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To: MEMBERS OF THE HOUSING COMMITTEE
Councillors Pursehouse (Chair), Lockwood (Vice-Chair),
Gaffney, Gillman, Groves, Hammond, Mills, Morrow, Ridge,
Shiner, Steeds and Swann

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01883 722000

Substitute Councillors: Allen, Connolly, Gray and Wren

C.C. All Other Members of the Council

21 June 2021

Dear Sir/Madam

HOUSING COMMITTEE TUESDAY, 29TH JUNE, 2021 AT 7.30 PM

The agenda for this meeting of the Committee to be held in the Council Chamber, Council Offices, Station Road East, Oxted, Station Road East Oxted, is set out below. If a member of the Committee is unable to attend the meeting, please notify officers accordingly.

Available seating in the public gallery will be limited due to social distancing requirements and any members of the public who wish to attend should e-mail democraticservices@tandridge.gov.uk in advance. Unfortunately, in the current circumstances, we may not be able to accommodate all requests to attend in person. However, the meeting will be webcast and can be viewed via the Council's website. This can be viewed live and as a recording after the meeting.

Should Members require clarification about any item of business, they are urged to contact officers before the meeting. In this respect, reports contain authors' names and contact details.

Yours faithfully,

David Ford
Chief Executive

AGENDA

- 1. Apologies for absence (if any)**
- 2. Declarations of interest**

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:

- (i) any Disclosable Pecuniary Interests (DPIs) and / or
- (ii) other interests arising under the Code of Conduct in respect of any item(s) of business being considered at the meeting. Anyone with a DPI must, unless a dispensation has been granted, withdraw from the meeting during consideration of the relevant item of business. If in doubt, advice should be sought from the Monitoring Officer or her staff prior to the meeting.

- 3. Minutes of the meeting held on the 11th March 2021 (Pages 3 - 10)**
To confirm as a correct record

4. **Minutes of the meeting held on the 27th May 2021** (Pages 11 - 12)
To confirm as a correct record
5. **To deal with any questions submitted under Standing Order 30**
6. **Housing finance report - Month 2 (report to follow)**
7. **Housing Quarter 4 20/21 Performance Report** (Pages 13 - 28)
8. **Mobile home sites - fit and proper person application fee policy** (Pages 29 - 50)
9. **Capital funding of accommodation for rough sleepers** (Pages 51 - 56)
10. **Any other business which, in the opinion of the Chair, should be considered as a matter of urgency**

TANDRIDGE DISTRICT COUNCIL

HOUSING COMMITTEE

Minutes and report to Council of the virtual meeting of the Committee held on the 11th March 2021 at 7.30pm.

PRESENT: Councillors Parker (Chair), Fitzgerald (Vice-Chair), Morrow (Vice-Chair), Gray, Jones, Langton, Mills, Ridge, Steeds, C.White and Wren

ALSO PRESENT: Councillors Allen, Caulcott, Farr and Lockwood

287. MINUTES OF THE MEETING HELD ON THE 19TH JANUARY 2021

These minutes were approved as a correct record.

288. QUARTER 3 CORPORATE PERFORMANCE & RISKS - HOUSING

Members were presented with an analysis of the Committee's key performance indicators and risks for the third quarter of 2020/21.

Councillor Morrow, seconded by Councillor Langton, moved amendments to the suggested performance targets for:

HO3 - number of cases where it is known that advice and/or support from the Council successfully prevented or relieved the threat of homelessness (from 60 to 120 cases per annum); and

HO9 - percentage of visits for responsive repairs resulting in recall visits (from 5% to 2%).

Upon being put to the vote, these amendments were agreed.

Regarding HO3, it was suggested that the indicator could be redefined, whereby the Council would aspire to intervene in all potential homelessness cases that were presented. It was confirmed that the indicator would be reviewed by relevant officers in due course.

It was also suggested that performance indicator HO5 (the number of people in 'urgent need' (bands A&B) on the Housing Register) reflected challenges in respect of the increasing numbers of people applying to join the register, as well as the shortage of properties the Council was able to offer.

Notwithstanding the intention to review the Committee's risk register, Councillor Morrow moved that the following risks be removed from future schedules presented to the Committee given their operational nature:

No. 11 - Council house projects at risk from matters such as: flooding, contaminated soil, land ownership and covenant problems and planning issues due to a lack of due diligence in relation to the site

No.12 - Inability of housing programme to progress due to shortage of cash flow in HRA funds

No.13 - Unable to carry out emergency repairs due to lack of staff, PPE and materials

No.14 - risk failure to obtain planning permission on scheduled sites

No.16 - high level of defects in newly delivered Council housing due to poor contractor choice, lack of contract and construction monitoring and the failure to examine construction drawings

No.18 - inability to deliver landlord services due to lack of resources as a consequence of staff sickness.

Upon being put to the vote, this amendment was agreed.

Discussion focused on the merits of Appendix C to the report which provided the Committee with an update on the Council's house building programme. Most Members favoured the retention of such an appendix in future performance reports.

RESOLVED – that:

- A. the Quarter 3 (2020/21) performance and risks for the Community Services Committee be noted;
- B. performance targets for indicators HO3 and HO9 be amended as follows:
 - HO3 number of cases where it is known that advice and/or support from the Council successfully prevented or relieved the threat of homelessness (*from 60 to 120 cases per annum*); and
 - HO9 percentage of visits for responsive repairs resulting in recall visits (*from 5% to 2%*).
- C. risk numbers 11, 12, 13, 14, 16 and 18 be deleted from the schedule of risks to be presented to future Housing Committee meetings.

289. HOUSING FINANCE REPORT - MONTH 10

A report concerning the Committee's revenue budget and capital programme as at the end of January 2021 (month 10) was presented. This covered both the Housing General Fund (HGF) and Housing Revenue Account (HRA).

Regarding the HGF, a revenue underspend of £141,000 against the budget baseline of £459,000 was projected. This was primarily due to an underspend on salaries, partly offset by additional Covid-19 costs. A revenue surplus of £175,800 was forecast for the HRA.

The combined HGF / HRA capital programme had been reduced to £9.8 million and was forecast to be £1,516,000 underspent, mainly due to Council housebuilding schemes having been delayed by the Covid 19 pandemic.

RESOLVED – that the Committee's forecast revenue and capital position for the year be noted.

290. SCOPE FOR REPLACING GAS BOILERS WITH LOW CARBON HEATING SYSTEMS IN COUNCIL-OWNED PROPERTIES

The Committee considered a report which explained:

- the previous programmes for installing gas central heating systems and replacing outdated gas appliances with conventional boilers;
- a programme, initiated in 2015, to renew all 1351 boilers installed between 1995 and 2003, to conclude in 2023;
- the intention to replace the 932 boilers installed between 2004 and 2014 from 2024 over a 10 year period;
- the comparative average costs of replacing conventional gas boiler (£3,100) against the current cost of purchasing and installing an air source heat pump and associated equipment (up to £15,000).

The report concluded that an options appraisal exercise be undertaken regarding the suitability of low carbon heating systems to replace existing gas boilers.

In response to the debate, Officers explained that, notwithstanding the cost implications, it was conceivable that low carbon heating systems could be installed to replace gas boilers in four years' time.

The potential for securing external funding for future low carbon heating installations was discussed, along with the prospects of technological advances in alternative heating systems, including those powered by hydrogen.

In the context of the Council's climate change motion agreed in February 2020 (and the aspiration to become carbon neutral by 2030) it was acknowledged that the generation of carbon emissions could still be acceptable, providing they were offset elsewhere.

RESOLVED – that:

- A. the Council's intention to install low carbon heating systems in all Council owned properties by 2050, in line with the Government's net zero carbon target, be confirmed; and
- B. officers undertake an options appraisal of the suitability of low carbon heating systems to replace existing gas boilers in Council owned properties.

291. HOUSING STRATEGY - 2019 TO 2023 - ACTION PLAN UPDATE

The Committee considered a progress report against the Housing Strategy action plan agreed in January 2019. The report provided commentaries in respect of 43 actions associated with the three strategy objectives of: 'building the homes we need'; 'making the best use of existing housing'; and 'meeting the housing needs of vulnerable households'.

In response to Members' questions, Officers commented on particular action points as follows:

No. 8 - Undertake a greater promotion of shared ownership and other home ownership products to ensure the buyers are fully aware of these products and their affordability

A reasonable proportion of new affordable homes was being provided by way of shared ownership arrangements. This included the 25% 'low cost home ownership' element of new units delivered via Section 106 agreements which were nearly always shared ownership tenures provided by Housing Associations. The Council's priority was to offer affordable homes wholly for rent, but shared ownership opportunities would continue to come forward.

No. 16 - Explore potential to utilise Council staff working in the community to undertake a rolling programme of basic property surveys to report on property condition to obtain an accurate and updated picture of housing conditions in the district

Software is being developed to enable locality officers to undertake this work. Staffing pressures and other priorities had delayed progress until now, but a fair proportion of properties were expected to be surveyed by the end of 2022.

Nos. 22 / 24 - Explore the introduction of an accredited property scheme / Explore ways to reach out to private landlord fora and groups to make even stronger connections with them (this could include the Council setting up a lettings agency)

It was anticipated that an update would be submitted to the Committee's June meeting and that the actions were linked to an emerging initiative to investigate the potential use of empty properties, including engaging with owners.

No. 34 - Work in partnership with other activity across the Council to make links with private landlords to enable the provision of information and support to enable more residents to access good quality privately rented housing

The question of whether Oxted & District Churches Together still participated in the Rent Deposit Bond Scheme would be clarified.

RESOLVED – that the contents of the report and progress made to date be noted.

292. AFFORDABLE HOUSING PROVISION & COUNCIL HOUSE BUILDING PROGRAMME 2022-27

A report was presented with recommendations for a five-year extension to the current programme to provide a further 200 homes. The role that housing associations could play in addressing housing need was explained, together with the ways in which the Council could support them. The report also concluded that it would not be financially viable for Gryllus Housing to help deliver the future programme, given its exposure to greater costs (e.g. higher interest rates, VAT and potentially stamp duty) and the inaccessibility of Right to Buy receipts.

The Committee was advised about the potential risks which could threaten the delivery of the programme, namely a rise in interest rates; unavailability of land; reduced staffing resources; and higher building costs arising from Brexit.

In response to Members' questions, Officers advised that:

- the underlying cost assumption that 30% of the homes would be on purchased land was considered reasonable; and
- while the development team did not intend to compete with housing associations for the provision of affordable homes on Section 106 sites (which could otherwise increase land prices) it would seek to prevent scenarios where opportunities on such sites were not taken up.

RESOLVED – that:

- A. the Council's current council house building programme be extended by 200 homes over 5 years starting in 2022/23 within a budget envelope of £74m, the programme to be funded through the Council's Housing Revenue Account (HRA);
- B. schemes be brought forward to this Committee for approval starting in 2020/21 to enable land to be acquired and planning consents obtained with a view to construction work and major expenditure starting in 2022/23; and
- C. the 5-year programme be reviewed in 2026/27 to establish the capacity of the HRA business plan to support a further extension of the programme beyond 2027/28.

293. COUNCIL HOUSE BUILDING PROGRAMME - ADDITIONAL SCHEMES

The Committee considered proposals to allocate the available £2.06 million within the current capital programme to:

- fund the acquisition of five dwellings via an extension to the successful buyback scheme at a cost of £1.5 million, thus achieving the supply of much needed homes in 2021/22 when none would otherwise be delivered and to take advantage of the many approaches received each year from owners interested in selling their ex-council homes back to the Council; and
- if necessary, utilise the balance of £560,000 for purchasing land that would release a Council site for residential development (otherwise, this provision would be used to fund two further buy-backs).

