



## Cabinet

**Date:** Tuesday, 3 November 2020  
**Time:** 10.00 am  
**Venue:** MS Teams Live Event

**Membership: (Quorum 3)**

Spencer Flower (Chairman), Peter Wharf (Vice-Chairman), Ray Bryan, Graham Carr-Jones, Tony Ferrari, Laura Miller, Andrew Parry, Gary Suttle, Jill Haynes and David Walsh

**Cabinet Lead Members (6)** (are not members of the Cabinet but are appointed to work along side Portfolio Holders)

Cherry Brooks, Piers Brown, Simon Gibson, Nocturin Lacey-Clarke, Byron Quayle and Jane Somper

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

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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: [Link to meeting via Teams Live Event](#)

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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 councils website after the event.

# AGENDA

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## 1 APOLOGIES

To receive any apologies for absence.

## 2 MINUTES

5 - 36

To confirm the minutes of the meeting held on 6 October 2020.

## 3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

## 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 [kate.critchell@dorsetcouncil.gov.uk](mailto:kate.critchell@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 29 October 2020.**

## 5 FORWARD PLAN

37 - 42

To consider the Cabinet Forward Plan.

## **6 QUESTIONS FROM MEMBERS**

To receive any questions from members in accordance with procedure rule 13.

### **ITEMS IDENTIFIED FROM THE CABINET'S FORWARD PLAN**

- |           |   |           |
|-----------|---|-----------|
| <b>7</b>  | <b>QUARTER 2 FINANCIAL MANAGEMENT REPORT</b>  | 43 - 58   |
|           | To consider a report of the Portfolio Holder for Finance, Commercial & Capital Strategy.                              |           |
| <b>8</b>  | <b>PROPERTY STRATEGY &amp; ASSET MANAGEMENT PLAN</b>  | 59 - 96   |
|           | To consider a report of the Portfolio Holder for Cllr T Ferrari, Economic Growth, Assets & Property.                  |           |
| <b>9</b>  | <b>TRANSFORMATION PROGRAMME ANNUAL REPORT</b>   | 97 - 126  |
|           | To consider a report of the Portfolio Holder for Corporate Development and Change.                                    |           |
| <b>10</b> | <b>DORSET COUNCIL HOUSING ALLOCATIONS POLICY 2021 - 2026</b>  | 127 - 252 |
|           | To consider a report of the Portfolio Holder for Housing & Community Safety.  |           |
| <b>11</b> | <b>HOUSING STANDARDS ENFORCEMENT POLICY AND STATEMENT OF PRINCIPLES FOR DETERMINING FINANCIAL PENALTIES 2020-2025</b> | 253 - 314 |
|           | To consider a report of the Portfolio Holder for Housing and Community Safety.  |           |
| <b>12</b> | <b>PRIVATE SECTOR HOUSING ASSISTANCE POLICY</b>   | 315 - 348 |
|           | To consider a report of the Portfolio Holder for Housing and Community Safety.  |           |
| <b>13</b> | <b>A NEW WAY OF SECURING DEVELOPER CONTRIBUTIONS FOR NHS INFRASTRUCTURE</b>   | 349 - 390 |
|           | To consider a report of the Portfolio Holder for Planning.  |           |
| <b>14</b> | <b>ASPIRE ANNUAL ADOPTION REPORT FOR THE PERIOD FROM 1 APRIL 2019 TO 31 MARCH 2020</b>                                | 391 - 422 |

To consider a report of the Portfolio Holder for Children, Education, Skills and Early Help.

**15 CABINET MEMBER UPDATE ON POLICY DEVELOPMENT MATTERS REFERRED TO AN OVERVIEW COMMITTEE(S) FOR CONSIDERATION**

Portfolio Holders to report.

**PANELS AND GROUPS**

To receive any minutes, recommendations or verbal updates from panels, groups and boards:

**16 CLIMATE & ECOLOGICAL EMERGENCY EXECUTIVE ADVISORY PANEL UPDATE**

To receive an update from the Portfolio Holder for Highways, Travel and Environment.

**17 URGENT ITEMS**

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.

**18 EXEMPT BUSINESS**

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

**There are no exempt items of business on the agenda.**



## DORSET COUNCIL - CABINET

### MINUTES OF MEETING HELD ON TUESDAY 6 OCTOBER 2020

**Present:** Cllrs Spencer Flower (Chairman), Peter Wharf (Vice-Chairman), Ray Bryan, Graham Carr-Jones, Tony Ferrari, Laura Miller, Andrew Parry, Gary Suttle, Jill Haynes and David Walsh

**Apologies:** none

**Also present:** Cllr Cherry Brooks, Cllr Piers Brown, Cllr Simon Gibson, Cllr Nocturin Lacey-Clarke, Cllr Byron Quayle, Cllr Beryl Ezzard, Cllr Rod Adkins, Cllr Tony Alford, Cllr Jon Andrews, Cllr Pete Barrow, Cllr Shane Bartlett, Cllr Dave Bolwell, Cllr Kelvin Clayton, Cllr Robin Cook, Cllr Jean Dunseith, Cllr John Worth, Cllr Barry Goringe, Cllr David Gray, Cllr Matthew Hall, Cllr Ryan Holloway, Cllr Rob Hughes, Cllr Nick Ireland, Cllr Sherry Jespersen, Cllr Carole Jones, Cllr Stella Jones, Cllr Paul Kimber, Cllr Rebecca Knox, Cllr Mike Parkes, Cllr Mary Penfold, Cllr Bill Pipe, Cllr Val Potheary, Cllr Mark Roberts, Cllr Maria Roe, Cllr David Shortell, Cllr Andrew Starr, Cllr Clare Sutton, Cllr Roland Tarr, Cllr David Tooke, Cllr Sarah Williams, Cllr Jane Somper and Cllr Kate Wheller

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

Matt Prosser (Chief Executive), Aidan Dunn (Executive Director - Corporate Development S151), Kate Critchel (Senior Democratic Services Officer), Karyn Punchard (Corporate Director for Place Services), Sarah Cairns (Assistant Head of Assets and Infrastructure), Laura Cornette (Corporate Policy & Performance Officer), Bridget Downton (Head of Business Insight and Corporate Communications), Graham Duggan (Head of Community & Public Protection), Denise Hunt (Democratic Services Officer), Hilary Jordan (Service Manager for Spatial Planning), David McIntosh (Corporate Director (HR & OD)), Stuart Riddle (Senior Manager) and Vivienne Broadhurst (Interim Corporate Director - Adult Care Operations)

**17. Minutes**

The minutes of the meeting held on 8 September 2020 were confirmed as a correct record and would be signed by the Chairman as soon as it was practical.

**18. Declarations of Interest**

There were no declarations of interest to report.

**19. Public Participation**

There were sixteen questions from the public. These questions were read out by Matt Prosser, Chief Executive and Jonathan Mair (Corporate Director, Legal and Democratic Services) and responded to by the appropriate Portfolio Holder. A

copy of the full questions and the detailed responses are set out in Appendix 1 these minutes.

**20. Questions from Members**

There were three questions from Councillors S Jespersen, Nick Ireland and J Somper; these along with the responses are set out in Appendix 2 to these minutes.

**21. Forward Plan**

The Cabinet Forward Plan for November 2020 to February 2021 was received and noted.

**22. Initial, high-level, draft budget information for 2021/22 and MTFP for 2023-2026**

The Portfolio Holder for Finance, Commercial and Capital Strategy set out the report that provided a framework for the budget for 2021/2022 and the MTFP for 2021-2026. He also outlined the work that would be undertaken during the autumn and winter in order that the budget could be finalised at Council in February 2021.

Dorset Council was facing a budget shortfall of more than £60m before grants and reliefs from Government reduce the net impact of this to around £35m. At this stage, the continuing impact of Covid-19 on council services and finances was unclear, but officers were working with the best assumptions and information available.

Without further funding from Government, the Council would use significant quantities of its own reserves this year; this would place additional strain on the future resilience and potentially leave the Council unable to fund changes in demand-led services in future. The Leader of the Council would continue to raise these concerns with central government.

In response to a question regarding fully funding the action plan of the Climate and Ecology Emergency Strategy, the Portfolio Holder advised that assurance could not be given at this stage that all project could be fully funded in their entirety . However, the council was committed to responding to climate change and many actions were already in progress as the council worked towards reducing its carbon footprint.

**Decision**

- (a) That the updated cost pressures set out in the paper of 6 October 2020 and the validation work that has been carried out on these, be noted;
- (b) That the amendments to the planning assumptions used in the Medium Term Financial Plan (MTFP), be noted;
- (c) That the financial gap arising from (i) and (ii) above, be noted;
- (d) Cabinet notes the tactical and transformation savings set out in the paper to start to close the financial gap, recognising that these are work in progress;

- (f) That the Portfolio Holders work with officers to continue to identify and develop savings opportunities through tactical or transformational means;
- (h) Cabinet continues to make the case to Government for additional funding given the unprecedented financial consequences of Covid-19;
- (i) That Cabinet agrees the next steps leading up to the 2021/22 Budget being presented to full Council in February 2021.

#### **Reason for Decision**

Councils are required to set a balanced budget. Essentially this means that expenditure is balanced by income without unsustainable use of one-off, or short-term sources of finance.

This paper is coming to Cabinet to provide an update on the budget gap for 2021-22 and subsequent years and progress on action/savings to date. The paper proposes an approach to close the remaining gap.

### **23. The Dorset Workplace**

In proposing the report, the Portfolio Holder for Corporate Development and Change set out the objectives of the Dorset Workplace which was to establish a set of principles that would allow employees to work from the place or more likely the places where they could best serve residents and customers in the most effective way.

Cabinet was advised that the report recommended rationalisation of offices, more flexible working and reducing the cost of services wherever possible.

#### **Decision**

- (a) That the implementation of the Dorset Workplace be approved;
- (b) That a budget of £1,060,000 be allocated to support this.

#### **Reason for the Decision**

The objective of the Dorset Workplace is to establish a set of principles that will allow employees to work from the place or more likely the places where they can best serve residents, customers and clients in the most effective way.

### **24. Approach to Value for Money**

The Portfolio Holder for Corporate Development and Change presented a report seeking support for the development of a value for money framework and timeline setting out how the council would implement value for money benchmarking. This would feed into a prioritisation exercise for conducting fundamental value for money reviews of council services. Members were advised the Audit & Governance and People & Resources Committees had both considered and supported the proposals.

In response to a request from the Chairman of Place and Resources Scrutiny Committee, the Portfolio Holder confirmed that the report should go back to both committees every 6 months and if required, before that date.

### **Decision**

That Cabinet develop a value for money framework and timeline setting out how it will implement value for money benchmarking of all services to feed into a prioritisation exercise for conducting fundamental value for money reviews of the all the council's services.

### **Reason for Decision**

To ensure that the council is delivering value for money in all its services.

## **25. Dinah's Hollow, Slope Stabilisation**

The Portfolio Holder for Highways, Travel and Environment set out a report in respect of Dinah's Hollow slop stabilisation. He advised that the impact of a major slope failure would be high in respect of health and safety and financial implications. Possible consequences are loss of life or major injury and legal action. There would also be reputational damage, impact on service delivery and disruption to the highway network affecting a key north-south route.

The Portfolio Holder reported that he had received a number of emails from local residents in recent days and advised that all those comments would be logged and form part of discussions going forward. He expressed his concerns about the site and understood the issues involved. Previous works would need to be revisited and the latest financial position in respect of the Local Enterprise Partnership was reported including the need to secure future funding.

In response to a question from the local ward member, the Portfolio Holder confirmed that he would respond direct to all of the recent emails and comments sent to him, including those of the Parish Council.

