



People and Health Overview Committee

Date: Tuesday, 27 October 2020
Time: 10.00 am
Venue: To be held as a Teams Live Event
Membership: (Quorum 3)

Andrew Kerby (Chairman), Pauline Batstone (Vice-Chairman), Tony Alford, Pete Barrow, Toni Coombs, Ryan Holloway, Stella Jones, Rebecca Knox, Robin Legg and Daryl Turner

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please telephone Helen Whitby on 01305 224187 or email helen.whitby@dorsetcouncil.gov.uk



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Due to the current coronavirus pandemic the Council has reviewed its approach to holding committee meetings. Members of the public are welcome to attend this meeting and listen to the debate either online by using the following link insert [Please click here to view the live stream of the meeting](#).

Members of the public wishing to view the meeting from an iphone, ipad or android phone will need to download the free Microsoft Team App to sign in as a Guest, it is advised to do this at least 30 minutes prior to the start of the meeting.

Please note that public speaking has been suspended. However Public Participation will continue by written submission only. Please see detail set out below.

Dorset Council is committed to being open and transparent in the way it carries out its business whenever possible. A recording of the meeting will be available on the council's website after the event.

AGENDA

Page No.

1 APOLOGIES

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

To receive any declarations of interest.

3 MINUTES

5 - 12

To confirm the minutes of the meeting held on 22 September 2020.

4 PUBLIC PARTICIPATION

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

Public speaking has been suspended for virtual committee meetings during the Covid-19 crisis and public participation will be dealt with through written submissions only.

Members of the public who live, work or represent an organisation within the Dorset Council area, may submit up to two questions or a statement of up to a maximum of 450 words. All submissions must be sent electronically to helen.whitby@dorsetcouncil.gov.uk by the deadline set out below. When submitting a question please indicate who the question is for and include your name, address and contact details. Questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda.

Questions will be read out by an officer of the council and a response given by the appropriate Portfolio Holder or officer at the meeting. All questions, statements and responses will be published in full within the minutes of the meeting.

The deadline for submission of the full text of a question or statement is 8.30am on Thursday, 22 October 2020.

5 DORSET COUNCIL HOUSING ALLOCATIONS POLICY 2021-2026

13 - 138

To consider a report by the Interim Executive Director of People - Adults.

6	HOUSING STANDARDS ENFORCEMENT POLICY AND STATEMENT OF PRINCIPLES FOR DETERMINING FINANCIAL PENALTIES 2020-2025	139 - 200
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To consider a report by the Interim Executive Director of People - Adults.

7	PRIVATE SECTOR HOUSING ASSISTANT POLICY	201 - 234
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To consider a report by the Interim Executive Director of People - Adults.

8	COMMITTEE'S FORWARD PLAN AND CABINET FORWARD PLAN	235 - 244
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To consider the Committee's Forward Plan and the Cabinet's Forward Plan.

9	URGENT ITEMS
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To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4)b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes

10	EXEMPT BUSINESS
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To move the exclusion of the press and public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

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DORSET COUNCIL - PEOPLE AND HEALTH OVERVIEW COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 22 SEPTEMBER 2020

Present: Cllrs Andrew Kerby (Chairman), Pauline Batstone (Vice-Chairman), Tony Alford, Pete Barrow, Toni Coombs, Ryan Holloway, Stella Jones, Rebecca Knox, Robin Legg and Daryl Turner

Also present: Cllrs Spencer Flower (Leader), Jill Haynes (Portfolio Holder for Customer and Community Services), and Laura Miller (Portfolio Holder for Adult Social Care and Health).

Officers present (for all or part of the meeting):

Vivienne Broadhurst (Interim Executive Director - People Adults), Laura Cornette (Corporate Policy & Performance Officer), Bridget Downton (Head of Business Insight and Corporate Communications), Theresa Leavy (Executive Director of People - Children), Paul Rutter (Service Manager for Leisure Services) and Helen Whitby (Senior Democratic Services Officer)

1. Welcome

The Chairman welcomed everyone to the first meeting of the People and Health Overview Committee. The Committee had a policy creating role which would help the Council make better decision and under its terms of reference had a wide scope for scrutiny activity.

The Chairman would take items 5 (Future Working models) and 6 (Forward Plan) together as they were closely linked. He said that members had a wealth of experience and knowledge and he encouraged them to be creative. Policy making required good collaboration and any good ideas would be considered. He also reminded them that party politics played no part in scrutiny.

Members and officers were then introduced.

2. Apologies

There were no apologies for absence.

3. Declarations of Interest

Cllr T Alford declared an interest in item 4 as a former Cabinet member he had been involved in the formation of the proposals for Voluntary and Community Sector report and would not speak or vote on the subject.

The Corporate Director - Legal and Democratic Services explained that many members were actively involved in their communities and that the law

required them to declare any disclosable pecuniary interests. This did not prevent them from taking part in the item.

4. Public Participation

There were no statements or questions from Town and Parish Councils or members of the public.

5. Financial provision to the voluntary and community sector

The Committee considered a report by the Chief Executive, which explained the results of the consultation regarding Dorset Council's proposals for allocating funding to the voluntary and community sector.

The recently appointed Portfolio Holder for Customer and Community Services explained that the report had been developed over a long period and was looking to change from grant provision to commissioning activity. If the recommendations were agreed, this would give the organisations currently working with the Council the confidence to continue with this. They had provided a good response through the Covid-19 pandemic and it was important to go forward without grant reductions as they were saving the Council money. The final recommendation suggested that smaller organisations could bid for outcome-based funding.

The Business Partner - Communities and Partnerships explained that when Dorset Council had been established it had inherited many different funding arrangements. The Cabinet had agreed to a full public consultation on the future provision of grants to Dorset's voluntary community sector and this had run for 8 weeks. Overall, the response to the consultation was positive but since the consultation closed the Covid-19 pandemic had had a major effect on all areas of the voluntary and community sector. This had led to some financial instability within the sector and micro groups moving to support local communities. The policy would enable communities to build and develop new relationships and support prevention at scale. The Committee were asked to support the recommendations and recommend them to Cabinet for decision.

Members asked a series of questions about: the EU procurement exercise; whether small groups currently receiving funding would have an extension of this to 30 September 2021; clarification of Recommendation 3; what outcomes were being sought under recommendation 5 and were they achievable; whether there would be support and advice available for micro groups set up as a result of the Covid-19 pandemic; whether arts and museums had been included; whether there would be any funding left for the bigger organisations once the smaller organisations had received their funding; whether Dorset Community Action, Dorchester Volunteer Centre and the Race Equality Council could abuse their power; and whether the discretionary outcome-based funding was allocated by Dorset Council;

In response it was explained that:

- six months would be long enough to give notice of changes to current arrangements and undertake a procurement process under EU regulations;
- funding for small groups would be extended to 30 September 2021;
- currently Dorset Community Action, Dorchester Volunteer Centre and the Race Equality Council provided the social voluntary sector infrastructure which would be continued for a further six months;
- those affected by recommendation 5 had been given notice of the change. If the recommendations were agreed, then these organisations would receive information about next steps;
- the criteria for the outcome-based fund had been consulted upon and details were included in the consultation report. Final details of the criteria would be signed off by the Portfolio Holder for Customer and Community Services but all teams administering specialist grants had been involved to ensure criteria were appropriate for the level of funding;
- Dorset Council officers would be able to provide expertise and Dorset Community Action could provide information and guidance to organisations to help them write bids or carry out an organisational health check so that they were in the best place to access funding. The Arts Development Company could provide support for arts and cultural organisations;
- arts and culture had been added to the Dorset Plan and an extension was being asked for the first three recommendations to 30 September 2021 to allow the EU procurement process to be undertaken.
- It was not in the public interest to delay Recommendations 4 and 5 because there was an inequality in the ways these organisations were funded by the previous Sovereign Councils. If the recommendations were agreed by Cabinet, this would enable micro organisations to bid for funding from 1 April 2021. The other recommendations had extended current arrangements to 30 September 2021 so that there were no gaps whilst the procurement exercise was undertaken;
- the assets review currently being undertaken would be reported to Cabinet on 22 November 2020.;
- all organisations would bid for funding at the same time. This process was in development and there were potentially three different levels of funding - under £1,000, £1,000 to £10,000 and over £10,000 and there would be a different process for each. Details would be put in place once Cabinet approval had been given;
- the three organisations would be providing infrastructure and support to the rest of the sector and would not deliver services. They would be expected to work in partnership with other organisations and this would be included in the terms of the new contract. There was no guarantee that they would be successful if they bid for the new contract;
- the allocations system for the discretionary outcome-based funding was being developed and was expected to be carried out by Dorset Councillors, officers and a representative from the sector.

The concern was expressed that Dorset Community Action, Dorchester Volunteer Centre and the Race Equality Council should not have full control under Recommendations 2 and 3.

The Chairman referred to the Committee's responsibility for policy making and suggested that voluntary sector engagement be included into all Dorset Council policies.

The Portfolio Holder for Adult Social Care and Health reminded members that the Council should be working in partnership with communities to grow and shape policies and be looking for opportunities to build community resilience. The Executive Director of People - Children supported this approach. It was also suggested that social prescribing should be embedded into commissioning criteria.

The Portfolio Holder for Customer and Community Services added that Council policies seemed to be in silos currently. As the integrated care system moved forward, and the Council worked with health colleagues, towns and parish councils, it would become increasingly difficult to write everything into every paper. It was important for a holistic way of working with people to be adopted in order to try to help residents. It was about social prescribing but also about getting partners to be part of it. She and the Portfolio Holder for Adult Social Care and Health had taken this on board.

The Chairman referred to work undertaken on this by the Dorset Clinical Commissioning Group, and Locality Health Groups and suggested that a policy be developed on how the Council should work with health partners. The Executive Director of People - Children added that senior leadership team meetings across organisations were being held to look at directing funding to help people at an early stage. In Weymouth and Portland engagement with the community was underway to find out what the communities needed. Although his process had started, there was more to do. In terms of the relationship with health partners, Interim Executive Director of People - Adults explained that they were working across the integrated care system to build communities and ensure the right care and support was available in the right place. The Portfolio Holder for Adult Social Care added that the difficulty of getting organisations to forego sovereignty had started to change since the start of the Covid-19 pandemic. Organisations were now more willing to share and attribute credit to the integrated care system as a whole and not to individual agencies. She fully supported this change.

The Business Partner - Communities and Partnerships summarised that there was a need to ensure that a whole systems approach was taken when looking at future policy development with the inclusion of partners and the social voluntary sector.

The Chairman thanked officers for the work undertaken.

It was proposed by Cllr P Batstone and seconded by Cllr D Turner and unanimously agreed :-

Recommendations

That the Cabinet agree to:-

1. The continued provision of the 'information, advice and guidance' service for residents at the current financial rate for a 5-year term to offer stability. Extension of the current grant for a further 6 months 1st April – 30th September 2021 to enable a procurement exercise to be undertaken. The new contract to begin on 1st October 2021
2. The continued provision of an arts and culture support service at the current financial rate for a 5-year term. Extension of the current grant for a further 6 months 1st April – 30th September 2021 to enable a procurement exercise to be undertaken. The new contract to begin on 1st October 2021
3. The continued provision of support services to the social voluntary community sector at the current financial rate for a 5-year term. This will be tendered as one contract for bidding organisations to work in partnership to deliver the support for the rest of the social voluntary community sector. Extension of the current grant recipients for a further 6 months 1st April – 30th September 2021 to enable a procurement exercise to be undertaken. The new contract to begin on 1st October 2021
4. The continued commissioned support of the museums and community centres in which Dorset Council have a reversionary interest at the current financial rate for a period of 1 year from 1st April 2021 to be considered within the wider council buildings and assets review.
5. A discretionary outcome-based fund to be introduced to replace all historical grant programmes offered by Dorset Council. Criteria to be modified in accordance to the comments made in the consultation and agreed with the Cabinet Portfolio Holder.
6. That voluntary sector engagement be included into all Dorset Council policies.

Reasons for Recommendations

1. The consultation has evidenced the value and very strong level of support for the information, advice and guidance service for residents. Due to the value of the contract, there is a requirement to procure the service. The timescales involved in undertaking an open and transparent procurement exercise will necessitate the need to extend the existing contract to allow sufficient time for this to be completed.
2. The consultation has evidenced the value and very strong level of support for the arts support service. Due to the value of the contract, there is a requirement to procure the service. The timescales involved in undertaking an open and transparent procurement exercise will necessitate the need to extend the existing contract to allow sufficient time for this to be completed.
3. The consultation has evidenced the value and very strong level of support for the social VCS support service. Due to the value of the contract, there is a requirement to procure the service. The timescales involved in undertaking an open and transparent procurement exercise will necessitate the need to extend the existing contract to allow sufficient time for this to be completed. It is acknowledged that the current organisations worked incredibly effectively together before and during the COVID-19 pandemic, achieving joint outcomes.
4. The consultation has evidenced a strong level of support for the museums and community centres in which the council has a reversionary interest.

However, given that the council is currently undertaking a full review of its assets and buildings, it would be prudent to agree an initial 1-year extension to allow for these to form part of the wider review.

5. The consultation has evidenced a strong level of support for flexible funding to enable community organisations to identify and resolve local community needs. The discretionary outcome-based grants will continue to provide vital support to organisations that provide outcome-based evidence for delivery of Council Plan priorities. These will be made available by 31st December to give current grant recipients the opportunity to secure funding before the financial year end.

6. Future Working Models and the Forward Plan

The Committee considered its future working arrangements, the current Forward Plan and noted its Terms of Reference.

The Chairman stated that formal meetings were not always the best means of developing policy, although they had their purpose. He thought the Committee should embrace new ways of working, was keen to use technology in the formulation of policies and hold informal workshops to work on policy development with the outcomes being considered at formal meetings of the Committee.

The current Forward Plan was an amalgamation of the Forward Plans of the Council's People and Health Scrutiny Committees but he believed this needed to be amended to reflect the Committee's future way of working.

Members noted that it had been agreed that an informal meeting of the Chairmen of the Overview and Scrutiny Committees would be held to ensure agenda items went to the appropriate Committee and to reduce duplication. It was suggested that Cllr R Knox, as Chairman of the Dorset Health and Wellbeing Board, be included in these meetings.

The Chairman of the Place and Resources Overview Committee, who was also a Committee member, highlighted the need for the Committee to undertake manageable pieces of work. He also offered to undertake joint work with his Committee on cross-over issues by way of inquiry days or working groups which was a more efficient use of time and resources.

It was suggested that the findings from working groups could go straight to Cabinet rather than being considered by the Committee which was adding a further layer of bureaucracy. The Chairman hoped that such findings could be shared through a Teams Group where it could be commented upon and quickly signed off at a formal meeting.

The Vice-Chairman referred to the need for transparency and public involvement and that the more work done informally, the more difficult it became to involve the public.

The Chairman of the Dorset Health and Wellbeing Board, also a member of the Committee, welcomed the opportunity to join the Chairmen's informal

meeting. She thought it was important for the Chairmen to have a holistic view and decide where items were best directed as some of the housing policies scheduled for this Committee could equally sit under the Place and Resources Overview Committee.

The Executive Director of People - Children said she saw a real opportunity for the Committee to look at what was not working well and what was being done about it in various areas. She offered to provide a list of such areas for the Committee to consider. The Executive Director of People - Adults added that policy development should support the Council's ambition, focus on outcomes and make a difference.

The Corporate Director - Legal and Democratic Services explained that the Committee's Terms of Reference would help them develop their Forward Plan and that the Cabinet might request them to carry out policy development. It might also like to look at the risk register to focus on areas of concern.

The Chairman suggested having a session to create a new Forward Plan by way of a Teams group with the outcome coming back to a formal meeting. This approach was agreed. It was also suggested that additional Teams training might be needed for this.

Members noted that some of the reports previously identified for scrutiny had been moved to overview since the new committees came into being. Under their terms of reference performance data was to go to overview but this was not a statutory responsibility so members could choose not to consider. They also noted that its work needed to be informed by and help deliver the Council Plan whereas performance management could be carried out by accessing data and asking questions outside of meetings.

Decision

That an informal meeting of the Committee be held on-line to consider its Forward Plan whilst taking into account, the Council Plan, the Cabinet Forward Plan and statutory responsibilities.

7. Urgent Items

There were no urgent items.

8. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 - 11.35 am

Chairman

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People and Overview Committee 27 October 2020 Dorset Council Housing Allocations Policy 2021 - 2026

For Recommendation to Cabinet

Portfolio Holder: Cllr G Carr-Jones, Housing and Community Safety

Local Councillor(s): All Councillors

Executive Director: V Broadhurst, Interim Executive Director of People - Adults

Report Author: Sharon Attwater

Title: Service Manager Housing Strategy and Performance

Tel: 01929 557371

Email: Sharon.attwater@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: That members of the committee recommend that the Cabinet:

Endorse the work of the Executive Advisory Panel and recommend to Full Council:

1. The adoption of the Housing Allocation Policy
2. Delegation of authority to the Portfolio holder for Housing and Community Safety to make minor amendments to the Policy and any amendments necessary to reflect legislative change.

Reason for Recommendation: To ensure Dorset Council has a legally compliant Housing Allocation Policy that meets the needs of the residents.

1. Executive Summary

Local authorities are required under Part 6 of the Housing Act 1996(as amended) to have a housing allocation scheme and to ensure social housing is allocated

accordingly. In accordance with the provisions in The Bournemouth, Dorset and Poole (Structural Changes) Order 2018 Dorset Council requires a new Dorset Council Housing Allocation Policy.

This report outlines the process in drafting a new policy and asks the committee to consider the draft housing allocations policy and recommend to Cabinet the approval of the Dorset Housing Allocation Policy.

2. Financial Implications

None. The housing service resources required to administer the policy are not expected to be affected.

3. Climate implications

It is not anticipated that the Housing Allocations Policy will have an adverse effect on the environment or climate change.

4. Other Implications

The housing service works closely with other partners on areas of mutual interest, including homelessness, corporate parenting; safeguarding boards and case reviews. This work includes having joint approaches to learning lessons and good practice.

The Housing Allocation Policy provides a framework to ensure the allocation of social housing is consistent, inclusive and provides opportunity to consider households exceptionally where necessary.

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: High

Having considered the risks associated with this decision using the council's approved risk management methodology, the following High risks have been identified and proposed mitigation noted:

- Risk Category Strategic Priority - A new Dorset Council Housing Allocation Policy is required by 1 April 2022.
Mitigation - Advanced approval provides necessary mitigation to complete associated action in time.
- Risk Strategic Priority - A period of implementation is necessary to ensure all households who wish to be considered for social housing have the opportunity to register and assessments completed.

Mitigation - Housing service resources will be required to support this work and are being planned.

- Risk Strategic Priority - Housing Allocation Policy contains processes that need to be reflected in the supporting software to enable policy implementation.

Mitigation – Policy approval will inform procurement of software in progress.

- Risk Category Strategic Priority - Dorset Council residents are currently subject to variations contained in existing housing allocation policies.

Mitigation – Current policies meet legal requirements and allow for exceptional circumstances. Other variations are not mitigated.

Current Risk: Low

- Risk Category Legislation – Changes to legislation occur during the lifetime of a housing allocation policy and require minor amendments for example from the 1st of January 2021, new immigration law will come into force that will determine eligibility for housing allocations (and homeless assistance, plus welfare benefit rights). The specifics of this new immigration system have yet to be confirmed by the UK Government. Nevertheless, it is expected that future eligibility for an allocation of social active housing for BU EU nationals, will be the same as it currently is for foreign nationals from outside both the UK and the EU. MHCLG should publish advice for local authorities in due course that will help to instruct any subsequent amendments that might need to be made to the policy. Mitigation – the draft policy includes the ability for minor amendments to be made with approval from the housing portfolio holder.

Residual Risk: Low

Having considered the risks associated with this decision using the Council's approved risk management methodology, it is the officer's opinion that there are no High risks that need to be reported.

Changes to legislation and guidance will be captured during the lifetime of the policy and during each annual review.

Note: 1 January 2021 new immigration law will come into force that will determine eligibility for housing allocations. Specifics are not yet confirmed. Ministry of Housing Communities and Local Government are expected to publish guidance in due course. Changes to the policy may be required. Mitigation – the policy includes the ability for minor amendments to be made to the policy with consent from the Housing Portfolio holder.

Annual reviews will identify any appropriate revision of the policy.

6. Equalities Impact Assessment

The housing service sought advice from the Dorset Council Equality and Diversity officer and adjusted some scenario examples provided in the policy designed to illustrate various assessment criteria on households. The policy has been considered by the Dorset Council Equality and Diversity Action Group.

The public consultation responses were analysed. Respondents with protected characteristics included age; disability; gender; race; sex; pregnancy.

Other respondents included armed forces and rural isolation.

Responses were compared to provision in the policy. Amendments were made to strengthen discretionary provisions in relation to armed forces.

Supported by engagement feedback the policy strengthens support to vulnerable people to ensure all people are able to fully participate in the scheme.

7. Appendices

Appendix 1 – Draft allocation policy
Appendix 2 – Results from public consultation
Appendix 3 – Executive Advisory Panel
Appendix 4 – Equalities Impact Assessment

8. Background

- 8.1 Dorset Council is required to produce a new Housing Allocations Policy in accordance with the provisions in The Bournemouth, Dorset and Poole (Structural Changes) Order 2018. Previously, the 5 district and borough authorities that formed Dorset Council applied two different housing allocation policies. The policies have some different terms, categories and management content. An example is priority banding. Former Dorset Council Partnership residents use Emergency, Gold, Silver and Bronze, compared to former East Dorset Council residents who use Bands 1 to 4. Dorset Council needs to consolidate into one policy to ensure consistent opportunity for all our residents.
- 8.2 The design of a new policy has involved a Member Executive Advisory Panel (EAP); made up of the following Councillors, Graham Carr-Jones; Gill Taylor; Laura Miller; Simon Gibson; Sherry Jespersen; Toni Coombes; Les Fry; Mary Penfold; Molly Rennie and Matt Hall. The EAP have met six times and their work involved reviewing the current policies; considering options; data analysis to capture local housing need and previous year allocations.

8.3 A benchmarking exercise was shared and discussed with the EAP during the process that considered other local authority housing allocation policies including:

- Bath North East Somerset Council Homeseach Allocation Scheme
- Wiltshire Council Allocation's Policy
- Bournemouth, Christchurch and Poole

8.4 In preparing the policy a wide ranging public consultation took place. This ran from 2 March 2020 to 20 July 2020 which includes an extension due to the Covid-19 pandemic. Including in a public consultation, engagement took place with;

- Housing Services
- Registered Housing Providers
- Internal stakeholders (Adults and Children's services)
- Voluntary Sector (e.g. homelessness support charities)
- Other external stakeholders.

In addition the Council engaged with the National Practitioner Support Service (NPSS) and organisation who provide housing advice services to local authorities on best practice. They have provided guidance and an independent desktop review of the draft policy during the process. They have also fed back that the public consultation undertaken by the Council was an excellent example of an inclusive consultation. Appendix 2 contains the results from the public consultation.

9. Proposed changes

9.1 The draft policy can be found in appendix 1 however, some of the key proposed changes in the policy are:

- Local connection criteria harmonised to 2 years or 3 out of the last 5 years.
- Names of bands changed from colour (Gold, Silver and Bronze) or number (1 to 4) to descriptive titles (A – Exceptional Need, B - High Housing Need, C – Medium Housing Need and D – Low Housing Need).
- New legislation and guidance incorporated – European Union (Withdrawal) Agreement 2020; Domestic Abuse bill 2020; Improving access to social housing for members of the Armed Forces.
- Changes to banding criteria - removal of shared low cost ownership criteria; removal of increased priority for cumulative criteria; removal of self-build criteria; addition of criteria for corporate duty and corporate parenting; removal of deliberately worsening circumstances criteria; removal of accepting an offer that does not meet need criteria; removal

of community contribution criteria; removal of duty to accommodate following deliberately refusing to co-operate criteria; separating of welfare and medical criteria; addition of social tenants in adapted property no longer needed criteria; social tenant requiring adapted property criteria;

- Excluded households who are homeless with no local connection from receiving prevention and relief provision. These households are eligible to receive this support from the local authority area they do have a local connection with. Provision is included for households in exceptional circumstances for example, fleeing domestic abuse.
- Amended the local village appendix to only include those listed in statute.
- Amended rural lettings criteria to enable 25% to be let to households who do not meet rural letting restrictions.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.



Dorset Council
Draft Housing Allocations Policy
2021 - 2026

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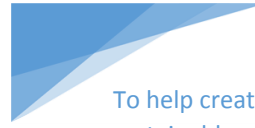
1 Introduction

- 1.1. The Housing and Regeneration Act 2008 includes the definition of social housing as low-cost homes for rent to people whose housing needs cannot be met by the general housing market.
- 1.2. The Dorset Council Housing Allocation Policy describes how social housing is available through our Choice Based Letting Scheme, how the scheme operates, its processes and how you can use the service. The information in it explains how to apply to our housing register, how we manage the register, your choice about where you live, how we assess applications and allocate properties. Detailed examples and useful information is found in the appendices.
- 1.3 Dorset Council does not currently have its own housing stock and therefore works with social landlords (housing associations, community land trusts and alms houses) to maintain a housing register and support the aims of the scheme. The policy prioritises those people in most need of affordable housing and is open to social tenants who wish to transfer to a different property.
- 1.4 We have a statutory duty to have a Housing Allocation Policy and have taken into account various legislation and guidance including:
 - i) Housing Act 1996 (as amended)
 - ii) Localism Act 2012
 - iii) Dorset Council Homelessness and Rough Sleepers Strategy
 - iv) Equality Act 2010
 - v) Code of guidance for local authorities published 2002
 - vi) Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020
- 1.5 Within the framework of the scheme we have included necessary flexibility that will help us to consider all household circumstances and be able to respond appropriately.

2 Scheme Aims



To ensure people understand their housing options and have an informed choice about where they live



To help create mixed and sustainable communities



To help social tenants be more mobile in where they live and work



To meet all legal requirements and be flexible and responsive to changes



A scheme for local people that is fair, modern and easy to use.



To offer advice and housing solutions to those in greatest need including the reduction and prevention of homelessness

3 Scheme Outline

- 3.1 Dorset Council's allocation scheme is called Homechoice Dorset and is a Choice Based Letting Scheme (CBL). This means that applicants have some choice about where they will live.
- 3.2 Dorset Council will maintain a housing register. Applications to the register are made online at www.dorsetcouncil.gov.uk and are assessed using the scheme to determine eligibility.
- 3.3 The assessment is described as a band and the reason for that decision, the effective date and number of beds needed.
- 3.4 Homes available will be advertised digitally each day at www.dorsetcouncil.gov.uk. Each home advertised will have certain criteria and anyone on the housing register who meets the criteria for that property can express their interest electronically. This is called 'bidding' and must be made within the timeframe shown in the advert. Support is available for the most vulnerable to bid online to ensure everyone can fully participate in the scheme. See section 3.6 for information on getting this support.
- 3.5 Working with our social landlords, allocations will be made with fairness and equity having regard to the priorities of the scheme. Allocations will also take into account any specific criteria the registered provider or housing authority may have and any restrictions in either a local lettings plan or other planning requirement. See section 37 for information about local lettings plans.
- 3.6 Dorset Council will ensure anyone is able to access support to apply and to gain information about the scheme easily. This assistance is available:
- Online: www.dorsetcouncil.gov.uk
- Phone: 01305 251010
- Email: housingoptionsteamb@dorsetcouncil.gov.uk

4 Statement on Choice

- 4.1 There is a very high demand for social housing in the Dorset Council area and we will balance providing choice and housing need to ensure that housing is offered in a way that helps to best manage the housing stock (see appendix 8 for expected average waiting times).
- 4.2 The properties are advertised online at www.dorsetcouncil.gov.uk and will provide valuable information about the property, together with links to information about the local neighbourhood, helping applicants to make informed decisions about which accommodation they want to be considered for.

- 4.3 Whilst the aim of Dorset Council and its' partners is to provide choice in the allocation of social housing in Dorset, there will be a number of exceptional situations where this will not be possible. In such cases the home will be let as a direct offer and not advertised in the scheme. Examples include but are not limited to:
- a) a housing provider needs to make an urgent management move
 - b) the requirement to make a direct offer to deal with an emergency case
 - c) the requirement to make a direct offer to meet the needs of a disabled applicant
- 4.4 The scheme prioritises the need to reduce and eliminate homelessness whilst also supporting the promotion of social and economic mobility by ensuring the best use of social housing stock and providing social housing tenants greater opportunity to move. Applicants will be encouraged to consider whether a property is suitable before they place a bid for example transport, education, employment and support needs or commitments.
- 4.5 Dorset Council is committed to extending choice of housing to those applicants who are accepted as homeless under the council's statutory duties, ensuring effective use of our resources and the provision of temporary accommodation.
- 4.6 Applicants accepted as being owed a prevention or relief duty will be expected to bid on each suitable property that becomes available otherwise Dorset Council may take action that includes making a direct offer of accommodation or reducing prioritisation by lowering the applicant's band.
- 4.7 Applicants accepted as being owed a full statutory housing duty under Part 7 Housing Act 1996 (as amended) will have bids placed on their behalf for each available property.
- 4.8 Applicants who have bids placed on their behalf because they are owed a homeless duty should not remove these bids. If bids are removed by the applicant, they will be replaced.
- 4.9 If a homeless applicant who is subject to Section 193(2) Housing Act 1996 refuses an offer of suitable accommodation, the council's duty is discharged.
- 4.10 In cases where officers need to make decisions outside the policy there will be delegated authority to the Service Manager for Housing to make such decisions. These cases include but are not limited to the refusal of an offer of suitable accommodation.

5 Equality and Diversity

- 5.1 Dorset Council is committed to encouraging equality of opportunity for all applicants. People will not be treated unfairly due to gender identity, sex, race, colour, ethnic or national origin, religion, disability, marital status, age or sexuality. This list is not exclusive but illustrates the council's intention to ensure equality.
- 5.2 Applicants will be informed of their rights to seek assistance from the Equality and Human Rights Commission, if they believe Dorset Council has breached the Human Rights Act 1998, by contravening their human rights or unlawfully discriminated against them. Regard has been had to advice on allocating housing to disabled people published by the Equality and Human Rights Commission, along with other associated research and guides that are available.
- 5.3 The scheme will be accessible, responsive and sensitive to the diverse needs of individuals. Officers will be trained to a high standard in valuing and promoting equality and diversity in the delivery of the service.
- 5.4 Additional assistance including assisted bidding, translation services, large print, easy read and hearing loops are available to ensure everyone is able to access the scheme in full.
- 5.5 The impact of the policy will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all applicants will be invited to provide details of their ethnic origin and other demographic information when they apply to join the housing register.

6 Information sharing, confidentiality and data protection

- 6.1 In accordance with our obligations under the Data Protection Act 1998, we will make all applicants aware when they apply that their personal information will be held and shared with our housing providers and other relevant external agencies. This is for the purposes of assessing an application, considering an offer of accommodation being made or to prevent fraud in accordance with the applicant declaration when making an application.
- 6.2 All personal information will be processed in accordance with the requirements of the Data Protection Act 1998. Applicants have the right to access personal information held about them under section 7 of the Data Protection Act 1998. Applicants may also correct any inaccurate information held about them.
- 6.3 All applicants will be made aware their personal information may be shared within Dorset Council to assist in meeting the applicants' housing or other social needs.

- 6.4 Where an applicant may have difficulty communicating directly themselves, their informed consent will be required before using advocates or interpreters to communicate on their behalf.

7. Information and Advice

- 7.1 Elected Councillors of the Local Authority are prohibited from making decisions about any individual allocation pertaining to any accommodation situated in their electoral ward area or any person who is resident in their electoral ward area.
- 7.2 Elected Councillors may seek to obtain general information about the allocation of housing, can represent their constituents and discuss their cases with administrators.
- 7.3 Elected Councillors should participate in making decisions about the overall content of this scheme.
- 7.4 Elected Councillors should consider whether the Local Authority's Code of Conduct requires them to declare an interest before participating in such deliberations. If in any doubt, the advice of the Local Authority's Monitoring Officer should be obtained.

8 The housing register

- 8.1 Joining the housing register
- 8.2 When considering applications to join the housing register, Dorset Council will ascertain if an applicant is eligible for an allocation of accommodation and if they qualify for allocation of a property. Only if these two criteria are met (subject to certain exceptions set out within this policy) can an applicant join the Homechoice Dorset housing register.

9 Eligibility

- 9.1 Eligible applicants are defined by immigration legislation and include the following (see appendix 1 for a full list):
- a) British and Irish citizens habitually resident in the UK
 - b) Applicants who have Settled Status, Pre-settled Status or who arrived in the UK before 31.12.2020 and are in the process of applying for settled status or their qualifying family members under the European Union (Withdrawal Agreement) 2020

- c) People from outside the European Union with indefinite leave to remain, refugee status or humanitarian protection
- d) Applicants who are not classified as ineligible under S160Z(A) Housing Act 1996 (as amended by the Localism Act 2011)

9.2 Applicants who are not eligible to register with Homechoice Dorset will be informed in writing of:

- a) The decision and the reasons why and
- b) Their right to ask for a review and how to do this

Please note the law on eligibility is complex and subject to change.

10 Eligible applicants – providing information

10.1 Eligible applicants need to provide evidence online when they submit their application. Applicants are required to provide proof of:

- a) their national insurance number (Nino) and
- b) photo identification in the form of either a current passport; driving licence; bus pass; residents permit or issued by the Home Office; national identity card; EEA member state identity card or firearms and shotgun certificate
- c) evidence of their settled or pre-settled status where applicable
- d) proof of local connection and their last 5 year address history
- e) EU Settlement Scheme: evidence of relationship – biometric residence card; family permit; residence card; marriage or civil partnership certificate; valid overseas registration document for same sex relationship under Civil Partnership Act 2004 this list is not exhaustive.

10.2 Applicants from abroad will be required to also provide proof of their nationality and immigration status which will be verified.

10.3 Applicants who are unable to make an online application will be supported in various ways depending on the reason and should contact the housing services team on:

Phone: 01305 451010
 Email: housingoptionteamb@dorsetcouncil.gov.uk
 Person: Area office (see appendix 2)

10.4 Applicants whose circumstances change after the date of their application must advise the council of the changes immediately as it may affect their band. Once a change of circumstances is submitted applicants will be unable

to make any new bids until the re-assessment is completed. Re-assessments will be prioritised in these circumstances.

- 10.5 The social landlord will ask applicants to provide evidence of their eligibility and qualification again at the point of making an offer of a property.

11 Providing false information

- 11.1 The Housing Act 1996 section 171 states 'a person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part – (a) he knowingly or recklessly makes a statement which is false in a material particular, or (b) he knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions'. The offence is punishable on summary conviction by magistrates by a fine of up to £5000.
- 11.2 Obtaining social housing fraudulently may result in eviction and the imposition of a fine.

12 Qualification

- 12.1 In addition to eligibility criteria, applicants are subject to the Dorset Council qualification criteria as follows:
- 12.2 Anyone aged 16/17 years please note a tenancy will not usually be awarded without a guarantor for example social services, parent, guardian, friend etc. Partner social landlords may have differing policies in dealing with applicants aged under 18 years. Details can be provided directly from the provider.
- 12.2 Applicants must also meet ONE of the Dorset Council local connection criteria to ensure wherever possible social housing goes to local people. Individual circumstances will be considered according to statutory guidance and the exceptions in this policy, otherwise they will not qualify to join the housing register.

13 Local connection criteria

- 13.1 Dorset Council local connection criteria are:

Residency in the area	2 years or 3 years out of the last 5 years
Close family continuous residency in the area	5 years evidenced

(parents, siblings, non-dependant children)	
Paid employment in the Dorset Council area.	16 hours per week average for minimum period of 1 year (including zero hours contracts).
Offer of permanent employment to social tenant in the Dorset Council area	16 hours per week average for period no less than 1 year (including zero hours contracts) and where it is unreasonable to travel from current social housing property
Location requirements	Any requirements detailed in a Section 106 Town and Country Planning Act 1990 and or a local lettings plan.

- 13.2 A local connection is not established if residency is a consequence of being detained under the authority of an Act of Parliament or by being placed in the area to receive treatment or rehabilitation of any kind for any kind of dependency.

14 Exceptions

- 14.1 The local connection criteria will not apply to the following applicants:

- a) who are assessed as having an urgent (emergency) need due to imminent risk of violence or those who are part of a witness protection scheme, or
- b) who are homeless within the meaning of Part 7, Housing Act 1996 and Dorset Council has accepted a full housing duty under S.193(2) or S195(2) or S189(b) of the act, or
- c) who are owed a full housing duty when re-applying after private sector rent (S195A(1)) of the above act regardless of priority need and
 - i. the person makes a re-application for assistance within 2 years of accepting a private rented sector offer, and
 - ii. the person is eligible for assistance and has become unintentionally homeless, or
- d) able to demonstrate the need to move for essential and/or critical receipt of support where significant harm would result if this was not provided. This is limited to applicants whose immediate family associations have resided in the Dorset Council area continuously for the past 1 year.
- e) who have special circumstances for example - receive specialist medical services within the area which cannot be provided elsewhere, or
- f) who have experienced domestic abuse (within the meaning of the Domestic Abuse Act 2020) and established accommodation in refuge or other temporary accommodation which is located in the Dorset Council

- area and it is safe to do so, or
- g) are subject to Multi-Agency Public Protection Arrangements (MAPPA) or High Risk Domestic Abuse (HRDA) or witness protection and it is safe to do so, or
- h) a person has received threats to life, racial or homophobic harassment, extreme anti-social behaviour or
- i) a person who has any other significant and or immediate need for a move to more suitable alternative social housing accommodation, or
- j) where the council has a corporate parenting responsibility, or
- k) Those who are currently serving in the Regular Armed Forces or who were serving in the Regular Forces at any time in the 5 years preceding their application for an allocation of social housing or
- l) Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service or
- m) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service or
- n) applicants who are eligible for housing for older people, or
- o) a person from the transient community who does not have a connection to another local authority area, or
- p) a person who has been verified as a rough sleeper, where there is proof of rough sleeping in the Dorset Council area and where the person has no connection with another local authority area as defined by S199 of the Housing Act 1996, or
- q) a person with a connection to an adjoining parish that is outside of Dorset Council's area but who's housing need has been used to develop affordable housing within a Parish within the Dorset Council area, these households will only be allowed to bid within the parish identified to meet their housing need

14.2 Applicants who meet any of these exceptions will need provide supporting evidence.

15 Exclusions

15.1 Some eligible applicants may not qualify because of other factors including:

Unacceptable behaviour serious enough to make them unsuitable as a prospective tenant	Section 15
People who have assets and/or income above the financial resource limit	Section 16
People who own their own home	Section 17
People who have deliberately worsened their circumstances	Section 18
Prisoners whose release date is more than 2 months	Section 19

16 Unacceptable Behaviour

16.1 This means the applicant, or a member of their household, have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a social housing tenant or would be serious enough that a county court judge would probably make an outright order for the Local Authority to obtain possession, had the applicant been a tenant at the time the unacceptable behaviour was carried out. This behaviour must normally have occurred in the previous two years and that it would, if the applicant had been a secure tenant, or a member of their household, allow the landlord to obtain an outright possession order under section 84 of the Housing Act 1985 in relation to Grounds in Part 1 of Schedule 2 other than Ground 8.

16.2 Examples of unacceptable behaviour may include but are not limited:

- a) Rent arrears of 8 weeks or more or breach of tenancy obligations where no attempt is being made to repay the debt or remedy the breach (debt relating to MOD properties known as mesne profit debt may be excluded on a case by case basis).
- b) Conduct likely to cause serious nuisance, annoyance or harassment to neighbours to the Local Authority or a Registered Provider or agents acting on their behalf to carry out housing management functions
- c) Using accommodation or allowing it to be used for illegal purposes
- d) Serious damage or neglect of a property by the tenant or other occupants
- e) Perpetrators of domestic abuse who are subject to a non-molestation order, an injunction order, an occupation order or a restraining order, which is in force at the date an application is being determined.

- f) Knowingly giving false or misleading information or withholding information that has been reasonably requested
 - g) Threatening or perpetrating violence or abuse against members of staff or a partner organisation
- 16.3 Cases will be considered on an individual basis and when reaching a decision to refuse a registration because of unacceptable or anti-social behaviour. All reasonable and relevant factors will be considered before making any decision
- 16.4 Applicants have a right to ask for this decision to be reviewed (see section 40).

17 Financial resource limit

17.1



- 17.2 This can include disposals for nil (for example, transfer of ownership) or below market value.
- 17.3 The council consider a combination of income, savings, investments and/or capital of £60,000 or more is sufficient to help buy a home or pay market rent in the area.
- 17.4 The following exceptions apply:
- a) people in receipt of an income-based benefit
 - b) existing social tenants with the right to transfer may be excluded from the financial resource limit subject to an agreement we have with a social landlord
 - c) lump sum payments received by a member of the Armed Forces (including former service personnel) as compensation for an injury or disability sustained on active services, or similar awards made to civilian e.g. for industrial injury
 - d) people who meet the criteria for older persons housing
 - e) people who require specialist housing because they have a disability or a medical condition
 - f) if the applicant or partner, where applicable, has been accepted as unintentionally homeless and in priority need by Dorset Council
- 17.5 Applicants have a right to ask for this decision to be reviewed (see section 40).

18 Property Ownership

18.1

People who own their own property
will not qualify

18.2 The following exceptions apply:

- a) people who are in financial difficulty because their home is being repossessed.
- b) people who meet the criteria for older persons housing
- c) people who require specialist housing because they have a disability or a medical condition where their current accommodation cannot be adapted.
- d) people who are fleeing domestic abuse and where a homeless duty has been accepted

18.3 Assessments will be made on a case by case basis and home owners may be asked to market their property for sale before a social landlord will consider them.

18.4 Applicants have a right to ask for this decision to be reviewed (see section 40).

19 Deliberately worsening circumstances

19.1

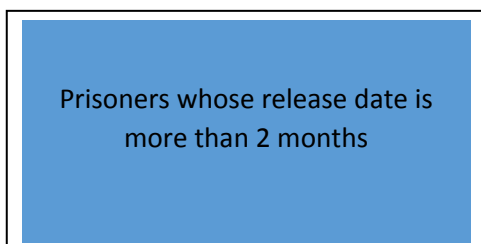
People who have deliberately
worsened their circumstances

19.2 If an applicant deliberately worsens their circumstances so they can join the housing register or qualify for a higher band and there is evidence of this, their application will be refused unless a homeless duty has been accepted by Dorset Council.

19.3 Applicants have a right to ask for this decision to be reviewed (see section 40)

20 Prison Sentences

20.1



20.2 Applications received from people serving prison sentences who on their release will have a local connection and or be homeless will be considered when less than 2 months from their release date. Applications received in advance will be refused.

21 Other factors explained

21.1 Applicants should be aware the council will take into account other factors that may affect their qualification or assessment.