Development of the following sites was also recommended in light of the 5-year extension to the Council house building programme (Minute 292 refers):

- 63-78 Featherstone, Blindley Heath for a mix of 2 and 3-bedroom houses and flats for affordable rent;
- 106-128 (even numbers) Wolfs Wood, Hurst Green for a mix of 1, 2 and 3-bedroom houses and flats for affordable rent;
- garage site at Hollow Lane, Dormansland for a mix of 1 and 2-bedroom flats for affordable rent.

Each of these potential schemes had been the subject of a feasibility study, early informal discussions with the Council's planning team, and discussions with Ward Councillors. Construction cost advice had been obtained from a quantity surveyor and other costs taken from current experience. Contingencies had been included to reflect unknown risks, although due diligence and tendering processes could reduce these provisions.

The Featherstone and Wolfs Wood schemes would involve redevelopment and the need to rehouse tenants into alternative accommodation and compensating them for having to move home. In the past, such decanting had taken place after the granting of planning consent which had caused stress and uncertainty for affected tenants and delays in implementing the construction phase. It was therefore proposed that, for both schemes, decanting should commence from the Committee's decision to proceed, including the payment of compensation.

RESOLVED – that:

- A. the current 'Buyback' initiative be extended by five homes to a total of 10 homes at a cost of £1.5m funded from part of the £2.06m approved but unallocated funds within the existing programme;
- B. Officers prepare detailed proposals for the development of 63-78 Featherstone, Blindley Heath for a mix of 2 and 3-bedroom houses and flats for affordable rent and submit a planning application to develop the site with an approved budget of £4.76m for the project;
- C. Officers prepare detailed proposals for the development of 106-128 (even numbers) Wolfs Wood, Hurst Green for a mix of 1, 2 and 3-bedroom houses and flats for affordable rent and submit a planning application to develop the site with an approved budget of £3.525m for the project;
- D. Officers prepare detailed proposals for the development of the garage site at Hollow Lane, Dormansland for a mix of 1 and 2-bedroom flats for affordable rent and submit a planning application to develop the site with an approved budget of £2.075m for the project;
- E. in the case of recommendations B, C and D, authority be delegated to the Chief Executive, in consultation with the Council's Leadership (as detailed in Standing Order 46 of the Council's Constitution) to procure and award a construction contract for proposed developments to the most economically advantageous tenderer, subject to the outcome of the planning process and construction costs being within the approved budget;
- F. in the case of recommendations B, C and D above, approval to proceed includes the appointment of an architect, Employers Agent and other specialist consultants and surveyors to act for, or advise, the Council and the commissioning of necessary reports to taking the schemes forward through to completion, all subject to the Council's Standing Orders and Financial Regulations;
- G. in the case of recommendations B and C above, where approval has been given to proceed with a redevelopment scheme, work to rehouse residents displaced by the redevelopment commence following this Committee's decision being ratified by full Council, including the payment of compensation where eligible; and
- H. in the case of recommendations B and C, appropriate notices to be served on tenants at the earliest opportunity to preclude the possibility of the Right to Buy.

294. GARAGE MANAGEMENT STRATEGY

The Committee considered a proposed garage management strategy which sought to provide a framework for the future operation and development of garage sites. The primary objective was to, *“maximise the use, suitability and sustainability of the garage portfolio, to maintain and improve income levels and contribute to general environmental improvements”* by:

- reviewing the location, condition and demand for the Council’s garage stock
- generating a planned review and maintenance programme of improvements to garage sites to ensure their future sustainability
- providing a framework of management actions, aimed at providing sustainable garage sites and demonstrating value for money
- considering changes of use (including repurposing, development or sales opportunities) as appropriate.

Each garage site would be assessed with a view to pursuing one of four options, namely improvement, repair and re-let; alternative use; sale; or exploring development opportunities. The strategy provided a breakdown of the current garage portfolio by Ward and acknowledged that many garages required refurbishment. Despite high demand, 319 of the 700 garages were void. It was intended to generate additional rental income by £100,000 per annum through a combination of reduced void timescales and sales.

A garage management policy was also presented which included conditions of use; the application process and criteria; repair and maintenance obligations; the rent payment regime; succession rights; insurance; and disposals. In response to a Member question, the Executive Head of Communities advised that clause 5.7 of the policy would be amended replace ‘registered charitable organisations’ with ‘community organisations’ (in recognition of the fact that the latter were not necessarily registered charities).

Charlotte Radford, a local resident, addressed the Committee (as permitted by Standing Order 31) regarding the garage area to the rear of Chelsham Close, Warlingham and expressed concerns regarding an absence of security lighting, uneven road surface areas, fly-tipping issues and a lack of available on-street parking capacity in nearby roads which caused residents to use the site for parking.

During the debate, officers confirmed that garage site redevelopment plans and timelines would be identified as soon as possible and that Members would be briefed accordingly. The need to effectively manage and protect the Council’s access rights over garage sites was also discussed.

Councillor Morrow, seconded by Councillor Jones, proposed two additional resolutions regarding the need to consider appropriate security lighting and for officers to circulate an action plan to demonstrate how the budgeted £100,000 additional income from garage sites is to be achieved. Upon being put to the vote, both motions were agreed.

RESOLVED – that:

- A. the Committee supports the objectives, strategic approach, and actions detailed within the report and the Garage Management Strategy and Garage Management Policy to maximise income generation, suitability and sustainability of the Council’s garage portfolio;

- B. as part of the garage refurbishment programme, provision of appropriate security lighting be considered for sites where it would clearly be beneficial;
- C. an action plan be circulated to Councillors showing how the additional budgeted income of £100,000 from garage sites is to be achieved.

295. WESTWAY CENTRE

A report was submitted to update Members on the position of the Westway Charity and its request for a 15-year lease (of the Centre in Park Road, Caterham) to provide greater access to funding streams.

On 12th March 2019, the Committee approved a three-year lease with a supporting grant. However, the Charity had delayed entering into the lease agreement and was operating from the building on a licence to occupy. The Committee had also agreed that the Council would contribute towards running costs on a sliding scale for the first two and half years. The report acknowledged that too short a lease left the main repairing obligations with the Council. It concluded that the retention of the Centre would enhance the social wellbeing of local residents and would therefore justify the requested 15-year lease in the context of Government Circular 06/03 (disposal of land for less than best consideration).

The report explained the aims of the Charity in supporting isolated members of the community. It also confirmed that partnerships had been forged with both current tenants, and other local and regional organisations. The significant growth in the number of registered members / service users (50 to 496) and volunteers (80 to 271) since 2019 was highlighted, as well as the functions hosted by the Centre in response to the Covid-19 pandemic.

RESOLVED – that the Executive Head of Communities be authorised to negotiate the terms of a fifteen-year lease and that Legal Services prepare and complete all the necessary legal documentation in accordance with agreed terms.

Rising 10.08 pm

TANDRIDGE DISTRICT COUNCIL

HOUSING COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Barn Theatre, Bluehouse Lane, Oxted on the 27th May 2021 at 9.22pm

PRESENT: Councillors Gaffney, Gillman, Groves, Hammond, Lockwood, Mills, Morrow, Pursehouse, Ridge, Shiner, Steeds and Swann

1. ELECTION OF CHAIR FOR 2021/22

RESOLVED – that Councillor Pursehouse be elected Chair of the committee for the 2021/22 municipal year.

2. ELECTION OF VICE-CHAIR FOR 2021/22

RESOLVED – that Councillor Lockwood be elected Vice-Chair of the committee for the 2021/22 municipal year.

Rising 9.23 pm

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Housing Quarter 4 20/21 Performance Report

Housing Committee Tuesday, 29 June 2021

Report of: Executive Head of Communities

Purpose: For information

Publication status: Open

Wards affected: All

Executive summary:

- The appendices to this report contain data on the Committee's key performance indicators and risks for Quarter 4 2020/21, to enable the Committee to monitor how the Council is delivering the services for which it is responsible.
 - The report includes a separate appendix (C), which provides an update on the Council Housing Building Programme.
 - The Council's new risk scoring matrix is shown in Section 2, and Appendix B has been revised to transfer the more operational risks to a new internal Officer register.
-

This report supports the Council's priority of: Building a better Council

Contact officer William Mace – Programme Management Officer
wmace@tandridge.gov.uk

Recommendation to Committee:

That the Quarter 4 2020/21 performance and risks for the Housing Policy Committee be noted.

Reason for recommendation:

To support the Committee to monitor and manage its performance and risks.

1. Introduction and background

- 1.1. Since April 2020 performance and risk reports have been presented to each policy committee at the end of each quarter. The reports include a covering report and an appendix with individual performance charts and commentary for each performance indicator, and the committee's risk register.

2. Notes on performance and risk data

- 2.1. See Appendix A and Appendix B for the Housing Policy Quarter 4 (2020/21) performance data and risk register respectively.
- 2.2. Wherever possible the most recent data has been included in the appendices, regardless of whether it technically falls into the reported quarter. However, due to the committee report timelines, there may be occasions where data is not available in time for the committee report. In these cases, the data will be provided in the next scheduled report.
- 2.3. As part of the Council's risk management improvement work a new scoring matrix is in operation, see below. In addition, risks that are mostly operational in nature have been removed from the committee risk register, leaving those that are of more strategic interest to the members of this committee.

Likelihood	Very Likely	4	4	8	12	16
	Likely	3	3	6	9	12
	Possible	2	2	4	6	8
	Unlikely	1	1	2	3	4
			1	2	3	4
			Low	Medium	High	Very High
			Impact			

3. Quarter 4 headlines

- 3.1. Performance

- 3.1.1. The majority of our indicators achieved, or were very close to achieving target. However we missed target for:
- Average time to re-let sheltered housing;
 - Number of people on urgent need on the housing register;
 - Average cost of repairs per property for Council tenants.
- 3.1.2. Please see Appendix A for more details.
- 3.2. Risk
- 3.2.1. The risk register has been reviewed and the risks that are more operational in nature have been removed and will be monitored by Officers internally. However, this does not preclude these risks from being escalated back to the committee register in the future, or new risks being added.
- 3.2.2. See Appendix B for details.

4. Key implications

4.1. Comments of the Chief Finance Officer

- 4.1.1. Costings for projects are individually costed as projects come forward and monitored throughout the life of the project. It is possible that the impact of Covid-19 will add additional costs to projects and delay the speed of implementation.
- 4.1.2. The key risks, their likelihood, impact and mitigation are identified in the Risk appendix.
- 4.1.3. A new risk regarding a potential overspend on housing repairs budgets has been identified and added to the risk register. Officers will continue to monitor this area closely.

4.2. Comments of the Head of Legal Services

- 4.3.** There are no direct legal implications arising from this report, but the report does provide Members with an overview of the achievement of targets in the past quarter and highlights risk management considerations where appropriate.

4.4. Other corporate implications

- 4.4.1. Not applicable.

4.5. Equality

- 4.5.1. This report contains no proposals that would disadvantage any particular minority groups.

4.6. Climate change

- 4.6.1. This report contains no proposals that would impact on the Council's commitment to climate change.

