85	337
Commercial Projects - Crematorium Projects	55	52	3	3	55	-0
Commercial Projects - Cemetery Chapel Repairs	100		100	100	100	
Other Parks Improvements	100	1	99	10	11	89
<b>Total</b>	<b>13,069</b>	<b>7,123</b>	<b>5,945</b>	<b>1,780</b>	<b>8,903</b>	<b>4,165</b>








- B2.3 The most (financially) notable CHE items in the table above are as follows:

- *Indicative Schemes* – The budget included provision for the purchase of a property initially valued at £1.2 million. However that purchase is no longer proceeding, with the funds now earmarked for another scheme. In addition, updated cash flow projections for the Springfield Mill project anticipate slippage of £1.077 million into 2020/21 (from a budget provision of £2.924 million); and

- Housing – Disabled Facilities Grants – Expenditure on housing adaptations often does not match the Council’s financial year. The 2019/20 budget of £1.57 million includes allocations for a wider range of initiatives, including the “Helping You Home” scheme, operated in conjunction with Maidstone and Pembury hospitals.

# Third Quarter Performance Monitoring 2019/20

## Key to Performance Ratings

RAG Rating		Performance Summary	Direction	
	Target not achieved			Performance has improved
	Target slightly missed (within 10%)			Performance has been sustained
	Target met			Performance has declined
	Data Only		N/A	No previous data to compare

### Summary

RAG Rating	Green	Amber	Red	N/A <sup>1</sup>	Total
KPIs	8	1	0	4	13
Direction	Up	No Change	Down	N/A	Total
Last Year	8	1	2	2	13
Last Quarter	6	1	4	2	13




















*PIs classified as N/A are not included in the summary calculations*

The headlines from Quarter 3 are as follows:

- 88.9% (8) of targetable quarterly Key Performance Indicators (KPIs), reportable to the Communities, Housing and Environment (CHE) Committee achieved the Quarter 3 target;
- 72.7% (8) of KPIs are showing improved performance compared to Quarter 3 in 2018/19, including two information only KPIs which show numbers in temporary housing have decreased; and
- 54.5% (6) of KPIs are showing an improvement in performance compared to Quarter 2. One of the targeted KPIs cannot be given a direction of travel in relation to Quarter 2 this year as it is reported cumulatively.

## Safe, Clean and Green

Performance Indicator	Q3 2019/20				
	Value	Target	Status	Long Trend	Short Trend
Percentage of unauthorised encampments on Council owned land removed within 5 working days	DIV/0	90%	N/A	N/A	N/A

The percentage of land and highways with acceptable levels of detritus	97.34%	95.00%			
Percentage of fly tips resulting in enforcement action	82.1%	80.0%			
Percentage of fly-tips cleared or assessed within 2 working days	94.87%	94.00%			
Average weight of fly-tipped collected materials (kg)	100.17kg				
Percentage of household waste sent for reuse, recycling and composting (NI 192)	47.99%	52.00%			
The percentage of land and highways with acceptable levels of litter	98.34%	98.00%			

Overall, the KPIs relating to 'Safe, Clean and Green' performed well with four of the six targeted KPIs achieving their targets at Q3. One KPI slightly missed its target (within 10%), one KPI did not have a target assigned to it, and one PI was given a status of 'N/A'.

The KPI that slightly missed its target (within 10%) this quarter was 'Percentage of household waste sent for reuse, recycling and composting'; 92.3% of the quarterly target was reached. The outturn is based on October and November as the data for December is not yet available. Once the data for December 2019 has been received, the result for Q3 will be updated. There has been a 5.2% decrease in the percentage of household waste sent for reuse, recycling and composting since Q2, although the figure for last year (Q3 2018/19) is 0.7% lower. Biffa, the waste services contractor for the Council, have had issues with vehicle breakdown and non-completion of collections during Q3. In some instances there has been a requirement to collect side waste on the subsequent collection, so the decrease in waste is not attributed to missed collections.

'Percentage of fly tips resulting in enforcement action' has exceeded target by 2.6%. Compared with Q2 and the same Quarter last year, the proportion of fly-tips resulting in enforcement action has decreased by 11.1% and 15.4% respectively. From October to December the Waste Crime Team had significant success in relation to fly tipping outcomes, including the seizure of six vehicles. The Waste Crime Team have continued to work with other agencies, such as Kent Police, to ensure illegal waste activities are targeted with the resources available. 'Percentage of fly tips cleared or assessed within 2 working days' also achieved the quarterly target. Improvements to mobile technology used by operatives, revisions to cleansing schedules and improved reaction times to reports from the public helped achieve the target.



















Both 'The percentage of land and highways with acceptable levels of detritus' and 'The percentage of land and Highways with Acceptable Levels of Litter' have

achieved their targets. Working patterns and improvements to the mechanical sweeper fleet have helped achieve the target.

A difference has been noted in weight for the 'Average Weight of fly-tipped Collected Materials (kg)' since Q2. The figure has dropped by 42% from 172.68kg, however, compared with the figure for this time last year, it has increased by 67.6% from 59.78kg.

'Percentage of unauthorised encampments on Council owned land removed within 5 working days' has a status of 'N/A'. The KPI performed positively in Q3 with no unauthorised encampments on Council owned land during the period.

## Homes & Communities

Performance Indicator	Q3 2019/20				
	Value	Target	Status	Long Trend	Short Trend
Percentage spend and allocation of Disabled Facilities Grant Budget (YTD)	106.5%	70.0%			N/A
Number of households living in temporary accommodation last night of the month (NI 156 & SDL 009-00)	92				
Number of households living in nightly paid temporary accommodation last night of the month	40				
Number of households housed through housing register	153	150			
Number of households prevented or relieved from becoming homeless	151	82.5			
Percentage of successful Relief Duty outcomes	69.29%	60%		N/A	

All four targetable quarterly KPIs associated with 'Homes & Communities' were achieved in Q3. All but one PI saw an improvement in performance since Q2 (the PI rated 'N/A' is a cumulative PI), and all but one saw an improvement since last year (the latter was because the KPI was new for 2019/20).

The 'Number of households prevented or relieved from becoming homeless' exceeded the quarterly target by 83%. The percentage increase since Q2 and since last year were similar at 17.1% and 18.0%.

The 'Percentage of successful Relief Duty outcomes' KPI exceeded the quarterly target by 15.5%. Although there is no data for last year and a comparison cannot be made, the figure for this PI has increased by 27.5% since Q2 from 54.33% to 69.29%.

The 'Number of households housed through the housing register' exceeded the quarterly target by 2.0%. The figure has increased by 22.4% since last year and by 10.1% since Q2. An increase in the amount of available vacant and new build properties received from the Council's Registered Providers has helped enable this improvement in performance.

Performance has improved for both 'Number of households living in temporary accommodation last night of the month (NI 156 & SDL 009-00)' and 'Number of households living in nightly paid temporary accommodation last night of the month'.

The 'Number of households living in temporary accommodation last night of the month (NI 156 & SDL 009-00)' has decreased from 125 since last year, and since Q2 has reduced from 95, to 92 this quarter, representing a 26.4% and 3.2% decrease respectively. The percentage decreases are 39.4% and 11.1% respectively for the 'Number of households living in nightly paid temporary accommodation last night of the month' KPI as the figures have decreased from 66 since last year, and from 45 since Q2, to 40 in Q3.



## Communities, Housing and Environment Committee

**11 February 2020**

### Access to Services Review

<b>Final Decision-Maker</b>	Communities, Housing and Environment Committee
<b>Lead Head of Service</b>	Angela Woodhouse, Head of Policy, Communications and Governance
<b>Lead Officer and Report Author</b>	Orla Sweeney Equalities and Corporate Policy Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

At the end of the 2018-19 Municipal Year, the Communities Housing and Environment Committee approved a recommendation that a report be brought forward to scope a review of accessibility to services for residents. This was subject to the Committee's existing work programme.

It was identified that accessibility issues impacted on a broad range of residents, such as elderly residents and those who did not have ready access to online information and that mental and physical disabilities were to be a consideration when undertaking the work.

#### Purpose of Report

To decide how to progress the recommendation regarding a review of accessibility to services for residents.

#### This report makes the following recommendations to this Committee:

1. To agree the scope at appendix 1 and discussed at paragraph 1.3 (onwards).
2. That the Head of Policy, Communications and Governance, in consultation with the Chairman and Vice Chairman, be given delegated authority to form a task and finish group and timetable a review, reporting back to the committee at its next available meeting.

#### Timetable

<b>Meeting</b>	<b>Date</b>
CHE Committee	11 February 2020

## Access to Service Review

### CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations will materially improve the Council's ability to achieve its Homes and Communities priority.</p>	Anna Collier, Policy and Information Manager
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendation(s) supports the achievement of the following cross cutting objectives:</p> <ul style="list-style-type: none"> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> </ul>	Anna Collier, Policy and Information Manager
<b>Risk Management</b>	Please refer to section 4 of the report for risk evaluation.	Anna Collier, Policy and Information Manager
<b>Financial</b>	The recommended option could be delivered within existing resources as set out in paragraph 2.2 of the report and outlined in section 3. Should the Committee wish to take an alternative course of action, budgetary implications would have to be considered and agreement sought.	[Section 151 Officer & Finance Team]

<b>Staffing</b>	The preferred option could be delivered within existing staffing arrangements.	Anna Collier, Policy and Information Manager
<b>Legal</b>	The Council's has in place processes to fulfil its public sector duty under the Equalities Act.	Legal Team
<b>Privacy and Data Protection</b>	Privacy and data protection would be a consideration of a review and a data privacy impact assessment completed as appropriate.	Anna Collier, Policy and Information Manager
<b>Equalities</b>	We recognise the recommendations may have varying impacts on different communities within Maidstone. An equalities impact assessment would be undertaken as part of an agreed project or review going forward.	Anna Collier, Policy and Information Manager
<b>Public Health</b>	We recognise that the recommendations could have a positive impact on population health or that of individuals.	Public Health Officer
<b>Crime and Disorder</b>	No impact identified.	Anna Collier, Policy and Information Manager
<b>Procurement</b>	No impact identified	Anna Collier, Policy and Information Manager

## 1. INTRODUCTION AND BACKGROUND

1.1 A member agenda item request to review access to the Council's services was considered by the Communities, Housing and Environment Committee in. A summary of the discussion minuted is outlined below, along with the recommendation made:

- A review of the "Access to the Council's Service for Disabled People 2005-2006", and the recommendations in the report, was helpful to understand the work undertaken to promote accessibility to Maidstone Borough Council services.
- Accessibility issues impacted on a broad range of residents, such as elderly residents and those who did not have ready access to online information.
- Should a Working Group be established, this was to comprise of representative groups in the Borough.

- Mental and physical disabilities were to be a consideration when undertaking the work.
- The promotion of equalities training for staff was beneficial.
- In response to questions from the Committee, Mrs Angela Woodhouse, Head of Policy, Communications and Governance, stated that there was the potential to incorporate the work in the Equalities Action Plan, which was considered by the Policy and Resources Committee. Furthermore, Councillor input would be advantageous in the scoping and delivery of the work.

**RESOLVED:** That a report be brought to the next appropriate Communities, Housing and Environment Committee meeting setting out the scope of a review of accessibility to services for residents.

- 1.2 This report has been brought forward, as permissible by the Committee's work programme for 2019/20 and in the interim a watching brief has been kept on its behalf.

#### Developing the Scope

- 1.3 To develop the scope a review was undertaken of what arrangements the Council has in place to ensure an equitable level of access to services.
- 1.4 Equality remains a high priority for the Council. There are legislative responsibilities which must be adhered to, the following is a list of some of the legislation and guidance that guides it.
- Equalities Act 2010
  - The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018
  - Accessibility communication formats (guidance)
  - DDA compliance
- 1.5 It has strong internal processes in place to support this. All reports for decision are reviewed, to ensure that policies that impact on the delivery of our services include a detailed consideration of equalities impacts. Recently health has been included as part of this review function to ensure the Council is supporting the delivery of its strategic cross-cutting objective 'Health inequalities are addressed and reduced'.
- 1.6 Legislation also informs the Council's policies, strategies and action plans and will be reflected in the following documents:
- Communications Strategy
  - Customer Care Standards
  - Digital Inclusion Strategy
  - Equalities Policy and Action Plan
  - Statement for community Involvement (Planning)

- 1.7 The Equalities Action Plan assists in monitoring the way in which the Council is delivering on its legislative responsibilities and includes workstreams that contribute to ensuring it is reaching residents and that they are accessing its services. This is achieved in some of the following ways:
- Extensive consultation and engagement with residents
  - Ensuring that the website is compliant with accessibility regulation for public sector bodies
  - Robust processes for equalities impact assessments as part of decision making
  - Data intelligence and insight
- 1.8 In terms of ensuring that the Council is meeting and delivering on its legislative responsibility, the review identifies that the Council is meeting the desired requirements.
- 1.9 However, there is a clear consensus, as identified in the motion put forward, that there is more that could be done to understand resident's needs and further enable their access to services.
- 1.10 The scoping document for a review of access to services can be found at appendix 1 to this report. The scope's focus is on the customer experience when accessing services.
- 1.11 There are a number of ways residents access council services: in person, online, by telephone, by email and via their elected members.
- 1.12 Each access method presents a different range of barriers and challenges. Consideration needs to be given as to how residents can be enabled through supporting technological processes, financial and social inclusion, Officer and Member training and the physical environment i.e. Council buildings.
- 1.13 The Link remains the Council's public-facing access point for residents and visitors to the Council's core services, in addition, it has visitor venues ranging from historical buildings like Maidstone Museum to its many Parks and Open Spaces. From this perspective, it should be considered whether the support, particularly for front line staff, to meet the accessibility needs of residents is in place.
- 1.14 In addition to the above scope, in terms of ensuring that the findings of any chosen review pathway achieve the desired outcome and are embedded across the Council, Members could look to producing an Accessibility Strategy.
- 1.15 There are a number of policies supporting accessibility across the Council. A Strategy would set a requirement for standards to be implemented across council business and provide clarity on what the Council does and what it does to support and enable residents; how it meets legislative requirements whilst ensuring a Maidstone specific standard.
- 1.16 This approach would also provide the opportunity for a periodical review process and ensure that elected members had ongoing oversight of the Council's approach to accessibility

### Review approach

- 1.17 There are a number of officers across Council that have excellent knowledge in the delivery and development of services and Members may want to call on them to support this review. This includes Customer Services, Transformation and Digital Services, Property Services and Communications. This would also provide the opportunity to bring together expertise from across the Council along with external sources.
- 1.18 It is proposed that the review would take place over a 6-month period.

---

## **2 AVAILABLE OPTIONS**

- 2.1 The Communities, Housing and Environment Committee has a number of options open to it to take forward the review, all of which would incur resource implications unless no further action was agreed.
- 2.2 As set out in the constitution all Committees may hold inquiries and investigate the available options for future direction in policy development.
- 2.3 The Committee has the power to set up working groups to conduct scrutiny type reviews. The actions above could be considered by a working group and findings reported to the Committee.
- 2.4 The Committee could undertake an inquiry and review as part of its usual meetings and business with activities planned throughout an agreed timescale to complete the review.
- 2.5 The Committee could ask officers to lead and oversee the review and report back to committee within agreed timescales.
- 2.6 The Committee could agree to take no further action.

---

## **3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 3.1 The option recommended to Committee is set out at paragraph 2.2.
- 3.2 It is clear that understanding and addressing the challenges to accessibility faced by residents would support the delivery of the Strategic priority 'Homes and Communities' and the cross-cutting objectives, 'Health Inequalities are addressed' and reduced and 'Deprivation and Social mobility is improved.'

