

AGENDA



CABINET

MONDAY, 7 JANUARY 2013

11.00 AM

**COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL,
GRANTHAM**

Beverly Agass, Chief Executive

MEMBERS: Councillor Mrs. Linda Neal (Leader/Portfolio: Policy, Strategy and Strategic Partnerships), Councillor Paul Carpenter (Deputy Leader & Portfolio: Governance & Communication), Councillor Mrs Frances Cartwright (Portfolio: Grow the Economy and Economic Development), Councillor John Smith (Portfolio: Green, Healthy and Arts), Councillor Mike Taylor (Portfolio: Strategic Resources - Well Run Council) and Councillor Teri Bryant (Portfolio: Good Housing)

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Members of the public are entitled to attend the meeting of the Cabinet at which key decisions will be taken on the issues listed on the following pages. Key decisions are marked *.

1. APOLOGIES

2. MINUTES

3. DISCLOSURE OF INTERESTS (IF ANY)

4. *TENANCY STRATEGY

Report H&N0312 from the Head of Housing and Neighbourhoods

(Enclosure)

5. *WITHDRAWAL OF GRANTHAM AREA ACTION PLAN

Report PLA967 from the Portfolio Holder for Grow the Economy and Economic Development

(Enclosure)

6. MATTERS REFERRED TO CABINET BY THE COUNCIL, SCRUTINY COMMITTEE OR THE POLICY DEVELOPMENT GROUPS

7. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

8. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS

9. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT



MEETING OF THE CABINET
3 DECEMBER 2012 - 11.00 AM – 12.24 PM

PRESENT:

Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor John Smith
Councillor Mike Taylor
Councillor Teri Bryant

Councillor Mrs. Linda Neal - Chairman

Chief Executive (Bev Agass)
Strategic Director Corporate Focus (Daren Turner)
Strategic Director Development and Growth (Ian Yates)
Head of Development and Growth (Mark Williets)
Head of Finance (Richard Wyles)
Property Development Manager (Neil Cucksey)
Service Manager Planning Policy and Partnerships (Karen Sinclair)
Development Management Service Manager (Pat Reid)
Benefits Manager (Lee Sirdifield)
Assistant Conservation Officer (Kerry Walmsley)
Head of Legal and Democratic Services/Monitoring Officer (Lucy Youles)
Cabinet Support Officer (Lucy Bonshor)

Non-Cabinet Members : **Councillor Bob Adams**
 Councillor Nick Craft
 Councillor Helen Powell

CO25. MINUTES

The decisions from the meeting held on 15th October were agreed as a

correct record of the decisions taken.

CO26. DISCLOSURE OF INTERESTS (IF ANY)

Councillor John Smith disclosed an interest in connection with agenda item 4 as he was a Trustee of Bourne United Charities and left the meeting whilst the item was discussed. Councillor Linda Neal also disclosed an interest in agenda item 4 as she lived very near to the conservation area and felt that it would be better if she left the meeting whilst the item was discussed. Councillor Teri Bryant indicated that he had an interest in agenda item 6 but that it was not prejudicially bias and remained in the meeting.

(11.02am Councillor Linda Neal and Councillor John Smith left the meeting)

CO27. *BOURNE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN AND BOUNDARY REVIEW

Councillor Carpenter in the Chair

Decision:

Cabinet approves the following:

- (1) That the draft Bourne Conservation Area Appraisal and Management Plan be adopted.**
- (2) The recommended boundary changes.**
- (3) That authority is delegated to the Head of Development and Growth in conjunction with the Economic Development Portfolio Holder to approve minor amendments to the appraisal and appraisal maps if required.**

Considerations/reasons for decision:

- (1) Report PLA962 from the Portfolio Holder for Grow the Economy and Economic Development.
- (2) The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local Planning Authorities to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts, to consult the local community about the proposals and review the overall extent of designation in their areas regularly and if appropriate designate additional areas.
- (3) A minor amendment stating that Smiths was at 25 North Street, not 29 as shown in the appraisal;
- (4) Public representations received in response to the Bourne Conservation Area Appraisal and Management Plan including proposed boundary changes.
- (5) Comments made by Members at the meeting.

(11.10am – 11.18am the meeting was adjourned to look at an amendment put forward by Councillor Mike Taylor which members of the Cabinet had not seen. Although the amendment was proposed it did not receive a seconder and was subsequently lost.)

Other Options Considered:

As part of the Councils statutory duties under Section 72 of the 1990 Act local authorities must produce and publish character appraisals for their future management. Bourne was designated a conservation area in 1977 and this is the first comprehensive document that clearly defines its character and puts forward management proposals since designation. The previous document produced does not contain sufficient information to provide a basis for sustainable planning decisions which will preserve and enhance the character of the conservation area.

The alternative option would be not to amend the boundary. This would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 and would not fully recognise, preserve and enhance the areas of Bourne which are of historic and architectural interest. It would constitute a missed opportunity to include areas which are of sufficient architectural quality to merit protection and to exclude detrimental areas. These alterations will ensure that the boundary is robust and justifies its status as an area of special historic and architectural importance.

(11.20am Councillor Linda Neal and Councillor John Smith returned to the meeting, Councillor Linda Neal received an urgent telephone call and left the meeting again returning at 11.25am)

CO28. *CAR PARKING STRATEGY

Decision:

- (1) That Cabinet approves the draft Car Parking Strategy as the key overarching document in the effective management of our off street car parks and for the strategic planning of car parking in the future.**
- (2) To delegate authority to the Property Development Manager in conjunction with the Portfolio Holder for Grow the Economy and Economic Development to approve minor amendments to the car parking strategy.**

Considerations/reasons for decision:

- (1) Report PD004 from the Property Development Manager.
- (2) Parking availability for any type of vehicle is an important factor in determining how people travel and influences the vitality and viability of town centres and the attractiveness of residential areas.
- (3) Workshops held with the Communities Policy Development Group who

also reviewed the Traffic Movement Study for Grantham and commissioned a parking review for Stamford. Both documents being taken into account in the formulation of the strategy. Following the Communities PDG the word ample on page 15 paragraph 8.7 to be changed to some.