5. Appendices

- 5.1. Appendix 'A' – Performance Charts
- 5.2. Appendix 'B' – Risk Register
- 5.3. Appendix 'C' – Update on the Council Housing Building Programme

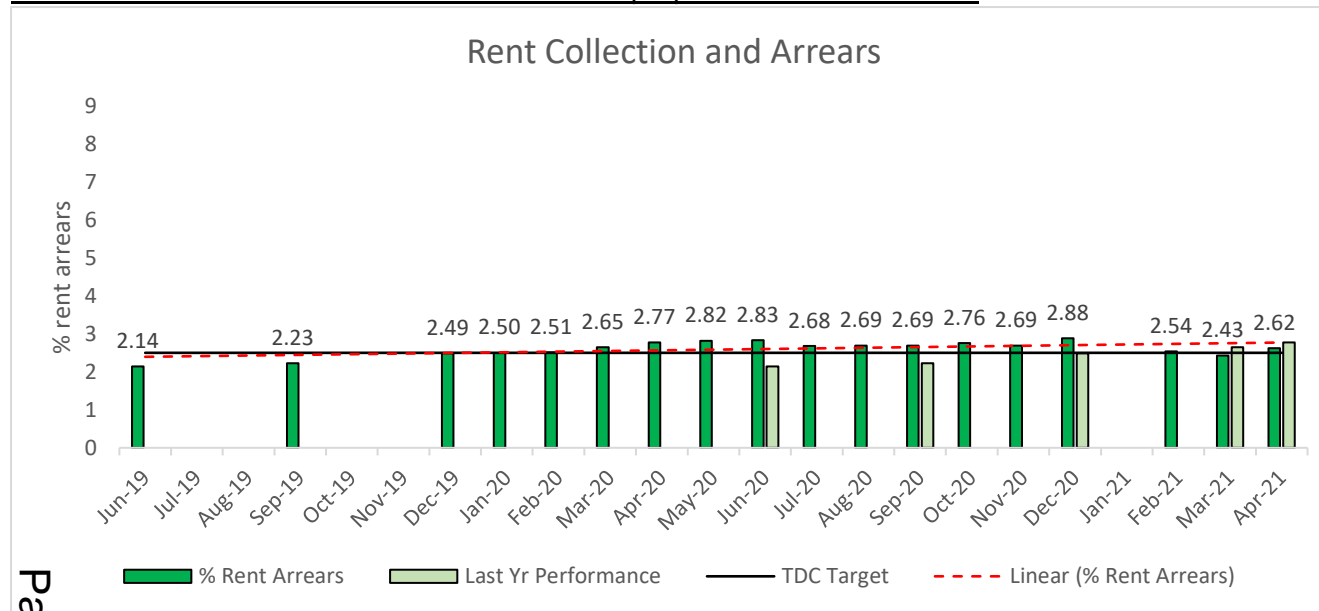
6. Background papers

- 6.1. None.

----- end of report -----

APPENDIX A – Housing Performance Charts

H01 - Local Council rent collection and arrears: proportion of rent collected

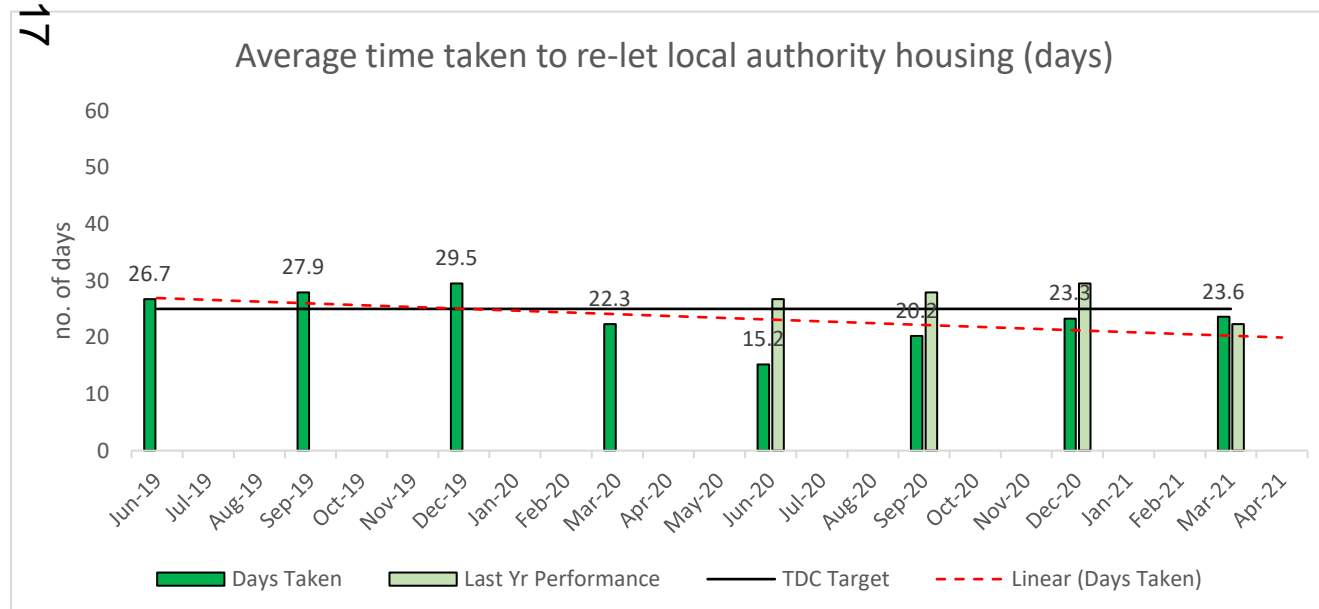


Performance Summary

- Collection performance at the end of the year was 2.9% below the increasing monthly target, which at the end of March stood at 98.52%.
- Performance compared to the same period in 2019/20 also finished down by 3.19% with a collection rate at that stage of 98.81%. Surrey wide figures are yet to be published but it forecast that Tandridge collection rates will remain one of the highest in the County. This, despite the additional work created by the pandemic and Northgate project. Limited enforcement action has been available due to the pandemic.
- Target: 2.5% (2020/21)

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H02a - Average time taken to re-let local authority housing (days)

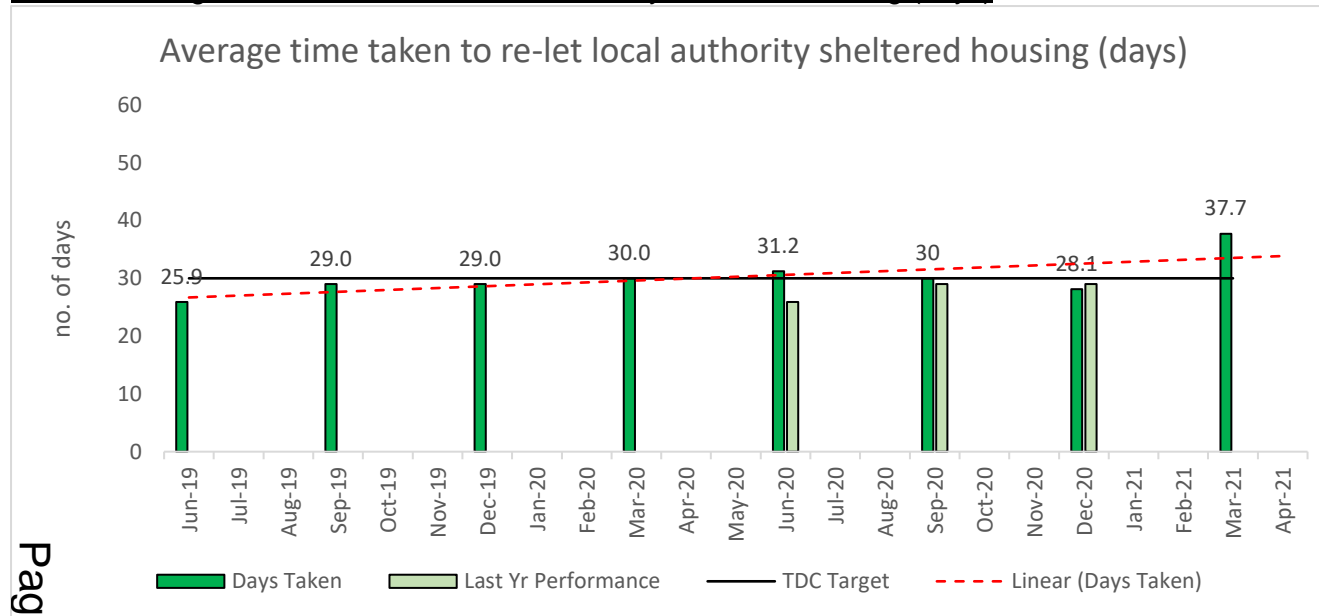


Performance Summary

- Performance was consistent between Quarter 3 and 4, again achieving our target.
- Processes have been adapted to ensure Covid safe working practices. This has led to a slight increase in time taken to re-let.
- Target: 25 days (2020/21)

APPENDIX A – Housing Performance Charts

HO2b - Average time taken to re-let local authority sheltered housing (days)

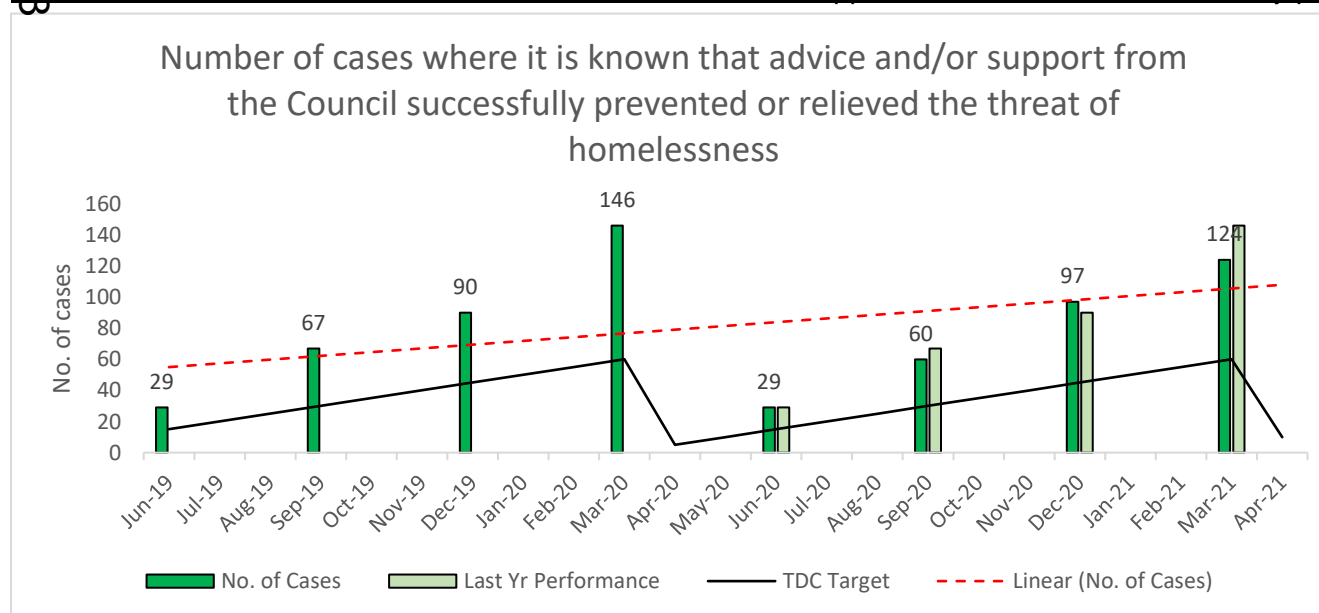


Performance Summary

- Our performance declined in Quarter 4 due to a lack of demand for sheltered housing, thus increasing our re-letting time, as the pandemic brought about a reluctance for people to move.
- Target: 30 days (2020/21)

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HO3 - Number of cases where it is known that advice and/or support from the Council successfully prevented or relieved the threat of homelessness