22 Dependent Children

22.1 Various factors will be considered on a case by case basis regarding whether a dependent child resides with the applicant. They include but are not limited to:

- a) whether the applicant receives child benefit for the dependent child and
- b) confirmation from professional bodies e.g. social worker; school; doctor; health visitor.

22.2 In the case of divorced or separated parents/guardians, if the child is co-resident with the two parents/guardians and is adequately housed with one they cannot be included on a housing application from the other parent/guardian.

22.3 A child's residence is regarded as the place where he/she is cared for by the parents/guardians or others with parental responsibility or legal equivalent and have agreed he/she lives. If this is not the same address as the applicant, he/she cannot be included on the application.

23 Sharing a home to provide mutual support

23.1 Applications will be considered where the applicant; carer; friend or relative provides support, on a case by case basis. Evidence will be required to show the support is already established for a minimum period of 12 months or is essential and supported in a care plan provided by social services or other care agency.

23.2 The applicant will be required to evidence that the care supports the ability to sustain a tenancy or where there is a significant medical need

or overnight care.

23.3 Support and care needs may include:

- a) Age
- b) Mental health
- c) Physical disability
- d) Drug or alcohol abuse
- e) Learning difficulties
- f) Rough sleeping

24 Medical Needs

- 24.1 Medical banding is awarded to housing applicants or those to be rehoused with them who can demonstrate that their medical condition (physical or psychological) is currently being adversely affected by their housing situation AND that a change to more appropriate housing would benefit them medically.
- 24.2 An assessment of medical need is made by the council after receipt of a completed medical assessment form, evidence of any relevant benefits and list of medication. Supporting evidence and reports from medical professionals will be taken into account if provided but they may charge which the council will not pay.
- 24.3 If the assessment places an applicant into a higher band, then the registration will be re-dated to the date of the assessment. If the assessment does not change the band into which the registration falls, the existing effective date and banding remains unchanged.
- 24.4 The assessor determines medical priority based on the current housing circumstances in relation to the illness or disability of the applicant or household member (who is moving with them) as well as considering measures that could be taken to make the current home more suitable.
- 24.5 Applicants who require a specific type of property will normally only be allowed to bid for such as property. If applicants consider they can manage a different type of property, their medical assessment will be reviewed. For example, an applicant who needs a ground floor property due to a disability who wishes to bid for a first-floor property would either not be allowed or would have their medical assessment reviewed.
- 24.6 There are FOUR decisions that can be returned;

Exceptional Medical Need – Applicant placed into Band A

High Medical Need – Applicant placed into Band B

Medium Medical Need – Applicant placed into Band C

Low Medical Need – Applicant placed into Band D

25 Disrepair

- 25.1 The level of property disrepair falls into each band and is assessed by the council using a nationally prescribed risk assessment called the Housing, Health and Safety Rating System (HHSRS). There are two categories:
- a) Category 1 hazard
 - b) Category 2 hazard
- 25.2 Category 1 hazards are the most serious hazards for which local housing authorities have a duty to act and resolve.
- 25.3 Category 2 hazards are less serious hazards for which local housing authorities have a discretionary power to act and reduce.

26 Overcrowding

- 26.1 Statutory overcrowding is assessed under the Housing Act 1985 and takes into account all bedroom space and space used as a living room.
- 26.2 Overcrowding is also assessed on a bedroom entitlement based on the ages and composition of all a household's occupants. A notional number of bedrooms are allocated to each household in accordance with its age, sex and status and then compared to the actual number of bedrooms which are available. Using this standard households may have bedroom space spare, have the correct amount or be deemed to be lacking bedroom space

27 Assessment of application

- 27.1 When a complete application and documentation is received we will assess it and tell the applicant their band; band reason; bedroom entitlement (see appendix 4) and the effective date of their application. The effective date is used to prioritise nominations when applications match all other criteria. The earliest effective date would be given the higher priority in these cases.
- 27.2 Social housing is in short supply in the Dorset Council area and waiting times may vary across the area. An indication of expected waiting times is available in Appendix 8.
- 27.3 The applicant is entitled to ask for a review (see Section 40).
- 27.4 We will explain in writing how the applicant can view properties online and register their interest in them, this is called 'bidding'.
- 27.5 Applicants will be provided with a personal reference number used to access their account and to see adverts online. A user guide will also be available.

- 27.6 We will support vulnerable applicants who evidence they are unable to bid for properties electronically. This support may include assisted bidding for matched properties. Applicants will qualify for this assisted bidding by:
- a) self-referral
 - b) request from support worker or housing officer
 - c) applicants identified as not making suitable bids by the housing service (see section 26).
- 27.7 Applications received without all the required evidence will be not progressed until all the evidence is received. The date all evidence is received will be regarded as the effective date.
- 27.8 Social landlords will require an initial payment known as rent in advance which can vary in amount. Applicants who are socially or economically deprived will be supported or sign posted to suitable services so they can demonstrate their ability to manage their finances and be considered as tenancy ready.

28 Banding

- 28.1 Housing need is prioritised in the scheme. There are four bands ranked in order of priority as follows:
- ❖ Band A – Exceptional Housing Need
 - ❖ Band B – High Housing Need
 - ❖ Band C – Medium Housing Need
 - ❖ Band D – Low Housing Need

See following table. Detailed explanatory notes are available in Appendix 3

Dorset Allocations Policy Reasonable Preference Bandings

Band A – Exceptional Housing Need					
Exceptional Housing Need that takes priority over other applicants	Statutory Homeless and owed the full Housing Duty by Dorset Council s193 (2)	Exceptional Disrepair Need	Exceptional Medical Need	Urgent Welfare Need	Statutory Overcrowding Part X Housing Act 1985
Band B – High Housing Need					
Owed a relief duty under s189B (2)	Under Occupying Social Housing	Overcrowded by 2 or more bedrooms	Proven social need/ support delivery of another service		
Severe and/or persistent harassment	High Disrepair Need	Social tenant living in adapted property	Social tenant requiring extensive adaptations	High Medical Need	High Welfare Need
Corporate Duty	Supported Housing and ready to move on	Efficient management of Housing Stock	Owed a relief duty under s189B (2) with no local connection		Corporate Parenting Responsibility
Band C – Medium Housing Need					
Owed a Prevention Duty under s195 (2)	Homeless Households	Medium Medical Need	Medium Disrepair Need	Accommodation duty following deliberate and unreasonable refusal to co-operate (S193c(4)) duty owed	
Social Tenant with right to Move for work	Split Families	Medium Welfare Need	Owed a Prevention Duty under s195 (2) with no local connection	Need to move for critical/ essential support to avoid hardship	

Unsatisfactory or unsanitary Conditions	Overcrowded by 1 bedroom	Affordability	Service Personnel	
Band D – Low Housing Need				
Low Housing Need	Low Medical Need	Low Disrepair need	Older People's Housing	Older peoples Housing no local connection
Supported Housing or care leaver not ready to move on		Low Welfare Need	Applicants with other Housing related debts	

29 Bidding process

29.1 Properties and advertisements

29.2 Properties are advertised on Homechoice Dorset on a daily basis. The information may include but is not limited to:

- a) Type of property
- b) Location of property
- c) Age restrictions
- d) Photograph of property
- e) Number of bedrooms
- f) Floor level and whether there is a lift
- g) Disability adaptations
- h) Type and length of tenancy
- i) Amount of rent and other charges
- j) Garden
- k) If pets are permitted
- l) Details of any local lettings plan
- m) Section 106 agreements
- n) Sensitive let details
- o) Closing date of advert

29.3 Properties may occasionally be withdrawn if necessary, to promote good management.

29.4 Adverts will indicate applicants who can bid and will include information regarding restrictions to applicants with for example supported needs; specialist needs; or older persons.

29.5 The advert criteria may be used by the housing service to:

- a) manage the housing register effectively
- b) meet the requirements of local lettings plans or allocate to a new housing development efficiently
- c) facilitate effective nominations for those with specialist need, medical need or temporary accommodation requirements
- d) promote mobility for existing social tenants
- e) aid social landlords operating alternative eligibility criteria

29.6 Social landlords are required to comply with the Equality Act 2010 if imposing restricted letting criteria and will be required to provide evidence for applying these criteria which may be refused by the housing service. It is acknowledged such restrictions may be required by social landlords to effect good future management of housing.

30 How to make a bid for a property

30.1 Applicants can submit bids online www.dorsetcouncil.gov.uk or by arranging assisted bidding with the housing service. Applicants can place up to 6 bids per day. No further bids can then be placed until an advert closes or a bid is removed.

30.2 Applicants may request support where assistance would enhance successful bids and they would otherwise not be able to participate fully in the scheme. Such circumstances include but are not exhaustive of applicants:

- a) where English is not their first language
- b) with learning difficulties
- c) with literacy difficulties
- d) with physical disability
- e) with mental health conditions
- f) who have a chaotic lifestyle due to alcohol or drugs
- g) domestic abuse
- h) rough sleepers
- i) who are blind or have visual impairment

30.3 Applicants who have not made a bid for a period of 12 months will be contacted to assess the reason. Applicants who fail to respond may be removed from the housing register.

30.4 Applicants in Band A who have not made a bid in the last 3 months **and suitable properties were available during that time** will be contacted, reassessed and their band may be decreased to Band B.

30.5 Where an applicant is accepted as homeless, the housing service will also bid on the applicant's behalf and can make a direct let outside the Housing Act 1996 Part 6 (see section 35) including for those applicants living in temporary accommodation.

31 Assessing Bids Received

- 31.1. Once the bidding cycle for the advertisement is closed all bids will be shortlisted against the advert criteria. The council will contact the successful applicant to verify their circumstances have not changed. Any bid that fails to meet the criteria will not be considered.
- 31.2 Before a nomination is made the council will ask the applicant(s) to provide up to date original documentation.

32 Nominations

- 32.1 The housing service will notify the social landlord of applicant(s) meeting the criteria and provide their applications for consideration.
- 32.2 The social landlord will consider the applicant(s) and may ask for additional documentation. The social landlord may liaise with the housing service and consider various factors including:
 - a) household make-up
 - b) financial matters
 - c) health
 - d) isolation
 - e) support needs
 - f) safeguarding
 - g) own lettings policy
 - h) criminal history
 - i) tenancy history
 - j) community cohesion
- 32.3 The social landlord will write to applicants they refuse and explain the reason, including the applicants' right of appeal in accordance with their own lettings policy.
- 32.4 It is the final decision of the social landlord to accept any nomination from the local authority in accordance with their own lettings policy.
- 32.5 The applicant will be invited to view the property and sign the tenancy agreement. The social landlord will accompany applicants to view the property and will agree a reasonable period to complete this process taking into account any special circumstances such as:
 - a) disability
 - b) hospitalisation
 - c) vulnerability
 - d) travelling arrangements
- 32.6 Those applicants who are owed an accepted homeless duty will be expected to comply with the nomination process which includes the provision of

requested documentation and attendance at arranged viewings. Failure to comply with the nomination process may constitute an implied refusal which may result in a discharge of the homeless duty.

33 Withdrawal of Offer

33.1 The social landlord may withdraw the offer of a property in writing if the applicant:

- a) refuses to co-operate with the social landlord
- b) fails to respond to telephone calls or correspondence about the nomination
- c) fails to agree to accept the offer of the tenancy in a reasonable time
- d) makes a fraudulent or misleading application
- e) outgoing tenant withdraws notice to quit

34 Refusal of Offer

34.1 Applicants can refuse the offer of a property and are required to provide a reasonable explanation for the refusal. The housing service may suspend the applications where two offers of suitable accommodation have been refused in a period of 12 months.

34.2 Applicants may ask for a review of this decision in writing to the housing service within 21 days of the decision (see section 40).

35 Specific Lettings descriptions

35.1 Some properties have specific descriptions and are normally limited to applicants who meet the criteria.

36 Older Persons Property

36.1 This property type is usually one bedroom and either a bungalow or flat. Age restrictions apply these are normally 55+ dependent on the social landlord's criteria.

37 Adapted or Accessible Properties

37.1 Adapted or accessible properties include properties which possess at least one major adaptation or facility which makes them more accessible for a person with a disability who would benefit from that type of facility. These adaptations or facilities can include, but are not limited to:

- a) ramps and accessible access to a property
- b) accessible internal arrangements including widened doors
- c) level Access Shower
- d) home lift

- e) accessible kitchen
- f) ground floor accessible bedroom and bathroom
- g) other similar major adaptations

37.2 Applicants with a medical or other condition which demonstrates the need for an adaptation or similar listed above will be given priority when bidding for accommodation which possesses such an adaptation or facility.

37.3 Applicants with a medical or other condition may bid on a range of accommodation options in accordance with this policy. Where such accommodation requires an adaptation then a range of equipment, assistance, financial help for minor and major adaptations maybe available from Dorset Council at www.dorsetcouncil.gov.uk/homeadaptation. Eligibility criteria applies.

38 Local Letting Plan

38.1 Housing authorities may adopt a local lettings plan in accordance with the Housing Act 1996 (as amended) Section 167(2E) in order to manage:

- a) meeting demand of a particular group
- b) schemes that are having a significant impact on tenants' quality of life
- c) create community cohesion on new development

38.2 Housing providers working on a development are required to discuss the need with the local authority and provide clear evidence and justification of the requirement of a local lettings plan together with detailed plans at least 6 months before completion of the development and/or advertising properties. The details must show consideration has been given to:

- a) meeting the identified housing need
- b) assisting the housing authority meet its homeless needs
- c) mitigation steps
- d) timescale
- e) review date and monitoring arrangements

38.3 The Housing Service Manager will agree the terms of a local lettings plan which will be advertised on www.dorsetcouncil.gov.uk and nominations will be managed in accordance with the plan.

39 Rural properties

39.1 The availability of private housing in Dorset is restricted by high house prices, high numbers of second homes and a low wage economy. As a significant proportion of social housing in Dorset is rural this policy aims to sustain these rural communities by giving local people in housing need, priority for these properties and reducing reliance on new social housing developments (see appendix 6 for list of villages).

39.2 Some rural properties are subject to Section 106 agreements imposed during their development which restricts residents to those applicants meeting

specific criteria and these restrictions take precedence over the housing allocations policy standard criteria.

- 39.3 Rural properties not subject to Section 106 agreements will detail whether the personal residency in the local connection criteria and any other factors need to be met in the advertisement. In these circumstances' applicants may be required to hold a connection to a parish or settlement. Those applicants with this connection and the highest priority from the register will be selected.
- 39.4 Where no applicant meets the criteria, the area will be expanded to the neighbouring parish or settlement until a suitable application is received. Failing this, applicants with a less priority on the register would be considered.
- 39.5 Dorset Council will allocate 75% of these properties in this way in order to help create mixed, sustainable communities.

40 Letting outside of the scheme

- 40.1 Occasionally properties are let outside the scheme and outside Part 6 of the Housing Act 1996 examples include but are not limited to:
 - a) hard to let properties where no suitable bids have been received
 - b) social landlords need to move (decant) tenants due to major refurbishment or demolition of their current property
 - c) at the request of Dorset Council to meet our duty to accommodate statutorily homeless households
 - d) the social landlord needs to transfer a tenant for a management purpose
- 40.2 Cases considered to be urgent and serious enough to require an allocation to be made outside of the council's normal policy and procedure are defined as follows:
 - a) threats to life
 - b) harassment
 - c) extreme anti-social behaviour
 - d) vulnerable witnesses
 - e) any other significant and/or immediate need for a move to more suitable, alternative accommodation
- 40.3 Housing providers will be expected to demonstrate that they have taken reasonable steps to deal with urgent cases before referring for an Exceptional banding request.
- 40.4 The Council will carry out risk assessments and consult The Community Safety team, Police and Probation as well as existing and potential social landlords where appropriate, to assess the appropriateness of any resulting allocation which may arise from the award of Exceptional banding to an applicant.

41 Reviews & Complaints

41.1 In the spirit of the statutory codes of guidance, Dorset Council offers applicants the option to request a review within 21 days of a decision regarding the following matters:

- a) meeting eligibility or qualification criteria
- b) the effective date of their application
- c) reasons leading to the cancellation or suspension of their application
- d) the property type they are able to bid for
- e) entitlement to reasonable preference
- f) household members considered for housing

41.2 Applicants must request a review in writing and can provide supporting evidence at that time. Reviews will be accepted:

By email to: housingoptionsteamb@dorsetcouncil.gov.uk

In writing to: Service Manager for Housing Solutions
South Walks House
Dorchester
Dorset
DT1 1UZ

In person at: Local Office – See Appendix 2

41.3 The review will be carried out by a senior officer and consider the facts of the application, the decision, the scheme and relevant legislation at that time. The review will be completed within 56 calendar days unless an extension is agreed with the applicant and will be provided in writing.

41.4 Applicants will be able to bid on properties in accordance with their assessment during a review.

41.5 Support may be available to applicants to request a review who otherwise would be unable to do so and will be considered on a case by case basis and may include:

- a) accepting representation from another person acting on their behalf
- b) accepting a verbal request for a review
- c) depositing a written response at a local Dorset Council office for collection within 30 days where no postal address is available.

41.6 Applicants who remain dissatisfied with the result of a review may choose to make an application for judicial review if they feel they have grounds. Applicants are able to apply for a judicial review at any time.

- 41.7 Applicants may make a complaint to Dorset Council by following our complaints procedure (www.dorsetcouncil.gov.uk) where they feel we have:
- a) failed to provide a service or an acceptable standard of service
 - b) delayed in providing a service
 - c) made a mistake in the way we have provided a service
 - d) failed to act in a proper way
 - e) provided an unfair service
- 41.8 Applicants will be advised of their right to make a complaint to the Office of the Information Commissioner (“ICO”) if they believe we have failed to fulfil our obligations and responsibilities as set out in the Data Protection Act 2018.
- 41.9 Concerns can be reported by telephoning the ICO’s helpline on 0303 123 1113 or online at <https://ico.org.uk/concerns/>
- 41.10 If the outcome of this proves unsatisfactory, an applicant may seek the help of the Local Government & Social Care Ombudsman. Complaints can be made by:
- 1. Telephone: 0300 061 0614
 - 2. Online: <https://www.lgo.org.uk/contact-us>

42 Scheme monitoring and review

- 42.1 Dorset Council will continuously monitor the scheme to ensure the following objectives are met:
- a) the aims of the scheme are being met
 - b) the scheme is updated to reflect any changes to legislation
 - c) the scheme is administered in accordance with the terms set out in this document.
 - d) to meet our legal requirements to provide central government with specified data
- 42.2 The policy will be reviewed annually to monitor the objectives set out above. Any changes necessary including any consultation or equality assessments required will be publicised on our website at www.dorsetcouncil.gov.uk
- 42.3 The Portfolio Holder for Housing is able to approve minor amendments to the housing allocation policy at any time to ensure it meets legal requirements without the need for further approval.
- 42.4 A formal review of the housing allocation policy will be carried out by the housing service every 2 years in accordance with the statutory codes of guidance.

- 42.5 Dorset Council will use data stored on the housing register to support the delivery of other Council services meeting the health and wellbeing of our communities.

Last Review Date:

Appendix 1

Eligible Applicants

British citizens (constituting the nations of England, Scotland and Wales).

Commonwealth citizens with a right of abode in the UK immediately before 01 January 1983 who have remained commonwealth citizens throughout (excluding non-British citizens from Pakistan and South Africa, but inclusive of citizens from Gambia and Zimbabwe).

Irish citizens (constituting the nations of Northern Ireland and Republic of Ireland). From 24 August 2020 this will extend to a person who have limited leave to enter or remain in the UK as a family member of a relevant person of Northern Ireland, and that family member has been resident in the UK and a family member for at least five years, or the person of Northern Ireland is a worker, self-employed, self-sufficient, student, or have the right of permanent residence in the UK

Isle of Man citizens.

Channel Islands citizens.

EEA nationals with extended rights of residence:

- a. Jobseekers.
- b. Workers.
- c. Self-employed persons.
- d. Self-sufficient persons.
- e. Students.
- f. Family members of the persons referred to above.

EEA nationals with permanent rights of residence:

- g. EEA nationals in UK for a continuous period of 5 years.
- h. Family members of the persons referred to above.
- i. Workers or self-employed persons who have ceased activity.
- j. Family members of the persons referred to above.
- k. Persons who were a family member of the persons referred to above who has died and resided with them previously.

Persons exempt from immigration control (e.g. diplomats and their family members based in the UK and some military personnel).

Persons granted refugee status by the UK Government.

Persons granted exceptional leave to enter or remain in the UK with condition that they and any dependents have resource to public funds (e.g. humanitarian or compassionate circumstances).

Persons with current leave to enter or remain in the UK with no condition or limitation, and who are habitually resident in the Common Travel Area (a person whose maintenance and accommodation is being sponsored must be resident in the Common Travel Area for five years since date of entry or date of sponsorship, unless the sponsor has died).

Persons who have humanitarian protection granted under the Immigration Rules (e.g. a person whose asylum application has failed, but they face real risk of harm if they returned to their state of origin).

Persons who are Afghan citizens with limited leave to enter or remain in the United Kingdom, who are habitually resident in the Common Travel Area.

From 24 August 2020, persons who are habitually resident in the Common Travel Area (see 3.1.2) and who have been granted leave to remain as a stateless person under Immigration Act 1971

The following classes of person will not be eligible to be allocated social rented housing:

Persons not habitually resident in the Common Travel Area, which consists of:

- a. United Kingdom of Great Britain & Northern Ireland.
- b. Republic of Ireland.
- c. Isle of Man.
- d. Channel Islands (Guernsey & Jersey).

EEA nationals (job seekers or their family members) who have only an:

- e. Initial right of residence for 3 months.
- f. Derivative right of residence because the person is the primary carer of a British citizen.
- g. Right to reside as a result of the persons deportation, expulsion or other removal by compulsion of law from another country to the UK (including EEA nationals exercising EU Treaty rights, who were previously settled in the UK prior to deportation).

Persons whose only right to reside in the UK is an initial right for no more than 3 months, including those who would become an unreasonable burden on the social assistance system of the UK.

Persons who are excluded by section 115 of the Immigration and Asylum Act 1999 to entitlement to universal credit under Part 1 of the Welfare Reform Act 2012 or to housing benefit.

Appendix 2

Council Contact Information

South Walks House
South Walks Road
Dorchester
Dorset
DT1 1UZ
Phone: 01305 251010

Weymouth Office
Commercial Road
Weymouth
Dorset
DT4 8NG
Phone: 01305 838000

Wimborne Office
Allenview House
Hanham Road
Wimborne
Dorset
BH21 1AG
Phone: 01202 795096

Blandford Office
Nordon Lodge
58 Salisbury Road
Blandford Forum
Dorset
DT11 7LN
Phone: 01258 454111

Wareham Office
Westport House
Worgret Road
Wareham
Dorset
BH20 4PP
Phone: 01929 556561

Appendix 3

Banding Explanatory Notes

Band A – Exceptional Housing Need

Exceptional Housing Need that takes priority over other applicants

Applicants will be placed in the exceptional housing need band if their need for housing is assessed as so exceptional that they take priority over all other applicants or if there is an urgent need to allocate a property for financial or operational reasons.

Substantial evidence must exist and be provided by any relevant statutory or voluntary agencies before such priority is awarded.

Examples:

Example 1	To escape violence or threat of violence, serious harassment or a traumatic event. Where there is immediate and serious risk to a household living in a Dorset Home Choice partner authority. The Police or another appropriate agency will usually provide supporting evidence that the risk exists. The person at risk may be the applicant, or another person who might be reasonably expected to reside with them.
Example 2	There is an operational need to move the applicant quickly where the applicant is in a specific type of temporary accommodation such as a refuge, where they can no longer remain and further temporary accommodation is inappropriate.
Example 3	Where Dorset Council accepts a household being referred under the Witness Protection Scheme.
Example 4	Delayed transfer of care from hospital or from an interim care facility which has been a necessary move to avoid a delay in transfer of care from hospital.

Applicants will be given this priority for 3 months.

Please note that the award of 'Exceptional Housing Need Band' will be made by a Service Manager within Dorset Council.

Statutory Homeless and owed a full housing duty by Dorset Council S193 (2)

Households owed a full housing duty under Section 193(2) of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by Dorset Council. This duty is discharged upon the offer of reasonable accommodation for a minimum period of 12 months regardless of whether the applicant accepts the offer or the withdrawal of the application. This banding may be reduced to Medium Housing Need band if the applicant fails to bid for suitable accommodation that becomes available or fail to co-operate subject to Section 193C (4)

Exceptional Disrepair Need

A property which would normally possesses an imminent risk of serious harm to the health or safety of the occupiers akin to section 40 of the Housing Act 2004 (or a similar level of health or safety risk).

Example 1	The means of escape in case of fire from a second-floor bedroom is via a kitchen – a room of higher fire risk.
Example 2	There is significant disrepair to the property's fixed electrical wiring, putting the occupants at demonstrable risk of electric shock

Urgent Medical Need

Urgent Medical need which is life threatening or which is causing bed blocking with hospital/care facility.

Example 1	An elderly applicant who the medical specialists will not allow to be discharged from hospital back to a second-floor split-level flat which necessitates the climbing of stairs both to gain access and also within the flat itself. This person suffers from a chronic heart condition and the only accommodation available to them would place their life at risk. This view is amplified when further research reveals that the applicant lives alone, has virtually no contact with any neighbours, becoming in effect, a prisoner within the flat should the medical authorities decide to discharge him/ her from hospital
Example 2	Mr Stevens, a frail, elderly gentleman, lives on his own in an old caravan in the grounds of a house in a country area. The only mains service is electricity. He fetches his water from an outside cold water tap and must use an Elsan bucket toilet situated some distance from the caravan. Mr Stevens suffers from dizzy spells, arthritis and was admitted to hospital as a

	result of the cold during the winter and the danger of falls when collecting water or using the outside toilet.
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Urgent Welfare Need

Severe and persistent welfare risk to the applicant.

Example 1	A family living in Sherborne. Son has severe illness that requires access to Dorchester hospital. Family car is in use for work, mother looking after children doesn't drive and isolation from medical care is causing problems for other children.
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Statutory Overcrowding

Statutory overcrowding can be caused by too many people living in a dwelling and depends on the size of the habitable rooms.

Room Standard

The room standard is contravened if two people of the opposite sex have to sleep in the same room the accommodation will be overcrowded unless the two people are:

- a married or cohabiting couple, or
- at least one occupant is under ten years old

The number of people of the same sex - unless they are a same sex couple - who can sleep in one room is restricted by the size of the room within the dwelling.

Rooms that are counted as space for sleeping include living rooms, dining rooms, bedrooms and the living area of an open-plan kitchen/living room. For the space and floor area calculations:

- children under one year old are ignored
- children aged from one to 10 count as a half
- anyone aged over 10 counts as 1.

Space Standard

The Space Standard is contravened when the number of persons sleeping in the dwelling is in excess of the permitted number having regard to the number and floor area of the rooms of the dwelling available as sleeping accommodation.

- children under one year old are ignored
- children aged from one to 10 count as a half
- anyone aged over 10 counts as 1.

- A room is available as sleeping accommodation if it is of a type normally used in the locality as a living room or as a bedroom

The permitted number for a dwelling is the lower of the figures obtained by reference to both tables below:

Table 1

- 1 room = 2 people
- 2 rooms = 3 people
- 3 rooms = 5 people
- 4 rooms = 7.5 people
- 5 or more rooms = 2 people for each room.

Table 2

- floor area 110 sq feet (10.2 sq metres approx) = 2 people
- floor area 90 - 109 sq ft (8.4 - 10.2 sq m approx) = 1.5 people
- floor area 70 - 89 sq ft (6.5 - 8.4 sq m approx) = 1 person
- floor area 50 - 69 sq ft (4.6 - 6.5 sq m approx) = 0.5 people.

Applicants accommodated by Dorset Council are excluded.

Band B – High Housing Need

Owed a relief duty under S189B (2)

Households owed a relief duty under section 189B of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by Dorset Council. This banding will be time limited and can be ended in a number of ways.

Under-occupying social housing

The applicant is a social tenant who resides within Dorset Council area, under-occupies their existing property and is looking to move to a smaller, more suitable property that matches their need. Note: Where a tenant lives in specialist two-bedroom property this may not apply.

Overcrowded by 2 or more bedrooms

These applicants are assessed by a housing officer overcrowded by lacking two or more bedrooms according to the bedroom entitlement (see appendix 4) but are not statutorily overcrowded. This criteria will NOT be awarded where evidence exists that proves the overcrowding is deliberate. This banding does not apply to households accommodated in temporary accommodation by Dorset Council.

High Medical Need

This band is awarded due to serious problems/medical issue(s) which have a serious impact on your housing need or make it unreasonable to remain in your current accommodation. Note that where public monies have been committed or works begun to adapt the applicant's property to meet the applicants housing needs the applicant may be moved to Band D – Low Housing Need.

Example 1	Mrs Smith, an elderly widow, lives on her own in a first floor flat. She suffers from severe rheumatoid arthritis and is unable to climb stairs. As a consequence, she is housebound. This is clearly not putting her life at risk, but is having a serious effect on her lifestyle, which a move to ground floor accommodation would resolve. [Note the key fact here is that the applicant is housebound because of their condition – were the applicant able to move around more freely this case would likely to be assessed as Band B medium medical need
Example 2	Mr and Mrs Brown, are both aged 70, are the owner-occupiers of a large Victorian property. Mrs Brown also suffers from osteoarthritis and now finds mobility painful, which is aggravated by this large dwelling, where only the WC facilities are on an upper floor. Mr Brown has a blood disorder and has considerable problems keeping warm, which is aggravated by this old property with its large rooms and high ceilings. The GP is concerned on both accounts and has advised the Housing Team accordingly.

High Disrepair Need

Based on the conditions identified by the Dorset Council's Housing Standards Team who have deemed the applicant's (your) home to have at least one or more category 1 hazards (or a similar level of health or safety risk) as defined under the Housing Act 2004 Housing Health and Safety Rating System which cannot be resolved within 6 months (when the disrepair has been resolved the banding will be reviewed and revised accordingly)

Example	A property has no fixed central heating system to habitable rooms, no insulation to the loft and rising damp to a number of ground floor rooms. Significant renovation is required to bring it up to an acceptable standard
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High Welfare Need

Serious and persistent welfare risk to the applicant

Example 1	A child within an applicant's family has been abused outside of the family home. The child is now seeing the abuser regularly in the local community and this is causing serious hardship to the child.
Example 2	An applicant has a terminal illness and the management of their condition would be improved if they could move to a different property.
Example 3	This would include applicants who are foster carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority. It would also include special guardians, holders of a residence order and family and friends carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care.

Severe or Persistent Harassment

The applicant is a victim of severe and/or persistent harassment or violence at their current property within the Dorset Council area providing evidence exists to substantiate the claim (e.g. from Police/Housing Officer), and re-housing is the most appropriate course of action.

Proven Social Need/Support of another Service

Applicants will also be placed in band B if there is a proven social need or to support the delivery of another service. This applies to applicants who, for exceptional reasons, fall outside of the rest of Homechoice Dorset scheme and need to be found secure alternative accommodation. This may include children at risk issues where children would otherwise be accommodated by social services.

Social Tenant Living in Adapted Property

Social tenant living in a property with extensive adaptations, which are no longer required by either the applicant or a member of the household.

Social Tenant Requiring Extensive Adaptations

Social tenant or a member of their household who requires extensive adaptations and is prepared to move to a property with such adaptations rather than having them done in current home.

Examples of extensive adaptations may include: stair lift; through floor lift; level access shower; ramp

Corporate Parenting Responsibility

Dorset Council has a corporate parenting responsibility where a young person who has been looked after, fostered or accommodated and has had a duty of care accepted under the Children Act in Dorset Council, and is ready for independent living. They should be awarded band B to enable a planned move on to independent suitable accommodation providing a support plan is in place.

The following criteria will apply:

- a) they are ready and prepared to move to independent settled accommodation
- b) they have the life skills to manage a tenancy
- c) they have a support package and appropriate Pathway Plan
- d) they have not, or have not previously, been a tenant of a registered provider as a result of being granted this priority

In exceptional circumstances priority may be given to former relevant children (up to the age of 25) who have completed higher education funded by Dorset Council.

Corporate Duty

Referrals from Adult Social Care and Children's Services will be considered under this band where it is identified that a corporate duty exists under social care legislation and it is demonstrated that an allocation will prevent a residential placement or a placement outside the council's area.

Supported Housing and Ready to Move On

The applicant resides within a short-term Supported Housing project (usually available for up to a maximum of two years) and is seeking to 'move-on' into independent accommodation. NB: The Project Manager of the scheme must confirm in writing and provide evidence that the applicant is ready for such a move and has acquired reasonable skills to sustain a tenancy. Until this time, the applicant will be placed within Band D.

Owed a relief duty under S189B (2) with no local connection

Households without a local connection but who are owed a relief duty under section 189B of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by Dorset Council. This banding will be time limited and can be ended in a number of ways.

These households will be able to bid for properties, but their bids will only be considered after all bids from other households who do meet local connection criteria have been dealt with in the same band.

Efficient Management of Housing Stock

This priority will be awarded in a number of situations set out below to aid efficient management of social housing stock.

- a) under occupation of social housing
- b) those moving from one bed general needs property to one bed sheltered accommodation
- c) as a management tool to resolve issues affecting a block or estate
- d) as a tool to help partner organisations address their housing responsibilities contained within employment contracts

Overcrowded by 1 bedroom

These applicants are assessed by a housing officer overcrowded by lacking one bedroom according to the bedroom entitlement (see appendix 4) but are not statutorily overcrowded. This criteria will NOT be awarded where evidence exists that proves overcrowding is deliberate. This banding does not apply to households accommodated in temporary accommodation by Dorset Council.

Band C – Medium Housing Need

Homeless Households

People who are homeless including those who have not made an application (within the meaning of Part 7 of the 1996 Housing Act as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). This includes people who are intentionally homeless and those who are not in priority need.

People who are owed a (homeless) duty by ANY local authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985). The letter detailing the outcome of a homeless application will specify whether one of these sections applies.

Applicants accepted as homeless or threatened with homelessness by a Local Authority within the Dorset Home Choice area under Part 7 of the Housing Act 1996, (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017 including Rent (Agricultural) Act Cases will be placed in the Medium Band C. Applicants will be placed into this band when they are within 56 days of their notice to quit expiring and following an intervention by Housing Options staff.

Owed a Prevention Duty under Section 195(2)

Households owed a prevention duty under section 195 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017) by Dorset Council. This banding will be time limited and can be ended in certain circumstances.

Owed a Prevention Duty under Section 195(2) with no local connection

Households owed a prevention duty under section 195 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017) by Dorset Council but do not meet the local connection criteria as set out in this policy.

These households will be able to bid for properties, but their bids will only be considered after all bids from other households who do meet local connection criteria have been dealt with in the same band.

Accommodation Duty Following Deliberate and Unreasonable Refusal to Co-operate (s193c (4)) Duty Owed

This band applies to applicants who would ordinarily be deemed as unintentionally homeless and having a priority need but the relief duty has been ended due to their failure to co-operate. The relief duty will have been discharged in accordance with the Non co-operation procedure.

Medium Medical Need

Medium medical issue(s) which have a moderate impact on your housing need or make it unreasonable to remain in your current accommodation.

Example 1	Sarah and Jane are a same sex couple and live in a rented property. Sarah considers that their relationship has broken down, although her partner refuses to accept this fact. Whilst she has not been subjected to physical violence, there is a great deal of mental cruelty which has led to Sarah seeking the help of a Consultant Psychiatrist and being unable to work for several months. She has been advised that her mental health is being affected by her relationship with her partner. In a case such as this, it would be essential for the Housing staff to consult the Community Physician before making a banding award.
Example 2	Mrs Coles and her daughter are living in a property where Mr Coles (husband and father) died of cancer. The young child (7 years old) is now constantly looking for her father in the property and this is causing considerable upset.

Need to move for critical/essential support to avoid hardship

People who **NEED** to move to a particular area to avoid hardship to themselves or to others for example:

- a) The applicants need to receive care
- b) The applicant needs to give critical care or support to someone within the council area
- c) To access specialist medical treatment
- d) Victims of harassment or violence

Evidence will be necessary to show the support can only be attained by moving.

Medium Welfare Need

Moderate and/or intermittent welfare risk to applicant.

Example 1	An applicant is isolated in a rural area with no family to provide support and no transport to enable them to visit Doctor regularly.
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Medium Disrepair

Based on the conditions identified by the Dorset Council's Housing Standards Team who have deemed the applicant's (your) home to have at least one or more high ranking category 2 hazards (ranked D or E) (or similar level of health or safety risk such as a household that is determined to be lacking in 1 bedroom as defined using the 'bedroom standard') as defined under the Housing Act 2004 Housing Health and Safety Rating System which cannot be resolved within 6 months (when the disrepair has been resolved the banding will be reviewed and revised accordingly)

Example 1	A property has an inadequate means of escape in case of fire and improvements are necessary to bring it up to standard
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Social Tenant's Right to Move for Work

Applicants who are able to demonstrate the need to move nearer their place of work within the Dorset Council area because they have secured or have permanent employment (over 16 hours per week average) in the area (evidence of the employment must be provided) and are currently a social housing tenant and would experience hardship if unable to move to the area.

Affordability

Where a property becomes unaffordable due to a change in the applicants circumstances applicants may be awarded Band C Medium Housing Need to reflect this hardship and prevent homelessness. This will be subject to a financial assessment.

Service Personnel

Applicants that fall within one of the following groups will be placed in Band C Medium Housing Need (if no other identified housing need exists) when they have provided proof of their date of discharge, subject to the overall financial assessment set out within the policy:

- a. Former members of the Regular Armed Forces
- b. Serving members of the Regular Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- c. Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- d. Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.
- e) Current members of the Regular Armed Forces

Split Families

Applicants that have previously lived together but who, not by choice are living in separate households due to the lack of suitable accommodation available, and cannot live together and wish to be re-housed together and have not been accepted by Dorset Council under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017).

This includes those who may not have been living as part of the household at the time of the application, but whom it would be reasonable to expect to live with the applicant, as part of his/her household.

An application form should be completed by the household living in the worst property out of the households applying, to ensure the application is placed in the correct banding.

Unsatisfactory or unsanitary conditions

Applicants who are living in unsatisfactory or unsanitary conditions such as but not limited to:

- a) lacking a bathroom or kitchen
- b) lacking inside WC
- c) lacking cold or hot water supplies, electricity, gas or adequate heating
- d) sharing living room, kitchen, bathroom/WC
- e) property in disrepair
- f) poor internal or external arrangements

Band D – Low Housing Need

Low Housing Need

Applicants, who at the time of their application, live in a property which is adequate for their needs in terms of size and facilities and do not meet any of the other banding criteria. These applicants will consider their current property does not meet all of their needs but are otherwise excluded from registering. This criteria means their need can be recognised and there may be properties they are interested in, for example:

- a) a Community Land Trust property
- b) independent affordable accommodation
- c) properties that are hard to let

Low Medical Need

The degree of the problem is minor, but it is recognised that a move to another property will be beneficial for the applicant. For example:

Example 1	A couple in their early 60s have signs of generalised arthritis and rheumatics. There are some difficulties with the accommodation because it is difficult to maintain a constant temperature during winter months. The garden is also becoming an increasing chore, but out of a sense of pride the occupants continue to try and keep on top of it.
Example 2	Minor problems relating to recurring colds/asthma or regular depression or unusual allergies could be pointed under this heading providing a link to the existing accommodation could be demonstrated.

Low Disrepair Need

The applicants' home has one or more category 2 hazards (F or below) (or similar level of health or safety risk) as defined under the Housing Act 2004 Housing Health and Safety Rating System as identified by Dorset Council's Housing Standards Team.

Example 1	A property has mould growth due to condensation in a number of habitable rooms. The property has gas central heating but would benefit from some improved mechanical ventilation to the bathroom and top up insulation to the loft.
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Low Welfare Need

Minor and or occasional welfare risk to applicant.

Example 1	Applicant has a low-level medical condition which requires periodic trips to the hospital for check-ups and lives in a rural location with only limited public transport.
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Older People's Housing

Applicants who may otherwise be assessed as adequately housed but have a local connection to Dorset Council with a requirement for older peoples housing. Older peoples housing is often determined when the property is built. This band will be subject to certain age restrictions but not to the financial restrictions.

Older People's Housing with no Local Connection

Households eligible for housing for older persons who are deemed to have no local connection may be considered for hard to let sheltered accommodation. Properties can be hard to let for various reasons for example, they have age restrictions applied at planning or are in areas that have reduced amenities

Households in this band will be able to bid for properties but their bids will only be considered after all bids from households who do meet the local connection requirements have been dealt with in the same band. Any bids placed for properties other than housing for older persons will be considered as ineligible bids and not considered for nomination.

Supported Housing Not Ready to Move on

Applicants who are residing within a short term supported housing project, (usually available for up to a maximum of 2 years), but who are not yet assessed as ready to move on.

Other Housing Related Debt

Where an applicant(s) has any current/former rent arrears or other housing related debt such as such as:

- a) outstanding service
- b) support charges
- c) rent in advance or rent deposit payments
- d) storage and removal costs
- e) housing benefit debts
- f) property repair
- g) cleaning costs
- h) outstanding temporary accommodation or bed and breakfast debts
- i) legal costs associated with debt recovery

The applicant might be accepted onto the housing register and placed in the appropriate band. This would allow applicant(s) to place bids however; social landlords might still refuse to offer a property whilst the debt is still outstanding. Applicants, who have such as debt, should clear the debt or make regular payment to reduce the debt.

Note:

In addition to an assessment under Part X of the Housing Act 1985 (Statutory Overcrowding), 'Crowding and Space' can also be assessed as part of a Housing Health and Safety Rating System (HHSRS) assessment under the Housing Act 2004. Any Category 1 or 2 hazard identified via this assessment will be dealt with in accordance with this policy.