### **Decision**

- (a) That the acquisition of the land and the drainage works on the east side of Dinah's Hollow, Melbury Abbas be progressed immediately at a total cost of £130k.
- (b) That Cabinet notes the scale of additional resource required to stabilise slopes throughout the hollow and that the affordability of the scheme should be considered alongside other priorities as part of the 2021/22 budget setting process and MTFP.

### **Reason for Decision**

The impact of a major slope failure would be high in respect of health and safety and financial implications. Possible consequences are loss of life or major injury and legal action. There would also be reputational damage, impact on service delivery and disruption to the highway network affecting a key north-south route.

## **26. Weymouth Harbour and Esplanade flood and coastal erosion risk**



## **management strategy**

The Portfolio Holder for Economic Growth, Assets & Property set out the report for the investment in managing flood and erosion risk at Weymouth harbour and the esplanade. It was one of the largest projects in the area in recent times and would bring a number of jobs to the area. He also took the opportunity to thank the Environment Agency for their technical and financial support for the project.

The Portfolio Holder for Highways, Travel and Environment supported the proposal and thanked officers for their detailed report.

In response to a question from the Chairman of the Harbours Committee regarding the implications of the planning white paper, the Leader of the Council suggested that clarification would be sought and shared with members outside of the meeting at a later date.

## **Decision**

- (a) That the flood and coastal erosion risk management strategy for the next 100 years for Weymouth, be agreed;
- (b) That officers be authorised to develop the business case towards deliverable schemes for inclusion in Dorset Council's future capital programme.
- (c) That authority be delegated to the two relevant portfolio holders, in consultation with the Director for Place, to agree the governance structures to oversee the project.

## **Reason for Decision**

Weymouth floods and is impacted by coastal erosion. With a prediction of an acceleration in sea level rise and more intense weather events as a result of climate change, the problems facing Weymouth will increase significantly.

Without investment in managing this flood and erosion risk, Weymouth faces increasing direct losses through flooded assets and infrastructure and indirect impacts such as a failing property market due to blight and increasing social deprivation.

## **27. Dorset Council Climate and Ecological Emergency Strategy Delivery plan**

The Portfolio Holder presented the report to Cabinet. The draft costs had been identified for all 187 actions, of which 100 could be achieved through business as usual. However additional funding was required to deliver the strategy and the overall figure was estimated in the region of £127 million.

The plan was ready for public consultation but would be considered by the EAP prior to the consultation process. The Portfolio Holder proposed that an additional recommendation be added (c) That the Portfolio Holder in conjunction with the Executive Director of Place to agree the wording of the final document. This was seconded by Cllr S Flower.

In response to questions regarding smart targets, the Sustainability Team Manager confirmed that each detailed action plan would contain timescales, costs and initial target(s).

#### Decision

- (a) That the scale of additional resource requirements to deliver the climate emergency strategy 2040 and 2050 targets be noted, and that affordability should be considered as part of the 2021/22 budget setting process and MTFP.
- (b) That the Summary Climate Action Plan (set out at appendix A) be approved for public consultation along with the Climate and Ecological Emergency Strategy
- (c) That the Portfolio Holder in conjunction with the Executive Director of Place to agree the wording of the final document.

#### 28. **Dog-related Public Space Protection Order**

The Portfolio Holder for Customer and Community Services presented the report and advised that it had been considered and supported by the Place & Resources Overview Committee at its meeting on 21 September 2020.

She advised that a submission has been received from Charmouth Parish Council requesting a change to the recommendation for Charmouth beaches.

Officers supported this proposed change as an error had been made in drafting the Order. In effect the change will move the proposed restriction from East Beach to West Beach.

The following amendment was proposed ' to include West Beach as an exclusion area between 1 May and 30 September with dog's exercised off-lead at other times. East Beach to have no restrictions.' This was seconded by Cllr L Miller.

The Chairman of Place & Resources Overview Committee advised that the committee felt the consultation results should be adhered to and the recommendations were supported.

#### **Decision**

- (a) That the Dog-related Public Spaces Protection Order 2020, be approved;
- (b) That West Beach, Charmouth be included as an exclusion area between 1 May and 30 September with dog's exercised off-lead at other times. East Beach at Charmouth to have no restrictions.

#### **Reason for Decision**

To protect public health, safety and animal welfare.

To consolidate existing Dog-related Public Spaces Protection Orders and provisions into a single Order to give greater consistency and clarity for residents and visitors to Dorset.

To assist with the efficient use of enforcement resources.

## 29. **Financial provision to the voluntary and community sector**

Cabinet considered a report setting the results of the consultation regarding Dorset Council's proposals for allocating funding to the voluntary community sector. The proposals would ensure that the overall levels of funding were maintained, and the new harmonised and equitable approach to allocations would enable the voluntary community sector to support Dorset Council to meet community priorities for the period 2021-2026.

It was noted that the recommendations had been supported by People and Health Overview Committee on 22 September 2020.

### **Decision**

Cabinet agreed:-

- (a) 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 1<sup>st</sup> April – 30<sup>th</sup> September 2021 to enable a procurement exercise to be undertaken. The new contract to begin on 1<sup>st</sup> October 2021
- (b) 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 1<sup>st</sup> April – 30<sup>th</sup> September 2021 to enable a procurement exercise to be undertaken. The new contract to begin on 1<sup>st</sup> October 2021.
- (c) 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 1<sup>st</sup> April – 30<sup>th</sup> September 2021 to enable a procurement exercise to be undertaken. The new contract to begin on 1<sup>st</sup> October 2021.
- (d) 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 1<sup>st</sup> April 2021 to be considered within the wider council buildings and assets review.
- (f) 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.

### **Reason for Decision**

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 31<sup>st</sup> December to give current grant recipients the opportunity to secure funding before the financial year end.

### 30. **'Planning for the Future' White Paper: consultation response**

Cabinet was informed of two consultation papers that were published by the government in August; a White Paper "Planning for the Future" that proposed radical changes to the planning system in England and a second paper that outlined changes to the current planning system that would take effect in the interim before any changes came out of the White Paper.

In presenting the report the Portfolio Holder proposed an additional recommendation (k) "That any minor changes to the White Paper consultation response be made under delegated powers by the Portfolio Holder for Planning in consultation with the Service Manager for Spatial Planning". This was seconded by Cllr R Bryan.

The Portfolio Holder responded to a number of detailed questions regarding planning law, the development of the local plan, the delivery of housing in Dorset and the council's response to the "White Paper".

The Portfolio Holder also expressed the importance of and urged all councillors to comment and respond to the consultation document direct.

## **Decision**

That a response be sent to Government, setting out the following as the views of Dorset Council on the White Paper, as well as the more detailed points made in section 9 of this report:

- (a) That delays in house building nationally are not all due to the planning system – local planning authorities do not build houses - but to other factors including market absorption, the homogenous nature of large developments, and reliance on the private sector for infrastructure provision, as identified in the Letwin review. In the last decade, 2.5 million homes were granted planning permission but only 1.5 million were delivered; similarly in 2019, 371,000 homes were given permission but only 241,000 were delivered;
- (b) That binding national housing targets and removal of the opportunity for people to comment at outline planning application stage on sites allocated for growth in plans will reduce the ability of communities to have input into proposals affecting their local areas, and reduce local democracy;
- (c) That greater detail is required on how the national housing targets would be derived, including how environmental constraints will be taken into account, and that this must include an element of national planning strategy setting out the aims for how places will grow and the infrastructure needed to support them;
- (d) That the proposed timescale for the adoption of new style plans is very ambitious bearing in mind the need for the introduction of new primary legislation, the proposed ‘front loading’ of community engagement and the greater level of technical work necessary if growth areas will receive automatic outline planning permission;
- (e) That there is significant risk to the progress of currently emerging local plans due to the uncertainty around, and scale of, these changes;
- (f) That if national policies are not to be repeated in local plans, they need to carry the same weight in decision making as development plan policies. Some local ‘development management policies’ will still be necessary to set out local mechanisms and approaches to addressing national policy issues – for example local solutions to addressing indirect effects of development on protected habitats;

- (g) That there is no reference to what if any effect these changes are intended to have on minerals and waste local plans, how policies and site allocations for minerals and waste would be applied under the zoning system and how minerals safeguarding can be achieved;
- (h) That while the support for good design and the publication of a national design code are welcomed, it is important that these focus not only on what places look like, but how they work for those living and working in them. Masterplanning also needs to consider infrastructure provision and mitigation of impacts on habitats, flood risk, heritage and landscape.
- (i) That the replacement of the Community Infrastructure Levy and Section 106 planning agreements with a single levy is not likely to generate sufficient funding for the infrastructure and affordable housing that is needed, particularly bearing in mind the exemptions proposed. We would support the ring fencing of funding for affordable housing to ensure that this is not reduced;
- (j) That while an increased reliance on digital methods of engagement and involvement may well attract a wider audience to comment on planning proposals, it will potentially disadvantage older people and those in more deprived areas who may have less access to digital means of communication.
- (k) That any minor changes to the White Paper consultation response be made under delegated powers by the Portfolio Holder for Planning in consultation with the Service Manager for Spatial Planning.

### **Reason for Decision**

The White Paper proposes radical changes to the current planning system of England, which will have significant impacts on Dorset, its communities and the council. It is important therefore to respond to the consultation in order to influence the outcome and ensure that the proposals do not adversely affect our area, in particular as a consequence of the binding housing targets and reduction in democratic and community involvement in decisions.

### **31. Children, Young People and Families' Plan 2020 - 2023**

The Portfolio Holder for Children, Education, Skills and Early Help presented a report seeking Cabinet support to recommend the Children, Young People and Families' Plan 2020-23 to Council for adoption.

### **Recommended to Full Council**

That the Children, Young People and Families Plan 2020-23 be adopted.

32. **Cabinet Member Update on policy development matters referred to an Overview Committee (s) for consideration**

The Chairman report that this was a new standing item and an opportunity for Portfolio Holders to report on forthcoming policy items coming forward via the new Overview Committees.

Listed below was the items reported to be coming forward in the next few months.

Cultural Policy/Strategy -People & Health Overview Committee  
Communities Strategy - People & Health Overview Committee  
Recovery & Reset EAP's - Overview Chairmen to agree the appropriate committee path.  
ICT EAP - Place & Resources Overview Committee

Private Sector Housing Assistance Policy, Housing Allocations Policy , Housing Standards Enforcement Policy all reporting to People & Health Overview Committee

33. **Climate & Ecological Emergency Executive Advisory Panel Update**

There was nothing further to report.

34. **Urgent items**

The following item of business were considered by the Chairman as urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The item was considered to be urgent to allow enable the Council to act quickly for the provision for Dorset children.

Item: **Provision for Dorset Children**

The report was considered in exempt business under paragraph 3 of part 2 schedule 12A of the 1972 Act.

35. **Exempt Business**

It was proposed by Cllr P Wharf

Decision

That the press and the public be excluded for the following 3 item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 and 4 of schedule 12 A to the Local Government Act 1972 (as amended).

36. **Provision for Dorset Children**

The Portfolio Holder for Children, Education, Skills and Early Help presented a urgent exempt report.

**Decision**

That authority be delegated to the Leader of the Council to engage with the appropriate Executive and Corporate Directors to carry out the recommendations set out with the in urgent exempt report to Cabinet of 6 October 2020.

37. **Dorset Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS)**

The Portfolio Holder for Children, Education, Skills and Early Help presented the report to cabinet.

**Decision**

That the recommendations set out in the exempt report to Cabinet of 6 October 2020 be agreed.

38. **Leisure Services Review**

The Portfolio Holder for Customer and Community Services presented the report to Cabinet.

**Decision**

That the recommendations set out in the exempt report of 6 October 2020 be agreed.