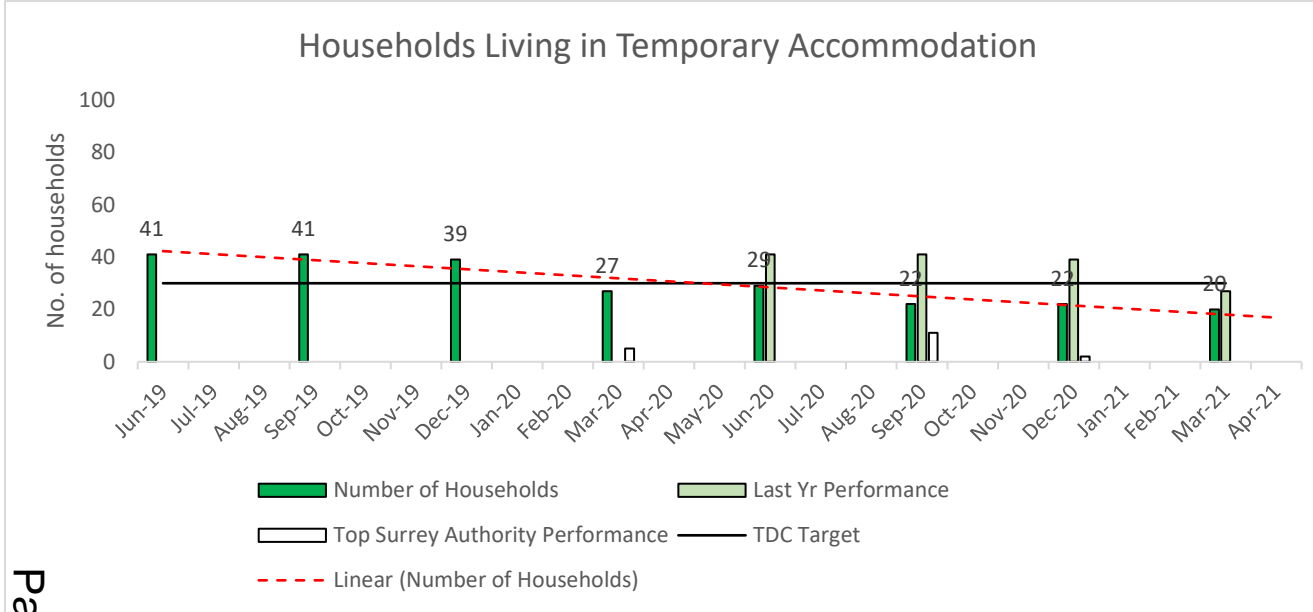


Performance Summary

- By the end of the year we surpassed our target by 64 cases. Our target for next year has been increased to 120 cases by the end of the year.
- Please note our target is for the end of the year and therefore cumulative per quarter. Also, figures are provisional and may be subject to change following government audits.
- Target: 60 cases (2020/21)

APPENDIX A – Housing Performance Charts

HO4 – Number of households living in temporary accommodation

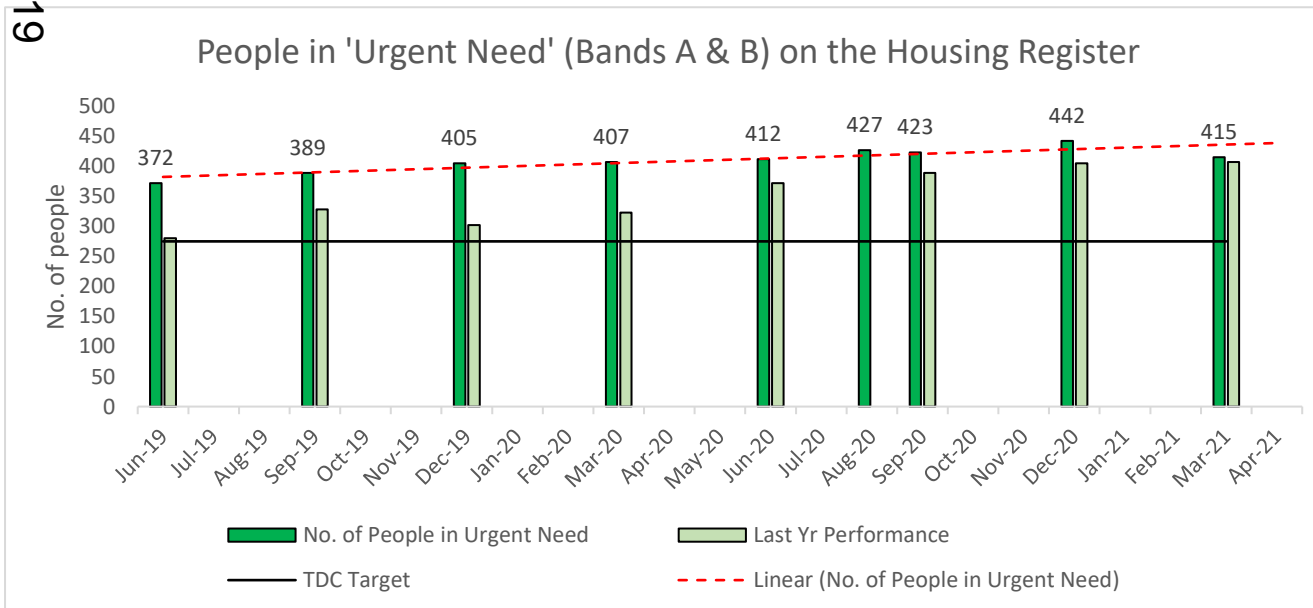


Performance Summary

- Performance improved in Quarter 4, hence maintaining the positive trajectory against target. However Officers are closely monitoring the potential impacts of the moratorium of evictions introduced by COVID-19 legislation.
- Please note figures are provisional and may be subject to change following government audits.
- Target: 30 (2020/21)

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HO5 – Number of people in 'urgent need' (bands A&B) on the Housing Register

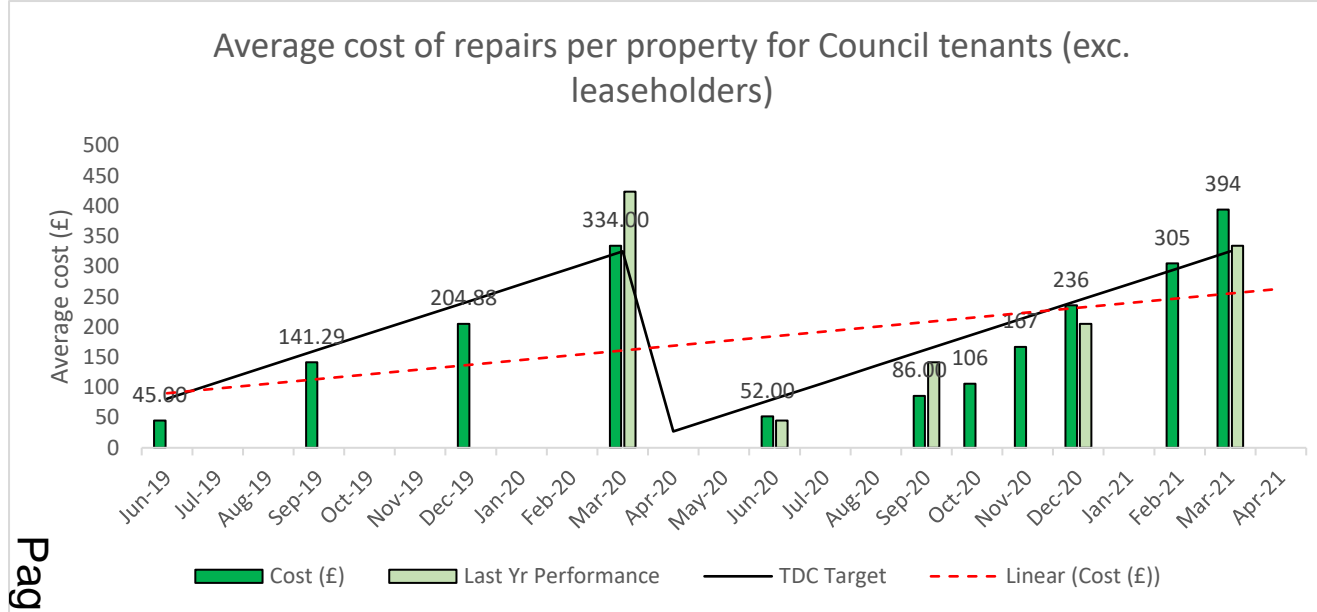


Performance Summary

- The figure improved by 27 in Quarter 4, yet across the year the number has been steadily increasing due to a limited supply of affordable housing.
- The Housing team continues to work with colleagues in strategy and development to ensure a continued supply of affordable housing is provided throughout the district.
- Target: 275 (2020/21)

APPENDIX A – Housing Performance Charts

HO7 - The average cost of repairs per property for Council tenants (exc. leaseholders)

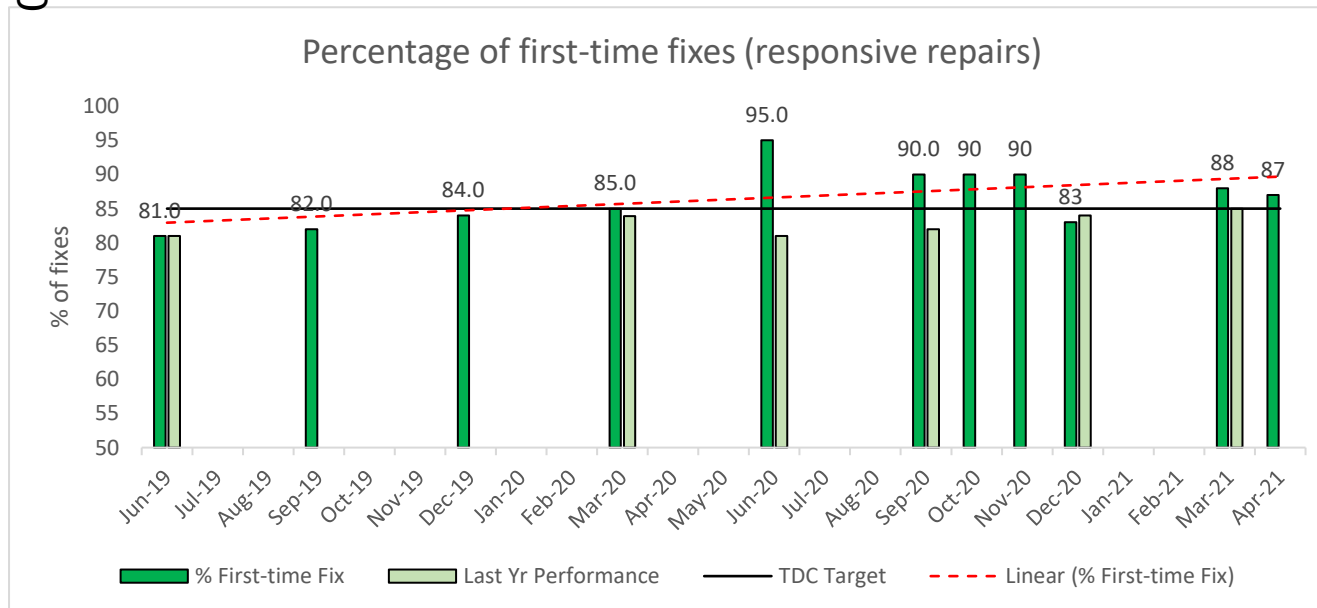


Performance Summary

- Covid - 19 has had a partial effect with more repairs being reported as residents have been furloughed or working from home.
- In 2018/19 our end of year figure was £424. We are reviewing all repairs costs as part of the new budget arrangements.
- Our target is the average cost of repairs. It is for the end of the year and therefore cumulative per quarter.
- **Target:** £325 (2020/21)

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HO8 - First time fixes (responsive repairs)