- (4) The Strategy covers a five year period from 2012 to 2017.
- (5) Comments made by Councillor Powell and addressed by the Property Development Manager on car parking in towns.
- (6) Comments made by the Chairman of Resources PDG.
- (7) Comments made by the Portfolio Holder Housing and clarified by the Property Development Manger in connection with the residents parking scheme.
- (8) Comments made by the Portfolio Holder Governance and Communications with regard to the means of paying for parking.
- (10) Clarification of wording within the document.

CO29. *LOCALISATION OF SUPPORT FOR COUNCIL TAX BENEFITS POLICY

Decision:

1. **Cabinet recommends that Council adopts the proposed scheme for the localisation of council tax support as detailed in the local scheme rules. The scheme for working age customers to have the following characteristics:**
 - i. **80% maximum eligibility for those who do not fall into a vulnerable group**
 - ii. **100% maximum eligibility for vulnerable customers (as defined)**
 - iii. **No restrictions based on size of property or council tax band Carer's, disabled and war pensioners protected**
 - iv. **Inclusion of enhanced working disregards meaning that a certain amount of earnings is ignored in the calculation of support**
2. **Cabinet also recommends to Council the following:**
 - i. **To adopt amendments to the council tax discount and exemption arrangements in relation to Class C (unoccupied and unfurnished) to provide a one month exemption followed by 25% discount for remaining 5 months.**
 - ii. **To adopt amendments to the council tax discount and exemption arrangements in relation to Class A (in need of structural repair) to provide a 25% discount for 12 months.**
 - iii. **To introduce a 100% charge for properties that have been empty for a period of between six months and two years.**

iv. To introduce an empty homes premium of 150% for those properties that have been empty for two years or more.

- (1) Considerations/reasons for decision:
- (2) Report HOF211 and associated appendices from the Head of Finance including the amendments to Schedule 6 and Schedule 8 as circulated at the meeting and the Government changes to the welfare system in relation to Council Tax Benefit.
- (3) The eight week public consultation on the proposed scheme as well as consultation with major precepting authorities including Lincolnshire County Council and Lincolnshire Police Authority.
- (4) Technical changes to the Local Government Finance Act 1992 that allow local authorities discretion in the way that certain exemptions are administered.
- (5) Entitlement to council tax support to be based on a series of locally defined rules.
- (6) Clarifications made by the Head of Finance at the meeting to comments made by the Portfolio Holder for Housing.
- (7) Comments made by Councillor Mrs Linda Neal about what categories the District Council could look at.
- (8) Comments made by all Members thanking officers and their teams for the work done.
- (9) Comments made about the possibility that any changes to legislation following the autumn budget concerning the issue may require an extraordinary council meeting to change the Council's scheme accordingly.

Other options considered:

Report HOF205 contained details of various other models that had been considered prior to the proposed scheme being approved for consultation purposes. Since this work was completed, on 18 October 2012, the Department for Communities and Local Government published details of a one off additional £100m grant which has been described as transitional grant to aid adoption of local schemes. This would be made available to local authorities who developed schemes which met set criteria.

For the additional funding to be awarded the localised scheme would have to meet the following requirements:

- i. Those who would be entitled to 100% support under current council tax benefit arrangements pay between zero and no more than 8.5% of their net council tax liability;
- ii. The taper rate does not increase above 25%;
- iii. There is no sharp reduction in support for those entering work.
- iv. There is also a requirement for us not to significantly increase non-dependant deductions

If the local scheme adopted by South Kesteven met these requirements, a total of £20,082 of additional funding would be made available by the

government to South Kesteven District Council. This additional funding would only be available for a one year transitional period.

From April 2014 funding levels would be reduced and the affordability of a scheme with the characteristics detailed above would be further brought into question. Additional consultation could be required and further changes to the scheme might lead to more confusion amongst customers about entitlements and as a result, a greater administrative burden being placed onto the Council.

Officers have remodelled the scheme to fit within the government's proposals by increasing the maximum eligibility for those of working age who are not protected by our scheme. In addition, a range of models have been produced that vary the level of non-dependant deductions, earnings disregards and rates for second adult rebate.

It has not been possible to design a scheme that would not require additional funding to be provided by the district or major precepting authorities. Both Lincolnshire County Council and Lincolnshire Police made it clear in their consultation responses that they would not make any additional funding available due to other pressures. The additional contribution required from Lincolnshire County Council would be significant. It is recognised that with no additional funding being made available it would not be realistic or sustainable for South Kesteven District Council to fund the shortfall for them.