---

## **4. RISK**

- 4.1 In agreeing the preferred recommendation set out in section 3 of this report the Committee would not only be enhancing and raising the profile of the

way in which the Council fulfils its legislative duties in terms of ensuring accessibility to services for residents but working to create a new standard reflective of Maidstone Borough Council's commitment to this agenda.

- 4.2 If the Committee chose to do nothing the Council would continue to fulfil its legislative responsibilities in this area as a Public Authority.
  - 4.3 If the Committee chose another option, there could be cost implications and a lack of support that could prevent the review fulfilling a desired outcome.
- 

## **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 None
- 

## **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 That the Head of Policy, Communications and Governance, in consultation with the Chairman and Vice Chairman agree membership of a task and finish group and a meeting be arranged to agree a timetable.
- 

## **7. REPORT APPENDICES**

- Appendix 1: Scoping Review – Access to Services
- 

## **8. BACKGROUND PAPERS**

[Member agenda item request](#)

<b>Scoping Review : Access to Services</b>	
<b>Timeframe</b>	The Task and Finish Group will seek to bring its work to conclusion no later than October 2020.
<b>Purpose</b>	To oversee a review of Access to Services.
<b>Review Scope</b>	<ol style="list-style-type: none"> <li>1. To evaluate council processes across its channels of access against a set criterion focused on enabling residents through supporting technological processes, financial and social inclusion, Officer and Member training and the physical environment i.e. Council buildings.</li> <li>2. To identify: <ul style="list-style-type: none"> <li>• Residents with protected characteristics being negatively impacted as a result of its current processes.</li> <li>• Opportunities to enable residents and improve their accessibility to services.</li> </ul> </li> </ol> <p><b>Channels of access:</b></p> <p><b>Online (website)</b></p> <ul style="list-style-type: none"> <li>• Laptop</li> <li>• PC (Public and Private access)</li> <li>• Smaller handheld devices</li> </ul> <p><b>Face to Face</b></p> <ul style="list-style-type: none"> <li>• Council buildings <ul style="list-style-type: none"> <li>○ <b>The Link</b></li> <li>○ Town Hall</li> <li>○ Museum</li> <li>○ Depot</li> <li>○ Maidstone House</li> <li>○ Crematorium</li> <li>○ Parks and Open spaces</li> <li>○ The Leisure Centre</li> <li>○ The Hazlitt</li> </ul> </li> <li>• Council Officers</li> <li>• Ward Councillors</li> <li>• <b>Telephone</b></li> <li>• <b>Written</b> <ul style="list-style-type: none"> <li>○ Email</li> <li>○ Facebook</li> <li>○ Twitter</li> <li>○ Instagram</li> <li>○ Text</li> <li>○ Postal</li> </ul> </li> </ul>
<b>Cross Cutting issues:</b>	<p>Equalities Act 2010 (Public Sector Equality Duty)</p> <p>Strategic Priorities:</p> <ul style="list-style-type: none"> <li>• Homes and Communities</li> </ul> <p>Cross Cutting Objectives:</p>



	<ul style="list-style-type: none"> <li>• Deprivation is reduced and social mobility is improved</li> <li>• Health inequalities and address and reduced</li> </ul> <p>Organisational vision and values</p> <p>Accessibility legislation and guidance</p>
<b>Methodology</b>	<p>Member led task and finish group.</p> <p>The task and finish group will be led by members of the Communities, Housing and Environment Committee.</p> <p>The task and finish group will meet on a monthly basis with Officers, as identified by the group, with actions identified at each meeting and reported back to the group as instructed.</p> <p>The task and finish group may seek internal and external expertise as required.</p> <p>The task and finish group may engage with local and national stakeholders.</p> <p>The task and finish may seek to deliver public consultation and engagement events.</p>
<b>Evidence Base</b>	<p>Ensure a consistent, systematic approach to evaluating each channel of access.</p>
<b>Outcomes and Deliverables</b>	<p>The review will establish:</p> <ul style="list-style-type: none"> <li>• What the Council does to meet current requirements (compare and contrast with best practice/nearest CIPFA neighbours).</li> <li>• What the gaps and inconsistencies are in existing processes.</li> <li>• What the barriers to access are and identify solutions.</li> <li>• Recommend changes to the delivery of accessibility processes and identify a mechanism to embed these in the organisation going forward (such as an Accessibility Strategy).</li> </ul>

## Communities, Housing and Environment Committee

11 February 2020

### Housing Allocation Scheme Review

<b>Final Decision-Maker</b>	Communities, Housing and Environment Committee
<b>Lead Head of Service</b>	John Littlemore – Head of Housing and Community Services
<b>Lead Officer and Report Author</b>	Tony Stewart – Homechoice and Strategy Team Leader
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### Executive Summary

The Homelessness Strategy review identified an action to reconsider the Council's Allocation Scheme following the implementation of the Homelessness Reduction Act. This report proposes to amend the Allocation Scheme to support the Council's strategic objective of supporting early homelessness prevention, encouraging households to remain in their current accommodation and avoid the use of temporary accommodation whenever possible and revise other sections of the scheme so that it remains compliant with current legislation.

#### Purpose of Report

This report is detailing proposed changes to the Council's Allocation Scheme. Significant policy changes to the Allocation Scheme must be approved by the relevant Committee.

The changes were initially passed at the Communities, Housing and Environment Committee in November 2019. This report provides an update after the consultation process has been completed.

#### This report makes the following recommendations to this Committee:

1. That the Communities, Housing & Environment Committee agrees the proposed changes to the Council's Allocations Scheme as stated in paragraphs 3.2 to 3.11 of this report
2. In accordance with paragraph 24.2 of the Allocation Scheme, that the Communities, Housing & Environment Committee agrees to amend the quota of the percentage of properties allocated to each band to those stated in paragraph 3.8 of this report.

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Corporate Leadership Team	3 September 2019
Members Briefing	7 October 2019
Communities, Housing and Environment Committee	12 November 2019
Communities, Housing and Environment Committee	11 February 2020

# Housing Allocation Scheme Review

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	The Housing Allocation Scheme assists in the delivery of the council's corporate priorities. We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims as set out in section 4 (preferred alternative).	John Littlemore – Head of Housing and Community Services
<b>Cross Cutting Objectives</b>	The report recommendations support the achievements of both the 'Health Inequalities are addressed and reduced' and 'Deprivation and Social Mobility is improved' cross cutting objectives by ensuring that the Council has an Allocation Scheme that treats all applicants fairly and that access to social housing supports the needs of residents.	John Littlemore – Head of Housing and Community Services
<b>Risk Management</b>	The risks associated with this proposal have been set out in the body of the report	John Littlemore – Head of Housing and Community Services
<b>Financial</b>	The proposals set out in the recommendation acknowledge that there could be an increase to the cost of providing temporary accommodation in the short term but if successful the new approach is likely to create the scenario for additional savings to that envisaged by the MTFS.	Section 151 Officer & Finance Team
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	John Littlemore – Head of Housing and Community Services

<b>Legal</b>	The amendments to the scheme ensure that it is consistent with current Government Guidance and complies with the Housing Act 1996.	Legal Team
<b>Privacy and Data Protection</b>	Accepting the recommendations will ensure that the Allocation Scheme is compliant with current regulations.	Policy and Information Team
<b>Equalities</b>	An Equalities Impact Assessment has been undertaken. A copy is attached at <b>Appendix C</b>	Policy & Information Manager
<b>Public Health</b>	The aim of the proposed changes is to reduce the need for temporary accommodation, which in turn will provide for better health and well-being for residents who find themselves threatened with homelessness.	Public Health Officer
<b>Crime and Disorder</b>	The recommendations will have a no impact on Crime and Disorder.	John Littlemore – Head of Housing and Community Services
<b>Procurement</b>	N/A	John Littlemore – Head of Housing and Community Services

## **2. INTRODUCTION AND BACKGROUND**

- 2.1 Nominations made by the Council to housing association vacancies are governed by Part 6 Housing Act 1996 (as amended). The Act requires that nominations may only come from the Council's Housing Register and the Act provides the framework that sets out who can join the Housing Register and how priority is determined between applicants. The Council's interpretation of the framework legislation must be set out in a document adopted by the Council and called an Allocation Scheme. The adopted Allocation Scheme must be published and available upon request.
- 2.2 The Council's Housing Allocation Scheme is designed to ensure that access to subsidised housing supports the needs of residents, the corporate aims of the Council and reflects current legislation.
- 2.3 The current Allocation Scheme was introduced in 2013. The policy is designed to make best use of the limited stock available and awards additional priority to applicants in work or who assist the local community in other ways, such as serving in the Armed Forces or undertaking voluntary work.
- 2.4 Minor amendments to the Allocation Scheme can be made with the agreement of the Director of Regeneration and Place in consultation with the Chair and Vice-Chair of the Communities, Housing & Environment Committee. Several minor amendments have been made since the policy was introduced in 2013. However, since the introduction of the Homelessness Reduction Act and the enhanced homelessness prevention service within the Housing and Inclusion Team, more significant changes to the scheme are now required, which require the Committee's approval.
- 2.5 The Homelessness Reduction Act 2017, which was introduced in April 2018, amended the current legislation to increase the period in which a person is deemed to be threatened with homelessness from 28 days to 56 days. This provides a longer period in which to work with households who are threatened with homelessness.
- 2.6 There are two causes of homelessness that are most prevalent. These are homelessness from the private rented sector and families no longer accommodating their relative/friends. If the landlord is determined to regain possession, it is difficult to prevent the homelessness from the private rented sector.
- 2.7 Greater scope exists to persuade households within family arrangements to enable the applicant to remain if they understand that there is a better opportunity for the household to be housed in a reasonable period. The proposed change to the Allocation Scheme will give the Housing Advice Officer the ability to negotiate a position with the family to keep hold of the applicant without the need for them to go into temporary accommodation.
- 2.8 The table below shows the number and percentage of homeless applicants where their accommodation at the time of applying was living with friends or family compared to those who are renting privately or through social housing.

### Homeless Applicants – April 2018 to August 2019

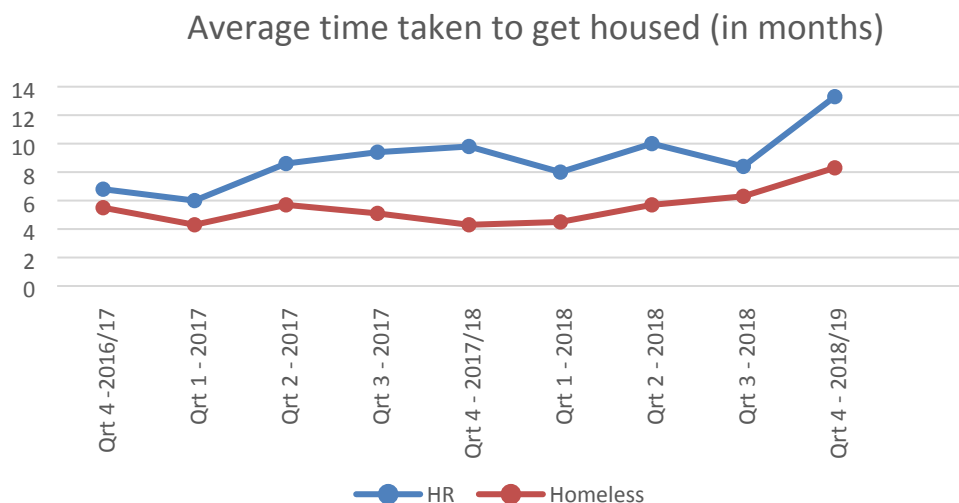
	Private / Social Rented	Living with friends or family
Not placed in temporary accommodation	422 (32%)	370 (28%)
Placed in temporary accommodation	101 (21%)	142 (30%)

This indicates that at the time of the application there was a slightly higher percentage of applicants living in private or social rented accommodation (32%) than with either friends or family (28%); but that a much higher percentage of those living with friends or family (30%) end up being provided with temporary accommodation than those who were living in private or social rented accommodation (21%).

- 2.9 Giving applicants who are threatened with homelessness additional opportunity to secure housing through the housing register would support Housing Officers prevention work, particularly when encouraging applicants to remain with friends and family, as this will give them a greater prospect of securing social housing than if they were to become homeless and placed in temporary accommodation.
- 2.10 The Allocation Scheme allows the Council to match an applicant with a suitable property, known as 'Direct Letting,' to end a household's Main Housing Duty or Relief Duty, as reflected in the Homelessness Reduction Act.
- 2.11 To minimise the length of stay in temporary accommodation for the applicant and thereby the financial cost to the Council, Direct Letting is often used to allocate social housing to households who have been placed in temporary accommodation. During 2018-19, the number of homeless households housed increased. However, during the same period the number of households who were successfully housed from the Housing Register reduced significantly as less properties were advertised for applicants.

	Q1 18-19	Q2 18-19	Q3 18-19	Q4 18-19
Homeless - households housed	56	73	72	79
Housing register - households housed	117	79	53	49

- 2.12 This has resulted in households who the Housing and Inclusion Team are working with to prevent their homelessness, along with applicants who have another housing need other than homelessness, waiting for social housing for an increasing length of time.



- 2.13 Households who are becoming homeless and being placed in temporary accommodation are increasingly being housed quicker than applicants who are able to stay in their current accommodation and work with Housing Officers to prevent their homelessness occurring.
- 2.14 Anecdotal information suggests that applicants have become aware that by being placed in temporary accommodation they have a better chance of securing a new tenancy more quickly. This discourages households from staying in their current tenancy if possible and undermines the work of Housing Officers trying to prevent homelessness.
- 2.15 Households could be encouraged to avoid being placed in temporary accommodation by being incentivised to stay in their current housing. This might be achieved by giving applicants additional opportunity to secure permanent housing through the Housing Register. Paragraphs 3.1 to 3.12 sets out how this will be achieved.
- 2.16 There are also some further changes being proposed to other parts of the scheme to clarify and amend some points. These are intended to provide clarity for applicants and officers in applying the scheme based on feedback received from stakeholders and service users.
- 2.17 A table detailing the changes and the reasons for them is attached at **Appendix A**.
- 2.18 A copy of the amended Housing Allocation Scheme version 2.1 is attached at **Appendix B**.



### 3. AVAILABLE OPTIONS

- 3.1 To encourage households to remain in their current accommodation and avoid the use of temporary accommodation whenever possible, it is proposed to give greater opportunity to those applicants who are owed a homelessness prevention duty under s.195(2) of the Housing Act 1996.
- 3.2 **Option A** – Households who are owed a prevention duty are placed in the current 'Band A – Community Contribution.' A greater number of properties per applicant will be advertised for applicants within this band.
- 3.3 Households to whom either a Relief Duty or a Main Housing Duty is owed will be placed in the current 'Band D – Homeless Applicants.' Fewer properties will be advertised for applicants within this band therefore discouraging the use of temporary accommodation to obtain social housing quicker.
- 3.4 The use of 'Direct Letting' will be reduced and only considered to end a housing duty when all other options have been exhausted. This will result in more vacant properties being advertised for applicants to place bids on.
- 3.5 The Housing Register bands will be renamed to greater reflect the qualifying criteria for being placed in them, as the current system of bands A-D has wrongly been interpreted as denoting priority:
- Band C – Community Contribution and Homeless Prevention
  - Band H – Homeless
  - Band M – Medical and Health Assistance
  - Band R – Reasonable Preference
- 3.6 In accordance with the Allocation Scheme, the number of properties allocated to each band is currently set at the beginning of each financial year. This will need to be amended to reflect the number of households that will be placed within each of the bands once the new criteria is applied.
- 3.7 The Housing Register, as of 17 January 2020, consisted of 847 households who are placed in the following bands:

	% of households of total register	Current quota of properties advertised to band
Band A – Community Contribution	29%	35%
Band B – Health Assistance	8%	10%
Band C – Reasonable Preference	60%	45%
Band D - Homeless	3%	10%

- 3.8 By applying the new band criteria to the households registered on 17 January 2020, the number placed within each band changes to the following:

	% of households of total register	Proposed quota of properties advertised to band
Band C – Community Contribution and Homeless Prevention	38%	50%
Band H - Homeless	19%	10%
Band M – Medical and Health Assistance	7%	10%
Band R – Reasonable Preference	36%	30%

3.9 By applying the new criteria, a number of households will be moved between bands:

- Applicants given greater priority – moved from old Band C (Reasonable preference) to new Band C (Community Contribution and Homeless Prevention) = 89 (11% of the total housing register)
- Applicants given lesser priority – moved from old Band A (Community Contribution) or old Band C (Reasonable Preference) to new band H (Homeless) = 136 (16% of the total housing register)

3.10 It is proposed that the above recommendations are implemented for an initial trial period of 12 months in order to gain an understanding of the effect on the number of households that are placed in temporary accommodation and length of time they remain there.

