

AGENDA



For a meeting of the
COMMUNITIES POLICY DEVELOPMENT GROUP
to be held on
THURSDAY, 16 MAY 2013
at
2.30 PM
in
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:	Arts and Leisure: Councillor Bob Adams Good Housing: Councillor Terl Bryant Grow the Economy: Economic Development: Councillor Mrs Frances Cartwright Healthy Environment: Councillor John Smith
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 7 MARCH 2013

(Enclosure)

6. UPDATES FROM PREVIOUS MEETING

- **Waste Contamination Campaign:** feedback from the working group.
(Enclosure)

7. FEEDBACK FROM THE EXECUTIVE

8. CULTURAL STRATEGY

Presentation by the Economic Development and Regeneration Lead.

(Enclosure)

9. PRIVATE SECTOR RENEWAL POLICY

Report number ENV584 by the Environmental Health Services Manager.

(Enclosure)

10. LANDLORD ACCREDITATION SCHEME

Overview by the Environmental Health Services Manager.

11. WORK PROGRAMME

(Enclosure)

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

MEETING OF THE COMMUNITIES POLICY DEVELOPMENT GROUP

THURSDAY, 7 MARCH 2013 2.30 PM



GROUP MEMBERS PRESENT

Councillor Kelham Cooke
Councillor Nick Craft
Councillor Breda Griffin
Councillor Charmaine Morgan

Councillor John Nicholson (Chairman)
Councillor Jeff Thompson (Vice-
Chairman)
Councillor Raymond Wooten

PORTFOLIO HOLDER

Councillor Teri Bryant (Portfolio: Good Housing for All)
Councillor Mrs Frances Cartwright (Portfolio: Grow the Economy – Economic
Development)

OFFICERS

Head of Environmental Services (Mark Taylor)
Waste and Recycling Service Manager (Pat Swinton)
Development Management Service Manager (Pat Reid)
Community Engagement and Policy Development Officer (Carol Drury)
Principal Democracy Officer (Jo Toomey)
Waste Advisor (Gwen Came)
Admin Assistant – Legal and Democratic Services (Alexandra Jarvis)

59. MEMBERSHIP

The PDG was notified that Councillor Craft would be substituting for Councillor Mrs Taylor for this meeting only.

60. APOLOGIES

An apology for absence was received from Councillor Smith (Green, Healthy and Arts Portfolio Holder).

61. DISCLOSURE OF INTERESTS

No interests were disclosed.

62. ACTION NOTES FROM THE MEETING HELD ON 10 JANUARY 2013

The action notes from the meeting on 10 January 2013 were noted.

63. UPDATES FROM PREVIOUS MEETING

The Good Housing for All Portfolio Holder commented that he appreciated the PDG's input on all elements of the housing programme of work.

The Property Development Manager gave a brief presentation updating the PDG on residents' parking in Stamford. Survey work (which had been funded from the PDG support fund) complemented other consultation mechanisms to identify whether there was sufficient support for residents' parking schemes in Stamford town centre.

Agreed criteria for the creation of a residents' parking scheme contained within the car parking policy stipulated that 50% of residents without off-street parking facilities within a specified zone and willing to pay for a parking. While none of the zones met this threshold one street did, with another five close to it. A meeting with representatives from local residents groups concluded it would be divisive to set up two smaller schemes in the town centre for those streets which met the threshold. Their preference was asking Lincolnshire County Council to formalise the on-street waiver that was introduced before Christmas as a temporary measure. The temporary waivers were due to expire in May 2013 and the season tickets for SKDC lasted six months.

Members reported that changes in parking behaviour had improved access to on-street parking since the introduction of civil parking enforcement. However concern was expressed about the potential impact on people with a disability if there was not going to be a residents' parking scheme.

Requests had been made by two areas in Grantham for residents' parking schemes. Survey work would need to be carried out in each of these areas to establish whether there was sufficient interest to create a scheme/schemes.

64. WASTE AND RECYCLING - MISSED BIN POLICY

Report number WAR2013/001 was presented to the PDG. It proposed a three strikes policy; where a bin was missed and recorded as not presented twice in a rolling six-month period, it would not be collected and the waste team would only return on scheduled collection days. On the first two occasions letters would be sent to residents reminding them how and when to present their bins. New systems within collection vehicles allowed crews to record where bins were not presented. This information was relayed back to the offices almost in

real-time. The policy would apply to any combination of green, silver or black bins.

The aim of the policy was to reduce costs associated with missed-bin collections. Officers advised that of 3.8million collections every year, 2,666 bins were logged as justifiably missed. Separate arrangements were in place for blocks of flats and no changes were proposed to the assisted collection scheme.

The proposed policy was met with broad support from PDG members however they suggested some points needed clarifying. They did not feel that the proposed policy was sufficiently clear in its definition of non-presentation. Members felt that occasions where residents chose not to put out their bin or were on holiday would count towards their three strikes. Officers clarified that the only occasions that would count as 'strikes' were where a bin was not presented and the resident reported that it had been missed.

Amendments to the wording of the draft letters were also proposed. It was suggested that each letter should contain the date and means through which the missed bin was reported. A clarification to the penultimate paragraph of the second letter was also suggested; this should be amended to read "we will not return to collect your waste and we will only return on your next scheduled collection date". The PDG agreed with these suggestions.

Recommendation

That the Council adopts a three strikes' policy, whereby if a bin was missed and recorded as not presented twice (and reported) in a rolling 6-month period, it would not be collected and the waste team would only return on scheduled collection days. Reminders should be sent to residents on the first two occasions regarding how and when to present their bins. These letters should incorporate the suggestions made during the meeting.

65. WASTE AND RECYCLING - NEW CONTRACT AND CONTAMINATION

Officers presented report number WAR2013/002 which informed members of changes to the recycling contract and the impact of contamination. From August 2013 the Council would move from a provider it paid to dispose of recyclable waste to a provider that paid for the recyclables presented. The new contract included a 5% allowance for contamination. The Council would be charged for disposal of any contamination above the 5% threshold.

To mitigate the risk of the level of contamination exceeding the threshold a generic comprehensive education campaign was proposed. Any bin not meeting the required standard should not be collected until all the contamination had been removed.

Councillors asked questions about the new contract. Officers clarified that the Council would only be charged for the disposal of the items that contaminated a load, not the full load.

The Head of Environmental Services who was shared with North Kesteven District Council reported high levels of contamination (approximately 15%) when they switched to the same provider in North Kesteven. The contract included provision for the Council to send representatives to verify the accuracy of the reported levels of contamination. This had been taken up by North Kesteven and reports had proved accurate.

PDG members suggested that as part of the education campaign, the recycling wheel should be re-launched. They also felt that the range of references should be broader and include social media, fridge magnets and stickers for bins in areas where there is high turnover in occupancy. Targeted education would take place in areas from which high levels of contamination was reported. Crews could be asked to carry out cursory inspections of bins and report any contamination they observed. The contractor would also provide round specific information on contamination levels which would facilitate targeted education campaigns.

It was suggested that some contamination could occur when passersby dropped rubbish into bins and that for some households, one bin might not be sufficient. Options would also be built into the policy that would allow flexibility to take account of special circumstances.

PDG members supported the need for an education campaign and were in general support of the proposed policy but they set up a working group to consider the detail of the education campaign.

Recommendation

- 1. The PDG supported the broad principles behind the proposed contamination policy***
- 2. The PDG delegated authority to a working group to consider and make recommendations on the proposed education campaign in respect of contamination.***

15:54-16:02 – the meeting adjourned.

66. PLANNING ENFORCEMENT

The Development Management Service Manager presented report number PLA980 on the draft planning enforcement policy. Previous guidance on planning enforcement had been superseded on the introduction of the National Planning Policy Framework, which encouraged authorities to publish local schemes. An enforcement policy was a useful tool for demonstrating robust decision-making processes during ombudsman complaints, court cases and

appeals. All alleged breaches would be considered in the context of the policy and their harm which would be assessed using the criteria attached at appendix 1 to the report.