Housing Standards enforcement is independent to this policy and details can be found at www.dorsetcouncil.gov.uk

Appendix 4

Bedroom Entitlement

Property type/size	Household
Bedsit/studio	Single Applicant
1 Bedroom	Single Applicant or Applicants living as a couple with no children
2 Bedrooms	couple, with 1 child; or Single Applicant, or Applicants living as a couple, with 2 children of: (a) The same sex under 16 (b) Opposite sex under 10
3 Bedrooms	Single Applicant, or Applicants living as a couple with 2 children, with at least 1 of opposite sex over 10; Single Applicant, or Applicants living as a couple, with 3 children or 4 children: (a) Of the same sex under 16; or (b) Two children of each sex under 16 (c) of either sex all under 10
4 Bedrooms	Single Applicant, or Applicants with 5 or more children Single Applicant or Applicants with 4 children where at least one of them is aged 10 and is of the opposite sex of the others or one of them is aged 16 or

Exceptions allowing one additional bedroom:

- a) a disabled tenant or partner who needs a regular non-resident overnight carer
- b) foster carers who have fostered a child, become an approved foster carer within the last 52 weeks, or are about to become an approved foster carer and have written evidence to support.
- c) where the applicant or partner is pregnant, and the due date is within the next 12 weeks and it is the first child
- d) other exceptional circumstances

Appendix 5

Social Landlord Partners

Aster Group
Bournemouth Churches Housing Association
East Borough Housing Trust
The Guinness Partnership
Hannover Housing Association
Hastoe Housing Association
Home Group
Housing and Care21
Magna Housing
Mill Street Housing Society
Places for People
Radian
Sanctuary Housing
Sandbourne Housing Association
Sandown Housing Association
Sovereign Housing Association
Stonewater
Yarlington Housing Group

Appendix 6

Village List

- Abbotsbury, Affpuddle, Alderholt, Allington, Alton Pancras, Anderson, Arne, Ashmore, Askerswell, Athelhampton
- Batcombe, Beaminster, Beer Hackett, Bere Regis, Bettiscombe, Bincombe, Bishop's Caundle, Blandford St Mary, Bloxworth, Bothenhampton, Bourton, Bradford Abbas, Bradford Peverell, Broadmayne, Broadwindsor, Bryanston, Buckhorn Weston, Buckland Newton, Burleston, Burstock, Burton Bradstock, Burton
- Cann, Castleton, Catherston Leweston, Cattistock, Caundle Marsh, Cerne Abbas, Chalbury, Chaldon Herring, Charlton Marshall, Charminster, Charmouth, Chedington, Cheselbourne, Chetnole, Chettle, Chideock, Child Okeford, Chilcombe, Compton Valence, Chilfrome, Church Knowle, Clifton Maybank, Compton Abbas, Coombe Keynes, Corfe Castle, Corscombe, Cranborne, Crossways
- Dewlish, Durweston
- East Chelborough, East Holme, East Lulworth, East Orchard, East Stoke, East Stour, Edmondsham, Evershot
- Farnham, Fifehead Magdalene, Fifehead Neville, Fleet, Folke, Fontmell Magna, Frampton, Frome St Quintin, Frome Vauchurch
- Glanvilles Wootton, Goathill, Godmanstone, Gussage All Saints, Gussage St Michael
- Halstock, Hammoon, Hanford, Haydon, Hazelbury Bryan, Hermitage, Hilfield, Hilton, Hinton Martell, Hinton Parva, Hinton St Mary, Holnest, Holt, Holwell, Hooke, Horton, Hurn
- Ibberton, Iwerne Courtney or Shroton, Iwerne Minster, Iwerne Stepleton
- Kimmeridge, Kingston Russell, Kington Magna
- Langton Herring, Langton Long Blandford, Langton Matravers, Leigh, Leweston, Lillington, Littlebredy, Litton Cheney, Loders, Long Bredy, Long Crichel, Longburton, Lydlinch, Lytchett Matravers
- Maiden Newton, Manston, Mapperton, Mappowder, Margaret Marsh, Marnhull, Marshwood, Melbury Abbas, Melbury Bubb, Melbury Osmond, Melbury Sampford, Melcombe Horsey, Milborne St Andrew, Milton Abbas, Minterne Magna, Moor Crichel, Morden, Moreton, Mosterton, Motcombe
- Nether Cerne, Nether Compton, Netherbury, North Poorton, North Wootton
- Osborne, Okeford Fitzpaine, Osmington, Over Compton, Owermoigne
- Pamphill, Pentridge, Piddlehinton, Piddletrenthide, Pilsdon, Pimperne, Portesham, Portland, Powerstock, Poxwell, Poyntington, Puddletown, Pulham, Puncknowle, Purse Caundle
- Rampisham, Ryde Intrinseca

- Sandford Orcas, Seaborough, Shapwick, Shillingstone, Shipton Gorge, Silton, Sixpenny Handley, South Perrott, Spetisbury, Stalbridge, Stanton St Gabriel, Steeple, Stinsford, Stockwood, Stoke Abbott, Stoke Wake, Stour Provost, Stourpaine, Stourton Caundle, Stratton, Studland, Sturminster Marshall, Sturminster Newton, Sutton Waldron, Swyre, Sydling St Nicholas, Symondsburry
- Tarrant Crawford, Tarrant Gunville, Tarrant Hinton, Tarrant Keyneston, Tarrant Launceston, Tarrant Monkton, Tarrant Rawston, Tarrant Rushton, Thorncombe, Thornford, Tincleton, Todber, Toller Fratrum, Toller Porcorum, Tolpuddle, Trent, Turners Puddle, Turnworth, Tyneham
- Up Cerne
- Wareham St Martin, Warmwell, West Chelborough, West Compton, West Knighton, West Lulworth, West Orchard, West Stafford, West Stour, Whitcombe, Whitchurch Canonorum, Wimborne St Giles, Winfrith Newburgh, Winterborne Came, Winterborne Clenston, Winterborne Herringston, Winterborne Houghton, Winterborne Kingston, Winterborne Monkton, Winter borne St Martin, Winterborne Stickland, Winterborne Whitechurch, Winterborne Zelston, Winterbourne Abbas, Winterbourne Steepleton, Witchampton, Woodlands, Woodsford, Wool, Wolland, Wootton Fitzpaine, Worth Matravers, Wraxall, Wynford Eagle
- Yetminster

Appendix 7

Legislation

This scheme has been formulated with regard to the law and regulatory requirements, including:

1. Housing Act 1985
2. Housing Act 1996
3. Homelessness Act 2002
4. Housing and Regeneration Act 2008
5. Localism Act 2011
6. Armed Forces Act 2006
7. Asylum and Immigration Act 1996
8. Immigration and Asylum Act 1999
9. Children Act 2004
10. Equality Act 2010
11. Data Protection Act 2018
12. Statutory guidance on the relevant legislation
13. The regulatory framework for Private Registered Providers of social housing in England published by the Homes and Communities Agency, in particular the Tenancy Standard, published April 2012

Appendix 8

Expected Waiting Times

Waiting times for housing vary depending on several factors including but not limited to:

- Location
- Number of bedrooms
- Type of property
- Restrictions e.g. older persons or disabled facilities
- Priority of need

Average waiting times will also be affected depending on the number of households registered at any time. Each application is prioritised according to need therefore potentially increasing waiting times for existing applicants with lower priority need.

Other activities can positively influence waiting times including new housing developments and working with social landlords to maximise the availability of suitable homes through the scheme.

Appendix 9

Glossary of terms:

“Applicant(s)”	A person or persons submitting an application for registration and those accepted on the housing register
“Application”	A request for registration submitted on a registration form
“Banding”	How applicants are prioritised in the scheme
“Bid”	The process for applications to say which property they would like to live in
“CBL”	Choice Based Letting
Homechoice Dorset	Name of the scheme
“Household”	People who can be reasonably be expected to live with you e.g. children, carers, dependent adults
“Housing Related Debt”	Rent arrears, rent in advance, rent deposit, prevention funds, outstanding debts to landlords
“Policy”	The choice based lettings scheme detail document
“Registration”	The method of applying for social housing
“Registration Form”	The form that must be completed to apply for social housing
“Scheme”	The housing register

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Housing Allocation Policy **Consultation Response Report**

Produced by Mark Simons
for Dorset Council

August 2020

Proposed Housing Allocation Policy

Consultation Response Report

What was the consultation about?	Dorset Council has been created out of the existing District/Borough council and the county council. Previously the Councils had their own housing allocation policies. Now it is necessary to create a single allocation policy for the new Dorset Council area. This consultation is about what options the council take in creating this new policy and understanding how those will affect people living the Dorset area Further to this the council needed to understand more about the possible impacts of any changes and if so whether these could be mitigated.
Over what period did the consultation run?	The consultation ran for 20 weeks starting on 2 March 2020 and finishing on 20 July 2020, following an extension due to COVID19 Over the latter part of this period the coronavirus pandemic meant council service points were closed. Following this the survey was extended finally closing on 20 July 2020. This allowed for a period to advertise and provide by post paper copies of the survey. The online survey remained open and further responses were received.
What consultation methods were used?	The consultation was available both electronically online and in paper form from local libraries/by post directly from Dorset Council. The consultation was promoted widely through both the local press and social media. The consultation had a separate communications plan and consultation plan prepared beforehand.
How many responses were received overall?	766 overall responses were received. 90% of responses were from members of the public. The rest were either organisational responses, elected members, support workers, parish councils or other.
How representative is the response to the wider population?	The response size is good for a council consultation of this type. The response from residents was reasonably representative of the Dorset population. There were significantly more female respondents than male but that is often seen in surveys of this type. Responses came from a wide range of ages matching the Dorset population as a whole. With 90% of the respondents saying their ethnic group was White British this is fairly typical of the wider population. Responses from disabled people were very high at 25.2% of responses compared to a Dorset figure of 4.6% based on those claiming either Disability Living Allowance, Personal Independence Payments or Attendance Allowance.
Where will the results be published?	Results will be published on the council's website www.dorsetcouncil.gov.uk
How will the results be used?	Councillors will make the final decision on the Housing Allocation policy having regard to the feedback received during this consultation.

Who has produced this report?	Mark Simons, Consultation Officer, Dorset Council June 2020
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Background

Dorset Council was formed on 1 April 2019 as part of Local Government Reorganisation in Dorset. Dorset Council is a unitary authority that replaces the previous sovereign authorities, Dorset County Council; East Dorset District Council; North Dorset District Council; Purbeck District Council; West Dorset District Council and Weymouth and Portland Borough Council.

The council has a statutory duty to have a housing allocation policy under The Housing Act 1996 (as amended) and has taken into account the code of guidance for local authorities published 2002, the Localism Act 2012, the Dorset Council Homelessness Strategy and the Equality Act 2010. The new Homechoice Dorset policy will replace the previous allocations policies of:

- ~ **Christchurch and East Dorset Joint Housing Allocation Policy**
- ~ **Dorset Home Choice Common Allocation Policy**

Dorset Council does not own its own housing stock. We work with registered providers to maintain a housing register where people can access social housing in our area. The scheme enables the Council and its partners to work together to ensure we prioritise those in most need of affordable housing. Dorset Council operates a Choice Based Letting Scheme and the Housing Allocation Policy sets out a framework that describes how to register, the assessment process and property allocation process.

The Consultation

The proposed policy makes some changes that will have an impact on households on the current housing register. Much of the content is determined by law but there are some key areas where we can exercise local discretion. These are the areas which were set out in the consultation questionnaire. We invited comments to make sure we have considered a wide range of views, which will help shape the final version of the new Homechoice Dorset policy.

We wanted to hear from a wide range individuals, and organisations such as registered housing providers, private rented sector landlords, people on the housing waiting list and the general public. A copy of the full draft policy was available online or by post from Dorset Council.

Very few questions were compulsory. A copy of the survey is available in the appendix.

Analysis Method: Questions were considered on an individual basis. Overall responses were examined -and also specific responses of respondents who responded with a disability. The official organisational responses were looked at separately. The main method of analysis was looking at the percentage of respondents who expressed a view on each question. For some questions the percentage strongly supporting and supporting are calculated. Those opposing and strongly opposing are also recoded. One is taken from the other giving a net agreement figure. This could be positive or negative. A figure of zero would mean an equal number of people supported and opposed a statement.

For each open question the text comments have been studied and coded depending on what issues were raised. The coded comments are then reported on based on the amount of times those individual issues have been raised. Total redacted comments are provided in an appendix.

Note: some figures may not sum due to rounding.

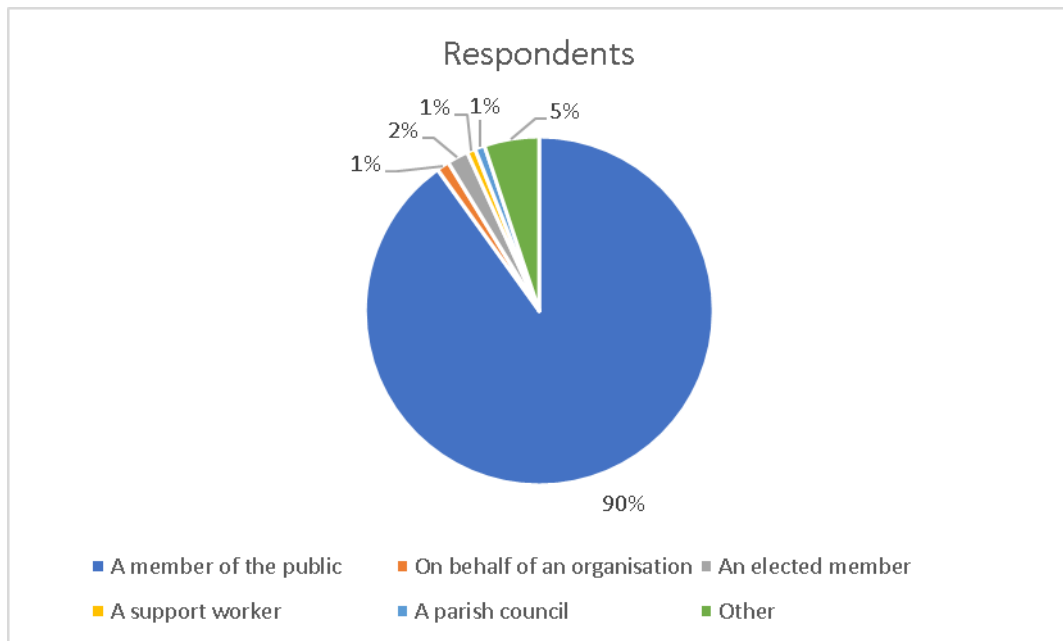
About respondents

766 overall responses were received.

Q Are you responding as:

Respondents:

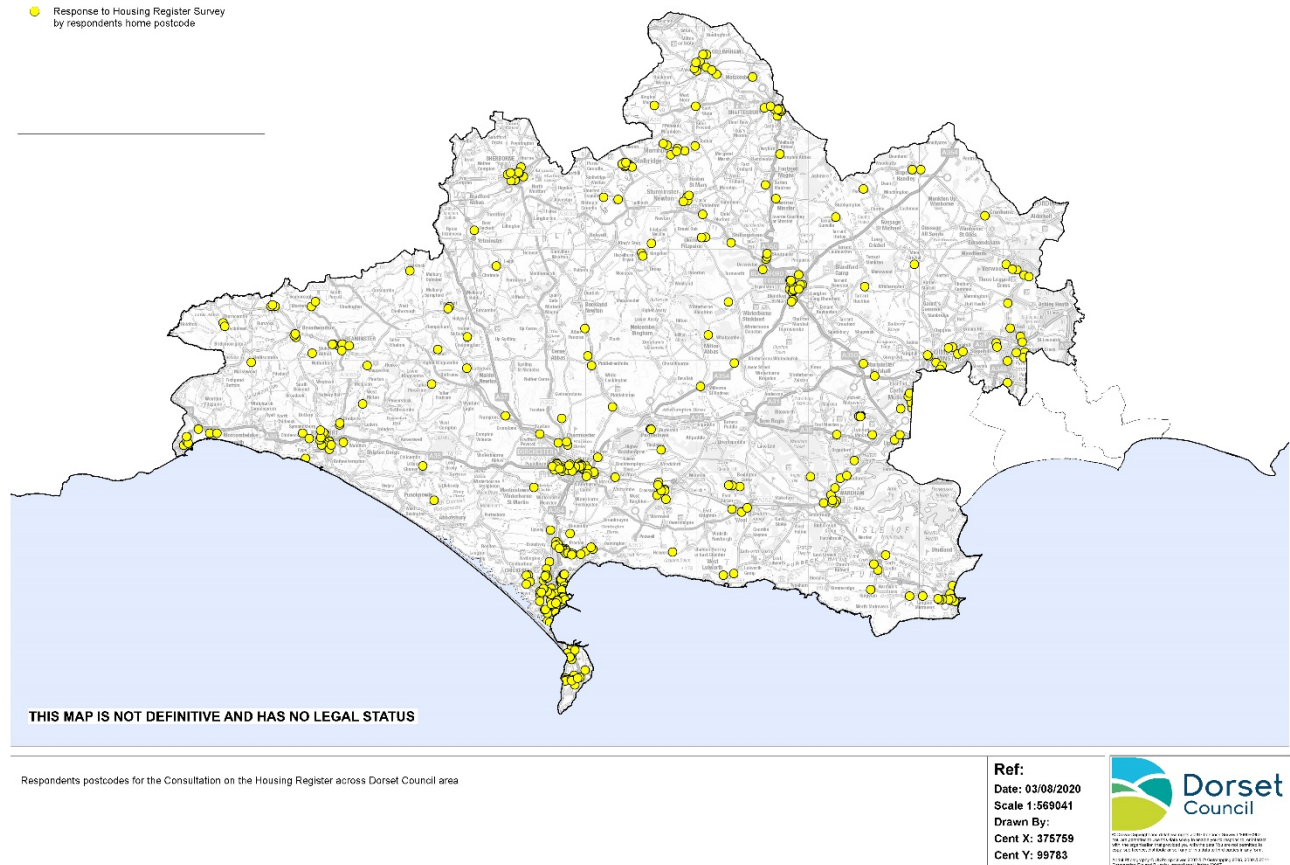
	% of all respondents	Number
A member of the public	90.1%	689
On behalf of an organisation	1.2%	9
An elected member	2.0%	15
A support worker	0.8%	6
A parish council	0.9%	7
Other	5.1%	39



90% of respondents were responding as members of the public. Other responses came on behalf of organisations, from elected members, support workers and parish councils.

Map of responses to the consultation

Postcodes were supplied by 561 respondents with the majority of those living in Dorset Council area. The map shows the distribution of overall responses to the consultation demonstrating a good spread across the geographical area. Promotion of the consultation appears to have been successful across all areas.



Parish/Town Councils

8 parish/ town councils responded including
:

Council name
Dorchester
Lydlinch Parish Council
Langton Matravers Parish Council
Wool Parish Council

Official Organisational Responses

9 organisations provided an official response

Organisational Responses
Bridport Cohousing
Places for People
Places for People
Hastoe Housing Association
Citizens Advice Central Dorset
Stonewater
Middlemarch
Bridport and District Citizens Advice
Dorchester Municipal Charities

A further 10 responses came from support workers

Groups

Q Please tell us which of the following groups you belong to: (select all that apply)

	% of all respondents	Number
On the housing register with Dorset Homechoice Common Allocations Policy	57.3%	436
On the housing register with Christchurch and East Dorset Joint Housing Allocations Policy	3.8%	29
Social Housing Tenant	23.8%	181
Private Rented Tenant	21.3%	162
Owner Occupier	18.7%	142
Other	7.2%	57

Respondents were asked about which groups they came into shown in the table above. They could be in multiple groups. In responses to each question we will look for similarities and differences based on these (and other) groups. e.g. disabled responses. There were responses from 159 who were disabled and 35 people who were serving/veterans/reservists/family of UK Armed Forces.

Other groups included a wide range of personal situations including people living at home with their parents, people who were homeless, landlords and people waiting to get on the housing register.

Local Connection

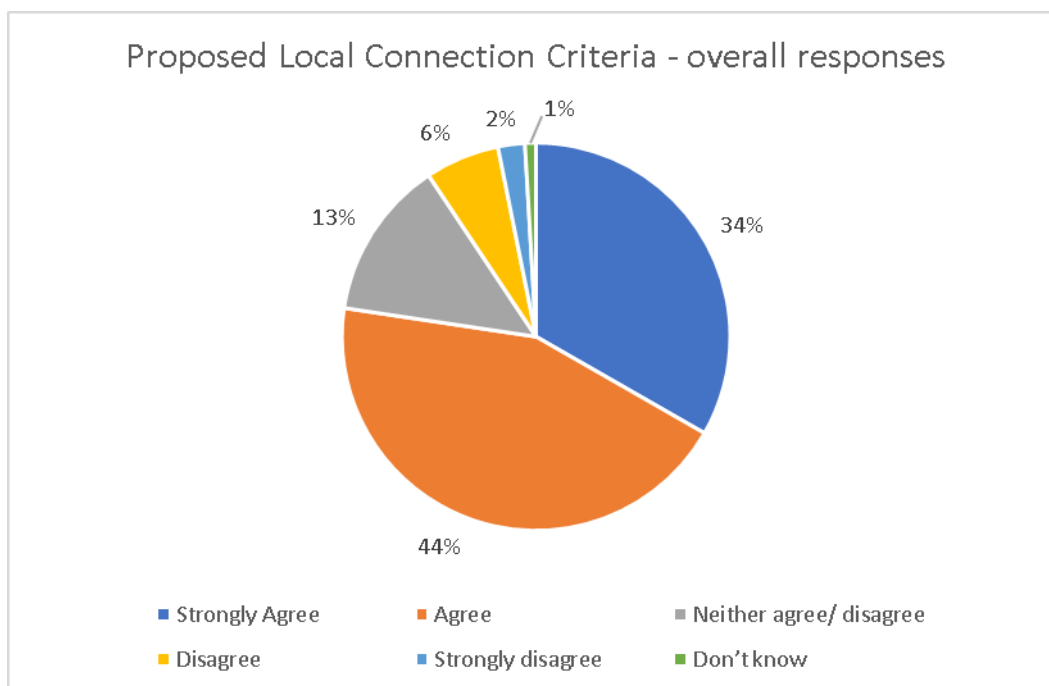
Who can apply to join the register? A key element of the policy is a local connection. To qualify for the Homechoice Dorset scheme applicants must meet ONE of the local connection criteria (below) to ensure wherever possible social housing goes to local people (there are some exceptions to this criteria shown in the policy). The current government guidance is that councils should apply a two-year residency test. Dorset Council proposes the following criteria for local connection:

Requirement	Qualification
Residency in the Dorset Council area	2 years or 3 years out of the last 5 years
Close family continuous residency in the Dorset Council area (parents, siblings, non-dependant children)	5 years evidenced
Paid employment in the Dorset Council area	16 hours per week average for minimum period of 1 year (including zero hours contracts).
Offer of permanent employment to social tenant in the Dorset Council area	16 hours per week average for period no less than 1 year (including zero hours contracts) and where it is unreasonable to travel from current social housing property
Location requirements	Any requirements detailed in a Section 106 Town and Country Planning Act 1990 and/or a local lettings plan.

Q Do you agree with the local connection criteria as described above?

Overall responses	Strongly Agree	Agree	Neither agree/disagree	Disagree	Strongly disagree	Don't know
Number	253	335	101	47	17	7
% of all who responded	33.3%	44.1%	13.3%	6.2%	2.2%	0.9%

Overall there was strong agreement to the local connection criteria with 77.4% either agreeing or strongly agreeing. This compares to only 8.4% with disagree or strongly disagree with it. The figures give a net agreement figure of plus 69, where zero would be an equal amount of people supporting and opposing.



Looking at responses from different groups there are only small variations. The table below shows net agreement for all the groups. In all groups there seems to be considerable support for the proposals. The strongest support comes from owner occupiers and private tenants and the weakest support people on the register with Christchurch and East and Social housing tenants.

Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Owner Occupiers	82%	4%	78
Private Tenants	82%	4%	78
Forces	86%	12%	74
Disabled	78%	9%	69
Dorset Homechoice (on register)	75%	9%	66
Social Tenants	73%	11%	62
Christchurch and East (on register)	62%	10%	52

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Hastoe Housing Association, Middlemarch, Citizens Advice (Central Dorset), Bridport and District Citizens Advice and Stonewater all agreed/strongly agreed with this proposal. No organisations disagreed.

Q. As you disagree what particular part(s) do you not agree with and why? 63 people responded to this question. The concerns were wide and varied and generally appeared dependent on people's circumstances. There were concerns over the limitations over local authority boundaries. A number of comments related to how local people (who were born in Dorset) did not get the precedence they deserved due to the "openness" of the criteria. Employment criteria were felt to be weak and open to abuse by some but too onerous to others.. The full (redacted) comments are available in the appendix.

Issue	mentions
Local connections should go beyond local authority boundaries	6
Local connection period should be longer	4
Domestic abuse (fleeing) should override these connections	4
Some people have no options	3
Military should be exempt from local connection	2
5 years is too long for local connection	2
Employment should be longer e.g.2 years not 1	2
2 years out of 5 is ok	2
Give flexibility by reducing time of residency	2
Misinterpretation of 2 years or 3 out of 5	2
Other	2
Some people may want to move to a different area	2
5 years is reasonable to demonstrate local connection	1
2 years is too short for residency	1
Working time average should be longer - 30hrs a week for 2 years	1
3 years would make more sense than 5 years	1
working 16 hrs a week is fine - but what if you can't work	1
Some people don't have family	1
If your non dependant child moves 5 years is a long time to wait to move to join them	1
Close family connection should be dropped	1
Everyone should have the same opportunity to live where they choose	1
Include working but not schooling	1
Disagree with 5 year family residency	1
Don't agree with local connection at all	1
Priority need should overcome local connection	1
Good to use just 1 criterion	1
Working should be more than 16 hrs a week	1
care/health outcomes should give opportunity to move	1
Should support people born in the area wanting to return "home"	1
should be local people IN work	1
Local connection should include 2 criteria to stop in-migration	1
Should include church link as criteria	1
Employment criteria open to abuse	1
Working 25 hrs a week would make households more self-supporting	1
Employment criteria gives people precedence over locals	1
Zero-hour contracts difficult to evidence	1
1-year employment is too long	1
Need simpler criteria	1
Grandchildren and in laws don't count and should	1
Employment criteria too weak compared to residency	1

Sample comments

"5 years is a reasonable amount of time to demonstrate a local connection. 2 years is too short."

"As a military family it is almost impossible to form a local connection due to the frequent postings to other areas. As a military family we have no choice as to where we are based or where we are housed."

"Close family continuous residency: e.g., if a non-dependent child moves to the area intending to stay long term and the parent requires social housing, it would be unfair for them to have to wait for their non-dependent child to have lived continuously for five years before they can apply for social housing."

"I am on the border with Somerset and all the family live nearby but in Somerset. I can only bid for Dorset. I can't bid on properties in Somerset, I don't know whether this will change under the new system"

"Everyone should have equal opportunity to live in their chosen area."

"I feel that you shouldn't need to have a local connection with an area, especially if you have a priority need to be rehoused and wish to move to that area to receive support. Not having a local connection could mean a great impact on health and wellbeing if the person is turned down for a bidding property because they didn't have a local connection. How are people supposed to get a local connection in the area they wish to move to receive support if they keep getting turned down"

"I myself and my family applied to be registered on the housing register and were told as we had not been living in Dorset for two years, we would not be eligible. Here it states that registrants have to meet ONE local connection - I am an NHS worker in Dorchester however was told that I did not qualify to go on the register. So it would be good to use just ONE of the local connections rather than the 2 year requirement"

"I think that the residency period for all applicants should be longer to give long term residents of the county more chance of getting a property. People who have only lived in Dorset for less than five years get the chance to queue jump over long-time residents."

"Residency section compared to close family continuous residency. I feel that residency section, the qualifying time is not long enough. If someone has family, parents, siblings in the area, and we're born in the area and grew up in the area, they should be given first priority above all others."

"Some people have various zero hour contracts during a year with different employers, as we are a seasonal town, the requirement to provide proof of previous employment with in that year from another employer may be difficult for some people, what type of evidence would you accept ? , wage slips, p60, bank statements, is all of this evidence really necessary."

"This is too complicated. You've got a variety of housing schemes in the region and some only require a local connection with no housing need requirement and so simplifying any local connection requirement will help the public and the officers administering the register. Restricting people from registering will mean the housing register does not reflect the actual need in the region for accommodation. It is better to get people registered on the list and then use any local connection as a priority for shortlisting alongside any other planning or other restriction. The 3 years out of 5 and the family connection will mean people who are not local will be able to register and this seems to be counter intuitive to the statement that most social housing should go to local people."

Banding Assessment Criteria

The survey explained the proposed banding criteria, and this is set out below.

“We propose to use a banding system for prioritising applications for an allocation of housing. The following shows the proposed bands and full details can be found in Appendix 3 of the Homechoice Dorset Scheme.

Band A – Exceptional Housing Need

- Exceptional Housing need that takes priority over other applicants
- Statutory Homeless and owed the full Housing Duty by Dorset Council s193 (2)
- Exceptional Disrepair Need
- Exceptional Medical Need
- Urgent Welfare Need
- Statutory Overcrowding Part X Housing Act 1985

Band B – High Housing Need

- Owed a relief duty under s189B (2)
- Under occupying social Housing
- Overcrowded by 2 bedrooms or more
- High Medical Need
- High Disrepair Need
- High Welfare Need
- Severe and/or persistent harassment
- Proven social need/support delivery of another service
- Social tenant living in adapted property
- Social tenant requiring extensive adaptations
- Corporate Parenting responsibility
- Corporate Duty
- Supported Housing and ready to move on
- Efficient Management of stock
- Owed a relief Duty under s189B (2) with no local connection

Band C – Medium Housing Need

- Owed a Prevention Duty under s195 (2)
- Homeless Households
- Accommodation duty following deliberate and unreasonable refusal to co-operate s193c (4) duty owed
- Medium Medical Need
- Medium Disrepair Need
- Medium Welfare Need
- Social Tenant with right to move for work
- Affordability
- Service Personnel
- Split families
- Owed a Prevention Duty under s195 (2) with no local connection
- Unsatisfactory or unsanitary Conditions

Band D – Low Housing need

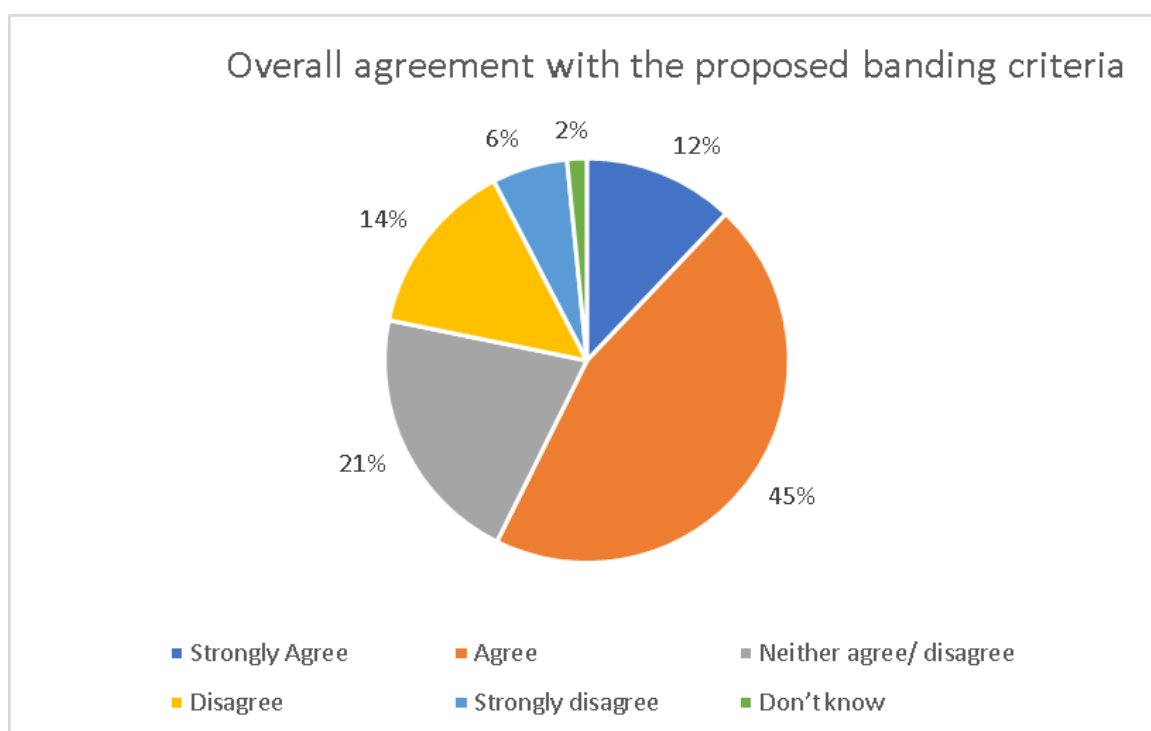
- Low Housing Need
- Low Medical Need
- Low Disrepair Need

- Low Welfare needs
- Older Peoples Housing
- Older Peoples Housing no local connection
- Supported Housing or Care Leaver not ready for move on
- Applicants with other Housing related debts
- Deliberately Worsening Circumstances”

Q. Do you agree with the banding criteria proposed above?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	92	345	159	108	46	12
% of all who responded	12.1%	45.3%	20.9%	14.2%	6.0%	1.6%

Overall there was relatively strong agreement to the banding criteria proposed with 57.4% either agreeing or strongly agreeing. This compares to 20.2% with disagree or strongly disagree with it. The figures give a net agreement figure of plus 37.2, where zero would be an equal amount of people supporting and opposing. 21% of respondents neither agreed nor disagreed with the banding criteria.



Looking at responses from different groups there are variations. The table below show net agreement for all the groups. In all groups there seems to be support for the proposals with all returning positive agreement. The strongest support comes from people on the Christchurch & East register and owner occupiers with Forces people and Dorset Homechoice respondents the least support. This is shown on the table below.

Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Christchurch and East (on register)	69%	14%	55
Owner Occupiers	66%	16%	50
Private Tenants	59%	17%	43
Disabled	62%	19%	43
Social Tenants	53%	20%	33
Forces	60%	29%	31
Dorset Homechoice (on register)	51%	23%	28

Nearly a third of Forces respondents disagreed/strongly disagreed with the criteria.

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Hastoe Housing Association, Middlemarch, Citizens Advice (Central Dorset), Bridport and District Citizens Advice and Stonewater all agreed/strongly agreed with this proposal. No organisations disagreed.

Q11. As you disagree what particular part(s) do you not agree with and why? 149 people responded to this question. The concerns were wide and varied and generally appeared dependent on people's circumstances. The table below shows the concerns raised. There were many individual concerns but a number were raised several times. The top five issues were: medical needs should be banded higher, older people should be banded higher, length of time on the register should count for something together with how overcrowding was treated, particularly for overcrowding by 1 bedroom. The full comments are available in the appendix.

Issue	mentions
All medical needs should be in higher bands	17
Older people should be higher banded	16
Length of time on the register really should count for something	13
Overcrowding by 1 bed should be included	13
Overcrowding by 2 beds should be higher banded	9
Without a local connection should not be on list	9
Service personnel need to be higher category and not time limited	9
Working people are disadvantaged	8
Bands C & D have no hope and need re assessing	6
Older people moving out to free up properties should be higher banded due to knock on gains	6
Banding doesn't work	6
Homeless households should be a higher band	5
Disabilities should be higher banded	4
Under occupancy should be on list	4
Low medical needs should be higher	4
All categories of refusal or unreasonable behaviour etc should be lower	3
Affordability and financial hardship should be higher	3
Need more flexibility	3
Other	3

Immigrants and prisoners should not score highly	2
Average person at a disadvantage	2
Prevention of Duty should be higher than a C	2
Unsanitary conditions should be higher	2
language not always clear	2
Homeless too highly ranked	2
People downsizing should be banded higher to make larger properties available	2
Age for older peoples housing need to go up	1
Affordability needs to be higher category	1
Private rents so high mean lower standard of living	1
All lower bands ignore personal problems	1
Exceptional housing need too vague	1
Victim of ASB needs top band	1
Service personnel should include break up of marriage	1
Low housing need must be higher banded than deliberately worsening circumstances	1
Too complicated	1
Cramped accommodation not adequately housed	1
Split families should be higher	1
Everyone should have access to housing	1
Care leavers should be a higher band	1
Process too slow	1
Risk of eviction not covered	1
Higher band always trump the others leaving no hope	1
Overcrowding often of own making	1
Don't agree with band A	1
You are housing the wrong people	1
Shouldn't include low housing need	1
Medical needs and overcrowding are linked	1
children staying in split families impact on need	1
Process of bidding too stressful	1
ECs always trump everyone else	1
Fraud and issue	1
Cross authority switching is difficult	1
Fleeing violence should be included	1
Band A should just be homeless	1
Need interview as well as paper assessment	1
Don't change	1
Have different rural bandings	1
Need to move for work band	1
Foster homes need own banding	1
Split families too high	1

Sample comments

"Although this prioritises those in the most need it leaves the average person at a disadvantage."

"At the moment we are in the sliver category for overcrowding by one bedroom as we have two bedrooms and 3 children under 6 (one boy and twin girls). Reading the changes we understand it that we would not be under any of the criteria. Also the statutory overcrowding is very confusing."

"Homeless households should be band A. Security for children is paramount. Older people's housing should take priority over older people's housing with no local connection. The council has no responsibility to house people of any age who have no local connection to Dorset. Split families should be band B as parents need to stay close to their children. We have enough housing need. Why does the council have any duty to house people under Prevention Duty, Relief Duty, and people who have refused to cooperate, especially if they have no local connection."

"How about people who have been on the list for a long time, why should they constantly be put back because other people feel they have a right to social housing, Length of time should be taken into consideration"

"I believe over crowding is a high need not just by 2 bedrooms as that is ridiculous. I am over crowded by having my son in my room and it makes me ill through lack of sleep and under this I would never be moved as we all know if your not high priority you will never move".

"I believe that anyone that has a medical problem should be all in same band don't think it's right you have low medical band if you got a medical problem and have proof from a doctor the council should sort it out soon as they can".

"I think medium medical needs should be more important than they are at the moment. Also the amount of years you are bidding should stand for something-i have been bidding for example 4yrs approx. and don't seem to be getting any nearer to being offered a property. I have to use metal stairs to leave the premises and with crutches that is not easy and even my partner has slipped on them and due to this i am even more shaky and don't go out very much if at all these days so i am stuck inside which can be depressing"

"Older people's housing is given no status at all? I live rurally and my husband works in our village. He is the main breadwinner. When I retire in 4 years we will not be able to afford our rented home and would be very much in need of older people's housing locally as my husband will still have another 8 years to work. This discounts us from applying"

"Overcrowding by 1 bedroom should be high priority, families are having to give up their lounge to get additional bedroom space therefore losing a central family hub"

"Some higher priorities should be lower such as refusal to cooperate. Those occupying a property with excess bedrooms should be higher to free it up. Why are single people housed in three bedroom properties? Also why is someone (a middle-aged person in a particular case) entitled to stay in a 4 bedroom house after parent dies? Accept that there will be a small period of allowance but no attempt to free up house years later?"

"Statutory Homeless and owed the full Housing Duty by Dorset Council s193 (2) should be band B Owed a relief duty under s189B (2) should be band c Owed a Prevention Duty under s195 (2) should be band d Deliberately Worsening Circumstances - should be do not qualify for the register Applicants with other Housing related debts - needs clarification as a lot applicants owe money to the council"

Bedroom Entitlement

The previous policies assessed residents using different bedroom entitlements depending on where they lived. We propose to harmonise the bedroom assessment as shown in the following table:

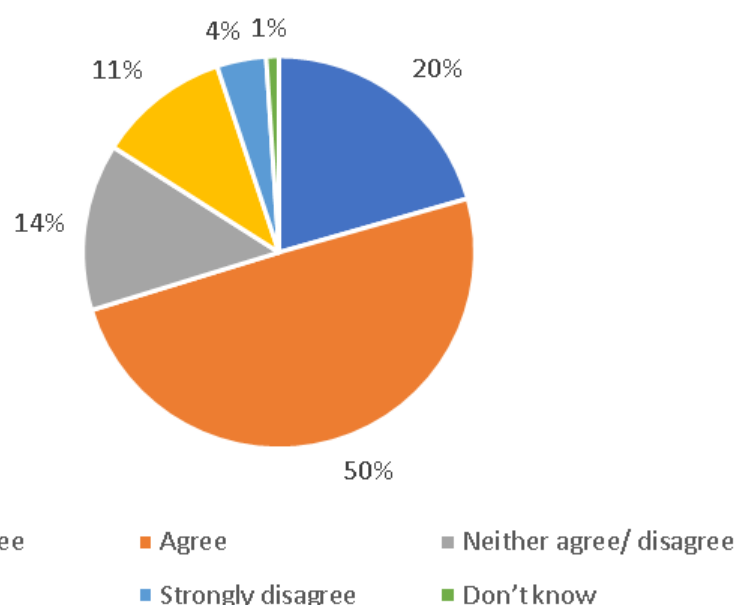
Property type/size	Household
Bedsit/studio	Single Applicant
1 Bedroom	Single Applicant or Applicants living as a couple with no children
2 Bedrooms	Couple, with 1 child; or Single Applicant, or Applicants living as a couple, with 2 children of: (a) The same sex under 16 (b) Opposite sex under 10
3 Bedrooms	Single Applicant, or Applicants living as a couple with 2 children, with at least 1 of opposite sex over 10; Single Applicant, or Applicants living as a couple, with 3 children or 4 children: (a) Of the same sex under 16; or (b) Two children of each sex under 16 (c) of either sex all under 10
4 Bedrooms	Single Applicant, or Applicants with 5 or more children Single Applicant or Applicants with 4 children where at least one of them is aged 10 and is of the opposite sex of the others or one of them is aged 16 or over

Q. Do you agree with the bedroom criteria proposed?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	157	379	105	83	31	8
% of all who responded	20.6%	49.7%	13.8%	10.9%	4.1%	1.0%

Overall there was strong agreement to the bedroom criteria proposed with 70.3% either agreeing or strongly agreeing. This compares to 15.0% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 55.3, where zero would be an equal amount of people supporting and opposing. 14% of respondents neither agreed nor disagreed with the bedroom criteria.

Bedroom entitlement - overall responses



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Owner Occupiers	80%	9%	71
Christchurch and East (on register)	72%	14%	59
Social Tenants	72%	16%	57
Forces	71%	17%	57
Dorset Homechoice (on register)	68%	15%	53
Disabled	70%	18%	52
Private Tenants	66%	19%	47

Looking at responses from different groups there are variations. The table below show net agreement for all the groups. In all groups there seems to be support for the proposals with all returning positive agreement, with at least two out of three of all respondent groups either supporting or strongly supporting the criteria. The strongest support comes from owner occupiers and the least support from private tenants. This is shown on the table above.

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Citizens Advice (Central Dorset) and Stonewater all agreed/strongly agreed with this proposal.

Hastoe Housing Association, Middlemarch, and Bridport and District Citizens Advice all disagreed with the proposal.

Hastoe Housing Association said "Our own lettings policy allows some flexibility over bedroom allocation. For example, we would allow a single applicant, or applicants living as a couple with two children of opposite sex under 10 to occupy either a 2 or a 3 bedroom

property. We also allow under occupation by one bedroom in rural areas to meet local connection requirements”

Middlemarch said “Please make an exception for rural properties where local connection criteria apply. Allowing occupation of these properties with one spare bedroom assists the allocation of these homes to someone with a local connection because the numbers involved in supply and demand are relatively small and full occupation is not always possible. In addition, households are able to grow into their homes rather than seek larger accommodation which, due to the very low level of supply in rural communities, is rarely available at the right time.”

Bridport and District Citizens Advice said “We would wish to see a more flexible approach taken and consideration of blended households and families which do not fit the standard family unit.”