3.11 Other amendments, as detailed in **Appendix A**, are proposed to the Allocation Scheme to provide clarification, to make other changes not associated with the above points and to ensure it remains compliant with current legislation.

3.12 **Option B** – Do not accept the proposed changes to the scheme as stated at points 3.2 to 3.10 inclusive but accept the other amendments specified at 3.11. This is not recommended as applicants who are on the housing register will continue to wait longer for social housing than those who are being accommodated in temporary accommodation.

3.13 **Option C** – Do not accept any of the proposed changes to the scheme. This is not recommended as applicants who are on the housing register will continue to wait longer for social housing than those who are being accommodated in temporary accommodation and the Allocation Scheme will not be up to date with the amendments required to ensure that it remains relevant and compliant with current legislation.

#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 It is recommended to accept the proposed amendments to the Housing Allocation Scheme as detailed under 'Option A' at points 3.2 to 3.12 above.
  - 4.2 Accepting the preferred recommendations will assist homeless prevention and will ensure that the scheme continues to remain relevant and up to date with current housing policy.
- 

#### **5. RISK**

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
  - 5.2 The proposed change to adding prevention cases to the new Band C and reducing the number of direct lets to applicants in temporary accommodation may result in the length of stay in temporary accommodation increasing. This could result in additional costs to the Council because of the need for more nightly paid temporary accommodation.
  - 5.3 The benefit from this short-term increase would be a reduction in the need for temporary accommodation over the longer term. This will be dependent on applicants understanding that the quickest route to permanent housing is not through obtaining temporary accommodation but rather working with the Housing Service whilst remaining in their current accommodation.
  - 5.4 The inherent risk is that applicants do not alter their approach to seeking a resolution to their housing through the Housing Register bidding system, or that vacancies reduce making it difficult to achieve the greater opportunity to access housing through bidding, and (to a lesser degree) external partners do not promote the new approach to applicants.
  - 5.5 In order to mitigate against these risks, a series of engagement exercises will be undertaken with key partners (such as housing associations and the CAB) to ensure a full understanding of the new approach and the benefits for applicants.
  - 5.6 Regular monitoring of the key indices of success will be undertaken and added to the dashboard on homelessness activity provided to CLT on a monthly basis. This will include the number of lettings undertaken and effect on the use of temporary accommodation.
-

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 The current Housing Allocation scheme was introduced in 2013. The scheme was devised after an extensive consultation process with both internal and external stakeholders.
  - 6.2 The proposed changes to the scheme were discussed by the Communities, Housing and Environment Committee in November 2019 and the recommendations as detailed in Option A at 3.2 to 3.11 were passed.
  - 6.3 A consultation period followed on 19 November 2019 and lasted 8 weeks until 17 January 2020. Details of the proposed changes to the Allocation Scheme were sent to all our Housing Association partners, Kent County Council, Citizens Advice Bureau and all other relevant stakeholders.
  - 6.4 A meeting was held with Golding Homes, the main provider of social housing within the borough, to explain the amendments to the Allocation Scheme and the reasons for the proposals.
  - 6.5 Feedback from the consultation process has been positive and there have been no negative concerns or issues raised. Golding Homes are also fully supportive of the proposed changes.
- 

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Upon agreement of the proposed recommendations all relevant stakeholders will be issued with the updated scheme. The updated Housing Allocation scheme will also be published on the Councils website.
  - 7.2 A communication strategy will be agreed with the Council's Communication Team in order to make applicants aware of the changes and how they will be affected, in time for the changes to be implemented on 1 April 2020.
- 

## **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix A: Housing Allocation Scheme – Table of Amendments
  - Appendix B: Housing Allocation Scheme version 2.1
  - Appendix C: Equalities Impact Assessment
- 

## **9. BACKGROUND PAPERS**

Homelessness Reduction Act 2017  
Housing Act 1996

**Housing Allocation Scheme****Table of Amendments**

<b>Section</b>	<b>Current wording</b>	<b>Amended wording</b>	<b>Reason for amendment</b>
4.1	The Council has given due regard to the Equality Act 2010, particularly Chapter 1 Protected Characteristics and Chapter 2 Prohibited Conduct, in drafting and applying the Allocation Scheme	The Council has given due regard to the Equality Act 2010, particularly;  Part 2 - Chapter 1, Protected Characteristics and Chapter 2 Prohibited Conduct; and  Part 11 - Chapter 1, Public Sector Equality Duty and Chapter 2, Positive Action, in drafting and applying the Allocation Scheme.	Clarification on the particular areas of the Equality Act 2010 that the Scheme has given due regard to.
5.2	In order to request access to personal information, applicants must put the request in writing to the Homechoice and Strategy Manager (see Appendix B).	In order to request access to personal information, applicants can make a Subject Access Request by sending an email to <a href="mailto:dataprotectionofficer@maidstone.gov.uk">dataprotectionofficer@maidstone.gov.uk</a>	Applicants should make a Subject Access Request to access their personal information that we hold.  Updated response timescales and information on GDPR that gives applicants a right to have their data erased.
5.3	The Homechoice Team will collect and prepare the information within 40 days. Files may be edited where necessary	The Homechoice Team will collect and prepare the information within 28 days. Files may be edited where necessary to exclude information	

	to exclude information restricted by law or evidence provided by a third party, for example a healthcare professional. In the latter case, information can only be released if the professional concerned has given their written consent. Applicants wishing to see information provided by third parties must seek consent from the third party (ies) involved.	restricted by law or evidence provided by a third party, for example a healthcare professional. In the latter case, information can only be released if the professional concerned has given their written consent. Applicants wishing to see information provided by third parties must seek consent from the third party(s) involved.	
5.5	n/a	General Data Protection Regulation (GDPR) states individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances.	
8.1	The Council operates a 'closed list' housing register. Unlike previous versions of the Allocation Scheme there are now qualifying entry requirements in order to be accepted onto the register. As the supply of subsidised housing in the borough is limited, the Council will concentrate its resources, which includes its access to subsidised housing (nominations) and staff	The Council operates a 'closed list' housing register and there are qualifying entry requirements in order to be accepted onto the register. As the supply of subsidised housing in the borough is limited, the Council will concentrate its resources, which includes its access to subsidised housing (nominations) and staff resources on those applicants most likely to receive an offer of accommodation.	Updated as the Council has operated a 'closed list' register for the past 5 years.

	resources on those applicants most likely to receive an offer of accommodation.		
8.4	Applications will not normally be accepted from persons under 18 years of age, one exception are people who are owed duties by any Local Authority under Section 190(2), 193(2), 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3) e.g. 16 and 17 year olds owed the main housing duty.	Applications will not normally be accepted from persons under 18 years of age, except those owed duties by any Local Authority under sections 189B to 195 of the Housing Act 1996 or under section 65(2) or 68(2) of the Housing Act 1985.	Amended paragraph to ensure all relevant sections of housing legislation is covered
9.4	Employment – the applicant must have employment or an offer of employment within Maidstone Borough. The place of work, rather than the business address must be within Maidstone Borough. The employment must be for a minimum of 12 months and be for more than 16 hours a week. Self-employed applicants should provide documentation that confirms they work within the	Employment – the applicant must have employment or an offer of employment within Maidstone Borough. The place of work, rather than the business address, must be within Maidstone Borough. The employment must be for a minimum of 12 months and be for more than 16 hours a week. Self-employed applicants should provide documentation that confirms they regularly work or operate a business within the borough. For zero hour contracts see 18.4.1.	Clarification that self employed applicants should 'regularly work or operate a business' within the borough.

	borough. For zero hour contracts see 18.4.1.		
9.6	n/a	Members of the Armed Forces – Certain members of the Armed Forces and their households will bypass the local connection criteria. For more detailed information as to which members of the armed forces this applies to, please see 18.6.	Certain Members of the Armed Forces do not have to meet the local connection criteria. Now stated in Section 9 – Local Connection.
10.5.2	Households that have moved to a property and made themselves overcrowded will not be eligible under this category.	Households that have moved to a property and made themselves intentionally overcrowded will not be eligible under this category.	'Intentionally' added as overcrowding may be a consequence if a household is made homeless and stays with family members.
10.7.1	Housing need will apply to those applicants who are homeless or threatened with homelessness in 56 days. In order for the applicant to be considered under this category the applicant must be actively engaged with the Homelessness Team. The date of the application will be set to the date of the original application for advice and assistance confirmed by a member of the Homelessness Team. Applicants who deliberately and unreasonably refuse to take any step in	Housing need will apply to those applicants who are owed the S.195(2) Prevention Duty; S.189B(2) Relief Duty or S193(2) main housing duty. The date of the application will be set to the date of the original application for housing assistance confirmed by a member of the Housing Advice Team. Applicants who have their Prevention duty discharged as a result of a deliberately and unreasonable refusal to co-operate will no longer be considered to have a housing need under this category.	Updated explanation of who can qualify to join the housing register under the 'Homeless' category and fully incorporating the new housing duties introduced under the Homelessness Reduction Act from April 2018.



	accordance with the advice given by the Homelessness Team will no longer be considered to have a housing need under this category.		
10.7.2	Applicants owed a duty during the 'prevention' stage of the HRA will not need to meet the Local Connection criteria as stated in section 9 of this scheme. Once the prevention duty has ended, in order to remain on the register, an applicant will need to demonstrate they have a local connection commensurate with section 9.	Applicants owed the S.195(2) Prevention Duty will not need to meet the Local Connection criteria as stated in section 9 of this scheme. Once the Prevention Duty has ended, in order to remain on the register, an applicant will need to demonstrate they have a local connection commensurate with section 9 and a housing need in accordance with section 10.	
10.7.3	Housing need will apply to homeless applicants owed only advice and assistance duty under S190 (2) and S192 (2) of the Housing Act 1996 Part 7. The Council has chosen to exercise its power to assist intentionally homeless applicants, and homeless applicants found to be non-priority, as it recognises that homelessness is the most acute form of housing need. Once an applicant has obtained settled accommodation, their housing	Housing need will apply to homeless applicants found to be intentionally homeless and owed the advice and assistance duty under S190(2) of the Housing Act 1996. Where an applicant is found to be intentionally homeless, their priority date will be set as the date of the decision letter. Once an applicant has obtained settled accommodation, their housing need will end. The application will be processed under the housing register and must meet the qualifying criteria for local connection. A fuller explanation of all homeless categories	

	<p>need will end. The application will be processed under the housing register and must meet the qualifying criteria for local connection. The date of the application will be set as the date of the decision letter sent. A fuller explanation of all homeless categories can be found here (<a href="http://www.legislation.gov.uk/ukpga/1996/52/contents">http://www.legislation.gov.uk/ukpga/1996/52/contents</a>)</p>	<p>can be found here (<a href="http://www.legislation.gov.uk/ukpga/1996/52/contents">http://www.legislation.gov.uk/ukpga/1996/52/contents</a>)</p>	
10.7.5	<p>Applicants who are of no fixed abode where evidence has been provided may be considered as having a housing need, either because they are overcrowded or because they may be threatened with homelessness.</p>	<p>Applicants who are of no fixed abode, where evidence has been provided, may be considered as having a housing need, either because they are overcrowded or because they may be threatened with homelessness. This will apply to applicants who are found to be not in priority need and whose Relief Duty has ended.</p>	
15.2	<p>Extra bedrooms may be allocated in exceptional circumstances such as where an overnight carer is required. This must be approved by the Senior Homechoice Officer having considered the evidence provided in accordance with Paragraph 18.2</p>	<p>Extra bedrooms may be allocated in exceptional circumstances such as where an overnight carer is required (see paragraph 18.2) or an extra bedroom is required for a disabled child who would normally be expected to share a bedroom. This must be approved by a Senior Homechoice Officer.</p>	<p>An extra bedroom should be considered for a disabled child if relevant documentation is provided.</p>

17.2	The bands are as follows: A – Community Contribution B – Health Assistance C – Reasonable Preference D – Homeless	The bands are as follows: C – Community Contribution and Homelessness Prevention H – Homeless M – Medical and Health Assistance R – Reasonable Preference	Change of band naming as 'A to D' suggests a priority order.
18.1.1 Now 18.1	This band is for those applicants who have a housing need as per part 2 and in addition entry into this band requires a community contribution which is defined as follows:	This band is for those applicants who have a housing need (see section 10) and in addition entry into this band requires either a community contribution which is defined below, or the applicant is owed a duty under S.195(2) of the Housing Act 1996.	Applicants who are owed a prevention duty are also included in the new Band C in addition to those who meet the community contribution criteria.
18.1.1	n/a	Any applicant to whom a Relief Duty is owed under S.189B; a main housing duty under S.193(2) or S.193C(4) has been accepted under the Housing Act 1996 or; is confirmed as a rough sleeper, will be placed in Band H – Homeless applicants, regardless of if they meet the following community contribution criteria.	Applicants to who either a Relief Duty or the Main Housing Duty is owed will be placed in Band H – Homeless, even if they meet the Community Contribution criteria.
18.1.6	Where an applicant is placed in Band C or Band D, they are eligible to move into Band A once they have demonstrated that they meet the community contribution criteria.	Where an applicant is placed in Band R, they are eligible to move into Band C once they have demonstrated that they meet the community contribution criteria	Updated to reflect the new band names and qualifying criteria.

18.4.1	Employment must be for a minimum of 16 hours per week and with a contract of employment for at least 12 months. Self-employed applicants should provide documentation that confirms they work within the borough. In relation to zero hours contracts if the applicant can provide evidence of continuous employment over a 12 month period this will be sufficient	Employment must be for a minimum of 16 hours per week and with a contract of employment for at least 12 months. Self-employed applicants should provide documentation that confirms they regularly work a minimum of 16 hours per week. In relation to zero hours contracts if the applicant can provide evidence of continuous employment over a 12 month period this will be sufficient.	Clarification that self-employed applicants should provide documentation that confirms they regularly work a minimum of 16 hours per week.
18.7.1	n/a	Applicants who are owed a prevention duty under S.195(2) of the Housing Act 1996. Prevention duty applies when a local authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.	New criteria added for Homeless Prevention Duty applicants to be eligible for the new 'Band C – Community Contribution and Homeless Prevention.'
18.7.2	n/a	If the prevention duty is ended and a relief duty is accepted as the applicant has become homeless, they would be eligible to remain on the housing register if they meet the local connection criteria as stated in section 9 of this policy. If eligible, from the date that the Relief Duty is accepted, their application would be placed in Band H – Homeless Applicants.	Explanation of what happens to an application once the prevention duty is ended.

