

AGENDA



For a meeting of the
COMMUNITIES POLICY DEVELOPMENT GROUP
to be held on
THURSDAY, 10 JANUARY 2013
at
2.30 PM
in the
WITHAM ROOM, COUNCIL OFFICES, ST PETER'S HILL, GRANTHAM
Beverly Agass, Chief Executive

Group Members:	Councillor Kelham Cooke, Councillor Breda Griffin, Councillor Charmaine Morgan, Councillor John Nicholson (Chairman), Councillor Mrs Jean Taylor, Councillor Jeff Thompson (Vice-Chairman) and Councillor Raymond Wootten
Portfolio Holders:	Councillor Teri Bryant (Portfolio: Good Housing) Councillor Mrs Frances Cartwright (Portfolio: Grown the Economy – Economic Development) Councillor John Smith (Portfolio: Green Healthy & Arts)
Support Officer:	Jo Toomey Tel: 01476 40 61 52 E-mail: j.toomey@southkesteven.gov.uk

Members of the Group are invited to attend the above meeting to consider the items of business listed below.

- 1. COMMENTS FROM MEMBERS OF THE PUBLIC**
- 2. MEMBERSHIP**

The Group to be notified of any substitute members.
- 3. APOLOGIES**

4. DISCLOSURE OF INTERESTS

Members are asked to disclose any interests in matters for consideration at the meeting.

5. ACTION NOTES FROM THE MEETING HELD ON 13 DECEMBER 2012

6. UPDATES FROM PREVIOUS MEETING

7. FEEDBACK FROM THE EXECUTIVE

8. HOUSING PROGRAMME OF WORK

Report number H&N0412 by the Head of Housing and Neighbourhoods.
(Enclosure)

9. COMMUNITY RIGHT TO CHALLENGE

Report Number LDS086 by the Head of Legal and Democratic Services
(Enclosure)

10. WORK PROGRAMME

(Enclosure)

11. ANY OTHER BUSINESS, WHICH THE CHAIRMAN, BY REASONS OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT

REPORT TO COMMUNITIES P.D.G.

REPORT OF: Head of Housing and Neighbourhoods

REPORT NO: H&N 0412

DATE: 10 January 2013

TITLE:	Housing Programme Consultation	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	n/a	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Teri Bryant (Portfolio: Good Housing)	
CONTACT OFFICER:	Ian Richardson Telephone: 01476 40 60 63 E-mail: i.richardson@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS: Equality and Diversity	See paragraph (7) below	Full impact assessment Required: Not in relation to this report: please see paragraph (7) below.
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	<i>Localism Act 2011</i> http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted <i>SKDC Housing Strategy 2010-2013</i> http://www.southkesteven.gov.uk/index.aspx?articleid=1621 <i>SKDC Allocations Policy</i> http://www.southkesteven.gov.uk/index.aspx?articleid=1599	

RECOMMENDATIONS

It is recommended that Communities PDG receives the report and discusses each component part in turn. The PDG should note from the timeline the review arrangements and the extent to which further consideration by the PDG might be possible.

The PDG is invited to comment on the outline housing strategy and key allocations policy principles and to note the route to agreement.

1. PURPOSE OF THE REPORT

To inform Communities PDG and to enable discussion and promote consultation on the review of the Housing Strategy and Allocations Policy as part of a broader consultation exercise leading to decisions consistent with the timeline described in the schedule to the report.

3. DETAILS OF REPORT

This report arises from both the need to conduct a periodic review of housing strategy for the district and the need to respond to the Localism Act 2011. Consultation with key stakeholders is an important part of the review process.

The report contains information in relation to the Housing Strategy, and Allocations Policy and the related timeline.

The effectiveness of housing strategies and related policies will be crucial in meeting the corporate priority of supporting good housing for all.

4. OTHER OPTIONS CONSIDERED

None

5. RESOURCE IMPLICATIONS

There is no financial impact arising directly from this report. Any actions arising from the agreement of strategies and policies may have resource implications for SKDC which will need to be addressed as part of the budget review process. Delivery of the strategic objectives will, to an extent, depend upon the actions of partner agencies and the commitment of their resources; for example the procurement of new affordable housing by housing associations.

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 effectively respond to the need for affordable housing in the District.	The development of strategies, policies and related action plans, consistent with the aims of the housing programme.

Effective arrangements for the development, delivery and maintenance of housing and related services are crucial in mitigating the risks associated with poor housing conditions and in carrying out the Council's statutory obligations.