Q13. As you disagree what particular part(s) do you not agree with and why? 110 people responded to this question. The concerns were wide and varied and generally appeared dependent on people’s circumstances. The table below shows the main themes coming through. The top five issues raised were:

- One bedroom not always suitable for all couples as have medical needs
- Size of rooms in modern housing too small
- Children with special needs/disability need own room
- Upper age limit of 10 needs lowering
- Helpers/carers need a room to stay in

The concerns about couples needing to sleep apart due to health reasons and the need to have space for a carer were the main concern for quite a few respondents. The full comments are available in the appendix.

Issue	mentions
One bedroom not always suitable for all couples as have medical needs	21
Size of rooms in modern housing too small	9
Children with special needs/disability need own room	8
Upper age limit of 10 needs lowering	8
Helpers/carers need a room to stay in	7
Same sex can't always share	6
Issue over parents who have custody/occasional staying visits from children	5
No under occupancy	4
Age issues as kids grow and create need to move... Futureproof	4
Single applicants need more than bedsits	3
Couple should be given option of two bedrooms	3
Family of 4 need 3 beds	3
Other	3
Be more flexible	3
Have no restrictions	3
Singles need space too	3
One bedroom often too small	2
Two beds not suitable for 2 adults and two kids	2
Age of puberty	2

Foster children by law must have their own room	2
Singles should not get/keep 2 bed properties	2
Singles should get 2 beds	2
Kids need space	2
Five kids can manage with less bedrooms	1
Have 4 kids and only qualify for 3 beds	1
Same sex children can share	1
Feels wrong	1
Can choose size if can afford it	1
mum and child need 2 beds	1
Age gap affects sharing	1
Seems to reward large families	1
In rural areas accept under occupancy to allow local connections	1
Need space to run business/work from home	1
Restrict singles more	1
Age 16 should be lowered	1
Rules create overcrowding	1

Sample Comments

"You do not class a couple living in a cramped studio apartment as being overcrowded or lacking a bedroom. My wife and I, living in a small studio flat, Have challenged this and been told "you and your wife do not meet the criteria for overcrowding". This has resulted in our having to live apart."

"We would wish to see a more flexible approach taken and consideration of blended households and families which do not fit the standard family unit"

"We have been assessed as one bedroom. We have two where we are and there isn't enough room for my husband to mobilise safely. This assessment should consider for options such as equipment, medical supplies and the fact that we don't get adequate rest as my husband is up and down all night and disturbs me crying with the pain in his legs. He needs room to consider for wheelchair as if we had adequate room he could use a pair of wheels now to get around on to take pressure off his legs."

"There is too much focus on bedroom entitlement (number of bedrooms) and not space standards as per the housing act 1985 part X. An example of this is our current property where a child of 5 is expected to share a bedroom with a 1.5 year old that can only fit a single bed with no furniture. This entitlement needs to take space regulation in to consideration instead of just age and sex."

"The upper age of 16, this needs to be lowered."

"The age bands are very high for same sex children. Why shouldn't they be allowed their own private space! Also in modern homes now room sizes are extremely small and cramped! Not ideal to share!"

"Please take into account the space people use to work / run a business. E.G. a single person with no children may still need their 2 bed property, if 1 of the bedrooms is used to run their business / work from home / freelance - i.e. to support themselves financially. More and more people will be working from home in the near and longer term future."

"My wife and myself have to sleep in separate bedrooms as I suffer with Sleep Apnoea and have to wear a face mask every night which is noisy and keeps her awake!"

“Medical needs - some clients I have worked with Need to separately sleep from their partners / carers. However there is little latitude to allow for this when helping with an Occupational Therapy Functional Needs Housing Report. The definition for Bedroom needs is often too onerous and does not allow for this medical need”

“I am an elderly tenant with various disabilities. Often I have a friend or a son staying with me when not well. I am still waiting for social housing 1 bedroom but hope to get a 2 bed so there is no problem for a helper to stay over. Also cheaper then nursing staff home visiting”

“As a family with 4 children (2 boys (6 & 10), 2 girls (14 & 8)), we would only be entitled to apply for a three bedroom home. Quite clearly although they are able to share a bedroom, the emotional strain due to age difference is not taken into account.”

“2 bedroom should be made available to couples where for medical reasons (proof from doctor) separate rooms are necessary i.e. where one partner has cancer or similar illness - to ensure the other has good sleeping conditions to enable prolonged care giving thereby reducing pressure on the NHS.”

“applicants as a couple should be allowed a 2-bedroom property”

Rural Properties

The availability of private housing in Dorset is restricted by high house prices, high numbers of second homes and a low wage economy. As a significant proportion of social housing in Dorset is rural, the policy aims to sustain these rural communities by giving local people in housing need priority for these properties and reducing reliance on new social housing developments. The policy aims to create mixed and balanced communities and manage the register for all those in housing need. We are **proposing to allocate 75% of rural properties to those who meet the local connection criteria** detailed in the Homechoice Dorset policy.:

Below is the list of villages that meet the criteria in Dorset.

Village List

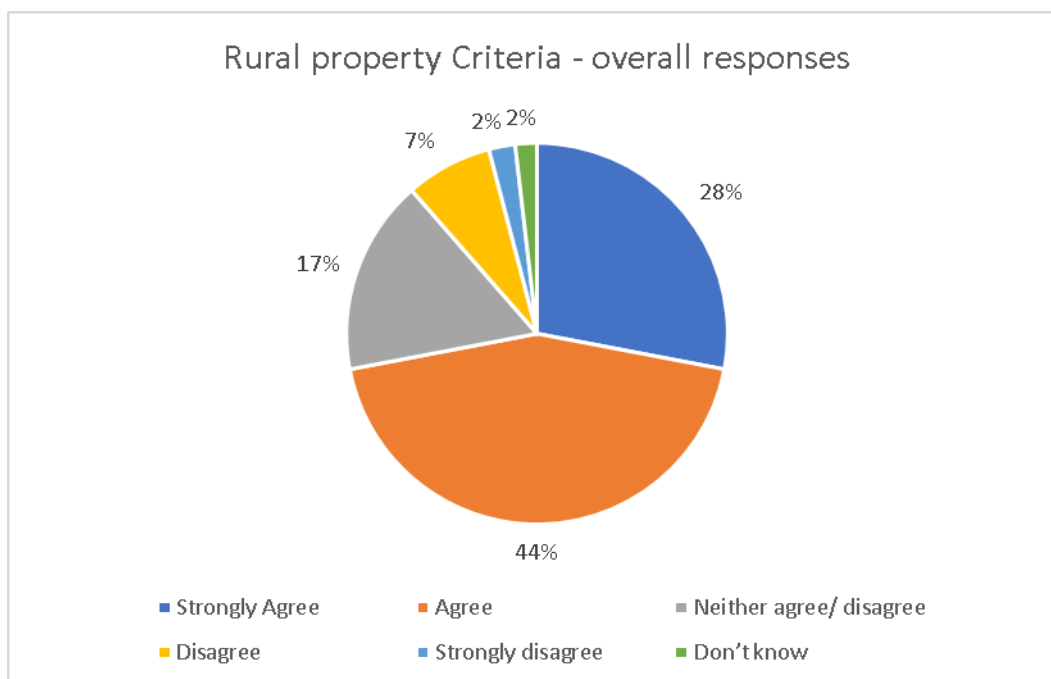
- Abbotsbury, Affpuddle, Alderholt, Allington, Alton Pancras, Anderson, Arne, Ashmore, Askerswell, Athelhampton
- Batcombe, Beaminster, Beer Hackett, Bere Regis, Bettiscombe, Bincombe, Bishop's Caundle, Blandford St Mary, Bloxworth, Bothenhampton, Bourton, Bradford Abbas, Bradford Peverell, Broadmayne, Broadwindsor, Bryanston, Buckhorn Weston, Buckland Newton, Burleston, Burstock, Burton Bradstock, Burton
- Cann, Castleton, Catherston Leweston, Cattistock, Caundle Marsh, Cerne Abbas, Chalbury, Chaldon Herring, Charlton Marshall, Charminster, Charmouth, Chedington, Cheselbourne, Chetnole, Chettle, Chideock, Child Okeford, Chilcombe, Compton Valence, Chilfrome, Church Knowle, Clifton Maybank, Compton Abbas, Coombe Keynes, Corfe Castle, Corscombe, Cranborne, Crossways
- Dewlish, Durweston
- East Chelborough, East Holme, East Lulworth, East Orchard, East Stoke, East Stour, Edmondsham, Evershot
- Farnham, Fifehead Magdalene, Fifehead Neville, Fleet, Folke, Fontmell Magna, Frampton, Frome St Quintin, Frome Vauchurch
- Glanvilles Wootton, Goathill, Godmanstone, Gussage All Saints, Gussage St Michael
- Halstock, Hammoon, Hanford, Haydon, Hazelbury Bryan, Hermitage, Hilfield, Hilton, Hinton Martell, Hinton Parva, Hinton St Mary, Holnest, Holt, Holwell, Hooke, Horton, Hurn
- Ibberton, Iwerne Courtney or Shroton, Iwerne Minster, Iwerne Stepleton
- Kimmeridge, Kingston Russell, Kington Magna
- Langton Herring, Langton Long Blandford, Langton Matravers, Leigh, Leweston, Lillington, Littlebredy, Litton Cheney, Loders, Long Bredy, Long Crichel, Longburton, Lydlinch, Lytchett Matravers
- Maiden Newton, Manston, Mapperton, Mappowder, Margaret Marsh, Marnhull, Marshwood, Melbury Abbas, Melbury Bubb, Melbury Osmond, Melbury Sampford, Melcombe Horsey, Milborne St Andrew, Milton Abbas, Minterne Magna, Moor Crichel, Morden, Moreton, Mosterton, Motcombe
- Nether Cerne, Nether Compton, Netherbury, North Poorton, North Wootton
- Osborne, Okeford Fitzpaine, Osmington, Over Compton, Owermoigne

- Pamphill, Pentridge, Piddlehinton, Piddletrenthide, Pilsdon, Pimperne, Portesham, Portland, Powerstock, Poxwell, Poyntington, Puddletown, Pulham, Puncknowle, Purse Caundle
- Rampisham, Ryme Intrinseca
- Sandford Orcas, Seaborough, Shapwick, Shillingstone, Shipton Gorge, Silton, Sixpenny Handley, South Perrott, Spetisbury, Stalbridge, Stanton St Gabriel, Steeple, Stinsford, Stockwood, Stoke Abbott, Stoke Wake, Stour Provost, Stourpaine, Stourton Caundle, Stratton, Studland, Sturminster Marshall, Sturminster Newton, Sutton Waldron, Swyre, Sydling St Nicholas, Symondsburys
- Tarrant Crawford, Tarrant Gunville, Tarrant Hinton, Tarrant Keyneston, Tarrant Launceston, Tarrant Monkton, Tarrant Rawston, Tarrant Rushton, Thorncombe, Thornford, Tincleton, Todber, Toller Fratrum, Toller Porcorum, Tolpuddle, Trent, Turners Puddle, Turnworth, Tyneham
- Up Cerne
- Wareham St Martin, Warmwell, West Chelborough, West Compton, West Knighton, West Lulworth, West Orchard, West Stafford, West Stour, Whitcombe, Whitchurch Canoniconum, Wimborne St Giles, Winfrith Newburgh, Winterborne Came, Winterborne Clenston, Winterborne Herringston, Winterborne Houghton, Winterborne Kingston, Winterborne Monkton, Winterborne St Martin, Winterborne Stickland, Winterborne Whitechurch, Winterborne Zelston, Winterbourne Abbas, Winterbourne Steepleton, Witchampton, Woodlands, Woodsford, Wool, Wolland, Wootton Fitzpaine, Worth Matravers, Wraxall, Wynford Eagle
- Yetminster

Q. Do you agree with the rural property criteria?

Overall responses	Strongly Agree	Agree	Neither agree/disagree	Disagree	Strongly disagree	Don't know
Number	213	335	126	56	17	14
% of all who responded	28.0%	44.0%	16.6%	7.4%	2.2%	1.8%

Overall there was strong agreement to the rural property criteria proposed with 72.0% either agreeing or strongly agreeing. This compares to only 9.6% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 62.4, where zero would be an equal amount of people supporting and opposing. 17% of respondents neither agreed nor disagreed with the rural property criteria.



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Christchurch and East (on register)	82%	7%	76
Social Tenants	75%	7%	68
Private Tenants	73%	8%	65
Disabled	73%	9%	64
Dorset Homechoice (on register)	70%	8%	62
Forces	72%	14%	57
Owner Occupiers	73%	16%	56

Looking at responses from different groups there are variations. The table above show net agreement for all the groups. In all groups there seems to be support for the proposals with all returning positive agreement, with at least two out of three of all respondent groups either supporting or strongly supporting the criteria. The strongest support comes people on the housing register with Christchurch and East and the least support from disabled. A high 28%of respondents strongly agreed with this criteria, the highest of all the questions. This is shown on the table above.

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Citizens Advice (Central Dorset), Hastoe Housing Association Middlemarch, and Bridport and District Citizens Advice Centre all agreed/strongly agreed with this proposal.

Stonewater and Dorchester Municipal Charities neither agreed nor disagreed. No organisations disagreed with the proposal and there were no specific comments.

Q15. As you disagree what particular part(s) do you not agree with and why? 72 people responded to this question. The concerns were wide and varied and generally appeared dependent on people's circumstances. Most concerns were that the policy didn't go far enough to local people had a good opportunity to get a property. There were quite a few concerns about the problems of rural living and the difficulties over public transport and other facilities. There were some who felt need should always come before local connection. The full range of comments are available in the appendix and a summary of issues provided here.

Issue	mentions
Should be 100% not 75%	15
Policy does not work due to problems of rurality and lack of facilities like transport	9
Other (non-related to question)	8
Need is better than local connection	7
Should be 80% or higher with local connection	4
Needs some flexibility	4
probably agree with proposals in some way	3
The local connection needs to include wider family/friends etc	2
New properties should go to existing good tenants	2
50% would be better to let others in	2
Should be village focused not wider area	2
All Dorset should be local connection - not just rural	2
It The policy won't work	1
New properties should be 100% too	1
A gold should always take priority over bronze with a LC	1
Towns should be protected more too	1
Town people often don't fit in rural areas	1
Could lead to under occupancy in rural properties	1
Too many people don't have local connections	1
New people moving into rural areas bring social benefits	1
Antiquated policy	1
Funding only for outsiders to move in	1
Don't include Corfe Mullen	1
What does local connection really mean - born but moved away is still local	1
If you are not local this policy gives little chance of getting a property	1
Affordable rent high compared to social rent	1
People get stuck in villages	1
Not fair on urban people	1
Support older people in rural living	1

Sample Comments

"I think it should just stay as who comes up highest on the banding. Housing needs are desperate and I don't think for example a silver or bronze applicant should come up higher than a gold just because of a local connection to the area."

"I was allocated a house in Corfe Castle, I would have preferred to be in an area with more facilities for my teenage children and public transport, we all feel rather cut off."

"100% of these properties should be allocated to people with a proven local connection and housing need...not 75%"

"There is a lot of properties in rural areas that we have family members living in but are not parents or siblings. They our aunts/uncles or grandparents"

"We could be a perfectly suitable family for a rural property and definitely have a housing need for the size of property but because we have no local rural connection we will miss out and feel limited to where our local area connection is even though it may only be a few miles down the road, makes no sense when we are a homeless full duty family and limits us to where there is a shortage of housing when I thought the whole point of opening the councils in Dorset up to the different areas/councils was to make it fair and easier to bid on properties a little further afield and actually feel hopeful you have a chance of getting it"

"You don't need this policy criteria to achieve the aim, you can achieve sustainable rural communities by giving opportunity to Dorset residents to embrace neighbouring communities - this is too antiquated in policy"

"Rural properties should be 100 percent local connection widening out to adjacent villages"

"People need housing regardless of where they had the privilege of being born it's not fair otherwise on those in need who were born outside of rural areas and it reduces social mobility"

Homelessness

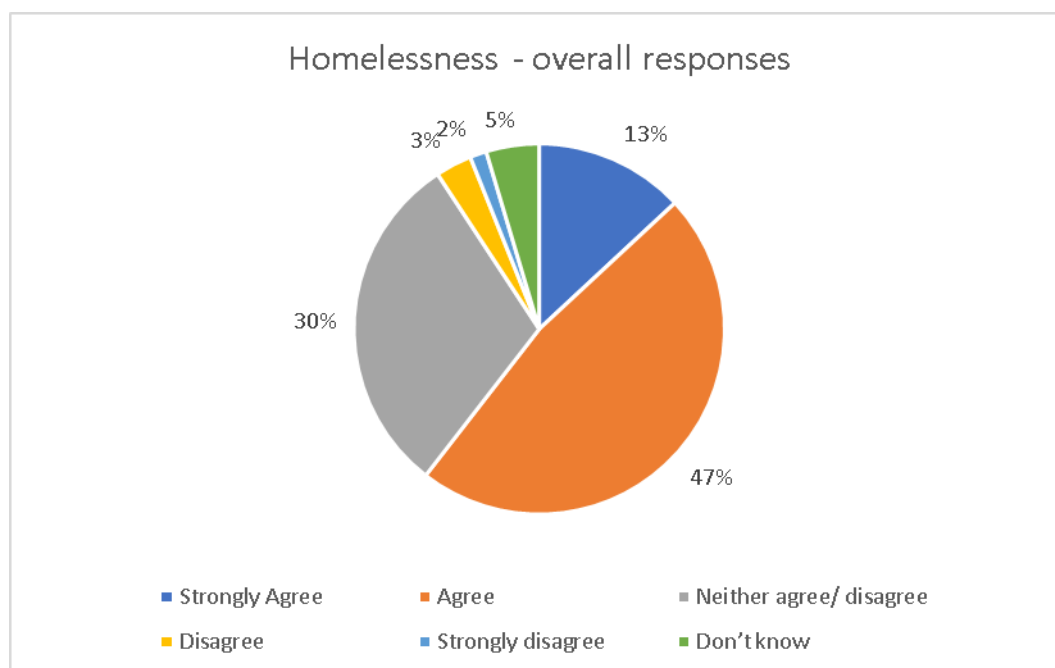
The Homelessness Reduction Act 2017 introduced new duties for the council to prevent or relieve homelessness. We propose to harmonise the variations in the way homelessness applicants are supported on the housing register. That includes:

- ~ Qualification exception
- ~ Financial resources
- ~ Deliberately worsening circumstances
- ~ Banding
- ~ Bidding
- ~ Lettings outside of the scheme

Q. Do you agree?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	99	359	229	24	11	35
% of all who responded	13.1%	47.4%	30.3%	3.2%	1.5%	4.6%

Overall there was strong agreement to the homelessness criteria proposed with 60.5% either agreeing or strongly agreeing. This compares to only 4.7% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 55.8, where zero would be an equal amount of people supporting and opposing. 30% of respondents neither agreed nor disagreed with the harmonisation of the homelessness criteria.



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Forces	66%	3%	63
Disabled	63%	4%	59
Social Tenants	61%	4%	57
Private Tenants	60%	4%	56
Dorset Homechoice (on register)	61%	5%	56
Christchurch and East (on register)	62%	7%	55
Owner Occupiers	61%	5%	56

Looking at responses from different groups there are variations. The table above shows net agreement for all the groups. In all groups there seems to be support for the proposals with all returning positive agreement, with nearly two out of three of all respondents in these groups either supporting or strongly supporting the criteria. The strongest support comes people in the forces and the least support from owner occupiers. This is shown on the table above.

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Citizens Advice (Central Dorset), Stonewater, Middlemarch, Stonewater and Dorchester Municipal Charities all agreed/strongly agreed with this proposal.

Hastoe Housing Association & Bridport and District Citizens Advice neither agreed nor disagreed. No organisations disagreed. There were no specific comments on this proposal.

Q17. As you disagree what particular part(s) do you not agree with and why? 31 people responded to this question. The concerns were wide and varied and generally appeared dependent on people's circumstances. The concerns had no particular theme but a summary is provided below. The full comments are available in the appendix.

Issue	mentions
many homeless people are not actually without a home/queue jumping	3
Local connection is important with homeless people	2
Problem caused by selling housing stock	1
Single males get a poor deal	1
Overcrowding is an issue	1
Banding and bidding is unfair	1
Homeless drug and alcohol users affect residents	1
Many "hidden" situations of homelessness not understood	1
Getting on the Register in the first place is the issue	1
Financial resources shouldn't affect support	1
Special needs/distribution should be more important than homelessness	1
Need temporary accommodation for homeless people	1
Homelessness doesn't help getting a house	1
Homeless people should go to the top of the list	1
Deliberately homeless - should not be considered	1

Drink and drugs problem shouldn't jump list	1
If people don't contribute, they shouldn't get priority	1
Most homeless need help	1
Too many categories	1
Qualification should be the same for everyone	1
One offer policy is not good	1
Temporary accommodation is poor	1
Current tenants under occupy houses	1

Sample comments

"After being homeless for 12 months with a young child and been forced to rent privately because I didn't want to go into a flat. If you never started to sell the housing stock to rich outsiders for second homes there would never really of been a problem. For instance long term rental of an ex council house in Dorchester 3 beds with parking £1200 per month !!"

"Deliberately worsening circumstances needs to be described as an exemption rather than a presumption, there are a number of mental and physical health conditions (such as Autism, Obsessive Compulsive Disorder, Asthma (cleaning product triggers) and Arthritis) that are poorly understood in the Dorset area due to a lack of expertise and services but do affect a person's ability to cope living in 'hidden' situations where there is existing mould in properties, irregular neighbourly noise, fluctuating crime rates and fluctuations of health conditions that can be missed due to the lack of services."

"If someone homeless they should be put temporarily housing till housing is available, I find if you have alcohol problems or drugs people get it straight away but if you're working and have no medical problems you told there's no hope why is that everyone should have the same rights as everyone and be equal."

"They should have a local connection, if not then they should return to the council of origin."

"Some homeless are claiming as single but then gaining properties so working partner can move in. Obviously not being declared"

"Qualification exception The rules should apply equally to all. This appears to be a dossers charter to a free home by the sea."

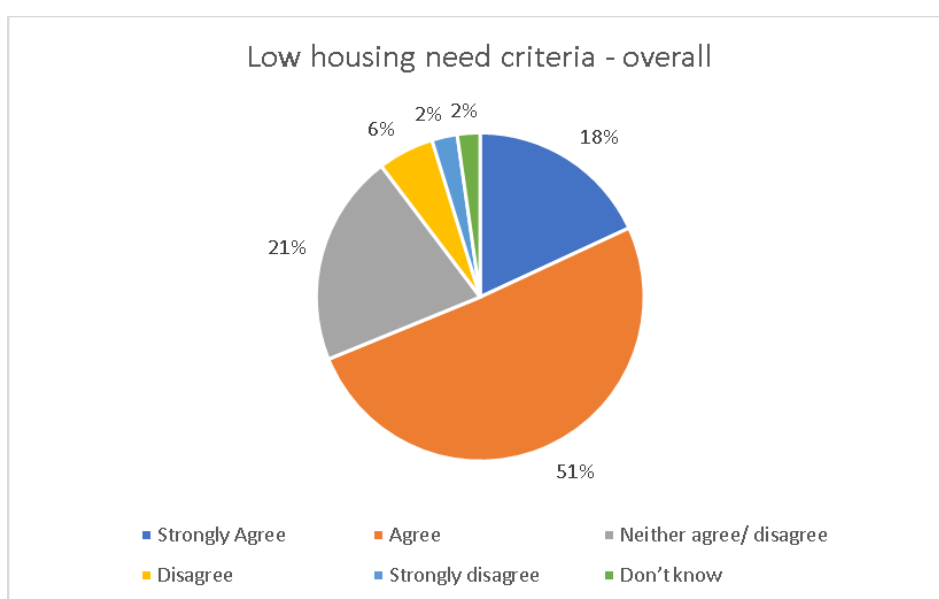
Low Housing Need

Residents applying who live in a property that is adequate for their needs in terms of size and facilities may have been unable to register according to some previous policies. We propose to harmonise this providing applicants meet the eligibility and qualification criteria. Because the demand for social housing is much higher than the numbers of properties available these applicants have limited opportunity to be offered suitable housing. However, on occasion we may be able consider them for properties that otherwise are hard to let. In addition, new housing developments are best supported when we understand the housing need in the area and we will refer to the housing register for that information.:

Q. Do you agree with the Low Housing Need banding criteria?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	137	384	158	42	19	17
% of all who responded	18.1%	50.9%	20.7%	5.6%	2.5%	2.3%

Overall there was strong agreement to the rural property criteria proposed with 69.0% either agreeing or strongly agreeing. This compares to only 8.1% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 60.9, where zero would be an equal amount of people supporting and opposing. 21% of respondents neither agreed nor disagreed with the low housing need banding criteria.



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Owner Occupiers	79%	6%	73
Christchurch and East (on register)	72%	3%	69
Disabled	73%	4%	69
Forces	74%	6%	68
Social Tenants	70%	7%	63
Private Tenants	68%	8%	60
Dorset Homechoice (on register)	66%	8%	58

Looking at responses from different groups there are variations. The table above shows net agreement for all the groups. In all groups there seems to be support for the proposals with all returning positive agreement, with nearly three out of four of all respondents in these groups either supporting or strongly supporting the criteria. The strongest support comes people who are owner occupiers the least support from people on the Dorset Homechoice register. This is shown on the table above.

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Hastoe Housing Association, Citizens Advice (Central Dorset), Stonewater and Dorchester Municipal Charities all agreed/strongly agreed with this proposal. Bridport and District Citizens Advice neither agreed nor disagreed with this proposal

Middlemarch had some concerns. They said “

I don't disagree so much as have a question. Will it be possible for households currently occupying expensive private rented accommodation to be registered in Band D. This is assuming that the private rented accommodation is in good repair and a suitable size but where the applicant would be paying >35% of their gross income in housing costs. This appears to be possible under the examples given by a) and b) in Band D: "for example they require: a) a Community Land Trust property b) independent affordable accommodation" People catered for by CLT projects are often in this position: desperate to stay within the support networks provided by their communities and forced into unaffordable private rented accommodation to try to do so.”

Q19. As you disagree what particular part(s) do you not agree with and why? 31 people responded to this question. The concerns were wide and varied and generally appeared dependent on people's circumstances. The main theme was that everyone should have the same right to appropriate housing. There were concerns about the criteria which put people in the low housing need category. On the other hand, there were a number of comments about if the property was adequate they don't need to move and don't need to be on the register. A summary of the comments is available below and the full comments in the appendix.

Issue	mentions
Everyone should have the same right to appropriate housing	9
Low housing need criteria difficult	5
If property is adequate let them stay put	5
High private rents are creating problems and housing need	4
Low housing need shouldn't be on the register	3
Other	3
Not good for older people to be homeless/in housing need	2
Higher banding should always trump others like this	2
Appropriate individual assessment is necessary	2
Abuse is not classed as need	1
In this case all needs are met and just adds to pressure on register	1
Adequate doesn't always mean suitable	1
Need more accommodation	1
Hard to let only	1
Does hard to let really exist	1
Does affordability put people into low housing need	1
Should first be offered to those who can pay rent	1
Ageist policy	1
Need to improve hard to let properties	1
Need to be flexible	1
Should help low housing need people straight away	1
problem for young people	1

Sample Comments

"As there needs are met and the situation the housing is in at the moment this should not be an option, no added pressure needed. I don't think there would be many cases of hard to let you could use them for temp accommodation."

"because some people may be living in a property that is adequate but it is not always suitable for their means if it is privately rented"

"Being on low housing need band makes it impossible for the elderly to find a permanent home in their old age - makes one very insecure knowing that a private landlord can evict you at any time on 2 months notice and being faced with homelessness in old age is very daunting."

"Because you may consider it low medical need but others with the "needs" and problems may think otherwise".

“Everyone has a right to social housing, just because they don't meet some particular criteria shouldn't mean they are not as eligible”

“I disagree because you are leaving people who you deem low housing need with the houses that are hard to let so they will most likely be in a bad state or too difficult to get to. I feel everyone on the list should have a chance at getting a home where they desire so that they are happy and more likely to stay where they are and not re-register or ask to be moved.”

“I disagree with having a band when the people in it have virtually no chance of having a property when they still have a need.”

“I don't think people with a low housing need should be on the housing register, unless they have a reason for wanting to move linked to low health or harassment needs. If they don't like their accommodation and want to better their circumstances, they should work towards this themselves, instead of adding extra burden to the housing service.”

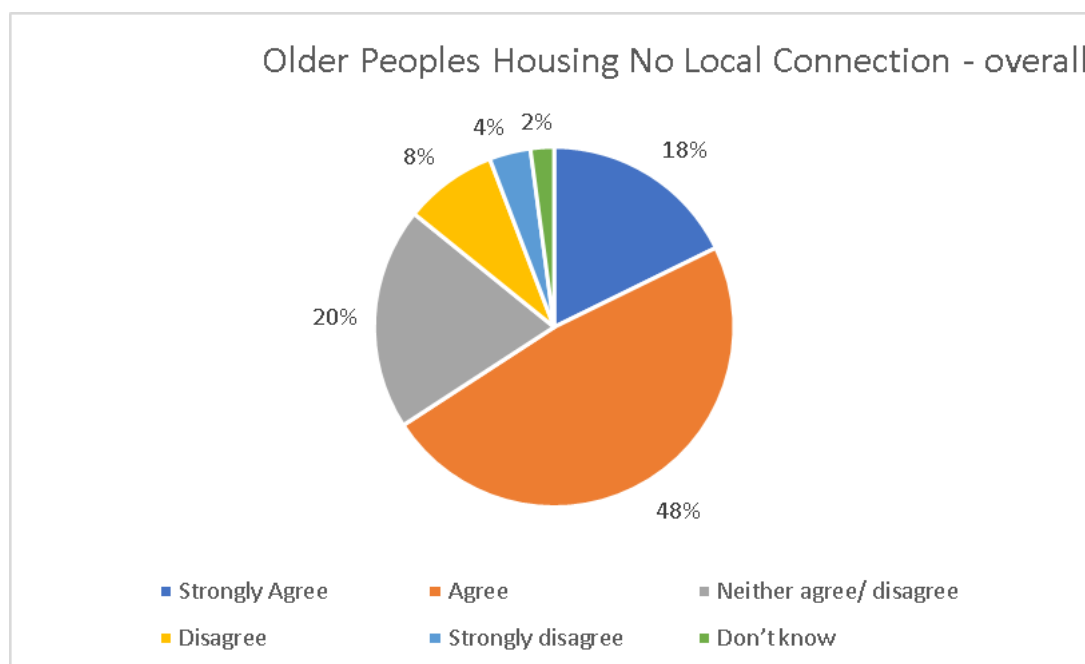
Older Peoples Housing No Local Connection

Some residents were unable to register for older peoples housing if they didn't have a local connection. We propose to harmonise this so that households eligible for housing for older persons and who are deemed to have no local connection, may be considered for difficult to let older people's housing. Households in this band will be able to bid for properties, but their bids will only be considered after all bids from households who do meet the local connection requirements have been dealt with in the same band.

Q. Do you agree with the Older Peoples Housing No Local Connection criteria?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	134	363	151	63	28	16
% of all who responded	17.7%	48.1%	20.0%	8.3%	3.7%	2.1%

Overall there was strong agreement to the Older Peoples Housing No Local Connection criteria proposed with 65.8% either agreeing or strongly agreeing. This compares to only 12.0% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 53.8, where zero would be an equal amount of people supporting and opposing. 20% of respondents neither agreed nor disagreed with criteria.



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Disabled	70%	10%	61
Owner Occupiers	70%	15%	56
Dorset Homechoice (on register)	65%	11%	54
Social Tenants	67%	13%	53
Private Tenants	63%	14%	49
Forces	65%	18%	47
Christchurch and East (on register)	52%	14%	38

Looking at responses from different groups there are variations. Net agreement is generally lower than most previous questions but is still positive net agreement from all groups. The table above shows net agreement for all the groups. In all groups there seems to be support for the proposals with all returning positive agreement, with nearly two thirds of all respondents in these groups either supporting or strongly supporting the criteria. The strongest support comes people who are disabled, and the least support from people on the Christchurch and East register. This is shown on the table above.

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Hastoe Housing Association, Citizens Advice(Central Dorset) and Dorchester Municipal Charities all agreed/strongly agreed with this proposal. Middlemarch neither agreed nor disagreed. Bridport and District Citizens Advice disagreed with the proposal. Bridport and District Citizens Advice said "If a property is difficult to let, then the matter should be addressed as to why and corrective action taken. Local households are greatly disadvantaged with regard to accessing social housing. However, if the property is purpose build for older households then the criteria as outlined above may be appropriate."

Q.21 As you disagree what particular part(s) do you not agree with and why? 80 people responded to this question. The concerns were wide and varied and generally appeared dependent on people's circumstances

Issue	Mentions
Keep local connection meaning just that local only	30
Offer housing to younger people with a local connection	8
Sheltered housing shouldn't be age related but need related	6
Not a good idea to import older people into area as they need services etc	5
Should be based on time on list so you move up	3
Are there really properties that are hard to let	3
People "seasiding"	3
More old people means more demand so keep local	3
No queue jumping	2
What about young disabled people	2
Don't agree with local connection	2
Shouldn't be treated different by age	1
Treat older people better	1
Should previously not been home owners outside the area	1

Local connection still doesn't help	1
Should be flexible	1
Difficult to get into Weymouth anyway	1
Re-house older people to release larger houses	1
Disruptive moving from elsewhere	1
Problem with local connection area	1
Does this work?	1
Don't mix generations	1
Swaps ok otherwise not	1

Sample Comments

"As we have such a massive housing issue in this area I do not feel it is appropriate for people outside the area with no local connections to move here. Weymouth is well known as a retirement area and as such puts a huge strain on Council resources in all areas. The housing that is not taken by an older person should then be offered to more single people aged 50 plus."

"Could these properties not be let to other people in need with a local connection rather than people from outside the area?"

"I don't feel that just because someone is old that they should get a house even if they don't have a local connection. I've had a local connection to Swanage all my life. Lived here most of my life. Overcrowded and on the housing list for the last 2 years and not been offered anything."

"I think it could become appealing to older people who want to retire in a coastal seaside area to actually move to Dorset to seek Social housing and get on the housing list, they will then be able to go to their doctor if they have age-related medical conditions and use it as a way of prioritising over families who have a local connection and take our homes that are already in a shortage. We will end up with more population and a bigger shortage of housing in the future."

"I think the difficult to let housing for older people should be considered for others (not elderly) with local connections first before offering to those without local connections"

"Do consider younger disabled people first - there is a lot of housing that is 55 + but you can be disabled at any age."

"There will always be a need from local people, no need to open to others"

"Would it not be better to offer these properties for 'older residents' to younger applicants, especially if the6 have a local connection There are residents with school age children in housing (BUNGALOWS) designed for 'older residents Thorncombe already"

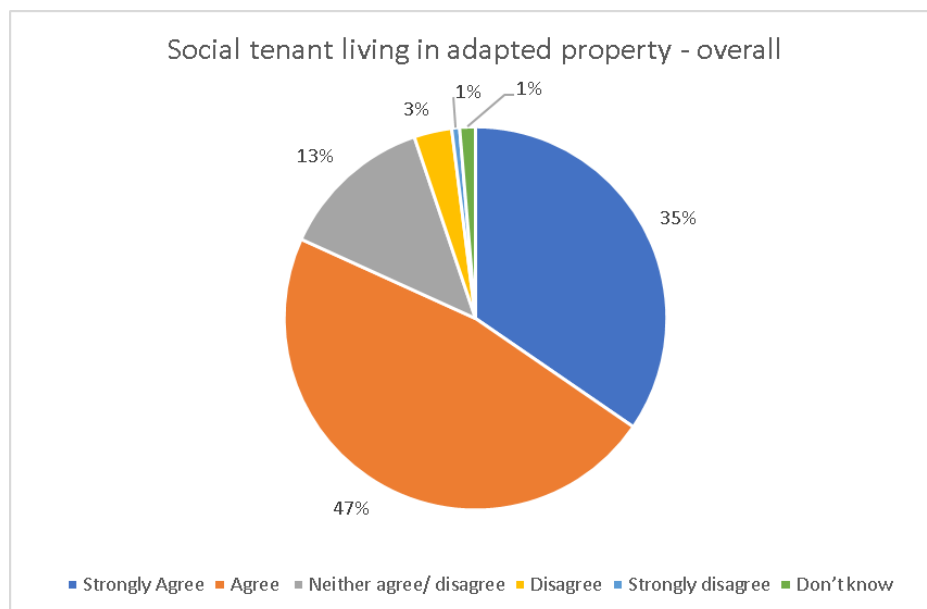
Social tenant living in an adapted property

We propose to introduce prioritisation criteria for social tenants who live in an adapted property with extensive adaptations that are no longer required by either the applicant or a member of their household. This encourages applicants to move to suitable alternative accommodation and increases the availability of properties already adapted for those who are most in need.

Q. Do you agree with the social tenant living in an adapted property criteria?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	260	355	98	24	5	10
% of all who responded	34.6%	47.2%	13.0%	3.2%	0.7%	1.3%

Overall there was strong agreement to the social tenant living in an adapted property criteria proposed with 81.8% either agreeing or strongly agreeing. This compares to only 3.9% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 77.9, where zero would be an equal amount of people supporting and opposing. 13% of respondents neither agreed nor disagreed with criteria.



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Forces	86%	0%	86
Disabled	87%	3%	83
Social Tenants	86%	3%	82
Private Tenants	81%	3%	78
Dorset Homechoice (on register)	80%	4%	76
Christchurch and East (on register)	76%	3%	72
Owner Occupiers	67%	4%	63

Looking at responses from different groups there are variations. The table above shows strong net agreement for all the groups. In all groups there seems to be strong support for the proposals with all returning positive agreement, with around 8 out of 10 of all respondents in these groups either supporting or strongly supporting the criteria. The strongest support comes people who are in the forces, and the least support from owner occupiers. This is shown on the table above.

Organisational views and comments on these criteria

Bridport Cohousing, Places for People, Hastoe Housing Association, Citizens Advice (Central Dorset) and Dorchester Municipal Charities all agree/ strongly agree with these proposals. Middlemarch and Bridport & District Citizens Advice had some concerns.

Middlemarch said “Please allow some discretion for those living in rural communities where the alternative accommodation would mean a move away”

Bridport & District Citizens Advice said “Whilst we don't disagree in principle as the need for adapted accommodation is great, however if an able bodied person is living alone in adapted premises it suggests that there has been a change of circumstances including bereavement. Significant sensitivity needs to be applied in these cases.”

Q. As you disagree what particular part(s) do you not agree with and why? 25 people responded to this question. Many responses were about the principle of people moving for adaptations rather than whether the benefits of people moving would justify them getting preferential treatment on the housing register. The issues raised are listed below.

Issue	mentions
Treat disabled people kindly and with sensitivity	6
Don't coerce people to move	6
Good idea if adaptations are not needed	5
Should consider personal circumstances	5
Should be allowed to stay	2
What counts as extensive adaptations?	1
Other ways to move people	1
Might have to move to new area	1

Example comments

"I'm not sure I fully understand the proposal, but if it means someone will have to or be made to feel they have to move out of a house they have lived in for a long time and made a home of, I think it would be wrong to make them move out just because there are facilities they don't need. It's their home first. If someone wants to move and they are just being helped to do so, then that is ok."

"It depends how this is implemented. If a sufficient amount of time is granted for existing tenants to overcome bereavement before pressure to move is placed on them, then ok. People may have lived somewhere for considerable periods or have cared for disabled relatives or children in a home that they have deep personal connections to. As long as they are given adequate time to adjust, not booted out while grieving."

"These properties are a persons home they may have built up local support networks with neighbours, friends and should not have to move just because there needs have changed."

"where is the definition of 'extensive adaptations'? example, taps, walk-in shower, ramps, wider doors, and is sheltered included among those properties where a care-line service is installed?"

"This makes sense, I agree on need to save money for adapted property. What would be the impact on children in school?"

"Personal circumstances should be considered"

"I know of at least one person who is living in a sheltered housing bungalow who does not need and adapted property at all so why does this happen?"

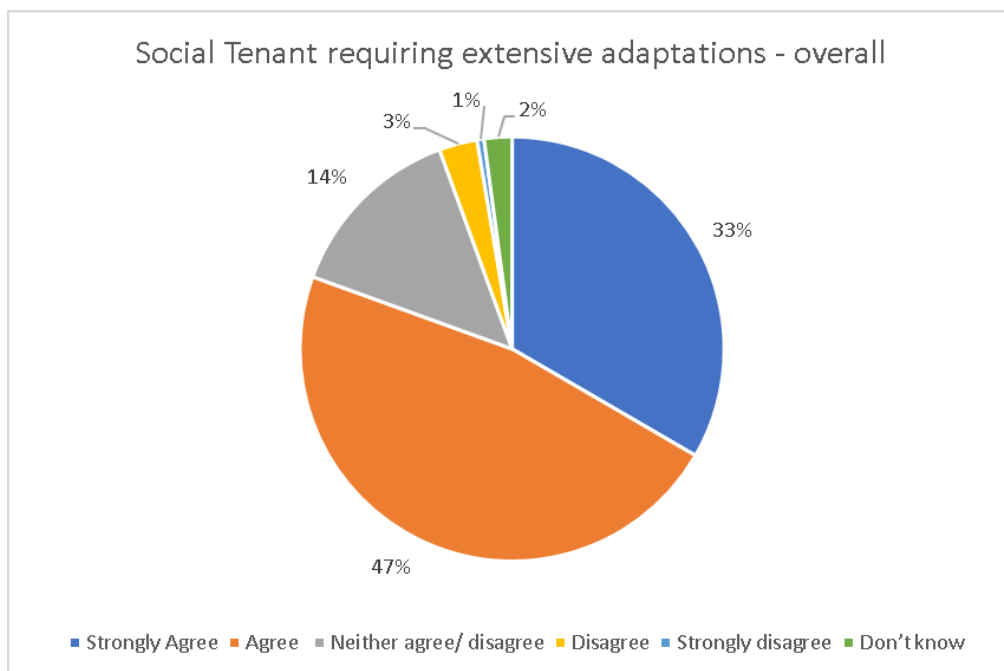
Social tenant requiring extensive adaptations

We propose to introduce prioritisation criteria for social tenants or members of their household who require extensive adaptations and who are prepared to move to a property with such adaptations rather than having them done in their current home. This will improve the availability of general needs accommodation.

Q. Do you agree with social tenant requiring extensive adaptations criteria?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	252	356	105	22	4	16
% of all who responded	33.4%	47.2%	13.9%	2.9%	0.5%	2.1%

Overall there was strong agreement to the social tenant requiring extensive adaptations criteria proposed with 80.6% either agreeing or strongly agreeing. This compares to only 3.4% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 77.2, where zero would be an equal amount of people supporting and opposing. 14% of respondents neither agreed nor disagreed with criteria.