18.7.3	n/a	If the prevention duty is ended for another reason (e.g. The applicant has refused to cooperate with their caseworker or they have refused an offer of suitable accommodation) they would no longer be eligible to remain on the housing register unless they have evidenced that they meet the two qualifying criteria of housing need and local connection.	
19.1 now 20.1	This band is for people who have a housing need due to significant medical grounds whose current accommodation is not suitable for them due to medical needs, such as a physical disability. Evidence of a medical condition must be supported by documentation from medical professionals or appropriately qualified persons (see section 10.2). It is the Council's intention to match where possible adapted properties to this band.	This band is for people who have a housing need due to significant medical grounds whose current accommodation is not suitable for them due to medical needs, such as a physical disability, or where another housing need exists but the applicant has a significant medical need and requires an adapted property. Evidence of a medical condition must be supported by documentation from medical professionals or appropriately qualified persons (see section 10.2). It is the Council's intention to match where possible adapted properties to this band.	Amendment in wording to clarify who would be eligible to be placed in 'Band M – Medical and Health Assistance.'
21.1 now 19.1	This band is for those applicants to whom a main housing duty has been accepted under The Housing Act 1996 Part 7 or confirmed as a Rough Sleeper.	This band is for all applicants to whom a Relief Duty is owed under S.189B or a main housing duty under S.193(2) or S.193C(4) has been accepted under The Housing Act	New criteria added for Homeless Prevention Duty applicants to be eligible for the new 'Band H – Homeless.'

		1996. This band is also for applicants found to be intentionally homeless and owed a duty under S.190(2) and applicants found to be not in priority need, or who are rough sleeping. For more information see Section 10.7.	
21.2 now 19.2	An applicant placed in this band with a main housing duty will have their application date set to the date that a homelessness application with all the relevant supporting documentation was made to the Council.	An applicant placed in this band will have their application date set to the date that a homelessness application with all the relevant supporting documentation was made to the Council, unless they were already accepted on to the Housing Register due to having an alternative housing need or have found to be intentionally homeless, see paragraph 10.7.3.	
21.3 now 19.3	Homeless applicants will be expected to actively seek a property via the Kent Homechoice Scheme and the Council may place bids on behalf of the applicant. The Council may seek to find and directly nominate to a suitable property in order to discharge its housing duty.	Homeless applicants owed the main housing duty under S.193(2) will be expected to actively seek a property via the Kent Homechoice Scheme and the Council may place bids on behalf of the applicant or apply auto-bidding. The Council may seek to find and directly nominate to a suitable property in order to discharge its housing duty.	
24.1	The Council will set a quota to allocate the percentage of properties for each band. This quota will be set at the	The Council will set a quota to allocate the percentage of properties for each band. This quota will be set at the beginning of every financial	Amended to include a review of the quota after an amendment to the scheme if appropriate.

	beginning of every financial year for the following year.	year for the following year and, if appropriate, following an amendment to the Allocation Scheme.	
26.2	Where a successful nomination is made the housing provider will attempt to contact the applicant. If the applicant does not respond to the housing provider within 7 days of the initial contact the nomination will be deemed to be refused and paragraph 29.2 will be applied.	Where a successful nomination is made the housing provider will attempt to contact the applicant. If the applicant does not respond to the housing provider within 7 days of the initial contact the nomination will be deemed to be refused and paragraph 29.2 will be applied. Whilst being considered for an offer of a property, applicants will not be short-listed for other vacancies.	Wording added stating that whilst and applicant is being considered for a property, they will not be verified for another vacancy.
27.2	<p>The reasons for determining an applicant ineligible for an offer may include (but are not limited to) the following:</p> <ul style="list-style-type: none"> <li>• previous or current rent arrears, from either private or social tenancies, equivalent to a minimum of 8 weeks rent</li> <li>• arrears with Maidstone Council for a debt in relation to a tenancy, loan or other financial</li> </ul>	<p>The reasons for determining an applicant ineligible for an offer may include (but are not limited to) the following:</p> <ul style="list-style-type: none"> <li>• current rent arrears or rent arrears from previous tenancies within a reasonable period (e.g. 6 years) from either private or social tenancies, equivalent to a minimum of 8 weeks rent</li> <li>• arrears with Maidstone Council for a debt in relation to a tenancy, loan or other financial assistance provided by the Housing Service</li> </ul>	Arrears from previous tenancy's only to be considered for a reasonable period.

	<p>assistance provided by the Housing Service</p> <ul style="list-style-type: none"> <li>a history of anti-social behaviour or has wilfully damaged previously rented accommodation</li> </ul>	<ul style="list-style-type: none"> <li>a history of anti-social behaviour or has wilfully damaged previously rented accommodation</li> </ul>	
28.1	Will apply in the case of direct offers of accommodation, or where an applicant refuses an offer.	The suitability of an offer of accommodation is considered for all applicants as part of the allocations process. The test of suitability will be determined by the statutory basis of the offer (see paragraph 28.5)	The suitability of an offer is considered for all vacancies, not just for direct offers.
28.5	n/a	For applicants owed a housing duty under Part 7 of the Housing Act 1996, in assessing suitability of a final offer of accommodation, consideration will be given to relevant legislation and guidance. Applicants will have the right to request a review of the suitability of any offer of accommodation offered to discharge a duty under sections 189B to 193C and 195. Applicants should be advised of their right to request a review having accepted an offer, as this secures the accommodation whilst the review is considered.	Additional paragraph added for considering suitability of offers for applicants owed a housing duty.



29.4	n/a	For applicants owed a housing duty under Part 7 of the Housing Act 1996, a Senior Officer within the Housing Advice Team will make a decision on whether the final offer of accommodation was suitable, considering any additional information provided by the applicant and whether, as a result of a refusal of the final offer, the housing duty owed to the applicant will be discharged. Applicants should be advised of their right to request a review having accepted an offer, as this secures the accommodation whilst the review is considered.	Additional paragraph added for considering refusals of offers for applicants owed a housing duty.
30.1	n/a	The Council recognises that because of the particular circumstances of the Gypsy and Traveller community it may not be appropriate to follow normal housing allocation policy.	New section added stating that Gypsy and Traveller applications and allocations need to be considered outside of the Allocation Scheme.
30.2	n/a	Applicants can register their interest in vacant site plots by completing a Housing Register application form and indicating that they require a plot on a site.	
30.3	n/a	Plots will be allocated, where available, to members of the Gypsy and Traveller community who can provide evidence that they live in or regularly frequent Maidstone borough.	

		If they live in the Borough, evidence should be provided as stated in Appendix A of this scheme.	
30.4	n/a	Applicants for vacancies will be considered in the order of when their completed application form and all required supporting information was received by the Council.	
31.1 now 32.1	The housing of high risk offenders will be carried out as part of a multi-agency arrangement with the Police, Probation, Social Services and other appropriate agencies. An area or type of property acceptable to the Council will be agreed in partnership with the agencies involved. High risk offenders will be offered limited choice through Kent Homechoice. Where there are urgent issues, the Homechoice and Strategy Manager may consider a direct offer, taking into account all relevant matters concerning the applicant.	The housing of high risk offenders will be carried out as part of a multi-agency arrangement with the Police, National Probation Service, Social Services and other appropriate agencies and an Accommodation Specific Housing Risk Assessment will need to be completed by the National Probation Service.	An Accommodation Specific Housing Risk Assessment will need to be completed by the National Probation Service.
32.2	See above	An area or type of property acceptable to the Council will be agreed in partnership with the agencies involved. High risk offenders will be offered limited choice through	

		Kent Homechoice. Where there are urgent issues, the Homechoice and Strategy Manager may consider a direct offer, taking into account all relevant matters concerning the applicant.	
41.1	n/a	Maidstone Borough Council has signed up to the Kent and Medway Reciprocal Scheme. This is a voluntary scheme between the 13 Kent and Medway authorities to support the duty to co-operate under S.213 of the Housing Act 1996. The scheme's aim is to prevent households from becoming homeless as a result of domestic abuse or violence/ serious harassment from outside the home.	Section added for the Kent and Medway reciprocal scheme.
41.2	n/a	Where the Council has agreed to assist another Local Authority under this Scheme, the applicant will be assessed in accordance with this Allocation Scheme however, the local connection criteria will not apply.	Amended wording to paragraph as was previously incorrect.

# Allocation Scheme

Version 2.1  
April 2020

## Contents

<b>Aims and Priorities .....</b>	<b>3</b>
<b>Part 1 – Introduction .....</b>	<b>4</b>
1 Lettings not covered by the policy.....	4
2 The Legal Framework .....	4
3 Eligibility for Allocation of Housing.....	5
4 Equality and Diversity .....	5
5 Access to Personal Information .....	6
6 Review of the Scheme .....	6
7 Review of decisions requested by applicants.....	7
<b>Part 2 – The Housing Register .....</b>	<b>7</b>
8 Entry on to the Register.....	7
9 Local Connection .....	8
10 Housing Need .....	9
11 Financial Circumstances .....	13
<b>Part 3 – Applying to join the Housing Register .....</b>	<b>14</b>
12 Who can be considered part of an application?.....	14
13 Pregnancy .....	14
14 Area Preferences .....	14
15 Bedroom Allocation .....	15
16 Being on the Register.....	15
<b>Part 4 – Housing Register bands.....</b>	<b>16</b>
17 Bands .....	16
18 Band C - Community Contribution and Homelessness Prevention .....	16
19 Band H – Homeless Applicants .....	19
20 Band M – Medical and Health Assistance.....	19
21 Band R – Reasonable Preference (Unsuitable Housing) .....	19
<b>Part 5 – Allocations.....</b>	<b>20</b>
22 The Bidding Process.....	20
23 Adverts.....	21
24 The Quota .....	21

25	Direct Allocations.....	21
26	Nominations .....	22
27	Ineligibility for an offer .....	22
28	Suitability .....	23
29	Refusals.....	24
<b>Part 6 – Miscellaneous.....</b>		<b>24</b>
30	Gypsy and Traveller Sites.....	24
31	Applicants in Prison .....	25
32	High Risk Offenders .....	25
33	National Witness Mobility Scheme (NWMS) .....	25
34	Other Accommodation .....	26
35	Selection criteria and priorities for supported housing.....	26
36	Processing applications from older people .....	27
37	Adapted Properties.....	27
38	Local Lettings Policies .....	28
39	Decants (urgently moving existing housing association tenants).....	28
40	Management Moves.....	29
41	Reciprocals.....	29
42	Applications from Maidstone Borough Council Employees and Elected members.....	29
43	Glossary .....	30
44	Appendix A.....	32
45	Appendix B – Reviews.....	34

## **Aims and Priorities**

Maidstone Borough Council's Allocation Scheme has been designed to ensure that access to subsidised housing supports the needs of residents, the corporate aims of the Council, as well as reflect current legislation. The Council's vision is for our residents to live in decent homes, enjoy good health and well-being and for a pleasant environment with a successful economy. There is an extremely limited supply of subsidised housing within Maidstone and this scheme is designed to work with our housing providers to make best use of the stock available and promote Maidstone as an attractive place to live.

Maidstone Borough Council's Allocation Scheme is designed to treat all applicants for subsidised housing in a fair and equitable manner. The Allocation Scheme is designed to offer applicants some choice in their accommodation and ability to express preference on their accommodation type and location. This individual choice and preference must be balanced with the needs of all applicants and the need for the Council to offer best value through its housing services. Applicants should be aware that the housing stock in Maidstone is limited and that they may be moved to a more suitable property faster if they are more flexible in the type or location of the property that they require. The Council awards additional priority to applicants in work or who assist their local community in other ways, such as serving in the Armed Forces or undertaking voluntary work. The scheme is also designed to support the Council's objectives of the Homelessness and Rough Sleeper Strategy 2019-2024 and of the Strategic Plan 2019-2045 in preventing both homelessness and rough sleeping.

# Part 1 – Introduction

## 1 Lettings not covered by the policy

- 1.1 The following are examples of lettings not covered by, or specifically excluded from the Allocation Scheme, under the provision of the Housing Act 1996:
- Offers of non-secure tenancies to homeless households pursuant to any duty under Part 7 of the Housing Act 1996;
  - The conversion of introductory tenancies into secure tenancies or their Housing Association equivalent;
  - Offers of tied accommodation made to Council employees;
  - Offers or nominations of accommodation made at the Council's own instigation for example offers to tenants being moved from their homes to allow major works to take place;
  - Transfer of tenancies made by a Court Order under the Matrimonial Causes Act 1973 or other family legislation;
  - Granting or disposal of tenancies by order of a Court.

## 2 The Legal Framework

- 2.1 Maidstone Borough Council keeps a Housing Register of people who want to be considered for subsidised housing. The Council's Allocation Scheme operates in accordance with the statutory provisions contained in the Housing Act 1996 (as amended).
- 2.2 The Housing Act 1996 (as amended) requires all Local Authorities to introduce a lettings scheme to reflect the priorities defined by the Act, and to give reasonable preference to:
- People who are homeless (within the meaning of Part 7 of the 1996 Act (amended 2002));
  - People who are owed duties by any Local Authority under Section 190(2), 193(2), 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3), as repealed by the Homelessness Reduction Act 2017 but not amended within the Housing Act 1996;
  - People occupying unsanitary housing or who are overcrowded or living in unsatisfactory housing conditions;
  - People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others);
  - People who need to move on medical or welfare grounds including grounds relating to disability.



### **3 Eligibility for Allocation of Housing**

3.1 Certain persons subject to immigration control are not eligible for the allocation of housing under s160ZA (1) (a), (3) and (5) under the Housing Act 1996 (as amended). This includes:

- Over-stayers and visitors to the country
- Illegal entrants
- Asylum Seekers
- People in the country on condition that they have no recourse to public funds
- "Persons from abroad" who fail the habitual residence test
- "Persons from abroad" who are in breach of the European Community Right of Residence directive
- "Persons from abroad" who have been the subject of a sponsorship agreement for less than 5 years and whose sponsors are still alive.

3.2 The above list provides examples. It should be noted that the statutory framework for eligibility is subject to alteration by the Secretary of State.

3.3 An applicant is able to request a review of the Council's decision by writing to the Senior Homechoice Officer (see Appendix B).

### **4 Equality and Diversity**

4.1 The Council has given due regard to the Equality Act 2010, particularly;

- Part 2 - Chapter 1, Protected Characteristics and Chapter 2 Prohibited Conduct; and
- Part 11 - Chapter 1, Public Sector Equality Duty and Chapter 2, Positive Action, in drafting and applying the Allocation Scheme.

4.2 The Council operates an equality and diversity policy and is committed to delivering a fair and equitable service that is appropriate and accessible to all sections of the local community, as well as working to eliminate discrimination on any grounds.

4.3 The implementation of a clear and consistent Allocation Scheme goes hand in hand with careful equalities monitoring. As part of the housing register application, we ask questions around ethnicity, disability, sexuality, religious beliefs, age, employment and support needs. The data provided by the applicant will help us to monitor that the scheme is operated in a fair and non – discriminatory manner as well as for service improvements.

4.4 It is important that the Allocation Scheme is understood by all current and prospective applicants. Straight forward information through leaflets are available in a variety of formats and where appropriate, interpreters are used for applicants seeking advice and assistance.

## **5 Access to Personal Information**

- 5.1 An applicant has the right to see and to confirm the accuracy of information about them which is held by the Council.
- 5.2 In order to request access to personal information, applicants can make a Subject Access Request by sending an email to [dataprotectionofficer@maidstone.gov.uk](mailto:dataprotectionofficer@maidstone.gov.uk)
- 5.3 The Homechoice Team will collect and prepare the information within 28 days. Files may be edited where necessary to exclude information restricted by law or evidence provided by a third party, for example a healthcare professional. In the latter case, information can only be released if the professional concerned has given their written consent. Applicants wishing to see information provided by third parties must seek consent from the third party(s) involved.
- 5.4 If the applicant considers the personal information they have received is inaccurate, they may request that it is amended or removed from their records. If the Homechoice and Strategy Manager agrees the information is incorrect, appropriate action will be taken to amend the records.
- 5.5 General Data Protection Regulation (GDPR) states individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances.
- 5.6 Disclosure of information may be denied by the Council in any of the following circumstances:
- The information could prejudice criminal proceedings;
  - Legal professional privilege could be claimed;
  - A care professional is of the opinion that disclosure could result in a risk of serious harm to the applicant or others as a result of disclosure.
- 5.7 The Council will not pass information to a third party without an applicant's consent unless they have a legal right to obtain it.