CO30. *FEES AND CHARGES PROPOSALS FOR 2013/14

Decision:

Cabinet approves the following fees and charges for inclusion into the budget framework proposals for 2013/14:

- **Car parking – no increase to current tariffs but approval of a review of the car parking charging strategy 6 months after the implementation of civil parking enforcement in the district. Penalty fines decreased in line with civilian parking enforcement rates**
- **Markets – no increase proposed**
- **Bus stations – no increase proposed**
- **Grantham cycle centre – no increase proposed**
- **Arts centres – inflationary increase only**
- **Corn Exchange – inflationary increase only and introduction of new charges for kitchen hire, bar hire and regular hirers**
- **Green waste collection – no increase proposed**
- **Licensing – increase in line with achieving service breakeven**
- **Environmental Health – inflationary increase only and introduction of 2 new charges (amendment or replacement of certificate and renewal of licence for houses of multiple occupation)**

- **Outdoor recreation – inflationary increase only**
- **Building Control – no increase to published fees but an increase of £5 to £45 be applied for the hourly rate charge for any other non-published services provided**
- **Grantham cemetery – inflationary increase to established charges and the introduction of new charges for single vault mausoleum plot and kerbed memorials**
- **Helpline – increase in line with achieving service breakeven for private sector customers**
- **The introduction of a new charging structure in with respect to planning advice**

Considerations/reasons for decision:

- (1) Report HOF209 from the Head of Finance
- (2) The work undertaken by the Resources PDG on reviewing fees and charges and the parallel work undertaken by Deloitte and officers on an income review benchmarking study which compared fees and charges across a number of east midlands councils.
- (3) The updated Fees and Charges Strategy approved by Cabinet on 1st October 2012.
- (4) The Council has the power to charge for the delivery of discretionary services in accordance with Section 93 of the Local Government Act 2003.
- (5) Comments made about high lighting those fees that the Council is duty bound to impose.
- (6) Comments made by the Portfolio Holder for Strategic Resources and the Chairman of Resources PDG thanking officers and Head of Sections for the work they had done.
- (7) Comments made by the Leader thanking the Resources PDG for the work they did supporting the Cabinet Members.

DATE DECISIONS EFFECTIVE:

Decisions CO27, CO28, CO30 as made on 3rd December 2012 can be implemented by Wednesday 12th December 2012 unless subject to call-in by the Scrutiny Committee Chairman or any five members of the Council from any political groups. CO29 stands referred to the Council meeting held on 13th December 2012.

South Kesteven District Council, Council Offices, St. Peter's Hill, Grantham, Lincolnshire NG31 6PZ

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REPORT TO CABINET

REPORT OF: HEAD OF HOUSING & NEIGHBOURHOODS

REPORT NO: H&N0312

DATE: 7th JANUARY 2013

TITLE:	Tenancy Strategy	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Terl Bryant Portfolio Holder – Good Housing	
CONTACT OFFICER:	Ian Richardson, Head of Housing & Neighbourhoods Tel: 01476 406063. E-mail – ian.richardson@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS: Equality and Diversity	Carried out and Referred to in paragraph (7) below	Full impact assessment Required: No
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Localism Act 2011 http://www.legislation.gov.uk/ukpga/2011/20/contents	

1. RECOMMENDATIONS

It is recommended that Cabinet approve the Tenancy Strategy for adoption as drafted and attached to this report at Appendix 1

2. PURPOSE OF THE REPORT

The purpose of this report is to assist the Cabinet in approving a Tenancy Strategy for South Kesteven, consistent with the requirements of the Localism Act.

3. DETAILS OF REPORT

The requirement for a local Tenancy Strategy is set out in the Localism Act 2011. Local authorities must publish a strategy setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to:

- the kinds of tenancies they will grant.
- the circumstances in which they will grant a tenancy of a particular kind
- where they grant tenancies for a term certain, the lengths of the terms, and
- the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.”

This strategy fits within a wider housing policy framework, which aims to improve access to quality housing across the district.

The types of tenancies offered by Registered Providers and how these are managed will contribute to making the best use of a limited housing resource and meeting housing needs. They will also play a role in helping residents to contribute to the creation of neighbourhoods and cohesive communities and achieve personal prosperity and a good quality of life.

The District Council, in its role as landlord, will need to have regard to the tenancy strategy when developing its’ own tenancy policies.

Consultation

The principal issues covered by this strategy were considered by stakeholders at a housing consultation event on 5 December 2012, at which there was representation from a wide range of agencies with an interest in housing. The group were asked to consider whether they thought the use of flexible tenure to be appropriate, whether any groups should be guaranteed tenancies for life, and what factors should be taken into account when reviewing flexible tenancies. Details of the feedback provided by the group on issues relating to the tenancy strategy are attached at Appendix 2.

Broadly the group agreed that the use of flexible tenancies could have benefits, allowing landlords to make best use of stock strategically. Although, it is recognised the strategy may release only a small number of homes to re-let each year.

The group all agreed that housing needs should be given priority when reviewing tenancies, and that landlords should use some discretion in exceptional cases, such as households with special needs. The group strongly felt that a household who had gained employment, training or improved their financial wellbeing are a bonus for their local area, and should not be discouraged from progressing with the possible threat of losing their tenancy. However, a fair way of determining at what point a household can afford alternative housing would satisfy their concerns.

The group had a clear view that the housing and support needs of the household were significant in considering the type of tenancy they get. The group did not want to see lesser security for younger people simply by virtue of their age.

Recommendations from Communities PDG

Communities PDG have considered the matters of whether to support the use of flexible tenancies in the district, and also the factors landlords should take into account when reviewing flexible tenancies, should they make use of them. The group made the following recommendations:

- That the Council should recognise that Registered Providers operating in the district may wish to make use of flexible tenancies, and
- That, where landlords choose to make use of flexible tenancies, the Strategy should recommend that they take the following factors into account:
 - Housing needs and vulnerability
 - Income and assets
 - Tenancy conduct

Comments of Registered Providers

It is a requirement of the Localism Act that the draft strategy is circulated for comment to all Registered Providers operating in the District. The draft strategy has been distributed and comments invited by not later than Friday 4th January. Any comments received will be made available to the Cabinet prior to a decision being taken on 7th January. This arrangement reflects the urgency of the approval process and has the approval of the Head of Legal & Democratic Services.