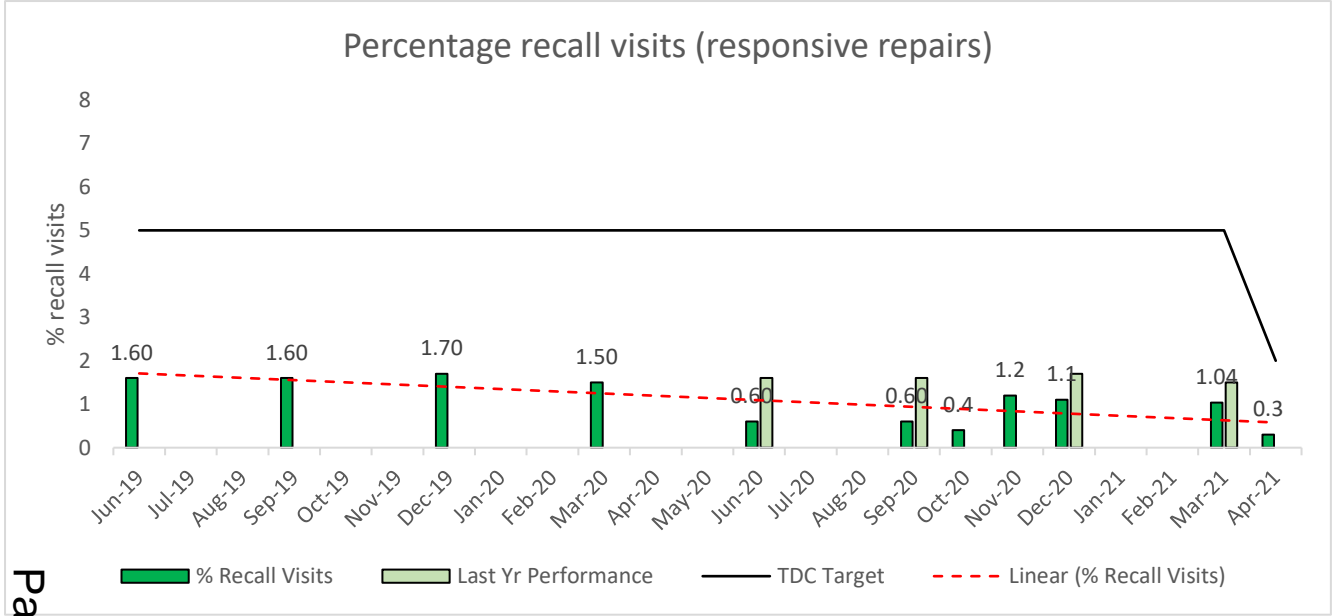


Performance Summary

- Our performance has improved since Quarter 3, surpassing our target by 2% in April 2021.
- **Target:** 85% (2020/21)

APPENDIX A – Housing Performance Charts

HO9 - Recall Visits (responsive repairs)

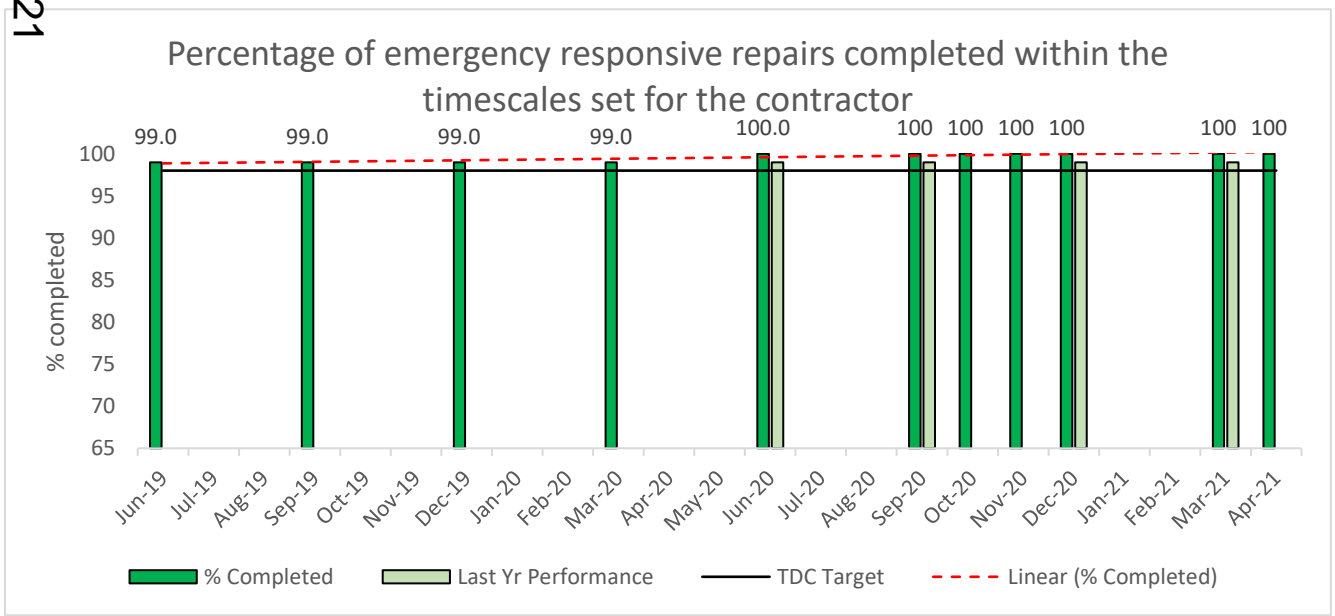


Performance Summary

- Performance improved in Quarter 4, maintaining the positive trajectory with respect to our target.
- Target: 5% (2020/21)

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HO10a - Percentage of emergency responsive repairs completed within the timescales set for the contractor.

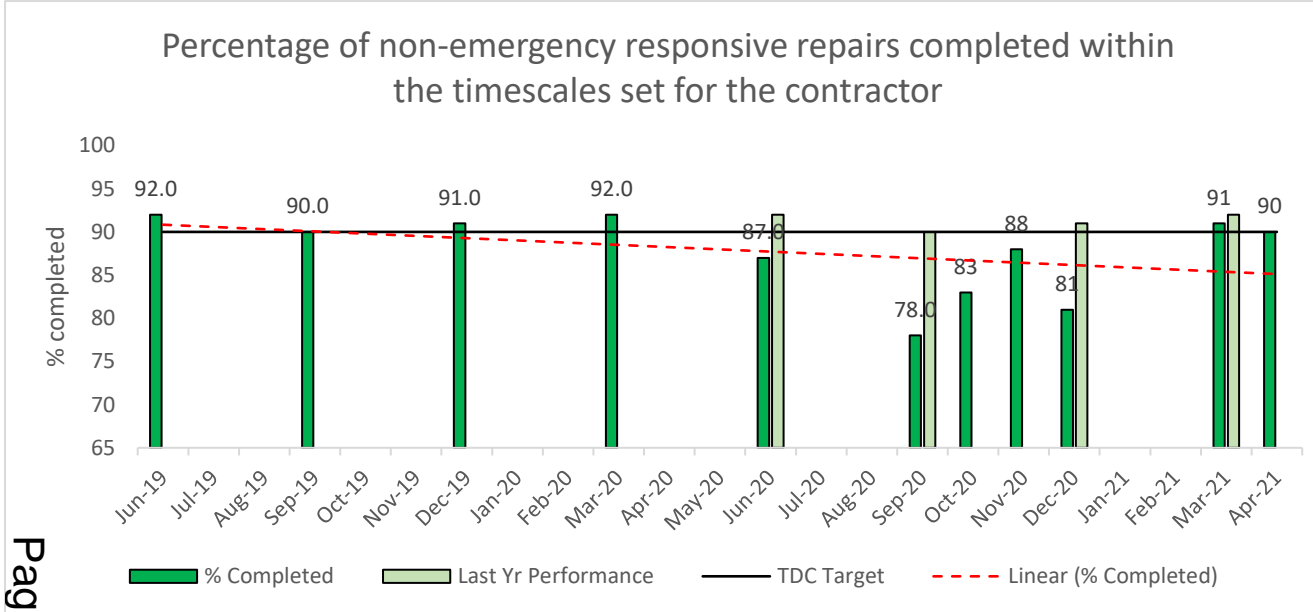


Performance Summary

- Our performance continued to surpass target in Quarter 4 2020-21.
- Target: 98% (2020/21)

APPENDIX A – Housing Performance Charts

HO10b - Percentage of non-emergency responsive repairs completed within the timescales set for the contractor.



Performance Summary

- Our performance improved in Quarter 4, consequently we achieved our target for the period.
- Target: 90% (2020/21)

APPENDIX B - Housing Risk Register

Ref:	Risk cause and event	Risk consequences	Risk Owner	L	I	RAG	Mitigating actions and responsibility	Status update	On corporate risk register?
1	Overspend on the housing repairs	* Impact on the Housing Revenue Account (HRA).	Lead Community Surveyor, Executive Head of Communities	2	4	8	<ul style="list-style-type: none"> * Financial monitoring and savings trackers in place. * Senior managers reviewing the implementation of the new budget arrangements. * Implementing new depot IT system within 12 months (in-line with IT priorities) to provide accurate cost data on time, labour, materials, fuel, vehicle usage, etc. * Heavily restricting the use of third party contractors by the depot for reactive repairs. * Reviewing the reactive repairs schedule of rates for the depot. 	* Multiple repairs budgets have now been consolidated / held in the HRA in real-time, rather than in Community Services. This is a step towards enabling us to analyse our full costs more effectively throughout the year.	
2	Council fails to deliver the target number of properties in the Council House Building Programme, due to poor performance of the contractor, planning delays, unplanned costs, Covid 19 requirements, the availability of materials and utility providers	<ul style="list-style-type: none"> * Increase in number of households living in unsatisfactory housing conditions. * Increase in homelessness. * Failure to meet statutory homelessness duties. * Negative impact on resident wellbeing. * Negative publicity and reputational damage. * Inability to meet local housing need. * Increasing numbers of applicants registered on the Housing Needs Register, and impact on KPI HO5. * Increased cost of homeless service and of meeting requirements of the Homeless Reduction Act. 	Lead Housing Development Specialist	2	4	8	<ul style="list-style-type: none"> * Active management of contracts via monthly contractor meetings and day to day contact with the project team; and appointment of an Employers Agent to manage the contractor on behalf of the Council. * Programme includes work to minimise inevitable delays resulting from manufacturing delays, material shortages, sub-contract labour being temporarily shutdown and the need to comply with Covid 19 advice and guidelines. * Consider use of alternative materials to overcome supply shortages, different designs and different finishes; and use of materials that are readily obtainable. * Use of JCT Design Build contract minimises additional costs. * Early liaison of utility providers by the contractor and the use of mature approved drainage plans within contract documentation. * New homes development programme to increase supply of permanent rented family housing. * Deliver actions within the Housing Strategy which include: <ul style="list-style-type: none"> > Improve the councils sheltered housing to encourage downsizing/ move on from family accommodation; > Supporting Registered Providers to reduce rents; > Development and implementation of an Empty Homes strategy. * Maximising the limited opportunities to release land for development. * Increase use of private sector Housing to meet temporary accommodation demand and prevent homelessness. * Target staffing resources at increasing development of New affordable homes where possible through the Council and Registered Providers. * Monthly monitoring of supply and demand for affordable housing. * Performance reporting to Executive Lead, Communities Directorate and Housing Committee; also regular monitoring of homelessness trends. * Ongoing review of national / Local issues affecting the service. 	<ul style="list-style-type: none"> * Risk re-framed to focus on the Council's programme delivery, rather than lack of affordable housing in the District, as the Council can influence the former to a far greater extent than the latter. * The risk was also consolidated with a similar risk in the previous register related to slippage in the programme, as these were felt to be duplicates of each other. * Empty Homes project ongoing, update to Housing Committee in June 2021. 	
3	Inability to deliver Housing Strategy	* Fail to deliver on the strategic objectives of the strategy, and associated improvements to residents and the Council.	Executive Head of Communities	1	2	2	<ul style="list-style-type: none"> * Regular updates brought to Committee. * Member briefing papers prepared for relevant strategy actions. * Committee working group in place. * Communications in place with key partner agencies. 	* Strategy on track in-line with its delivery timeframe.	
4	Inability to deliver the Homelessness Strategy	* Fail to deliver on the strategic objectives of the strategy, and associated improvements to residents and the Council.	Specialist Services Manager	1	2	2	<ul style="list-style-type: none"> * Regular updates brought to Committee. * Member briefing papers prepared for relevant strategy actions. * Committee working group in place. * Communications in place with key partner agencies. 	* Strategy on track in-line with its delivery timeframe.	