## **6 Review of the Scheme**

- 6.1 To ensure the continued effectiveness of the policy, certain improvements may need to be made to ensure the policy is kept up to date. Minor amendments can be made once approved by the appropriate Director. The Chairman and Vice Chairman of the Communities, Housing and Environment Committee will be advised of the change with the opportunity to provide comments within one calendar month before the amendments are incorporated.

## **7 Review of decisions requested by applicants**

- 7.1 Applicants have a statutory right to request a review of a decision relating to their application, (Housing Act 1996 as amended). Where an applicant wants to introduce a medical issue not previously considered under the original application the applicant must follow the procedure set out in paragraph 10.2 Medical Grounds. In addition, Appendix B lists those subjects on which applicants can request a review, together with the timescale for requesting a review and receiving a response. All requests for a review must be made in writing (this can be in the form of an email).

## **Part 2 – The Housing Register**

### **8 Entry on to the Register**

- 8.1 The Council operates a 'closed list' housing register and there are qualifying entry requirements in order to be accepted onto the register. As the supply of subsidised housing in the borough is limited, the Council will concentrate its resources, which includes its access to subsidised housing (nominations) and staff resources on those applicants most likely to receive an offer of accommodation.
- 8.2 In order to be accepted onto the register all applicants must meet the two qualifying criteria; these are local connection (see Section 9) and housing need (see Section 10). Applicants will not be accepted on to the housing register until all the requested information has been provided. Incomplete new applications will not be processed and the applicant will be contacted to provide the required information. The applicant will be given 28 days to provide all their relevant information; otherwise the application will be declined. Applicants owed a homelessness duty may be given a further 28 days to provide all their relevant information at the discretion of the applicant's caseworker. A list of relevant documents is contained in Appendix A.
- 8.3 Where an application is accepted onto the housing register the applicant's priority date will be set as the date when a valid application was received, i.e. the date that the completed application and all required supporting information was received by the Council.
- 8.4 Applications will not normally be accepted from persons under 18 years of age, except those owed duties by any Local Authority under sections 189B to 195 of the Housing Act 1996 or under section 65(2) or 68(2) of the Housing Act 1985.
- 8.5 Local Connection will not be deemed to be an overriding factor when it is necessary for an applicant to leave an area, such as in cases of domestic abuse.

## 9 Local Connection

- 9.1 In order to access the housing register, applicants need to fulfil at least one of the following local connection criteria.
- 9.2 Resident – the applicant has been residing within Maidstone Borough for a continuous period of 2 years immediately prior to the application. The Council may confirm these details with other information held internally by the Council e.g. Council Tax and Housing Benefit records.
- 9.3 Family - the applicant must have immediate family that has been residing within Maidstone Borough for a continuous period of 5 years immediately prior to the application. The Council may confirm these details with other data held internally.
- 9.4 Employment – the applicant must have employment or an offer of employment within Maidstone Borough. The place of work, rather than the business address, must be within Maidstone Borough. The employment must be for a minimum of 12 months and be for more than 16 hours a week. Self-employed applicants should provide documentation that confirms they regularly work or operate a business within the borough. For zero hour contracts see 18.4.1.
- 9.5 Returning Resident – the applicant must have been residing in the borough for a continuous period of at least 2 of the last 5 years but does not currently live within Maidstone Borough. The only exception to this are applicants being released from prison where their sentence exceeds 5 years. The Senior Homechoice Officer may accept an applicant as being a returning resident in exceptional circumstances.
- 9.6 Members of the Armed Forces – Certain members of the Armed Forces and their households will bypass the local connection criteria. For more detailed information as to which members of the armed forces this applies to, please see 18.6.
- 9.7 In cases where a duty is owed in accordance with the Part 7 of the Housing Act 1996 confirmed by a decision letter (in accordance with section 184) the Local Connection requirements will be those contained within the relevant legislation and Code of Guidance, which takes precedence over those contained within this document. A copy of the relevant Code can be viewed at <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>
- 9.8 Persons placed in Maidstone Borough by another local housing authority under the provision of the homelessness legislation will not become eligible for an offer of accommodation until the period of 5 years has expired from the date of their placement and would not amount to a local connection for other family members under paragraph 9.3. When a Relief Duty may be owed under Part 7 of the Housing Act 1996, the Homechoice and Strategy Manager may use discretion for the purpose of enabling a referral to another local authority.

- 9.9 In exceptional circumstances the matter will be considered as part of the review process and discretion can be applied by the Head of Housing and Community Services, if an applicant is able to demonstrate a local connection that does not readily match the local connection criteria stated above. For example, applicants may have a need for support, special school placements or medical treatment which cannot be met in any other reasonable location. Applicants may also have felt the need to leave an area where they have a local connection. This is often supported by the police or another external agency. If the Head of Housing and Community Services is satisfied with the evidence provided in these cases, the applicant may be accepted onto the housing register.
- 9.10 Right to Move
- 9.10.1 The Council supports the Government's guidance on the Right to Move that permits Armed Forces personnel access to the housing register.
- 9.10.2 The Allocation Scheme supports increasing mobility for social tenants to enable them to meet their employment aspirations and to support them into work. Where a social housing tenant needs to move to Maidstone to take up a job or apprenticeship offer or live closer to work, they must be able to demonstrate to the Council's satisfaction that the work or job offer is genuine and that they need, rather than wish to move, and that if they were unable to do so, it would cause them hardship. The Council will consider and take into account the factors recommended by the Secretary of State in determining whether a tenant needs to move to be closer to work or take up a job/apprenticeship offer. These include:
- The distance and/or time taken to travel between work and home.
  - The availability and affordability of transport, taking into account level of earnings.
  - The nature of the work and whether similar opportunities are available closer to home.
  - Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move.
  - The length of the work contract.
  - Whether failure to move would result in the loss of an opportunity to improve employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship
- 9.10.3 The Council will seek appropriate documentary evidence and may also contact the employer to verify the position (see Appendix A).
- 9.11 An applicant is able to request a review of the Council's decision not to agree local connection by writing to the Senior Homechoice Officer (see Appendix B).

## **10 Housing Need**

- 10.1 Applicants must be in housing need to access the register and must qualify for one of the reasonable preference criteria as set out in S166A(3) of the Housing Act 1996. Further clarification is provided below.

## 10.2 Medical

- 10.2.1 To qualify on medical grounds, applicants must be able to demonstrate that their current accommodation is unsuitable for their households' needs due to a medical condition. This includes people who have a physical disability, mobility needs, mental illness or learning disabilities.
- 10.2.2 Applicants must be able to demonstrate to the satisfaction of the Homechoice Officer that their current accommodation is not suitable. Medical conditions include physical disabilities, mobility needs, mental illness and learning disabilities and documentation to support the application must be provided from an NHS medical professional, or an equivalent external agency.
- 10.2.3 If the Homechoice Officer is unable to determine if an applicant qualifies, all details will be sent to an independent medical advisor who will assess the application. The independent medical advisor's assessment will form part of the information to determine whether an applicant qualifies on medical grounds.
- 10.2.4 All applicants are entitled to one medical assessment for each member of the household that will be moving with them at no cost. Any further medical assessments must be paid for in full by the applicant unless there has been a significant change in the medical condition of an applicant or someone in the household.
- 10.2.5 The fee for a medical assessment will be £75. This will be reviewed annually by the Homechoice and Strategy Manager.
- 10.2.6 Following an initial application for a medical assessment, a request must be made in writing to the Senior Homechoice Officer which must include all documentation that an applicant wants to be sent for medical assessment. The Homechoice and Strategy Manager will then review whether a free medical assessment is appropriate.

## 10.3 Welfare

- 10.3.1 A move on welfare grounds may encompass a wide range of individual circumstances and will include, but not be limited to:
- Someone moving on from care.
  - Someone moving on from a drug or alcohol recovery programme.
  - Someone who wants to live independently but requires some additional support, such as someone with learning disabilities.
  - Someone who provides or receives care or support.
  - Someone who needs to leave their current accommodation due to being a victim of crime or intimidation or domestic abuse
- 10.3.2 A move on welfare grounds should be accompanied by supporting evidence from an appropriately qualified professional connected with the applicant. The Homechoice Officer will assess whether an applicant qualifies in this category.

#### 10.4 Hazardous Properties

10.4.1 A property will be defined as hazardous by reference to the Housing Health and Safety Rating System (HHSRS) prescribed within The Housing Act 2004 Part 1 (or any replacement standard).

10.4.2 A property will be considered as being hazardous where an HHSRS assessment identifies:

- i) one or more Category 1 hazards, and where;
- ii) a member of the applicant's household falls within the vulnerable age group for the hazard/s (as detailed in the relevant guidance), and;
- ii) the hazard/s cannot be resolved within a period of 6 months.

10.4.3 Properties, located in Maidstone, assessed as containing Category 1 hazards that can be resolved within a period of 6 months will be subject to enforcement action to remove the hazard. The owner of the property will be responsible for all costs incurred in the resolution of the problem, including any requirement for temporary accommodation that may result due to the hazard.

#### 10.5 Overcrowding & Under Occupancy

10.5.1 A household will be deemed to be overcrowded if, when the bedroom standard in section 15 is applied, the household is lacking one or more bedrooms and their home is not considered suitable for their needs. In larger properties, where there are additional rooms that would not be typically used as bedrooms, any additional rooms should be counted as providing bed spaces. This is with the exception of a kitchen/dining/living area.

10.5.2 Households that have moved to a property and made themselves intentionally overcrowded will not be eligible under this category.

10.5.3 Whilst under occupying is not necessarily a housing need it is in the interest of applicants and landlords that best use is made of existing accommodation. A household will be deemed to be under-occupying if they are an existing social housing tenant and when the bedroom standard in Section 15 is applied, the household exceeds its need by one or more bedrooms.

10.5.4 In determining whether a property is overcrowded or under-occupied the Homechoice Officer will apply an objective test based on the size and type of property and not on how the property is being used by the occupants.

10.5.5 The Homechoice and Strategy Manager has the discretion to consider exceptional cases where the bedroom criteria does not readily match the household type (e.g. bed space criteria.)



## 10.6 Hardship

- 10.6.1 Households will be deemed to be in hardship if they need to move to alleviate or prevent hardship. This includes, but is not limited to, those who need to move to give or receive care, and those who need to move to take up an employment, education or training opportunity.
- 10.6.2 Evidence of this must be provided and the Homechoice Officer will assess whether an applicant qualifies on the basis of hardship.
- 10.6.3 Applicants who are applying due to financial hardship will need to provide a completed income and expenditure form for the household, in order for an assessment to be completed. A form to assist the applicant can be sent upon request.

## 10.7 Homeless

- 10.7.1 Housing need will apply to those applicants who are owed the S.195(2) Prevention Duty; S.189B(2) Relief Duty or S193(2) main housing duty. The date of the application will be set to the date of the original application for housing assistance confirmed by a member of the Housing Advice Team. Applicants who have their Prevention duty discharged as a result of a deliberately and unreasonable refusal to co-operate will no longer be considered to have a housing need under this category.
- 10.7.2 Applicants owed the S.195(2) Prevention Duty will not need to meet the Local Connection criteria as stated in section 9 of this scheme. Once the Prevention Duty has ended, in order to remain on the register, an applicant will need to demonstrate they have a local connection commensurate with section 9 and a housing need in accordance with section 10.
- 10.7.3 Housing need will apply to homeless applicants found to be intentionally homeless and owed the advice and assistance duty under S190(2) of the Housing Act 1996. Where an applicant is found to be intentionally homeless, their priority date will be set as the date of the decision letter. Once an applicant has obtained settled accommodation, their housing need will end. The application will be processed under the housing register and must meet the qualifying criteria for local connection. A fuller explanation of all homeless categories can be found here (<http://www.legislation.gov.uk/ukpga/1996/52/contents>)
- 10.7.4 Where an applicant who is rough sleeping has their situation confirmed by a partner agency e.g. Maidstone Day Centre or any other registered agency working within the Borough for this client group, then the applicant will be assessed as having a housing need.
- 10.7.5 Applicants who are of no fixed abode, where evidence has been provided, may be considered as having a housing need, either because they are overcrowded or because they may be threatened with homelessness. This will apply to applicants who are found to be not in priority need and whose Relief Duty has ended.



- 10.8 If an applicant does not meet any of the housing need criteria they will not normally be allowed to have access to the housing register and will be unable to bid on properties. An applicant is able to request a review of the Council's decision to refuse an application on housing need by writing to the Council (see Appendix B).
- 10.9 In exceptional circumstances, the Head of Housing and Communities has the discretion to accept an application that does not meet any of the above housing need criteria.

## **11 Financial Circumstances**

- 11.1 In order to access the Housing Register at the point of application, and upon request e.g. at the point of an offer of accommodation, applicants must provide details of all bank accounts, savings, investments and capital that belong to any member of their household.
- 11.2 An applicant's financial circumstances will be assessed at the time of their application and any material change in circumstances should be reported as a change of circumstances as per Section 16.
- 11.3 As subsidised housing is a limited resource, those who have the financial means to rent privately or to buy a property are unlikely to meet the qualifying criteria to enter the register unless a main housing duty has been accepted for them.
- 11.4 For the purpose of determining affordability for certain developments in Parish areas that are subject to specific planning requirements e.g. rural exception sites (see paragraph 38.5) the test applied is whether the applicant can afford the cost of housing in the Parish where the rural exception site has been delivered as opposed to the cost of their current accommodation where this is away from the Parish area.
- 11.5 The Council considers that a total of £16,000 in capital, investments and savings constitutes sufficient financial means to rent privately or buy a property. This includes equity from a property. The Council will only consider priority payments, such as rent and council tax, when taking debts into account.
- 11.6 A household's gross income of £40,000 will also constitute sufficient financial means. This figure includes any benefits received.
- 11.7 The Council will take into consideration any disposal of funds within 2 years of the application to assess financial circumstances. Where an applicant cannot demonstrate the appropriate disposal of funds, the Council may draw an inference as to how the funds have been used.
- 11.8 An applicant is able to request a review of the Council's decision to refuse an application on financial circumstances by writing to the Senior Homechoice Officer (see Appendix B).

## Part 3 – Applying to join the Housing Register

### 12 Who can be considered part of an application?

12.1 The only persons who will be considered as part of an applicant's household will be:

- Partner
- Children
- Relatives
- Carers
- Any member of the household who can reasonably be considered residing with the applicant at the time of initial application

#### 12.2 Children

12.2.1 Children are defined as members of the household who are under 18 years of age and the applicant must have legal responsibility for the children.

12.2.2 The test of normal residence as a member of the family will require residence as opposed to "staying" or "staying access" even in cases of joint custody or joint residence or similar orders. The Council in applying the test will consider whether there is a sufficient degree of permanence or regularity to constitute normal residence as a member of the household. Account may be taken of whether the child is dependent upon the applicant. The Council may also take into account the supply and demand for accommodation in the Maidstone Borough and any under-occupation that may result where a child spends part of the week with one parent and part of the week with another parent.

### 13 Pregnancy

13.1 Pregnancy must be reported to the Council as a change of circumstances and relevant proof of pregnancy must be supplied.

13.2 Upon entering the last trimester (usually the last 12 – 14 weeks) of a pregnancy, the pregnancy will be considered as an additional child for the purpose of assessing the bedroom needs of an applicant.

### 14 Area Preferences

14.1 Applicants should be aware that whilst their area preference will be respected, Maidstone has a limited supply of subsidised housing. In order to make best use of this limited resource, and for an applicant to maximise their chances of being housed, applicants should bid on all properties that are suitable regardless of location.