**Public Participation Q&A's  
Councillor Q&A's**

**Duration of meeting:** 10.00 am - 1.19 pm

**Chairman**

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**Cabinet 6 October 2020**

## **Public Questions and Statements**

### **1. Question from Catriona Ross**

What are Dorset council doing to encourage less car use around the main towns? The safe streets map was very helpful to let the public identify issues but I have not seen any updates or signs of change around Bridport. In the last few weeks two cyclists have been injured after being hit by vehicle drivers in Bridport. Vehicle use has to be reduced to combat climate change but the only way to do that is to make people feel safe cycling or walking. Why can't all town centres speed limits be reduced from 30mph to 20mph, a simple and cheap way to make roads safer.

### **Response from the Portfolio Holder for Highways, Travel and Environment**

The thousands of individuals' contributions to the Dorset Safe Streets website have been useful in helping Dorset Council to understand residents' concerns and to identify potential schemes to support walking and cycling. Not all of the ideas submitted will be able to be funded in the short term, and many will be impossible to deliver due to other constraints, but in some cases these will help inform future funding bids and longer term strategies. Dorset Council is working with Bridport Town Council to identify priority schemes to improve conditions for people walking and cycling in the town. There has been substantial recent investment in provision for people on foot and bike in the town, including access to West Bay from the East Road Roundabout,

Any changes to speed limits requires careful consideration of Department for Transport guidance. Changing a speed limit is not a simple or cheap process, although I do appreciate why it may be seen this way. There are 'unseen' costs associated with speed limit setting. A lengthy and costly legal process is required for speed limits to be changed and costs associated with signing for speed limits is often not insignificant, particularly if considering area wide schemes in towns and villages across Dorset.

I am aware of a growing number of requests for 20mph limits/zones across Dorset and indeed nationally.

Department for Transport guidance encourages local highway authorities to install more 20mph limits/zones. There is evidence that 20mph limits/zones can help encourage active travel in urban communities and in turn improve emissions. However it is recognised that a reduced limit of 20mph may not be appropriate in all locations requested. Colleagues in Highways are carefully considering what could be feasible whilst being mindful of Department for Transport criteria for 20mph limits and zones; any decision will be evidence led.

## **2. Question from Caz Dennett**

In a recent article in the Dorset Echo (14<sup>th</sup> September 2020), local residents and marine conservationists raised concerns about air pollution from cruise ships idling in Weymouth Bay. Emissions from ships' funnels (exhausts) are easily visible to on-lookers and smog is now a regular sight over the bay. Air pollution from cruise ship emissions are amongst the most deadly, due to the poor grade 'dirty' heavy-fuel oil the ships burn. This contains high levels of sulphur oxide (a known cause of acid rain and lung cancer), nitrogen dioxide and Particulate Matter (PM). Greenhouse gas emissions from cruise ships, even when idling or manoeuvring in port or anchorage are also extremely high.

The need to control air pollution at ports is a widely acknowledged concern, and Weymouth Bay currently has the characteristics of a busy port (with 5-8 cruise ships present most days).

In the same article on 14<sup>th</sup> September an unnamed spokesperson for Dorset Council dismissed concerns about air pollution from the cruise ships and stated the smog was caused by temperature inversions trapping pollutants from local sources in Weymouth ("vehicles, fires, industrial activities"), not due to air pollution from ships' emissions.

[www.dorsetecho.co.uk/news/18717749.dorset-council-claims-cruise-ships-weymouth-bay-not-causing-smog/](http://www.dorsetecho.co.uk/news/18717749.dorset-council-claims-cruise-ships-weymouth-bay-not-causing-smog/)

**Q. What evidence does Dorset Council have to state publicly that the air quality in Weymouth Bay is unchanged by the presence of the cruise ships between March–September 2020 and that residents are unfounded in their concerns over cruise ships emissions?**

### **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question. There are international conventions in place to help prevent pollution of the marine environment by ships during their operation. These set limits on certain emissions from ship exhausts and provide mandatory measures for the reduction of greenhouse gas emissions.

We continue to monitor for nitrogen dioxide at many locations throughout the Dorset Council area. The only anomaly identified since the ships commenced their lay up within Weymouth Bay was a significant reduction in levels of nitrogen dioxide largely due to reduced traffic.

During March and April, Defra reported moderate to high pollution across most of the South West England, including rural areas. The cause has been attributed to dust and other particulates from continental Europe carried over by prevailing winds then lingering in the calm conditions. The same conditions also limit the dispersion of local emissions, most notably, particulates.

Southampton City Council has not identified any concerns with regards to sulphur dioxide emissions breaching the Air Quality Objective when their port is fully operational. They advise that concentrations drop rapidly once emitted from the flue of the ships and are likely to be negligible should the wind direction be towards the land. They found that there is no correlation between peaks in pollutant

concentrations and a high number of berthed vessels. This is thought to be a result of energy usage per ship being far lower in berth than when under power at sea.

**Q. Assuming that the unnamed Dorset Council spokesperson is correct, and the smog in the bay is caused by temperature inversions trapping air pollution from vehicles, fires and industrial activities and not from cruise ship emissions, what measures are Dorset Council taking to reduce the acknowledged air pollution in Weymouth?**

### **Response from the Portfolio Holder for Customer and Community Services**

The Council monitors air quality in accordance with Government requirements and works with a variety of agencies to protect and improve air quality in Dorset.

Nitrogen dioxide is monitored at congested or heavily trafficked locations throughout the area and currently, there is one area, Chideock, where air quality objectives are not being met. Overall, monitoring demonstrates that Dorset has very good air quality.

Certain factories and other processes which emit emissions to air, land or water will have an Environmental Permit issued by the Environment Agency or this Council and inspections are carried out to ensure compliance.

Domestic burning of solid fuels is a growing issue as it is a significant source of particulate emissions in the United Kingdom. Many households are using open fires and stoves to heat their homes, and we encourage people to shift from burning more polluting fuels such as house coal and wet wood towards less polluting fuels such as low sulphur smokeless fuels and dry woods.

### **3. Question from Cleo Evans**

The Climate Emergency

- When presented with stats and facts it is sometimes too overwhelming to get one's head around it, so it is important to focus on how to get people to engage with aspects of climate change, which in turn can help behaviour change.
- We therefore suggest a county wide rolling arts programme of site-specific work, that engages people in a different ways and includes outreach projects that utilise the talents and teamwork of communities. The work would be specific to that community, so for eg where there is a threat of more flooding we would work with those communities on that subject. And likewise, for other elements, such as air pollution. We want this work to be truly collaborative, utilising our environmental partners' expertise and resources, to include events, such as talks, seminars, practical workshops and popups. This is not about lecturing people and telling them what to do; but sparking

conversations, provide information, and inspire community action – and we want people to have fun!

For the whole programme, and to make an impact – we'll be looking for work with a WOW factor. And we don't want to just reach out to people already concerned about climate change – we want to work directly with communities and reach people who aren't yet thinking about it.

Please can you ask the Counsellors, what the Council can do to achieve this with us ,The Arts Development Company? And what timeline are we looking at?

### **Response from the Portfolio Holder for Highways, Travel and Environment**

Following approval of the Strategy and Action Plan by the Council there are a number of actions to be delivered in order to raise awareness within the Dorset area - The Council will have a number of options of how to deliver these actions and will look to work in partnership with other organisations where appropriate.

#### **4. Question from Julie-Ann Booker (on behalf of Extinction Rebellion Dorset)**

##### **Climate and Ecological Emergency Strategy Delivery Plan**

Good to see the draft Action Plan (Delivery Plan) coming before Cabinet in preparation for going out to public consultation.

We note the plan is still only a Summary Action Plan. So at this stage Appendix A represents more of a 'wish list' of 187 actions. We understand that when it goes out for consultation there will be a detailed delivery plan for each of the 10 themes listed. Appendix B being an example of a delivery plan for the theme of 'Buildings'.

It's a shame Cabinet aren't receiving a full draft of the delivery plan. The 'devil' as the saying goes, is in the detail.

At this stage it is actually impossible to get a real grip on the detail, or the shape of the final detail that will be presented for consultation, for a number of reasons, including, but not exclusively that:

- Neither the summary plan (Appendix A), or the example detailed action plan (Appendix B), include any explanations and definitions on the metric's and measures being used
- The metrics and measures used are different between the two documents, so very difficult to 'read across'
- Visual graphics are always helpful in visualising priorities and progress. So a red, amber, green, colour code is helpful. But is meaningless without an explanation of what the colours stand for. There are a lot of green boxes and generally we all feel happy with green and think it is good. But that might not be the case and we can't work out what the colours mean in this summary plan
- Value for Money disappears in appendix B. But there is a 'cost' metric, symbolised with £ signs. But no 'value' for the one, two or three pound signs.

Without knowing this, no judgement or comment can be made on whether the carbon saving (the footprint signs) and any other co-benefits are worth the cost and the priority given to the action

- In the Buildings example there are no green leaf signs indicating that none of the actions improve ecology. We would like to think that this is surely not the case. But without having a clear definition of the green leaf 'measure' it is impossible to know or comment

It's likely there will be a two year gap between Dorset declaring an emergency, and the production of its strategy and delivery plan. It's important the public consultation is meaningful, transparent, accessible and productive. Cabinet should expect nothing less. This cannot happen without clear metrics and measures being included in the documentation.

**Question:**

When exactly will the metrics and measures be published and available so they can be included in the communications plan for the public consultation?

**Response from the Portfolio Holder for Highways, Travel and Environment**

The appendix B that has been attached to the Cabinet report is only an example of what will be published as part of the public consultation. The full consultation documents that will be published will include a key interpreting the info graphics and providing metrics and ranges.

**5. Question from David Warren**

1. It appears that one of the Indirect Actions listed in the published version of the Climate Emergency Strategy paper has not been included in the action log that will be presented to the public.

The action, listed under the Waste section of the report, aims to "Establish appropriate infrastructure to support the circular economy as part of Joint Municipal Waste Management Strategy for Dorset 2008 – 33" . This tacitly refers to the Council's identification of Direct Energy From Waste (EfW) as it's number one sustainable choice for managing its residual waste and acts as a catalyst for the Council to identify a number of possible sites for the development of an EFW Incineration plant.

EfW activities are notoriously CO2 intensive, please could someone outline why this item has not been included in the action log?, as the public should be given the opportunity to discuss this subject.

**Response from the Portfolio Holder for Highways, Travel and Environment**

Decisions regarding the Councils preferred method of waste disposal are dealt with by the Joint Municipal Waste Strategy and not the draft Climate Emergency Strategy. An electronic link will be included in the draft Climate Strategy to make this clear. The joint Municipal Waste Strategy is due to be reviewed in 2022.

2. Other than the above mentioned tacit support in the Climate Emergency Strategy paper for EfW activities, how does the Council justify its failure to mention EfW or EfW activities in its report, while others, possibly the contributors to this paper,

have, for years, discussed this subject, assessed its sustainability, and even selected it as the preferred method of managing the County's waste? It appears that representatives from within the Council have, for several months, been evaluating the monetary value of offsetting EfW CO2 emission levels with a potential developer that are so significant that the developer may have to pay £100,000 pa to atone for their carbon sins? (this information was disclosed during BBC Solent's interview with Steven McNab a Director of Powerfuel Portland). Perhaps it's time to stop filibustering and clearly document the Council's position on the environmental impact of EfW activities in the Climate Emergency Strategy document. The Public deserves to be properly informed.

### **Response from the Portfolio Holder for Highways, Travel and Environment**

The Council's waste disposal strategy is the Joint Municipal Waste Strategy and not the draft Climate Emergency Strategy. A link has been included in the draft Climate Strategy to ensure that this is made clear and all the facts are available.

#### **6. Question from Jane Fuhrmann**

Prior to Covid, I had actively been working to promote responsible dog ownership and the beneficial effect dog walkers have on our environment. I am also a committee member of 'Dog Friendly Weymouth'.