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Appendix C

Quarter 4 Update – Affordable Housing Provision and Council Housing Building Programme

This update provides members with the current position in relation to the Council's House Building programme and affordable housing development by housing associations.

Council House building (CHB) programme

- The status of the Council's current programme at the end of Quarter 4 was as follows:

No of dwellings in Programme:	342 See Note 1
Completed homes:	40
Completed homes in 12 months defects period:	32
Homes contracted but not on site:	0
Homes on site:	47
Buy Back programme	10
Buy Backs identified and being progressed	4 See Note 2
Buy backs completed	2
Homes being tendered:	7
Homes subject to planning:	6
Homes approved but at pre-planning stage	35 see note 3
Homes yet to be found	165
<ol style="list-style-type: none"> This figure includes 142 homes from the original programme, and the 200 additional homes added by the Housing Committee at its meeting on the 11th of March 2021. The original programme was 143 homes but was reduced to 142 as funds for the additional home were used instead to fund the purchase of a key site. The buyback programme was increased from 5 properties to 10 by the Housing Committee at its meeting on the 11th of March 2021. Schemes at Wolfs Wood, Featherstone and Hollow Lane were approved at the Housing Committee meeting on the 11th of March 2021. 	

- Progress of the CHB against the annual target for 2020/21 is as follows:

ANNUAL TARGETS CHB PROGRAMME 2021/22 and PROJECTIONS							
	2020/21 Targets/ Actuals	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4	2021/22 Targets	2022/23 Targets
Starts On site							
Projected	59	0	0	13	0	13	35
Actual	47	-	-	-	-	-	-
Completions							
Projected	34	2	2	2	3	9	47
Actual	30	-	-	-	-	-	-

Notes: Rochester Gardens, Town end, Auckland Rd and Windmill Close will now start in 2021/22; 9 'buybacks' will now complete in 2021/22.

3. The current programme of 142 dwellings is projected to complete by December 2022 and will achieve the target of 100 of the 175 homes within the Council's Strategic Plan. Current risks with delivery of the current programme are:
 - Achieving a planning consent for the Auckland Rd and Windmill Close sites in Caterham;
 - Potential delays due to material shortages, particularly of cement-based products and timber;
 - An upward pressure on costs due to material shortages which may be reflected in tenders due to be received in late June for the Rochester Gardens and Town End sites.

Formal Consultation – Wolfs Wood and Featherstone

4. In relation to Wolfs Wood, and Featherstone two of the schemes approved in principle at the Committees March 21 meeting, tenants were formally consulted about the proposals in April. Having considered all the feedback received Officers were of the view that nothing material has been raised in the consultation which outweighed the advantages of proceeding with the proposals outlined to Housing Committee on March 11th, 2021.
5. Officers have advised tenants of the results and an initial demolition notice has been served under Section 138A and Schedule 5A of the Housing Act 1985 which suspends the right to buy and temporarily suspend any existing right to buy proceeding further.
6. Officers will continue to provide tailored support to residents having to move to an alternative home having regard to their needs.

Housing Association Activity

7. Housing association activity has been minimal in 2020/21 as detailed below. However, in the next financial year the Stonewater scheme at Smallfield will deliver 51 new homes of which 26 are for social rent and are primarily 2 and 3-bedroom homes. 2021/22 will also see a restart on the Rose and Young site in Caterham after a cessation of 2 years with 48 shared ownership flats due to be delivered in 2023.
8. The expected start on site at the 9 home Dormansland station site will not now be achieved and is expected to start in 2021/22.

ANNUAL TARGETS HA PROGRAMME 2021/22 and PROJECTIONS							
	2020/21 Targets/ Actuals	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4	2021/22 Targets	2022/23 Targets
Starts On site							
Projected	9	0	9	48	0	57	0
Actual	0						
Completions							
Projected	2	1	39	12		52	48

Actual	1						
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Mobile Home Sites - Fit and Proper Person Application Fee Policy

Housing Committee Tuesday, 29 June 2021

Report of: Executive Head of Communities

Purpose: For decision

Publication status: Open

Wards affected: All

Executive summary:

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 introduce a fit and proper person assessment for the owners/operators of residential mobile home sites, to improve the standards of park home site management.

All mobile home site licence holders, except those that are 'non-commercial family occupied sites' must apply to the Council, between 1st July and 1st October 2021, to be assessed as a 'Fit and Proper Person' to operate a licenced mobile home site. Councils may charge a fee for processing applications to enable them to recover the costs of this activity. Before any fees may be imposed the Council must establish and publish a Fee Policy setting out the fees.

A site owner, or their appointed manager, can make an application and the Council must assess them and create a register of those whose applications are accepted. The assessment must include consideration of the applicant's legal interest in the site, their conduct e.g. any criminal record and the site's financial and management arrangements. The application may be approved; approved with conditions attached; or refused. Applicants will have a right of appeal.

A Fee Policy has been produced and this report is for the Committee to consider and agree the approach on the charging of fees for the Fit and Proper Person function.

This report supports the Council's priority of:

'Creating the homes, infrastructure and environment we need'

By ensuring those who operate mobile home sites are fit and proper persons for that role and are of sufficient integrity and good character to be responsible for the management of a regulated site, the Council helps to ensure that the sites are well managed and maintained and do not pose a risk to the welfare or safety of persons who live in the mobile homes on the site.

Contact officer

Nicky Thomas - Team Leader Residential and Environment
Environmental Health and Licensing Partnership, Tandridge
and Mole Valley District Councils
nthomas@tandridge.gov.uk

Recommendation to Committee:

- A. Having considered the options for charging a fee for an application for a site owner to be assessed and included on the register, Committee adopts the Mobile Home Site (Fit and Proper Person) Fee Policy and the proposed application fees as set out in Option A of this report.
 - B. The Committee gives approval for the introduction of fees to commence from 1 July 2021.
 - C. The Committee delegate authority to the Executive Head of Communities, in consultation with the Chair, Housing Committee to make any minor amendments to the policy that may be necessary when reviewed annually.
-

Reason for recommendation:

The adoption of Option A in the report ensures that any site operated on a commercial basis is subject to the same requirements, checks and associated fees.

The revenue income generated by the new FPPA Fees will support the service in delivery of this function and in achieving its budget requirements.

In addition to the periodic planned inspections of sites, at risk based intervals for site licensing purposes, mobile home residents will also benefit from the knowledge that the site operator has been assessed as 'Fit and Proper' for the role and responsibility that the position holds.

1.0 Introduction and background

- 1.1 The Mobile Homes, (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 ('the Regulations'), require that a local authority must be satisfied, that the owner of a mobile home site is fit and proper person to manage the site.
- 1.2 This requirement is to ensure that those responsible for operating the site licence and managing the mobile home site are of sufficient integrity and good character to be responsible for the management of a regulated site. It also helps to ensure they do not pose a risk to the welfare or safety of the people who occupying mobile homes on the site.

- 1.3 The Regulations make provision for the local authority to charge a fee for dealing with an application, undertaking an assessment of that person based on the information provided in the application and including their details in the register of 'Fit and Proper Persons' in relation to the management of sites. Before the Council may charge fees for this process, the proposed fees must be set out in a fee policy and adopted by the Council.
- 1.4 There are currently 29 mobile home sites in the district to which these regulations will apply.
- 1.5 The Fit and Proper Person assessment ('FPPA') must include consideration of the applicant's legal interest in the site, their conduct e.g. any criminal record and the site's financial and management arrangements. The application may be approved; approved with conditions attached; or refused. Applicants will have a right of appeal.
- 1.6 A relevant site operator/owner must apply for a FPPA within the period set down by the government. If they do not, this is an offence under the Regulations. The Council will send out reminders and application forms to those who do not apply, however, if they fail to submit the required application and information for assessment, the matter will be referred to the Council's Legal Services Team for the institution of legal proceedings.
- 1.7 In addition to charging an initial application fee for assessing whether a site owner is a 'Fit and Proper Person' who may be included on the register, councils may also charge an annual fee to cover the costs of monitoring the scheme and any conditions attached to an applicant.
- 1.8 Where a site owner or their manager fails the FPPA and they are unable to identify and appoint a suitable alternative manager, who must also undergo and meet the requirements of the FPPA, the Council could appoint a person to manage the site, with the consent of the site owner. The reasonable costs of this action can be recovered from the site.
- 1.9 These Regulations do not apply to family-occupied sites that are not operated on a commercial basis.
- 1.10 The Regulations require the Council to establish a register of 'fit and proper persons'. The register must be available for inspection by members of the public at the Council offices and available online. A person's inclusion in the register has effect for a maximum period of 5 years.
- 1.11 The Council may attach conditions to any entry on the register. These may include, but are not limited to, the requirement to pay an annual FPP fee, or the requirement for the relevant person to inform the council of any changes in circumstances in relation to the FPP assessment.

2.0 Timetable for Introduction

- 2.1 The Regulations were made in September 2020 and come into force on 1st July 2021. The MHCLG is expected to issue formal government guidance to local authorities to assist with the preparation of policies and processes for undertaking this role. The Guidance has not yet been issued, however draft guidance has been released has been taken into consideration in drafting the Fee Policy.
- 2.2 Local councils have until 1st July 2021 to prepare to receive applications from site owners/licence holders, to establish the processes for making and issuing decisions, to have adopted a fee policy and establish a fit and proper person register for their local area.
- 2.3 Site owners/licence holders will have 3 months from 1st July 2021 to submit completed applications to local authorities. The deadline for applications is 1st October 2021.

3.0 Fee Calculation

- 3.1 In setting its fees, the Council has had regard to the 'Fit and Proper Person Test Guide for Local Authorities on Setting Fees' issued by the Ministry of Housing, Communities and Local Government (2021) (currently only draft version available).
- 3.2 The calculations take into consideration the time spent by officers in carrying out certain operations and activities and these are set down in the draft guidance. As this is a new process for the Environmental Health Partnership, the times included for various activities in the calculations are based on our knowledge of other similar processes. It may transpire that the time apportioned for the activities has been underestimated, or overestimated and this will be taken into consideration when the fees are reviewed.
- 3.3 If the fees are introduced, the actual time taken to administer the scheme, undertake the assessments, maintain the register and to monitor any conditions attached to the applicant will be recorded, to establish an accurate record of officer time spent on each applicant. The policy will be reviewed annually and at the first review, the fee structure may need to be amended to take account of the findings of the recorded activities.
- 3.4 The Council is not permitted to make a profit from the FPPA fee income. The costs to which the Council may have regard when calculating the various fees are set down in the draft guidance produced by the MHCLG. Those costs include:
- 3.5 Dealing with enquiries, letter writing/telephone calls to make appointments, handling and investigating complaints, updating computer records, processing the fee, preparing reports, time spent consulting with other organisations and legal advice. All the fees are required to be calculated on a cost recovery basis and the full break-even analysis is provided in Appendix B.

4.0 Proposed Fees

- 4.1 The regulations permit the Council to charge two types of fee to cover its costs:
- Fit and Proper Person application fee - to cover the cost of assessing applications to be included on the fit and proper register.
 - Fit and Proper Person annual fee - to cover the cost of monitoring the scheme or conditions attached to the register. Payment of the annual fee may also be required as a condition of inclusion in the register.
- 4.2 It is not anticipated that the annual monitoring of the register and any conditions attached to entries on it will take any significant time. It is proposed that the Council does not charge a FPP Annual Fee at this time. Once the scheme has been running for a year and the service has had the opportunity to record the time spent in various aspects of delivery, this will be reviewed. If appropriate, a FPP Annual Fee can be introduced when the policy is reviewed.
- 4.3 The proposed FPPA Application Fee is £386.
- 4.4 As these fees are yet to be introduced across the country, there is very little benchmarking information available. However, as a comparison we do know that the fees proposed in Reigate and Banstead BC are likely to be around £448 and in Mole Valley DC the proposal is for the same fee to be charged as in Tandridge, since the function will be delivered by the same service.
- 4.5 Officers propose to apply a condition to all registrations, which will place an obligation for the operator to notify us of any relevant offences relating to the 'relevant person' or any material change in the management arrangements for the site. This will place the obligation on them to keep us informed so we can take relevant action within the 5 year registration period if necessary.