Members spoke in support of the document but discussion ensued on anonymous complaints. Anonymity was part of the proposed framework which would assess the priority of alleged breaches and whether they warranted investigation. If a complaint was considered sufficiently serious it would be investigated whether or not the complainant was anonymous. If complaints were anonymous, officers would be unable to follow up with or feedback to the complainant. The Development Management Service Manager assured councillors that if someone reported a breach in planning control (giving their name at the time of reporting) and requested their identity be withheld, this would be respected.

A number of amendments were suggested to the draft policy:

- Clarify the position in respect of anonymity
- Revisions to the scoring framework in the harm assessment (p.17)
 - Stable (amended from 0 points to 1 point), worsening (amended from 1 point to 2 points)
 - Anonymous complaints – amend from 0 points to 1 point
 - Breach of planning condition or Article 4 Direction – should be weighted depending upon severity
 - Complaints in respect of sensitive sites should be weighted to reflect the severity of the breach
- Text in respect of advertisements should be strengthened
- If a breach causes a safety concern it should automatically be treated as a matter of priority

Some concern was expressed about the fee quoted in the report for enforcement against high hedges. Complainants were charged a fee of £360 for the investigation of their complaint: this was based on cost-recovery principles. Councillors felt that in cases found in the favour of the complainant the charge should be levied against the antagonist. This raised concerns about enforcement action having a detrimental effect on wildlife by inadvertently encouraging people to breach the Wildlife and Countryside Act. A further amendment to the draft policy was suggested:

- A phrase should be added to one of the introductory sections: “The Council will work in conjunction with other agencies to use the most effective means of enforcement and in taking action it will not encourage people to breach other legislation either advertently or inadvertently.
- The Wildlife and Countryside Act should be added to the list of national guidelines (p.16)

Recommendation:

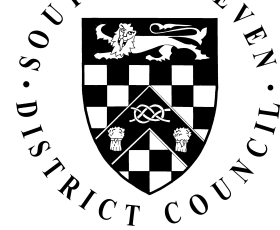
1. ***Subject to the amendments suggested during discussion at its meeting on 7 March 2013, the Communities PDG endorses the draft planning enforcement policy***
2. ***In the instance a breach is found in respect of high hedges costs should be borne by the subject of the complaint and not the complainant***

67. WORK PROGRAMME

The work programme was noted. The Community Engagement and Policy Development Officer advised the PDG she would produce a summary of its work including the outcome of action notes and recommendations. This would be made available for the first PDG meeting of the 2013/14 municipal year.

68. CLOSE OF MEETING

The meeting was closed at 16:51.



Waste Contamination Working Group

Monday 25 March 2013, 1.00pm

Tenants Resource Centre, Grantham

Present: Councillor Jeff Thompson (Chairman)
Councillor Ray Wootten
Councillor Charmaine Morgan

Officers: Carol Drury (Community Engagement and Policy Development Officer)
Alex Jarvis (Admin Assistant – Legal & Democratic)

Mark Taylor (Head of Environmental Services)
Pat Swinton (Waste and Recycling Service Manager)
Gwen Came (Enforcement Co-ordinator – Waste and Recycling)

ACTION NOTES

1. Apologies for absence

Apologies were received for Councillor Jean Taylor, Councillor Kelham Cooke, Councillor Breda Griffin, Councillor John Nicholson and Councillor Nick Craft.

2. Substitutes

3. Declarations of interest

No disclosable pecuniary interests were declared.

4. Waste and Recycling – New contract and contamination

Effective marketing and educational strategies to target residents were discussed such as sending households a recycling wheel with the correct recycling information on which could be kept by households and referred to as and when required. The group were informed that this could be an expensive way to reach the public and it was questioned if this would be effective. As part of this campaign, offenders can be easily identified by workers looking in individual's bins and if there are visibly incorrect items in the recycling bin, leaving the contaminated bin behind and not emptying it.

It was acknowledged there could be issues with people who have illnesses or tenants that move in and out of properties frequently so they may not necessarily be able to comply with the rules due to incapacity or lack of knowledge as different areas have different recycling rules. It was suggested that if aware of issues the authority could possibly take away an offender's grey bin as a last resort and that action should be taken as it is no doubt an issue for the offender's neighbours.

It was noted that there is currently a trial testing to see if giving occupants of multiple occupant residencies black bins and giving each occupant a clear bag to recycle with if they wish to recycle would help, as this enables workers to easily see if there is any contamination in the clear bag. The group discussed the possibility of encouraging individuals to use the black bin if in doubt as the penalty for putting the wrong items in the recycling bin has a negative financial impact on the authority.

It was suggested that a combined approach which would inform and educate residents about recycling and recognising that for a transitional home set-up something permanent is needed.

The authority has not had a recycling promotion in 7/8 years since the bins were first introduced therefore this is an opportunity to start from the beginning. Ideas such as promoting recycling in Skyline, SK Today and on the side of council lorries which could reach the public. A document detailing 16 ways to promote the right educational message about recycling was distributed amongst the group with the added suggestion that the authority utilises community events to go and meet the public which could especially help those who struggle with speaking English or are illiterate. It was discussed that some residents may have recently moved to the district and not be familiar with the area. As different districts apply different recycling rules this could mean a number of residents are not fully informed.

It was confirmed that there is no legal target for recycling. The group discussed that they do not want to encourage people to put all their rubbish into black bins and want to educate people about how to recycle properly. It was noted that the issue is

individuals putting waste such as nappies and food in their recycling bins. It was acknowledged that the campaign won't bear instant results and that North Kesteven council is currently looking at the possibility of enforcement as the next stage if offenders persist. It was confirmed that if able to identify a known offender the waste team can visit the offender, educate them and speak about any issues. If several attempts have been made and the offender visited by the team but they continue, the council can remove their grey bin. If that offending resident decides to comply with the rules they may have their bin returned to them. If offenders can be identified, a 'three strikes' policy can be adopted. The group agreed that the programmes educating those who do not follow the correct procedure should be positive and a way of helping the individual. It was agreed that there should be a proactive approach in approaching known offenders before they offend three times and are then unable to recycle as if grey bins are removed this places a high reliance on black bins with the possibility of littering which will further affect the neighbourhood. Each individual situation will be assessed. It could be that to give an offender an extra black bin to reduce the contamination into the grey recycling bin.

As part of the educational campaign across the district, different marketing strategies were looked at during the meeting. This includes an informative wheel that will allow residents to be fully informed of what can be recycled. The group discussed that the wheel could include what can be and what can't be put into the recycling bin and on the back of the wheel information regarding self-recycling sites. Officers mentioned that it could be useful to speak with local supermarkets to let them know about the recycling campaign and check what banks they operate on their premises to give residents that information. It was acknowledged that it can be difficult to judge when recycling goods such as recycling magazines with unrecyclable front and back covers and this should be focused on to help residents make the correct choices.

The ultimate achievement is for the service plan to have a formal waste policy and bring all ideas into one document where enforcement is included as an option. Cabinet support is required to further back up the message with an overall comprehensive policy document that recognises although enforcement is an option it will not be the best way to solve the most complex issues.

It was confirmed that approximately 100 out of 23,000 bins are left behind in North Kesteven. North Kesteven council employed a third party to conduct an audit after receiving the contractor's bill as they were unsure it was correct but found that the figures from both the contractor and the third party were extremely similar. South Kesteven can also independently verify figures to satisfy that the contractors are charging the correct amount for contaminated waste if there is any uncertainty. The contract is from August 2013 – March 2015.

If offending residents leave their bin out on the day waste lorries pick up missed bins, it will go into landfill.

It was mentioned that in the case of younger offenders it may be a lack of education regarding recycling. It was confirmed that the Waste and Recycling Team have already been in contact with local sixth forms and visited primary schools. The group discussed how in the South Kesteven district all waste is deposited into the waste lorries and then sorted at a recycling centre which is a process that people may not be aware of, therefore limiting their knowledge about the entire process and this should be addressed. A competition for schools to design a video or performance has been launched to show as part of the campaign.

The group explored the issues around certain marketing strategies such as distributing stickers to residents as these could go out of date, if there is a new contractor in the future their recycling rules may differ and once the information is being given to residents in permanent form it could be challenging then altering this. There should be a realistic view of how individuals will process the information the campaign gives them. Minor incorrect objects in bins are not an issue as the 5% contamination allows for this. It is the huge amount of residual waste that must be tackled.