Comments of tenants and prospective tenants

The initial responses to a postal survey of a sample of tenants and prospective tenants are summarised in Appendix 2 to this report. The Cabinet will be provided with an updated summary, prior to the decision being taken, to ensure that the information available reflects any responses received after production of the Cabinet report but prior to Cabinet taking a decision.

4. OTHER OPTIONS CONSIDERED

No other options have been considered. There is a legal requirement to publish a tenancy strategy and the strategy recommended to Cabinet has been produced following consultation with a wide variety of stakeholders.

5. RESOURCE IMPLICATIONS

There are no resource implications arising directly from the approval of the strategy. Any resource implications arising from the forthcoming related Tenancy Policy and Allocations Policy will be addressed separately.

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
Failure to publish a Tenancy Strategy by 15 th January 2013 would be in breach of the requirements of the Localism Act.	Agree and publish a Tenancy Strategy by not later than 15 th January 2013.
Failure to have an appropriate strategy could compromise the influence and control of the Council in meeting the housing needs of the District.	The strategy consultation process has informed the development of a strategy designed to ensure careful consideration of flexible tenure and effective use where implemented.

7. ISSUES ARISING FROM IMPACT ANALYSIS

No specific issues arising

8. CRIME AND DISORDER IMPLICATIONS

There are no direct implications for SKDC in approving this strategy.

9. COMMENTS OF FINANCIAL SERVICES

Given that flexible tenure, if it were to be introduced, would not result in tenancies being reviewed for a period of perhaps five years and that flexible tenure would not affect rent levels or have any meaningful impact on void rent losses, any financial impact arising from the introduction of flexible tenure is likely to be extremely marginal and would, in any event, be deferred until flexible tenancies are introduced and become subject to review.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

The Localism Act has introduced the requirement for the local housing authority to prepare and publish a tenancy strategy before the 15th January 2013. The provisions of the Act are that the strategy must summarise its policies relating to tenancies or explain where they can be found. Copies of everything published in accordance with these provisions must be made available for inspection without charge. Copies can be provided at a reasonable charge.

Before adoption, a copy of the draft strategy must be sent to every registered provider of social housing in the district for comment.

Flexible tenancies have been introduced by the Act. They are defined as secure tenancies granted for a term certain of not less than 2 years for which notice has been given to the tenant stating that the tenancy is flexible.

11. COMMENTS OF OTHER RELEVANT SERVICES

None provided

12. APPENDICES:

1. Draft Tenancy Strategy
2. Summary of feedback from consultation
3. Equality Analysis

South Kesteven Tenancy Strategy

Agreed:

To be reviewed: not later than January 2016

Introduction

The Localism Act 2011 (the Act), clause 150, sets out a requirement for all local housing authorities to produce a tenancy strategy. In response to this, South Kesteven District Council has produced this tenancy strategy to address the housing-related matters set out in the Act.

This strategy sets out the matters we would like Registered Providers (Housing Associations) to take into account when developing their own tenancy policies in relation to affordable homes they own and manage in the South Kesteven area.

South Kesteven is an ambitious Council with a vision to make the district a destination to live, work and visit where everyone has a good quality of life. The Council's vision has been determined by listening to feedback from communities and understanding the district's profile. The Council's aim by 2021 is to create an environment where vibrant communities want to live, work and invest.

Feedback received from residents helped inform the Council's last review of its priorities: grow the economy; keep SK clean, green and healthy; promote leisure, arts and culture and support good housing for all.

Support good housing for all

This tenancy strategy fits within a wider housing policy framework, which aims to improve access to quality housing across the district. The Council's housing policy framework includes the Housing Strategy 2010-2013, Allocations Policy and Tenancy Policy.

The types of tenancies offered by Registered Providers and how these are managed will contribute to making the best use of a limited housing resource and meeting housing needs. It is our hope that the way landlords offer and manage tenancies will play a positive role in helping residents to contribute to the creation of neighbourhoods and cohesive communities and achieve personal prosperity and a good quality of life.

The legal requirement

The requirement for a local Tenancy Strategy is set out in the Act. Local authorities must publish a strategy setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to:

- the kinds of tenancies they grant,
- the circumstances in which they will grant a tenancy of a particular kind,
- where they grant tenancies for a term certain, the lengths of the terms, and

the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

Aims and objectives

The strategy aims to give the Registered Providers operating in South Kesteven, and the Council's own housing service, guidance to inform their policies and practices with regard to flexible tenancies. It also aims to ensure that, through appropriate use of tenure, local housing need is met whilst improving the functionality of the housing market.

The key objective of the strategy is to ensure the social housing stock is used in the best possible way to provide homes for those households who are unable to secure or afford a home in the private sector that meets their needs.

The strategy will also set out the Council's approach to the use of flexible tenancies to assist with addressing under-occupancy and encouraging tenants to have control over their own housing situations, offering support where needed to ensure this is able to happen.

Each Registered Provider must have regard to this strategy when formulating and applying their own tenancy policies.

Why we need to make the best use of the housing stock

Access to the private rented sector has become more difficult for people on low incomes and benefits since the introduction of Local Housing Allowance and will be compounded by wider welfare and policy reform scheduled for implementation during 2013. This has led to higher demand for social rented properties and in turn leads to greater unmet needs. It is important, therefore, that the stock that is available is being used to its full potential in order to assist those people who are not able to afford to rent or buy in the private sector. For example, if used effectively, flexible tenancies can give housing providers more scope to better manage under-occupancy within their stock. This can be achieved through supporting households, in appropriate circumstances, to move to more appropriately sized accommodation. At present, with secure and assured tenancies, housing providers have no powers to move under occupying households in order to free up much needed family accommodation: one of the arguments in favour of flexible tenure is that it enables such moves to take place.