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Owner Occupiers	89%	3%	86
Forces	89%	3%	86
Disabled	86%	4%	82
Social Tenants	86%	3%	82
Private Tenants	81%	3%	79
Dorset Homechoice (on register)	78%	3%	75
Christchurch and East (on register)	69%	7%	62

Looking at responses from different groups there are variations. In all groups there seems to be strong support for the proposals with all returning positive agreement, with around 8 out of 10 of all respondents in these groups either supporting or strongly supporting the criteria. The strongest support comes people who are owner occupiers, and the least support from those on the register for Christchurch and East. This is shown on the table above.

Organisational views and comments on these criteria

Places for People, Hastoe Housing Association, Citizens Advice(Central Dorset), Stonewater, Bridport and District Citizens Advice all agreed/strongly agreed this proposal. .Bridport Co-housing neither agreed/disagreed. Middlemarch and Bridport & District Citizens Advice both disagreed with the proposal. Middlemarch said "Please allow some discretion for those living in rural communities where the alternative accommodation would mean a move away". Bridport & District Citizens Advice said "If a household is happy with the move then this is fine, but for many people their home is a place of sanctity and safety and at times of need such as illness or disability, the disruption of moving home may not be in their best interest. The council must view the dwelling as the persons home not as housing stock."

Q25. As you disagree what particular part(s) do you not agree with and why? 25 people responded to this question. Many responses were about the principle of people moving for adaptations rather than whether the benefits of people moving would justify them getting preferential treatment on the housing register. The issues raised are listed below.

Issue	mentions
People live in a home and should be allowed to stay there	6
Too stressful moving	6
Tenant should have the choice to stay or move	6
Should do adaptations to existing house if possible	3
Should be done on an individual basis	2
Need to move to an urban area for better care and support network	2
Too costly for people to move	1
Maybe move for major adaptations	1
Might have to move to new area	1

Sample comments

"I'm not sure I fully understand the proposal, but if it means someone will have to or be made to feel they have to move out of a house they have lived in for a long time and made a home of, I think it would be wrong to make them move out just because there are facilities they don't need. It's their home first. If someone wants to move and they are just being helped to do so, then that is ok."

"Please allow some discretion for those living in rural communities where the alternative accommodation would mean a move away."

"What is the point of having a home with adaptations to be put in the position of the upheaval of moving to another property - only if a tenant is absolutely sure they want to move"

"Most villages do not offer the facilities these persons need, and will only stretch the existing social care budgets further. It is my opinion that it is better to settle/resettle the persons involved in more urban areas."

"I believe that the adaptations should be done in their home. It is unnecessary stress requiring a tenant to move even if they are 'prepared' to move or not. A home means a lot to these families"

"If families are involved what happens about the children being stable, secure and familiar surroundings considering the children's psychological and emotional needs? Clearly the effects on everybody's needs within the household."

"Adaptations should be provided in the applicant's current home at all times possible."

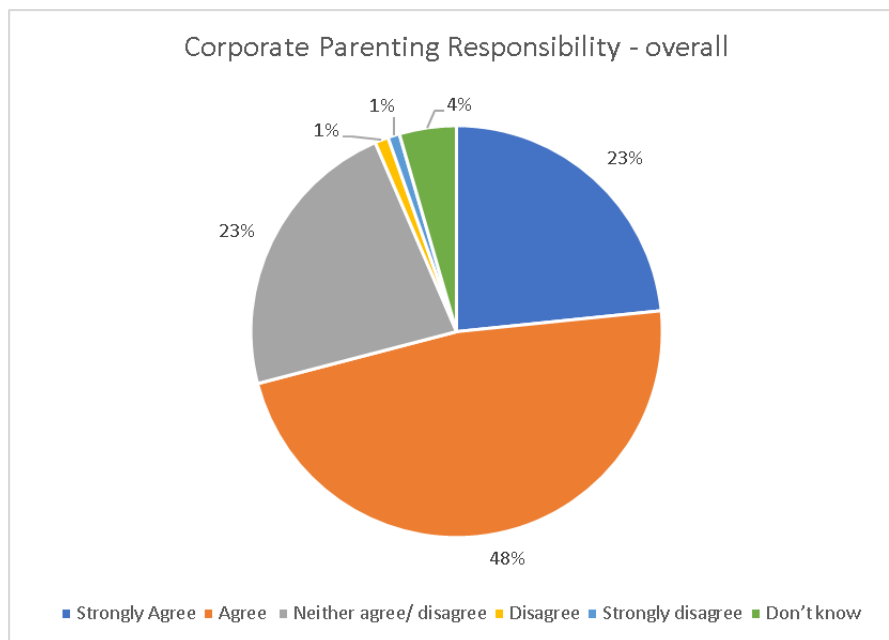
Corporate Parenting Responsibility

Dorset Council has a corporate parenting duty where there is a responsibility to a young person who has been looked after, fostered or accommodated and has had a duty of care accepted under the Children Act by Dorset Council, and is ready for independent living. We propose to introduce Corporate Parenting criteria.

Q. Do you agree with Corporate Parenting Responsibility criteria?

Overall responses	Strongly Agree	Agree	Neither agree/ disagree	Disagree	Strongly disagree	Don't know
Number	177	360	171	8	7	34
% of all who responded	23.4%	47.6%	22.6%	1.1%	0.9%	4.5%

Overall there was strong agreement to the corporate parenting responsibility criteria proposed with 71.0% either agreeing or strongly agreeing. This compares to only 2.0% who disagree or strongly disagree with it. The figures give a net agreement figure of plus 69.0, where zero would be an equal amount of people supporting and opposing. 23% of respondents neither agreed nor disagreed with criteria.



Group	strongly agree/agree	disagree/ strongly disagree	net agreement
Owner Occupiers	82%	1%	81
Christchurch and East (on register)	79%	0%	79
Forces	77%	0%	77
Social Tenants	78%	3%	75
Disabled	72%	0%	72
Dorset Homechoice (on register)	66%	2%	64
Private Tenants	63%	4%	60

Looking at responses from different groups there are variations. In all groups there seems to be strong support for the proposals with all returning positive agreement, with around 8 out of 10 of all respondents in these groups either supporting or strongly supporting the criteria. The strongest support comes people who are owner occupiers, and the least support from those who are private tenants. This is shown on the table above.

Organisational responses on these criteria

Most of the organisations supported this proposal. Bridport Cohousing, Places for People, Hastoe Housing Association, Citizens Advice, Central Dorset, Stonewater, Bridport and District Citizens Advice supported it. Dorchester Municipal Charities and Middlemarsh neither agreed nor disagreed with it. No comments were made.

Q27. As you disagree what particular part(s) do you not agree with and why? 9 people responded to this question. The concerns were wide and varied and generally appeared dependent on people's circumstances

Issue	mentions
Don't know what corporate parenting is	4
Not done in the past	2
Too complicated and unnecessary	1
Agree with it	1
Should be left to fend for themselves	1

Sample comments

"Another example of a complicated unnecessary banding category"

"I do not understand what corporate parenting is."

"They should be given a list of landlords with bedsits available that will accept DSS, just like everybody else (just like I was told)."

General Comments

304 additional comments were made covering a wide range of themes. These have been examined and coded into themes. The main issue raised was about housing local people before people from outside the local area. The second most regular theme was the importance of personal circumstances. Whilst policies need to have rules people often felt the system should be flexible enough to cater for individual circumstances. Further significant concerns were over extortionate private rent and the lack of need build social housing. A significant amount of comments related to the size of properties and how to make best use of the housing stock to meet the requirements of people in need. The table below ranks all the issues raised but the full comments are available in the appendix.

Issue	Overall
Outsiders shouldn't get housed before locals	45
Personal circumstances should be taken into account	31
Private rents extortionate	25
Need more housing built	22
Do more to enable/force people to downsize when family leave home	20
Other	16
Agree with all the survey	15
Need to match size of properties to families better (-with register of properties)	15
Working people get no help and are worst off	15
Struggle despite working	14
Confusingly worded/ hard to understand	13
Need to be homeless to have any hope	11
System needs some flexibility due to circumstances	11
Register should relate to length of time on it	8
Build more larger 3/4 bed houses to rent	8
No further comments	8
System doesn't work	7
Overcrowding a big issue	7
Protect vulnerable old people	7
Good affordable housing is good for health	6
Some people work the system	6
Bidding system no good	6
Staff ned to implement policy fairly	6
Specialist medical needs not really catered for	6
Domestic violence is an emergency	5
Good to know how long each band in the list is	5
More sheltered accommodation needed	5
Bring empty properties back into use	4
Implementation important - timely	4
Concerned over homelessness issue	4
Homelessness must be tackled	4
need room for a carer	4
Stop people buying social housing	4
Detailed response on the finer detail of the proposals	4
Second homes	4
Housings issues are often linked to transport	3

Care leavers out of area need consideration	3
Feel like an outsider - too locals focused	3
Disabled need more bedrooms	3
Give financial support to private renters	3
Agree with new bandings	3
Selling of Social housing is not good	3
Build more to rent in villages	3
Financial position should be taken into account	3
Being able to phone and speak to someone is important, especially for older people	3
Should be short-term solution	3
Changes may give some hope	2
ASD issue	2
Housing generally well managed	2
Housing associations not doing a good job	2
People shouldn't have to live next to some of the drug addicts/criminals	2
Council have failed me	2
Disabled adaptations - why move in people who are not disabled?	2
Distance from workplace should be considered when being placed	2
Floorplans before accepting bid	2
More peace of mind in social housing than private rent	1
Don't ruin villages	1
Disabled can fit in 55+ housing as facilities already there	1
Guardianship is an issue not covered	1
Old people bungalows should be 55 again not 60	1
Remove persistent offenders/anti social tenants	1
Help existing tenants move in the system	1
Local should mean Dorset not a specific area	1
Home swapping is difficult and should be easier	1
Housing Associations should be more involved in allocations	1
More help for older people	1
Think ahead for pregnant women - the baby will eventually need a bedroom	1
Affordable accommodation for young people who are trying to save for house deposit	1
Help young people more	1
Shared Ownership encouraged	1

Demographic Information

Age

The tables below show the profile of people taking part in the consultation. The consultation has attracted residents covering quite a wide age range and is not dominated by those in the older age groups, with those aged 65+ making up 25% of respondents compared to 29% of the Dorset population. Those responding in other age groups varied between 16% and 21%.

3.1% of respondents preferred not to disclose their age group.

	Under 18	18-24	25-34	35-44	45-54	55-64	65-and over	Prefer not to say
% of responses in age group	0.0 %	3.3 %	16.9 %	16.1 %	17.8 %	21.3 %	21.5 %	3.1%

Gender

The current profile of the residents of Dorset show 49.8% male and 51.1% female. As the table below shows the responses from females, does vary considerably from the Dorset profile but this is not unusual in this type of survey.

	Male	Female	Use another term	Prefer not to say
What best describes your gender?	26.4%	70.2%	0.0%	3.3%

	Yes	No	Prefer not to say
Do you consider yourself trans?	0.5%	95.5%	4.0%

Employment status

Respondents were asked their employment status. Nearly half were employed/self employed. 88 people specified other. The status varied considerably but many were not working due to health reasons, some were disabled and other were stay at home mums and others carers.

What is your employment status	number	%
Student	5	0.7%
Employed/self employed	341	45.1%
Not employed and looking for work	19	2.5%
Not employed and not looking for work	58	7.7%
Apprenticeship scheme/training	4	0.5%
Retired	182	24.1%
Prefer not to say	59	7.8%
Other	88	11.6%

Disability

25.2% of respondents considered they had a disability. This equates to 189 people. This is considerably higher than many other surveys. There is no overall figure for Dorset. The data has been used when analysing the responses to all the questions to see if people who have a disability had a different view to the majority on the key questions in the consultation.

	Yes	No	Prefer not to say
Do you consider yourself to be disabled as set out in the Equality Act, 2010?	25.2%	66.3%	8.5%

When looking at the specific disabilities the 189 people responding 113 said they had a physical disability 107 had a longstanding illness, 76 had a mental health condition, and 22 a sensory impairment.

Ethnic Group

The profile of residents in Dorset overall show 95.6% are White British and 4.4% Black and Minority Ethnic (BME). From those who chose to answer this question 3.3% stated they were from a BME background and 89.8% White British.

	What is your ethnic group?
White British	89.8%
White Irish	0.5%
Gypsy/Irish traveller	0.0%
Any other white background	2.5%
Asian/ Asian British - Bangladeshi	0.1%
Asian/ Asian British - Chinese	0.0%
Asian/ Asian British - Indian	0.1%
Asian/ Asian British - Pakistani	0.0%
Any other Asian background	0.0%
Black/Black British - African	0.1%
Black/Black British - Caribbean	0.0%
Any other black background	0.0%
Mixed ethnic background – White and Asian	0.3%
Mixed ethnic background – White and Black African	0.1%
Mixed ethnic background – White and Black Caribbean	0.1%
Any other mixed background	0.5%
Prefer not to say	4.8%
Any other ethnic group	0.9%

Are you currently serving or a veteran in the UK Armed Forces, a member of service personnel's immediate family or a reservist or in part time service such as the Territorial Army?

	Yes	No	Prefer not to say
Are you currently serving or a veteran in the UK Armed Forces, a member of service personnel's immediate family or a reservist or in part time service such as the Territorial Army?	4.7% (35)	92.8% (698)	2.5% (19)

Responses were received from 35 from the Armed Forces and their responses were considered under each question.

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Appendix 3

Executive Advisory Panel Members – Dorset Council Housing Allocation Policy

Cllr Graham Carr-Jones

Cllr Laura Miller

Cllr Gill Taylor

Cllr Toni Coombes

Cllr Matt Hall

Cllr Les Fry

Cllr Shane Bartlett

Cllr Sherry Jespersen

Cllr Mary Penfold

Cllr Molly Rennie

Cllr Simon Gibson

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Equality Impact Assessment (EqIA)

Before completing this EqIA please ensure you have read the guidance on the intranet.

Initial Information

Name:	Sharon Attwater
Job Title:	Service Manager Housing Strategy & Performance
Email address:	Sharon.attwater@dorsetcouncil.gov.uk
Members of the assessment team:	Sarah How & Sharon Attwater
Date assessment started:	20 August 2020
Date of completion:	08 October 2020
Version Number:	1

Part 1: Background Information

Is this (please tick or expand the box to explain)

Existing	
Changing, updating or revision	√
New or proposed	
Other	

Is this (please tick or expand the box to explain)

Internal (employees only)	
External (residents, communities, partners)	
Both of the above	√

What is the name of your policy, strategy, project or service being assessed?

Housing Allocation Policy

What is the policy, strategy, project or service designed to do? (include the aims, purpose and intended outcomes of the policy)

The objectives of the housing allocation policy is:

- To explain how Dorset Council works with social landlords to maintain a housing register and manage housing stock to prioritise those most in need of affordable housing.
- To explain how our choice based lettings scheme works so that applicants understand how to register, the assessment process and property allocation process.
- To give explanations and examples of scenarios.
- To provide useful information for people who need support to participate.

The policy also provides clear information for housing officers carrying out their role. This ensures applicants are awarded the appropriate priority and mitigates customer requests for review.

The policy also provides a framework to collect an accurate and relevant data set to support future housing development in our area reflecting our community housing need.

What is the background or context to the proposal?

Local authorities are required under Part 6 of the Housing Act 1996(as amended) to have a housing allocation scheme and to ensure social housing is allocated accordingly. In accordance with the provisions in The Bournemouth, Dorset and Poole (Structural Changes) Order 2018 Dorset Council requires a new Dorset Council Housing Allocation Policy

Currently Dorset Council residents are subject to existing policies (Dorset Homechoice Common Allocations Policy and Christchurch and East Dorset Joint Housing Allocations Policy) that are not wholly aligned.

This Dorset Council Housing Allocations Policy will apply to all Dorset Council residents.

Part 2: Gathering information

What sources of data, information, evidence and research was used to inform you about the people your proposal will have an impact on?

Housing Register – currently shared amongst all legacy authorities

Public Consultation – any individual or organisation could respond – 766 responses were received

Stakeholders – housing service; social landlords; children’s services; adult services; Executive Advisory Panel

What did this data, information, evidence and research tell you?

There are approximately 6000 current applicants on the housing register. This tells us there is a high level of demand for social housing in the Dorset Council area. The number of lets made during 2019/20 was 925. This tells us that the majority of applicants eligible to register will not be allocated a home quickly. This also tells us many people are living in homes that do not currently meet their need.

The data from the current housing registers illustrates the average waiting time for 1 bedroom homes ranges from 7 months to 15 months; 2 bedrooms from 5 to 15 months; 3 bedrooms from 9 months to 20 months; 4 bedrooms from 9 months to 20 months; (this does not illustrate all property types). The data also suggests there are regional variations in both property availability and need.

90% of responses to the public consultation were from members of the public including those on housing registers/social housing tenants/private rented tenants/owner occupiers. This tells us our residents have views about how social housing is allocated.

Other public consultation respondents are:

- Organisations
- Elected members
- Support workers
- Parish and Town councils
- Voluntary organisations
- Social landlords
- Community Land Trusts
- Charities

This tells us that our residents engage with these organisations. Our relationships with these organisations are established and their work includes supporting applicants, existing tenants and developing new homes.

The profile of residents in Dorset overall show 95.6% are white British and 4.4% black and minority ethnic group.

From those who engaged with the consultation 89.8% described themselves as white British and 3.3% stated they were from a BME background.

Respondents described themselves as:

White/British	89.8%
Other White/British	2.5%
Other Ethnic Group	0.5%
White Irish	0.5%
Other Mixed Background	0.3%
Mixed Ethnic Background – White and Asian	0.3%
Asian Background – Bangladeshi	0.1%
Asian/British - Indian	0.1%
Black/British – African	0.1%
Mixed Ethnic Background – White and Black African	0.1%
Mixed Ethnic Background – White and Black Caribbean	0.1%
Preferred not to say	4.8%

This tells us our feedback is comparable to Dorset's resident population.

159 people responding to the consultation described themselves as disabled. At 25.2% the number of people in this group compared to a Department for Work and Pensions figure for Dorset of 4.6% based on those claiming disability living allowance, personal independence payments or attendance allowance, is considerably higher. This tells us that people living with some form of disability and

who consider their current home unsuitable may not be claiming or entitled to financial support.

There were 35 responses to the consultation from the Armed Forces and a separate response from the Royal British Legion commenting on the statutory guidance issued June 2020. This tells us that members, former members of the Armed Forces and their families are engaging and consider themselves as committed members of the community. It also tells us that central government considers this group of special interest. Dorset Council has a commitment to this community which is reflected in the Armed Forces Covenant.

The consultation responses reflected a wide range of personal situations including people living at home with a parent; people who are homeless; landlords; people wanting to join the register and those living in conditions they found unsatisfactory or unsanitary. This tells us that a good cross-section of people and circumstances are represented in the response. Responses reflect personal opinions about suitable homes, homes of decent standard; affordability and choice about where you live.

70.2% of consultation respondents described their gender as female; 26.4% described their gender as male; 0% described themselves using another term and 3.3% preferred not to say. This tells us the response is typical of other council consultation responses.

There was a wide range of ages of respondents and a good geographical spread. This tells us there was good representation from our community

There was good overall support for proposals. This tells us the proposal has described the challenge of managing the allocation of social housing and describes a process that is fair.

Housing service information received focussed on the technical application of the policy as perceived by officers on both their behalf and customers. This told us that improvements to software are required to enable better self-service options. A procurement process is expected to be completed 2020/21 and includes accessibility for all processes.

The Housing service feedback also provided challenge regarding how processes will be supported. This told us that offering support for people accessing the service is accurate and is expected to improve successful allocations. A commitment to deliver enhanced training to staff was agreed.

Responses from engagement with social landlords were positive regarding the proposals. Feedback told us managing current housing stock is challenging depending on location and property type. Maintaining stock and keeping all types of social housing fully occupied is not always possible because of restrictions such as specified age requirements and financial pressures. This tells us people use the opportunity to make choices about where they live; property may be considered unsuitable because of location or type; personal circumstances such as access to services, environment and support affect whether a tenancy would be successful.

It also tells us we can support social landlords to maximise their housing stock by including options to offer direct lets to people that would otherwise be precluded and result in unoccupied properties.

Internal services such as Adult Services and Children's Services work with people with specific needs including young people leaving care; people ready to move on; those in need of supported care; for whom we have a corporate duty or parenting responsibility; foster carers or adopters. Advice received and researched confirms the role of housing services is to offer appropriate and suitable support and access to suitable affordable housing. This tells us including specific categories for each of these groups offers an appropriate level of prioritisation.

A member Executive Advisory Panel supported and advised the housing service to design the proposed policy. The group represented all Dorset Council areas and parties. The engagement illustrated how communities engage with their elected members and what experiences they had. The process reviewed current policies and considered the proposed omissions and new inclusions. This told us whether the proposals addressed the needs of the community and the Council.

Is further information needed to help inform this proposal?

No

Part 3: Engagement and Consultation

What engagement or consultation has taken place as part of this proposal?

Housing Register – currently shared amongst all legacy authorities
Public Consultation – any individual or organisation could respond – 766 responses were received. The consultation period is usually 12 weeks. This consultation ran for 20 weeks from 2 March 2020 to 20 July 2020 to mitigate any potential effects of the covid-19 pandemic. The consultation was available on line and as a hard copy. The consultation was promoted using council social media, community radio and local press. Formats included audio and video clips.
Stakeholders – housing service; social landlords; children's services; adult services

How will the outcome of consultation be fed back to those who you consulted with?

It will be published on the council website

Please refer to the Equality Impact Assessment Guidance before completing this section.

Not every proposal will require an EqlA. If you decide that your proposal does **not** require an EqlA, it is important to show that you have given this adequate consideration. The data and research that you have used to inform you about the people who will be affected by the policy should enable you to make this decision and whether you need to continue with the EqlA.

Please tick the appropriate option:

An EqlA is required (please continue to Part 4 of this document)	√
An EqlA is not required (please complete the box below)	

Part 4: Analysing the impact

Who does the service, strategy, policy, project or change impact?

- If your strategy, policy, project or service contains options you may wish to consider providing an assessment for each option. Please cut and paste the template accordingly.

For each protected characteristic please choose from the following options:

- Please note in some cases more than one impact may apply – in this case please state all relevant options and explain in the 'Please provide details' box.

Positive Impact	<ul style="list-style-type: none"> the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.
Negative Impact	<ul style="list-style-type: none"> Protected characteristic group(s) could be disadvantaged or discriminated against
Neutral Impact	<ul style="list-style-type: none"> No change/ no assessed significant impact of protected characteristic groups
Unclear	<ul style="list-style-type: none"> Not enough data/evidence has been collected to make an informed decision.

Age:	<i>Neutral</i>
What age bracket does this affect?	From age 16+
Please provide details:	No change – statutory eligibility criteria includes age. People aged between 16 and 18 are not legally able to hold a tenancy in their own name but are supported by appropriate representative e.g. social services. The policy includes reasonable preference categories for those who are leaving care; a corporate duty is owed; a corporate parenting responsibility is owed; older people.

Disability: (including physical, mental, sensory and progressive conditions)	<i>Neutral</i>
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Does this affect a specific disability group?	No
Please provide details:	Current policies include increased prioritisation for applicants who meet a minimum of 4 separate criteria. This is removed from the proposal. The effect is to award a priority level based on the highest need. Previously a household with 4 medium level needs would have been assessed at a level one higher. Now the level is not enhanced. A reasonable preference category is included for people who need adapted properties; with a high medical need; medium medical need and low medical need. People who have a need relating to disability may not be housed immediately if a suitable property is not available. This policy has not changed the availability of disabled properties but ensures priority is given to applicants with the highest need.

Gender Reassignment & Gender Identity:	<i>Neutral</i>
Please provide details:	Proposal continues current support. Accommodation suitability includes consideration about environment, community and support service accessibility. The proposal includes provisions to exclude households from meeting local connection criteria where there are threats, anti-social behaviour or other significant or immediate need. Households with this protected characteristic can be prioritised at the highest level if they are victim of serious or significant harassment relating to this characteristic.

Pregnancy and maternity:	<i>Neutral</i>
Please provide details:	Applicants or their partners who are pregnant and the due date is within 12 weeks and it is the first child are entitled to apply for properties with one additional bedroom. The current Dorset Common Allocations Policy applied this for any child if impacting the existing household requirement. The East Dorset and Christchurch policy did not allow this. This is not a significant impact and the proposal allows DC Service Manager to use discretion in exceptional circumstances.

Race and Ethnicity:	<i>Neutral</i>
Please provide details:	No change proposed. Support is included for people who need additional services or support to full take part in the scheme e.g. language.

Religion or belief:	Neutral
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Please provide details:	No change proposed.
Sexual orientation:	<i>Neutral</i>
Please provide details:	Proposal continues current support. Accommodation suitability includes consideration about environment, community and support service accessibility.
Sex (consider both men and women):	<i>Neutral</i>
Please provide details:	No change proposed. There is no effect on entitlement. Bedroom entitlement is calculated for adults in regard to whether the applicant is single or not. Entitlement in relation to bedrooms considers age and sex and uses age 16 as the entitlement to a separate bedroom. Prior to that bedrooms can be shared by two children of the same sex under 16 or of different sex up to age 10.
Marriage or civil partnership:	<i>Neutral</i>
Please provide details:	No change proposed. There is no effect on entitlement.
Carers:	<i>Neutral</i>
Please provide details:	No change proposed. Entitled to one additional bedroom for carers who are non-resident but required overnight
Rural isolation:	<i>Neutral</i>
Please provide details:	Opportunity to access the scheme and related services is maintained and enhanced including reference to the availability of user guides, supported applicants and bidding. Software and processes will support accessibility. Scheme continues to acknowledge rural location is a relevant suitability consideration.
Single parent families:	<i>Neutral</i>
Please provide details:	No change proposed.
Social & economic deprivation:	<i>Neutral</i>
Please provide details:	Proposal identifies people with income, savings, investments or capital of £60,000 or more as ineligible allowing for some specific exclusions. Previous policies capped this figure at 5 times the relevant Local Housing Allowance in the area at that time. The scheme aims commit to ensuring it is easy to use and that all people understand their options and are informed. Whilst some language is prescribed the policy is written in clear English wherever possible. The proposed policy reduces previous documents by more than a third. Homeless

	households are excluded from meeting local connection criteria in order to access the scheme. Reasonable preference categories for homeless households are included in Exceptional/High/Medium bands dependant on individual circumstances,
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Armed Forces communities	<i>Positive</i>
Please provide details:	Statutory guidance issued June 2020 has been incorporated into the proposal. Families of serving and former members of the Armed Forces are now included. The requirement for local connection criteria is currently 5 years in some parts of the area and the proposed requirement is reduced to 2 years or 3 years out of the last 5 years. The spirit of the guidance has been considered.

Part 5: Action Plan

Provide actions for **positive**, **negative** and **unclear** impacts.

If you have identified any **negative** or **unclear** impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Issue	Action to be taken	Person(s) responsible	Date to be completed by
Armed Forces Communities	Have regard for the spirit of the guidance 'Improving access to social housing for members of the Armed Forces' and apply Service Manager's discretionary if appropriate and reflect in annual monitoring.	Service Manager for Housing Solutions	Annually

EqlA Sign Off

Officer completing this EqlA:	Sharon Attwater	Date:	02.10.2020
Equality Lead:	Susan Ward-Rice	Date:	08.10.2020
Equality & Diversity Action Group Chair:	Rebecca Forrester	Date:	08.10.2020

Dorset Council People and Health Overview Committee 27th October 2020

Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025

For Recommendation to Cabinet

Portfolio Holder:	CLlr G Carr-Jones, Housing and Community Safety
Local Councillor(s):	NA
Executive Director:	V Broadhurst, Interim Executive Director of People - Adults
Report Author:	Steve March and Richard Conway
Title:	Senior Environmental Health Officer/Service Manager Housing Standards
Tel:	01258 484313
Email:	steven.march@dorsetcouncil.gov.uk
Report Status:	Public
Recommendation:	That the 'People and Health Scrutiny Committee' recommend to Cabinet that they adopt the 'Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025' attached as the Appendix to this report.

Reason for Recommendation:

In April 2020 all existing Housing Enforcement Policies novated to the new Dorset Council. These policies remain in force until 31st March 2021 or until a new policy supersedes them.

The formation of Dorset Council on the 1 April 2019 required that the Council adopt one new Enforcement Policy and Statement of Principles for determining Financial Penalties across the new council area.

The new policy is not significantly different from those of the original sovereign councils. They have been amalgamated

and updated to reflect changes in legislation and good practice.

1. Executive Summary

The Housing Act 2004, associated regulations and statutory guidance provides Dorset Council with a wide range of duties and powers to take enforcement action to tackle the worst housing conditions.

This policy enables officers to be guided in their housing enforcement decisions, to ensure a consistent and proportionate approach to regulation as required by the [Regulators Code](#).

The document also contains the Councils policy in relation to setting penalties for certain criminal and other offences under the Housing Act 2004 and associated regulations.

The policy also sets out how the Council will regulate and take enforcement action in relation to houses in multiple occupation (HMO's), long term empty homes and Mobile Home sites.

2. Financial Implications

The policy operates within existing budgets.

The Council can recover costs in delivering specific aspects of its enforcement and regulatory function, including the cost of serving certain enforcement notices and processing applications for mandatory HMO licences. The policy sets new fees for each aspect of this work.

The Housing Act 2004 and other associated regulations enable Dorset Council to determine a financial penalty in lieu of prosecution at Magistrates Court as a punishment for committing certain criminal offences or failing to comply with specific regulations. These decisions are subject to an appeals process to a Residential Property Tribunal. The policy set out when such penalties will be used and how they will be calculated.

Income received from financial penalties can be retained by the local housing authority, provided that it is used to further the local housing authority's statutory functions in relation to their enforcement activities in the private rented sector.

The policy outlines that Dorset Council will always act in the interests of justice and not solely for the purpose of obtaining a conviction or making an income.

3. Climate implications

The enforcement of housing standards is primarily focussed on tackling the worst property deficiencies that have the potential to affect resident's health. Although not the primary focus, such enforcement may as a secondary outcome improve the energy efficiency of houses by requiring better thermal insulation, via the resolution of disrepair and the provision of more efficient heating systems, all helping to tackle climate change.

4. Other Implications

The enforcement of housing standards is primarily focussed on tackling the worst property deficiencies that have the potential to affect resident's health. Enforcement action is often focussed on the private rented sector, which can house vulnerable and low income residents. The number of families with children in the private rented sector has also increased. There are public health benefits to the improvement of residents housing conditions, with improved health outcomes, reduction of accidents at home, reduced care costs and the reduction in health inequalities.

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

The policy has been subject to consultation with the Dorset Council Equality & Diversity Action Group. No negative impacts were identified for any protected characteristic with the potential for a positive impact on those experiencing 'social and economic deprivation'. The assessment is attached as Appendix 2 of this report.

7. Appendices

1. Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025
2. Equality Impact Assessment.

8. Background Papers

[The Regulators Code – Department for Business, Innovation and Skills](#)
[The Housing Act 2004](#)
[Housing Health & Safety Rating System \(HHSRS\)](#)
[HHSRS enforcement guidance: housing conditions.](#)

9. Background

The Housing Standards Enforcement Policy (2020-2025) details how Dorset Council will undertake enforcement activity to regulate the safety and condition of resident's homes.

Decent, safe and affordable housing should be available for all. Poor housing has a wide ranging impact on our health and the wider community. The majority of properties in Dorset provide safe and healthy accommodation, as such this enforcement policy is aimed at a minority of property owners, landlords and letting agents who fail to provide accommodation that meets minimum housing standards. Dorset Council will target their enforcement resources in tackling houses owned or managed by these groups.

The Policy sets out what actions relevant stakeholders can expect. It specifies the range of enforcement options available and sets out when and in what circumstances enforcement action is likely to be taken.

Enforcement action is often complaint led, in other words the involvement of the Council is prompted after being contacted by a resident concerned about their housing conditions. However from time to time the Council may become aware of evidence and information which means that it wants to consider a more targeted or proactive inspection and enforcement approach, meaning it may actively inspect accommodation and enforce its duties and powers, without the need to be requested to do so. The policy outlines when this may be considered.

The Council has a wide range of varied powers and sanctions to tackle poor housing conditions. The type of action taken depends on a wide range of factors including amongst other factors the tenure of the property, the level of risk to the occupants, whether the Council has a duty to act and the past history of the offender. This policy provides detailed guidance about how these types of factors are applied to the practical enforcement of the different statutory provisions including:

- How and when enforcement action is taken against private landlords
- How enforcement action can prevent the 'retaliatory eviction' of private tenants
- Details of how we charge for the enforcement action we take
- When Dorset Council will consider criminal and other sanctions including Prosecution, the use of Financial Penalties and works in default.
- The licencing and enforcement action in relation to houses in multiple occupation (HMO) including the licence fee
- Enforcement Action in relation to Empty Homes and Park Homes
- The Councils 'Statement of principles for determining financial penalties for general housing legislation'

This enforcement policy will be subject to regular review and amendment when necessary to accommodate new legislation, guidance or local needs. The policy provides authority to the Corporate Director for Housing to make minor alterations in consultation with the Portfolio for Housing.

This revised policy is not significantly different from those of the original Dorset sovereign councils. These original policies have been amalgamated and updated to reflect changes in legislation and good practice. The following table outlines the major changes to the new policy:

Former policy	New policy	Reason for change	Location in the policy
Default to informal action and take formal enforcement action under certain specified circumstances	Default to formal enforcement action and take informal action when certain circumstances permit	To meet statutory duties and take more timely, robust enforcement action against landlords	Para 4.4.3 Fig 13 and 14
Not included	Inclusion of new powers relating to Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020	New legislation introduced in 2020	Para 4.7.4 Fig 20
Not included	New guidance for officers on what factors to consider when deciding between whether to prosecute an offender or issue a financial penalty	To provide greater guidance to officers in making correct and consistent decisions	Para 5.3 Fig 25
Not included	New guidance for officers on when to inspect HMO's not subject to mandatory HMO licencing	To provide greater guidance to officers in making correct and consistent decisions	Para 6.8 Fig 36
Minimum charge for enforcement action – set at £260 per notice	Minimum charge for enforcement action – proposed £340 per notice	Update of reasonable minimum costs incurred by Dorset Council in taking enforcement action	Appendix 3
Mandatory HMO licencing fees costs ranging from £495 to £650	Mandatory HMO licencing fees costs proposed to range from £520 to £700	Update of reasonable costs incurred by Dorset Council in issuing the licence and all work over the 5 year licence period	Appendix 4

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Appendix 1



Dorset
Council

**Housing Standards
Enforcement Policy
and Statement of
Principles for
determining Financial
Penalties 2020-2025**

Date: TBA



Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025

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[Appendix 1 - Statement of principles for determining financial penalties for general housing legislation](#)

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[Financial Penalty Matrix \(Table 1\)](#)

[Financial Penalty Bands \(Table 2\)](#)

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[Glossary of Terms](#)

Housing Standards Enforcement Policy 2020-2025

1. Introduction

The Housing Standards Enforcement Policy (2020-2025) details how Dorset Council will undertake enforcement activity to regulate the safety and condition of resident's homes.

It should be read in conjunction with the '[General Statement of Enforcement Policy](#)' which provides details of the overall approach of Dorset Council to enforcement issues across all relevant services. Action will also be taken in accordance with the Officers Scheme of Delegation for Dorset Council and the Local Scheme of Nomination - Executive Director – Adults.

Our aim

To raise standards in housing; by working with all our stakeholders including property owners, landlords, letting agents and tenants by using a wide range of proportionate regulatory activities including where necessary, robust enforcement action.

Fig: 1

Dorset Council Plan 2020-24

Through this Enforcement Policy the Housing Standards Team will contribute to the [Dorset Council Plan 2020-2024](#) and our priorities of:

- **Economic growth** - we will deliver sustainable economic growth, increasing productivity and the number of high quality jobs in Dorset, creating great places to live, work and visit
- **Unique environment** - we will help to deliver sustainable development while protecting and enhancing Dorset's environment
- **Suitable housing** - we will work with registered housing providers, community land trusts and local housing partners to deliver affordable, suitable and decent housing
- **Strong, healthy communities** - we will work with residents and partners to build and maintain strong communities where people get the best start and lead fulfilling lives
- **Staying safe and well** - we will work with all of our residents to have a good quality of life

Fig 2

Decent, safe and affordable housing should be available for all. Poor housing has a wide ranging impact on our health and the wider community. The majority of properties in Dorset provide safe and healthy accommodation however this enforcement policy is aimed at a minority of property owners, landlords and letting agents who fail to provide accommodation that meets minimum housing standards. Dorset Council wants to target their enforcement resources in tackling houses owned or managed by these groups.

2. Enforcement and Equality

In undertaking our enforcement activity we are committed to ensuring that no one is discriminated against on the basis of their age, disability, employment status, ethnic or

national origins, race or colour, marital status, religious or political beliefs, responsibilities for children or dependents, gender or gender reassignment, sexuality, social class, or unrelated criminal convictions.

We will not be affected by improper or undue pressure from any source in carrying out these functions. We will always act in the interests of justice and not solely for the purpose of obtaining a conviction.

Dorset Council is a public authority for the purposes of the Human Rights Act 1998. We therefore we apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

Where there is a need for us to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 2018 and the associated General Data Protection Regulations (GDPR). Our privacy policy can be found on the Councils [website](#).

3. Legal Background

3.1. Proportionate and Fair Enforcement

This Enforcement Policy sets out what actions relevant stakeholders can expect. It specifies the range of enforcement options available and sets out when and in what circumstances enforcement action is likely to be taken.

Our enforcement policy reflects the Principles of Good Regulation set out in the Regulators Code, the Code for Crown Prosecutors and the Legislative and Regulatory Reform Act 2006.

3.2. Regulators' Code

All regulators must have regard to this [Code](#) when developing policies and operational procedures; it sets out the following key regulatory principles:

This policy will support the principle of the Regulators code by ensuring that we:

- Carry out our activities in a way that supports those we regulate to comply and grow
- Provide simple and straightforward ways to engage with those we regulate and hear their views
- Base our regulatory activities on risk
- Share information about compliance and risk
- Ensure clear information, guidance and advice is available to help those we regulate to meet their responsibilities to comply
- Ensure that our approach to our regulatory activities is transparent

Fig 3

3.3. Legislative and Regulatory Reform Act 2006

In accordance with the [Legislative and Regulatory Reform Act 2006](#), we will carry out our enforcement activities in a way which is proportionate, consistent, targeted, transparent and accountable.

Proportionate	Our activities will reflect the level of risk to the public and any enforcement action taken will relate to the seriousness of the offence
Consistent	Our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities.
Targeted	We will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.
Transparent	We will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return.
Accountable	Our activities will be open to public scrutiny with clear and accessible policies and fair and efficient feedback process.

Fig 4

3.4. Our Approach to Enforcement

The enforcement of standards in housing can take a range of different approaches from informal action, the service of legal notices and orders, to the prosecution of offenders. This policy details how those decisions will be made, having regard to the above factors. The following general issues will also be taken into account:

- The degree of cooperation provided by those involved.
- The risk that the non-compliance poses to the safety, health or economic welfare of the public at large or to individuals and whether the risk is considered imminent
- Evidence that suggests that there was pre-meditation in the commission of an offence.
- Any failure to comply in full or in part with the requirements of a statutory notice or order.
- History of previous warnings or the commission of similar offences including a history of failure to respond to informal requests for action
- Aggravated circumstances such as aggressive or violent behaviour.
- The value of the action as a deterrent to the perpetrator and others.
- Removal of any financial gain from the offence
- The tenure of the person affected
- Whether the progression of the case is in the 'public interest' and it also achieves the necessary 'evidential test'

Fig 5

4. All Residential Dwellings including Houses in Multiple Occupation (HMO)

4.1. Housing Health and Safety Rating System (HHSRS)

[The Housing Act 2004](#) introduced the [Housing Health & Safety Rating System \(HHSRS\)](#). This is a risk-based assessment tool which local housing authorities are required to have regard to when assessing property conditions.

It enables housing deficiencies to be identified and assessed. The associated regulatory provisions contained in the Act then enable higher risk deficiencies to be resolved and the housing risks reduced or removed entirely. The HHSRS introduced the concept of 'Category 1' (rated A to C – higher risk deficiencies) and 'Category 2 Hazards' (rated D and below – lower risk deficiencies).

4.2. Identification and Assessment of Hazards

4.2.1. Service Request led work

The Housing Act 2004 places local housing authorities under a general duty to keep the housing conditions in their area under review, with a view to identifying any action which may be necessary. This duty is wide ranging and enables the Council to exercise its powers for any reason, when it considers it would be appropriate to do so.

The Regulators Code and the Legislative and Regulatory Reform Act 2006, provides some scope and balance to these wide ranging powers. The Council will normally inspect properties to assess housing conditions when we have been specifically requested to do so, normally by a tenant, some other occupant or affected party.

4.2.2. Proactive work

From time to time, the Council may become aware of evidence and information which means that it wants to consider a more targeted or proactive inspection and enforcement approach, meaning it may actively inspect accommodation and enforce its duties and powers, without the need to be requested to do so.

Such actions may take the form of action on defined types of properties or actions in defined geographical areas and could take the form of local or regional projects, pilot schemes or part of the implementation of wider statutory schemes such as Selective or Additional Licensing.

Such actions would be considered in the following circumstances and implemented in consultation and agreement with the Corporate Director for Housing and Housing Portfolio Holder.

- Where specific evidence such as property condition, deprivation or the like justifies the need for a targeted property inspection and enforcement approach
- Where a new or change in legislation or guidance justifies or requires a proactive enforcement approach

Fig 6

4.3. Enforcement Options

When Category 1 or 2 Hazards are identified, a number of specific enforcement options are available to the local housing authority. Deciding which option to use is based on a wide range of property, ownership, occupancy and deficiency specific factors and regard will be had to the [HHSRS enforcement guidance: housing conditions](#).

When a Category 1 or Category 2 Hazard is identified, the Housing Act 2004 enforcement options available to the Council are to serve or make a:

- Hazard Awareness Notice
- Improvement Notice (including Suspended Improvement Notice)
- Prohibition Order (including Suspended Prohibition Order)
- Emergency Remedial Action
- Emergency Prohibition Order
- Demolition Order
- Clearance Area

Fig 7

In removing or reducing Category 1 or 2 Hazards, Dorset Council will focus its enforcement response as detailed in fig 8:

Category 1 Hazards

Dorset Council has a *statutory duty* to take appropriate action in response to a Category 1 Hazard. Once identified the Council must decide which of the available enforcement options (detailed in Fig 7) is most appropriate to remove the Category 1 Hazard.