7. ISSUES ARISING FROM IMPACT ANALYSIS

A stage 1 equality analysis for each of the policy and strategy documents will be completed during the drafting of the individual documents. Further work on equality analysis will be carried out at the relevant times during the production of the new/revised policies and strategies.

8. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising from this report.

9. COMMENTS OF FINANCIAL SERVICES

There are no direct financial implications associated with this report, however any actions arising may require resources to implement and deliver. These will then need to be considered as part of the budget framework.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

This report gives a time line for consideration of the housing strategy and allocations policy principles and invites views and comments to be taken into account in the development of the draft policy documents.

11. COMMENTS OF OTHER RELEVANT SERVICES

None.

12. APPENDICES:

Appendix 1- Housing Strategy & Allocations Policy Principles for discussion

Appendix 2- Timelines

Appendix 1

Part A

Housing Strategy 2013- 18

Work has commenced on our new housing strategy, scheduled for final approval by Cabinet in March 2013. The strategy will set out our vision for housing services over the next five years and will be supported by an action plan.

Discussion of the strategic priorities with Communities PDG at this stage represents the beginning of a wider consultation process with stakeholders.

Initial discussion with Cabinet and officers has defined the overall priorities as follows:

Priority 1- High quality new affordable homes available to buy or rent

Priority 2- Improved housing standards across all neighbourhoods

Priority 3: Access to housing and well being services

This paper briefly introduces why these areas are defined as priorities and the outcomes we hope to achieve. It also introduces for discussion potential solutions. Potential solutions, to the extent they require investment, will be evaluated in terms of return on investment and against other options and corporate priorities.

Priority 1- High quality new affordable homes available to buy or rent

This is a priority because:

- The rate of all housing development has slowed over the last five years; the total number of new housing completions fell by 44% between 2007/8 and 2011/12
- There is no planned government funding to support the delivery of new affordable housing beyond 2015
- There is an assessed affordable housing requirement of 667 new homes per year: the annualised housing requirement in the current housing strategy was assessed at 680 per annum for all tenures, indicating the slowdown that has occurred in house building in the district.
- The percentage of the population over 65 years of age is set to increase from 19.22% to 28% by 2020, together with associated health and mobility problems

- 3.9% of the working age population are registered disabled

Outcomes to aim for:

- More social housing available to rent (SKDC and Registered Providers)
- More affordable housing to buy
- Additional homes to meet needs of clients with particular needs

Potential solutions:

- Invest in the delivery of new affordable housing
- Lead on collaborative projects to develop housing through use of partner assets and new funding sources
- Promote the development and management of adaptable homes to meet the needs of particular client groups
- Promote high standards of design and build across all developments
- Secure contributions from partners to enable new housing and services for specific needs groups

Priority 2- Improved housing standards across all neighbourhoods

This is a priority because:

- It is estimated, based on a sample survey, that 34% of private rented homes are 'non decent', as a result of damp, cold or risk of falls for the household (category 1 hazards)
- SKDC has a duty to take appropriate enforcement action in case of category 1 hazards
- Households on low incomes and living in private rented accommodation are most likely to be living in fuel poverty (36% of renters are in fuel poverty)
- 37% of private rented homes have a poor SAP rating which may exclude them from being re-let after new regulations commence in 2018
- 576 properties (excluding Council) have been empty for 6 months or more, 28% of which are in Grantham (NG31 post code)
- Government funding to improve the decency of private sector homes is not likely to be replenished. Sufficient funding remains for 2013/4. Grants have largely helped older home owners to rectify category 1 hazards and remain in their homes
- Promotion of the Green Deal initiative might present opportunities to improve private sector housing conditions

Outcomes to aim for:

- Improved quality of housing and environment in our neighbourhoods
- Improved management of homes owned by SKDC
- Improved quality of private sector housing
- Households assisted to remain safely in their homes
- Increased availability of private rented accommodation

Potential solutions:

- Carry out a review of private sector renewal policies, strategies and schemes, including the potential impact of 'retrofit' and Council Tax policy
- Encourage private landlords to ensure their properties are fit through an appropriate balance of positive support and enforcement
- Maximise the number of empty homes brought back into use
- Implementation of the Sustainable Neighbourhoods project to improve and develop the way SKDC manages council estates and tenancies

Priority 3: Access to housing and the promotion of health and well being

This is a priority because:

- 4,300 households are currently on the council housing register, with around 12% having a very high need to move
- SKDC is contracted until March 2013 by Lincs County Council to provide a supported housing service to 1,130 council tenants. 1,400 mainly older private residents currently subscribe to our community alarm service. These services are currently subject to review by the County Council as part of the development of the Health and Wellbeing network
- Lincs County Council also contract a number of providers to deliver floating support services to around 155 vulnerable people and accommodation based services to 49 young and homeless people
- With an increasing older population, rates of dementia are estimated to rise by 90% and falls in the home by over 65% by 2030