- 14.2 The Kent Homechoice website will provide details of bidding activity including details of successful bids. Information is provided through Kent Homechoice that will enable the applicant to make an assessment of how long it will take to be housed. Some areas are more popular than others and some property types attract more bids than others. As applicants can identify areas of the Borough where many or few vacancies of suitably sized accommodation may become available, they can make an assessment as to the likelihood of a property becoming available in that area.

## **15 Bedroom Allocation**

- 15.1 Household composition determines the number of bedrooms in a home that an applicant can be awarded. The Council will use the bedroom standard recommended by the Secretary of State which allocates a separate bedroom to each:
- Married or co-habiting couple
  - Person aged 16 years or over
  - Two children of the same sex up to the age of 16
  - Two children aged under 10 years regardless of sex
- 15.2 Extra bedrooms may be allocated in exceptional circumstances such as where an overnight carer is required (see paragraph 18.2) or an extra bedroom is required for a disabled child who would normally be expected to share a bedroom. This must be approved by a Senior Homechoice Officer.
- 15.3 An applicant is able to request a review of the Council's decision in respect of bedroom allocation by writing to the Homechoice and Strategy Manager (see Appendix B).

## **16 Being on the Register**

- 16.1 Applicants must inform the Housing Service in writing or by email of any changes to their circumstances such as, but not limited to, change of address or composition of household within 30 days of the change occurring. This may result in a change to the band that the applicant has been placed in. This may affect an offer of accommodation if the information provided by the applicant is out of date and could result in the withdrawal of an offer.
- 16.2 Applicants are entitled to remain on the register until their housing need has been resolved unless they are removed by the Council, however, all applicants must be active on the register and bidding for properties whenever possible and appropriate.
- 16.3 Applicants are required to renew their housing register application every 12 months. The Council will contact applicants on an annual basis, reminding them of the requirement to renew, in order to remain on the Housing Register.

- 16.4 If an applicant fails to respond within 28 days of being asked to renew their application their application will be removed. When a new housing register application is submitted after one has been removed, the applicant will be treated as a new case. This means the applicants' priority date will be set at the date of the new valid application.
- 16.5 An applicant is able to request a review of the Council's decision to cancel an application by writing to the Senior Homechoice Officer (see Appendix B).

## Part 4 – Housing Register bands

### 17 Bands

- 17.1 The Council operates a system known as banding to measure an applicant's housing need. When an application is received, it is assessed and placed into one of four bands depending on the housing needs of the applicant. These bands reflect the reasonable preference criteria set out in the relevant legislation.
- 17.2 The bands are as follows:
- C – Community Contribution and Homelessness Prevention
  - H – Homeless
  - M – Medical and Health Assistance
  - R – Reasonable Preference
- 17.3 In order to achieve the aims and priorities (Page 3) a greater number of properties per applicant will go to Band C; the intention being to encourage applicants into this band. Applicants in Band M are likely to need housing based on a medical requirement. The Council will work with its housing providers to match adapted properties to applicants with a specific need for this type of housing.

### 18 Band C - Community Contribution and Homelessness Prevention

- 18.1 This band is for those applicants who have a housing need (see section 10) and in addition entry into this band requires either a community contribution which is defined below, or the applicant is owed a duty under S.195(2) of the Housing Act 1996.
- 18.1.1 Any applicant to whom a Relief Duty is owed under S.189B; a main housing duty under S.193(2) or S.193C(4) has been accepted under the Housing Act 1996 or; is confirmed as a rough sleeper, will be placed in Band H – Homeless applicants, regardless of if they meet the following community contribution criteria.

- 18.1.2 Community contribution is defined by, but not limited to, the following criteria:
- Persons who are members of the Armed Forces or their families (see paragraph 18.6)
  - Persons undertaking voluntary work
  - Persons in employment
  - Persons who are foster carers or adopters (see paragraph 18.5)
  - Persons providing care (see paragraph 18.2)
- 18.1.3 Community contribution must be supported by evidence to demonstrate the persons within the application fit into one of the criteria set out in the following paragraphs.
- 18.1.4 Applicants must fulfil the community contribution requirements as stated in 18.1.2 at the point of application in order to enter this band.
- 18.1.5 Applicants must continue to fulfil the community contribution criteria whilst they are on the register and be able to prove that they fulfil the criteria when an offer of accommodation is made.
- 18.1.6 Where an applicant is placed in Band R, they are eligible to move into Band C once they have demonstrated that they meet the community contribution criteria.
- 18.1.7 If an applicant believes that they fulfil the community contribution test in another way they should provide as many details and evidence of their contribution as they can to the Senior Homechoice Officer who will decide if they qualify.
- 18.1.8 An applicant is able to request a review of the Council's decision that the community contribution criteria are not met by writing to the Senior Homechoice Officer (see Appendix B).
- 18.2 Persons Acting as Carers
- 18.2.1 Any applicant in receipt of the Carer's Allowance will qualify as a carer.
- 18.3 Persons Undertaking Voluntary Work
- 18.3.1 The Council believes that voluntary work provides a fundamental role in providing a community contribution and the allocation of housing reflects the importance of this.
- 18.3.2 An applicant will qualify for this if they volunteer for a not for profit group or organisation that works in or is based within the borough.
- 18.3.3 Applicants must be able to prove that they volunteer for a minimum of 10 hours a week and have done so on a consistent basis for at least 6 months. A letter or email from an employee of the group/organisation to confirm this is required.

#### 18.4 Persons in Employment

- 18.4.1 Employment must be for a minimum of 16 hours per week and with a contract of employment for at least 12 months. Self-employed applicants should provide documentation that confirms they regularly work a minimum of 16 hours per week. In relation to zero hours contracts if the applicant can provide evidence of continuous employment over a 12 month period this will be sufficient.

#### 18.5 Persons who are Foster Carers or Adopters

- 18.5.1 KCC approved adopters and foster carers will fulfil the community contribution qualification. Those who are applying to be a foster carer or adopter will not qualify for community contribution until they have been approved by KCC and provided documentation confirming this.
- 18.5.2 As foster children are not included in bedroom allocation, an applicant who is an approved foster carer can request an additional bedroom to allow them to continue fostering.
- 18.5.3 When an applicant is an approved adopter, they are entitled to request an additional bedroom so as not to prevent them adopting a child.

#### 18.6 Persons who are Members of the Armed Forces or their Families

- 18.6.1 Members of the Armed Forces, and their families, often struggle to fulfil local connection requirements due to having to move from base to base. As such, any household that fulfils the following criteria will bypass the local connection and housing need criteria and will automatically have a community contribution.

The criteria are:

- Current member of the Armed Forces
  - Served in the Armed Forces within the last 5 years (except where the applicant has been dishonourably discharged).
  - Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation and where the death of the spouse was wholly or partially attributable to their service.
  - Members of the Reserve Forces who need to move on medical or welfare grounds as a result of their service.
- 18.6.2 Members of the Reserve Forces qualify for community contribution but must fulfil the local connection criteria.
- #### 18.7 Homeless Prevention
- 18.7.1 Applicants who are owed a prevention duty under S.195(2) of the Housing Act 1996. Prevention duty applies when a local authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.

- 18.7.2 If the prevention duty is ended and a relief duty is accepted as the applicant has become homeless, they would be eligible to remain on the housing register if they meet the local connection criteria as stated in section 9 of this policy. If eligible, from the date that the Relief Duty is accepted, their application would be placed in Band H – Homeless Applicants.
- 18.7.3 If the prevention duty is ended for another reason (e.g. The applicant has refused to cooperate with their caseworker or they have refused an offer of suitable accommodation) they would no longer be eligible to remain on the housing register unless they have evidenced that they meet the two qualifying criteria of housing need and local connection.

## **19 Band H – Homeless Applicants**

- 19.1 This band is for all applicants to whom a Relief Duty is owed under S.189B or a main housing duty under S.193(2) or S.193C(4) has been accepted under The Housing Act 1996. This band is also for applicants found to be intentionally homeless and owed a duty under S.190(2) and applicants found to be not in priority need, or who are rough sleeping. For more information see Section 10.7.
- 19.2 An applicant placed in this band will have their application date set to the date that a homelessness application with all the relevant supporting documentation was made to the Council, unless they were already accepted on to the Housing Register due to having an alternative housing need or have found to be intentionally homeless, see paragraph 10.7.3.
- 19.3 Homeless applicants owed the main housing duty under S.193(2) will be expected to actively seek a property via the Kent Homechoice Scheme and the Council may place bids on behalf of the applicant or apply auto-bidding. The Council may seek to find and directly nominate to a suitable property in order to discharge its housing duty.

## **20 Band M – Medical and Health Assistance**

- 20.1 This band is for people who have a housing need due to significant medical grounds whose current accommodation is not suitable for them due to medical needs, such as a physical disability, or where another housing need exists but the applicant has a significant medical need and requires an adapted property. Evidence of a medical condition must be supported by documentation from medical professionals or appropriately qualified persons (see section 10.2). It is the Council's intention to match where possible adapted properties to this band.

## **21 Band R – Reasonable Preference (Unsuitable Housing)**

- 21.1 This band is for those applicants who have a housing need due to unsatisfactory housing conditions, such as statutory overcrowding or insanitary or hazardous properties, those with a medical need not requiring specific adaptations, or those that need to move to prevent or alleviate hardship or on the grounds of welfare. Other applicants who do not meet the requirements of Band C, Band H, or Band M will join this band if they qualify to join the housing register.



## Part 5 – Allocations

### 22 The Bidding Process

- 22.1 Kent Homechoice (Choice Based Letting Scheme) is the mechanism the Council uses to enable applicants to bid on housing within the borough. Kent Homechoice is a web based scheme on which landlords advertise vacant properties. Kent Homechoice is a partnership between the 13 Local Housing Authorities in Kent and over 30 housing association landlords. Upon acceptance to the register, applicants will be sent details of their application number, which band they have been placed in, and details of the user guide for the website.
- 22.2 Applicants should familiarise themselves with the website as soon as they are able to.
- 22.3 Properties are advertised daily and all applicants are allowed to bid on up to three adverts while the bidding is open. Applicants should place bids on as many properties as they are able to that meet their requirements.
- 22.4 Applicants will be expected to actively seek a property via the Kent Homechoice Scheme. If an applicant is not placing regular bids, the Council may suspend their application. The applicant will be contacted within 7 days and asked to explain their reason for not bidding. If the applicant fails to respond with a valid reason within 14 days their application will be removed. If the reason for non-bidding relates to their inability to use the Kent Homechoice system the Council will provide assistance to the applicant and the application can be reinstated by the Senior Homechoice Officer without any penalty. Alternative forms of bidding are available, such as by telephone or text messaging. In some circumstances, the Council may place bids on behalf of an applicant.
- 22.5 Applicants are able to see on Kent Homechoice whether they have been successful in bidding on a property, and if not, where on the shortlist they have been placed. Applicants within the same band will be prioritised in the order of their priority date, i.e. the date that the completed application and all required supporting information was received by the Council. The longer someone has been in housing need, the more likely they are to be successful.



## **23 Adverts**

- 23.1 All adverts placed on the Kent Homechoice website are intended to be an accurate description of the property and include any alterations that have been made to assist independent living. Adverts are placed by the landlord and are not the responsibility of the Council. If an advert does not accurately reflect the property this should be drawn to the attention of the landlord. Applicants who are unhappy with the standard of the advert are advised to complain to the relevant landlord. Where necessary, e.g. persistently poor adverts whether notified by applicants or staff to the Homechoice and Strategy Manager will be referred to the Kent Homechoice Manager for further action to be taken.

## **24 The Quota**

- 24.1 The Council will set a quota to allocate the percentage of properties for each band. This quota will be set at the beginning of every financial year for the following year and, if appropriate, following an amendment to the Allocation Scheme.
- 24.2 The quota will be reviewed on a regular basis to ensure that best use of the housing stock is maintained. This review will be undertaken by the Homechoice and Strategy Manager. Any recommendation to change the quota must be approved by the Head of Housing and Community Services and the Chairman or in their absence the Vice Chairman of the Community, Housing and Environment Committee.
- 24.3 Properties which have been adapted to suit those with specific needs, such as those with flush floor showers, disabled access or stair lift etc will be advertised to the Medical and Health Assistance Band (Band M) first.
- 24.4 Properties that are subject to age restrictions (e.g. sheltered housing) or specific planning conditions such as Local Needs Housing will be advertised to all bands.

## **25 Direct Allocations**

- 25.1 The intention of the Council and its Housing Partners is that all vacancies are advertised and let through Kent Homechoice. However, there are occasions when it is not practical to do so. For example, when the Council is ending its Main Housing Duty and Relief Duty, as reflected in the Homelessness Reduction Act. Alternatively, some properties may not attract any bids and to minimise the number of empty properties in the borough the Council will match an applicant to a suitable property without the applicant necessarily bidding on the vacancy.
- 25.2 In the case where no bids have been received on a vacancy that was advertised to a specific Band, the advert will be extended and opened to all bands. In the event that no bids are received from any applicant the landlord can request a nomination from the Council which will constitute a direct allocation. These offers will be a suitable offer of accommodation and the usual penalties for refusal will apply.

- 25.3 A direct offer of accommodation can be a property that is either subsidised rent or private sector. The Council must make best use of whatever stock is available in the Borough. This may result in an offer of accommodation in the private rented sector.
- 25.4 The Council may agree with a landlord that certain properties in specific locations are more difficult to let. With the prior agreement of both parties these properties may be advertised to all Bands in the first instance. In certain cases, the Council may negotiate a reciprocal letting arrangement with another local authority, where one authority provides a vacant property on the basis that the receiving authority will provide one of their vacancies to the other authority at a later time.

## **26 Nominations**

- 26.1 The Council will nominate applicants to a property in accordance with the Allocation Scheme. The Council acknowledges that some housing providers retain their own allocation policy. There may be circumstances where the Council's nomination is declined by the housing provider. In those circumstances the applicant will be referred to the relevant housing provider by the Council to enable them to challenge the decision made by the housing provider, if the applicant wants to do so.
- 26.2 Where a successful nomination is made the housing provider will attempt to contact the applicant. If the applicant does not respond to the housing provider within 7 days of the initial contact the nomination will be deemed to be refused and paragraph 29.2 will be applied. Whilst being considered for an offer of a property, applicants will not be short-listed for other vacancies.

## **27 Ineligibility for an offer**

- 27.1 At the point of nomination, some applicants may be ineligible for an offer of accommodation. The Council reserves the right to determine an applicant ineligible for an offer of accommodation if it considers the applicant has been guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant. The Council will contact the applicant to inform them of decisions made under this section.
- 27.2 The reasons for determining an applicant ineligible for an offer may include (but are not limited to) the following:
- current rent arrears or rent arrears from previous tenancies within a reasonable period (e.g. 6 years) from either private or social tenancies, equivalent to a minimum of 8 weeks rent
  - arrears with Maidstone Council for a debt in relation to a tenancy, loan or other financial assistance provided by the Housing Service
  - a history of anti-social behaviour or has wilfully damaged previously rented accommodation

- 27.3 The Homechoice and Strategy Manager can apply discretion when determining if an applicant should initially be suspended from the register in accordance with section 27.4. Examples of where discretion may be applied are where the applicant is able to demonstrate a repayment agreement is in place and has been maintained for a reasonable period or where the applicant's rent charge has been found to be unaffordable by the relevant housing officer and the debt accrued at no fault of the applicant.
- 27.4 Applicants found ineligible under section 27.2 will be suspended from the register for 6 months. The application will be reviewed and reassessed after this time and another suspension may be applied. If after a further 6 month suspension period an applicant is still found to be ineligible, they may be removed from the register.
- 27.5 If an applicant has failed to provide the relevant information for their application to be verified or they haven't notified the Council of a change in circumstances that would result in a material change to their housing needs, they may be ineligible for an offer at the point of nomination.
- 27.6 An applicant may be asked to provide additional or updated information in order to verify their application at the point of nomination. If an applicant fails to respond to this request within 28 days their application will be considered incomplete and removed.
- 27.7 An applicant's priority date will be amended to the date on which they become eligible for an offer of accommodation.
- 27.8 An applicant is able to request a review of the Council's initial decision that they are ineligible for an offer by writing to the Senior Homechoice Officer (see Appendix B).