Category 2 Hazards

The Council has the *power* to take appropriate action in response to a Category 2 Hazard. The Council may take enforcement action in the following cases ('actionable category 2 hazards') considering the following factors:

- Where a Category 2 Hazard falls within Band 'D' or 'E' i.e. a high ranking Category 2 Hazard.
- Cases involving a vulnerable occupant, as defined within the specific hazard of the HHSRS guidance
- Cases in which multiple Category 2 Hazards of any band are identified, which when considered together, create a more serious cumulative health effect.
- Where local house condition surveys or other relevant local data highlights specific local hazards necessitating specific action i.e. risks associated with excess cold, dampness or security.
- Any other case determined by the Service Manager Housing Standards in consultation with the Corporate Director for Housing.

Fig 8

4.4. Enforcement Options and Dealing with different tenure groups

The HHSRS and the associated enforcement options detailed in [Fig 7](#) apply to all tenures of housing.

It is generally considered that owner-occupiers are primarily responsible for the repair and maintenance of their own home. They are usually in a position to make informed decisions concerning their own safety and welfare and the necessary maintenance and improvement of their home.

Tenants and particularly those occupying private rented accommodation are less able to do so and the condition, repair and safety of such accommodation is the primary responsibility of some other person; namely the property owner, landlord or letting agent.

For this reason it is normally appropriate for the Council to use its enforcement powers differently according to housing tenure.

4.4.1. Owner-Occupiers

In the first instance owner-occupiers concerned about the condition of their home will normally be provided with relevant telephone advice or information via the Councils [website](#). This may also include the offer of [financial assistance](#) in eligible cases.

Formal visits and inspections of owner-occupied properties will only normally be undertaken if there is a concern that the condition of the property gives rise to a high risk for the safety of the occupants, they are considered to be vulnerable or the property possesses a high risk to persons other than the occupant's i.e. neighbouring properties or passers-by.

If there is a need to move beyond the provision of advice, it is anticipated that a Hazard Awareness Notice is likely to be the most appropriate course of action. However, the use of other enforcement options detailed in [Fig 7](#), maybe considered appropriate in the following circumstances:

- Vulnerable owner occupiers who lack the capacity to make informed decisions about their own safety and welfare.
- Hazards that might reasonably affect persons other than the occupants i.e. neighbouring properties or passers-by.
- An imminent risk of serious harm such as electrocution or fire where appropriate and timely action is not being taken

Fig 9

4.4.2. Leaseholder/Freeholder

Circumstances can arise where a long leaseholder is experiencing ongoing poor housing conditions, where a higher landlord, such as a freeholder or management company, are not taking the necessary steps to remedy those housing defects for which they are legally responsible.

Formal visits, inspections and any appropriate enforcement action will only be considered where:

- the leaseholder has made reasonable efforts to remedy the matter with the higher landlord,
- that action has proved ineffective,
- the higher landlord is responsible for remedying the said defect(s), and;
- the defect is likely to give rise to a Category 1 or actionable Category 2 hazard

Fig 9a

4.4.3. Registered Providers of Social Housing (RPs)

Registered Providers of Social Housing (RP's) (formerly known as housing associations) provide and manage decent, affordable rented accommodation. They are often managed as a society, body of trustees or company and typically their management includes an element of tenant representation. They are regulated and their performance scrutinised by the [Regulator of Social Housing](#).

RP's normally appoint specialist teams to manage and maintain their properties and will usually have detailed arrangements for programmed stock maintenance, comprehensive systems for reporting repairs, setting out response times and also the processes for registering any complaints about service failure.

As such the Council has agreed protocols with the major RP's who have stock in the Dorset area. These protocols agree that the RP respond to all service requests (made direct to the Housing Standards Team) from their tenants in the first instance.

These protocols outline how enquires to the Housing Standards Team will be dealt with, how they are passed to the relevant RP, agreed response times and details of when further action may be necessary by the Council including property inspections and formal action.

The protocols are designed to improve communication between the Council and the relevant RP, ensure that expectations are clearly understood by all stakeholders and also enable a benchmark against which performance can be measured.

For this reason the Council will not normally take formal action against an RP unless:

- It is satisfied that the problem in question has been properly reported to the RP through the correct reporting channels, and;
- The RP has then failed to take appropriate remedial action within any agreed, recognised or reasonable timescales, and;
- Category 1 or 'high ranking Category 2' Hazards exist as detailed in [Fig 8](#).

These protocols will be reviewed periodically to ensure that they continue to meet the needs of all stakeholder and in particular the tenants of RP's. Dorset Council currently has such Protocols with the following RP's:

- [Aster Group](#)
- [Magna Housing](#)
- [Sovereign](#)
- [Stonewater](#)

Fig 11

4.4.4. Private Landlords

Most landlords provide decent quality, well managed properties to rent. Should a private tenant have concerns about the condition or safety of their rented home the Council will normally firstly advise them to contact their landlord or letting agent directly. This ensures that landlords have the opportunity to resolve any defects in the first instance.

This approach can also ensure that tenants receive some additional protection from '[retaliatory eviction](#)' as detailed below.

In the event that the Council needs to visit a property, the Housing Act 2004 requires that the landlord is notified in advance of that formal visit giving at least 24 hours' notice. This prior notification provides the property owner or landlord with the initial details of the reported deficiencies and also the opportunity to attend the inspection if they wish.

24 hour prior notice is not necessary where an inspection is required to determine any action or offences under the HMO licencing provisions or HMO Management Regulations.

In certain situations a tenants will not be required to contact their landlord prior to the Councils involvement. In addition the Council may then decide it is appropriate to visit the property without notifying the landlord or letting agent. This may be considered in the following limited circumstances:

If upon inspection a dwelling is found to possess Category 1 or actionable Category 2 Hazards, the Council will normally seek to resolve the matter by instigating the relevant formal action outlined in [fig 7](#) above.

- Where there is a history of harassment, threatened eviction and poor management practices.
- Where the tenant or other members of the household are considered vulnerable
- Where the complaint relates to the management of a property that is a House in Multiple Occupation (HMO) or a property which appears to fall within the HMO licencing provisions.
- Where the tenant could not for some other reason be reasonably expected to contact their landlord or letting agent, or their landlord or letting agent is not able to be contacted.

Fig 12

However certain circumstances may arise when it is considered inappropriate to use such formal action (as detailed in [fig 7](#)). Such cases maybe progressed via an informal method; and in deciding to take this action, the following issues will be taken into account:

Where informal action is taken, the Council will explain the nature of the defects in writing and seek the landlord or letting agent's proposals for remedying the problems, normally providing 14 days for an acceptable response to be provided.

Informal action will be considered as an alternative to the relevant formal action outlined in [fig 7](#) by taking into account the following factors:

- The landlord has a good track record of performing repairs without the need for formal action
- There is very high confidence that all the works will be completed to the correct specification within recognised acceptable time periods
- It is reasonable for the officer to believe that the landlord will make a written undertaking to complete the works to the correct specification within recognised acceptable time periods
- The risks involved are considered low and in the event of non-compliance during informal action, a switch to formal action at a later stage will not place the occupants or others at undue risk of harm
- The landlord or letting agent is not disputing the need for the necessary repair works to be completed to the specified standard and reasonable time scale.
- The landlord has cooperated with the Councils investigation to date by for example, responding to correspondence, attending property inspections, making relevant paperwork available upon request etc.

Fig 13

Notwithstanding the above, formal action will be appropriate when:

- 4.5.
- The tenant is at risk of retaliatory eviction and a category 1 or an 'actionable category 2 hazard(s)' are present as detailed in [Fig 8](#).
 - The deficiencies present a high risk to the occupants and others
 - There is a lack of confidence that the required work will be completed to the correct specification and in a timely way.
 - The property subject to the action is being sold and it is appropriate to serve a 'notice' to ensure that any prospective owner is made aware of higher risk deficiencies via the local land charge system

Fig 14

Retaliatory Eviction

'[Retaliatory eviction](#)' refers to a situation where a tenant makes a legitimate, justified complaint to their landlord about the condition of their accommodation and in response their landlord serves them with a notice (also known as a '[no fault section 21 notice](#)') seeking possession of the property (let on an Assured Shorthold Tenancy).

[The Deregulation Act 2015](#) sought to introduce some protection for tenants against this type of retaliatory action. In summary if the Council serves an Improvement Notice or takes Emergency Remedial Action in relation to a property, the landlord will be unable to rely on using the section 21 'no-fault' notice seeking possession procedure for 6 months from the date the action was taken by the Council.

In order to rely on this protection from 'retaliatory eviction', the tenant must have initially notified the landlord in writing of the alleged defects. If after 14 days if the landlord does not reply to their requests, the reply is inadequate or they respond by issuing a 'Section 21' notice seeking possession; the tenant may approach the Council to carry out an inspection to verify the existence of a Category 1 or actionable Category 2 Hazard.

If such a hazard exists and in order to reduce or remove the risk and protect the tenant's occupation of their home, the Council will take the appropriate enforcement action as detailed in [Fig 7](#) above.

4.6. Power to Charge for Enforcement Action

The Housing Act 2004 provides local housing authorities with the power to make a reasonable charge as a means of recovering specified administrative and other expenses incurred in taking the following enforcement action:

- Hazard Awareness Notice;
- Improvement Notice;
- Prohibition Order;
- Emergency Prohibition;
- Demolition Order;
- Emergency Remedial Action;
- Review of Suspended Prohibition Order and Improvement Notice

Fig 15

In taking the action detailed in fig 15, the Council can recover a reasonable amount for the relevant expenses incurred in connection with certain prescribed actions only.

- Determining whether to serve the notice (such as time spent gaining entry to the property, travelling to and inspecting the premises)
- Identifying any action to be specified in the notice (such as the administrative work in identifying, risk assessing and scoring hazards, consulting any necessary guidance and legislation.
- Serving the notice (such as the administration involved in drafting and then serving the notice whether by standard, registered post or by hand delivering)

Charges will be made on a cost recovery basis, using the current hourly rates of the officers involved, plus any associated costs including travelling costs, travel time, copying charges and any relevant 'on costs' for that officer.

Details of this calculation and the minimum charge can be found in [Appendix 3](#). Where the time reasonably incurred in carrying out the above actions means that this minimum charge is exceeded, then the Council may charge for the service of that particular notice at the higher calculated rate. This minimum charge will normally be reviewed annually to allow for inflation and other relevant cost increases.

Where the action detailed in Fig 15 is taken, there will be a presumption in favour of making the appropriate administration charge. In deciding whether to make such a charge, officers will consider amongst other relevant issues the following factors:

- The degree of co-operation and communication currently or previously obtained
- The financial circumstances of the recipient of the notice or order
- The amount of time incurred by officers in taking the necessary formal action
- If the 'notice' is only required to formalise action or repairs which have already been agreed.

Fig 17

The costs incurred by the Council in carrying out Works in Default of an Improvement Notice or Emergency Remedial Action are charged separately.

4.7. Other Housing Related Enforcement Action

4.7.1. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

[The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#) require landlords to ensure that under certain circumstances tenanted properties are provided with smoke and carbon monoxide alarms.

The requirements:

- a smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation;
- a carbon monoxide alarm is equipped in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance.

Fig 18

Where a local housing authority has reasonable grounds to believe that a landlord is in breach of one or more of the duties these Regulations, the authority *must* serve a remedial notice on the landlord.

Non-compliance with these Regulations *may* result in the imposition of a financial penalty in accordance with a specific Statement of Principles attached at [Appendix I](#) to this policy.

4.7.2. Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 – Minimum Energy Efficiency Standards (MEES)

[The Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015](#) are designed to tackle the least energy efficient properties, in other words those rated as 'F' or 'G' on the Energy Performance Certificate (EPC) scale.

The Regulations establish a minimum standard of EPC band 'E' for private rented accommodation which now affects all tenancies, both new and existing.

Where for a range of specified reasons the landlord is unable to improve the property and the EPC rating remains at 'F' or 'G', then if they intend to continue letting the property the landlord must apply for a relevant exemption on the [PRS Exemptions Register](#) and also supply suitable and sufficient evidence for the reason why an exemption is justified.

Non-compliance with these Regulations *may* result in the imposition of a financial penalty in accordance with a specific Statement of Principles attached at [Appendix 1](#) to this policy

Non compliance

There are different forms of non-compliance, including one or more of the following:

- Continuing to let a property in breach of the Regulations i.e. letting out a property EPC rated 'F' or 'G' without an appropriate exemption
- Registering any false or misleading information on the PRS Exemptions Register

Fig 19

The local housing authority may serve a compliance notice on a landlord etc who appears to be, or to have been at any time within the 12 months preceding the date of service of the compliance notice, be in breach of one or more of the requirements detailed in fig 19 above.

Penalty Notice

In deciding whether to serve a Penalty Notice, the following factors will be taken into account:

- The rating of the property – F or G on the EPC scale
- The absence of a properly made or any exemption on the PRS Exemption Register
- Any other relevant circumstances including:
 - the likely presence of a Category 1 Hazard(s) under Excess Cold or Damp or Mould
 - any positive action taken by the landlord or letting agent in order to resolve the EPC rating or exemption
 - The period of time over which the breach has occurred

Fig 19a

4.7.3.The Redress Schemes for Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014

[The Redress Schemes for Letting Agency Work and Property Management Work \(Requirement to Belong to a Scheme etc.\) \(England\) Order 2014](#) requires that a person who engages in lettings agency or property management work must be a member of a [redress scheme](#) for dealing with complaints.

Non-compliance with these Regulations *may* result in the imposition of a financial penalty in accordance with a specific Statement of Principles attached at [Appendix 1](#) to this policy.

4.7.4.Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

The [Regulations](#) apply to new assured shorthold tenancies and licences to occupy from 1 July 2020 and existing tenancies and licences from 1 April 2021. Landlords of privately rented accommodation must:

- Ensure national standards for electrical safety are met. These are set out in the [18th edition of the 'Wiring Regulations'](#), which are published as British Standard 7671.
- Ensure all electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every 5 years.
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply the local housing authority with a copy of this report within 7 days of receiving a written request for a copy.
- Where the report shows that further investigative or remedial work (code C1, C2 or FI) is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.
- Supply written confirmation of the completion of the further investigative or remedial works from the electrician to the tenant and the local housing authority within 28 days of completion of the works.

Fig 20

A remedial notice *must* be served where the local housing authority is satisfied on the balance of probabilities that a landlord has not complied with one or more of their duties under the Regulations. This provides the landlord with the opportunity to respond to the alleged failures.

If a local housing authority has reasonable grounds to believe a landlord is in breach of one or more of the duties in the Regulations and the report indicates urgent remedial action is required, the local housing authority may, with the consent of the tenant or tenants, arrange for a qualified person to take the urgent remedial action and recover their costs.

Otherwise, they must serve a remedial action notice requiring the landlord to take the necessary action within 28 days. Should a landlord not comply with the notice the local housing authority may, with the tenant's consent, arrange for any remedial action to be taken themselves.

Landlords have rights to make written representation and appeal against remedial action. The local housing authority can recover the costs of taking the action from the landlord and may also impose a financial penalty of up to £30,000 on landlords who are in breach of their duties.

The Council will impose Financial Penalties where permitted, in accordance with its Statement of Principles which is attached to this policy as [Appendix 2](#) and having regard to the relevant [government guidance](#).

4.7.5.Homes (Fitness for Human Habitation) Act 2018

The [Homes \(Fitness for Human Habitation\) Act 2018](#) is designed to ensure that all rented accommodation (private and social) including any common parts of the building, are fit for human habitation at the beginning of the tenancy and throughout.

If a landlord fails to comply with the Act, tenants may have the right to take court action for breach of contract. If the court decides that the landlord has not provided their tenant with a home that is fit for habitation, then the court can make the landlord pay compensation to their tenant or make the landlord do the necessary works to improve their property.

The courts will decide whether a property is fit for human habitation by considering the matters set out in section 10 of the Landlord and Tenant Act 1985 which includes whether any of the 29 hazards set out in the [Housing Health and Safety \(England\) Regulations 2005](#) are present. Although a Housing Health and Safety Rating System (HHSRS) assessment is not strictly necessary, a landlord or tenant might choose to carry out an assessment if they want to establish whether a serious health and safety hazard is present.

All requests for assistance under this Act will be dealt with in the same way as other service requests and in accordance with this policy.

4.7.6.Environmental Protection Act 1990 – Statutory Nuisance

Premises that are ‘prejudicial to health or a nuisance’ as defined by the [Environmental Protection Act 1990](#) may constitute a ‘*statutory nuisance*’ under this Act. It is anticipated that the vast majority of such domestic premises can be investigated and resolved using the enforcement provisions of the Housing Health and Safety Rating System (HHSRS) as detailed above.

Where for whatever reason this is not possible, (for example a privately rented park home) consideration will be given to enforcement action and the abatement of the nuisance under this Act.

Where a premises is in such a state or condition that it causes a *statutory nuisance* at an adjoining property, then these matters will normally be investigated and progressed by officers working within the Community Protection Team of Dorset Council.

4.7.7.Building Acts, Public Health Acts and other legislation

The Building Act includes wide ranging provisions including [works in default](#) relating to the resolution of defective drainage to existing buildings and dangerous structures.

Similarly, Public Health Acts enable the Council to address a range of issues which can affect the housing stock.

4.8. Powers of Entry

The Housing Act 2004 provides authorised officers of the Council with wide ranging powers of entry to residential properties, at any reasonable time to carry out its duties. In most circumstances at least 24 hours’ notice must be given to the owner of the property, preferably in writing, of the Councils intention to carry out an inspection.

Such prior notice is not required in order to inspect premises to determine any offences in relation to the licensing of Houses in Multiple Occupation, offences in relation to licensing of houses generally (including Selective or Additional Licensing) or offences in relation to the HMO management regulations.

If entry to a property is refused, likely to be refused, the property is unoccupied or 24 hours prior notice would defeat the purpose of entry; then the Council can request from a Magistrate a warrant to enter the property, by force if necessary.

4.9. Power to Require and Obtain Information

Officers acting under this policy will routinely have need to obtain a wide range of information and evidence about a property. This includes documentation about its condition (including gas and electrical safety certification) and also the full contact details of those persons or organisations with a legal interest in the property. To obtain this information the Council has powers under the Housing Act 2004 to require landlords and agents to produce a wide range of documentation.

In addition The Local Government (Miscellaneous Provisions) Act 1976 enables the Council to seek relevant prescribed information using a ‘Requisition for Information’ Notice. This process will normally be used as a standard precursor to formal action under the Housing Act 2004.

The Housing Act 2004 also specifically enables access to relevant Housing Benefit and Council Tax information in order that the Council can perform necessary and appropriate duties and powers under the Act.

5. Failure to Comply with Notices and the Need for Further Action

- 5.1 If a notice, order or other relevant action is complied with in full, then normally no further action will be necessary. If the notice or order is not complied with, the Council will consider the following options:

- Prosecution (Fines in the magistrates court are unlimited)
- Demanding the payment of a Financial Penalty up to £30,000.
- Applying for a landlord banning order
- Insertion on the Database of 'rogue landlords' and property agents
- Carrying out the works in default;
- Issuing a Simple caution.
- Applying for a Rent Repayment Order (RRO)

Fig 21

5.2. Prosecution

The Council will consider the option of prosecution with reference to this policy document and Council's General Statement of Enforcement Policy, following consultation with the Council's Corporate Director for Legal Services.

In making this decision the Council will make reference to the Crown Prosecution Service '[Code for Crown Prosecutors](#)'. This code is a public document, issued by the Director of Public Prosecutions that sets out the general principles all prosecutors should follow when they make decisions on cases.

The Code has two main tests or stages; the *evidential stage* which considers if there is sufficient evidence to provide a realistic prospect of conviction and the *public interest stage*, which weighs up all the public interest factors tending in favour of prosecution and whether they outweigh those tending against prosecution. Only where these two tests are met will the Council consider prosecution. In arriving at a decision to prosecute under this policy, the Council will also consider a wide range of factors including:

- The degree of cooperation provided by those involved.
- The risk that the non-compliance posed to the safety, health or economic welfare of those affected or likely to be affected
- Evidence that suggests that there was pre-meditation in the commission of an offence.
- Any history of previous warnings or the commission of similar offences including a history of failure to respond to informal and formal requests for action
- Any aggravating circumstances such as aggressive, violent behaviour, harassment or illegal eviction etc
- The value of the action as a deterrent to the perpetrator and others.
- Removal of any financial gain from the offence
- The tenure of the person affected
- Where a financial penalty is thought to have little affect then prosecution maybe deemed the most appropriate action
- The suitability of a Financial Penalty as an alternative to Prosecution (see below)

Fig 22

The following provisions are offences liable to prosecution:

Housing Act 2004 and other offences

- Section 30 - failing to comply with an Improvement Notice
- Section 31 – failing to comply with a Prohibition Order
- Section 72(1) – (Mandatory) HMO Licensing Offences – failure to licence a HMO
- Section 72(2) – (Mandatory) HMO Licensing Offences – occupation of an HMO by more persons than authorised by the licence
- Section 72(3) – (Mandatory) HMO Licensing Offences – failure to comply with a licence condition
- Section 95 – Offences in relation to Selective Licensing
- Section 139(7) – Contravention of an HMO overcrowding notice (non-licensable HMO)
- Contravention of The Management of Houses in Multiple Occupation (England) Regulations 2006 applicable to all HMO's
- Contravention of The Licensing and Management of Houses in Multiple Occupation (additional provisions) (England) Regulations 2007 (applicable to converted blocks of flats)
- Any other relevant Act or Regulation

Fig 23

The Portfolio Holder (Housing) will be informed of the proposed action for information purposes only.

5.3. Financial Penalties

The Housing and Planning Act 2016 introduced the option of Financial Penalties of up to £30,000 as an alternative to prosecution for certain prescribed offences under the Housing Act 2004 and other legislation. Although Financial Penalties are an alternative to Prosecution, they require the same standard of proof as required before a Court of Law and the application of the same evidential and public interest test as outlined above. A Financial Penalty can only be imposed as an alternative to prosecution, as such only one of these courses of action may be taken.

Income received from financial penalties can be retained by the local housing authority provided that it is used to further the local housing authority's statutory functions in relation to their enforcement activities covering the private rented sector.

The Council will impose Financial Penalties where permitted, in accordance with its Statement of Principles which is attached to this policy as an [Appendix 2](#) and having regard to the relevant [government guidance](#). The offences potentially liable to the imposition of such a Financial Penalty include the following:

- section 30 (failure to comply with improvement notice),
- section 72 (licensing of Houses in multiple occupation (HMOs)),
- section 95 (licensing of houses under Part 3),
- section 139(7) (failure to comply with overcrowding notice), or
- section 234 (management regulations in respect of HMOs).
- section 21 (of the Housing and Planning Act 2016 - Breach of a banning order)
- regulation 3 (of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 – failure to comply with the regulations

Fig 24

In deciding whether to prosecute an offender or whether to issue a financial penalty, Dorset Council will decide which option it wishes to pursue on a case-by-case basis in line with this policy.

In making that decision and deciding between issuing a financial penalty or prosecution, the following factors maybe taken into account:

The seriousness of the offence:

Prosecution may be the most appropriate option where an offence is particularly serious or where the offender has committed similar offences in the past.

Where a significant financial penalty is a determined to be a greater sanction than prosecution:

A civil penalty of up to £30,000 can be imposed where a serious offence has been committed and a local housing authority may decide that a significant financial penalty (or penalties, if there have been several breaches), rather than prosecution, is the most appropriate and effective sanction in a particular case

Where Dorset Council considers that a banning order may be an appropriate sanction for a landlord, in addition to prosecution:

A banning order may only be applied for where a landlord has been convicted for committing certain prescribed offences and therefore if this is considered an appropriate sanction, may lead to a presumption in favour of prosecution in such cases.

Fig 25

The reason for a particular course of action being pursued will be documented and provided to the Corporate Director for Housing and the Council's solicitor for approval. This will ensure that the proposed action meets the tests set out in the Code for Crown Prosecutors and that the preferred sanction is the most 'appropriate and effective' course of action.

The Portfolio Holder (Housing) will be informed of the proposed action for information purposes only.

5.4. Banning Orders

The Housing and Planning Act 2016 introduced the concept of '[Banning Orders](#)' as a sanction to target what the government terms '[rogue landlords](#)', who are convicted for committing certain prescribed housing offences.

Local authorities are empowered to apply to the [First-Tier Tribunal \(Property Chamber\)](#) to impose a Banning Order preventing a person or body corporate from letting houses; engaging in letting agency work or engaging in property management work for a minimum period of 12 months. There is no statutory maximum period for a banning order.

Offences enabling an application for a Banning Order are detailed in the legislation and associated regulations and cover a wide range of housing related offences including:

- Failure to comply with an improvement notice or prohibition order,
- The unlawful eviction or harassment of an occupier and violence for securing entry,
- Offences in relation to the licensing of Houses in Multiple Occupation including a failure to comply with management regulations in respect of Houses in Multiple Occupation,
- Contravention of an overcrowding notice,
- Fire safety offences under the Regulatory Reform (Fire Safety) Order 2005,
- Gas safety offences- duties on landlords, and;
- A wide range of offences relating to immigration, fraud, violence and sexual offences, theft, burglary and blackmail etc.

Fig 26

The full range of offences is detailed in the [guidance](#) produced by Ministry of Housing, Communities and Local Government.

In determining whether it is appropriate to apply for a banning order, the following factors will be taken into consideration:

- The seriousness of the offence.
- Any previous convictions or any entry on the [rogue landlord database](#)
- The harm caused to the tenant.
- The necessity to further punish the offender.
- To deter the offender from repeating the offence or similar offences again
- To deter others from committing similar offences
- Where it is thought that prosecution or a financial penalty are unlikely to prevent the landlord or letting agent offending again.

Fig 27

Should a person subsequently breach a banning order, as detailed above the Council has the power to either prosecute or impose a financial penalty.

5.5. Database of rogue landlords and property agents

The Housing and Planning Act 2016 also introduced a national '[database](#)' of landlords subject to a [Banning Order](#) or convicted for committing a Banning Order offence. Dorset Council will ensure that any landlord or agent who has committed a banning order offence as outlined in fig 26 above, is inserted on the Database of Rogue Landlords.

5.6. 'Works in Default' of an Improvement Notice

Where a recipient of an Improvement Notice fails to complete the necessary required work, the Council has the power to take the specified action required in relation to some or all of the identified hazard(s). This can be carried out with or without the agreement of the recipient of the notice.

As a general rule the Council will recover all the reasonable expenses incurred in taking that action including all reasonable administration costs. This may include for example the total time spent by officers in organising and supervising the work, all administrative work, travel, costs associated with contractors and supervisory costs including the cost of any necessary specialist reports and interest at a reasonable rate. This process is often referred to as carrying out 'Works in Default' of a notice.

In determining whether it is appropriate to carry out 'works in default' of an Improvement Notice, the investigating officers will consider the following matters in consultation with the Service Manager Housing Standards:

- The effects of not carrying out the work on the health, safety and welfare of the occupants of the property concerned.
- The opinion of any occupant.
- The reason for the work not being carried out, either on time or to the correct specification
- Any other formal action being taken with regard to the case
- Any other factors that are relevant to the particular case.

Fig 28

Until such time as 'Works in Default' costs are fully paid by the responsible person, the action and costs incurred also act as a Land Charge.

This process then gives the Council the same powers and remedies as a Mortgagee under the Law of Property Act 1925 which is relevant in the case of the potential Enforced Sale of long term [empty properties](#).

5.7. Simple Caution

A [simple caution](#) (once known as a formal caution) is a formal warning that may be given by the police or other prosecutors to persons aged 18 or over who admit to committing an offence. The simple caution scheme is designed to provide a means of dealing with low-level, mainly first-time, offending without a prosecution, Financial Penalty or other sanction. A simple caution may only be given where specified criteria are met.

In considering whether to issue a simple caution the following factors will be taken into consideration.

- there is evidence that the offender has committed an offence (to the same standard of proof as that required before a court); and,
- the offender admits to the offence; and,
- it is not in the public interest to prosecute (if a simple caution is accepted); and,
- the offender agrees to being given the simple caution.
- the offence created a scenario which was considered low risk, a technical breach of the legislation and/or a first time offence
- the offender remedied the breach in a timely way and there was no financial gain in committing the offence.

Fig 29

5.8. Rent Repayment Orders (RRO)

A [rent repayment order](#) is an order made by the First Tier Tribunal (Property Chamber) requiring a landlord to repay a specified amount of rent.

RRO's enable a local authority or a tenant to secure the repayment of rent paid during the period of a prescribed offence (for a maximum period of 12 months). In the case of the local authority the amount to be reclaimed would relate to Housing Benefit payments made. In the case of a tenant the amount reclaimed would be the rent paid personally by that tenant.

The Housing and Planning Act 2016 extended the range of offences for which a local authority is able to consider applying for a RRO against a landlord. These now include:

- Failure to obtain a mandatory HMO licence for a property under section 72(1) of the Housing Act 2004
- Failure to obtain a property licence under section 95(1) of the Housing Act 2004
- Failure to comply with an Improvement Notice under section 30 of the Housing Act 2004
- Failure to comply with a Prohibition Order under section 32 of the Housing Act 2004
- Breach of a banning order made under section 21 of the Housing and Planning Act 2016
- Using violence to secure entry to a property under section 6 of the Criminal Law Act 1977
- Illegal eviction or harassment of the occupiers of a property under section 1 of the Protection from Eviction Act 1977.

Fig 30

While prosecution for the offence is not a prerequisite for an RRO application, should there have been a successful prosecution, the Tribunal will not revisit the facts of the case, but merely consider the appropriate amount for repayment.

In considering whether to apply to the First Tier Tribunal (Property Chamber) for an RRO, the Council will consider the following factors:

- That housing benefit has been paid to tenants resident at the property
- The seriousness of the offence.
- Any previous convictions or any entry on the [rogue landlord database](#)
- The harm caused to the tenant.
- The necessity to further punish the offender.
- To need to deter the offender from repeating the offence or similar offences again
- To deter others from committing similar offences

Fig 31

6. Houses in Multiple Occupation (HMO)

- 6.1. [HMOs](#) are properties occupied by persons who do not form a single household, in that they are not members of the same family. Occupants will also share one or more basic amenities such as a bathroom, toilet or shower.

The definition of HMO typically includes properties known as bedsits or shared houses, but can also include poorly converted blocks of flats, staff accommodation and temporary accommodation of homeless people (often bed and breakfast type accommodation).

6.2. Fire Safety in HMOs

HMOs have one of the highest incidences of fire related deaths in all types of housing. It is therefore essential that HMOs possess adequate means of escape in case of fire and adequate fire precautions. The actual level of fire protection and detection required will be determined by risk and further guidance on the typical precautions necessary can be found in the documents; '[Housing – Fire Safety](#)' ([Local Authorities Coordinators of Regulatory Services - LACORS](#)) and '[Fire safety risk assessment: sleeping accommodation](#)'.

Dorset Council has an enforcement protocol with Dorset and Wiltshire Fire and Rescue Service to determine the lead authority for different types of residential accommodation. Dorset Council is normally the lead authority for all fire safety matters in HMOs.

Once inspected all HMOs are subject to a risk assessment which will allow the prioritisation of proactive inspections to secure appropriate improvement work.

6.3. The General Management of HMOs

[The Management of Houses in Multiple Occupation \(England\) Regulations 2006](#) and [The Licensing and Management of Houses in Multiple Occupation \(additional provisions\) \(England\) Regulations 2007](#) (applicable to converted blocks of flats), require the person having control of the HMO to ensure that:

HMO Management Regulations

- All services, furnishings, fixtures and fittings are maintained in good, sound, and clean condition.
- The structure is kept in good order.
- All communal areas of the interior are regularly cleaned and redecorated as necessary.
- All yards, boundary walls, fences, gardens and outbuildings are maintained in a safe and tidy condition.
- Satisfactory arrangements for the disposal of refuse and litter have been made.
- At the commencement of all tenancies the lettings are clean, in a satisfactory state of repair and decoration and comply in all respects with these standards.
- All staircases and multiple steps are provided with suitable handrails.
- All tenants fulfil their tenancy obligations.

In order to provide some interpretation and guidance of the requirements for all HMOs, Dorset Council has adopted [Amenity Standards for HMOs](#) which contains further information about the legal requirements and recommendations as to how they maybe fulfilled.

Failure to comply with the 'HMO Management Regulations' is an offence liable to [Prosecution](#), the issuing of a [Financial Penalty](#) or a [Simple Caution](#) and in determining whether formal action is appropriate the following factors will be

- The seriousness of the offence.
- The presence of any imminent risks especially relating to fire safety
- The landlords past history of compliance
- Any previous convictions or any entry on the [rogue landlord database](#)
- The harm caused or likelihood of any harm to the tenant(s)
- The absence of a Mandatory HMO or other type of housing licence

Fig 33

Where formal action is not considered appropriate, the Council will explain the nature of the defects in writing and seek the landlord or letting agent's proposals for remedying the problems, normally providing 14 days for an acceptable response to be provided. Failure to comply with such approach may then lead to formal action based on the factors listed in Fig 33.

6.4. Mandatory HMO Licensing

The Housing Act 2004 introduced a national mandatory licensing system for Houses in Multiple Occupation (HMO) occupied by 5 or more people who share basic facilities.

Due to the way they are occupied, HMOs often pose particular hazards in relation to fire, overcrowding and property management and maintenance. The aim of proactive licensing is to ensure that every licensable HMO is safe for the occupants and is properly managed.

The responsibility for applying for a licence rests with the person having control or the person managing the property, licences normally cover a period of three to five years and the licence is subject to an administration fee to cover the cost of the licensing issuing process which is detailed in [Appendix 4](#).

Those applying for a licence must satisfy a self-certification 'fit and proper person' 'test' and the property must be suitable for the number of proposed occupants in relation to the provision of facilities, it shall be subject to appropriate management and also possess adequate fire precautions.

6.5. Licensing Offences

The Housing Act 2004 details a number of HMO licensing offences including:

- Operating a licensable HMO without a licence
- Allowing an HMO to be occupied by more persons than a licence allows
- Breaching a condition of the licence

Fig 34

Where a HMO licensing offence has been identified the Council will assess the relevant circumstances and may base any decision for further formal action on the following matters:

- The condition and management of the HMO and the presence of any serious safety issues including any category 1 or high rating category 2 hazards
- Whether the property possesses adequate and maintained fire precautions
- The response of the landlord or responsible person when they are notified of the need for a licence
- Whether it is believed the landlord was aware of the need for a HMO licence
- Steps taken by the landlord to subsequently licence the property
- Steps taken by the landlord to carry out any necessary work within an agreed time period

Fig 35

As detailed above, if a landlord operates an un-licensed HMO the Council may [prosecute](#), issue a [Financial Penalty](#), apply for a [Rent Repayment Order \(RRO\)](#), apply for a [Banning Order](#) or issue a [Simple Caution](#).

6.6. Interim and Final Management Orders

Where there is no reasonable prospect of an HMO being licensed or certain prescribed health and safety conditions fail to be met, the Council is required to apply for an Interim Management Order (IMO). The application for an IMO is made to the First Tier Tribunal (Property Chamber), normally lasts for one year and allows the Council to take over the management of the HMO. In certain circumstances the Council can also apply for a Final Management Order (FMO) which can last a further five years.

It is likely that such powers will only be used in exceptional circumstances and will be agreed by the Service Manager Housing Standards in consultation with the Corporate Director for Housing. In considering taking this action the Council will have regard to:

- Whether the making of an interim management order is necessary for the purpose of protecting the health, safety or welfare of persons occupying the house
- Any other options have been discounted
- Any threat to evict persons occupying the house in order to avoid the house being required to be licensed or otherwise
- The history of non-compliance with housing and other relevant legislation
- The making of the Interim Management Order is in the public interest.

Fig 35a

6.7. Temporary Exemption Notices

Where a landlord is taking particular permitted steps with a view to securing that the house is no longer required to be licensed, the Council may serve a Temporary Exemption Notice (TEN). A TEN can only be granted for a maximum period of three months and in exceptional circumstances a second TEN can be served for a further three month period.

It should be noted that in granting a TEN the landlord must only take permitted steps with a view to securing that the house is no longer required to be licensed. Specifically no 'section 21' notice (recovery of possession of a shorthold tenancy) may be given in relation to a shorthold tenancy of any part of an unlicensed HMO.

6.8. HMOs not subject to licensing

Many HMO's may not require a mandatory licence. These include houses containing self-contained flats, converted buildings and smaller HMOs of either 3 or 4 persons sharing basic facilities.

Such HMO's may still pose a significant degree of risk to occupants and may also have a history of being poorly managed.

The Council may inspect such non-licensable HMO's via the enforcement of the provisions of the [Management of Houses in Multiple Occupation \(England\) Regulations 2006](#) and the [Housing Health and Safety Rating System](#) both detailed above and will target any inspections on the basis of risk and by considering the following factors:

- Whether any justified complaint has been received about the condition of the HMO
- Any intelligence or evidence provided about the condition, safety, overcrowding, management and fire precautions present within the property
- The number of stories and layout of the HMO and how that contributes to the fire and other risks to the occupants
- The known past recent history of the landlord or letting agent

Fig 36

6.9. Discretionary Property Licensing

The Housing Act 2004 makes provision for the introduction of discretionary licensing of a wider range of HMOs, referred to as Additional Licensing. It also provides for the discretionary licensing of all private sector housing in a defined area, which is known as Selective Licensing.

The Council will consider the use of these powers if the criteria for such licensing schemes are met, it is considered to be the most appropriate course of action; is consistent with the Dorset Council's objectives and has the necessary support from relevant partner agencies.

7. Empty Homes

- 7.1. Empty homes are a blight on our communities, they can fall into disrepair, attract vermin, unauthorised access, vandalism and anti-social behaviour. They also constitute a significant wasted housing resource to the property owner and wider community.

Local Housing Authorities can take a wide variety of actions to enable long term empty properties to be brought back into use. This can include working with the owners of empty homes, to support and encourage voluntary action. Alternatively where reasonable negotiations fail, subject to appropriate funding and other resources being available, it can also include certain enforcement action as detailed below.

In deciding the most appropriate course of action for an empty property and whether formal action is appropriate, regard shall be had to the following factors:

- The response of the property owner
- The length of time the property has been empty
- Its impact on the neighbourhood and the level of justified complaint
- Housing need in the area for the particular type of accommodation
- The size, condition and location of the property
- The likely cost of bringing the empty property back into use
- Any debts or other charges secured on the property
- The views of neighbours and local councillors
- The availability of funding to progress with a given case including an available partner organisation such as a housing association
- The human rights considerations of taking enforcement action

Fig 37

7.2. Empty Dwelling Management Orders (EDMO's).

Under the Housing Act 2004 the Council may apply to the First Tier Tribunal (Property Chamber) to impose an [EDMO](#) on a long term empty home which has been empty for at least six months. If granted the order gives the Council the power to manage the house, but not take the full ownership. Final EDMO's last for a maximum period of seven years, after which another order maybe applied for or some alternative action taken.

During the lifetime of the EDMO the Council is required to rent the property for residential purposes and may recover any costs incurred in improving and managing it through the rental income obtained. If there is any surplus income, then it must be passed on to the freehold owner.

The Council may work in partnership with a Registered Provider of Housing (RP – formerly known as Housing Associations) or other agencies to manage a property which has been subject to an EDMO.

The EDMO option is more likely to be considered for long term empty homes which meet the following criteria

- The property is in a relatively good state of repair, needing only cost effective works to make it suitable for rental occupancy
- Is of an appropriate size and in an area of demonstrable housing need and there is a reasonable prospect that the dwelling will become occupied if an EDMO is made
- The amount of affordable rent likely to be payable in the life of the EDMO is favourable when compared to the repair, management and other expenses incurred
- The dwelling has been unoccupied for at least six months
- There is no reasonable prospect that the dwelling will become occupied in the near future
- The Council has complied with its duties in seeking to make an EDMO and no exemptions apply

Fig 38

7.3. Enforced Sale

The 'enforced sale' of a house is an option available to local authorities where a property has certain Council legal or financial charges secured on it, which the property owner has not paid. This typically includes costs associated with works carried out in default of a notice served as outlined above. In essence the local authority exercises the power of sale conferred by the charge to recover the money it is owed.

The most common statutory provisions enabling works in default with an associated property charge are detailed below:

- Section 4 Prevention of Damage by Pests Act 1949
Requiring land to be kept free of rats and mice
- Section 79 Building Act 1984
Requiring works to remedy ruinous and dilapidated buildings and neglected sites
- Section 80 Environmental Protection Act 1990
Requiring abatement of statutory nuisance
- Section 215 Town and Country Planning Act 1990
Requiring steps to be taken for the purpose of remedying the adverse effect on amenity caused by detrimental condition of land and buildings
- Sections 11 and 12 Housing Act 2006
Requiring the taking of action to deal with category 1 or 2 hazards in residential premises
- Council Tax Debts - requires an application to court and an order for sale

The Council can seek an order from HM Land Registry (Law of Property Act 1925) to force and complete the sale of the house on the open market or via auction to recoup its costs. The freehold owner then take the balance of the sale price.

As neglected empty properties can typically require the above formal action and absent owners fail to comply with works notices and pay associated works in default costs, then this process can be particularly relevant to empty homes.

In considering whether the enforced sale procedure is appropriate for a particular long term empty property then the following criteria will be taken into account:

- The presence of an appropriate financial legal charge on the empty property
- The value of that charge
- The nature of the charge; i.e. whether the Council's charge takes priority over others
- The likelihood that the freehold owner will pay the outstanding debt
- The properties impact on the neighbourhood and the level of justified complaint
- The level of cooperation provided by the owner in bringing the property back into use

Fig 40

7.4. Compulsory Purchase Order (CPO)

Various legal provisions provide local authorities with the power to apply to the Secretary of State to acquire land, houses or other properties by compulsion for the provision of housing accommodation ([CPO](#)). The main uses of this power are to assemble land for housing and ancillary development, to bring empty properties into housing use and to improve substandard or defective properties.

Common current practice is for authorities acquiring land or property compulsorily to dispose of it to the private sector. However where resources are available, empty properties can equally be renovated by the Council and improved to be used for private sector renting for those in housing need.

There are significant human rights implications associated with the compulsory purchase of properties and therefore an order should only be considered where there is a compelling case in the public interest.

In considering whether a Compulsory Purchase Order is appropriate for a particular long term empty property then the following criteria will be taken into account:

- The extent to which the property owner has attempted to comply with the Council's requests to bring it back into use
- What efforts the Council has made to engage the owner in bringing the property back into use
- The condition and location of the property and the likelihood it will come back into use by other means, whether Council initiated or otherwise
- The effect of the empty property on local residents and the wider community
- The balance of human rights interests, in other words the rights of the property owner balanced against the rights of those demonstrably affected by the empty property
- The purchase and likely resale cost of the property
- The benefit of improving and renovating the property for rent versus the immediate sale of the property on the open market
- The marketability of the property on the open market

Fig 41

The Secretary of State will consider a CPO application made by the Council and if the owner contests it, they will offer the owner the opportunity to put their case. This submission can take the form of a written representation or a public enquiry. In any case the circumstances will be judged by an independent Government appointed inspector.