- The Disabled Facilities Grant scheme is currently jointly funded by the government (57%) and SKDC (43%). The budget for 2012/13 is £500k. The average age of successful applicants is 70. Need for adaptations continues and the budget is likely to come under increasing pressure

Outcomes to aim for:

- Social housing, provided by both SKDC and Registered Providers operating in the district is fairly and effectively used to meet housing needs
- Housing options and advice available to assist households in finding housing
- Services available to help vulnerable households remain safely in their homes and live life to the full

Potential solutions:

- Work with partners to ensure services are delivered to improve the health and wellbeing of vulnerable households
- Develop an allocations policy framed to most effectively meet the housing needs of the district
- Develop a tenancy strategy to help ensure social housing is used to best effect to meet housing needs
- Maximise the initial and ongoing benefit derived from the investment in Disabled Facilities Grants in order to support independent living and the well being of communities

Part B

Allocations Policy

Principles for discussion

Work has commenced on our new housing allocations policy, scheduled for final approval by Cabinet in February 2013. The policy will set out our scheme for allocating social (SKDC and Registered Provider) housing

Discussion of the policy principles with Communities PDG at this stage represents the beginning of a wider consultation process with stakeholders.

In considering our new allocations policy there are a number of key principles we need to discuss.

1. How do we want to define 'local connection'?
2. Should we aim to meet housing aspirations or only urgent need?
3. Do we want to reward economic or community contribution?
4. How do we want the scheme to operate?

1- How do we want to define 'Local Connection'?

Should applicants with no local connection be accepted onto the register, and if so, should they have any priority?

Do we need to restrict access on grounds of local connection? What benefits does it offer us?

We can choose to frame our allocations policy in a way that prioritises people with local connection, or even excludes those without.

Law states that a person has a local connection because of normal residence (current or previous) of their choice, employment or family association. Homelessness guidance has established that where a person makes a homeless application they have a local connection if they have lived in an area for at least 6 out of the previous 12 months, or 3 out of the previous 5 years. Parents or adult siblings living in the area for at least 5 years may give someone a local connection.

What goes on elsewhere?

Typically definitions of local connection for the purposes of housing allocations policies, require between six and twelve months residency to qualify. Where demand for housing is very high, a longer residence may be required.

Some policies deny access as a result of no local connection, and this may increase across local authorities with the freedoms of the Localism Act and pressures of welfare reform and housing need.

The majority of banding schemes do not deny access but give lesser or no priority to households with no local connection.

Implications for SKDC

Currently applicants with no local connection have the housing needs assessed and 'pointed' accordingly, meaning that someone with no local connection can have high priority for housing.

58% of all applicants have been resident in the area for 2 years or more, only 1% have been here less than 12 months. A significant minority (16%) have no local connection at all. 13% of SKDC lettings in 2011/12 were to households from outside of the area.

Restricting access on grounds of local connection may free up access to local people, however we also occasionally need these customers to be able to let 'hard to let' homes.

It may be beneficial to SKDC to award priority to those with no local connection beyond employment or an offer of employment in the area, given their potential contribution to the wider economy in the future.

2- Should we aim to meet housing aspirations or only housing need?

We can choose to limit access to the register to those in housing need. Law requires us to ensure that the following people are given 'reasonable preference' but not absolute priority. There is no requirement that the preference is equal:

- People owed certain homeless duties
- people living in insanitary or overcrowded conditions
- people who need to move on medical or welfare grounds
- people who need to move to a particular place to avoid hardship

We also have a power to give 'additional' preference to households who need to move as a result of life threatening illness, severe overcrowding or at risk of violence.

What goes on elsewhere?

Generally allocations policies incorporate these reasonable preference categories into the higher bands of their schemes; often placing those who have the means to meet their own needs in the lowest categories. Some authorities only accept applications from those currently in need, carrying out thorough housing options interviews and assessments. Households considered to have worsened their own circumstances are generally placed in lowest priority, or excluded.

Implications for SKDC

The percentage of the population in the area over 65 years of is set to increase from 19.22% to 28% by 2020, together with associated health and mobility problems.

3.9% of the working age population are registered disabled, and this group are disproportionately represented in our tenant population with 37.5% of new general needs tenants considering they have a disability or long term ill health which may be physical or mental.