As household sizes can vary, the group looked at the issue of families with several young children and how these families in particular can generate a lot of waste. The black bin wastes was addressed in the meeting with the suggestion that teams could visit households and see what is generally put into these bins, give households additional bags and food caddies in an effort to reduce what is in black bins.

It was agreed that there needs to be a consistent approach through-out the entire process with 3 key elements guiding the process:

1. Quality recycled waste is the ultimate goal.
2. Follow a targeted approach towards offenders that is proactive and positive with enforcement as an option if offending can be proven and no other actions are solving the issue.
3. For repeat offenders, consider removing grey bins and if necessary replacing with black bins.

A list of communications of education of ways to reach the public regarding recycling was distributed amongst those at the meeting.

The meeting closed at 2.25pm.



Building Blocks for South Kesteven's Cultural Strategy

Consultation Document

April 2013



Your council working for you

Building Blocks

- Over arching long term **Vision**
- Strategic **Mission**
- Corporate **Aims**
- Working in **Partnership**
- What it includes **Scope**
- Where we are now **Position**
- Where we want to be **Ambition**
- What this will look like **Success**
- How this will be achieved **Delivery**



Council Vision 2021

- Create vibrant communities to live, work and invest
- Thriving and sustainable market towns offering an excellent quality of life
- Recognition as a vibrant, exciting environment for cultural activities
- A place which attracts visitors and businesses for its cultural offer



Council Vision 2021

- A growing mixed economy offering improved prosperity for everyone
- Healthy and safe communities which are inclusive to all
- Vibrant Town Centres offering a range of diverse activities and services for all
- A strong entrepreneurial culture demonstrated through a growing successful local economy



Strategic Mission:

‘For the District to be recognised as a place that offers an excellent quality of life with a wide choice of rich and varied cultural provision, promoting high levels of involvement, inclusion and economic prosperity.’

Does this capture the essence of the strategy?



Your council working for you

Agreed Corporate Aims

- Support development of a diverse economy – daytime and evening
- Enable wide ranging leisure opportunities
- Facilitate delivery of a balanced cultural and arts programme
- Promote our heritage and tourism
- Enable the delivery of an attractive retail experience
- Cultivate South Kesteven as a destination for investment



Partnership Working

- **Community leadership;**
Taking responsibility where appropriate for directly delivering projects and services
- **Adding Value;** Working with partner organisations to commission new projects
- **Supportive approach;**
Facilitating the delivery of initiatives by partners and the community

Is this appropriate & acceptable?



Your council working for you

Scope: What does it include?

Our cultural assets span a wide range of areas including:

- Heritage
- Architecture,
- Museums & Libraries,
- Sports & Leisure,
- Visual & Performing Arts,
- Festivals & Events,
- Specialist retailers, markets and fairs

Is this complete? Should anything else be included?



Your council working for you

Position: Where are we now?

- **Rich built heritage:** 1500 scheduled monuments
- **Historic environment:** ancient market towns, churches, manor houses, stately homes, castles,
- **Natural Environment:** a canal, parks, gardens and woodlands.
- **Music & comedy scene,** of varying genres, including amateur music, singing, drama, orchestral and visual arts groups, brass bands and operatic societies.



Position: Where are we now?

Sports and Leisure:

- Variety of Sports clubs and activities.
- Established sports tourism e.g. Equestrian.
- High quality golf courses
- Water courses
- Cycling
- Beautiful countryside
- Country shows, fairs and markets
- Festivals and events hosted across the district



Should anything else be included?



Your council working for you

Position: Where are we now?

The Council manage:

- Leisure Centres in Grantham, Stamford, Bourne and Market Deeping.
- Meres Centre, a 1200 seat venue in Grantham, attracting national and international Acts
- Arts Centres & theatres (Grantham & Stamford)
- TIC (Stamford and Grantham)
- Parks and open spaces across the district
- Programme of festivals, markets and events

Sunday Times - 'Best Place to live and commute'

Has anything been missed out?



Your council working for you

Ambition: Where we want to be?

SK 2013

- A range of town centre activity with a limited evening economy offer
- Growing recognition of cultural provision and good quality of life
- Opportunities for inward investment to build on the arts and leisure offer in the Town centres
- Reasonable levels of community participation which can be harnessed to improve community cohesion and civic pride
- Limited knowledge or evidence about how current provision meets local needs and supports the local economy.
- Growing sense of community with varying levels of cultural provision across the district

SK 2021

- Vibrant town centres offering a range of activities and cultural services for all sectors of the community.
- Thriving evening economy providing choice of leisure activities and a safe environment
- Strong cultural offer that acts as a catalyst for investment
- Provide equality of opportunities for residents to learn and develop skills through cultural provision
- Reputation as a district with strong community engagement and high quality of life.
- Have a strong sense of community, identity and place as the district's infrastructure and population grows.



Success: What this will look like?

Grantham – ‘Cultivating visual and performing arts’

- A cultural quarter with an improved Cinema and Leisure complex development
- Improved public realm and performance space at St Peter’s Square
- Thriving Arts Centre forming the hub of cultural activity and creative network
- An active family entertainment scene
- Parks and green spaces linked to the town and viewed as part of the whole town experience
- Known nationally for hosting exciting festivals and events e.g. Gravity Fields
- Vibrant street entertainment and artists
- Thriving markets and local craft centre
- Growth and development embracing town heritage and offer
- Reputation of being a creative, active centre

Does this fit with the strategy’s ambition?



Your council working for you

Success: What this will look like?

Stamford – ‘Preserving heritage and architecture’

- Strong evening economy based around high quality food and drink offer, cultural events and demonstrations
- Daytime coffee culture
- Active town trails and heritage activities
- River based leisure activities
- Independent and specialist retailers
- Established film and TV location
- Increased overnight stay visitors and day visitors
- Reputation as the finest Georgian town in UK, with stunning original architecture and built environment.
- Thriving market town with national appeal

Does this fit with the strategy's ambition?



Your council working for you

Success: What this will look like?

Bourne – ‘championing community spirit and participation’

- Charming bustling ancient market town
- Range of independent, specialist and national retailers
- Renowned locally for its waterways, open spaces and parks
- Preserved ancient 400 acre woodland
- Wide variety of active clubs and community organisations
- Good schools and colleges with a diverse range of learning opportunities and courses
- Birth place of BRM, Charles Worth and William Cecill
- Wide local appeal as a self contained town offering all of life’s essentials

Does this fit with the strategy’s ambition?



Your council working for you

Success: What this will look like?

Market Deeping, Deeping St James and our rural Hinterland – ‘Sparkling jewels in a rich landscape of opportunity’

- Known for a high quality local fresh food and drink offer
- Magnificent Gardens and beautiful Stately Homes
- Idyllic Country Manor House Hotels
- Peaceful surrounding countryside, bridle paths and cycle routes
- Golf courses and water sport venues
- Rich variety of social sports and leisure clubs for youth and adults
- Specialist local events such as Music in Quiet Spaces

Does this fit with the strategy’s ambition?



Your council working for you

Delivery: How this will be achieved

Promote, Provide, Participate:

- To promote the wide ranging benefits of SK's culture
- To preserve and develop SK unique cultural offer
- To enable and encourage people to participate in SKs cultural activity



Promote the wide range of cultural provision:

- **Maximising promotion of SK cultural** offer by producing a comprehensive communication plan across the district
- **Understanding and identifying more effective ways of reaching customers** and business investors locally, regionally and beyond
- **Working with partners to market key cultural assets and events** in each of the towns and encourage cross marketing
- **Encouraging active life styles and engagement** with positive cultural activities to people of all ages across the district
- Building a virtual 'cultural community' using **social media**
- Champion **cultural ambassadors** and help their voice to be heard
- Developing **strong relationships** with businesses in the cultural and tourism sectors to maximise opportunities
- Cultivating a reputation as being an **thriving, entrepreneurial area** with successful business growth

Should anything else be included?