7.5. General Empty Property Enforcement Action

Other legislation can also be considered when dealing with issues arising from empty properties, such as:

- [Local Government \(Miscellaneous Provisions\) Act 1982 s29](#) - enables the Council to secure a property that is open to access
- [Buildings Act 1984 s77 and 78](#) - enables the Council to require an owner to make a property safe or allow emergency action to be taken to make it safe
- [Town and Country Planning Act 1990 s215](#) - enables the Council to take action to address a dis-amenity to the local community and unsightly external appearance
- [Housing Act 1985 s265](#) - enables the Council to demolish a property that cannot be satisfactorily repaired (i.e. derelict properties)
- [Prevention of Damage by Pests Act 1949 Section 4](#) - Requiring land to be kept free of rats and mice
- [Environmental Protection Act 1990 Section 80](#) - Requiring abatement of statutory nuisance
- [Anti-social Behaviour, Crime and Policing Act 2014](#) – Community Protection Notice – action where a property is having a detrimental effect on the quality of life of those in the locality, and is unreasonable, and the behaviour is of a persistent or continuing nature.

Fig 42

8. Park Homes

Park Home sites offer an alternative to home ownership and many sites are occupied by older residents on low income. Local authorities are responsible for safeguarding the interests of park home owners and the public at large through the licensing regime under the [Caravan Sites and Control of Development Act 1960](#).

There are currently approximately 50 licenced sites in the Dorset Council area. The [Mobile Homes Act 2013](#) introduced a new site licensing regime for relevant protected sites (that is, park home sites and mixed sites of both residential park homes and holiday homes). The Act allowed for the service of compliance notices in relation to breaches with site licence conditions.

Compliance Notices

Where a local authority considers that a park owner is failing or has failed to comply with a site licence condition it can serve a compliance notice on the park owner listing the steps that need to be taken, within a specified time period, to comply with the requirements of the site licence. It is a criminal offence to fail to comply with a valid compliance notice.

Emergency Action

A new provision has also been introduced under this legislation that deals with emergency situations that may arise but where the park owner either refuses or is not available to take immediate action to protect people on the park. Where a situation arises that, in failing to comply with a site licence condition, there is an imminent risk to the health and safety of anyone on the park, the local authority has the power to take emergency action to remove that risk.

Fig 43

Any actions required in enforcement proceedings will be reasonable and proportionate. Dorset Council aims to work with park owners in a constructive and positive way to improve parks. In applying this policy Dorset Council aims to be consistent in its approach across all sites in Dorset and address issues that arise in relation to the site licence conditions. Formal enforcement action will be considered under the following circumstances:

- Where there are breaches of the site licence conditions
- The presence of any demonstrable risk of significant harm to persons or property
- The interests and rights of the park home owners
- Whether a breach of the site licence condition is impacting on an individual owner of a wider part of the site.
- The general level of confidence of the site licence holder at this or other sites under their control
- The general way in which the site is managed and operated and any history of justified complaint and non-compliance.

Fig 44

9. Situations where a service may not be provided

Although the Council has specific legal duties and responsibility in relation to the inspection of housing and the improvement or removal of hazards, as detailed below situations may arise where it is appropriate and justified to not provide a service:

- Where an occupant voluntarily has or is imminently intending to move out of the property subject to the enquiry
- Where a tenant unreasonably refuses access to the property to the landlord, property owner, managing agent, Council Officer or any appointed contractor, preventing them from inspecting, arranging or carrying out any required works.
- Where the only reason for contacting Housing Standards is to assess or improve a priority rating under the [Home Choice Allocations Policy](#) and the tenant has refused to allow access or cooperate to enable the accommodation to be assessed, improved or repaired.
- Where an occupant has made a relevant request for service and has then failed to reasonably respond to requests for contact, failed to keep an appointment(s) and has not reasonably responded to subsequent communication or requests.
- Where an occupant or a member of their household has been aggressive, threatening, verbally or physically abusive towards an officer of the Council or another relevant person.
- Where on visiting or inspecting the property there is found to be no justification for the complaint or the complaint is considered vexatious.
- Where upon request, an occupant unreasonably withholds from the Council any relevant information or documentation which would assist the Council in its investigation or the performance of its duties or powers.

Fig 45

10. Monitoring and review

This enforcement policy will be subject to regular review and amendment when necessary to accommodate new legislation, guidance or local needs. The policy provides authority to the Corporate Director for Housing to make minor alterations in consultation with the Portfolio for Housing.

This enforcement policy will be available on the council's website at www.dorsetcouncil.gov.uk/housingenforcement

Housing Standards will work to adopt any corporate or other appropriate system designed to obtain feedback and to assess the satisfaction of the service provided to and the diversity of landlords, letting agents and tenants and others affected by this policy. The information collected will be used to improve the delivery, fairness and effectiveness of the policy.

11. Application of the policy

Enforcement officers will refer to this policy and appended documents when making all enforcement decisions. Any departure from this policy must be made in consultation with the Service Manager Housing Standards and appropriately recorded.

12. Feedback

If you wish to comment or provide feedback about this policy please contact;

Service Manager Housing Standards
South Walks House
South Walks Road
Dorchester
Dorset DT1 1UZ

01305 251010
housingteamf@dorsetcouncil.gov.uk

Appendix 1

Statement of principles for determining financial penalties for general housing legislation

Introduction

This statement sets out the principles that Dorset Council will apply in exercising powers to impose a financial penalty for failing to meet certain legislative requirements for which they are the enforcing authority.

The Council's power to impose financial penalties.

Legislation has been introduced which has provided the Council with a power to impose and charge a financial penalty in prescribed circumstances.

- [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)
- [The Redress Schemes for Letting Agency Work and Property Management Work \(Requirement to Belong to a Scheme etc.\) \(England\) Order 2014](#)
- [Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015](#)

Fig 46

In anticipation of further legislative provisions being introduced which enable the imposition of a financial penalty, the principles detailed in this document will be applied in setting any charge

Scope

Regulation 13 of The Smoke and Carbon Monoxide Alarm (England) Regulations 2015, requires the council to prepare and publish a 'statement of principles' to which it will have regard in determining the amount of a penalty charge it will apply where a landlord is in breach of the duties under those Regulations. The Council will also apply these principles when determining any other housing related legislation that permits the Council to impose a financial penalty.

The Council may revise this statement of principles and in the event will publish the revised statement.

Where a financial penalty is charged the Council must have regard to the most current statement of principles that it has published.

General principles applied to the imposition of a financial penalty.

The primary purpose of the Council's enforcement of its regulatory powers is to protect the interests and safety of the public. The primary aims of any financial penalty will therefore be to:

- Change the behaviour of the landlord / letting agent concerned.
- Deter future non-compliance by landlords / letting agents.
- Eliminate any financial gain or benefit from non-compliance with the Regulations.
- Be proportionate to the nature of the breach of the Regulations and the potential harm outcomes.
- Reimburse the cost incurred by the Council in undertaking any work in default and fulfilling its enforcement duties.

Fig 47

In determining the amount of any financial penalty to be charged the Council may in general have regard to the following:

- The level of cooperation provided by the landlord/letting agent concerned.
- Any history of previous contraventions of Housing or Housing related legislation
- The level of risk created by the non- compliance
- The cost incurred by the Council in enforcing the relevant provision.
- Any other circumstances identified as specifically relevant to the individual matter
- The Council's current Housing Standards Enforcement Policy

Fig 48

Financial penalties applicable to specific legislation

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015.

Where the Council have reasonable grounds to believe that the requirements have not been met by a landlord there is a duty to serve a 'Remedial Notice' on the landlord. Failure to comply with a Remedial Notice imposes a further duty upon the Council to arrange remedial action and a power to require payment of a penalty charge. The amount of the penalty charge must not exceed £5,000.

The Council will comply with the requirements and [guidance](#) regarding the information to be contained within any penalty charge notice, including provisions for a review, and the appeal procedures. A penalty charge will be recoverable on the order of a court, as if payable under a court order.

The Dorset Council Standard Penalty Charges are as follows and in determining the amount of any financial penalty to be charged the Council may have regard to the matters raised in fig.48 above.

- The standard penalty charge for breach of duty under regulation 6(1), - compliance with a Remedial Notice - will normally be up to £1,500 for a first failure to comply with a Remedial Notice.
- An offer will usually be made on a first occurrence penalty charge for it to be reduced by 50% if paid within 14 calendar days of the date of issue of the penalty charge notice.
- Should a landlord repeatedly not comply with such Remedial Notices, the penalty charge will normally be up to £3,000 for a second occurrence, and normally be up to £5,000 (maximum) for any additional occurrences.
- There will usually be no discount offered for early payment of a penalty charge, for failure to comply with a Remedial Notice on the second and additional occurrences.

Fig 49

The Regulations make provision for a landlord to seek a review of a penalty charge notice. The Council will refer to this statement of principles in considering any request for a review, and the review will be conducted by an Officer not directly involved in the service of the original notice.

The Redress Schemes for Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014

Whilst the majority of lettings agents and property managers provide a good service there are a minority who offer a poor service and engage in unacceptable practices. This Order requires that tenants and landlords with agents in the private rented sector will be able to complain to an independent person about the service they have received. The aim is that the requirement to belong to a redress scheme will help remove bad agents and property managers and drive up standards.

Where the council is 'satisfied on the balance of probabilities' that a person has failed to belong to a redress scheme as required by article 3 or 5 of the above Order, it may by notice require that person to pay a 'monetary penalty'. The amount of the monetary penalty must not exceed £5,000.

The Council will comply with the procedure and [guidance](#) for the imposition of a monetary penalty stipulated within the Order including provisions for the submission of representations and objections and the appeal procedures. The Council will normally provide the landlord with a reasonable period of time to remedy any breach; normally 21 to 28 days, prior to considering imposing a penalty. A monetary penalty will be recoverable on the order of a court, as if payable under a court order.

The standard monetary penalty for breach of duty under article 3 or 5 will be set initially at £5,000. The monetary penalty will be reduced by 50% if paid within 14 calendar days of the date of issue of the monetary penalty.

While this monetary penalty is set as a standard the order makes provision for a Letting Agent to make representations or objections. The Council will refer to this statement of principles in considering representations or objections received. Reviews will be conducted by an Officer not directly involved in the service of the original notice of intent.

Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

The Council may serve a penalty on the landlord where they are satisfied that the landlord is, or has been in the last 18 months in breach of the:

- prohibition on letting sub-standard property (those rated F or G on the EPC scale) or
- requirement to comply with a compliance notice or
- has uploaded false or misleading information to the Exemptions Register.

Fig 51

The Council will normally provide the landlord with a reasonable period of time to remedy any breach; normally 21 to 28 days, prior to considering imposing a penalty. The Council has discretion to decide on the amount of financial penalties, up to maximum limits set by the Regulations and associated [guidance](#). The maximum penalties are as follows:

- a. Where the landlord has let a sub-standard property in breach of the Regulations for a period of less than 3 months, a financial penalty of up to £2,000 may be imposed in addition to a publication penalty.
- b. Where the landlord has let a sub-standard property in breach of the regulations for 3 months or more, a financial penalty of up to £4,000 may be imposed in addition to a publication penalty.
- c. Where the landlord has registered false or misleading information on the PRS Exemptions Register, a financial penalty of up to £1,000 may be imposed in addition to a publication penalty.
- d. Where the landlord has failed to comply with compliance notice, a financial penalty of up to £2,000 may be imposed in addition to a publication penalty.

The Council may not impose a financial penalty under both paragraphs a. and b. above in relation to the same breach of the Regulations, but they may impose a financial penalty under either paragraph a or paragraph b., together with financial penalties under paragraphs c and d, in relation to the same breach.

Where penalties are imposed under more than one of these paragraphs, the total amount of the financial penalty may not be more than £5,000. The Council will initially impose the maximum penalty permitted. The Council will refer to this statement of principles in considering any request for a review and the review will be conducted by an officer not directly involved in the service of the original notice.

For all offences resulting in a financial penalty the Council will also consider a 'publication penalty'. A 'publication penalty' allows the Council to publish details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register. The Council will generally keep the information on the Register for at least 12 months.

Appendix 2

Statement of principles for determining financial penalties for Housing Act and other offences

Introduction

This statement sets out the principles that the Dorset Council (the Council) will apply in exercising powers to impose a financial penalty for specified criminal offences under the Housing Act 2004.

The Council's power to impose financial penalties.

Legislation and [guidance](#) has been introduced which provides local housing authorities with a power to charge a financial penalty in prescribed circumstances.

The Ministry of Housing, Communities and Local Government (MHCLG) publication is statutory guidance to which local housing authorities must have regard. It recommends certain factors a local authority should take into account when deciding on the level of financial penalty and further recommends that local authorities develop and document their own policy on determining the appropriate level of financial penalty in a particular case.

The Council has a wide discretion in making this determination and this policy provides further guidance as to how a penalty will be calculated. In developing its policy the Council has had regard to principles set out in a number of publications including the [Magistrates' Court Sentencing Guidelines](#). In anticipation of further legislative provisions being introduced enabling the imposition of a financial penalty, the principles detailed in this document will be applied in setting any charge.

Scope of the document

[The Housing and Planning Act 2016](#) ('the 2016 Act') amends the Housing Act 2004 ('the 2004 Act') to allow financial penalties, up to a maximum of £30,000, to be imposed as an alternative to [prosecution](#) for certain relevant housing offences.

The Housing Act 2004 Act prescribes the procedures that a local housing authority must follow before imposing a financial penalty, details of the appeal process and the procedure for recovery of the penalty.

Schedule 9 of the 2016 Act has introduced amendments to the 2004 Act that allow local housing authorities to impose financial penalties as an alternative to prosecution for the following relevant housing offences under the 2004 Act:

- The extent to which the non-compliance was the result of direct acts or omissions of the landlord / agent.
- Whether the non-compliance was deliberate or resulted from a matter of which the landlord / agent should reasonably be aware.
- Whether any other body has or is likely to apply sanctions associated with the non-compliance.
- The level of cooperation provided by the landlord / agent concerned.
- Any history of previous contraventions of Housing or Housing related legislation.
- The level of financial gain achieved by the non-compliance.
- The level of risk created by the non-compliance.
- The degree of responsibility held by the landlord / agent for the non-compliance.
- The cost incurred by the Council in enforcing the relevant provision.
- Any additional aggravating or mitigating factors that may warrant an increase or decrease in the financial penalty.

Fig 55

Where a financial penalty is charged the Council must have regard

to a statement of principles published and in place at the time when the breach in question occurred. The Council may revise this statement of principles and where it does so, it will publish the revised statement.

General principles and factors to be applied to the imposition of a financial penalty.

The guidance on the imposition of financial penalties advises local authorities to take account of the following seven factors when calculating the amount of any penalty.

The Council will take these seven factors into account when determining the amount of any

1. Severity of the offence.
2. Culpability and track record of the offender.
3. The harm caused to the tenant.
4. Punishment of the offender.
5. Deter the offender from repeating the offence.
6. Deter others from committing similar offences.
7. Remove any financial benefit the offender may have obtained as a result of committing the offence.

Fig 54

financial penalty to be imposed and in doing so will specifically consider:

Procedure for imposing a financial penalty

The procedure for imposing a financial penalty is set out in Schedule 13A of the Housing Act 2004. Where a penalty is considered the appropriate sanction, the level of penalty will be set by reference to the '[Financial Penalty Matrix](#)' detailed below in Table 1.

The Financial Penalty Matrix accounts for the seven factors detailed in the guidance at fig 54 above and consolidates it into four headings. The resultant total 'score' in column 'A' of table 1 is then transferred to one of the eleven possible [penalty bands](#) detailed in Table 2.

Each band provides a range of possible penalties with the lowest band having a penalty of up to £250 and the highest band imposing a penalty up to the maximum of £30,000.

The maximum penalty for any band will be assumed to apply unless there are accepted mitigating circumstances associated with the case. These may include, but not limited to:

- No previous convictions or no relevant or recent convictions
- Steps voluntarily taken to remedy the problem
- A high level of cooperation with the investigation, beyond that which will always be expected
- Good previous record of maintaining the property
- Self-reporting of the issue, cooperation and acceptance of responsibility
- Good character or exemplary conduct
- Mental health issue or learning disability is linked to the commission of the offence
- Serious medical conditions requiring urgent, intensive or long term treatment

Fig 56

In all cases a view will be taken on the level of the penalty calculated from the matrix, compared to the offence committed and if necessary the penalty will be adjusted, subject to appropriate documented evidence. Prior to the final determination of a penalty the Council will satisfy itself that the penalty is just and proportionate. Decisions to adjust a civil penalty will be taken and documented by the Service Manager Housing Standards.

Where the offender is issued with more than one financial penalty, the Council will have regard to guidance from the definitive guideline on [Offences Taken into Consideration and Totality](#) and consider the totality of the penalties.

If the aggregate total of the penalties is not considered just and proportionate, the Council will consider how to reach a just and proportionate financial penalty.

The statutory guidance advises that local authorities should use their existing powers as far as possible, to make an assessment of a landlord's assets and any income (not just rental income) they receive when determining an appropriate penalty.

In setting a financial penalty, either singular or cumulative, the Council may conclude that the offender is able to pay any financial penalty imposed unless the Council has obtained, or the offender has supplied, any financial information to the contrary. An offender will be expected to disclose to the Council such data relevant to his financial position to enable the Council to assess what an offender can reasonably afford to pay.

Where the Council is not satisfied that it has been given sufficient reliable information, the Council will be entitled to draw reasonable inferences as to the offender's means from evidence it has received and from all the circumstances of the case, which may include the inference that the offender can pay any financial penalty.

Where it is determined that a financial penalty is appropriate the Council will serve a 'notice of intent' on the person responsible for the offence within 6 months of the offence being evidenced

The Council will invite representations which must be made within 28 days of receipt of the 'notice of intent'. Having considered any representations received the Council must then decide if it still wishes to impose a civil penalty and, if so, the amount. If a civil penalty continues to be considered appropriate a 'final notice' will be served.

A person who receives a final notice may appeal to the First-tier Tribunal against the decision to impose a penalty; or the amount of the penalty. If a person appeals, the final notice is suspended until the appeal is determined or withdrawn.

Financial Penalty Matrix (Table 1)

Factors	Score = 1	Score = 5	Score = 10	Score =15	Score = 20	Total (A)
1. Severity of offence and culpability	Single low level offence and no previous enforcement history.	Single offence and minor previous enforcement history.	Offence has moderate severity or small but frequent impact(s), and /or recent second time offender.	Ongoing offence of moderate to large severity or a single instance of a very severe offence, or multiple offender.	Continuing serious offence. Serial offender. History of enforcement action being necessary.	
2. Deterrence of offender and others	High confidence that a financial penalty will deter repeat offending, and / or publicity not required to prevent similar offending by others.	Medium confidence that a financial penalty will deter repeat offending, and / or only minimal publicity required to prevent similar offending by others.	Low confidence that a financial penalty will deter repeat offending (e.g. no contact from offender), and /or some publicity will be required to prevent similar offending by others.	Little confidence that a financial penalty will deter repeat offending, and publicity will be required to prevent similar offending by others.	Very little confidence that a financial penalty will deter repeat offending, and publicity essential to prevent similar offending by others.	
3. Removal of financial benefit	Minimal assets and no or very low financial profit made by offender.	Little asset value and /or little profit made by offender.	Small portfolio landlord with low asset value, and low profit made by offender.	Medium portfolio landlord or a small Managing Agent, with Medium asset value, and medium profit made by offender.	Large portfolio landlord (over 5 properties) or a medium to large Managing Agent, with high asset value, and /or high profit made by offender.	
4. Harm to the tenants (x2 weighting)	Very little or no harm caused, and no vulnerable occupants, or tenant provides no information on impact.	Low level health/harm risk(s) to occupant deemed likely. No vulnerable occupants, and /or only poor quality information on impact available.	Moderate level health/harm risk(s) to occupant likely, or low level risk(s) to vulnerable occupants. Some information on impact available but with no primary or secondary evidence	High level of health/harm risk(s) to occupants likely, and tenant(s) will be affected frequently or by occasional high impact occurrences, or vulnerable occupants more than likely exposed to moderate level of risk. Good information on impact with primary evidence (e.g. prescription drugs present, clear signs of poor health witnessed) but no secondary evidence.	Obvious high level health/harm risk(s) and evidence that tenant(s) are badly and/or continually affected, or vulnerable occupants exposed. Excellent information on impact with primary and secondary evidence provided (e.g. medical, social services reports).	x2

Financial Penalty Bands (Table 2)

Score Range Total Score in Column A (Table 1)	Maximum Penalty
<6	£250.00
6<11	£500.00
11<21	£750.00
21<31	£1,000.00
31<41	£2,500.00
41<51	£5,000.00
51<61	£10,000.00
61<71	£15,000.00
71<81	£20,000.00
81<91	£25,000.00
91+	£30,000.00

Appendix 3

Charging for Enforcement Action

	Business Support		EHO		Team Leader		Service Manager		TOTAL
Hourly rates (2020)	17.56		30.71		38.29		48.01		
Activity for which charge maybe made	Hours	£	Hours	£	Hours	£	Hours	£	£
Inspection including travel		£ -	2.50	£ 76.78		£ -		£ -	£ 76.78
HHSRS assessment		£ -	1.00	£ 30.71	0.50	£ 19.15	0.25	£ 12.00	£ 61.86
Drafting schedules of work		£ -	1.50	£ 30.71	0.50	£ 19.15	0.25	£ 12.00	£ 61.86
Sec 8 consideration (statement of reasons)		£ -	1.00	£ 30.71	0.25	£ 9.57	0.25	£ 12.00	£ 52.29
Service of notices / orders		£ -	0.50	£ 15.36	0.25	£ 9.57	0.25	£ 12.00	£ 36.93
Admin support	2.00	£ 35.12		£ -		£ -		£ -	£ 35.12
TOTAL	2.00	£ 35.12	6.50	£ 199.62	1.50	£ 57.44	1.00	£ 48.01	£ 340.18

Hourly rates are calculated using the officer salary, all 'on costs' and a productivity rate of c 70%

The minimum charge for the service of a housing enforcement notice is £340 (round down, VAT not applicable)

Appendix 4

HMO license Fee

Action	HMO New Licence				HMO licence Renewal	
	Officer	Time allocated	Hourly Rate	Cost	Time Allocated	Cost
Pre inspection arrangements - review file, update database	EHO	1.00	£ 30.71	£ 30.71	0.50	£ 15.36
Pre inspection arrangements - review case and allocate case	TL	0.25	£ 38.29	£ 9.57	0.25	£ 9.57
Pre inspection arrangements Admin - Set up on database - letters sent to invite to apply	BS	1.00	£ 17.56	£ 17.56	1.00	£ 17.56
Inspection/report writing/plans (EHO)	EHO	3.00	£ 30.71	£ 92.13	2.00	£ 61.42
Inspection/report writing/plans (TL)	TL	1.00	£ 38.29	£ 38.29	0.25	£ 9.57
Inspections/enforcement during licence period	EHO	2.00	£ 30.71	£ 61.42	2.00	£ 61.42
Liaison with statutory bodies - fire, conservation, planning, BC - update database (EHO)	EHO	1.00	£ 30.71	£ 30.71	0.50	£ 15.36
Liaison with statutory bodies - as above (TL)	TL	0.25	£ 38.29	£ 9.57	0.25	£ 9.57
Admin: Application receipt, upload documents, allocate back to EHO	BS	1.00	£ 17.56	£ 17.56	1.00	£ 17.56
Check application documents (EHO)	EHO	1.50	£ 30.71	£ 46.07	1.50	£ 46.07
Check application documents (TL)	TL	0.50	£ 38.29	£ 19.15	0.50	£ 19.15
Draft licence (EHO)	EHO	1.50	£ 30.71	£ 46.07	1.50	£ 46.07
Draft licence (TL)	TL	0.50	£ 38.29	£ 19.15	0.50	£ 19.15
Draft licence (SM)	SM	0.10	£ 48.01	£ 4.80	0.10	£ 4.80
Draft licence sent (BS)	BS	0.50	£ 17.56	£ 8.78	0.50	£ 8.78
Payment taken	BS	0.50	£ 17.56	£ 8.78	0.50	£ 8.78
Final Licence (complete all paperwork) update database (EHO)	EHO	1.00	£ 30.71	£ 30.71	1.00	£ 30.71
Final licence (TL)	TL	0.25	£ 38.29	£ 9.57	0.25	£ 9.57
Final licence (SM)	SM	0.10	£ 48.01	£ 4.80	0.10	£ 4.80
Licence sent	BS	0.50	£ 17.56	£ 8.78	0.50	£ 8.78
IT inputting/ Public register /Register maintenance	TL	1.00	£ 38.29	£ 38.29	1.00	£ 38.29
IT costs (general)				£ 50.00		£ 50.00
General management costs	SM	1.00	£ 48.01	£ 48.01	0.50	£ 24.01
Miscellaneous costs (post/travel/fuel etc)				£ 50.00		£ 50.00
TOTAL		19.45		700.47	16.20	586.33
Total rounded down - Full Fee				700.00		580.00
10% discount for LLAP or *				70.05		58.63
Total 10% discount				630.42		527.69
10% discount rounded down				630.00		520.00
2020 Hourly rate:						
Business Support (BS)			£	17.56		
EHO			£	30.71		
Team Leader (TL)			£	38.29		
Service Manager (SM)			£	48.01		

Glossary of Terms

Category 1 hazard – a hazard assessed under the HHSRS which is serious and a high risk to a person's health and safety for which local housing authorities have a duty to take remedial action

Category 2 hazard - a hazard assessed under the HHSRS which is deemed less serious or less urgent for which local housing authorities have a power duty to take remedial action

House in Multiple Occupation (HMO) – a house occupied by persons who do not form a single household. Commonly referred to as bedsits and shared houses, but can also include staff accommodation, temporary accommodation and the like.

Housing Health & Safety Rating System (HHSRS) – The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. The HHSRS assesses 29 categories of housing hazard. Local authorities are required to use it when assessing housing conditions.

Ministry of Housing Communities and Local Government (MHCLG) - The Ministry of Housing, Communities and Local Government's (formerly the Department for Communities and Local Government) is the government department primarily responsible for housing policy, legislation and guidance.

Registered Provider of Social Housing (RP) – providers of social housing formerly known as Housing Associations.

Appendix 2

Equality Impact Assessment (EqIA)

Before completing this EqIA please ensure you have read the guidance on the intranet.

Initial Information

Name:	Steve March
Job Title:	Senior Environmental Health Officer
Email address:	Steven.march@dorsetcouncil.gov.uk
Members of the assessment team:	Steve March, Richard Conway
Date assessment started:	31 July 2020
Date of completion:	22 September 2020
Version Number:	2 (following EqIA group meeting)

Part 1: Background Information

Is this (please tick or expand the box to explain)

Existing	
Changing, updating or revision	x
New or proposed	
Other	

Is this (please tick or expand the box to explain)

Internal (employees only)	
External (residents, communities, partners)	x
Both of the above	

What is the name of your policy, strategy, project or service being assessed?

Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025
--

What is the policy, strategy, project or service designed to do? (include the aims, purpose and intended outcomes of the policy)

The Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties provides guidance which enforcement officers shall have regard to when making enforcement decisions in relating to regulating conditions in all houses. The document also contains the Councils policy in relation to setting fines and penalties for certain criminal and other offences under the Housing Act 2004 and associated regulations.

What is the background or context to the proposal?

In April 2020 existing Housing Enforcement Policies novated to the new Dorset Council. These policies remain in force until 31st March 2021, or until a new policy supersedes them.

The formation of Dorset Council on the 1 April 2019 required that the Council adopt one new Enforcement Policy and Statement of Principles for determining Financial Penalties across the new district area.

This enables officers to be properly guided in their enforcement decisions, to ensure a consistent and proportionate approach to regulation as required by the [Regulators Code](#).

This new Dorset Council Housing Standards Enforcement Policy represents a convergence of the original sovereign council enforcement policies and there is no significant change from these original sovereign documents.

Part 2: Gathering information

What sources of data, information, evidence and research was used to inform you about the people your proposal will have an impact on?

Relevant legal provisions including the Housing Act 2004 and associated regulations and statutory and non-statutory guidance.

Similar policy documents from the original sovereign Councils the:

- [Regulators Code](#)
- [Dorset Council Plan 2020-2024](#)
- [Legislative and Regulatory Reform Act 2006](#)
- [Area profile of the Dorset Council - Dorset Insight](#)

Nationwide good practice

Consultation with:

- Bournemouth Poole and Christchurch Council
- National Landlords Association
- Shelter

What did this data, information, evidence and research tell you?

That enforcement activity needs to be:

- Proportionate: Our activities will reflect the level of risk to the public and any enforcement action taken will relate to the seriousness of the offence

- Consistent: Our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities.
- Targeted: We will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.
- Transparent: We will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return.
- Accountable: Our activities will be open to public scrutiny with clear and accessible policies and fair and efficient feedback process.
- Carry out our activities in a way that supports those we regulate to comply and grow
- Provide simple and straightforward ways to engage with those we regulate and hear their views
- Base our regulatory activities on risk
- Share information about compliance and risk
- Ensure clear information, guidance and advice is available to help those we regulate to meet their responsibilities to comply
- Ensure that our approach to our regulatory activities is transparent

Is further information needed to help inform this proposal?

No, but the policy will be reviewed periodically to ensure that it is up to date.

Part 3: Engagement and Consultation

What engagement or consultation has taken place as part of this proposal?

Consultation with - Bournemouth Poole and Christchurch Council, National Landlords Association, Housing Services Team, Portfolio Holder, Legal Services, Shelter

How will the outcome of consultation be fed back to those who you consulted with?

Final copy of report with revisions including continued contact, liaison and discussion with both internal and external partners on an ongoing basis, ensuring feedback and supporting the development of the enforcement service.³

Please refer to the Equality Impact Assessment Guidance before completing this section.

Not every proposal will require an EqlA. If you decide that your proposal does **not** require an EqlA, it is important to show that you have given this adequate consideration. The data and research that you have used to inform you about the people who will be affected by the policy should enable you to make this decision and whether you need to continue with the EqlA.

Please tick the appropriate option:

An EqlA is required (please continue to Part 4 of this document)	Yes
An EqlA is not required (please complete the box below)	

Part 4: Analysing the impact

Who does the service, strategy, policy, project or change impact?

- If your strategy, policy, project or service contains options you may wish to consider providing an assessment for each option. Please cut and paste the template accordingly.

For each protected characteristic please choose from the following options

- Please note in some cases more than one impact may apply – in this case please state all relevant options and explain in the ‘Please provide details’ box.

Positive Impact	<ul style="list-style-type: none"> the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.
Negative Impact	<ul style="list-style-type: none"> Protected characteristic group(s) could be disadvantaged or discriminated against
Neutral Impact	<ul style="list-style-type: none"> No change/ no assessed significant impact of protected characteristic groups
Unclear	<ul style="list-style-type: none"> Not enough data/evidence has been collected to make an informed decision.

Age:	<i>Choose impact from the list above</i>
What age bracket does this affect?	Neutral
Please provide details:	<p>There is no barrier or conditions that affect the rights of people based on their age.</p> <p>In exceptional circumstances the policy may allow enforcement action to be taken against owner occupiers who are at demonstrable imminent risk. Such owner occupiers tend to be older, vulnerable persons who may lack the mental capacity to make informed decisions about their own safety and welfare.</p> <p>Such actions are always considered in consultation with other statutory agencies including Social Care and with due regard to the persons human rights.</p>

Disability: (including physical, mental, sensory and progressive conditions)	Neutral
Does this affect a specific disability group?	No
Please provide details:	<p>There is no barrier or conditions that affect the rights of disabled people.</p> <p>In exceptional circumstances the policy may allow enforcement action to be taken against owner occupiers who are at demonstrable imminent risk. Such owner occupiers tend to be older, vulnerable persons who may lack the mental capacity to make informed decisions about their own safety and welfare.</p> <p>Such actions are always considered in consultation with other statutory agencies including Social Care and with due regard to the persons human rights.</p>

Gender Reassignment & Gender Identity:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of people who may identify as transgender or transitioning.

Pregnancy and maternity:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of pregnant or maternity residents.

Race and Ethnicity:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of race or ethnic groups.

Religion or belief:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of persons based on their religion or belief.

Sexual orientation:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of persons based on their sexual orientation.

Sex (consider both men and women):	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of persons based on their sex.
Marriage or civil partnership:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of persons based on their marriage or civil partnership status.
Carers:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of carers.
Rural isolation:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of persons living in rural isolation. Enquires to the service can be made via a number of different channels including online portal, telephone and letter. In order to assess property conditions inspections are made of persons homes irrespective of where they live.
Single parent families:	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of single parent families.
Social & economic deprivation:	Positive
Please provide details:	<p>There is no barrier or conditions that affect the rights of social and economic deprived residents.</p> <p>Enquires to the service can be made via a number of different channels including online portal, telephone and letter. In order to assess property conditions inspections are made of persons homes irrespective of where they live.</p> <p>The policy will assist those living in the poorest housing. There is a close connection between poor housing conditions and deprivation and therefore the policy has to potential to eliminate discrimination and advances equality of opportunity for this particular group.</p>

Armed Forces communities	Neutral
Please provide details:	There is no barrier or conditions that affect the rights of the armed forced community.

Part 5: Action Plan

Provide actions for **positive**, **negative** and **unclear** impacts.

If you have identified any **negative** or **unclear** impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Issue	Action to be taken	Person(s) responsible	Date to be completed by
Promotion	Ensure that the policy is available in the appropriate accessible formats for potential users i.e. web site, other health professionals	Steve March	Within 3 months of the policies adoption
Diversity Data Collection	Consider the collection and assessment of diversity data in relation to enforcement activity. Data in relation to the persons we enforce against (landlords) and data in relation to those who we assist via enforcement (tenants) Consider the use of the Tascomi online portal for gathering diversity data about tenants accessing the service Consider the use of a questionnaire etc to gather diversity data of landlords using the service	Steve March Corporate Issue – Business Intelligence and Performance Team to progress	Within 6 months of the policies adoption
Training	All employees to undertake online Equality and Diversity Training/Refresher Training	Steve March	Within 3 months of the policies adoption

EqlA Sign Off

Officer completing this EqlA:	Steve March	Date:	22/09/2020
Equality Lead:	Susan Ward-Rice	Date:	22/09/2020
Equality & Diversity Action Group Chair:	Bridget Downton	Date:	22/09/2020

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Committee Title: People and Health Overview Committee

Date: 27th October 2020

Report Title: Private Sector Housing Assistance Policy

For Recommendation to Cabinet

Portfolio Holder: Cllr G Carr-Jones, Housing and Community Safety

Executive Director: V Broadhurst, Interim Executive Director of People - Adults

Report Author: Richard Conway
Title: Service Manager Housing Standards
Tel: 01929 557267
Email: Richard.conway@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: That the People and Health Overview Committee recommend to Cabinet:

1. That they adopt the Dorset Council Private Sector Housing Assistance Policy attached as **Appendix 1** to this report.
2. that authority be delegated to the Corporate Director Housing and Community Safety in consultation with the Portfolio Holder Housing to:
 - (a) Make minor amendments to the policy to comply with legislation and guidance.
 - (b) Suspend the approval of any discretionary housing assistance offered in this policy.
 - (c) Introduce new assistance to help private residential property should funding become available.

Reason for Recommendation: The Council is required by law to adopt and publish a policy detailing any assistance it wishes to offer to improve private residential property.

The formation of Dorset Council requires that a new Private Sector Housing Assistance Policy is adopted. On the 1 April 2019 policies from the original sovereign councils novated to Dorset Council. Generally these policies are similar but not identical and therefore there are inconsistencies in some areas of assistance offered. A summary of the main changes to existing policies is shown in **Appendix 2** of this report.

Financial assistance has several aims. It is targeted to:

- Improve the quality of the housing stock in Dorset
- Improve the ability of disabled people to access their property
- Reduce carbon emissions
- Improve people's health.
- Allow the Council to take advantage of and facilitate the uptake of external funding.

1. Executive Summary

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 requires Councils to publish a policy if it wishes to provide assistance in a range of areas related to private sector housing. The attached policy sets out the discretionary and mandatory financial assistance Dorset Council wishes to offer including conditions and eligibility criteria for residents living in Dorset.

2. Financial Implications

The policy operates within existing budgets, approving it will place no new demands on Council budgets.

Elements of the policy are funded in the following way:

- Funding for disabled adaptations are received annually in the form of a government grant. (The disabled facilities capital grant determination 2020-21 was £3,659,664).
- Loans are funded from a capital pot held by the Councils partner; Lendology Community Interest Company (LCIC). This capital pot was formed from previous Private Sector Housing Improvement Grant allocations. Grant was invested (with other Councils in the South West) in this 'not for profit' community investment company. This means that loans can be provided for a range of works to improve private sector housing in Dorset. The Council currently has a loan pot of £589K, of which £52K is allocated for loans this year. Money currently provided in loans is £290K.
- The Heat Melcombe Regis Scheme, provides heating and insulation improvements in and around the ward of Melcombe Regis in Weymouth. This scheme is funded entirely by a 'one off' capital grant from the Warm Homes Fund.
- The Healthy Homes Dorset scheme is jointly funded by BCP and Dorset Council. A small capital pot is used to help the uptake of nationally available grants to improve insulation, upgrade and repair heating systems for people with identified health issues. It will also be used to administer an element of the new Green Homes Grant scheme.

3. Climate implications

The financial assistance in this policy enables a wide range of works and outcomes to domestic property. Many of these outcomes contribute towards improving energy efficiency and reducing carbon emissions. This directly contributes towards the Council's aim of reducing CO2 emissions from the private housing stock.

4. Other Implications

The Assistance is focussed on improving the worst properties and helping those on lower incomes. Some financial assistance is means tested, for example disabled facilities grants, while other helps people with pre-existing health conditions or on low income access finance.

Loans offer a sustainable way of improving housing conditions by recycling a capital pot. Loans are not intended to be offered in competition to high street lenders, but target those who find it difficult to access finance. This might be, for example, where the level of risk might be too high for commercial lenders. These applicants are often vulnerable, on low income but may own their own home.

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

The policy has been subject to consultation with the Dorset Council Equality & Diversity Action Group. An Equality Impact Assessment (EQIA) and has been carried out and attached as **Appendix 3** of this report. The EQIA finds that the adoption of the policy has no negative impacts on any defined group and has positive impacts on a number of others, including: age, disability, carers, rural isolation, single parent families, poverty and the military.

Following adoption of the policy a communication strategy will be developed to publicise the policy so that no minority group is disadvantaged and there is fair access to the assistance.

7. Appendices

Appendix 1 Private Sector Housing Assistance Policy

Appendix 2 Key changes to the current policy

Appendix 3 Equality Impact Assessment

8. Background Papers

[The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002](#)
[Housing Grants, Construction and Regeneration Act 1996](#)

Wessex Resolutions: Partners <https://www.lendology.org.uk/about/partners/>

Healthy Homes Dorset: <https://www.healthyhomesdorset.org.uk/>

Heat Melcombe Regis: <https://www.heatmelcomberegis.org.uk/>

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.



Dorset
Council

Appendix 1

Private Sector Housing Assistance Policy Draft

Date:

(To be added upon Cabinet approval)



1. Private Sector Housing Assistance Policy

1.1 Introduction

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables Councils to provide a range of housing assistance. This policy sets out the discretionary and mandatory financial assistance Dorset Council offers to eligible residents to improve or adapt their property in the Dorset Council area.

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2. Summary of Assistance

2.1 Disabled Facilities Grants (DFG)

This is a means tested grant to adapt homes to help disabled people remain independent. This grant is delivered in partnership through the Dorset Accessible Homes Service.

2.2 Disabled Facilities Loans

A low interest loan offered as an option or alternative to a DFG. It can top up to a DFG, finance an applicant's contribution to a DFG or as an alternative to a DFG. Extra top up funding may also be available (subject to available resources) through the Major Adaptations Panel provided by Adult and Community Services.

2.3 Handy Person Service

A handyperson service for older and disabled people helping them maintain independent living.

2.4 Home Loan

A loan up to £25,000 to improve a property to meet the Decent Homes Standard, remove a serious hazard or address fuel poverty. A Decent Home is one that has reasonably modern kitchen and bathroom facilities, is in a reasonable state of repair and has adequate thermal insulation and heating facilities.

2.5 Empty Property Loan

A loan up to £25,000 to bring an empty property back into use. Available to both landlords and owners but is subject to there being a public benefit.

2.6 Park Home Loans

A loan up to £10,000 to address defects to park homes. Works include insulation, heating, structural improvements and repairs.

2.7 Healthy Homes Scheme and Energy Advice

The Healthy Homes Scheme improves the homes of those people at risk of poor health. The scheme improves the heating systems and insulation of homes where people suffer from a range of health conditions.

2.8 HEAT Melcombe Regis

HEAT Melcombe Regis helps improve homes in and near the Melcombe Regis area of Weymouth. It can provide free gas central heating, boiler upgrades, gas connections, loft and cavity wall insulation.

2.9 Energy Efficiency Grants (ECO & ECO Flex)

ECO grants help households cut their energy bills and reduce carbon emissions. Dorset Council has published an ECO Flex statement allowing more people to access grants for insulation and heating. Dorset ECO Flex Statement: <https://www.dorsetcouncil.gov.uk/housing/financial-help/heating-and-insulation-grants.aspx> .

2.10 Energy Efficiency Loans

This is a new loan product of up to £15,000 for energy efficiency measures in response to and in support of the work the Council is doing to tackle the climate emergency. Measures include; solar panels, thermal heating systems, heat pumps, biomass heating and solid wall insulation.

3. Amendments and Suspension to the Policy

Cabinet agreed on *[to be added upon approval]*, that authority is delegated to the Corporate Director Housing and Community Safety in consultation with the Portfolio Holder Housing to:

- a. Make minor amendments to the policy to comply with legislation and guidance.
- b. Suspend the approval of any discretionary housing assistance offered in this policy.
- c. Introduce new assistance to help private residential property should funding become available.

4. Financial Assistance at a Glance

Assistance	Key Points
Adaptations to help people remain independent at home	<p>Disabled Facilities Grant</p> <ul style="list-style-type: none"> Up to £30,000 to help disabled people remain independent in their own homes. Subject to a test of resources. Call 0333 00 300 10 <p>Disabled Facilities Loan</p> <ul style="list-style-type: none"> Up to £25,000 to assist applicants for DFGs where the maximum grant is insufficient to meet the cost of the works. Subject to affordability (determined by LCIC*) Email: enquiries@wrcic.org.uk <p>Handy Person</p> <ul style="list-style-type: none"> For older and disabled people with the aim of helping them maintain independent living. Only pay the cost of any materials used, means tested. Call 0333 00 300 10
Decent Homes	<ul style="list-style-type: none"> • • Home Loan Up to £25,000 to bring a property up to the Decent Homes Standard and/or remove category 1 hazards. Call 01823 461099 Email: enquiries@wrcic.org.uk Subject to affordability (determined by LCIC)
Empty Properties	<p>Empty Property Loan</p> <p>Up to £25,000 Subject to public benefit test (e.g. Property sold, rented or occupied, provides affordable housing).</p> <ul style="list-style-type: none"> Call 01823 461099 Email: enquiries@wrcic.org.uk Subject to affordability (determined by LCIC)
Park Homes	<p>Park Home Loan</p> <p>Up to £10,000 to rectify defects to an existing park home</p> <ul style="list-style-type: none"> Call 01823 461099 Email: enquiries@wrcic.org.uk Subject to affordability (determined by LCIC)
Healthy Homes	<p>Healthy Homes Dorset</p> <p>Assistance to improve the homes of those identified as at risk of poor health from inadequate living environments.</p> <p>Free loft and cavity wall insulation, boiler repairs/replacements</p> <ul style="list-style-type: none"> Call 0300 003 7023 help@healthyhomesdorset.org.uk
Heat Melcombe Regis	<ul style="list-style-type: none"> • • Heat Melcombe Regis, Weymouth area only Free gas central heating systems, free mains gas connections (where needed), free loft and cavity wall insulation.