33% of housing register applicants are aged 16- 35, 64% of whom have dependant children. 28% are aged 60 plus. Around 500 households are in need of social housing as a result of physical housing problems, such as overcrowding or poor conditions.

We have very high demand for most areas where you would likely need to be in priority need to get an offer of accommodation, however in some urban neighbourhoods and rural villages demand may be weaker and offers are able to be made to households with lesser need.

It may be administratively more efficient to accept applications from households with no priority need and avoid the administration involved in rejecting applications and associated appeals process; such an approach would require a more efficient housing register process.

Limiting access to the register to all but those in current need removes a data base of households and their desires, which can be of value strategically.

3- Do we want to reward economic and community contribution?

We can choose, and are encourage by government guidance, to use the allocations policy to support households in low paid employment, employment related training, or who make a valuable contribution as a volunteer. We can prioritise those who need to move to or within the area to take up employment.

What goes on elsewhere?

Recently developed policies reward residents who 'are making an effort and taking positive steps to improve their lives and contribute to society' (Newham LBC, West Lincs) with some level of priority within the scheme, although always balanced against the reasonable preference categories.

Implications for SKDC

We have no data on housing applications as we do not currently assess using such criteria, although new general needs tenant data indicates that 18% are in full time employment 10% in part time and 35% not seeking work. There are no industries we are aware of currently in need of skills in short supply.

Links to the bigger picture

Grow the economy- such a policy position can demonstrate our commitment to supporting and facilitating the growth of business.

4- How do we want the scheme to operate?

Law requires us to have a published scheme of how we allocate housing, aside from eligibility criteria based on immigration status and the reasonable preference groups, we have power to determine who qualifies for housing within our scheme. There is no requirement for the scheme to operate in a particular way (points based for example).

What goes on elsewhere?

Banding schemes are extremely common, usually but not necessarily link to Choice Based Lettings. At their simplest they set the household types and housing situations to be placed in the range of bands usually 1-4 bands but some with more. Priority within bands can be determined by date of application. Some also have fine gradations of need, within bands, or recognising cumulative needs to elevate people up to higher bands.

The table on the following page illustrates that where a banding scheme is used, an application does not accumulate points for a range of minor issues and the whole situation is assessed. In most areas being in the lowest bands is easily translated by applicants to mean they have very little chance of being offered accommodation.

Implications for SKDC

Changing how our scheme operates would represent a culture change for staff and customers; one we could use to more broadly inform the public about housing need, how to access housing, housing options and advice.

Illustration of needs based banding scheme compared to current points based scheme

Case example	Portsmouth City Council Needs based banding system	How current SKDC policy would assess
Applicant with local connection awaiting accessible or supported accommodation before they can be discharged from hospital	Band 1: (Applicants where exceptional circumstances exist- life threatening situations, or overriding need to move on medical or social grounds. Tenants who by moving would release homes in high demand)	50 local connection 300 severe medical points 150 discretionary points Total= 500. very high priority
Homeless household to whom the council has accepted a legal duty to accommodate	Band 2 (Applicants who have an urgent housing need) provided no other housing option available.	550 points awarded: 500- homelessness 50- 10 years + residency Total= 550 points, very high priority
50 year old RSL tenant with local connection wishing to move to a smaller property	Band 3 (Applicants who have significant housing need)	50 local connection points Very low chance of an offer
Family with local connection living in overcrowded situation lacking one bedroom	Band 4 (Applicants who have an identified housing need)	400 points awarded: 50 local connection points 350 overcrowded Total= 400 points, realistic chance of an offer
Applicant 3- family overcrowded, and sharing with friends having given up a tenancy which was suitable for them	No priority awarded if they are considered to have deliberately worsened their circumstances.	350 overcrowded 50 local connection Total= 400 points, realistic chance of an offer

Housing Programme - Outline Timetable

Allocations Policy	Nov	Dec	Jan	Feb
Misc Officer Actions	Inform St'holders of programme Draft Prepared		Prepare papers for Jan Comms PDG	Prepare report for Cabinet Publish Policy
Hsg Steering Board	12-Nov Draft Strategy/ Key Issues	10-Dec Feedback on key issues	14-Jan Feedback on revisions	
Communities PDG	22-Nov Presentation of combined housing issues		10-Jan Revised draft	
Cabinet				04-Feb Seek approval
Stakeholder Consultation	13-Nov Begin consultation	05-Dec Consultation Event	17-Dec Close consultation	

Housing Strategy	Nov	Dec	Jan	Feb	March
Misc Officer Actions	Inform St'holders of programme			Prepare report for Cabinet	
Hsg Steering Board	12-Nov Draft Strategy/ Key Issues	10-Dec Feedback on key issues	14-Jan Feedback on revisions		
Communities PDG	22-Nov Presentation of combined housing issues		10-Jan Revised draft		
Cabinet					04-Mar seek appro
Stakeholder Consultation		05-Dec Consultation Event	ongoing targeted consultation		

REPORT TO COMMUNITIES P.D.G.