Preserve and develop SK's unique offer:

- **Attracting new business** into the town centres to increase leisure, retail and evening economy
- **Map cultural activity** and identifying areas for increased provision
- **Encouraging physical development** of the town which complements the heritage and enhances the cultural townscape.
- Recognise the **value of the visitor** economy to the district and champion the hospitality sector
- **Maximise the use** of existing cultural facilities and shaping provision around local needs whilst being ambitious for the district
- **Raise reputation of district** and putting us on the map by improving the quality of the local cultural provision
- Actively **lobbying the film** and TV makers
- **Levering investment** into the district to stimulate cultural activities such as festivals and events

Should anything else be included?



Your council working for you

Enable and encourage participation:

- **Work with partners** to increase the number of opportunities to volunteer through cultural provision
- **Review and develop rural provision** in partnership with other public sector and voluntary sector organisations
- **Seek to provide additional facilities** through planning and opportunities afforded by growing communities
- **Cultivating a sense of community** in new housing growth areas particularly in Grantham with 7000 new houses allocated.
- **Work with cultural providers**, community base training providers and the education sector to maximise cultural learning opportunities
- **Develop community champions** for the district
- Building knowledge of communities, identity and **sense of pride**

Should anything else be included?



Your council working for you



Building Blocks for South Kesteven's Cultural Strategy

Consultation Document

April 2013

REPORT TO CABINET OR P.D.G. OR COUNCIL

REPORT OF: David Price, Environmental Health Service Manager

REPORT NO: ENV584

DATE: 16 May 2013

TITLE:	Private Sector Housing Renewal Policy	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Consideration of the broad principles of the policy	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Teri Bryant Good Housing	
CONTACT OFFICER:	Anne-Marie Coulthard	
INITIAL IMPACT ANALYSIS: Equality and Diversity	Carried out and Referred to in paragraph (7) below Not applicable at this stage	Full impact assessment Required: Will be required at later stage
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	Private Sector Housing Renewal Policy 2013-2018 – Policy Outline Proposed Private Sector Enforcement Policy Empty Homes – Policy Considerations	

1. RECOMMENDATIONS

- 1.1 That the PDG consider the broad principles for the direction of the Private Sector Housing Renewal Policy.

2. PURPOSE OF THE REPORT

- 2.1 To provide the PDG with the opportunity to comment on the broad principles proposed for the Private Sector Housing Renewal Policy.

3. DETAILS OF REPORT

- 3.1 The Private Sector Housing Renewal Policy stems from the wider South Kesteven Housing Strategy 2013-18.

This policy sets out the structure of assistance and support that the Council provides to support home owners and private tenants. The aim is to raise housing standards, support and enable independent living and improve the supply and quality of housing in the private sector.

It also includes how we will approach our enforcement activities and the issue of empty homes within the district.

The attached document provides details of the principles of the new policy which is currently under development.

4. OTHER OPTIONS CONSIDERED

- 4.1 Authorities have a general power to give financial assistance for home repair, improvement and adaptation. In accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 authorities are required to give assistance under these powers in accordance with a published policy. The guidance provides that assistance should be a mixture of loans and grants and targeted towards vulnerable households.

South Kesteven District Council must have a Private Sector Housing Renewal Policy in order to be able to provide assistance for private sector renewal. The principles suggested represent the best options to assist in private sector renewal in the foreseeable future.

5. RESOURCE IMPLICATIONS

- 5.1 Budget is currently available for 2013/14 to deliver £300,000 of decent homes grants, £100,000 of empty homes grants and £500,000 (of which £289,717 is Government Grant) to deliver disabled facilities grants in the private sector.

In relation to financial assistance there will be future resource implications depending on the direction of the policy.

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
<i>Financial</i> – inadequate Capital available for grants/loans. Inability to meet demand for service.	<ul style="list-style-type: none">• Budget in place for 2013/14• Government grant provided for Disabled Facilities Grants• Budget monitoring in place• Recycle re-paid grants due to sale of property back into grant funding• Reduction in scope of grant allows more vulnerable customers to benefit
<i>Reputational</i> – increase adverse publicity and complaints.	<ul style="list-style-type: none">• Clear that grants are discretionary and funding is limited
<i>Strategic</i> – Deterioration in private sector stock condition. Vulnerable residents at risk from poor quality housing.	<ul style="list-style-type: none">• Offer financial assistance to the most vulnerable• Undertake enforcement of minimum standards in the private rented sector
<i>Regulatory</i> – Unable to provide assistance in private sector renewal without a policy. Reduction in grant funding could result in increased enforcement activity	<ul style="list-style-type: none">• New policy to be in place• Review of enforcement capability within private sector housing team would be necessary

7. ISSUES ARISING FROM IMPACT ANALYSIS

- 7.1 Not applicable at this stage.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 The policy will have an impact on local communities by maximising the number of empty properties that are bought back into use thereby helping to mitigate the blight and antisocial behaviour which can be associated with them.

9. COMMENTS OF FINANCIAL SERVICES

- 9.1 At this stage there are no specific financial implications arising from this report however depending on the final policy agreed there will be financial considerations as a result. The report outlines the budget amounts agreed for 2013/14 of which any spend will need to be maintained within budget framework.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 10.1 Article 3 of the Regulatory reform (Housing Assistance) (England & Wales) Order 2002 provides the power for local authorities to provide financial

assistance for home repair, improvement and adaptation. However, a local housing authority may not exercise the power conferred by Article 3 unless (Article 4):

- (a) they have adopted a policy for the provision of assistance under that article;
- (b) they have given public notice of the adoption of the policy;
- (c) they have secured that—
 - (i) a document in which the policy is set out in full is available for inspection, free of charge, at their principal office at all reasonable times;and
 - (ii) copies of a document containing a summary of the policy may be obtained by post (on payment, where a reasonable charge is made, of the amount of the charge); and
- (d) the power is exercised in that case in accordance with that policy

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 N/A

12. APPENDICES:

- Private Sector Housing Renewal Policy 2013-2018 – Policy Outline
- Proposed Private Sector Enforcement Policy
- Empty Homes – Policy Considerations

Private Sector Housing Renewal Policy 2013-2018 – Policy Outline

Introduction

South Kesteven's Private Sector Housing Renewal Policy flows from the district's Housing Strategy which has a vision for the future of the District Council within the context of the corporate priority of creating the environment to support good housing for all.

The Housing Strategy sets out four strategic housing priorities:

- Priority 1: High quality affordable homes available to rent or buy
- Priority 2: Improved housing standards across the district and for all tenures
- Priority 3: Access to housing and wellbeing services
- Priority 4: Promotion of sustainable neighbourhoods and communities

In 2010 the Government released Planning Policy Statement 3: Housing which contains the key housing policy goal "to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live".

The majority of housing both nationally and locally is in the private sector, being either owner occupied or privately rented. South Kesteven's 2009 stock condition survey shows that private sector housing within the district is in a worse condition than housing in the public sector and privately rented homes have the worst conditions.

The Joint Health and Wellbeing Strategy for Lincolnshire 2013-2018 is based on the five priorities identified in Lincolnshire's Joint Strategic Needs Assessment

Under priority 5, tackling the social determinants of health, the Joint Health and Wellbeing Strategy for Lincolnshire has the outcome of:

People's health and wellbeing is improved through addressing wider determining factors of health that affect the whole community.

To meet this outcome, a priority for the Health and Wellbeing Board is to:

Ensure that people have access to good quality, energy efficient housing that is both affordable and meets their needs.

We aim to help achieve this outcome by taking action to promote, encourage and where necessary enforce standards, help vulnerable home owners and tenants to remain living independently in their homes where it is appropriate, encourage the best use of private housing and target assistance toward the most vulnerable.

Understanding South Kesteven's Private Sector

South Kesteven has a population of 134,100. By 2031 the population is estimated to increase to 164,400.