	<ul style="list-style-type: none"> • Funding up to 50% of the cost for boiler upgrades is available where homes already have heating installed. • Residential property must be in the designated areas of Melcombe Regis, Weymouth • Call: 01305 550556 / 0800 002 9060 • info@heatmelcomberegisproject.org.uk
Energy Efficiency	<p>ECO and ECO Flex grants Eco flex applications are usually processed by installers For more information contact Healthy Homes Dorset:</p> <ul style="list-style-type: none"> • Call: 0300 003 7023 • help@healthyhomesdorset.org.uk <p>Energy Efficiency Loans: Up to a maximum of £15,000 for a variety of works; Solar panels, thermal systems, air and ground source heat pumps, biomass, and solid wall insulation.</p> <ul style="list-style-type: none"> • Call 01823 461099 • Email: enquiries@wrcic.org.uk • Subject to affordability (determined by LCIC)

* LCIC – Lendology Community Interest Company

5. Making an Application and Eligibility

Financial assistance	Home owners	Tenants	Park home	Landlords	Max. £	Means tested	Contact
Disabled Facilities Grant	✓	✓	✓	X	£30,000	✓	Dorset Accessible Homes Service Tel 0333 00 300 10
Disabled Facilities Loan	✓	✓	✓	X	£25,000	✓ ¹	Dorset Accessible Homes Service Tel 0333 00 300 10
Handy Van	✓	✓	✓	X	Cost of materials	✓	Dorset Accessible Homes Service Tel 0333 00 300 10
Home Loan	✓	X	X	✓	£25,000	✓ ¹	LCIC Call 01823 461099 Email: enquiries@wrcic.org.uk
Empty Property Loan	✓	X	X	✓	£25,000	✓ ¹	LCIC Call 01823 461099 Email: enquiries@wrcic.org.uk
Park Home Loan	X	X	✓	X	£10,000	✓ ¹	LCIC Call 01823 461099 Email: enquiries@wrcic.org.uk
Healthy Homes Dorset	✓	✓	✓	X	Varies	X	Healthy Homes Dorset Tel:0300 003 7023 help@healthyhomesdorset.org.uk
Heat Melcombe Regis	✓	✓	X	✓	Varies	✓ ²	Heat Melcombe Regis info@heatmelcomberegisproject.org.uk Tel: 01305 550556 / 0800 002 9060
Energy Efficiency Measures	✓	✓	✓	X	Varies	✓	Healthy Homes Dorset Tel:0300 003 7023 help@healthyhomesdorset.org.uk
Energy Efficiency Loans	✓	X	X	✓	Up to £15,000	✓ ¹	LCIC Call 01823 461099 Email: enquiries@wrcic.org.uk

¹Subject to affordability (determined by LCIC)

²Subject to Heat Melcombe Regis scheme rules

6. Disabled Facilities Grant (DFG)

6.1 This is a mandatory grant for works and adaptations to homes to improve access and allow disabled people to remain independent in their own home in Dorset. All DFGs are delivered through the **Dorset Accessible Homes Service**.

6.2 *Grant Conditions*

This is a summary from the legislation relating to the conditions applying to DFGs under the [Housing Grants, Construction and Regeneration Act 1996](#). For more detailed information refer to the Act and to any relevant regulations made under the Act.

6.3 *Carrying out and Completion of works*

- 6.3.1 The Council require as a condition of the grant that the eligible works are carried out in accordance with the specification that accompanied the Disabled Facilities Grant Approval.
- 6.3.2 It is a condition of the grant that the grant eligible works are carried out within twelve months from the date of approval of the application. This period may, however, be extended if the Council thinks fit, particularly where they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen when the application was made.
- 6.3.3 The payment of a grant, or part of a grant is conditional on the eligible works being carried out to the satisfaction of the Council and the Council being provided with an acceptable invoice, demand or receipt for the repayment for the works and any preliminary or ancillary services or charges. An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family.
- 6.3.4 Unless the Council direct otherwise the eligible works must be carried out by the contractor whose estimate accompanied the application, or where two or more estimates were submitted, by one of those contractors.

6.4 *Repayment of grant*

- 6.4.1 In circumstances where the grant applicant has a qualifying owner's interest in the premises on which the relevant works are to be carried out, the grant is for a sum exceeding £5,000 and the grant recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date, the authority may recover the value of the grant aided works that exceed £5,000, but will not demand an amount in excess of £10,000.
- 6.4.2 In determining whether it is reasonable in all circumstances to require repayment the authority will consider:
 - The extent to which the recipient of the grant would suffer financial hardship were he or she be required to repay any of the grant,
 - Whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change his or her employment,

- Whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the grant or the disabled occupant of the premises, and;
- Whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.

6.5 *Additional Conditions.*

6.5.1 Insurance for grant-aided property

Where the applicant has an insurable interest in the grant-aided property, he shall arrange and maintain in effect adequate insurance for the property, subject to and with the benefit of the completed works, throughout the grant condition period.

6.5.2 Repair of grant-aided property.

Where the applicant has a duty or power to carry out works of repair to the grant-aided property, he shall ensure that, to the extent that his duty or power allows, the property remains fit for human habitation throughout the grant condition period.

6.5.3 Recovery of specialised equipment for the disabled.

Where an application for disabled facilities grant has been approved and the eligible works consist of or include the installation in the property of specialized equipment for the disabled occupant(s), the applicant shall notify the authority if and as soon as the equipment is no longer needed.

For the purposes of this condition:-

- a) The authority shall, on approving the application, specify in writing the equipment to which this condition is to apply and the period (being a reasonable condition period for the equipment in question) during which it is to apply, and shall serve on the applicant a copy of such written specification; and;
 - b) The authority, or the social services authority on their behalf, shall be entitled, upon reasonable prior written notice given to the applicant either following the giving of the notification under sub-paragraph (a) or at any time during the condition period specified under paragraph (a), to inspect the equipment and, subject to complying with sub-paragraph (6.5.3), to remove it.
 - c) The authority agrees within a reasonable time following an inspection of the equipment, to notify the applicant in writing whether the equipment is to be removed; and;
 - d) if the equipment is to be removed, to remove it or arrange for it to be removed and forthwith to make good any damage caused to the property by its removal.
- 6.5.4 The authority further agrees, where the applicant has contributed to the cost of carrying out the eligible works, to pay to him, within a reasonable time of the removal of the equipment, the reasonable current value of that proportion of its original cost, which represents the proportion of his contribution to the cost of carrying out the eligible works.

6.5.5 For the purposes of sub-paragraph (6.5.4), the reasonable current value of the equipment shall be its value at the time of removal from the property.

6.5.6 Subject to the authority giving prior written notice in accordance with sub-paragraph (6.5.3(b)) the applicant agrees to afford, or to use his best endeavours to arrange for the affording of, reasonable access to the property to the authority for the purposes of inspection and removal of the equipment.

6.6 *Repayment of grant*

In the event of a breach of any of the additional conditions, the authority may demand repayment from the applicant of a sum equal to the amount of the grant paid or, as the case may be, any instalments of grant paid and the same shall become repayable to the authority in accordance with section 52 of the [Act](#).

6.7 *Repayment in cases of other compensation*

Where the authority has approved an application for grant assistance and where the applicant receives payment on an insurance or damages claim in respect of the grant aided works, then they should repay to the authority the grant, so far as is appropriate out of the proceeds of any claim. The authority therefore requires that the applicant shall take reasonable steps to pursue any relevant claim to which this section applies, to notify the Council of that fact, and to repay the grant, so far as appropriate, out of the proceeds of such a claim.

The claims to which this applies are:

- a) An insurance claim, or a legal claim against another person, in respect of damage to the premises to which the grant relates, or;
- b) A legal claim for damages in which the cost of the works to premises to which the grant relates is part of the claim;
- c) And a claim is a relevant claim to the extent that works to make good the damage mentioned in paragraph (a), or the cost of which is claimed as mentioned in paragraph (b), Are works to which the grant relates.

6.7.1 In the event of a breach of this condition, the applicant shall on demand pay to the local housing authority the amount of the grant so far as relating to any such works, together with compound interest as from such date as may be prescribed by or determined in accordance with the regulations, calculated at such reasonable rate as the authority may determine and with yearly rests.

6.7.2 The authority may determine not to make such a demand or to demand a lesser amount.

Note:

- 1. Grant conditions cannot be imposed on tenants, but may be imposed on the landlord if they are was required to provide a certificate of intended letting before the application from the tenant was entertained.
- 2. Grant applications related to movable structures used as accommodation such as caravans or boats will be considered eligible on a case by case basis.

7. Disabled Facilities Loan

To help applicants where the largest grant of £30,000 is not enough to meet the cost of the works and no other form of public help is available. This loan is available up to £25,000, and is administered by Lendology CIC, conditions apply see Section 16.

8. Handy Person Service

8.1 The handyperson service can provide a range of works for older and disabled people so they can maintain independent living. The range of jobs include:

- Small building repairs
- Minor adaptations
- Odd jobs such as putting up curtains, shelves, replacing light bulbs.
- General home safety checks and remedial actions
- Falls and accident prevention checks and remedial actions such as repairing floor coverings
- Security checks – installing locks, chains and spyholes

This list is not exhaustive, generally work should small repairs that can be completed quickly.

8.2 Who is eligible for the handy van service?

Home owners and tenants over the age of 50 or disabled people of any age. This service is available throughout Dorset subject to demand.

8.3 How much does the service cost?

All eligible applicants need to pay for the cost of any materials used.

Applicants in receipt of at least one of the following benefits will only pay for parts, labour costs are free.

Pension Credit (both Savings and Guarantee), Income Support, Income based Job Seekers Allowance, Income based Employment and Support Allowance, Council Tax Support (formerly known as Council Tax Benefit), Housing Benefit, Working Tax Credit with a maximum income of £15,050 per annum as assessed by HMRC for that award, Child Tax Credit with a maximum income of £15,050 per annum as assessed by HMRC for that award and Universal Credit.

Applicants not in receipt of a means tested benefit will pay £20 per hour or part thereof. Most jobs are finished within 2 hours.

9. Home Loan

9.1 To improve properties to meet the Decent Homes Standard

Up to £25,000 to remove a Category 1 hazard, to address fuel poverty or to bring a house up to the Decent Homes Standard. A Decent Home is one that has

reasonably modern kitchen and bathroom facilities, is in a reasonable state of repair and has adequate thermal insulation and heating facilities. Loans are administered by Lendology CIC conditions apply see Section 16.

10. Empty Property Loan

10.1 Up to £25,000 per unit to bring an empty property back into use. The availability of loans to landlords is subject to there being a public benefit which may be:

- Bringing an empty property back into use which has been empty for at least 6 months and would otherwise remain empty.
- Help the Council to meet housing need by setting below Local Housing Allowance rates
- Providing nomination rights to the Council for an agreed period likely to be 5 years.

10.2 The ability of the landlord to secure a commercial loan will be a factor in considering eligibility for a loan from the Council. Loans provided may permit either renting or sale. Properties made available to rent must be let at a rent, at or below Local Housing Allowance levels, and remain available for an agreed period likely to be equal to the period of the loan. The landlord must become a member of the Council's Landlords' Partnership. Loans provided to enable renovation before sale will be repayable on sale or after two years whichever is the sooner. Loans provided to enable renovation before sale will be repayable on sale of the property or when the loan term has expired whichever is sooner.

Loans are administered by Lendology CIC, conditions apply see section 16.

11. Park Home Loan

11.1 A loan up to £10,000 payable across a maximum of 60 months to address defects to park homes. Applicants will need to provide written confirmation of security of tenure on their park home site. This might include a pitch agreement or a lease document.

Works can include;

- Improving insulation.
- Replacing external cladding.
- Repairs to the structure of a park home.
- Installation of gas central heating or other similar heating Improvement.

Loans are administered by Lendology CIC, conditions apply see Section 16.

12. Healthy Homes Dorset

12.1 The aim of this scheme is to improve the homes of those identified as at risk of poor health from cold homes. The outcomes are to improve the health and wellbeing of the recipients, and reduce demand for health and social care services.

12.2 Who is eligible?

The scheme aims to improve insulation and heating systems to improve the homes of those identified as at risk of poor health from cold homes. Vulnerable people include;

pre-existing chronic respiratory conditions	living with addiction
risk of coronary heart disease or stroke	attended hospital due to a fall
a recent immigrant and asylum seeker	asthma
mental health condition	low income
disability	pregnant
aged 65 or over	child under 5

12.3 How much does the service cost?

Everyone is eligible for free energy advice. The scheme grant funds the following works to eligible applicants at no cost to the applicant:

- Cavity wall Insulation
- Loft insulation
- Heating improvements

The assistance may also include any work to prepare the home for insulation e.g. repairing cracked walls or render, or cutting a larger loft hatch.

12.4 Are there any conditions?

Subject to meeting the eligibility criteria all works provided by the scheme are free.

Note: Healthy Homes Dorset is a partnership between Dorset Council, BCP Council and Public Health Dorset. It is delivered by Centre for Sustainable Energy and Evolve Home Energy Solutions.

13. Heat Melcombe Regis Scheme

13.1 Funding is available to provide up to 500 eligible households in the Melcombe Regis area of Weymouth the following:

- Free gas central heating systems.
- Free mains gas connections (where needed).
- Free loft and cavity wall insulation.
- Funding up to 50% of the cost for boiler upgrades is available where homes already have heating installed.

Note: Heat Melcombe Regis is a partnership between Dorset Council, Southern Gas Networks, and [the HEAT Project](#). Funding for the project was secured from the [Warm Homes Fund](#) alongside existing [Energy Company Obligation](#) (ECO) funding.

13.2 Who is eligible?

Home owners, private landlords and tenants may apply to the scheme subject to;

- A home survey
- Living within the designated area of the scheme
- There being no previous heating system installed or using electrical heating (including night storage heaters) portable heating, gas fires with no existing radiator system.

13.3 How much does the service cost?

Subject to meeting the qualifying criteria complete central heating systems are free of charge, subject to the home survey

Grants for existing boiler upgrades cover up to 50% of the cost.

13.4 Are there any conditions?

- In rented property works may not always be 100% free, that is dependent on the energy performance certificate rating of the property. Properties with a rating of E and above will normally be free.
- Social Housing Provider properties are not eligible in this scheme.
- Grant is subject to a house survey which requires access to all rooms and the loft of the property.

14. Energy Efficiency Grants (ECO & ECO Flex)

14.1 Energy Company Obligation (ECO) is a government energy efficiency scheme helping reduce carbon emissions and tackling fuel poverty. Healthy Homes Dorset provides help and advice for residents in Dorset to access this funding. Measures to improve the energy efficiency of homes include.

- Cavity wall insulation
- Loft insulation
- Solid wall insulation
- Heating system installations.

ECO-Flex Statement broadens the national eligibility criteria allowing more residents to access funding in Dorset.

14.2 Who is eligible?

This is a national scheme and eligibility may change over time. Those on low income or on means tested benefits are however highly likely to be eligible for funding. Contact Healthy Homes Dorset to check eligibility.

15. Energy Efficiency Loans.

15.1 Energy efficiency loans: up to a maximum of £15,000 can be obtained to provide the following works in domestic property:

- Solar Panels
- Solar Thermal Systems
- Air Source Heat Pumps
- Ground Source Heat Pumps
- Biomass Heating Systems
- Solid Wall Insulation

15.2 All works are subject to a survey by a competent person, no early repayment charges are applied and there are variable repayment periods available. Loans are administered by Lendology CIC conditions apply see section 16.

16. Loans administered by Lendology CIC.

16.1 In response to government guidance promoting the use of loans to encourage private sector renewal Dorset Council is a member of a consortium of Councils in the SW that funds Lendology Community Interest Company (Lendology CIC). Lendology CIC provides a range of affordable loans on behalf of these Councils.

16.2 The conditions below relate to all loans administered by Lendology CIC

Who is eligible?

- Applicants must be over 18 years of age and have held a freehold / leasehold interest in the property concerned for a minimum period of one year prior to the application for loan assistance.
- Owners of park homes will need to provide proof of ownership of the unit and a responsibility to undertake the necessary works.
- Property owners who, following a financial assessment are considered to be in need of a loan. Where individuals are able to pay themselves then they will be expected to do so. Likewise, the Council are obliged to protect their investments and will not agree to lend money to anyone who does not pass the financial eligibility assessment or where the risk is considered too great.

16.4 Are there any conditions?

The following conditions apply:

- Loans are available solely at the discretion of the Council. The current maximum loan available is £25,000 (£10,000 for park homes).
- Loans will only be available subject to the Council confirming eligibility and detailing the works.
- All loans are registered at the Land Registry. Sale of the property during the loan term will require repayment of the loan to Lendology CIC.

- Loans to the owners of park homes cannot be secured by registration and therefore approval will be dependent on production of a valid lease or pitch agreement showing security of tenure of the park home on the site.
- Loans may include the reasonable cost of ancillary fees and charges, e.g., Building Regulation approval, within the maximum loan amount.
- Should the property be in joint ownership, the financial standing of the joint owners and their ability to fund the necessary works either independently or with a commercial loan will be considered. If a Council-funded loan is considered appropriate, the written consent of any joint owners must be provided prior to any loan being approved.
- It is not intended that the loans scheme available should be used as a cheap alternative to a commercial loan, and evidence of non-availability of finance from a commercial provider may be required before a referral can be made to Lendology CIC.
- Any works undertaken to the property not specified by the Councils will be the responsibility of the property owner and not eligible for loan assistance.

16.5 Loan products are constantly being reviewed, but Lendology CIC have a variety of loan products to meet individual need. The core products include:

- Capital and interest repayment loan
- Interest only loan
- Interest roll-up Deferred repayment loan
- Deferred Capital repayment loan
- Fixed term interest only converting to capital repayment
- Fixed fee (only where client unable to afford any other options)

16.6 Lendology CIC's financial assessment will determine the most appropriate loan product to meet individual need. In some circumstances, applicants may require a combination of loan products and a variation of interest rate to ensure responsible and affordable lending.

16.7 The Council will respond to any enquiry for assistance by conducting a survey of the property to identify eligible works, and will discuss eligibility for a subsidised loan.

16.8 The Council will confirm the works eligible for assistance and forward a referral to Lendology CIC, who operate as the Council's loan administrator. Eligible works on Home Loans will be restricted to those necessary to meet the Decent Homes Standard only. In order to simplify the process for applicants Lendology CIC may conduct financial assessments ahead of any survey by the Council should the initial enquiry be made to Lendology CIC. In such situations it will still be necessary for the Council to determine the eligible works and approve the application.

16.9 Lendology CIC will determine if a loan can be provided and agree the terms of any such loan with the applicant before requesting the Council's consent to the approval of the loan application. It is the function of Lendology CIC to determine

which loan product, if any, is available to an applicant following a financial assessment. Their decision on an applicant's ability to service a loan is final. Lendology CIC will determine if a loan can be provided and agree the terms of any such loan with the applicant before requesting the Council's consent to the approval of the loan application. Referral can only be made by the Council and any loan offered can only cover the cost of works deemed eligible by the Council.

16.10 Applications for loans are made direct to Lendology CIC. An application will need to be accompanied by two competitive estimates suitably itemised. Loans are subject to a limit of £25,000 (£10,000 for park homes) and once approved, are registered by Lendology CIC at the Land Registry as a title restriction. Approval of loans in excess of £25,000 may be considered as an exception to this policy but will be subject to support from the loan administrator and will require the approval of the Corporate Director Housing in consultation with the portfolio holder Housing.

16.11 On confirmation from Lendology CIC that a loan application may be approved, the Council will review the loan offer, and the details of the application. The Council will make the final decision on the loan application and notify Lendology CIC accordingly.

16.12 The loan agreement is between the property owner and Lendology CIC. It is the responsibility of the applicant to undertake the works for which the loan is provided, make the agreed repayments to Lendology CIC and to confirm completion of the works to the Council.

16.13 The interest rate charged by the loan provider will be fixed for the duration of the loan and will be between 0% – 4%.

16.14 Lendology CIC have total discretion on assessing an applicant's ability to finance a loan. There is no right of appeal against their decision

Note: The capital for these loans is provided by the Council but administered by Lendology CIC.

17. Ensuring Equality and the Armed Forces Covenant

17.1 In providing financial assistance we are committed to ensuring that no one is discriminated against on the basis of their age, disability, employment status, ethnic or national origins, race or colour, marital status, religious or political beliefs, responsibilities for children or dependents, gender or gender reassignment, sexuality, social class, or unrelated criminal convictions.

17.2 Dorset Council actively supports the Armed Forces Covenant, a promise from the nation that those who serve or have served in the armed forces and their families

are treated fairly. Dorset Council reserves the right to use its discretion to ensure members of the armed forces community face no disadvantage compared to other citizens in the provision of our services.

17.3 A version of this policy can be provided in large print upon request.

Appendix 2 Key Changes to the Private Sector Housing Assistance Policy

Former District and Borough Policies	New policy	Reason for change	Location in the report
Existing novated policy from former district and boroughs councils include those offered by the former Christchurch BC	Policy now only covers the Dorset Council area	Local Government Reorganisation moved the former Christchurch BC to the new unitary BCP Council.	N/A
Disabled Facilities Grants	Confirms mandatory disabled facilities grants offered in Dorset	Former policy included a discretionary policy. Cabinet agreed in April 2019 to revert to the mandatory DFG.	Page 12
Disabled Facilities Loan	New loan type is available across Dorset	Gives another funding option for adaptations that cost more than the statutory maximum DFG grant	Page 15
Home Loan	Loan type is now available across Dorset Maximum loan increased from £15K to £25K	Previously only available in West Dorset, Weymouth & Portland and North Dorset Maximum loan has been increased to allow more extensive work.	Page 15
Park Home Loan	Previously no loans were available to the owners of park homes. Loan maximum is £10K	Park homes form a significant sector of housing in Dorset. Older homes are known to be poorly insulated and often residents are vulnerable. The maximum loan offered is lower because it cannot be secured against a property.	Page 16
Energy Efficiency Loans	New loan type not previously provided in any part of Dorset	Included to assist the Council's policy of tackling the climate emergency.	Page 19

Armed Forces Covenant	The policy recognises the Council's commitment to the armed forces	to ensure members of the armed forces community face no disadvantage compared to other citizens	Page 21
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Appendix 3



Equality Impact Assessment (EqIA)

Before completing this EqIA please ensure you have read the EqIA Guidance Notes

Title	Private Sector Housing Assistance Policy		
Date assessment started:	20.5.2020	Version No:	V2
		Date of completion:	25/08/2020

Type of Strategy, Policy, Project or Service:

Is this Equality Impact Assessment (please put a cross in the relevant box)

Existing:	<input type="checkbox"/>	Changing, update or revision:	<input type="checkbox"/>
New or proposed:	<input type="checkbox"/>	Other (please explain):	<input checked="" type="checkbox"/>

Is this Equality Impact Assessment (please put a cross in the relevant box)

Internal:	<input type="checkbox"/>	External:	<input type="checkbox"/>	Both:	<input checked="" type="checkbox"/>
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Report Created By:

Name:	Richard Conway
Job Title:	Service Manager Housing Standards
Email address:	Richard.conway@dorsetcouncil.gov.uk
Members of the assessment team:	Steven March, Andrew Fricker, Adrian Felgate

Step 1: Aims

What are the aims of your strategy, policy, project or service?
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Private Sector Assistance Policies from the legacy councils in Dorset novated to Dorset Council in April 2019. The proposed policy replaces those and ensures that there is no variance in the level of assistance offered to residents. This policy sets out the discretionary and mandatory financial assistance Dorset Council offers to eligible residents in Dorset to improve or adapt their property. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables Councils (where they publish a policy) to provide a range of housing assistance. The types of assistance include adapting properties for disabled people, bringing empty property back into use, improving energy efficiency and bringing homes up to the [Decent Homes Standard](#).

What is the background or context to the proposal?

In April 2020 existing Housing Assistance policies novated to Dorset Council. These policies remain in force until 31st March 2021, or until this policy supersedes them.

The policy covers a range of help for differing outcomes:

Adaptations to help people remain independent at home	Disabled Facilities Grant
	Disabled Facilities Loan
	Handy Person
Decent Homes	Home Loan
Empty Properties	Empty Property Loan
Park Homes	Park Home Loan
Healthy Homes	Healthy Homes Dorset
Heat Melcombe Regis	Heat Melcombe Regis, Weymouth area only
Energy Efficiency	ECO and ECO Flex grants
	Energy Efficiency Loans:

More information about DFGs can be found at <https://www.gov.uk/disabled-facilities-grants>

The Dorset Accessible Homes Service (DAHS) deliver a wide range of services to help older, vulnerable and disabled people to live at home safely

<https://www.millbrook-healthcare.co.uk/contact-us/service-centre-locations/home-improvement-agency-services/dorset-hia/>

More information about the Healthy Homes Dorset Scheme is here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/357409/Review7_Fuel_poverty_health_inequalities.pdf

Loans: Dorset Council works in partnership with Wessex Resolutions Community Interest Company (CIC) and other councils in the South West to provide a range of loan products. More information can be found at <https://www.wessexresolutions.org.uk/>

The Heat Melcombe Regis Scheme provides first time central heating to homes:
<https://www.heatmelcomberegis.org.uk/>

Step 2: Intelligence and Communication

What data, information, evidence and research was used in this EqIA and how has it been used to inform the decision-making process?

Information about the housing stock in Dorset is primarily from historical stock condition surveys carried out in the former district and borough council areas of Dorset, EPC data sets, national statistics, local knowledge and local statistics.

Decent Homes

It is estimated that in areas of Dorset up to 36% of homes do not meet the Decent Homes Standard. That is where there is either a category 1 hazard, it is in disrepair, levels of thermal conform are poor and /or the property is lacking in modern facilities. Information is also help on those properties that have lodged an EPC certificate as part of a residential letting process or as part of an improvement to a property.

Empty Properties. It is estimates that as many as 3.1% of the housing stock may be empty at any one time. This is obviously a wasted housing resource. Some of these properties may come back onto the market or be used within 6 months however currently Housing Standards has investigated the circumstances of 96 such properties since the new Council was formed in April 2019. Financial assistance is an important tool as to help bring these properties back into use.

The need for assistance is informed by the condition of local housing stock, the need for reducing non decent homes, removing hazards, improving energy efficiency and making homes more sustainable.

What data do you already have about your service users, or the people your proposal will have an impact on?

The assistance aims to improve the housing stock in Dorset which directly impacts on the health and wellbeing of residents. Census data (2011) shows that the population of Dorset is 95.6% white British very much higher than the national average. The small percentage of ethnic minorities (4.4%) in Dorset means that it is particularly important

to recognise that minority groups may find it difficult to access services, be more isolated and potentially have less support than in other areas. The link between some minority ethnic groups and deprivation may mean that some of these groups are more likely to live in cold homes leading to excess winter deaths.

Disability and people on benefits:

Surveys carried out during stock condition surveys indicate that up to 25% of all households in areas of Dorset are in receipt of some kind of benefit and 21% of all households are estimated to have one or more person with an illness or disability. These people are more likely to be living in poorly insulated and lesser quality property. Targeting resources at people that have a lower income targets those resources at those in most need.

Tenure

Total number of residential properties in Dorset	182,677
% owner occupied	72.4%
% public rented	12.3%
% private rented	13.7%
Other	1.7%

Source: 2011 Census; ONS

What engagement or consultation has taken place as part of this EqlA?

The policy builds on the work that legacy District and Borough Councils in Dorset to continue to improve the domestic housing stock.

Continued engagement occurs with both internal partners and stakeholders supporting some of this assistance in this policy and external delivery partners.

Internal Stakeholders:

Portfolio Holder and other Councillors
Children's Services
Adult Social Care
Growth and Economic Regeneration

External Stakeholders:

Aran Energy Services – Heat Melcome Regis
Centre for Sustainable Energy – Healthy Homes Dorset
Dorset Accessible Homes service provided by Millbrook Health Care
Lendology Community Investment Company

Is further information needed to help inform this proposal?

<p>No; the policy will be periodically reviewed as new information about housing stock and need becomes available to ensure that:</p> <ol style="list-style-type: none"> 1. It continues to comply with legislation, guidance and case law. 2. That no service user or group of service users are unfairly treated or excluded 3. Existing approved budgets are not exceeded. 4. The Council can take advantage of new sources of finance and opportunities that arise from time to time.
<p>How will the outcome of consultation be fed back to those who you consulted with?</p>
<p>Continued contact, liaison and discussion with both internal and external partners occurring on an ongoing basis ensuring feedback and support to the development of the services.</p>

Step 3: Assessment

Who does the service, strategy, policy, project or change impact?

- If your strategy, policy, project or service contains options you may wish to consider providing an assessment for each option. Please cut and paste the template accordingly.

For each protected characteristic please choose from the following options:

- Please note in some cases more than one impact may apply – in this case please state all relevant options and explain in the 'Please provide details' box.

Positive Impact	<ul style="list-style-type: none"> • Positive impact on a large proportion of protected characteristic groups • Significant positive impact on a small proportion of protect characteristics group
Negative Impact	<ul style="list-style-type: none"> • Disproportionate impact on a large proportion of protected characteristic groups • Significant disproportionate impact on a small proportion of protected characteristic groups.
Neutral Impact	<ul style="list-style-type: none"> • No change/ no assessed significant impact of protected characteristic groups
Unclear	<ul style="list-style-type: none"> • Not enough data/evidence has been collected to make an informed decision.

Age:	<i>Positive</i>
What age bracket does this affect?	People of all ages benefit from improvements to their domestic property. Some assistance maybe targeted directly or indirectly at certain age groups for example, disabled facilities grants are taken up by older persons due to poor mobility in old age.
Please provide details:	The range of private sector housing assistance in this policy improves the conditions, access and environmental performance of homes. The assistance is available to all domestic property types including park homes which provide a valuable housing resource in Dorset.

Disability:	<i>Positive</i>
Does this affect a specific disability group?	Assistance in this policy improves the lives of people in all disability groups. It is targeted at those on lower income via a nationally prescribed and mandatory test of financial resources, although help and advice on adapting homes for those not eligible is provided.
Please provide details:	Disabled Facilities Grants and loans and handy-van services allow disabled people to remain safely in their homes, avoiding significant care costs and hospital treatments improving life outcomes and well-being. Access to assistance is through an assessment by an occupational therapist or trained trusted assessor.

Gender Reassignment & Gender Identity:	<i>Neutral</i>
Please provide details:	There is no barrier or conditions that affect the rights of people who change gender identity to access the financial assistance in this policy.

Pregnancy and maternity:	<i>Neutral</i>
Please provide details:	There is no barrier or conditions that affect the rights of people who are pregnant to access financial assistance in this policy.

Race and Ethnicity:	<i>Neutral</i>
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Please provide details:	There is no barrier or conditions that affect the rights of people whatever their race or ethnic group.
Religion or belief:	<i>Neutral</i>
Please provide details:	There is no barrier or conditions that affect the rights of people whatever their belief or religion.
Sexual orientation:	<i>Neutral</i>
Please provide details:	There is no barrier or conditions that affect the rights of people whatever their sexual orientation.
Sex:	<i>Neutral</i>
Please provide details:	There is no barrier or conditions that affect the rights of people of any sex.
Marriage or civil partnership:	<i>Neutral</i>
Please provide details:	There is no barrier or conditions that affect the rights of people of any type of partnership, either civil or marriage.
Carers:	<i>Positive</i>
Please provide details:	Disabled Facilities Grants allow disabled people to remain safely in their homes. This assistance directly improves the care setting and significantly supports carers who are providing care and support to disabled people.
Rural isolation:	<i>Positive</i>
Please provide details:	Improving access to property for disabled people improves their ability to live and remain active within their local communities including rural settings.
Single parent families:	<i>Positive</i>

Please provide details:	The range of private sector housing assistance in this policy improves the conditions, access and environmental performance of homes. The assistance is available to all domestic property types. Improving housing conditions is known to improve mental wellbeing and contributes to the cohesion of families including single parent families.
Poverty (social & economic deprivation):	<i>Positive</i>
Please provide details:	The range of private sector housing assistance in this policy improves the conditions, access and environmental performance of homes. Reducing the cost of heating and improving health through better housing conditions directly impact on reducing fuel poverty and improving health outcomes. Assistance is generally targeted at those on lower income.
Military families/veterans:	<i>Positive</i>
Please provide details:	Discretionary powers are included within the policy to extend eligibility so that military personnel and their families can benefit from the assistance offered by the Council.

Step 4: Acton Plan

Provide actions for **positive**, **negative** and **unclear** impacts.

If you have identified any **negative** or **unclear** impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Part 5: Action Plan

Provide actions for positive, negative and unclear impacts.

If you have identified any negative or unclear impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Issue	Action to be taken	Person(s) responsible	Date to be completed by
1	<p>Communication Plan</p> <p>Communication plan required to publicise the assistance available to residents of Dorset and ensure that all equality groups are addressed within the plan.</p> <p>To include a large print version available at launch</p>	Service Manager Housing Standards	December 2020

2	Review of policy Formal policy reviewed after 3 years, consideration of the assistance provided and its effectiveness. The policy may be reviewed annually to include new grant or finance available.	Service Manager Housing Standards	November 2023
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Step 6: EqIA Sign Off

Officer completing this EqIA:	Richard Conway Service Manager Housing Standards	Date:	12.6.2020
Equality Lead:	Andrew Dillany Corp Director Housing and Community Safety	Date:	
Relevant Focus Groups*:	N/A	Date:	
Directorate Board Chair:	Vivienne Broadhurst Exec Director People	Date:	

* To include Diversity Action Groups

Please send this completed EqIA to Equality Leads:

Equality Leads:

Susan Ward-Rice

susan.ward-rice@dorsetcouncil.gov.uk

Jane Nicklen

jane.nicklen@dorsetcouncil.gov.uk

Kathy Boston-Mammah

kathleen.boston-mammah@dorsetcouncil.gov.uk

People and Health Overview Committee – Forward Plan

Subject	Report due	Consultation	Portfolio Holder/s / Other relevant Councillors	Officer Contact - Lead
Dorset Housing Allocations Policy	27 October 2020	Cabinet 3 November 2020	Portfolio Holder for Housing	Andrew Billany – Corporate Director for Housing Sharon Attwater Service Manager Housing Strategy and Performance
Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025	27 October 2020	Cabinet 3 November 2020	Portfolio Holder for Housing	Steve March Senior Environmental Health Officer
Private Sector Housing Assistance Policy	27 October 2020	Cabinet 3 November 2020	Portfolio Holder for Housing	Andrew Billany – Corporate Director for Housing Richard Conway – Service Manager Housing Standards
	14 December 2020			
	4 March 2021			
Homeless Strategy	4 May 2021		Portfolio Holder for Housing	Andrew Billany - Corporate Director for Housing

Annual items and items to be scheduled into current forward plan and beyond 2020/21:

- Development of performance indicators in Children's Services and Adults and Housing Services (raised during 2020/21 Budget scrutiny) Scrutiny to receive a report (6 months) of KPI's and progress made the changes and efficiency savings highlighted in the overall report
- Changes at DCH

Executive Advisory Panels (EAP) to report:

- Housing Register EAP
- Joint Adults and Children's Transitions EAP
- Melcombe Regis EAP
- Youth Offer EAP



The Cabinet Forward Plan - November 2020 to February 2021 (published 6 October 2020)
For the period 1 OCTOBER 2020 to 31 JANUARY 2021
(Publication date – 6 OCTOBER 2020)

Explanatory Note:

This Forward Plan contains future items to be considered by the Cabinet and Council. It is published 28 days before the next meeting of the Committee. The plan includes items for the meeting including key decisions. Each item shows if it is 'open' to the public or to be considered in a private part of the meeting.

Definition of Key Decisions

Key decisions are defined in Dorset Council's Constitution as decisions of the Cabinet which are likely to -

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates (**Thresholds - £500k**); or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority."

In determining the meaning of "*significant*" for these purposes the Council will have regard to any guidance issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000 Act. Officers will consult with lead members to determine significance and sensitivity.

Cabinet Portfolio Holders 2020/21

Spencer Flower	Leader / Governance, Performance and Communications
Peter Wharf	Deputy Leader / Corporate Development and Change
Gary Suttle	Finance, Commercial and Capital Strategy
Ray Bryan	Highways, Travel and Environment
Tony Ferrari	Economic Growth, Assets & Property
David Walsh	Planning
Jill Haynes	Customer and Community Services
Andrew Parry	Children, Education, Skills and Early Help
Laura Miller	Adult Social Care and Health
Graham Carr-Jones	Housing and Community Safety

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
Children's Services Provision Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Children, Education, Skills and Early Help	<i>Stuart Riddle, Senior Manager</i> <i>Stuart.Riddle@dorsetcouncil.gov.uk</i> <i>Executive Director, People - Children (Theresa Leavy)</i>
Asset Management Plan for Dorset Council 2020- 2023 Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Economic Growth, Assets and Property	<i>Dave Thompson, Corporate Director for Property & Assets</i> <i>dave.thompson@dorsetcouncil.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i>
Building Better Lives - Purbeck Gateway: Design Brief Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Housing and Community Safety, Portfolio Holder for Adult Social Care and Health	<i>Rosie Dilke, Project Manager</i> <i>rosie.dilke@dorsetcc.gov.uk</i> <i>Executive Director, People - Adults (Mathew Kendall)</i>
Private Sector Housing Assistance Policy Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Housing and Community Safety	<i>Richard Conway, Service Manager for Housing Standards</i> <i>richard.conway@dorsetcouncil.gov.uk</i> <i>Executive Director, People - Adults (Mathew Kendall)</i>
Housing Allocations Policy Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Housing and Community Safety	<i>Andrew Billany, Corporate Director of Housing, Dorset Council</i> <i>andrew.billany@dorsetcouncil.gov.uk</i> <i>Executive Director, People - Adults (Mathew Kendall)</i>

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025 Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Housing and Community Safety	<i>Andrew Billany, Corporate Director of Housing, Dorset Council</i> <i>andrew.billany@dorsetcouncil.gov.uk</i> <i>Executive Director, People - Adults (Mathew Kendall)</i>
Dorset Council Budget - Quarterly Performance Report - Q2 Key Decision - No Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Corporate Director, Legal and Democratic Services - Monitoring Officer (Jonathan Mair)</i>
Annual Self Evaluation of Children's Services Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Children, Education, Skills and Early Help	<i>Claire Shiels, Corporate Director - Commissioning, Quality & Partnerships</i> <i>claire.shiels@dorsetcouncil.gov.uk</i> <i>Executive Director, People - Children (Theresa Leavy)</i>
Annual Adoption Report- Aspire Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Children, Education, Skills and Early Help	<i>Sarah Jane Smedmor, Corporate Director - Care & Protection</i> <i>sarah-jane.smedmor@dorsetcouncil.gov.uk</i> <i>Executive Director, People - Children (Theresa Leavy)</i>
Transformation Programme Annual Report Key Decision - Yes	Dorset Council - Cabinet	3 Nov 2020		Deputy Leader - Corporate Development and Change	<i>Deborah Smart, Corporate Director – Digital & Change</i> <i>deborah.smart@dorsetcouncil.gov.uk</i>

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
Public Access - Open					<i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
Recommendations for the allocation of developer contributions for enhancement of recreation and community infrastructure provision in Dorchester Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Planning	<i>Andrew Galpin, Infrastructure & Delivery Planning Manager andrew.galpin@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
a new way of securing developer contributions for NHS Infrastructure. Key Decision - No Public Access - Open	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Planning	<i>Andrew Galpin, Infrastructure & Delivery Planning Manager andrew.galpin@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
Blue Abyss land at Dorset Innovation Park Key Decision - Yes Public Access - Fully exempt	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Economic Growth, Assets and Property, Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Dave Thompson, Corporate Director for Property & Assets dave.thompson@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
Dorset Council Plan- Quarterly Performance Report Q2 Key Decision - No Public Access - Open	Dorset Council - Cabinet	8 Dec 2020		Deputy Leader - Corporate Development and Change	<i>Bridget Downton, Head of Business Insight and Corporate Communications Chief Executive (Matt Prosser)</i>

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
Annual Safeguarding Report (Children's 2019-2020) Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	8 Dec 2020		Portfolio Holder for Children, Education, Skills and Early Help	<i>Karen Elliott, Head of Quality Assurance & Partnerships Executive Director, People - Children (Theresa Leavy)</i>
Budget Strategy Report Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	19 Jan 2021	Dorset Council - Health Scrutiny Committee Dorset Council - People Scrutiny Committee Dorset Council - Place Scrutiny Committee	Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
Dorset Council Budget - Quarterly Performance Report - Q3 Key Decision - No Public Access - Open	Dorset Council - Cabinet	19 Jan 2021	Dorset Council - Audit and Governance Committee 22 Feb 2021	Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial J.McManus@dorsetcc.gov.uk Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
Dorset Council Plan Quarterly Performance Report - Q3 Key Decision - No Public Access - Open	Dorset Council - Cabinet	19 Jan 2021	Dorset Council - Audit and Governance Committee 22 Feb 2021	Deputy Leader - Corporate Development and Change	<i>Bridget Downton, Head of Business Insight and Corporate Communications, Rebecca Forrester, Business Intelligence & Performance rebecca.forrester@dorsetcouncil.gov.uk Chief Executive (Matt</i>

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
					<i>Prosser)</i>
Dorset Council Plan Quarterly Performance Report - Q4 Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	13 Apr 2021	Dorset Council - Audit and Governance Committee 19 Apr 2021	Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
Dorset Council Plan Quarterly Performance Report - Q4 Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	13 Apr 2021	Dorset Council - Audit and Governance Committee 19 Apr 2021	Deputy Leader - Corporate Development and Change	<i>Rebecca Forrester, Business Intelligence & Performance</i> <i>rebecca.forrester@dorsetcouncil.gov.uk, Bridget Downton, Head of Business Insight and Corporate Communications</i> <i>Chief Executive (Matt Prosser)</i>

Private/Exempt Items for Decision

Each item in the plan above marked as 'private' will refer to one of the following paragraphs.

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the shadow council proposes:-
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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