REPORT OF: Head of Legal and Democratic Services

REPORT NO: LDS086

DATE: 10th January 2013

TITLE:	COMMUNITY RIGHT TO CHALLENGE	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter - Portfolio Holder for Governance and Communication	
CONTACT OFFICER:	Lucy Youles – Head of Legal and Democratic Services – l.youles@southkesteven.gov.uk ; tel:01476406105	
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/part/5/chapter/2 Statutory Guidance https://www.gov.uk/government/publications/community-right-to-challenge-statutory-guidance	

1. RECOMMENDATIONS

It is recommended that the Communities Policy Development Group consider the draft Community Right to Challenge Scheme as attached at the Appendix to this report and make recommendations to Cabinet for adoption of the Scheme.

2. PURPOSE OF THE REPORT

The purpose of the report is to inform Members of the provisions relating to the community right to challenge sufficient for Members to consider the draft scheme and make recommendations to Cabinet.

3. DETAILS OF REPORT

3.1 The Community Right to Challenge is one of a number of new rights for communities introduced by the Localism Act 2011. Regulations and Statutory Guidance have been introduced. The community right to challenge provides a way for communities to help shape and run local services. This might include making services more responsive to local needs, offering additional social value outcomes, or delivering better value for money. It may act as a means of re-shaping services. The Regulations:

- specify information required in an expression of interest;
- specify grounds whereby an expression of interest may be rejected;
- state which kinds of services are excluded from the right.

3.2 To assist the management of expressions of interests received in accordance with this right, a draft scheme has been drawn up in association with Procurement Lincolnshire . The District Council works in partnership with Procurement Lincolnshire to carry out efficient and effective procurement of goods and services. It would be considered prudent to adopt a scheme in line with any Procurement Lincolnshire scheme. The proposed scheme has been developed to reflect the provisions of the legislation relating to the right.

3.3 The scheme sets out the bodies from which an expression of interest can be received, the time periods when an expression can be received, what must be included in an expression of interest and what happens when an expression of interest is received.

4. OTHER OPTIONS CONSIDERED

The Council has no other alternative but to make provision for the management and administration of the process to consider expression of interests received for the provision of services.

5. RESOURCE IMPLICATIONS

It is proposed that the management and administration of the process relating to this right is provided within existing budget provision.

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
None	None

7. ISSUES ARISING FROM IMPACT ANALYSIS

To be considered following determination of the process to be adopted

8. CRIME AND DISORDER IMPLICATIONS

None

9. COMMENTS OF FINANCIAL SERVICES

The management and administration of the right should be carried out with existing resource and within existing budgets.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

The Council must put in place robust processes to consider applications made in respect of this right. Consideration of applications will involve technical application of strict criteria determined by the legislation and guidance. The proposed scheme will permit legislation permits each authority to set its own regulations relating to the issues detailed in the recommendation of this report

11. COMMENTS OF OTHER RELEVANT SERVICES

None

12. APPENDIX:

Draft Scheme for the consideration of expressions of interest relating to the Community Right to Challenge.

SOUTH KESTEVEN DISTRICT COUNCIL **COMMUNITY RIGHT TO CHALLENGE SCHEME**

Introduction

1. This document sets out a Scheme for the receipt consideration and implementation of expressions of interest for providing or assisting the provision of Council services submitted under sections 81 to 86 of the Localism Act 2011 (“the Community Right to Challenge”)
2. This Scheme complies with the Council’s obligations under
 - The Localism Act 2011(the Act);
 - The Community Right to Challenge (Expressions of Interest and Excluded Services) (England) Regulations 2012 (the Regulations); and
 - Statutory Guidance (The Statutory Guidance)

Services covered by the Scheme

3. The Council may consider expressions of interest for providing or assisting the provision of any service delivered by or on behalf of the Council in the exercise of any of its functions.
4. The Council reserves the right to reject any expression of interest on the grounds that it does not propose the provision of a service. For example, the processing of planning applications may be seen as the provision of a service. The determination of planning applications on the other hand is a function vested in the Council which cannot be exercised by a third party.
5. The Council will not consider expressions of interest in any service excluded from the scope of the Community Right to Challenge by the Regulations.