Property tenure in South Kesteven

Tenure	Dwellings	Percentage
Owner Occupied	41,343	71%
Privately Rented	8,935	15%
Total Private Sector Stock	50,010	86%
Local Authority	6,197	11%
Registered Social Landlords	1,783	3%
Total Social Housing	7980	14%
Total All Tenures	57,990	100%

Source: 2011 Census

The South Kesteven private sector house condition survey 2009 estimates that 10,700 dwellings in the district do not meet the decent homes standard (meets the current statutory minimum standard for housing, is in a reasonable state of repair, has reasonably modern facilities and services and provides a reasonable degree of thermal comfort), with non decent dwellings most likely to be converted flats and private rented properties built pre-1919. The cost to remedy this is estimated to be around £87.5 million, an average of £5,100 per non decent property.

Housing and Health

The quality of the home has a significant impact on health; a warm, dry and secure home is associated with better health. Housing-related hazards that increase the risk of illness include damp, mould, excess cold and structural defects that increase the risk of an accident (such as poor lighting, or lack of stair handrails).

In addition to basic housing requirements, other factors that help to improve well-being include the neighbourhood, security of tenure and modifications for those with disabilities. The Building Research Establishment (BRE) has calculated that poor housing costs the NHS at least £600 million per year.

In South Kesteven the highest significant hazard in the private sector is for excess cold. In 2010/11 there were estimated to be 70 excess winter deaths (ONS 2011) across all types of tenure.

Strategic Links

There are close links with a range of legislation, national and local strategies and policy. These include;

- Housing Act 2004
- Energy Act 2011
- Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- Decent Homes Standard
- Laying the Foundations: A Housing Strategy for England
- Joint Health and Wellbeing Strategy 2013-2018
- Lincolnshire Affordable Warmth Strategy
- Lincolnshire Homelessness Strategy 2012-2016
- Lincolnshire Housing Strategy 2009-2014
- South Kesteven Housing Strategy 2013-2018

Policy Priorities and Aims

This policy sets out the structure of assistance and support that the Council provides to support home owners and private tenants. The aim is to raise housing standards, support and enable independent living and improve the supply and quality of housing in the private sector.

Based on the South Kesteven Housing Strategy 2013-2018 the outcomes to be delivered to improve housing standards across the district for the private sector are considered to be:

- Improvements in the quality of housing and environment in our neighbourhoods
- Improvements to the quality of private sector housing
- Households being assisted to remain safely in their homes
- An increased supply of good quality private rented accommodation
- Increasing proportions of houses reaching affordable warmth standards.

From these, priorities for action for the private sector are:

1. Improving standards in the private sector
2. Supporting independent living
3. Maximise the number of empty homes bought back into use
4. Tackle fuel poverty by delivering affordable warmth and reductions in energy use
5. Driving up management standards and professionalism in landlords

Priority 1: Improving standards in the private sector

The private sector makes up 87% of the districts housing stock and contains a range of house types and ages. A large proportion of the stock (63%) was built after 1964 with high numbers of bungalows and detached houses. However, the majority of privately rented homes (60%) were built before 1919 and suffer the highest rates of non decency.

The enforcement of housing standards is a duty placed upon the Council which is delivered by the Private Sector Housing Team within Environmental Health Services.

Under the Housing Act 2004, local authorities have a duty to deal with Category 1 hazards (that being those hazards which present the most risk of harm to health). Private rented properties are of greatest concern due to the high numbers of vulnerable people who live in poor housing conditions in this sector.

Although this is an enforcement service, the focus is also on helping responsible landlords to achieve high standards in their property by providing advice and guidance to assist them.

Issues:

- Long term deterioration of private sector stock where owner occupiers are unable to maintain their homes
- No further Capital funding from Government
- Average SAP ratings across the private sector of 54 (owner occupied) and 43 (privately rented) EPC band E
- 60% of privately rented homes were built pre-1919
- Non decency in the private rented sector is 57%
- The cost to make dwellings decent in the private sector is estimated to be £87.5 million – an average of £5,100 per property
- 11,700 dwellings are estimated to have at least one Category 1 hazard
- The main reason for the presence of a Category 1 hazard is excess cold
- Changes to benefits mean that single people between the age of 25-34 who rent from a private landlord will be entitled to enough benefit to rent a room in a shared house. As a result they will need to access alternative shared housing e.g. houses in multiple occupation

Actions we can take:

- Undertake property inspections, hazard rating and action in accordance with the enforcement policy
- Undertake work in default and initiate prosecutions following non compliance with statutory notices
- Carry out a private sector stock condition survey every 5 years
- Undertake property inspections for submission to the UK Border Agency/Embassy for immigration applications
- Identify, inspect and licence (where required) houses in multiple occupation
- Inspect and licence mobile home sites
- Provide financial assistance to vulnerable owner occupiers. Recognition that to make the most of remaining Government funding this may need to become a Category 1 hazard only service rather than a grant to bring up to decent home standard.
- Expand engagement with letting agents eg training ref. HHSRS
- Promote good practice among landlords (accreditation)
- Continue to provide information, training and engagement with landlords
- Continue to provide information and advice for private tenants

The number of people aged 65 and over in the district that cannot manage at least one self-care activity on their own is set to increase to 15,157 from 8,389.

There is a strong association between disability and income as 25% of households with a disabled or frail elderly resident have a household income below £10,000 per annum compared with 16% where there is no person with a disability.

The Council has a statutory responsibility to provide grant assistance to help people to adapt their home to meet the needs of a disabled occupant.

Issues:

- The high proportion of older residents has implications due to the potentially greater need for support associated with older households.
- The high proportion of low income households with a disabled occupant means that demand for disabled facilities grants is high
- Older or disabled residents may have physical difficulty dealing with repairs
- It is estimated that 6,200 private sector homes have at least one resident with a long term illness or disability

Actions we can take:

- Deliver mandatory disabled facilities grants efficiently
- Ensure that grant conditions are imposed to ensure the best use of resources
- Consider requests for discretionary funding outside the scope of a mandatory disabled facilities grant
- Provide funding to support the Handy Person Service provided by the Lincolnshire Home Improvement Agency
- Utilise the First Contact system to provide advice or services and signpost customers to other organisations
- Work with the Lincolnshire Home Improvement Agency to promote the use of their "Trusted Traders" list, offering peace of mind to elderly residents who may need work on their homes.

Priority 3: Maximise the Number of Empty Homes Bought Back into Use

Empty homes represent a wasted housing resource. They also attract vandalism and antisocial behaviour and can be a blight on communities contributing to decline in an area.

We currently provide support and assistance to owners of empty properties to encourage them to bring them back into use. In addition to this, there are also a range of legal powers to ensure that empty homes are bought back into use where no agreed solution has been found.

Issues:

- A small number of empty homes cause significant nuisance and blight neighbourhoods
- The lack of financial credit currently available to owners can block the renovation of properties
- Empty property owners are often unprepared and uninformed
- Re-use of empty homes can be blocked for significant periods of time e.g. probate or ownership issues

Actions we can take:

- Continue to provide financial assistance to owners of empty properties to bring them back into use for the rental market at an affordable rate
- Provide advice and support to owners of empty properties who wish to bring them back into use
- Maintain a firm response to all empty property nuisance to protect neighbourhoods and impress on owners the liabilities of owning empty homes
- Issue Empty Dwelling Management Orders (interim then final following Residential Property Tribunal decision) to allow the council to repair, manage and let the property
- Force the sale of an empty property to recover costs
- Take action to secure empty properties against unauthorised entry
- Take action on land which is unsightly or attracting vermin
- Make Compulsory Purchase Orders where other interventions have failed

Priority 4: Tackle fuel poverty by delivering affordable warmth and reductions in energy use

Tackling fuel poverty is a corporate priority. Our 2009 Private Sector Stock Condition Survey indicated that the average SAP rating in owner occupied stock was 54 and 43 in privately rented stock. Both represent a Band E. Nationally the average SAP rating is now 57.

Through a range of measures it is possible to improve energy efficiency and reduce carbon emissions in the private sector, particularly where it impacts on the most vulnerable residents, and also contribute to the council's climate change aspirations.