## **28 Suitability**

- 28.1 The suitability of an offer of accommodation is considered for all applicants as part of the allocations process. The test of suitability will be determined by the statutory basis of the offer (see paragraph 28.5)
- 28.2 Suitability of accommodation will be determined by the following factors:
- Bedroom standard
  - HHSRS assessment
  - Affordability
  - Accessibility for those with mobility issues
- 28.3 Location will not ordinarily be a factor in suitability unless there are specific concerns relating to an area. In these cases, the Senior Homechoice Officer will decide if the offer was suitable or not. The Council will follow the relevant Code of Guidance (issued by the government) and case-law to determine the relevant factors to be considered in determining suitability.

- 28.4 An applicant is able to request a review of the Council's decision that an offer was suitable by writing to the Homechoice and Strategy Manager (see Appendix B).
- 28.5 For applicants owed a housing duty under Part 7 of the Housing Act 1996, in assessing suitability of a final offer of accommodation, consideration will be given to relevant legislation and guidance. Applicants will have the right to request a review of the suitability of any offer of accommodation offered to discharge a duty under sections 189B to 193C and 195. Applicants should be advised of their right to request a review having accepted an offer, as this secures the accommodation whilst the review is considered.
- 29 Refusals**
- 29.1 Refusals on the grounds of suitability will be assessed by the Senior Homechoice Officer based upon the suitability section (Section 28) of this document.
- 29.2 Applicants who refuse a property will have their priority date set to the date on which they refused the offer of accommodation, effectively reducing their priority within the band.
- 29.3 An applicant is able to request a review of the Council's decision to refuse an application by writing to the Homechoice and Strategy Manager (see Appendix B).
- 29.4 For applicants owed a housing duty under Part 7 of the Housing Act 1996, a Senior Officer within the Housing Advice Team will make a decision on whether the final offer of accommodation was suitable, considering any additional information provided by the applicant and whether, as a result of a refusal of the final offer, the housing duty owed to the applicant will be discharged. Applicants should be advised of their right to request a review having accepted an offer, as this secures the accommodation whilst the review is considered.

## Part 6 – Miscellaneous

### 30 Gypsy and Traveller Sites

- 30.1 The Council recognises that because of the particular circumstances of the Gypsy and Traveller community it may not be appropriate to follow normal housing allocation policy.
- 30.2 Applicants can register their interest in vacant site plots by completing a Housing Register application form and indicating that they require a plot on a site.
- 30.3 Plots will be allocated, where available, to members of the Gypsy and Traveller community who can provide evidence that they live in or regularly frequent Maidstone borough. If they live in the Borough, evidence should be provided as stated in Appendix A of this scheme.

- 30.4 Applicants for vacancies will be considered in the order of when their completed application form and all required supporting information was received by the Council.

### **31 Applicants in Prison**

- 31.1 If an applicant is due to be released from prison imminently and confirmation has been received from the Prison Service or Community Rehabilitation Company, an applicant may be considered as having a Housing Need. The normal local connection criteria would still apply. Where an applicant who is in prison does not meet the local connection criteria set out in Section 10 they will be unable to join the register and will be directed to the area in which they had a local connection prior to their sentence.
- 31.2 Applicants who have served a period in custody at a prison located in Maidstone, or at approved premises will not meet the local connection criteria on that basis alone.

### **32 High Risk Offenders**

- 32.1 The housing of high risk offenders will be carried out as part of a multi-agency arrangement with the Police, National Probation Service, Social Services and other appropriate agencies and an Accommodation Specific Housing Risk Assessment will need to be completed by the National Probation Service.
- 32.2 An area or type of property acceptable to the Council will be agreed in partnership with the agencies involved. High risk offenders will be offered limited choice through Kent Homechoice. Where there are urgent issues, the Homechoice and Strategy Manager may consider a direct offer, taking into account all relevant matters concerning the applicant.

### **33 National Witness Mobility Scheme (NWMS)**

- 33.1 The NWMS is funded and managed by the Office of Criminal Justice Reform in the Home Office and works with police forces and housing authorities to assist with the re-housing of seriously intimidated witnesses.
- 33.2 The scheme enables witnesses to relocate outside their area to a place of safety.
- 33.3 NWMS work with Maidstone Council. The Council will investigate whether it has a duty to assist with accommodation because the applicant is threatened with homelessness and it is not reasonable for them to return.
- 33.4 The applicant will need to complete a housing register form and the Senior Homechoice Officer will consider the appropriate priority. Due to the high demand for subsidised housing in the borough the Council will accept up to 2 nominations per financial year from the NWMS under this voluntary scheme.

## **34 Other Accommodation**

- 34.1 There are a number of supported housing projects in Maidstone that are suitable for people with support needs. These include supported housing for:
- Young people
  - People with mental health needs
  - People with substance misuse needs
  - People with other vulnerabilities
  - People who are homeless
  - Offenders
  - People who require assisted housing
  - Almshouses
- 34.2 The Council has nomination rights to certain schemes managed by housing associations or other agencies. Some of the schemes provide long-term accommodation whereas others assume that there will be a requirement for the resident to move on either after a certain period or when they are capable of living independently.
- 34.3 Supported housing projects are often let on a short to medium term basis. Anyone in the last six months of their stay in supported accommodation will be defined as having a housing need but must still fulfil the local connection criteria. Applicants in supported accommodation for more than 2 years will fulfil local connection criteria by virtue of residency.
- 34.4 When the supported housing provider considers that the applicant is capable of sustaining a tenancy in general needs housing (with appropriate support) and provides evidence, the applicant will be deemed as having a housing need.
- 34.5 If an applicant is successful in securing a vacancy in a supported housing property, their housing register application will be suspended until the supported accommodation provider considers that the applicant is capable of sustaining a tenancy in general needs housing (see paragraph 34.4). The applicant will be required to complete a Change of Address form to update their Housing Register application.

## **35 Selection criteria and priorities for supported housing**

- 35.1 Applicants who may require supported accommodation or support to be provided to sustain their tenancy will be referred to the relevant agency providing that support.
- 35.2 All applicants are assessed according to their needs and support requirements at the time of the referral, together with any potential risk they may present to themselves and others.

- 35.3 The assessment is made to determine the most appropriate type of accommodation for the applicant, the level and type of support and respective priority compared to other applicants.
- 35.4 Where a social or support service is provided in conjunction with the accommodation, only applicants who are considered to require and benefit from that service will be considered for that accommodation. Examples of this type of accommodation would include extra care housing for older people, housing designated for special needs such as young people, people with mental health problems, or those known to be sleeping rough or who have no housing whatsoever.
- 35.5 Some general needs accommodation will be allocated to those in need of floating support. Allocation to such properties will be agreed in partnership with the housing association concerned and the support provider. Such applicants may be nominated to that accommodation regardless of their position under the Allocation Scheme.

### **36 Processing applications from older people**

- 36.1 Some accommodation has criteria defined by age which will be in the property advert. Applicants over the age of 60 will be considered for sheltered accommodation if assessed suitable by the housing provider. Some housing providers will accept applicants aged 50 plus. Applicants can also bid for designated sheltered accommodation through Kent Homechoice. They may also be referred by relatives, social workers or GPs, or the Council's medical advisor may recommend sheltered accommodation. If contact is made by a third party the applicant will need to be contacted and asked to complete an application form.
- 36.2 Once a bid is placed through Kent Homechoice, an officer from the housing provider recommends whether the applicant is suitable for sheltered accommodation or whether extra care is thought to be appropriate. Those who appear to need a higher level of support and/or care may be referred to adult services. A recommendation for extra care will also be dealt with through the housing register. Adult services may make a referral direct to the Council.

### **37 Adapted Properties**

- 37.1 Where accommodation has been designed or adapted to provide facilities which are intended specifically for use by a disabled person, only applicants whose household includes a person who is considered to require those facilities will be able to bid for that accommodation. These properties will be advertised to applicants in the Health Assistance band (Band M). This might include a wheelchair accessible property or a property which has been substantially adapted.



- 37.2 In the event that there are no suitable applicants bidding on the property the Council may consider a direct allocation to an applicant requiring the facilities to make the best use of the adaptations. In the event that there is no suitable applicant in any of the Bands, the property may be re-advertised to allow applicants to bid for the property who do not require the adaptations.

### **38 Local Lettings Policies**

- 38.1 Local lettings plans are lettings policies which form part of the housing nomination process. They apply to a limited part of the housing stock where the Council has nomination rights and will be determined by site and when the properties are released for occupation. In consultation with relevant Housing providers, the Council may adopt a local letting policy. This is to achieve a balanced community on a new development or to tackle issues in an existing locality where there are management problems and the properties have become less desirable. The Council has referred to the principles agreed within the Kent Housing Group (Creating Successful Communities in Kent and Medway protocol) when drafting local lettings plans.
- 38.2 With the exception of paragraph 38.5, local lettings plans normally apply to the initial allocation on new developments. Where a local lettings plan is agreed for an established development the Council and relevant landlord may monitor the impact of the lettings plan to ensure it meets the stated aims of the plan.
- 38.3 The Council maintains a standard local lettings plan which will form the basis of all local lettings plans to assist developers, landlords and other interested parties in drafting the planning contribution agreement.
- 38.4 In order for the Council to meet the aims and priorities as stated at the start of this document, the Allocation Scheme takes priority over any agreed local lettings plan.
- 38.5 Where accommodation is subject to a planning agreement or other restrictions, only applicants who can meet the terms of the agreement or restriction will be allocated accommodation. This may be the case for housing in some rural areas which is intended for occupation by local people. The Council may also consider direct offers for properties subject to a local lettings plan or planning agreements.

### **39 Decants (urgently moving existing housing association tenants)**

- 39.1 Decants apply to social housing tenants only. Where single properties are decanted, e.g. to undertake extensive planned or emergency repairs (where the tenants are required to be moved to temporary accommodation), the landlord will identify temporary accommodation from within their own stock and this will be allocated outside of the Kent Homechoice scheme. The tenant will return to their home following completion of the repairs.



- 39.2 Where large-scale redevelopment proposals require tenants to leave their homes whilst the properties or a specified area is redeveloped, the relevant landlord is required to consult with the Homechoice and Strategy Manager so that the approach can be agreed prior to the redevelopment scheme being confirmed. An appropriate Local Lettings Plan will be drafted that meets the requirements of the landlord, seeks to minimise the impact on the overall availability of vacant homes and on tenants, and where appropriate enables existing tenants to return to the same area.

#### **40 Management Moves**

- 40.1 Management moves will be the responsibility of the housing providers to operate and will not form part of the Allocations Scheme. Management Moves are intended to operate in exceptional circumstances where rapid housing to alternative accommodation is required within the landlord's stock, for example where the property has dangerous structural defect.
- 40.2 The landlord is required to notify the Council when such a move has been made, the reason and details of the properties concerned.

#### **41 Reciprocals**

- 41.1 Maidstone Borough Council has signed up to the Kent and Medway Reciprocal Scheme. This is a voluntary scheme between the 13 Kent and Medway authorities to support the duty to co-operate under S.213 of the Housing Act 1996. The scheme's aim is to prevent households from becoming homeless as a result of domestic abuse or violence / serious harassment from outside the home.
- 41.2 Where the Council has agreed to assist another Local Authority under this Scheme, the applicant will be assessed in accordance with this Allocation Scheme however, the local connection criteria will not apply.

#### **42 Applications from Maidstone Borough Council Employees and Elected members**

- 42.1 Applications from employees and elected members of Maidstone Borough Council (including applications where the employee or elected member is part of the household in the application) will be assessed in accordance with the Allocation Scheme and will have to meet the same qualifying criteria in order to be accepted on to the register.
- 42.2 Employees of Maidstone Borough Council should not use any internal housing systems to access their account or those of their family members and/or associates. Where a conflict of interest may arise, the officer should bring this to the attention of their line manager.

## **43 Glossary**

### **Children**

Children are defined as those aged under 18 for whom the applicant is legally responsible or has proven shared legal responsibility. An adult child for the purposes of local connection would be considered immediate family.

### **Domestic Abuse**

Domestic abuse is defined as violence from an associated person, which includes partner, siblings, and parents. The violence may include an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial, and emotional.

Where a case of Domestic Abuse has been established and no other options are available/appropriate, including the Council's Sanctuary Scheme, the applicant will be placed into the relevant Band according to their characteristics.

### **Family**

For the purposes of this Allocation Scheme, family will mean immediate family. This will include siblings, parents and children.

### **Hate Crimes**

Hate crimes can be defined as violence/harassment based on an individuals' race, ethnicity, disability, gender or sexual orientation. The harassment may involve physical or verbal intimidation.

Where a case of hate crime has been established and no other options are available or appropriate, then a managed move may be agreed with a housing provider.

### **HHSRS**

The Housing Health and Safety Rating System was established by the Housing Act 2004. It provides for the assessment of 29 health and safety hazards found in housing and a method by which they are rated to identify those hazards that present the greatest risk to occupiers.

### **Crime and Disorder**

Where an applicant is the victim of a serious incident of crime or disorder in their home, the Council's Community Safety Unit will work with them to enable them to stay in their home, if that is the most appropriate option.

**Social Housing Tenant**

A social housing tenant is someone who rents a property from a local council or housing provider.

**No Fixed Abode**

Not having a fixed geographical location as a residence.

## 44 **Appendix A**

Documents required from the applicant to be accepted on to the housing register or upon consideration of an allocation of accommodation

### **Eligibility**

#### **1. EEA Nationals, but not UK citizens**

Valid passport for each household member

Evidence of at least one year's completed employment in the UK prior to May 2011

Evidence of any employment since May 2011, for example a wage slip or P60

Any other evidence that proves eligibility for subsidised housing

#### **2. Non-EEA Nationals**

Valid passport for each household member

Proof of indefinite leave to remain

Any other evidence that proves eligibility for subsidised housing.

### **Additional Information**

#### **1. Proof of identity**

For each named applicant photographic identification, for example, a valid passport or photo driving licence, or similar document and your national insurance number.

#### **2. Proof of income**

Salary/wage slips for the past two months

Proof of any income-related benefits received, for example, income support

Statements from all bank, building society and savings accounts for the past two months

#### **3. Proof of your address/tenure**

Tenancy agreement if there is a tenancy, if not recently addressed correspondence.

#### **4. If you have children living with you**

Birth certificate for each child, and

Proof of receipt of child benefit

#### **5. If you have access to children that do not live with you full time**

Residence Order if available, or letter from the child's full time carer detailing the access arrangements, including the frequency of visits, the length of time they have been in place, and any future arrangements.

**6. If you own, or have ever owned, a property**

Current mortgage statement and recent valuation of the property.  
Confirmation of the amount received from the sale or transfer of the property.

**7. Medical Information**

Documentation provided from an NHS medical professional, or an equivalent external agency.

**8. Voluntary, charitable work or training**

A letter or email from an employee of the group/organisation to confirm that you volunteer or carry out charitable work for a minimum of 10 hours a week and have done so on a consistent basis for at least 6 months.

A letter or email from the college, university or training organisation providing the details of the course being undertaken including the start and finish dates of the course.

**9. Right to Move**

A contract of employment.  
A formal offer/acceptance of employment letter.  
Proof of current address.