5.0 Payment and Processing

- 5.1 Applications for a FPPA will not be processed until the appropriate fee has been paid. The application will be processed within 6 weeks of the Council receiving the full application together with all the necessary supplementary documentation. Fees are not refundable if the application is not granted.

6.0 Implementation

It is proposed that the Policy comes into operation on 1st July 2021, in line with the date the Regulations come into force and the Council is required to start processing applications.

7.0 Financial Implications

The introduction of FPPA fees will result in some additional income to the Environmental Health Service. However, the detailed scrutiny of FPPA applications required by the legislation, together with the monitoring of the FPP and any conditions attached to the register will place an increased demand on the resource of the Environmental Health Team.

8.0 Legal Implications

- 8.1 This is new legislation and will require those site owners to submit applications, declarations and supporting documentation that they do not currently need to submit.
- 8.2 The Council will then assess the application in accordance with the statutory requirements, government guidance issued by MHCLG for the setting of fees for mobile home site licensing functions.
- 8.3 The legal basis for the powers referred to in this report are in the legislation listed in both this report and the policy.

Options

Option A (Recommended)

Committee approves the charging of FPPA application fees to the owners of all commercially operated residential sites by formally adopting the fee structure proposed in Option A in this report.

Option B

Committee approves the charging of FPPA fees to the owners of all commercially operated residential sites with the exception of those owners who operate sites with only one home, by formally adopting the fee structure proposed in Option B in this report.

Option C

Committee does not approve the policy to charge FPPA fees and decides that Tandridge District Council will carry out its FPPA function at no charge to the owners and operators of the sites in its area.

Risk Implications

Option A

Committee approves the requirement for FPPA fees to be charged to the owners of all commercially operated residential sites.

Risks

- The owners of sites that have only a small number of mobile homes may consider the fees disproportionate to the size of the site and the Council may receive complaints about this.

Opportunities

- The Council is required to receive applications from the owners of all commercially operated sites, regardless of the number of homes on a site. The FPPA assessment is the same for the owner of a site that has only one unit as it is for the owner of a site with 250 units. Charging a fee to all applicants, helps to offset the cost of the time spent processing and operating the scheme.

Option B

Committee approves the requirement for FPPA fees to be charged to the owners of all commercially operated residential sites except those owners who operate sites with only one mobile home.

Risks

- The Council will receive slightly less income towards the cost of delivering the FPPA function.
- The owners of sites with more than one mobile home may consider the charging policy inequitable and the Council may receive complaints.

Opportunities

- The Council may be viewed as applying a fairer licensing fee, related to the actual number of homes on a site and reducing the burden on smaller businesses.

Option C

Committee does not approve the policy to charge FPPA fees and decides that Tandridge District Council will carry out its FPPA function at no charge to the owners and operators of the sites in its area.

Risks

- The Council will receive no fee income to help offset the costs of service delivery of this additional statutory responsibility. It will have to consider ways to deliver this scheme from existing resources, which may require the reduction of another part of the service.

Opportunities

- There is no clear opportunity for the Council in continuing to deliver a free service, for which it has the discretion to make a charge.
- Site owners and operators will benefit from the provision of a service for which there is no charge.

Consultation

There is no legal requirement under the Regulations for public consultation in respect of the introduction of these fees and given the time restraints, it would not be feasible to undertake consultation prior to the date that the Council must be in a position to receive applications.

Communications

If the policy is adopted by the Council we will write to all the site owners/operators who manage a commercially operated residential site in the district, to notify them that the new policy is in operation and advise them of where and how they can make the required FPPA application and obtain further information.

We will request that they display a copy of the letter in their site office to inform the residents on the site. We will also inform them of when and how they will be able to pay the Annual FPPA Fee to the Council.

A notice will be posted on the TDC website to inform the public that the policy is in force. A copy of the full policy will be available to the public on request and on the website. The website will be updated to include information about the requirements of a responsible site operator to apply for a FPPA to be included on the register and advise how the application may be made.

Key implications

Comments of the Chief Finance Officer

Within the Budget setting 2021/22 no income nor costs have been included for the proposed schemes. Depending on which recommendation is adopted there will either be a small under or over spend incurred.

There are no capital implications of adopting any of the recommendations.

Comments of the Head of Legal Services

The Council is under a statutory duty to enforce the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020. Without a fee policy in place, the Council would not be able to charge a fee for processing the fit and proper person application and therefore there would be an additional cost to the Council.

The recommendations support the proposed enactment of the Regulations so that the Council may properly apply them.

Equality

An Equality Impact Assessment of the proposed policy has indicated there are no significant equality implications for the Committee to consider in respect of this report and, therefore, no perceived impact to end users.

Climate change

There are no significant environmental / sustainability implications associated with this report.

Appendices

Appendix 'A' - Draft Mobile Home Sites (Fit and Proper Person Assessment)
Fee Policy June 2021

Appendix 'B' - Fee Structure Calculation

Background papers

None.

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Appendix A

Mobile Home Sites

Fit and Proper Person Assessment

DRAFT 1 - Fee Policy

June 2021

(Effective from 1st July 2021)

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1. Scope of Policy

This policy sets out the approach taken in the setting of fees for the processing of applications for the Fit and Proper Person Assessment, (FPPA) for the owners and managers of residential mobile home sites.

2. Background

- 2.1 The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (hereafter 'the regulations') introduce a fit and proper person assessment for mobile home site owners or the person appointed to manage the site. The purpose of the fit and proper person test is to improve the standards of mobile home site management.
- 2.2 From 1 July 2021 and by 1 October 2021, all site owners must have applied to the local authority to be assessed as fit and proper persons and to be included on the register.
- 2.3 Fees may be charged for assessing applications to enable local authorities to recover the costs of this activity. Furthermore, local authorities may cover the cost of monitoring the scheme or conditions attached to entries in the register by the levy of an annual fee.
- 2.4 Tandridge District Council, 'the Council', is the local authority for the purposes of the Regulations and has agreed to charge a fee for the FPPA to cover the cost of monitoring the scheme or conditions attached to the register.
- 2.5 Before a local authority can charge a fee, it must prepare and publish a fees policy. When fixing a fee, the local authority:
- Must act in accordance with its fees policy
 - May fix different fees in different cases
 - May determine that no fee is required in some cases
- 2.6 Any charges relating to the Fit and Proper Person function will be limited to recovering the costs of exercising that function. Both the level of fees and how they are charged are, subject to legal restrictions, at the discretion of the local authority.
- 2.7 There are exemptions from the requirement for the owner of a site to apply for a FPPA, some of these include:
- A site that is only occupied by members of the same family
 - A site not run as a commercial, residential site
 - A site occupied by and managed by the council.

3. Fee Structure

3.1 In setting its fees policy and the fees to be charged, the Council has had regard to the Regulations, and the relevant guidance, the 'Fit and Proper Person Test Guide for Local Authorities on Setting Fees' issued by the Department for Communities and Local Government (2021) (currently only draft version available).

3.2 In determining those fees, the Council has considered all administrative costs incurred in the FPPA process, including consultations, meetings, scrutiny of the information provided on application for the assessment and providing informal, pre-application advice.

3.3 The regulations permit the Council to charge two types of fee to cover its costs:

- Fit and Proper Person application fee - to cover the cost of assessing applications to be included on the fit and proper register. Registration lasts for up to five years.
- Fit and Proper Person annual fee - to cover the cost of monitoring the scheme or conditions attached to the register. Payment of the annual fee may also be required as a condition of inclusion in the register.

3.4 The Council has decided that in order to limit the financial burden of this new requirement on site owners and operators, it will not currently charge the FPP Annual fee. When the policy is reviewed and the Council has a better understanding of the full costs of delivering the registration scheme, the payment of an annual FPP fee will be reviewed.

Fee Type	Cost
Fit and Proper Person application fee	£386

4. Costs that can be included in application fees

4.1 Many applications will be straightforward and will be able to be processed quickly with straightforward enquiries. Others may involve complicated issues which require extensive resources to investigate. The council will charge a flat rate fee for consideration of all applications, based on the average complexity of a case.

4.2 The council has taken into account the following matters on which costs are incurred (or likely to be incurred) when determining its fee policy for consideration of applications for entry on a fit and proper register:

- Initial enquiries;
- letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the fit and proper process;
- sending out forms;
- updating files/ computer systems and websites;
- processing the application fee;
- land registry searches;
- time for reviewing necessary documents and certificates;
- preparing preliminary and final decision notices;
- review by manager or lawyers;
- review any representations made by applicants or responses from third parties;
- updating the public register;
- carrying out any risk assessment process considered necessary;
- reviews of decisions or in defending appeals.

4.3 In addition, the Council will need to make such inquiries as are necessary in connection with the application, such as those relating to the applicant's management and financial standing.

4.4 All time taken in establishing the information required to make an informed decision is included in the application fee, whether or not the entry on the register is granted.

4.5 Where an applicant contacts the Council before making an application to ascertain the likelihood of the success of that application, the authority will give informal advice, including on likely conditions that may be attached to an entry, so the applicant can make an informed judgement on how to proceed with the application.

5. Payment and Processing

5.1 The Council requires payment of fees for applications for a FPPA and subsequent inclusion on the Fit and Proper Person register. The Council will not start processing any applications until such time as the correct fee is received. Application fees may be paid by credit or debit card or upon request, by invoice.

5.2 The application will be processed within 6 weeks of the Council receiving the full application and all supplementary documentation. Fees are not refundable if the application is not granted.

6. Matters to be Considered in the Fit and Proper Person Assessment

6.1 When considering whether a person is 'fit and proper' the Council must have regard to the suitability of the person concerned ('the relevant person'). Schedule 3 paragraphs 2 to 4 of the Regulations make reference to those matters that must be considered by the local authority as part of any application. These include;

Whether the relevant person is able to secure the proper management of the site. This includes, but is not limited to;

- a) compliance with the site licence;
- b) the long term maintenance of the site;
- c) whether the relevant person has sufficient level of competence to manage the site;
- d) the management structure and funding arrangements for the site or proposed management structure and funding arrangements.

Other matters to be considered are whether the relevant person has:

- e) committed any offence involving fraud or other dishonesty, violence, arson or drugs or listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements);
- f) has contravened any provision of the law relating to housing, caravan sites, mobile homes, public health, planning or environmental health or of landlord and tenant law;
- g) has contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business;
- h) has harassed any person in, or in connection with, the carrying on of any business;
- i) is, or has been within the past 10 years, personally insolvent;
- j) is, or has been within the last 10 years, disqualified from acting as a company director;
- k) whether the relevant person has the right to work within the United Kingdom;

- l) whether any other local authority has rejected an application for the responsible person to be included in a register;

6.2 The Council may also have regard to the conduct of any person associated or formerly associated with the relevant person (whether on a personal, work or other basis) if it appears to the authority that that person's conduct is relevant to the question of whether the relevant person is a fit and proper person to manage the site.

7. Application

Once an application has been received the local authority may:

- a) grant the application unconditionally;
- b) grant the application subject to conditions;
- c) reject the application.

8. Decision

As soon as is reasonably practicable after a full and complete application is received (including the relevant fee) the Council must make a decision on the application and either;

- a) where the decision is to grant the application unconditionally and to include the relevant person on the register for 5 years, serve a final decision notice on the applicant or;
- b) otherwise serve a preliminary decision notice on the applicant.

9. Appeals

Any preliminary decision notice will be in accordance with the Regulations and will provide the applicant with 28 days, beginning with the day after the day on which the notice was served, to make written representations to the authority.

Once written representations have been received the authority may then make a final decision which may include approving an application subject to specific conditions.