Issues:

- It is estimated that the overall rate of fuel poverty in South Kesteven is 16%. The highest rate of fuel poverty is found in the private rented sector, where 36% are in fuel poverty
- Government grant schemes have ended e.g. Warmfront
- Converted flats have the lowest mean SAP rating (42), followed by terraced housing (50).
- The mean SAP for a pre-1919 property is 38 (EPC band F)
- The Energy Act 2011 makes provision to prevent landlords from letting premises that fall below a specific EPC band (expected to be E), unless the landlord has enabled the maximum package of measures under the Green Deal.
- It is estimated that 33% of homes in South Kesteven are off the gas network and 24% have solid walls making them "hard to treat"
- The most "hard to treat" homes are yet to be improved
- The health implications of fuel poverty are significant

Actions we can take:

- Provide advice and assistance to residents and signposting to other organisations for specialist support
- Promote and support the Green Deal, Energy Company Obligation and other government initiatives aimed at improving energy efficiency
- Continue to pursue funding for area improvements to significantly improve the energy performance of the private sector stock
- Maintain partnership of the Lincolnshire Home Energy Partnership and work together to deliver the Lincolnshire Affordable Warmth Strategy
- Ensure that landlords of private rented homes understand their obligations under the Energy Act 2011
- Ensure that residents benefit from the Responders to Warmth scheme and any other local, regional or national programmes
- Train members of the private sector housing team in energy awareness to deliver in house support and advice to residents in their own homes.
- Work with Trading Standards to promote and enforce EPC regulations in the private sector
- Continue to pursue large scale funding opportunities to improve energy efficiency in the private sector

Priority 5: Driving up management standards and professionalism in landlords

We recognise that strong relationships with professional private landlords are necessary to ensure that there is a good supply of high quality, professionally managed accommodation that is affordable to a wide range of households.

Issues:

- Quality and management issues in the private rented sector
- Growing demand for rooms in houses in multiple occupation can lead to lower standards where demand outstrips supply
- New landlords are uninformed of their responsibilities
- Variable standards among letting agents
- The sector is seen as insecure – 6 month assured short hold tenancy is the norm
- Many buy to let mortgage companies will not allow a fixed tenancy period beyond 12 months
- Some buy to let mortgages will not allow multiple occupancy of a property
- Conditions relating to the property and landlord must be met for the Council to discharge its homelessness duty into the private rented sector
- Tenants fearful of complaining in case of retaliatory action or harrassment by the landlord

Actions we can take:

- Work with landlords to drive up standards in the private rented sector using advice, support and enforcement where necessary
- Identify unlicensed houses in multiple occupation and take action where appropriate
- Participate in the organisation and delivery of the county wide landlord forums
- Publish a Lincolnshire wide quarterly landlords newsletter
- Establish a landlord accreditation scheme
- Work with the Fire Service to ensure houses in multiple occupation are safe
- Work with letting agents to ensure that they are aware of their responsibilities
- Provide information, training and engagement with landlords
- Make the private rented sector a choice to help meet the homelessness demand
- Support work to address antisocial behaviour in the private rented sector

Resources

Funding for expenditure in the private sector has historically relied on Government grants; unfortunately, the Government discontinued funding for the private sector renewal programme from March 2011, although South Kesteven still has some funding available. Financial support to deliver disabled facilities grants continues.

The Government recognises that poor quality housing has an impact on the health of occupants and on the quality of life in the area, and states that “responsibility for maintaining privately owned homes rests first and foremost with their owners but some targeted assistance

may be available from local authorities...., for the elderly and less well off, to pay or contribute to carrying out essential maintenance/improvement work”.

As financial assistance going forward would be reliant on funding from the Council’s capital, we will take every opportunity to bid for funding from other sources to supplement this and to develop new, and reinforce existing partnerships which can maximise income opportunities such as the New Homes Bonus.

Changes to existing grant assistance

Better Homes Grants

There is currently £300,000 of the decent homes government grant funding remaining. It is recognised that the Council needs to maximise the use of this budget, so by re-naming this grant and reducing the scope of qualifying works from Decent Homes Standard to a lesser standard, which requires the removal of Category 1 hazards (and repairs to ensure the integrity of the property or to protect residents from immediate exposure to dangerous or insecure building elements e.g. leaking roofs which do not rate highly under the Housing Health and Safety Rating System), it will allow a larger number of households to be offered grant assistance.

Empty Homes Grants

Renovation grants aimed at bringing empty properties back into use have been a significant tool in negotiations with owners; however their existing relatively low value of £3,000 when compared to the relatively onerous grant conditions has made it unattractive to some. Increasing this to a maximum of £6,000 per property reflects the increased costs of building material and labour and provides an incentive to bring an empty property back into use for the increasing private rental market. The owner would still be required to let the property at the Local Housing Allowance rate for that type of property for 3 years.

Proposed Financial Assistance

Authorities have a general power to give financial assistance for home repair, improvement and adaptation. In accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 authorities are required to give assistance under these powers in accordance with a published policy

The proposed assistance promotes the property owners responsibility to repair and improve their homes while providing support to vulnerable homeowners, those who are committed to bring an empty property back into use for the private rental market and the disabled.

Financial Assistance Proposed

Assistance Type	Purpose	Eligibility	Amount available	Conditions
Mandatory Disabled Facilities Grant (DFG)	To adapt the home of a disabled person to meet their needs. Needs assessed and recommended by an Occupational Therapist from LCC	Any disabled person, owner occupier or tenant. The property must be reasonably and practicably capable of being adapted to meet the needs of the disabled person. The works must be necessary and appropriate to meet the needs of the disabled person as detailed by an Occupational Therapist.	Maximum Grant of £30,000 Applicant's contribution will be determined by a "test of resources", except for applications on behalf of children under 19 as these are exempt.	Where a grant equal to or above £10,000, is approved and where additional floor space is created within the property, (e.g. an extension or conversion) a local land charge of up to £10,000 will be applied for 10 years from the date of completion of the work. This amount is repayable if the property is sold within 10 years. Where equipment funded through a DFG could be reused if no longer required, an additional condition may be imposed enabling the council to remove the equipment (e.g. stairlift or ramp).
Discretionary Disabled Adaptations. (Assistance to top up mandatory DFGs)	To provide additional assistance where the cost of the work exceeds the maximum Mandatory Disabled Facilities Grant, where the assessed	As for Mandatory DFG	Maximum of £10,000 although the council has discretion to determine a reasonable amount in excess of this in exceptional circumstances	A local land charge will be placed on the property for 10 years for the full amount of the assistance. This amount is repayable if the property is sold

	<p>contribution cannot be met or for works falling outside the mandatory criteria which are needed for the welfare or employment of the disabled person.</p>			<p>within 10 years.</p> <p>Where assistance is provided for an applicant who does not have capital to pay their assessed contribution outright then the council can arrange for payment to be made in instalments over a period of time.</p>
<p>Discretionary Disability Relocation Assistance</p>	<p>To provide assistance to a person qualifying for a Mandatory Disabled Facilities Grant but where the property cannot practically be adapted to help that person move to a more suitable property. e.g. legal expenses, furniture removal.</p>	<p>The existing home of the disabled person must not be reasonably or practically capable of being adapted to meet their needs. The property which they wish to relocate must have been assessed as being suitable by an Occupational Therapist or capable of being made suitable. The extent to which a new home requires adaptations funded through the mandatory DFG will be a determining factor in ensuring overall value for money.</p>	<p>Maximum of £10,000 although the council has discretion to determine a reasonable amount in excess of this in exceptional circumstances</p>	<p>Each application is approved on a strict case by case basis.</p> <p>Discretionary grants are subject to the availability of funding.</p>