Section	Subject of Review Request	Officer Conducting the Review	Time Limit	Response Time
3	Eligibility for Allocation for Housing	Senior Homechoice Officer	28 days from decision	56 days from request
5	Access to Personal Information	Data Protection Officer	Not applicable	Within 28 days
9	Local Connection	Senior Homechoice Officer	21 days from decision	56 days from request
10	Housing Need	Senior Homechoice Officer	21 days from decision	56 days from request
11	Financial Circumstances	Senior Homechoice Officer	21 days from decision	56 days from request
15	Bedroom Allocation – Extra bedroom	Homechoice and Strategy Manager	21 days from decision	56 days from request
16	Being on the Register	Senior Homechoice Officer	21 days from decision	56 days from request
18	Community Contribution Band	Senior Homechoice Officer	21 days from decision	56 days from request
27	Ineligibility for an offer	Senior Homechoice Officer	21 days from decision	56 days from request
28	Suitability	Homechoice and Strategy Manager	21 days from decision	56 days from request
29	Refusals	Homechoice and Strategy Manager	21 days from decision	56 days from request
37	Local Lettings Policies	Homechoice and Strategy Manager	21 days from decision	56 days from request

## **Appendix C**

### **Stage 1: Equality Impact Assessment**

#### **1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?**

The current Allocation Scheme was introduced in 2013. Amendments are being proposed to support homelessness prevention by giving additional preference to households threatened with homelessness and discouraging the use of temporary accommodation as a way of accessing social housing quicker.

The Housing Allocation Scheme assists in the delivery of the council's priorities as stated in the Strategic Plan, most notably the Homes and Communities priority. It further supports both the 'Health Inequalities are addressed and reduced' and 'Deprivation and Social Mobility is improved' cross cutting objectives by ensuring that the Council has an Allocation Scheme that treats all applicants fairly and that access to social housing supports the needs of residents.

#### **2. How do these aims affect our duty to:**

- **Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

The revised scheme will ensure the fair and transparent treatment of all applicants.

Monthly monitoring of the outcomes from gaining access to the housing register and bidding activity will provide continuous reassurance.

The revised scheme will equalise opportunity to access the register between those with and those without protected characteristics.

#### **3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?**

The revised Allocation Scheme will not contribute to inequality. It has clear roles and responsibilities defined in order to ensure clarity of decision making and implementation.

**4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?**

The revised Allocation Scheme continues to provide a fair system of prioritising applicants based on their time waiting on the housing register. This applies to all applicants.

Persons with a medical or welfare need will be safeguarded by ensuring that a fair proportion of subsidised housing vacancies are provided to this category based on evidence of number of households with those characteristics on the housing register and vacancies arising.



## Communities, Housing and Environment

**Tuesday 11  
February 2020**

### Water Refill Scheme

<b>Final Decision-Maker</b>	Communities, Housing and Environment Committee
<b>Lead Head of Service</b>	William Cornall, Director of Regeneration and Place
<b>Lead Officer and Report Author</b>	Jennifer Shepherd, Head of Environment and Public Realm John Edwards, Street Scene Operations Manager
<b>Classification</b>	Public
<b>Wards affected</b>	High Street and Shepway North Wards

#### Executive Summary

The report outlines the proposal to install three water refill stations at a total cost of £15k, to enable residents and visitors to fill reusable bottles with free tap water. The intention is to promote waste reduction and reuse, encouraging people to purchase less single-use plastic bottles which end up being disposed of or littered.

This initiative would also support the existing national Refill scheme which already has 18 businesses signed up in the Town Centre to provide free refills of tap water. The report outlines the benefits of this scheme and the opportunity for the Council to promote it as part of its waste strategy alongside the new public refill stations.

#### Purpose of Report

Decision

#### This report makes the following recommendations to this Committee:

1. The Committee agrees the investment of £15k allocated from the Capital Programme for the installation of three water refill stations, two in the Town Centre and one at Mote Park; and
2. The Committee agrees that the Council should sign up to and promote the existing Refill Scheme to offer free tap water to visitors.

#### Timetable

<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment Committee	Tuesday 11 February 2020

# Water Refill Scheme

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations will support the Council's ability to achieve a 'Safe, Clean and Green' environment through the reduction in single use plastics being used and promotion of waste reduction. We set out the reasons other choices will be less effective in section 2 [available alternatives].</p>	Head of Environment and Public Realm
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendation(s) supports the achievement(s) of the Environmental Sustainability cross cutting objective by promoting reuse and waste reduction initiatives .</p>	Head of Environment and Public Realm
<b>Risk Management</b>	The risks are considered in the risk section and are within the risk appetite for the Council.	Head of Environment and Public Realm
<b>Financial</b>	Capital funding of £15k has already been sought to support this initiative and is available should the Committee support the installation of three refill stations.	Finance Team

<b>Staffing</b>	<i>We will deliver the recommendations with our current staffing.</i>	Head of Environment and Public Realm
<b>Legal</b>	No legal implications have been identified.	Head of Environment and Public Realm
<b>Privacy and Data Protection</b>	There are no privacy or data protection issues related to this recommendation as no data or personal information is required.	Policy and Information Team
<b>Equalities</b>	The three water refill stations will be DDA compliant and will offer free water to everyone. Therefore, there are no concerns that the new provision will have an equality impact.	Head of Environment and Public Realm
<b>Public Health</b>	We recognise that the recommendation will offer a positive impact on population health or that of individuals as it will encourage the drinking of free water rather than sugary drinks	Head of Environment and Public Realm
<b>Crime and Disorder</b>	No impact on Crime and Disorder have been identified	Head of Environment and Public Realm
<b>Procurement</b>	On accepting the recommendations, the Council will then follow procurement exercises for the purchase of the three water refill stations, maintenance and installation. We will complete those exercises in line with financial procedure rules.	Head of Environment and Public Realm

---

## 2. INTRODUCTION AND BACKGROUND

- 1.1 In 2018, the Communities, Housing and Environment Committee adopted a new 5-year waste strategy with a focus on implementing waste reduction initiatives whilst maintaining recycling levels at 50%.
- 1.2 Waste reduction sits at the top of the waste hierarchy because it means energy is not required to firstly produce the item and then reprocess or dispose of it. Ultimately without the waste produced in the first place, there can be no impact on the environment.

- 1.3 The Strategy recognised the growing momentum that reducing unnecessary plastic waste was gaining nationally, particularly following Sir David Attenborough's Blue Planet documentary highlighting the plight on our oceans. Evidence suggests that plastic bottles now make up a third of all plastic pollution in the sea resulting in 100,000 marine mammals and 1 million sea birds dying every year as a direct result of plastic pollution. Whilst this spurred outrage with viewers, it has not necessarily materialised into actual change in how most people live their lives.
- 1.4 Dealing with plastics has become a primary focus for many environmental organisations and in turn has driven government action on the subject including legislation to ban single-use plastics such as straws and consideration of deposit return schemes to drive up recycling levels.

### **The Problem with Plastic**

- 1.5 Firstly, it is important to clarify that plastic bottles recycled in Maidstone's green recycling bins pose very little risk to the environment as it is reprocessed into plastic pellets which are then used to make new plastic bottles or other goods.
- 1.6 Unfortunately, the reality is that less than half of the plastic bottles used in the UK are recycled and with the average person using 150 plastic water bottles every year, this is generating a lot of waste. Plastic bottles placed in residents' rubbish bins or littered are sent to the energy from waste facility in Allington. Although this enables energy recovery and the generation of electricity, the materials used to make the bottle are wasted, increasing the need for virgin materials to be used in future production.
- 1.7 Whilst plastic bottles in Maidstone do not end up in our oceans and seas, regardless of whether they are recycled correctly, they still have an impact on our environment. For example, the production of just a one litre single-use plastic bottle takes over 8 litres of water to produce. It is expected that over £1.2 million plastic bottles will be bought every minute by 2021.
- 1.8 In addition, 700,000 plastic bottles are littered in the UK every day. This not only blights the appearance of our environment but poses a risk to wildlife and a financial burden on local authorities to clean up.

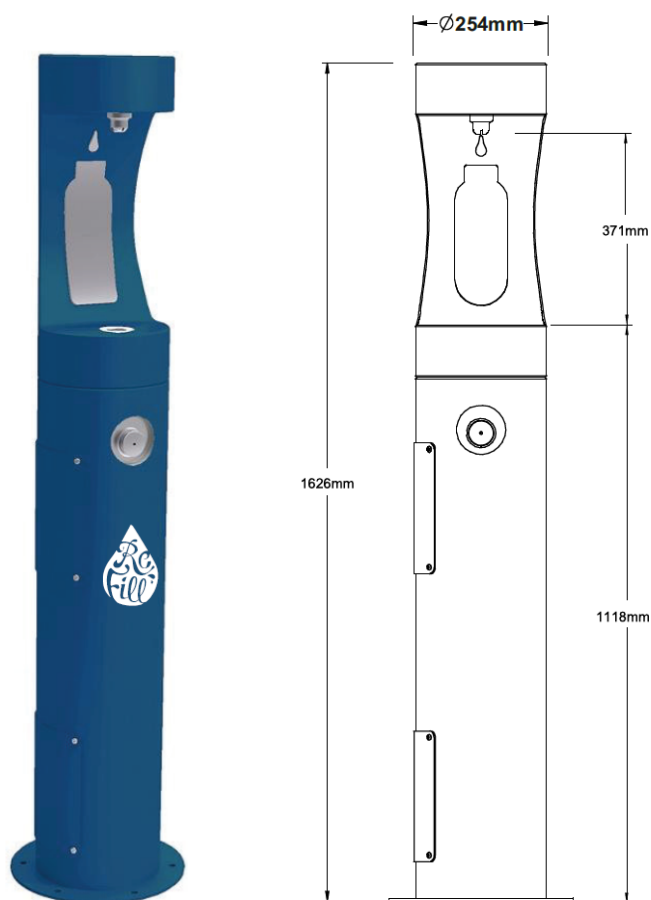
### **The Council's Role**

- 1.9 Whilst the Council's waste and recycling services seek to treat plastic waste responsibly through recycling and energy recovery, there is a need to encourage residents to think differently and not consider them as 'waste' in the first place.
- 1.10 As set out in the Waste Strategy, the Council is committed to investing in infrastructure that supports waste reduction and taking the lead on initiatives which generate behavioural change.
- 1.11 Over the past X months, the Council has distributed reusable coffee cups alongside local retailer incentives...

- 1.12 Most recently, the Council has been investigating the options for reducing plastic bottles through the provision of free tap water by businesses in the Borough. This was driven firstly by community interest, with several enquiries about the provision or reinstatement of water fountains and the national Refill scheme.

### **Water Refill Stations (Fountains)**

- 1.13 Although there is already a water fountain, albeit out of commission, within the Queen's Monument at the top of Jubilee Square, there are several reasons whilst recommissioning this is not recommended:
- 1, Direct-drinking fountains pose a greater public health risk and anti-social behaviour
  - 2, Considerable disruptive work would be required to fix and reconnect the water supply, including excavating the granite
  - 3, Design of the fountain would not support refilling bottles
  - 4, The fountain is particularly low.
- 1.14 The image below shows one example of a bottle refill station which could be installed. A similar station has recently been introduced in Ashford.



- 1.15 These water refill stations cost in the region of £3,000 with an annual maintenance cost.
- 1.16 Through the Capital Scheme, £15,000 funding has been sought for the provision of waste refill fountains in the Town Centre and Mote Park, pending approval from the Communities, Housing and Environment Committee. This cost will include the purchase of the units, installation, a service package and signage.

## **Refill**

- 1.17 Refill is an *"award-winning grassroots campaign to prevent plastic pollution by making it easier to reuse and refill waste bottles with free tap water than buy a new one"*. They have a network of over 15,000 Refill stations across the UK, including 18 in Maidstone town centre, where people can refill their water bottles free of charge. Refill also provide an App which enables visitors to locate their nearest refill point.
- 1.18 They have calculated that if all the stations were used just once a day, there would be a reduction of over 5 million plastic bottles per year. This demonstrates that a small change can deliver a real impact.
- 1.19 Their mission also looks to promote healthy lifestyles by encouraging the consumption of more water as opposed to other sugary drinks.
- 1.20 Alongside the community scheme, the installation of three public waste refill stations (or fountains) offer additional benefits:
- Appeal to people who do not want to go into a business and ask for a refill
  - More visible
  - Direct usage can be monitored
  - Can be located in areas where there are no or limited businesses in the scheme
- 1.21 Refill highlight four key benefits of their scheme:
- **Strong Local Economy** – businesses experience increased footfall and build relationships with their customers
  - **Clean Streets** – fewer plastic bottles littered
  - **Health People** – making tap water freely available encourages health hydration and appeals as alternative to sugary drinks
  - **Inclusive, resilient communities** – Refill have a number of community initiatives to support groups getting involved with the scheme
- 1.22 Whilst there are clearly a number of businesses already supporting the Refill scheme, this is not widely known across the community and visitors. The Council's involvement promoting these alongside the three new public refill stations is intended to increase awareness and therefore use of the scheme.

---

### **3. AVAILABLE OPTIONS**

- 3.1 The Committee could decide to use the £15,000 capital funding to install three water refill stations in the Borough and to actively promote the Refill scheme, including the App to locate free tap water.
- 3.2 Alternatively, the Committee could decide against installing the units and simply promote the existing Refill scheme using local businesses.
- 3.3 The final option is the Council could decide not to take any action to promote the refilling of water bottles and focus on other reduction and reuse initiatives as part of its 5-year waste strategy.

---

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 It is recommended that Option 1 is agreed as this combines the promotion of the existing community scheme and the installation of refill infrastructure which is more likely to appeal to a wider number of people and generate more interest in the initiative.
- 4.2 It also re-introduces fountains into the Town Centre which previously existed in the Queen's Monument, but without the risk to public health or extensive repair and installation costs.
- 4.3 This initiative appeals to an increasing number of people who are conscious of their impact on the environment and want to make changes to reduce waste plastic waste. This option will support a more comprehensive campaign to target plastic waste and reduction initiatives as the Council will have an active role in the delivery unlike option 2.

---

### **5. RISK**

- 5.1 The potential risks associated with these recommendations have been considered and due to the low impact or likelihood of any risks, they are within the Council's risk appetite.
  - 5.2 The main risks are vandalism, maintenance costs or lack of use. The first of these will be mitigated, firstly by the unit itself which is specifically designed to prevent vandalism or anti-social behaviour. Also, the locations of these have been identified so they are visible and can be monitored. Maintenance costs have been fully considered within the costings and a 3- or 5-year service package will be included in the purchase. Finally, the concern about the units not being used, evidence from elsewhere shows this is unlikely, however the accompanying communications campaign will seek to promote the use. Usage of the units will be monitored to assess the success of the initiative in reducing plastic waste.
-

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Previously a question regarding the implementation of such a scheme was raised at the Communities, Housing and Environment Committee which generated some support for promoting reuse and waste reduction initiatives particularly around plastics.
  - 6.2 The Committee approved the adoption of a new 5 year waste strategy in 2018, which highlighted the need to invest in infrastructure as well as promote waste reduction initiatives. This report outlines one such initiative for the Committee to consider further.
  - 6.3 Following agreement by the Committee to request £15k from the Policy and Resources Committee for the installation of water refill stations, it was requested that further information be presented, which is the purpose of this report.
- 

## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If agreed, the Environmental Services Team will start work with the Communications Team to devise an appropriate campaign which will support the existing community scheme and coincide with the installation of the water refill stations.
  - 7.2 Quotations will be sought for the purchase of the stations and their installation as there are a number of suppliers in the market.
  - 7.3 It is expected that the water refill stations would be installed by the beginning of the Summer 2020 in the Town Centre. The third station will be coordinated with the work on the new Visitor Centre at Mote Park.
- 

## **8. REPORT APPENDICES**

None

---

## **9. BACKGROUND PAPERS**

None