I had attended meeting with Tara Williams from the Parks Department looking at ways to encourage dog owners to bag and bin and help keep our open spaces free of mess. We had discussed the use of Poo Bag dispensers in certain areas and it had been agreed for the go-a-head to install them in various locations.

Meetings with Friends of the Rodwell Trail, Radipole Gardens and Castle Cove beach had been attended to look at how we could work together to promote responsible dog ownership. As well as a meeting with 'Dorset Dogs'.

Meetings had also been attended with local Beaver Scout groups to encourage children to become involved. This had been warmly greeted by the pack leaders and a start date for projects to begin was given.

My Facebook group 'Paws on Weymouth Beach & Open Spaces,' represents 320 members of like minded dog owners who are concerned with and act on environmental issues locally and nationally. This is evidenced within the group as members visit beaches and open spaces daily with their dogs, cleaning and clearing rubbish from our streets and parks and plastics washed up on our shores. Our dog walking members alert the appropriate department when there are bins requiring emptying, report occurring problems to the authorities and pinpoint issues of concern.

I had also been in talks with 'Litter Free Coast & Sea' and organised for the Nurdle 'Trommel' Machine to come to Weymouth to be operated by members of this dog walking group.

**My question is-**

As there are many dog owners and representatives already willing and actively working with the authorities and groups on issues affecting the public where dogs are a concern. Will the dog warden department and DCC take this into account in their decision and in future include, advise and consult where appropriate, to promote a good working relationship to benefit the general population?

### **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question and the good work that you do around responsible dog ownership in Weymouth. The public consultation to help inform the draft Order was widely distributed and received a very high response. The Council including the Dog Warden service, is committed to working with communities and groups to support responsible dog ownership. I will ensure that our officers liaise with groups such as your own to help achieve our shared ambitions.

### **7. Question from Linda Stevenson**

Can you please ask these question here"s a backstory to my questions I applied for this FOI 42786 request from the Dog Warden Department who I have been in contact with since 2016.

As a concerned dog owner I wanted to understand why the problem remains with people reporting dog fouling

Over this time I've met with Jane Williams and Kevin Good trying to find an answer to this problem, to be able to see what action the Dog Warden Department were taking to resolve this I needed these figures.

I have requested an updated Freedom of information request as you can see this covered the period from 2016 till January 2019. Unfortunately I have been unable to provide this to date.

The dog warden for the Weymouth and Portland has been regularly contacted by me, Ian Lewis and I attended a information day held at Littlemoor community centre, to try and help resolve the problems and share ideas.

He kindly gave me a range of stickers I could place in the area where I live, as these are often placed in a position where, to high above head height, in locations where no problems have been reported.

I decided I would take ownership of the area I live in Lodmoor Hill Weymouth, and as mentioned by one respondent to the consultation, as I cleared an area, I popped up empty biodegradable bags carrying a message to bag and bin it. Which proved successful until someone began to take them down again, and a rumour went around the area I was tying full poo bags up.

Increasing the fine to £1000 in my experience would make little difference, I belong to worldwide group of dog owners who litter pick every time they walk their dogs, many 3 times a day, I asked a question on the group (18000) they all agreed having regular patrols where dog owners will be fined is the only answer to stopping this,

Does Dorset Council have updated figures for dog fouling, and fines issue and will they be employing dog wardens to enforce this and work with local groups of dog owners who are trying their best to raise awareness in all areas?

	<b>Enforcing authority</b>	<b>Issued</b>	<b>cancelled</b>	<b>prosecuted</b>	<b>complaints received</b>	<b>complaints upheld</b>
<b>dog fouling</b>	W&PBC	5	1	0	1	0

### **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question which touches on a really important aspect of responsible dog ownership, the removal of fouling. The draft Order is very clear about this and will require removal of dog fouling. However, the Council has limited enforcement resources and we have to target these to hotspot areas. We rely on working with dog owners and groups to spread raise awareness and explain the public health dangers from fouling.

I have asked officers to reply to you about dog fouling statistics and the number of warnings and fixed penalty notices issued. However, I know that in the previous district and borough councils, there was concern about the relatively low numbers. It is often difficult for dog wardens to witness an incident of fouling and we have sought to improve local intelligence to help with this, and will continue to review this aspect of the service to see if there is more that we can do.

### **8. Question from the Dog Friendly Weymouth and Portland Group**

Dog Friendly (Weymouth and Portland) would like to say that while we are glad that the results are now being discussed, that we remain disappointed in the narrow date options put forward in the consultation and the lack of a question on early access to beaches during restricted times. We note that there was a large number of comments relating to this.

We have reviewed the draft PSPO and note that the dogs on leads section has a specific section for Studland and for Lyme Regis. There are no dates for Studland and a dogs on leads instruction for Lyme Regis. The National trust site for Studland states that dogs are welcome at all times with dogs on leads during the summer months (May to September). The PSPO should reflect this.

The overall view the council gave was that they wanted to have one PSPO for the council area. The fact that Lyme Regis beach stands out as the only area with a dogs on leads instruction goes against this aim. Considering that the results across Dorset was NOT in favour of dogs on leads outside the summer restrictions (including Lyme Regis by a small margin), we feel it would be more consistent to include Lyme Regis with the other named beaches.



Having one beach with that restriction could easily lead to visitors to Lyme falling foul of a rule that they believed applied across Dorset.

It applies equally to studland and lyme regis.

Will the council respect the consultation results and allow dogs off leads outside the restricted times, and will the council undertake to provide a wider range of time and date options on any future consultation?

### **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question. The results of the consultation have helped to inform the proposals but are not the only factor. We have looked to achieve consistency with the proposals where we can but also appreciate the need to take account of local circumstances for example where there are nearby unrestricted beaches such as at Lyme Regis. Some of the issues raised in the consultation including the timing of beach restrictions will feature in the next consultation as part of a review which must be undertaken within 3 years.

#### **9. Question from the "Paws on Plastic & Rubbish Lyme Regis Beaches" and "Lyme Regis's Loving Dog Owners & Friends" Groups.**

##### **Question One**

As representative of the Facebook Groups "Paws on Plastic & Rubbish Lyme Regis Beaches" and "Lyme Regis's Loving Dog Owners & Friends" I wish to challenge the comments published in the Dogs on Beaches Consultation by asking for evidence that the Lyme Regis Sandy Beach is "covered in dog poo".

We have documented daily evidence for the period Oct 2019 to March 2020 (up until the pandemic hit) in the form of both videos and photographs to show the beach isn't "covered in dog poo" but sadly as featured on both the Paws on Plastic & Rubbish Lyme Regis Beaches and the Lyme Regis's Loving Dog Owners & Friends Facebook Groups, we can prove there is a huge issue with littering and human antisocial behaviour, in the form of taking Nitrous Gas, vandalism, breaking glass bottles, and general hazardous littering (smashed glass bottles, cigarette butts each one polluting 7.5 litres of water, plastic / nylon rope / bio beads and Nurdles which cause harm to marine life and other litter items as documented) which until the pandemic were being cleared away each daily by caring dog owners from the Lyme Regis Front Beach to keep both marine life, animals and humans safe from harm.

Therefore without solid evidence that the Lyme Regis Beaches are "covered in dog poo" could we please request that this unsupported statement is removed from the consultation?

For reference the groups are:

<https://www.facebook.com/groups/PawsOnLymeRegis>  
<https://www.facebook.com/groups/lymeregisdogowners>

## **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question and your valued work in the community. The comments included in the report were carefully chosen to represent views on all sides. The appendix is a total list of all comments. Comments are not deemed to be facts or true, merely a consultation response. It would not be appropriate to remove any comment on the basis that somebody disagrees with it.

### **Question Two**

As representative of the Facebook Groups “Paws on Plastic & Rubbish Lyme Regis Beaches” and “Lyme Regis’s Loving Dog Owners & Friends” we would also like to ask how many fines were issued for dog fouling on Lyme Regis Front Beach for the period 1 October 2019 to 30 April 2020?

For reference the groups are:

<https://www.facebook.com/groups/PawsOnLymeRegis>

<https://www.facebook.com/groups/lymeregisdogowners>

## **Response from the Portfolio Holder for Customer and Community Services**

There have been no fines issued for dog fouling in this location during the period that you mention. It is often difficult for dog wardens to witness an incident of fouling and we have sought to improve local intelligence to help with this. As mentioned in a previous reply, we may look to review this aspect of the service to see that we are doing all that we can with the limited resources available. Lyme Regis Town Council has authorised officers who also carry out patrols in this area and give advice and guidance on responsible dog ownership.

## **10. Question from Debbie Conibere**

### **Question 1**

Given that the recent Dogs on Beach Consultation resulted in a higher percentage of 49.2% for those specifically responding to Lyme Regis, in which they stated, “No - I think dogs **should not be** required to be kept on a lead” referring to the out of season Winter period, and given that Dorset Council wished to have the same restrictions for all of the beaches listed in the consultation, why is consideration being given to not allowing dogs off leads on the Lyme Regis Front Beach when dogs are allowed off lead on the other beaches listed in the consultation?

## **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question. The consultation results were relatively close on this issue and regard was had to the views of the Town Council and the other factors mentioned in the report that have shaped the draft Order being presented at today’s meeting.

## **Question 2**

Could the Cabinet please inform of a safe accessible beach / dedicated dog exercise area in Lyme Regis Town that can be used by dog owners to exercise their dogs off lead during the permitted period that dogs are allowed on the front Lyme Regis Beaches (1 Oct - 30 April), given that Monmonth Beach and Black Venn Beach are away from the main town and the town's facilities, Monmonth Beach is uneven with large rocks leading to known falls by members of the public, a Town Council Worker and a Lyme Regis Town Councillor, Church Beach and Black Venn Beach are only accessible by steep steps, have large boulders to contend with and are tidal therefore these beaches get cut off at different times of the day making them unusable by the public plus Black Venn has warnings of rock falls, and Back Beach again is cut off at high tide, has uneven surfaces and slippery rocks therefore the alternative dogs off lead beaches are unsuitable for the vulnerable, elderly, pregnant women and those with mobility and sight issues? Please bear in mind most dog walkers stick to set walking times, mainly early mornings when most visitors are not up and children are being taken to or are in school, therefore tidal beaches cannot be used at e.g. 8.30am every day of the week.

### **Response from the Portfolio Holder for Customer and Community Services**

Lyme Regis and its surroundings is rich with unique natural and man-made features for people to enjoy. Whilst it is appreciated that the on lead restrictions are an issue to some dog owners, there are people who find these restrictions beneficial, a view also expressed by local residents. There is a wonderful parade and sea defence path that allows for long dog walks and beaches either side of the exclusion area are unrestricted.

#### **11. Question submitted by Sarah Locke-Lavell**

I would like to put forward my questions to the council regarding the above order.

1. I was shocked to hear the statement from Lyme Regis town council stating their view that the town would like dogs to be banned year round on the front beach. I also noted that all the other councils were happy to continue the current position of dogs either excluded or on leads in the summer whilst larger numbers are using the beaches and dogs allowed off leads during the winter off season months, to encourage tourism for dog owners throughout the quieter winter months. I would like to ask the question why has Lyme Regis taken the view that dogs are to be excluded from the only family and disabled accessible beach during quiet months when the towns business's rely on this tourism income to survive. This is incredibly relevant during the current pandemic and I also believed that having a unitary council, would mean the majority view would win over. Please can you clarify the councils overall position on this ?

## **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question. The draft Order does not exclude dogs from the Front Beach during the 'quieter winter months'. Dogs are welcome, albeit they must be on a lead.

2. Should each individual town council have held some sort of widely known referendum to find out the public's views, as I did not hear anything about this in Lyme Regis. I was only aware of the 10,000 Signatures on the petition that the public signed in favour of allowing dogs on the front beach of the lead to continue during the winter months. I would like to ask, will the petition in Lyme Regis be taken into account when Dorset Council make their final decision?