<p>Repair Grant (new) replaces existing decent homes grant and has focus on cat 1 hazards and not available to landlords</p>	<p>To address the most serious hazards that are likely to cause injury or ill health to occupiers.</p> <p>To reduce the number of homes with Category 1 hazards</p> <p>To increase the number of vulnerable owner occupiers living in homes which meet minimum standards.</p>	<p>The applicant must be the owner occupier and have owned and lived in the property for a minimum of 3 years.</p> <p>The owner occupier must be in receipt of a means tested benefit.</p> <p>Properties are eligible if a survey identifies category 1 hazards (or category 2 hazards likely to become category 1 hazards within the next 12 months) that could not be rectified through other forms of financial assistance e.g. the Energy Company Obligation.</p> <p>Reasonable and practicable works will be undertaken having regard to the age and condition of the dwelling or mobile home.</p> <p>The council reserves the right to apply means testing (using the prescribed test of resources for disabled</p>	<p>Maximum Grant of £5000 per property within a 5 year period. This means that two or more grants can be approved at the same property as a result of separate problems occurring at the same house, but they may not total more than £5000 within a 5 year period.</p>	<p>The property must be the sole residence of the applicant. The applicant must have owned and lived at the property for a minimum of 3 years prior to application.</p> <p>A local land charge will be placed on the property for 5 years from the date of completion of the works.</p> <p>If the property is sold within 5 years of completion the grant amount must be re-paid on a sliding scale which reduces by 20% for each full year since completion of the works.</p> <p>Discretionary grants are subject to the availability of funding.</p>
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		facilities grants) to determine the maximum amount a household is eligible to apply for.		
Home Repair Loan (new)	To remove HHSRS category 1 hazards from privately owner-occupied homes.	Home owners who are not eligible for a Repair Grant.	Maximum of £5,000 per property (subject to any upper limit applied by LincUp)	<p>Must meet criteria of Lincolnshire Credit Union (LincUp) Repayment plan to be arranged with Lincolnshire Credit Union.</p> <p>Maximum re-payment period of 5 years.</p> <p>A local land charge will be placed on the property for the term of the loan. Any remaining balance must be re-paid if the property is sold during this period.</p>
Empty Homes Grant (revised value)	To contribute to the wider empty homes strategy by providing financial assistance to owners of empty homes to bring them back into use for the rental market	<p>Applicants must be the owner of the property</p> <p>The property must have been empty for at least 6 months at the time of the application (determined by council tax payments).</p> <p>The grant does not cover works which have already commenced or the following;</p>	Maximum of £6,000 per property.	<p>The property must meet the decent homes standard on completion</p> <p>Financial commitment to undertake the work must be evidenced</p> <p>The work must be completed within 12 months of approval of the grant and the property actively marketed for rent.</p>

		<ul style="list-style-type: none">• Legal fees• Insurance costs• Agents fees		<p>The property must be rented at a rate not exceeding the LHA rate for a period of 3 years.</p> <p>A local land charge will be applied to the property until works are completed. The grant is to be fully repaid if the work is not completed within 12 months and the property actively market for rent.</p> <p>The property must be available for rent by persons referred by the councils Housing Solutions Team.</p>
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Proposed Private Sector Enforcement Policy

Introduction

The supply of good quality, affordable private rented accommodation is essential to meet our local housing need and is linked to the economic success of the district.

In South Kesteven the majority of landlords are small portfolio holders, along with approximately 30 social landlords. The service aims to provide clear guidance and advice to landlords to give them the opportunity to put problems right before taking enforcement action. The private sector housing team will usually become involved where there is a clear case for intervention. There may be circumstances where legislation requires that formal action has to be taken immediately where there is an imminent risk to health.

Following a complaint about poor housing standards in a private rented home, the Council will take appropriate action to investigate the complaint. Initial investigations may result in advice or assistance being given or where necessary an inspection of the property will be undertaken.

Inspections can take place in response to a complaint or request for service, or proactively in accordance with statutory requirements or risk based assessment (such as mandatory licensing for Houses in Multiple Occupation).

Inspections are made using the Housing Health and Safety Rating System (HHSRS). This is a risk based method of assessment used to identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. Inspections are carried out by officers who are authorised and have received appropriate training to enable them to carry out their duties competently.

Powers of entry

Section 239 of the Housing Act 2004 gives a local authority power of entry to properties in pursuance of its duties under Part 1 of the Act when certain conditions are met. This enables an inspection to be carried out to see whether or not a Category 1 or 2 hazard exists. 24 hours notice must be given to the owner and/or occupier of the premises in most circumstances. Where entry is refused, the property is empty or where prior warning would negate the purpose of access a warrant may be obtained.

Category 1 and 2 hazards

Hazards are identified as either Category 1 or Category 2 Hazards in accordance with the Housing Health and Safety Rating System Operating Guidance. The action taken in relation to the hazards will be the most appropriate, taking into account the score, whether there is a duty to act and both the actual and potential vulnerable occupiers.

To encourage consistency, officers will have regard to any “worked examples” provided by Local Government Regulation and the Housing Health and Safety Enforcement Guidance when considering the most appropriate course of action. Enforcement action must follow the principles of the Enforcement Concordat.

The Housing Act 2004 places authorities under a general duty to take appropriate action in relation to a category 1 hazard. The options available are:

- serve an improvement notice in accordance with section 11;
- make a prohibition order in accordance with section 20;
- serve a hazard awareness notice in accordance with section 28;
- take emergency remedial action under section 40 or make an emergency prohibition order under section 43;
- make a demolition order under section 265 of the Housing Act 1985 as amended;
- declare a clearance area by virtue of section 289 of the 1985 Act as amended.

Similar powers are available to deal with category 2 hazards. However, emergency measures cannot be used in respect of category 2 hazards, and authorities cannot make a demolition order, or declare a clearance area in response to a category 2 hazard.

In addition, prior to certain enforcement action the Council may be required to consult with Lincolnshire Fire and Rescue, or may need to make an application to the Residential Property Tribunal. In certain circumstances it may also be necessary to undertake a Neighbourhood Renewal Assessment as part of an options appraisal process.

The Council has a duty under part 1 of the Housing Act 2004 to take enforcement action where Category 1 hazards exist. Where the person in control of the property has not voluntarily taken action and commenced work to remedy the hazard(s) within an agreed timescale a statutory notice will usually be served.

Under Section 7 of the Housing Act 2004, local authorities have a power rather than a duty to take enforcement action in respect of Category 2 hazards. Where there are Category 2 hazards and Category 1 hazards present at the property action will normally be taken to remove or reduce all of the hazards to an acceptable level.

Charging for Enforcement Notices

As permitted by Section 49, the Council may and do make a charge for enforcement notices served under Part 1 of the Housing Act 2004. The charges will be reviewed and published annually.

Enforcement options

Where enforcement notices are not complied with or where there are serious breaches of legislation enforcement action can be carried out as follows;

- Simple Caution
- Prosecution

Other enforcement Options

There may be instances where other legislation may be more appropriate to achieve acceptable housing standards. Other legislation may include;

- Environmental Protection Act 1990
- Public Health Act 1936
- Prevention of Damage by Pests Act 1949
- Building Act 1984
- Town and Country Planning Act 1990

Immigration Inspections

In addition to enforcement inspections, the council is from time to time asked to inspect properties for immigration control purposes. The property will be assessed in accordance with the Housing Health and Safety Rating System and a report made to the relevant embassy or UK Border Agency. A charge is made for this service. The charge will be reviewed and published annually

Houses in Multiple Occupation

Inspections of Houses in Multiple Occupation (HMO) will be undertaken:

- When a new HMO is identified
- Following a complaint about standards
- Before issuing an HMO licence
- Periodically in accordance with a risk based inspection programme

Mandatory HMO licences will be valid for 5 years and will specify the number of occupiers and households. The occupancy number will depend on the size of rooms and the facilities available.

HMOs must meet certain standards to be licensed. These are set out in Schedule 4 of the Housing Act 2004. Additional local conditions have also been set and may be used where

appropriate. Where a property does not meet the statutory requirements a number of courses of action are available;

- Apply conditions to the HMO licence
- Reduce the length of the licence from 5 years and apply conditions to the granting of the licence
- Restrict the occupation of the property until conditions are met
- Refuse to grant the licence

Licence and renewal fees will be reviewed and published annually. The renewal fee is only applicable where the licence holder has submitted their application prior to the expiry of the licence and there are no changes in circumstances or to the property. Where the licence has expired or where there are changes to circumstances or the property the full licence fee is payable.

The licensee has a right to appeal to the Residential Property Tribunal against refusal to grant a licence, licensing conditions and the maximum number of occupiers or households specified on the licence.

Where breaches of licence conditions are reported an officer will normally inspect the property and take appropriate action. This may include variation or revocation of the licence.

Where a landlord fails to licence a HMO, the council may take a case to the Residential Property Tribunal. The Residential Property Tribunal may on conviction for failure to licence, make a Rent Repayment Order requiring up to 12 months rent to be repaid to the tenant or the Council where the tenant is in receipt of Housing Benefit.