Where the authority may seek to remove a relevant person from the register or to impose further conditions a notice of proposed action will be issued in accordance

with the Regulations. Again, any relevant person may make written representations within 28 days of such a notice being issued.

The local authority may withdraw or amend:

- a) a preliminary decision notice before service of the final decision notice;
- b) a final decision notice before the decision to which it relates takes effect or;
- c) a notice of proposed action before the proposed action is taken

A person on whom a final decision notice is served may appeal to a First-tier Tribunal (FTT) against:

- a) any decision to include the relevant person on the register for an effective period of less than 5 years;
- b) any decision to include the relevant person on the register subject to conditions and;
- c) any decision to reject the application.

A person on whom a notice of action is served may appeal to the FTT against:

- a) any decision to remove the relevant person from the register;
- b) any decision to impose a condition on the inclusion of the relevant person in the register and;
- c) any decision to vary a condition.

No compensation may be claimed for loss suffered, pending the outcome of the appeal, in consequence of the local authority making a final decision or taking action relevant to Regulation 8(1)(a), (b) or (c).

10. Register

10.1 The Regulations require a local authority to establish and keep up to date a register of persons who they are satisfied are fit and proper persons to manage a relevant protected site in their area and to make the register open to inspection by members of the public at the offices of the local authority during normal office hours.

10.2 The authority must also publish the register online and the contents of the register will be in accordance with the Regulations.

10.3 A person's inclusion in the register has effect for a maximum period of 5 years.

10.4 The Council may attach conditions to any entry on the register. These may include, but are not limited to, the requirement to pay an annual FPP fee, or the requirement for the relevant person to inform the council of any changes in circumstances in relation to the FPP assessment.

11. Appointment of a Person to Manage the Site

11.1 Where a site owner, or their manager fails a FPPA and they are unable to identify and appoint a suitable alternative manager, who must also undergo the fit and proper assessment, the local authority may appoint a person to manage the site, with the consent of the site owner.

11.2 If the Council is required to appoint a person to manage the site, the reasonable costs of this action can also be recovered from the site. If this were to be required, the Council would seek full cost recovery of all officer time and any other resources required to undertake this action.

12. Review of the Fee Policy

12.1 The policy for Fit and Proper Person Fees will be reviewed 2 years from implementation, and thereafter, annually. The review will assess and incorporate any changes that need to be made. This will include a full review of the fee levels, to take into account the effect of inflation and any surpluses or deficits incurred on the predicted level of expenditure in the first two years.

12.2 Any adjustments will consider variations in officer and administration time to those used in calculating the fees set out in this policy document, along with any changes to other costs incurred in providing the FPPA function.

12.3 Changes will be introduced into this document where necessary to accommodate new legislation, guidance and local needs.

12.4 The fees policy will be published on the Council's website, <http://www.tandridge.gov.uk> and if the Council revises the fee policy, it will replace the published policy with the revised policy.

If you have any comments or queries regarding this Policy, please contact:

Nicky Thomas
Residential and Environment Team Leader
Environmental Health Partnership

By Email: customerservices@tandridge.gov.uk

By telephone: 01883 722000

At this address: Environmental Health,
Tandridge District Council,
8 Station Road East,
Oxted,
RH8 0BT

Appendix 'B' – Fee Structure Calculation

Calculation of Fit and Proper Person Application Fee					
Action	Admin Officer	EHO	Team Leader		
Enter new case in Civica, start process.	15				
Send out application form and covering letter	20				
Correspondence and telephone calls etc to discuss requirements with applicants		45			
Check application information complete, including fee	30				
Process payment and send payment acknowledgment	30				
Review all submitted documents and application form		120			
Update case record in Civica		30			
Land registry searches	15				
Prepare final or preliminary decision notice		60			
Case review discussion with manager and/or Legal; review any representations made by applicants or responses from third parties;		45	45		
Prepare final or preliminary decision notice following case review discussion		30			
Scan and save decision notice to Civica record, send copy to site	30				
Update public register/website		15			
Carrying out any risk assessment process considered necessary		15			
Reviews of decisions or in defending appeals.		15	15		
Total Time per Officer (minutes)				Cost	Rounded
Admin Officer	140			£ 75.46	
Environmental Health Officer		375		£ 262.38	
Team Leader			60	£ 47.90	
Total Cost				£ 385.74	£ 386.00

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CAPITAL FUNDING OF ACCOMMODATION FOR ROUGH SLEEPERS

Housing Committee Tuesday, 29 June 2021

Report of: Alison Boote, Executive Head of Communities

Purpose: For Decision

Publication status: Unrestricted

Wards affected: All

Executive summary:

The Council, in partnership with Transform Housing and Support (Transform) has the opportunity to apply to Homes England for grant funding to purchase two further 'Move-On' homes in the District. The bid will see East Surrey Local Authorities - Mole Valley District Council, Reigate and Banstead Borough Council and Epsom and Ewell Borough Council - make a joint bid with Transform for funding to purchase 8 Move-On properties across the four local authority areas, with each local authority committing to grant fund 25% of the scheme cost.

In Tandridge the homes would take the form of 2 x one bedroom flats, to provide supported housing for former rough sleepers and those at risk of rough sleeping in the district. This report seeks Committee approval to proceed with the joint bid and to use commuted sums in the form of local authority grant to Transform to support the purchases.

This report supports the Council's priority of: Creating the homes, infrastructure and environment we need

Contact officer Nicola Cresswell, Housing Development Specialist, 01883 732897, ncresswell@tandridge.gov.uk

Recommendations to Committee:

It is recommended to Members that:

- A) approval be given to participate in a joint Homes England bid with the 3 other East Surrey Local Authorities in partnership with Transform Housing and Support for funding from the Rough Sleeping Accommodation Programme;
- B) use of commuted sums of up to 25% of the total scheme cost, subject to a maximum of £50,000 per unit (total £100,000) be approved and given by way of grant to support Transform Housing and Support in the purchase of two properties in Tandridge to provide housing with support for rough sleepers, former rough sleepers or those at risk of rough sleeping; and
- C) authority to be delegated to the Head of Legal Services to agree the terms of the necessary nomination and funding agreements in support of the proposal should the bid be successful.

Reason for recommendation:

Both the Council's Homelessness and Rough Sleepers Strategy 2019-23 and the Housing Strategy 2019-23 support the objective of the provision of additional social and affordable housing to meet housing need within the District. The Council, aside from undertaking its own programme of house building, also supports the work of housing associations in providing social and affordable housing, for general needs or housing with support, which is vital to the Council in its work to meet local affordable housing need.

Introduction and background

1. The Government ('MHCLG') has invited local councils, working closely with delivery partners including registered providers of social housing, to submit proposals and bids for future years of the Rough Sleeping Accommodation Programme (RSAP). RSAP's objective is to provide Move-On Homes, available as long-term assets, and accompanying support services to achieve a sustainable reduction in rough sleeping. This funding programme is a continuation of the Government's manifesto commitment to end rough sleeping.
2. Transform already have a number of supported housing projects in Tandridge together with experience of providing high quality support and housing to rough sleepers and people with a history of homelessness. They are a registered provider and a registered charity with more than 50 years experience in the sector. Under the first phase of the Move-On programme in Tandridge, Transform purchased a one-bedroom flat in Whyteleafe using £30,000 of capital grant funding from the Council (approved by this Committee in March 2020), £50,000 of Homes England grant funding and private funding from the organisation itself of [£152,000].

3. This Committee granted approval in March 2020 for funding for the first phase and as a result Transform have recently completed the purchase of a one-bedroom flat in Whyteleafe under the scheme.

Rough Sleeping Accommodation Programme Bid

4. Homes England have indicated that they would support a joint bid from the East Surrey local authorities, in partnership with Transform, to realise up to 50% of grant funding to secure the purchase of eight properties across East Surrey (2 properties per local authority area). The scheme would require a commitment from each council to fund 25% of the purchase of the properties in their area, estimated to be up to £50,000 per unit in Tandridge, with the remaining 25% being funded by Transform itself.
5. The notable increase in grant required since the original funding round is not reflective of the housing market, which has remained relatively stable but reflective of the reduction in Homes England grant rates available under the scheme and a lower contribution than previously from the registered provider.
6. An affordable rent will be charged for the properties and Transform will provide two hours of support per week to tenants, via a dedicated keyworker who will promote and encourage independent living skills. Funding for this support will come from Homes England who recognise the importance of long-term certainty for the programme. They have confirmed that funding for support services will be available through to the end of the financial year 2023/24. Future funding for support costs thereafter will be subject to future spending rounds and local prioritisation, and in line with national and local plans for tackling homelessness and rough sleeping. Should revenue funding cease in the future, the Council will work with Transform to explore other means of funding or revert the flats to general needs social housing.

Budget

7. In previous financial years the Council has included within its annual budget framework funds to support housing associations in the provision of social/affordable housing (Housing Enabling – General). There is no budget approved for 2021/22 so it is proposed that should the joint bid to Homes England be successful, the local authority grant be taken from commuted sums for affordable housing and be subject to a legal agreement securing nomination rights in favour of the Council.
8. Commuted sums are monies set aside for the provision of affordable housing, arising from residential developments that were unable to provide on-site affordable housing and have instead paid a sum, in lieu of onsite provision, for the Council to use for affordable housing provision elsewhere in the District.

9. The Council currently holds £761,770 in commuted sums although £600,000 is already committed to the council house building programme. The balance available is therefore £161,770 although further receipts are expected in the next 12 months of £714,000. Payment will only be made on the basis of a purchase that has satisfactory clean legal title.

Climate Change Implications

10. The purchase will most likely be an existing one-bedroom leasehold flats for sale on the open market and therefore scope for any significant contribution to climate change (without action by the freeholder) is limited. Furthermore, Homes England grant conditions require any works necessary for the scheme to be made suitable for affordable housing letting, to not exceed £1500 per property. However, the recent purchase of a Move-On property in Whyteleafe has demonstrated the robust approach that Transform are taking when identifying a suitable property. The property that has been purchased required no additional work to improve its energy efficiency, being double glazed and insulated sufficiently and with an efficient, nearly new boiler.

Consultation

11. No information is known at this time about the location of the purchases other than they will be in the District and are likely to be ex-right to buy leasehold flats.

Key implications

Comments of the Chief Finance Officer

12. There is no direct impact on the General Fund revenue budget from these proposals. The provision of supported housing for former rough sleepers and those at risk of rough sleeping in the district could however benefit the General Fund budget by reducing the future cost of dealing with homelessness were this facility not be available.
13. The Housing General Fund capital budget will be amended to include the expected £100,000 cost which will be financed by the use of commuted sums set aside for the provision of affordable housing.
14. The properties will be owned by Transform Housing and Support who will be responsible for any maintenance costs. The Council will secure nomination rights in perpetuity. Should the properties ever be sold the Council will receive back the appropriate percentage of the value of the property as at the date of valuation.

Comments of the Head of Legal Services

15. The proposed decision is to approve the provision of additional social and affordable housing that will benefit vulnerable residents who have been identified as rough sleeping or at imminent risk of rough sleeping. Section 12 of the Local Government Act 2003 gives the Council powers to invest for any purpose relevant to its statutory functions or for the purposes of prudent management of its financial affairs.

16. There are therefore no legal reasons preventing Members from approving the recommendations in the report. Essentially, this proposed project would form part of ongoing work to provide a service to prevent and mitigate homelessness, as part of the Council's statutory duties.

Equality

17. The homeless population are exceptionally vulnerable to Covid-19. The proposed decision, therefore, represents a measure to meet the needs of people with protected characteristics and therefore mitigate any new inequalities arising as a result of the impact of Covid-19. This decision will help the Council to meet its equalities duties and address known inequalities affecting individuals with protected characteristics, particularly relating to age, and disability. No negative consequences are identified for those who identify with one or more protected characteristics; accordingly, the decision represents progress to eliminate discrimination and advance equality of opportunity.

Appendices

None

Background papers

None

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