## **Response from the Portfolio Holder for Customer and Community Services**

The consultation was well publicised including through local press and on social media. There were 1,175 respondents to questions related specifically to Lyme Regis Front Beach so many people took the opportunity to respond. The petition mentioned was concerned with Lyme Regis Town Council and so was not considered as part of the consultation.

### **12. Question from Helen Freeman**

The anti 'share policy 'some people seem to have re dogs and beaches.

I am reg disabled Over 60 years old ,and look forward to being able to walk on a safe beach in the winter . I feel we all need a safe place to free run our dogs off lead. I cannot walk very well I use a stick for balance and have tripped and fallen , on all the other beaches due to uneven surfaces

I often study the web cams at Lyme Regis , and quite frankly in the winter off season time very few use the beaches apart from the dog people . The Day visitors , holiday makers and locals . Over the 13 years we have lived on the Lyme Road, I have spoken to lots of people visiting the Dorset Beaches. Most dog visitors do time holidays to visit the area when the beaches are open for dogs . Also the wonderful local pubs, cafes and shops are nearly all dog friendly . In fact many a time only with dog folk in them during the Winter mornings.

In fact our visits to Lyme Regis in the winter months , is one of my years hi lights . The beaches have been badly effected by a huge amount of visitors this year . I believe dogs are being blamed for poo littering when it has been human . I can tell the difference .For over 9 years I have been documenting Facts re dog poo at Burton Bradstock asPooo pin . We are in process of a re brand Currently to help More when we come past cv19 and it is safe. So I have in that time gained experience on this subject . I feel that this year we have seen far more human litter of all sorts . During

this summer I have been visiting all the coastal areas at sunrise to exercise our dogs .

So please do consider those like me who are older and unable to walk . We need our turn on the beaches with our dogs . I believe off lead time is needed by dogs to , on walk ways yes need To be on leads leads . but we all need to share this world , sadly some folk don't want to do this .

Finally during this year many of us suffered , it is not the right time to alter any arrangements as many have not been able to come out . If like me have been staying away due to cv19 , we need time to heal before things change .

### **Response from the Portfolio Holder for Customer and Community Services**

Thank you for your question and I appreciate the point made about littering on our beaches especially after some of the scenes seen this summer. We do appreciate that mobility issues can have an impact on people's ability to walk their dog and the draft Order does facilitate a range of on-lead and off-lead locations for dog owners to use at Lyme Regis. There are also other beaches in our area where dogs can be exercised off lead. However, dogs can also get sufficient exercise even when on a lead.

With regard to the pandemic, our dog wardens have been mindful of the current circumstances and will continue an appropriate approach to enforcement.

### **13. Question from John Calvert**

Given the shortfall in the budget, could the Council Cabinet confirm that it will recommend that the Council minimises the use of consultants and, more important still, minimize the creation of bespoke IT systems and instead use current software that works for lots of other councils.

### **Response from the Leader of the Council**

Thank you Mr Calvert for this question and suggestions of where we can look for savings.

Dorset Council's workforce is diverse with a broad base of skills, knowledge and expertise. There are however, occasions where specialist skills or expertise from outside of the Council need to be brought in. Often this will be for specific projects or programmes of work. I can confirm that the Council seeks to minimise such spend and only buys in Consultancy support when it needs to.

In response to the point about bespoke IT systems I can confirm that Dorset Council operates very few of these and the vast majority of our software applications are bought 'off the shelf'. However it should be noted that most 'off the shelf' systems require some form of configuration to allow them to support Dorset Councils businesses processes.

I can confirm that part of our approach to savings for this year and next is to reduce the number of software applications that the organisation uses.

**14. Question from Linda Nunn, Director, Cranborne Chase AONB, Rushmore Farm**

Dinah's Hollow is in the Cranborne Chase Area of Outstanding Natural Beauty where the purposes of designation are conserving and enhancing natural beauty. The Dorset Council scheme to stabilise the banks would entail converting extensive tree and fern covered habitats into exposed areas of geotextile and 'soil nails' [similar to the photograph in Appendix A para 2.4 of your report]. How is the Dorset Council Cabinet seeking to fulfil its obligations under section 85 of the Countryside and Rights of Way Act 2000 when it has not consulted or engaged with the Cranborne Chase AONB Partnership on Dinah's Hollow since the formation of Dorset Council?

**Response from the Portfolio Holder for Highways, Travel and Environment**

The former Dorset County Council cabinet suspended work on the project in December 2015 and no work has been done on the stabilisation project for nearly 5 years. Dorset Council was formed more recently in April 2019. It is acknowledged in the report to cabinet (Appendix A para 7.1) that, due to the time elapsed since the suspension of the project, reports and consents would need to be reviewed and updated. This includes consultation that runs alongside the ecological studies, the Landscape Visual Impact Assessment (LVIA) and tree surveys. The previous consent to fell trees covered by a Tree Preservation Order has expired and a new application will be required.

**15. Question from Richard Burden**

Dinah's Hollow and Melbury Abbas are on a C class road within an nationally designated Area of Outstanding Natural Beauty where tranquillity is a key characteristic. Why is Dorset Council actively routing HGVs onto this C class road through the AONB when there are obvious bottlenecks in the village, the vibrations from HGVs could increase the risks of landslides in Dinah's Hollow, and HGVs disturb an extensive area of the AONB?

**Response from the Portfolio Holder for Highways, Travel and Environment**

The council's HGV policy for the A350/C13 route strategy between Blandford Forum and Shaftesbury was agreed at the Cabinet meeting of the former Dorset County Council on 6<sup>th</sup> December 2017. The advisory routing works by directing northbound HGV's along the A350 and southbound on the C13 through Melbury Abbas. Mitigation measures have been put in place including the installation of Vehicle Activated Signs (VAS) in Blandford and Shaftesbury to direct HGV's, along with an additional VAS being installed in Melbury Abbas to complement the existing HGV warning signs. In addition, the traffic signals through the barriered section of Dinah's

Hollow have been made permanent to slow vehicles in the 20mph ensuring a smooth flow of vehicles through this narrow section within the village

## **16. Question from Peter Bowyer**

1 Can the Council please answer question 7 that was asked at the Cabinet meeting of 08.09.20? A directly relevant and meaningful reply is requested in the interests of maintaining confidence in the exercise of the planning function by the Council. The full question and the earlier response from the Council are contained in the minutes of the Cabinet meeting of 08.09.20 (contained within the papers for the Cabinet meeting of 06.10.,20).

2 Given that houses are financial assets, and that building more houses in Dorset shows no evidence of falling prices, how does the Council consider that proposals in the Planning White Paper (if adopted) will ensure that local housing need is the driver for the Dorset Local Plan?

## **Response from the Portfolio Holder for Planning**

Part 1:

At the Cabinet meeting of 08/09/20 question 7 Mr Bowyer asked how and when the residents of Dorset and their communities will be able to assist in the creation of a vision for the "Dorset People's Local Plan" other than responding to any consultation in late 2020/early2021. The follow-up question now seeks a directly relevant and meaningful reply.

The response I gave at that meeting is minuted and I believe answers the question, so I do not propose to repeat my reply. As a point of clarification, the emerging plan is called the Dorset Local Plan, not the "Dorset People's Local Plan". It will be a plan for Dorset and its communities and is subject to statutory processes for engagement, consultation and public examination. The people of Dorset are therefore able to comment, engage and help shape the final plan.

Part 2:

At present, housing needs are assessed based upon a national methodology. The Government is proposing revisions to the standard method for calculating housing numbers which, if confirmed, may set binding figures for local authorities. The White Paper also proposes that local plans should identify growth areas, renewal areas and protected areas, and so housing requirements (whether through the existing standard methodology or binding targets) would then be directed to suitable areas via local plans. In addition, it is proposed that a single infrastructure levy would replace the current Community Infrastructure Levy and financial contributions via Section 106 planning obligations (including affordable housing). There is still uncertainty over whether these proposals will carry forward or indeed how they would work in practice, and Dorset Council is considering its response to the Government's White Paper at this meeting. Having said this, it is anticipated that local affordability needs will continue to be a key priority for local plans and Dorset Council is committed to securing high quality affordable homes for its communities. At

present work is continuing on the emerging local plan and consultation will take place in the New Year on the proposals in the plan, including its approach to delivering affordable housing across Dorset.



## Cabinet 6 October 2020

### Questions and Statements from Councillors

#### Statement from Councillor S Jespersen

The proposal for the Dinah's Hollow Slope Stabilisation includes the requirement to close the C13 for seven months.

You may recall, as I most certainly do, that during the previous work on Dinah's Hollow the road was closed from April 2014 to July 2015. I also recall the impact this had on the lives of the residents in the villages in the area, which bore the burden of the displaced traffic.

So bad was this damage and disruption that DCC eventually suggested, in 2015, that the risk associated with the continued road closure was greater than the risk of the slopes collapsing.

The Report to DCC Cabinet in May 2015, on *The Risk Comparison Analysis of the Decision to Close the C13*, stated:

"The closure of the C13 at Melbury Abbas ...has had significant ramifications on the community and the local road network in terms of both the size and the number of vehicles now using unsuitable roads to circumnavigate the road closure and also the subsequent impact this increase in traffic is having on the roads themselves.

...a number of neighbouring hamlets and villages are now experiencing an increase in traffic volumes. This is having a dramatic effect on residents' quality of life and has led to considerable disquiet from those living in these communities.

It has been suggested that the damage and disruption caused by the road closure outweighs the perceived damage of the slopes collapsing"

The Report further refers to increase in collisions, damage to vehicles and property and serious damage to the highway itself resulting from the road closure, and describes how vehicles, including HGV, avoiding the diversion route are having a disproportionately high impact on those living alongside these roads.

The residents in these same villages are now to be asked to endure this disruption and serious impact on the quality of their lives once again.

Could I ask, therefore that the lessons learned during the previous closure of the C13 are used to

- i. Provide all possible mitigation measures to reduce the impact of the road closure on the neighbouring communities
- ii. Introduce, in good time, a wide and full communications plan to keep the local communities informed of plans and progress

- iii. Plan and budget for the inevitable repair work to the surrounding road network
- iv. And, above all, make it a priority to keep the length of the road closure as brief as possible.

### **Question from Councillor Jane Somper**

I have read both the cabinet report and previous reports from 2013/14 in relation to the works to the slopes at Dinah's Hollow where a geotechnical engineer identified potential complete failure due to the instability of the slopes. The report delivered by Brody Forbes did state the chance of this is rare with no significant slippage where the slopes have existed for hundreds of years.

However the report also states that there is chance that changes due to climate change with extreme weather becoming more frequent and the impact on the vegetation conditions, damage caused by intense periods of rainfall could trigger a major collapse of the slopes and the concrete barriers currently in place would not be sufficient to hold back the tonnes of soil that could fall.

The decision to put on hold the original scheme to provide the required stability of soil nails and mesh in 2015 was due to a discussion on funding bids in relation to the North South corridor of the M4 and ports of Poole and Portland. This has of yet not moved forward although at the last cabinet meeting approval was given for DC to join the Western Gateway Partnership where this and other potential routes are to be looked at in a Government funded strategic transport report.

I recognise and fully accept that this Council must take all measures to protect all road users who drive through the hollow and cannot allow any risk to life.

My question to the Portfolio Holder is:

This is an extremely sensitive and protracted issue for all residents living in Dinah's Hollow, Melbury Abbas and as a result of this, and in order for me to fulfil the commitment that I have made to my residents I expect to be kept fully informed of all developments leading to the decision as to how the council intends to proceed with Dinah's Hollow. My engagement with officers must enable me to report to residents on the progress being made at every stage. Can you kindly confirm that this will be in place.