Local context

In order to inform the tenancy strategy, the local context must be determined. This will help inform how the Act can be implemented.

South Kesteven District Council manages its own housing stock and liaises closely with Registered Providers and, increasingly, with private rented sector landlords operating in the district. The current composition of the local housing market is illustrated in the table, below, in the paragraph on tenancy types. SKDC is also undertaking a review of its allocations policy, which should be implemented in early 2013/14; is reviewing its asset management strategy, in order to inform capital investment in the housing stock, and; is planning to commence, during 2013/14, building new Council housing for the first time in many years. These developments will all be reflected in the over-arching housing strategy for 2013-2018 which will set out the strategic direction for the district.

Tenure types

The table places in context the proportions of housing by tenure and highlights the importance not only of making the best possible use of social housing but of liaising closely with private sector landlords and ensuring the best possible provision in the owner-occupied sector.

Tenure	Dwellings	Per cent
Owner occupied	42,067	73.1
Private rented	7,721	13.4
Total Private sector stock	49,788	86.5
Housing Association (RP) stock	1,490	2.59
Council Stock	6,222	10.82
Total social housing	7,712	13.41
Total	57,500	

All figures from 2010 Peterborough Sub-Regional Strategic Housing Market Assessment

Overcrowding & under-occupancy

The Strategic Housing Market Assessment (SHMA) for the Peterborough Sub-Region states that over-crowding affects 1.87% of households. Under-occupation is also an issue which affects South Kesteven: although the extent of this has not been comprehensively quantified, it is estimated that more than 1,000 council tenancies, and a significant number of tenants of Registered Providers, will be affected by the April 2013 welfare reforms and will experience a reduction in availability of housing. This makes the planned and effective use of the housing stock of increased importance to both tenants and landlords. Mechanisms to address under-occupation will be explored in conjunction with this strategy.

Housing need & demand

The SHMA sets out the need for an additional 667 social rented homes annually in South Kesteven in the period to 2026.

(Data from Strategic Housing Market Assessment 2010)

The housing needs as identified through the SHMA are broken down by the number of bedrooms required below. This clearly shows that there is a high need for 1, 2 and 3 bedroom properties across Central Lincolnshire (please note: these figures also include the intermediate housing products).

1 bedroom homes:	68.2%
2 bedroom homes:	16%
3 bedroom homes:	10.2%
4 or more bedroom homes:	5.6%

Affordability

In calculating the housing needs figures for Sub-Region the SHMA estimated that 19.2% of households were unable to afford housing at current market prices/rents without the need for some form of subsidy (e.g. Local Housing Allowance or Housing Benefit). Social housing tenants typically have lower incomes than other households. The typical gross income for a social housing household was estimated at £9,559.

The Local Housing Allowance and average rents within South Kesteven are:

Property size	SKDC rent (48 week rate converted to 52 week equivalent)	Private Rented Market (based on median rents from Valuation Office)	Average Local Housing Allowance in SKDC area i.e. affordable
1 bed	£62.54	£90.69	£82.95
2 bed	£70.49	£114.23	£105.38
3 bed	£77.23	£137.31	£121.15
4 bed	£80.04	£198.75	£153.85

The tenancies we expect to see used

Having regard to the local context, and to feedback received from stakeholders during consultation on the strategy, the Council's position is as follows:

The Council supports the use of assured or secure tenancies where the providers consider it appropriate to the household's need or property type. In particular the Council considers that use of assured or secure tenancies may be appropriate when letting specialist accommodation suitable for vulnerable households.

The Council supports the use of flexible tenancies under certain circumstances where the provider considers it appropriate to the household or property type. In these circumstances the Council would hope to see fixed term tenancies of five years or more used.

The use of flexible tenancies may be necessary where a newly provided affordable home is required to be let on a flexible basis by the Homes and Communities Agency.

The Council considers that tenants who are transferring or exchanging and already have indefinite assured or secure tenancies should retain their security of tenure wherever possible.

Factors to take into account when reviewing flexible tenancies

Where a landlord chooses to make use of flexible tenancies, the Council expects that their tenancy policies will set out what will be taken into account when reviewing individual tenancies.

The Council expects that the following factors will be incorporated into the review of flexible tenancies and any decision to renew or end a tenancy:

Housing need and vulnerability:

The review of the tenancy should consider whether the household continues to need the size and type of home they are occupying. In carrying out this assessment the Council expects that providers will have regard to the Council's allocations scheme. Where the household is under occupying by one room only, the tenancy should not be ended on these grounds alone. The provider may also take into account any vulnerability or special needs which may make it appropriate for a household to remain in a particular property, in a particular location.

Income and Assets:

The review of the tenancy should include consideration of affordability, income and assets in their review. The Council has a commitment to improving the economy and improving prosperity and lifestyle for residents. As a result the Council would not wish tenants to feel discouraged from pursuing employment.

Tenancy Conduct:

If there is a serious breach of tenancy condition which would warrant an outright possession order in Court, a registered provider may take the decision not to renew a flexible tenancy. The Tenancy Strategy expects that criteria used by the registered provider to assess grounds of unacceptable

behaviour should be broadly compatible with the criteria in the Council's Allocations Scheme.

Advice and information for tenants

The Council expects that providers will fully explain to new tenants at the outset the type of tenancy they have been granted, how the tenancy review will be carried out and the factors which will be considered upon review.