Empty Homes – Policy Considerations

Introduction

The Government has identified returning empty homes back into use as a priority, and with the introduction of the New Homes Bonus there is financial reward equivalent to 6 years council tax at band D. This is earned either through new build properties or by returning empty homes back into use. However, if the number of empty homes increases this will cancel out any bonus payment for the same number of new builds. Through bringing empty homes back into use the council benefits firstly through the New Homes Bonus, and then from the council tax payable on the property. South Kesteven are currently working with CapacityGrid to ensure that any unclaimed New Homes Bonus is exploited.

Empty homes also represent a wasted housing resource and can also be unsightly for residents, and attract crime and antisocial behaviour which contributes to the decline of an area.

In South Kesteven there are currently 494 long term empty properties (over 6 months) Of these, 202 have been empty for over 2 years. Some of these properties can give cause for concern for residents due to overgrown gardens and neglect, others deteriorate from being empty for so long and become uninhabitable unless major work is carried out.

From April 2013 changes to the Council Tax discounts now mean that owners of properties which have been empty for more than 2 years will pay a charge of 150% of the liability.

There are currently 1596 people on the Council's housing register. As it is not possible to meet the demand for affordable housing within existing social stock and through new build it is essential to make the best use of existing properties.

The requirement for affordable housing is a focus of this policy and as such it is a condition of any financial assistance that the property must be bought back into use for the rental market and at an affordable rent for a period of 3 years.

Maximising the number of homes bought back into use is a feature of our Housing Strategy 2013-18. This document sets the vision for the future of the district within the corporate priority of creating the environment to support good housing for all. Priority 2 of the strategy is to improve housing standards across the district for all tenures. Within this context is the need to provide an increased supply of good quality private rented accommodation. One way of doing this is by ensuring that we maximise the number of empty properties bought back into use.

Why do properties become empty?

- The owner has passed away and the property is in probate
- The owner has moved into residential care
- A couple move in together leaving one home empty
- The owner is in prison
- A tenant has left and the property has not been re-let
- The owner has abandoned the property

Why do properties remain empty?

- Lack of funds for owner to bring property up to standard
- Lack of knowledge/skills needed to refurbish or manage the property
- Indifferent – maximisation of assets is not an issue to the owner
- Inheritance disputes
- Ownership disputes
- Purchased as a renovation project but unforeseen reasons have caused project to stall
- Owners do not wish to sell or rent due to sentimental reasons
- Reluctant to rent due to bad experiences
- Waiting for value to increase before selling and not wanting to rent in the meantime
- Obstructive owners who simply do not want to bring the property back into use

Considerations for the policy:

- Increase awareness of the empty homes issue with the public
- Improve links with other departments particularly planning, legal, housing strategy and council tax
- Increase the value of the empty homes grant
- Utilise funding from the New Homes Bonus to support empty homes initiatives
- Identify external funding streams for empty homes projects
- Ensure that new initiatives link to the provision of affordable housing where possible
- Provide options advice via an annual mail shot to owners of all empty properties (6 months or more)
- Encourage voluntary re-occupation of properties
- Ensure that the evidence base for any future enforcement action is strong
- Identify empty “right to buy” properties and consider re-purchasing
- Consider purchasing empty properties by agreement for re-sale/renovation
- Target enforcement action against the most prominent empty properties where the owner is untraceable or non co-operative
- Consider using enforced sale for prominent empty properties
- Consider the use of Empty Dwelling Management orders for prominent empty properties
- Establish partnerships with registered social landlords who may purchase/lease empty homes for renovation

Definitions

HHSRS	Housing Health and Safety Rating System. A statutory risk based method of assessment used to identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings
SAP Rating	The Governments 'Standard Assessment Procedure' for energy rating of dwellings
EPC	An Energy Performance Certificate needed whenever a property is built, sold or rented. An EPC contains information about a property's energy use, typical energy costs and recommendations about how to reduce energy use and save money.
Immigration Inspection	Undertaken following an application for residence in the UK. Necessary to ensure that accommodation has been secured which is free from Category 1 hazards.
HMO	House in Multiple Occupation. A house which is occupied by three or more unrelated persons, who do not form a single household.

Date	Item	Update	Action Notes to Officers	Response	Recurring item	Recommendation	Cabinet/Council Decision
16.5.13	Contamination Campaign						
	Working Group Feedback						
	Private Sector Renewal Policy						
	Report on draft policy						
	Landlord Accreditation Scheme						
	Overview of scheme						
4.7.13							
5.9.13							
14.11.13							

Annual Review 2012/13: Communities Policy Development Group

- 1.1 During the municipal year 2012/13 Communities PDG met on seven occasions. This includes an additional meeting to those scheduled to allow the PDG to consider the Council's Housing Programme of Work. At its meetings the PDG considered eighteen substantive items including:

Lincolnshire County Homelessness Strategy	Right to Buy	National Planning Policy Framework
Car Parking Strategy	Wind Energy Supplementary Planning Document	Rural Broadband
Sustainable Communities Act	Consultation on Intercity East Coast Franchise	Localisation of Council Tax
Community Right to Bid	Tenancy Strategy	Allocations Policy
Housing Strategy	Community Right to Challenge	Waste and Recycling - Missed Bin Policy
Waste and Recycling – New Contract and Contamination	Planning Enforcement Policy	Question without Discussion referred by Council Biodiversity Duty

- 1.2 Of these items, one, relating to the Council's statutory duty in relation to Biodiversity, was a question referred by Council. The response to this question was presented by the Service Manager for Planning Policy and Partnerships.
- 1.3 Communities PDG also received updates throughout the year on items such as the Sustainable Communities Act and rural broadband, looking at rollout of fibre optic provision; sign-up by individuals, community groups and business to ONLincolnshire and developments relating to the increase of BT exchange boxes. Further updates were presented about ongoing work looking at car parking issues which included: civil parking enforcement, car park provision, resident parking schemes and alternative methods of payment for parking.
- 1.4 The PDG put forward recommendations to officers concerning the Wind Energy Supplementary Planning Document and the Housing Strategy and made nine recommendations to Cabinet. The substantive items to which these recommendations refer are shown in bold in the table above.
- 1.5 Members of the Communities PDG took an active role in two working groups this year. The first worked closely with the Head of Property Development to review car parking across the district which ultimately led to the implementation of a Car Parking Strategy. The second working group worked with the Service Manager and officers from Waste and Recycling Services on the education programme to reduce the amount of contaminated dry recyclable waste left for collection in light of an impending change of contract.
- 1.6 The PDG's response to a consultation on the East Coast Intercity Franchise took account of the Council's plans for growth within the district with a primary focus on Grantham.

2. Conclusion

- 2.1 By ensuring that reports and presentations are prepared and distributed within the agenda management timetable Members have consistently had the appropriate information to allow for informed deliberation and subsequent recommendations to officers and Cabinet.
- 2.2 The production and distribution of the work programme within agenda packs further assists in the Council's accountability and transparency in the development of policy. Improved systems for following up action points have ensured that members of the PDG are fully aware of milestones and achievements throughout the process of policy development.
- 2.3 It is interesting to note that for the first time since 2008 no meeting of the Communities PDG has had to be cancelled due to lack of items.
- 2.4 It has been a productive year for the three Policy Development Groups. Collectively the PDGs have considered forty-three substantive items, made thirty-two recommendations to Cabinet and helped to develop seventeen policies, strategies and schemes for the Authority. Members of Communities PDG have contributed toward thirteen of these policies and made eleven separate recommendations.

3. Moving Forward

- 3.1 Cross-over between Policy Development Groups should be encouraged if we are to work effectively in the future. A joined-up approach to the development of policies and procedures has the potential to involve greater numbers of elected members in a policy's path from proposal through to recommendation and ultimately decision making. This approach has been shown to be effective this year with both Communities PDG and Resources PDG working on the development and implementation of the Car Parking Strategy. This approach could be further enhanced through the use of joint (cross-PDG) working groups so that the different components of policy development could be addressed simultaneously.