### **Response from the Portfolio Holder for Highways, Travel and Environment**

To reassure you on our proposed application to join the Western Gateway Powerhouse – this is mainly to align the geographies of our transport and economic partnerships. While of course we hope this strengthens our ability to attract funding, this does not fundamentally change anything with regards to Dinah's Hollow at this stage.

It's obviously important that residents are given clear, accurate and timely information on this extremely sensitive and protracted issue. This is the case whether we are talking about managing the situation on the ground, or the rather

more removed strategic discussions which may not directly impact residents right now but could have significant implications in the longer term.

A communications plan will be prepared for the project. Officers will be proactive in seeking comment and providing progress reports to members and other with an interest in the project. A member of the project team will always be available to answer questions.

### **Question from Councillor Nick Ireland**

The recent comments by a Dorset Councillor at the Police and Crime Panel have highlighted the need for at least some councillors to receive Equality & Diversity training.

Will this council's leader organise an appropriate course for those in need of such training?

### **Response from the Leader of the Council**

The recent comments made by Cllr Pipe in the Police and Crime Panel were unacceptable and disappointing. Cllr Pipe has rightly apologised unreservedly for what he said. I can also confirm that Cllr Pipe has requested Equality and Diversity training, and has been removed from the Police and Crime Panel.

Equality and diversity training is provided annually for all members of the council as part of the member development programme and is classed as 'required' training for councillors. This area of training is given high importance. Councillors were invited to an equalities session as part of their induction last year and further discussion events were held in May and June of this year for councillors to discuss the Covid-19 Vulnerable Groups Equality Impact assessment. The next training session will be delivered this autumn.

As councillors, we have a responsibility to educate ourselves about the issues and injustices faced by all members of our communities so we can properly represent them. I shall be strongly encouraging all members to attend this training.

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**The Cabinet Forward Plan - December 2020 to March 2021  
For the period 1 NOVEMBER 2020 to 28 FEBRUARY 2021  
(Publication date – 9 NOVEMBER 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**

<b>Spencer Flower</b>	Leader / Governance, Performance and Communications
<b>Peter Wharf</b>	Deputy Leader / Corporate Development and Change
<b>Gary Suttle</b>	Finance, Commercial and Capital Strategy
<b>Ray Bryan</b>	Highways, Travel and Environment
<b>Tony Ferrari</b>	Economic Growth, Assets & Property
<b>David Walsh</b>	Planning
<b>Jill Haynes</b>	Customer and Community Services
<b>Andrew Parry</b>	Children, Education, Skills and Early Help
<b>Laura Miller</b>	Adult Social Care and Health
<b>Graham Carr-Jones</b>	Housing and Community Safety

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
<p><b>Recommendations for the allocation of developer contributions for enhancement of recreation and community infrastructure provision in Dorchester</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Dorset Council - Cabinet	8 Dec 2020		Portfolio Holder for Planning	<p><i>Andrew Galpin, Infrastructure &amp; Delivery Planning Manager andrew.galpin@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i></p>
<p><b>Annual Self Evaluation of Children's Services</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Dorset Council - Cabinet	8 Dec 2020		Portfolio Holder for Children, Education, Skills and Early Help	<p><i>Claire Shiels, Corporate Director - Commissioning, Quality &amp; Partnerships claire.shiels@dorsetcouncil.gov.uk Executive Director, People - Children (Theresa Leavy)</i></p>
<p><b>Annual Safeguarding Report (Children's 2019-2020)</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Dorset Council - Cabinet	8 Dec 2020		Portfolio Holder for Children, Education, Skills and Early Help	<p><i>Karen Elliott, Head of Quality Assurance &amp; Partnerships Executive Director, People - Children (Theresa Leavy)</i></p>
<p><b>Dorset Council Local Plan - Options Consultation</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Dorset Council - Cabinet	8 Dec 2020		Portfolio Holder for Planning	<p><i>Terry Sneller, Local Plan Team Leader terry.sneller@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i></p>
<p><b>Children's Services Provision</b></p> <p>Key Decision - <b>Yes</b></p>	Dorset Council - Cabinet	19 Jan 2021		Portfolio Holder for Children, Education, Skills and Early Help	<p><i>Stuart Riddle, Senior Manager Stuart.Riddle@dorsetcouncil.gov.uk</i></p>

<b>Subject / Decision</b>	<b>Decision Maker</b>	<b>Decision Due Date</b>	<b>Other Committee Date</b>	<b>Portfolio Holder</b>	<b>Officer Contact</b>
Public Access - <b>Open</b>					<i>l.gov.uk Executive Director, People - Children (Theresa Leavy)</i>
<b>Budget Strategy Report</b> Key Decision - <b>Yes</b> Public Access - <b>Open</b>	Dorset Council - Cabinet	19 Jan 2021	Dorset Council - People and Health Scrutiny Committee Dorset Council - Place and Resources Scrutiny Committee	Portfolio Holder for Finance, Commercial and Capital Strategy	<i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
<b>Dorset Council Budget - Quarterly Performance Report - Q3</b> Key Decision - <b>No</b> Public Access - <b>Open</b>	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>
<b>Dorset Council Plan Quarterly Performance Report - Q3</b> Key Decision - <b>No</b> Public Access - <b>Open</b>	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 &amp; Performance rebecca.forrester@dorsetcouncil.gov.uk Chief Executive (Matt Prosser)</i>
<b>Dorset Council Budget Quarterly Performance Report - Q4</b> Key Decision - <b>Yes</b> Public Access - <b>Open</b>	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 J.McManus@dorsetcc.gov.uk Executive Director,</i>

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
					<i>Corporate Development - Section 151 Officer (Aidan Dunn)</i>
<b>Dorset Council Plan Quarterly Performance Report - Q4</b>  Key Decision - <b>Yes</b> Public Access - <b>Open</b>	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 &amp; Performance  rebecca.forrester@dorsetcouncil.gov.uk, Bridget Downton, Head of Business Insight and Corporate Communications  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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## **Cabinet**

### **3 November 2020**

### **Quarter 2 financial management report**

#### **For Decision**

**Portfolio Holder:** Cllr G Suttle, Finance, Commercial & Capital Strategy

**Local Councillor(s):** N/A

**Executive Director:** A Dunn, Executive Director, Corporate Development

Report Author: Jim McManus

Title: Corporate Director, Finance & Commercial

Tel: 01305 221235

Email: jim.mcmanus@dorsetCouncil.gov.uk

**Report status:** Public

#### **Recommendations:**

1. note the Senior Leadership Team's forecast for Dorset Council's revenue budget position at the end of quarter 2 and the improvement since quarter 1;
2. note the continuing impact that these changes could mean for the development of the 2021/22 budget strategy;
3. comment on the actions/proposals to improve the position during the year and consider further action to address the budget gap;
4. note the latest position on the capital programme and the impact this is having on capital financing in the revenue budget (appendix 1);
5. note the current positions on collection funds and collection rates and the impact that the council tax position in particular might have on local preceptors;
6. (i) to accept the grant allocation of £2.3m from the Department for Education (DfE) for the Priority Schools Building Programme 2 (PSPB2) project at The Woodroffe School, Lyme Regis and authorise the Executive Director for People – Children, and the Executive Director for Corporate Development to sign the grant agreement form  
  
(ii) subject to signature of the grant agreement, for Dorset Council to Commit to Construct and delegate authority to the Executive Director People -

Children's in consultation with the Portfolio Holder for Peoples Children Education Skills and Early Help and the Executive Director for Corporate Development to enter into contract(s) on best terms achievable, provided the project is within budget.

**Reason for recommendation:**

The Council has responsibilities to deliver against its 2020/21 revenue budget and capital programme whilst maintaining adequate reserves. Cabinet wishes to understand clearly the financial impact and consequences of the Council's response to the COVID-19 pandemic.

Understanding the current year's position and performance is also key to developing the medium-term financial plan (MTFP) and budget strategy.

**1. Executive summary**

- 1.1 This paper comes to Cabinet to provide the second update on the financial impact of COVID-19 and other matters on the current year's financial performance.
- 1.2 The report also seeks Cabinet's agreement to accept £2.3m of grant from the DfE to allow works for The Woodroffe School, Lyme Regis to progress.

**2. Financial implications**

- 2.1 Financial implications are covered throughout this paper.

**3. Climate implications**

- 3.1 Any specific climate assumptions required in the MTFP will need early confirmation from Cabinet.

**4. Other implications**

- 4.1 None identified in this paper. The Council is taking action to reduce its operating costs before 1 April 2021 to deliver a balanced budget and a sustainable MTFP. Detailed implications of what this means will be brought to Cabinet as plans are sufficiently developed.

**5. Risk assessment**

- 5.1 The 2020/21 quarter 2 forecast sets out continuing, significant risks for the Council in dealing with the current pandemic and its longer-lasting financial implications. The Council has reserves, some of which can be used as a short-term measure to balance the budget, but longer-term use of reserves is not sustainable.

Current Risk: High

Residual Risk: High

**6. Equalities Impact Assessment**

- 6.1 None.

**7. Appendices**

1. Capital programme summary 2020/21
2. Update on £15m capital programme for 2020/21

## 8. Background Papers

Quarter 1 financial management report to Cabinet.

Cabinet budget strategy paper, February 2020.

## 9. COVID-19 context update

- 9.1 The COVID-19 pandemic has had an unprecedented impact on Dorset Council's income and expenditure levels and has created a huge degree of financial uncertainty. At the end of quarter one, Dorset Council was forecasting an overspend of £43m for the financial year, driven in particular by loss of income, increasing expenditure, and diversion of resources away from the planned efficiency programme.
- 9.2 Over the Summer, the easing of restrictions and the reduced level of local infections, led to a partial recovery in income levels and a reduction in anticipated expenditure levels, allowing Dorset Council to refocus on its transformation programme. These factors, combined with additional funding from Government, have enabled the financial forecast to be revised at quarter 2, and the predicted level of over overspend for the year is now £27.6m.
- 9.3 An overspend of this magnitude is of significant concern, but the improvement against quarter one is to be welcomed. Nevertheless, the financial uncertainty continues and any significant or prolonged change in local restrictions could lead to a deterioration in the forecast over the later part of the financial year.

## 10. Forecast of outturn, quarter 2 2020/21

- 10.1 The paragraphs below provide an overview of the position for each directorate as set out in the table. The table also shows the change in the forecast position for each directorate/area.

Directorate	Net Budget	Forecast Outturn	Forecast (Overspend)/ Underspend	
	£k	£k	£k	%
People - Adults	122,335	136,624	(14,289)	(11.68%)
People - Children's	75,112	82,820	(7,708)	(10.26%)
Place	69,280	84,070	(14,790)	(21.35%)
Corporate Development	25,406	25,211	194	0.77%
Legal & Democratic Services	6,182	9,733	(3,551)	(57.45%)
Public Health	0	0	0	0.00%
Total Service Budgets	298,314	338,457	(40,143)	(13.46%)
Central Finance	(299,794)	(312,376)	12,582	(4.20%)
Whole Authority	(1,480)	26,081	(27,562)	

## 11. People Services – Adults and Housing

- 11.1 The People Services - Adults and Housing budget is forecast to overspend by £14.3m (11.7%). The movement shown since quarter 1 of £1.1m reflects the transfer of costs from the Corporate Development directorate for homelessness housing benefit expenditure, which exceeds the subsidy Dorset Council receives.
- 11.2 The Council has received £624k funding from Ministry of Housing, Communities and Local Government (MHCLG) and £4.7m internally from a Cabinet decision to acquire properties for temporary accommodation. £3.1m was approved for 2020/21 and £1.65m for 2021/22. The aim is to move people on into settled private rented and housing association tenancies allowing the Council to move people on from B&B into settled accommodation, with support, at sustainable rents, covered by housing benefit. This will reduce and stabilise costs over the medium term. However, there is still risk of additional demand occurring if there is a return to lockdown during the winter.
- 11.3 A significant amount of work has been done in September and October to quantify the impact and costs of COVID-19 on the system and to manage and more appropriately allocate costs going forward. In Q3 we will bring further detail on our financial position after confirmation of the Government position on funding and reconciliation of costs with our Health partners.