Providers should carry out timely reviews, including home visits to those at risk of their tenancies not being renewed.

Assistance should include welfare rights advice and assistance in accessing possible transfer opportunities within the social sector. Providers should assist tenants with accessing agencies and landlords which may be helpful to them. In cases of vulnerable tenants, the provider should consider more tailored assistance to support the tenant in moving on in a satisfactory manner. Providers should always take into account the household's circumstances and any particular welfare issue.

A provider may also choose to offer incentives and service to help households choose to move to alternative accommodation, even if they are not required to as a result of the review.

Appendix 2

Responses to Housing Programme consultation with tenants and applicants

Responses to questions posed in a postal survey and related to the Tenancy Strategy:

Do you think that the Council and RSLs should be able to use flexible tenancies instead of lifetime tenancies?

	Frequency	Per cent	Valid per cent
Yes	64	50.0	54.7
No	53	41.4	45.3
Total	117	91.4	100
No response	11	8.6	
Total	128	100	

Summary response: 54.7% Yes / 45.3% No

Questions were then posed about the factors which should be taken into account if flexible tenancies were to be used:

Factor 1: The family no longer needs a property of that size

	Frequency	Per cent	Valid per cent
Yes	83	64.8	74.1
No	29	22.7	25.9
Total	112	87.5	100
No response	16	12.5	
Total	128	100	

Summary response: 74.1% Yes / 25.9% No

Factor 2: The family have a big enough income to afford alternative housing

	Frequency	Per cent	Valid per cent
Yes	65	50.8	58.6
No	46	35.9	41.4
Total	111	86.7	100
No response	17	13.3	
Total	128	100	

Summary response: 58.6% Yes / 41.4% No

Questions were also asked about whether certain households should be excluded from flexible tenure and given 'lifetime' tenancies:

Exclude 1: People aged 60 years and over

	Frequency	Per cent	Valid per cent
Yes	115	89.8	95.0
No	6	4.7	5.0
Total	121	94.5	100
No response	7	5.5	
Total	128	100	

Summary response: 95% Yes / 5% No

Exclude 2: People moving into specialist or supported accommodation

	Frequency	Per cent	Valid per cent
Yes	108	84.4	91.5
No	10	7.8	8.5
Total	118	92.2	100
No response	10	7.8	
Total	128	100	

Summary response: 91.5% Yes / 8.5% No

Exclude 3: People with dependent children living with them

	Frequency	Per cent	Valid per cent
Yes	79	61.7	73.1
No	29	22.7	26.9
Total	108	84.4	100
No response	20	15.6	
Total	128	100	

Summary response: 73.1% Yes / 26.9% No

Analysis of respondents:

Ethnicity of respondents:

	Frequency	Per cent	Valid per cent
White British	121	94.5	96.8
White Other	2	1.6	1.6
Mixed Other	1	0.8	0.8
Other	1	0.8	0.8
Total	125	97.7	100
Missing	3	2.3	
Total	128	100	

Age of respondents:

	Frequency	Per cent	Valid per cent
18 – 24	1	0.8	0.8
25 – 34	13	10.2	10.2
35 – 44	11	8.6	8.6
45 – 54	28	21.9	21.9
55 – 64	28	21.9	21.9
65 – 74	24	18.8	18.8
75 and over	23	18.0	18.0
Total	128	100	100

Gender of respondents:

	Frequency	Per cent	Valid per cent
Male	38	29.7	29.7
Female	85	66.4	66.4
No response	5	3.9	3.9
Total	128	100	100



South Kesteven District Council

**Equality Analysis
(Stage 1)**

Tenancy Strategy

Service Area:	Lead officer:	Date of Analysis						
Housing	Assessors:							
	Neutral Assessor:							
<p>1. Name and description of policy/service/function/strategy :</p> <p>Tenancy Strategy</p> <p>The purpose of a Tenancy Strategy, required by the Localism Act 2011, is for the strategic housing authority (SKDC in this case) to set out how it wishes to see tenure, specifically the freedom to use 'flexible tenure, as a device used to help make the most effective use of the district's affordable housing stock; whether that stock is provided by the local authority or by Registered Providers</p> <p>Is this a new or existing policy?</p> <p>New</p>								
<p>2. Complete the table below, considering whether the proposed policy/service/function/strategy could have any potential positive, or negative impacts on groups from any of the protected characteristics (or diversity strands) listed, using demographic data, user surveys, local consultations evaluation forms, comments and complaints etc.</p> <table border="1"> <thead> <tr> <th>Equality Group</th> <th>Does this policy/service/function/strategy have a positive, or negative impact on any of the equality groups? Please state which for each group</th> <th>Please describe why the impact is positive, or negative. If you consider this policy etc is not relevant to a specific characteristic please explain why</th> </tr> </thead> <tbody> <tr> <td>Age</td> <td>Neutral</td> <td>The strategy states that the Council considers that use of assured or secure tenancies may be appropriate when letting specialist accommodation suitable for vulnerable households. This may include supported accommodation for older people, and as a result some older vulnerable people may find they benefit from secure tenancies. The strategy requires that the review of fixed term tenancies should take into account any</td> </tr> </tbody> </table>			Equality Group	Does this policy/service/function/strategy have a positive, or negative impact on any of the equality groups? Please state which for each group	Please describe why the impact is positive, or negative. If you consider this policy etc is not relevant to a specific characteristic please explain why	Age	Neutral	The strategy states that the Council considers that use of assured or secure tenancies may be appropriate when letting specialist accommodation suitable for vulnerable households. This may include supported accommodation for older people, and as a result some older vulnerable people may find they benefit from secure tenancies. The strategy requires that the review of fixed term tenancies should take into account any
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Age	Neutral	The strategy states that the Council considers that use of assured or secure tenancies may be appropriate when letting specialist accommodation suitable for vulnerable households. This may include supported accommodation for older people, and as a result some older vulnerable people may find they benefit from secure tenancies. The strategy requires that the review of fixed term tenancies should take into account any						