Who can submit an Expression of Interest?

6. The Council will consider expressions of interest from relevant bodies as defined in the Act, Regulations and/or the Statutory Guidance. As at the date of this Scheme these are:-
 - a voluntary or community body;
 - a body of persons or a trust which is established for charitable purposes only;
 - a parish council; and
 - two or more employees of the Council.
7. Any of the above may submit an expression of interest either on its own or as part of a consortium or on the basis that it will use sub-contractors.
8. The Council reserves the right to reject any expression of interest on the grounds that it is not submitted by one of the above bodies or persons.
9. The Council will consider the proposed legal structure of relevant bodies and in particular whether they are incorporated when considering any expression of interest.

When can an Expression of Interest be Submitted?

Services already the subject of a contract with a third party

10. Where any services are already delivered on behalf of the Council by a third party under a contract or other legally binding arrangement then any expression of interest must be submitted within the time periods which reflect the Council's contractual obligations and relate to the expiry and renewal dates of such arrangements.
11. The Council may from time to time publish specific periods in relation to specific contracts or categories of contract on its website. Where any such specific timeframe has been published the Council will not consider any expression of interest in respect the whole or any part of the services covered by the contract unless the expression of interest is submitted within the specified time period.
12. Where the Council has not specified a specific time period in relation to a particular contract or categories of contract, the Council will not consider any expression of interest in respect the whole or any part of the services covered by the contract which is submitted earlier than 24 or later than 21 months prior to the expiry date of that contract as specified in the Contracts Register on the Council's website at
13. Where any contract listed in the Contracts Register is shown as having an extension period the expiry date shall automatically be the extended expiry date if the Council exercises any such extension.

Services not already the subject of a contract with a third party

14. Where services are not already delivered on behalf of the Council by a third party under a contract or other legally binding arrangement any expression of interest will need, unless the Council otherwise decides, to fit into the Council's business planning and budget setting cycles.
15. Accordingly, unless otherwise decided by the Council, the Council will not consider any expression of interest unless it is submitted between 1 April and 30 June in any year.
16. If any expression of interest is submitted in respect of services, some of which are covered by an existing contract or other legally binding arrangement and some of which are not, the relevant time period will be that governing the services covered by a contract or other legally binding arrangement and if more than one contract or legally binding arrangement is involved the relevant period shall be established by reference to the latest applicable expiry date.

What must an Expression of Interest Contain?

17. A valid expression of interest must be in writing and contain the following:
 - Information about the financial resources of the relevant body submitting the expression of interest.
 - Evidence that demonstrates that by the time of any procurement exercise the relevant body submitting the expression of interest will be capable of providing or assisting in providing the relevant service.

- Information about the relevant service sufficient to identify it and the geographical area to which the expression of interest relates.
 - Information about the outcomes to be achieved by the relevant body or, where appropriate, the consortium of which it is a part, in providing or assisting in the provision of the relevant service, in particular:
 - How the provision will promote or improve the social economic or environmental well-being of the relevant authority's area; and
 - How it will meet the needs of the users of the relevant service.
 - Where the relevant body consists of employees, details of how the relevant body proposes to engage other employees of the relevant authority who are affected by the expression of interest.
18. The same information must be provided in relation to other members of any consortium or sub-contractors to be involved in the provision of the services.

Submitting an Expression of Interest

19. Three copies of expressions of interest must be submitted to the Council.
20. Expressions of interest may be submitted in hard copy by sending them to the Head of Finance at The Council Offices, St. Peter's Hill, Grantham, Lincolnshire, NG31 6PZ marked Community Right to Challenge – Expression of Interest.
21. Expressions of interest similarly marked may also be submitted electronically by e-mail -
22. Expressions of Interest will be acknowledged by the Council within 5 working days of receipt.
23. The Council will notify the relevant body in writing of the period within which it expects to notify the relevant body of its decision.
24. The Council will give this notification either within 30 days of receipt of the expression of interest or, if the Council has specified a period within which expressions of interest must be submitted, within 30 days of the end of that period.

Consideration Modification and Withdrawal of Expressions of Interest

25. The Panel detailed at clause 30 below will consider expressions of interest meeting the requirements of this Scheme. The Panel will either accept the expression of interest or reject it, although it may in certain circumstances modify the expression of interest.
26. The Panel will modify the expression of interest if the Panel thinks that the expression of interest would not otherwise be capable of acceptance and the relevant body agrees to the modification.
27. The Council will contact the relevant body to discuss any proposed modifications within 15 working days of receipt of the submitted expression of interest.