### People Services – Adults

	Net Budget	Forecast Outturn	Forecast (Overspend)/underspend	
	£k	£k	£k	%
Adult Care Packages	98,393	109,923	(11,530)	(11.72%)
Adult Care	14,306	14,146	160	1.12%
Commissioning	5,138	5,658	(520)	(10.12%)
Directorate Wide	1,892	2,666	(773)	(62.37%)
Housing & Community Safety	2,605	4,230	(1,625)	(40.85%)
<b>Total Directorate Budget</b>	<b>122,335</b>	<b>136,624</b>	<b>(14,289)</b>	<b>(11.68%)</b>

- 11.4 Adult Care Packages are causing an overspend of £11.5m. At least £5.6m of this is directly attributable to COVID-19. There are £2m savings which are forecast as being unachievable in this year. A programme of work was established last November to realise these savings, but the impact of COVID-19 has meant this work had to halt to provide the response. This programme has been restarted alongside associated transformation work.
- 11.5 There is a £1.5m budget pressure due to the increased complexity of clients transferring-in from Children's Services. So far this year five cases

- have transferred costing £1.4m. Two cases in Purbeck (£378k), one case in East (£95.3k) and two community mental health cases (£1m).
- 11.6 Inflation remains a national issue for these costs. One of the principal factors is the need to ensure carers are paid appropriately for all the essential work they do. The National Living Wage increased by 6.1% in April 2020 and had a significant impact upon the sector due to the majority of care staff being in this group. An increase of 4.5% was applied to care homes and 5.13% to domiciliary care to support these providers. Increased complexity has also meant an increase in training costs in order to provide appropriate levels of care. The budget for 2020/21 included a 3% increase, originally this was set at circa 5% but reduced with the aim of delivery negotiated savings where possible.
- 11.7 There are currently 866 people receiving care funded under COVID-19 arrangements, many of whom have ongoing care and support needs. There are two schemes which are currently funded through NHSE/i. Scheme 1, whereby anyone discharged from hospital during the period between 18 March and the 31 August is fully funded until they have a Care Act Assessment to determine their long-term care needs. This funding is available up until 31 March 2021. Scheme 2 was implemented on 1 September and is called *home first*. Anyone discharged from hospital receives up to 6 weeks funded care through NHSE/i. Some of these people would not, ordinarily have received council-funded care but in order to relieve pressure on the hospital system which is operating at severely reduced capacity we have taken them onto the books and we are finding and managing their care, including nursing care.
- 11.8 We need to prepare for this number to grow and manage the overall cost of care to the Council whilst fulfilling our statutory responsibilities and local policies. To do this we will review packages in a timely manner to assure that people are receiving care that helps them maintain independence, fairly and robustly allocate cost within the system for all 'Covid Funded Care' picking up Continuing Health Care costs and help staff and residents to understand the nature of the support offer from Dorset Adult Social Care under the 'new normal' arrangements.
- 11.9 Throughout the pandemic, support has been provided - including to those who would ordinarily have attended a day centre which had to close. This resulted in an increased cost and loss of income. Providers received a one-off, upfront payment to help with cashflow as well as the opportunity to claim an additional 10% on invoices to cover any increased costs of dealing with COVID-19, including personal protective equipment (PPE) and staffing. Staff have been working seven days a week to support the service and service users. There have been also been higher costs for care packages as a result of carers not being able support in full.
- 11.10 There is a current forecast of £750k within Housing relating to COVID-19. This was to support the *everyone in* initiative to take every rough sleeper

off of the streets and to provide appropriate accommodation and support. £13.5k was received from MHCLG to support this.

## **12. People Services - Children**

- 12.1 The People Services - Children's budget is forecast to overspend by £7.7m (10.3%). The overspend is £0.2m higher than at quarter 1. Major variances are discussed below.
- 12.2 Care and protection budgets form the majority of the overspend, at a forecast of £5.8m overspent. The 2021/21 budget allows for 177 externally placed children in care, but actual numbers are 195 at the end of September (although this had reached 196 at the end of August). Numbers of children in care are subject to change but if the current cohort remained static then the overspend will be in the region of £5.3m. The care and protection budget also assumed £400k of additional health contributions which cannot now be secured this year.
- 12.3 The Directors Office includes an estimated £200k of favourable variance in relation to *Blueprint for Change* savings. These savings projections are currently undergoing validation with locality managers and HR in order to arrive at a definitive position. The Children's Service Leadership Team (CSLT) has also made savings in relation to the consultancy budget (Change Fund) estimated at £467k, being used as a contribution to savings this year. There are also some additional costs relating to COVID-19 in this area, at around £200k.
- 12.4 Education and learning includes a budget pressure for lost trading income from schools and academies during the schools closure period, estimated here at £1.05m but subject to ongoing review as the situation unfolds.
- 12.5 This service also includes an estimated £1m overspend on SEN transport. This figure is indicative only and is subject to the findings/outcomes of a working group that is currently engaged in this area.
- 12.6 This area now includes the in-house nursery provision, forecast to be running at a £301k deficit this year. The remaining forecast of overspend relates to various budget pressures across the service - such as vacancy factors and pay increments.
- 12.7 The Council may recharge certain costs related to the administration of the Dedicated Schools Grant against DSG funding. Regulations specify which costs may be recharged. The forecast here (£52k adverse variance) is presented on the basis of historic charges the under the predecessor County Council, however the recharge will be reviewed and recalculated in autumn 2020 using Dorset Council's cost base and cost drivers for the first time. This may result in a change to the forecast.

## **13. Place Services**

- 13.1 The Place Directorate budget is forecast to overspend by £14.8m (21.3%). The overspend is £1.4m lower than at quarter 1. The majority of the



- overspend is attributable to COVID-19-related income shortfalls/excess costs, accounting for £12.940m of the overspend. £1m is attributable to savings that are unlikely to materialise and the remaining £0.8m is caused by various continuing pressures.
- 13.2 The ongoing impact of COVID-19 means the Directorate is continuing to operate in a very challenging financial climate. Many services have seen significant losses of income over the spring and summer – mainly (but not limited to) car parking, country parks, commercial rental income from assets, licensing, registration services, planning application fees, leisure centres, outdoor education and commercial waste. As well as significant income shortfalls, the provision for doubtful debts is increasing and a figure of £747k has been built into the forecast.
- 13.3 The easing of lockdown restrictions over the summer months saw a recovery of income in certain areas, most notably car parking, although in other areas, services have seen continued income reductions.
- 13.4 The directorate has also borne additional COVID-19 staffing costs due to the additional responsibilities incurred during shielding. Under normal circumstances, these teams would have been undertaking capital projects, with full cost recovery from the capital budget into revenue. There have also been other costs, ranging from agency cover for shielding/isolating staff, to cleaning materials and PPE.
- 13.5 A number of services had savings targets built into the base 2020/21 budget. The impact of the pandemic has meant it is unlikely these savings will be realised this year.
- 13.6 There is also a growing number of significant BAU financial pressures that the directorate is forecasting, particularly within Dorset Travel, Commercial Waste & Strategy and Planning. The forecast includes overspends against the school transport budget, while the volatile dry mixed recyclate (DMR) market is causing increased costs. Agency costs remain high in the planning service, although this is partially offset by savings that follow a restructure. These pressures continue to be monitored closely.
- 14. Corporate Development & Legal & Democratic Services**
- 14.1 Corporate Services is the collective name for services across Corporate Development and Legal Services. This includes Finance and Commercial (including Revenues and Benefits), Human Resources and Organisational Development, ICT Operations, Digital and Change, Business Intelligence, Communications and Engagement, Legal Services, Assurance, Democratic and Electoral Services and Land Charges.
- 14.2 The projected overspend for these services at the end of quarter 2 is £3.4m. This is nearly £3m lower than at quarter 1.
- 14.3 The majority of the overspend relates to the purchase of whole council PPE coded to the emergency planning budget and mortality support facilities (£3.5m) due to the COVID-19 response.

14.4 The favourable movement in forecast can be attributed to £1m housing benefit over subsidy forecast pressure moving to Housing. The Housing service make the placement so the costs should rightly sit with the service. There have also been tactical decisions to hold vacancies and to review and reduce non-pay expenditure such as travel costs because staff are not travelling to meetings or other locations. There has also been a pleasing upturn in income forecasts since quarter 1.

## **15. Public Health**

15.1 The settlement announced a real-terms increase to the overall public health grant in 2020/21. The grant for Dorset Council grew from £13.172m to £14.072m (£0.9m increase).

15.2 The COVID-19 pandemic has meant substantial changes have had to be made to public health services and additional support has been needed to mitigate both the physical consequences of the virus, and the economic and mental health consequences of lockdown and social distancing measures. This has created additional cost pressures on both Public Health Dorset and the wider system.

15.3 Public Health Dorset recognises that Dorset is facing significant financial challenges so agreed that any cost pressures in the service relating to COVID-19 would be funded through the grant uplift or other system partners and no call would be made on the MHCLG funding.

## **16. Central finance**

16.1 Central budgets include the main sources of the Council's funding; council tax, business grants and general grants (such as new homes bonus). The additional, non-ringfenced COVID-19 funding of £23m is also included here, as is our expectation of around £5m from the sales, fees and charges support scheme from the Government which offsets shortfalls mentioned in individual directorates' performance, noted earlier.

16.2 At the time of writing, £1bn of additional, general funding has been announced for councils to support response and recovery. Dorset's share of this is just £1.3m, which is very disappointing and far lower than rhetoric around the announcement had led us to believe we would receive. Due to the lateness of the announcement, this is not included in the forecast but will improve our reported position.

16.3 Due to a historic underspend on capital budgets and due to better cash balances than predicted at the budget setting stage, there have been savings in the capital financing budget. Around £1.1m of this is in the minimum revenue provision (MRP) budget and £0.8m on net treasury management performance.

16.4 An underspend of £2.5m is also being released from the contingency budget at this stage. It may be possible to release further underspend from this budget during the second half of the financial year as not all of this is currently committed.

- 16.5 The budget also set targets of £3m cost reductions from transformation projects and a further £3m from better procurement and contract management. Whilst transformation work continues, at this stage it is unlikely that these savings can be delivered this year, so they are forecast to fall short of budget.
- 16.6 Central budgets are also still at risk from reductions in income from council tax and business rates. At quarter 1, our yield from both these sources was lagging slightly behind budgeted expectations. At the end of quarter 2, the position has deteriorated, and council tax collection is 1.54% below the comparable rate for last year. Business rates collection is 6.88% lower.
- 16.7 When residents are eligible either for local council tax support or single person's discount, there is a further impact on the collection fund as these cause a reduction in the amount being billed. The increase in the claim rate this year has reduced the council tax charge by around £1.9m. The forecast to this point has included £13m as the total potential shortfall on collection funds and it is the Council's view that this continues to be sufficient at this stage based on a current, projected council tax shortfall of £4.4m and business rates of £2m. Collection fund performance is reviewed monthly and any material changes to the forecast will be shared with the Cabinet. The Council has just produced the council tax base (CTB1) return to Government which shows a very small contraction in the tax base since this time last year. The MTFP assumes no growth in the tax base for 2021/22, so we are slightly behind our planning assumptions and there is concern that the position could deteriorate further between now and 30 November, the date for extraction of data for setting the precept.
- 16.8 As part of the overall response to COVID-19, Government is allowing councils the flexibility to recover shortfalls on their collection funds over three years. This could be the option that Dorset Council decides to pursue, but at this stage our forecast anticipates the full deficit against the 2020/21 budget. The impact of phasing deficits would indeed reduce the impact on this year's outturn but it also leaves problems for the next two years. Any unfunded deficit carried forward from this year into 2021/22 would have to be funded through future budget processes. Cabinet received a paper at its 6 October meeting, setting out a significant budget gap. This will be challenging enough to close without adding collection fund deficits, so the assumption at this stage is to fund these in 2020/21 if this remains financially viable.
- 16.9 We also continue to share information about collection funds with Town and Parish Council colleagues. Whilst these councils do not participate in deficits or surpluses in any given year, any continuing impact on the collection rate or the council tax base will impact on budget and precept strategies.