		identified vulnerability, which may include age, young or old.
Disability	On balance neutral, however may be positive for some individuals subject to landlord, property type and household circumstances.	<p>The strategy states that the Council considers that use of assured or secure tenancies may be appropriate when letting specialist accommodation suitable for vulnerable households. This may include accommodation for disabled people, and as a result some disabled people may find they benefit from secure tenancies.</p> <p>The strategy requires that the review of fixed term tenancies should take into account any identified vulnerability. This may result in some disabled people not having their tenancies ended.</p> <p>The strategy also states that additional space requirements of households should be taken into account when considering housing need. This may result in disabled people not having their tenancies ended.</p>
Race	Neutral	<p>93% lettings are to White British, roughly reflecting the local population. Policy change to types of tenancy used and how these are reviewed offered is not considered to have an impact on minority groups.</p> <p>The strategy requires that the review of fixed term tenancies should take into account housing needs of the household; which will take into account extended family arrangements for example, where necessary.</p>
Gender Reassignment	Neutral	<p>The strategy focuses on housing needs which does not incorporate this in the assessment.</p> <p>CORE reports do not contain this data. The Tenant Census as the question but it is rarely provided by customers.</p>

Religion or Belief	Neutral	The strategy focuses on housing needs which does not incorporate this in the assessment. Tenant census tells us most people Christian or do not tell us.
Sex	Neutral	Lone parents, who most likely to be female- make up the largest group of new general needs tenants (28%). Females therefore there will be more affected by any changes to tenancy policies, not this strategy specifically.
Sexual Orientation:	Neutral	Strategy focuses on housing needs. Very limited data on CORE does not include this so do not know about new tenants.
Pregnancy and Maternity	Neutral	Minority of new tenants are pregnant (6%). The strategy focuses on housing needs Not about access but what tenancy types
Marriage and Civil Partnership	Neutral	Marriage or partnership status is not a consideration in the tenancy review. Households with more than one adult may benefit from dual incomes and so find themselves at risk of losing their tenancy upon review, if their combined income exceeds a threshold. However the strategy requires that the assessment is fair and takes reasonable account of affordability
Carers	Neutral	Housing needs and vulnerability as a whole are taken into account when reviewing tenancies so if a household included the carer and the person they care for, this would possibly influence any decision to renew a tenancy.

<p>Other Groups (e.g. those from deprived (IMD*) communities; those from rural communities, those with an offending past)</p>		
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*(IMD = Indices of multiple deprivation)

3. What data/information did you use to inform the outcomes of the proposed policy/service/function/strategy? (Note any relevant consultation who took part and key findings)

Feedback from Stakeholder Consultation Event- 5 December 2012:

The feedback from stakeholders on the use and review of fixed term tenancies has directly informed this strategy.

The group strongly felt that a household who had gained employment, training or improved their financial wellbeing are a bonus for their local area, and should not be discouraged from progressing with the possible threat of losing their tenancy. However, a fair way of determining at what point a household can afford alternative housing would satisfy their concerns.

The group agreed that age should not necessarily determine the type of tenancy one gets (neither young nor old age) but that need and vulnerability should, together with the type of accommodation the household is moving into. For example, an older person moving into specialist supported housing, or a younger person with life debilitating illness should be given some security with a lifetime tenancy.

Recommendations from Communities PDG- 12 December 2012

Recommendations from the group was to support the use of fixed term tenancies where landlords felt it appropriate, and that where they are used, housing needs and vulnerability should be taken into account when reviewing tenancies, thus ensuring that the needs of minority groups and individuals are considered.

Emerging feedback from survey Dec 2012

We are conducting a random sample survey of tenants and housing register. A marginal majority of respondents are indicating support for use of fixed term tenancies.(54%). A majority of respondents consider that the housing needs should be taken into account when reviewing tenancies (74%) income (58%). Respondents also consider that older people and those going into specialist supported housing should be provided with security of tenure (95% and 91% respectively).

If there are any gaps in the consultation/monitoring data, how will this be addressed?

Not being monitored as no performance targets however can observe annual data on types of tenancies used using CORE data.

4. Outcomes of analysis and recommendations (please note you will be required to provide evidence to support the recommendations made): Please tick one of the options.

a. No major change needed: equality analysis has not identified any potential for discrimination or for negative impact and all opportunities to promote equality have been taken

If you have ticked option (a) go to stage 3

b. Adjust the proposal to remove barriers identified by equality analysis or to better promote equality. Please complete the questions in the box below.

b.1 In brief, what changes are you planning to make to your proposed policy/service/function/strategy to minimise or eliminate the negative equality impacts?

b.2 Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

If you have ticked option b go to Stage 2

c. Adverse impact but continue Please provide an explanation in the box below that clearly sets out your justification for continuing with the proposed policy/function/service/strategy. You should consider in stage 2 whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.