28. A relevant body may withdraw an expression of interest at any time after submitting it whether before or after a decision has been made to accept it. A withdrawal of an expression of interest must be in writing and may be submitted by any of the methods by which the expression of interest could have been submitted.
29. The withdrawal of an expression of interest or a refusal to modify the expression of interest does not prevent the Council from proceeding with a procurement exercise where the Council thinks that it is appropriate to do so.
30. All expressions of interest meeting minimum requirements will be considered by a Panel (the Panel) including:
 - Finance representative
 - Relevant Service Manager(s)
 - HR representative
 - Procurement Lincolnshire representative
 - Relevant Head(s) of Service
31. The decision whether or not to accept an expression of interest will be made in by the Strategic Director responsible for the service to which the expression of interest relates or the relevant Executive Councillor or full Executive depending on the nature of the Expression of Interest and in line with the Council's established decision-making processes.
32. The Authority will notify the relevant body of its decision within the period it has notified to the relevant body under paragraph 24 above.
33. If the Authority's decision is to modify or reject the expression of interest it will give the reasons for that decision in its notification.
34. The Authority will publish its notification (including on its website).

Rejection of an Expression of Interest

35. The Council may only reject an expression of interest on specific grounds specified in Regulations. These grounds are:-
 - the expression of interest does not comply with the requirements of a valid expression of interest;
 - the relevant body provides information in the expression of interest which, in the opinion of the Panel, is inadequate or inaccurate;
 - the Panel considers, based on the information in the expression of interest, that the relevant body or, where applicable, a consortium member or sub-contractor is not suitable to provide or assist in providing the relevant service;
 - the expression of interest relates to a relevant service where a decision, evidenced in writing, has been taken by the Council to stop providing that service;
 - the expression of interest relates to a relevant service provided in whole or in part by or on behalf of the Council to persons who are also in receipt of a service provided or arranged by a NHS body which is integrated with the relevant service and the continued integration of such services is in the opinion of the Council, critical to the well being of those persons;

- the relevant service is already the subject of a procurement exercise;
 - the Council and a third party have entered into negotiations for the provision of the relevant service for which negotiations are, at least, in part conducted in writing;
 - the Council has published its intention to consider the provision of the relevant service by a body that 2 or more specified employees of the Council propose to establish;
 - the Council considers that the expression of interest is frivolous or vexatious; and
 - the Council consider that acceptance of the expression of interest is likely to lead to contravention of an enactment or other rule of law or a breach of a statutory duty.
36. In considering an expression of interest the Panel will consider whether acceptance of the expression of interest would promote or improve the social, economic or environmental well-being of the authority's area.

What happens where an Expression of Interest is Accepted?

37. When an expression of interest is accepted, the Council must carry out a procurement exercise relating to the provision on behalf of the Council of the relevant service to which the expression of interest relates.
38. The procurement exercise will be appropriate having regard to the value and nature of the contract that may be awarded as a result of the exercise. In determining the nature of the procurement exercise the Council will have regard to its Contracts Regulations.
39. Unless the Council specifies a specific minimum and maximum period in respect of particular services on its website at [*to be confirmed*], in which case the minimum and maximum periods so specified will apply,
- the minimum period that will elapse between the date of the authority's decision to accept an expression of interest and the date on which it will begin the procurement exercise will be 3 months; and
 - the maximum period that will elapse between the date of the authority's decision to accept an expression of interest and the date on which it will begin the procurement exercise will be 12 months.

Communities PDG Work Programme 2012/13

Date	Item	Action	Update	Action Notes to Officers	Response	Recommendation	Cabinet/Council Decision
17 May 2012	Lincolnshire County Homelessness Strategy	Update to PDG on development of a county-wide Strategy to ensure equitable service across the County	Presentation by Service Manager for Housing Solutions detailing the requirements placed on the Authority under the Homelessness Act 2002				
	Reinvigorating the Right to Buy		Presentation by the Head of Finance which summarized a new scheme in relation to right to buy.			That the Council retain receipts from right to buy sales for local investment in affordable housing	25.6.12 Non-Key Decision That approval is granted for South Kesteven District Council to formally agree to enter into an agreement with the Secretary of State for Communities and Local Government for the retention of Right to Buy receipts for local provision of affordable housing, noting that such agreement must be reached with DCLG by not later than noon on 27 th June if receipts are to be retained.
	National Planning Policy Framework	Development of planning documents	Presentation to PDG with a summary of the final documents published in March 2012 incorporating the recommendations made by Communities PDG at its meeting of 1.9.11				
	Car Parking Strategy		Feedback from first meeting of the PDG's Working Group to review car parking across the district				