If you have ticked option c please go to Stage 2

d. Stop and remove the policy/function/service/strategy as equality analysis has shown actual or potential unlawful discrimination



Signed (Lead Officer): May Read, Housing Options Team Leader

Date completed: 18.12.12

REPORT TO CABINET

REPORT OF: Economic Development Portfolio Holder

REPORT NO: PLA967

DATE: 7th January 2013

TITLE:	Withdrawal of Grantham Area Action Plan	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Frances Cartwright Grow the Economy, Economic Development Portfolio Holder	
CONTACT OFFICER:	Karen Sinclair, Planning Policy & Partnerships Service Manager 01476 406438 k.sinclair@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	n/a	n/a
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Letter from Planning Inspector to SKDC dated 31 st October 2012 http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=7978&p=0	

1. RECOMMENDATION

- 1.1 That the Submission Grantham Area Action Plan (October 2011) is withdrawn.

2. PURPOSE OF THE REPORT

- 2.1 To seek approval for the withdrawal of the Grantham Area Action Plan (GAAP) Development Plan Document (DPD) which the Council submitted to the Secretary of State for examination in December 2011.

3. DETAILS OF REPORT

- 3.1 The Council submitted the GAAP for examination on the 19th December 2011 and an independent planning inspector, Roland Punshon, was appointed to hold the examination.

- 3.2 Prior to the examination hearing sessions commencing (in early October), the Inspector held a series of exploratory meetings to consider initial matters of concern regarding the GAAP (relating to infrastructure delivery and phasing of development) and various legislative changes which would have a bearing on how the examination proceeded.
- 3.3 In response to the Inspector's initial concerns the Council prepared a paper which sought to address these: at the exploratory meeting on the 16th April 2012 the Inspector indicated that he was satisfied that the paper allayed his initial concerns and that the examination could proceed. The Council published and consulted on a number of Main Modifications to the GAAP in June 2012 which dealt with the matters of concern to the Inspector as well as changes to the DPD as a consequence of the publication of the National Planning Policy Framework in March 2012. At this stage the Inspector made clear that the cumulative number of modifications could eventually amount to a re-write of the Plan, in which case a formal request for him to make Main Modifications would be inappropriate.
- 3.4 The GAAP hearing sessions were held between the 2nd and 11th October 2012. During the course of the hearings the Inspector identified a number of concerns which could affect the GAAP and at the close of the hearing sessions undertook to write to the Council setting these out and the course of action he thought appropriate.
- 3.5 The Inspector wrote to the Council on the 31st October 2012. The Inspector's three main concerns relating to: housing flexibility and delivery; delivery of the sustainable urban extensions and other allocated sites; and the site selection process. The Inspector raised concerns that if the delivery of housing were to stall in respect of the two sustainable urban extensions, the GAAP does not provide the mechanisms to provide suitably scaled alternative sites in the short-term to make good any shortfall. Having considered these matters, the Inspector has reached the conclusion that, when the Council is able to put forward Main Modifications to address the issues identified, they would be sufficient enough when coupled with the Main Modifications already proposed, to require the DPD to be re-written.
- 3.6 The Inspector has, therefore, concluded that the most appropriate course of action is for the Council to withdraw the DPD; make the changes necessary to address the issues; republish the Plan for consultation and submit the revised DPD for examination.
- 3.7 Under Section 22(1) of the Planning and Compulsory Purchase Act 2004 the Local Planning Authority may withdraw a DPD at any time prior to adoption. In doing so it is required to:
- Make available a statement to the effect the DPD has been withdrawn (this must be made available for public inspection and put on the website)
 - Send to those notified of the DPD submission notification the Plan has been withdrawn
 - Withdraw the availability of any documents relating to the withdrawn plan (this would include the Submission Plan and supporting documents)

3.8 The withdrawal of the Plan does not prevent the Council from progressing with the councils and partners key priorities for Grantham including the Sustainable Urban Extensions (SUE). The policy framework provided by the specific SUE policy in the Core Strategy together with the emerging Southern Quadrant Masterplan, which will come before Cabinet for adoption as a Supplementary Planning Document in February, provides a sufficient basis to enable planning applications for the east west relief road and the rest of the Southern Quadrant development to be determined. South Kesteven remains the only local authority in Lincolnshire to have an approved and fully adopted Core Strategy.

4. OTHER OPTIONS CONSIDERED

4.1 The options available to the Council to respond to the Inspector’s letter are limited given his expressed concerns about the absence of a mechanism to deal with short-term delays in the delivery of housing. Following the introduction of the new National Planning Policy Framework there are very few authorities to have successfully completed this stage.

5. RESOURCE IMPLICATIONS

5.1 There are no significant costs associated with the immediate decision to withdraw the GAAP other than complying with the requirements set out in paragraph 3.7.

5.2 The withdrawal of the GAAP would mean that the preparation process has to go back to the pre-submission stage and the costs associated with revising and resubmitting the GAAP are primarily the costs associated with the examination process and the Inspector’s fees.

6. RISK AND MITIGATION

6.1 Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
Legislative – soundness of revised Plan	This can be limited by closely addressing all the matters highlighted in the Inspector’s letter and seeking to have the Plan peer reviewed prior to resubmission

7. ISSUES ARISING FROM IMPACT ANALYSIS

7.1 As the GAAP is not an adopted policy document an Impact Analysis of withdrawing the Plan has not been undertaken. However, an Analysis of the revised GAAP will be undertaken.

8. CRIME AND DISORDER IMPLICATIONS

8.1 None arising out of this report.

9. COMMENTS OF FINANCIAL SERVICES

- 9.1 There will be costs incurred in the preparation and examination process of any re-submitted GAAP. The proposal is for these costs to be met from residual Housing and Planning Delivery Grant (HPDG) monies that are available to the Council

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 10.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 which came into force on the 6th April 2012 permit the withdrawal of any development plan document (DPD) at any time before adoption. If withdrawal is approved, the Council must publish up to date information on the progress of preparing DPD's against the Local Development Scheme.