Communities PDG Work Programme 2012/13

Date	Item	Action	Update	Action Notes to Officers	Response	Recommendation	Cabinet/Council Decision
19 July 2012	Wind Energy SPD	Development through consultation of a supplementary planning document relating to Wind Energy	Presentation by Strategic Director for Development and Growth	<p>That the draft Wind Energy Supplementary Planning Document should be prescriptive, including separation distances.</p> <p>Costs, proposals and a programme for decommissioning of wind turbines at the end of their useful life should be a requirement as part of any application for the installation of a wind turbine. It should also be at the expense of the party who erected the turbines</p> <p>All applications for wind turbines should include visual rendering to demonstrate their impact on the environment.</p> <p>The positioning of transmission lines should be clearly shown at the time an application for a development involving wind turbines is submitted</p>			<p>Cabinet Decision 1.10.12 Cabinet approved the draft Wind Energy Supplementary Planning Document (appended to report PLA 945) for the purpose of public consultation.</p>
	Rural Broadband	Update on Superfast Broadband provision for Lincolnshire	Briefing paper supplied by Democracy Services Officers on current position of OnLincolnshire and information from communities that have developed effective Broadband connections independently.	Updates as required	Further update to be given at meeting of 22.11.12		
	Sustainable Communities Act	Update on Act	Briefing paper provided relating to update of Act				
	Housing Programme of Work	Provide an initial outline of forthcoming work in relation to Housing and Neighbourhoods	Presentation by the Head of Housing and Neighbourhoods relating to the forthcoming programme of work for the service area. Items discussed will be fed into the work plan of the PDG	The PDG asked to receive regular progress updates against the programme of work	Tenancy Strategy to be presented at meeting of 22.11.12		

Communities PDG Work Programme 2012/13

Date	Item	Action	Update	Action Notes to Officers	Response	Recommendation	Cabinet/Council Decision
6 Sept 2012	Car Parking Strategy	Civil Parking Enforcement	Update by Property Development Manager on the implantation of CPE projected for sign of 30.11.12			That £9300 from the Communities PDG support budget be used to commission on-street research work in preparation for proposing resident parking schemes in Stamford	
	Consultation	InterCity East Coast Franchise Replacement Consultation	Members input into responses to Dept of Transport Consultation			The response submitted through the Portfolio Holder for Economic Development should include points agreed and minuted	17.9.12 Recommendations included within the Portfolio Holder's response to the consultation.
22 Oct 2012	Localisation of Council Tax	Presentation on the development of local scheme	Update on development of the local scheme following the public consultation process. The proposed scheme was to go to Council on 13.12.12				
	Community Right to Bid	Presentation from Head of Finance and Report by Head of Legal and Democratic updating members		That the community groups as defined in legislation should be able to nominate assets, together with parish meetings and the Grantham Charter Trustees.			
				Consideration should be given to decreasing the number of people required to constitute an unincorporated group from 21 people on the electoral register for the district			
				That nominations for community assets should be considered by officers against criteria approved by Councillors			
				That the definition of community assets should be taken from the legislation			
	Tenancy Strategy	Report from Head of Housing & Neighbourhoods on the development of a Tenancy Strategy for consultation	Deferred to special meeting on 13.12.12				
	Car Parking Strategy	Presentation of draft strategy		Property Dev Manager to recirculate the draft car parking strategy including changes made at Cabinet briefing for the information of Councillors		That the Cabinet adopt the draft Car parking strategy for South Kesteven (as amended at the meeting)	

Communities PDG Work Programme 2012/13

Date	Item	Action	Update	Action Notes to Officers	Response	Recommendation	Cabinet/Council Decision
*13 Dec 2013	Tenancy Strategy	Report and presentation by Head of Housing and Neighbourhoods	Presentation and consultation with PDG Members on the development of a district Tenancy Strategy			That the Council's Tenancy Strategy should include a statement in support of fixed-term tenancies and the following considerations listed for review of fixed-term tenancies: <ul style="list-style-type: none"> • Income and Capital • Housing need & Vulnerability • Tenancy conduct 	
10 Jan 2013	Tenancy Policy	Report and presentation by Head of Housing and Neighbourhoods					
	Review Allocations Policy	Report and presentation by Head of Housing and Neighbourhoods					
	Refresh Housing Strategy	Report and presentation by Head of Housing and Neighbourhoods					
	Community Right to Challenge	Report by Head of Legal and Democratic Services					