## **17. Reserves**

- 17.1 The Council's overspend will need to be financed. Bringing six Councils together generated a general fund of £28.2m and allowed other earmarked reserves to be reviewed because the risk profile of the new Council is different from its predecessors. This will enable us to fund the current year's overspend but it does affect the council's resilience and ability to mitigate future risks.
- 17.2 We continue to review our reserves but at this stage no formal recommendation is coming forward to Cabinet for further repurposing of these funds. It is important that the Council provides adequate reserves for the risks that it faces and anything other than short-term use of reserves is unsustainable. They can only be spent once and if they are not cash-backed this will also trigger an increase in the Council's borrowing.
- 17.3 A further update on reserves will be provided at quarter 3 as this will sit alongside the timescale for approving the budget strategy. As part of that process the S151 Officer will need to give his assurance that the level of reserves is adequate.
- 17.4 The overspend predicted therefore needs to be managed quickly and effectively in preparation for the next budget and MTFP. Whilst the Council continues to press Government for additional funding, it is difficult to see how this could be provided with the current national and global contexts underpinning what has recently been confirmed as a single-year Spending Review.

## **18. Additional COVID-19 funding**

- 18.1 At quarter 1, Cabinet received an update on additional funds that Government was providing through councils, for example, business grants, Business Rates holidays, infection control grants etc. A further brief update is set out in this section.

### Business grants

- 18.2 The Council was given an initial allocation of £133.7m for this scheme which Government closed on 30 September. Dorset Council has made 9,031 payments to qualifying businesses, totalling £107.1m.

### Discretionary grants

- 18.3 In response to feedback about the first tranche of grants, Government announced further business support through a round of discretionary grants, funded at 5% of our estimated total potential payments through the tranche 1 funding - amounting to just over £6m. Again, this scheme closed on 30 September by which time Dorset Council had made 1,610 payments to distribute this funding.

### Business rates relief

- 18.4 As well as grants, businesses in Dorset have further benefitted from the Government's decision to extend business rates reliefs this year. In 2020/21, 3,464 Dorset businesses will benefit by more than £54.5m through all types of discount.

Infection control grant

- 18.5 Dorset Council's infection control grant for round 1 totalled £5.05m. A further £4.37m has been allocated to Dorset Council for round 2. 80% of this grant will be distributed to care homes within our geographical area on a 'per-bed' basis and to CQC regulated community care providers. The remaining 20% of the funding will be used to support the full range of providers to manage infection control.

Test and trace payment scheme

- 18.6 The test and trace scheme went live from 28 September 2020 with Dorset Council making the claim process available from 12 October 2020 in line with Government requirements. The scheme runs until 31 January 2021 and claimants qualify for a payment if they meet the conditions for either the standard scheme or the discretionary scheme. Dorset has been allocated £134k for the standard scheme and £80k for the discretionary scheme, with a further £40k coming to the Council as funding for administration of the grant under the *new burdens* doctrine.

Local restrictions support grants

- 18.7 Details of this scheme are still emerging at the time of writing. Indeed, policy itself appears to be under development as the Prime Minister announces new proposals for dealing with restrictions deemed necessary in specific localities. It is likely that proposals to support businesses will continue to change in the period up to the date of Cabinet so a clearer update might be available after the date of this report.
- 18.8 As with other schemes, it looks likely, from early versions of the guidance that there will be a standard scheme and a discretionary scheme as part of the overall approach.

Local authority compliance and enforcement grant

- 18.9 Dorset Council has been allocated £161k of the £60m national funding (£30m to councils) from this source to spend on COVID-19 compliance and enforcement.

Schools transport grants

- 18.10 Dorset Council has received two tranches of funding totalling £744k to support the additional costs of school transport/SEN transport for the autumn term. Beyond that, the situation will be kept under review.

Sales, fees and charges support scheme claim

- 18.11 The Council has submitted the first claim to MHCLG to recoup lost sales, fees and charges for the council. Not all income streams are covered and

the first 5% of all losses are borne by the Council. Thereafter 75p in the £1 of lost income is receivable. Dorset Council's claim for the period 1 April to 31 July was £3.773m.

## **19. Capital expenditure and financing**

- 19.1 Appendix A sets out the summary position on the capital programme. The 2019/20 capital programme was underspent and has slipped into 2020/21. The underspend on capital in previous years is a contributing factor to the underspend on the capital financing budget mentioned earlier.
- 19.2 The budget approved by Cabinet in February 2020 included £15m of unallocated capital funding which was fully financed, but work had at that stage not been completed to identify the priority areas for spend. Appendix 2 therefore sets out the bids to that capital fund which Cabinet has already approved.
- 19.3 The Capital Strategy and Asset Management Group (CSAM) continues as the officer group responsible for review of capital bids and recommending them to Cabinet. The review work for the 2021/22 budget is in progress and recommendations will form part of the budget strategy paper in due course.

### Priority Schools Building Programme 2 (The Woodroffe School)

- 19.4 In September 2017 Dorset County Council signed a Memorandum of Understanding with the Department for Education (DfE) for the local delivery of a project at The Woodroffe School, Lyme Regis, under PSPB2, which has continued under Dorset Council. Since that time the scheme has been developed through both outline and full business case for the DfE and received planning consent back in the summer. The Council was advised at the end of August that full business case approval had been granted by the DfE and we were required to sign-off on a grant agreement, to enable funding to be released to us.
- 19.5 The total grant allocation is £2.3m and is therefore a key decision requiring Cabinet approval to enable Officers to sign the agreement. Of the £2.3m of grant funding £56k has already been drawn down to enable early design costs up to planning to be settled, so the remainder of the grant funding to be paid to the Authority totals £2,256k.
- 19.6 The project is being undertaken on a *design and build* basis and is progressing with the expectation that the Council will need to enter into contract with the contractor during November. Cabinet authority to commit to construct is also requested to ensure the construction contract can be signed at the appropriate time, to keep the project on schedule.

## **20. Next steps**

- 20.1 The Council needs to continue to refine its forecasting as time progresses and update its financial model as our estimates become actual results. In some cases, our projections could prove to be prudent or imprudent, so an

- update will be carried out each month and shared with relevant portfolio holders. However, it is also right to take appropriate, responsible and responsive action to mitigate risks and reduce the overspend during the year; firstly to protect reserves but more critically to return the base budget to a sustainable position by the time the new financial year arrives.
- 20.2 Although there is still considerable uncertainty in our forecasts, it is clear that the cost of the pandemic cannot be contained within our current budget envelope - even with Government's current support - and that we must prepare the organisation's finances to deal with the risk of loss of council tax, business rates and other income in future. The tapering and eventual end of the furlough scheme and other support for individuals and businesses will affect their ability to pay and a number of income streams on which the Council relies will be impacted, so we must address our cost base accordingly.
- 21. Development of medium-term financial plan (MTFP) and budget strategy 2021/22**
- 21.1 Cabinet considered a budget-specific paper in October so that content is not repeated here. It is worth reminding Cabinet, however, that as the year progresses, the MTFP and financial model will continue to be updated to reflect the changing reality that better informs our assumptions about the future.
- 21.2. This could amount to better information about collection funds and tax base growth, new costs from COVID-19, new savings or transformation opportunities or revisions to assumptions about income recovery and compensation. This will all be fed into briefings for members as part of the scrutiny sessions being held on 27 November 2020.

**22. Conclusions**

- 22.1 The Council has made considerable savings since reorganisation and further convergence savings are being made as the organisation's operations stabilise - even during the pandemic. Whilst many of these savings have been realised now, there is still much to do to close the budget gap.
- 22.2 Although the situation has improved since quarter 1, COVID-19 has had a dramatic impact on the Council's finances with a loss of income and increased expenditure. Whilst the announcement of some further funding from Government is very welcome, it is unlikely to translate into a baseline funding increase and we must therefore look to close the budget gap ourselves.
- 22.3 Work continues on this with a very clear steer that the scrutiny sessions in November will need to look at a balanced budget position. Difficult choices are therefore required between now and then. The Council therefore needs to continue to focus on three things:

- a. making every effort to reduce further, the current year's operational and financial pressures;
- b. continuing to explain the financial reality of the situation to Government and secure additional funding where possible;
- c. continue the challenge around the current budget round which combines the identification of tactical savings with the development of a transformation programme which enables the Council to meet the needs of Dorset's residents within the funding which is available.

Aidan Dunn

Executive Director of Corporate Development

**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

### Summary of capital programme 2020/21

	Slippage £000	Budget £000	Changes £000	Total £000
<u>Fully externally funded</u>				
Spend	14,534	18,032	23,130	55,696
Grant	(14,534)	(18,032)	(23,130)	(55,696)
Net	0	0	0	0
<u>Partially externally funded</u>				
Spend	13,300	13,660	5,504	32,464
Grant	(1,704)	(11,900)	(5,504)	(19,108)
Net	11,596	1,760	0	13,356
<u>Council funded</u>				
Spend	18,572	34,360	285	53,217
Grant	0	0	0	0
Net	18,572	34,360	285	53,217
<u>Total</u>				
Spend	46,406	66,052	28,919	141,377
Grant	(16,238)	(29,932)	(28,634)	(74,804)
Net	30,168	36,120	285	66,573

## Appendix 2

### Summary of approved projects from £15m capital fund

	<b>Approval date</b>	<b>2020/21 £k</b>	<b>2021/22 £k</b>
Balance of unallocated bid from approved budget paper		15,000	6,560
Residential sufficiency in Weymouth	03/03/2020	(3,065)	(1,072)
Compulsory Purchase of Long Term Empty Property	28/07/2020	(255)	(489)
IT programme	28/07/2020	(1,450)	
ITS Asset Replacement Programme	28/07/2020	(200)	
Slipway extension and storage solutions	28/07/2020	(135)	
Healthy Homes Dorset	28/07/2020	(75)	
Acquisition of temporary accommodation	08/09/2020	(3,130)	(1,650)
Dinah's Hollow	06/10/2020	(130)	
Balance of unused funds		6,560	3,349

## **Cabinet**

### **3 November 2020**

## **Property Strategy & Asset Management Plan**

### **For Decision**

**Portfolio Holder:** Cllr T Ferrari, Economic Growth, Assets & Property

**Local Councillor(s):** All

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Dave Thompson  
Title: Corporate Director of Property & Assets  
Tel: 01305 221339  
Email: dave.thompson@dorsetcouncil.gov.uk

**Report Status:** Public

**Recommendation:** That Cabinet: -

1. Agree the Property Strategy & Asset Management Plan attached to this report at Appendix 3
2. Agree the Action Plan attached to this report at Appendix 4
3. Allocate a budget of £250k to be funded from Capital Receipts for feasibility studies and other exploratory works the cost of which will be apportioned to individual schemes and recovered should the project be developed out or asset sold with planning permission.

### **Reason for Recommendation:**

Like a number of local authorities throughout the country the Council faces significant financial challenges coupled with pressures on its services, particularly, as the population ages and the demand for housing (namely affordable housing) increases.

The Council's property portfolio is extremely diverse and multi-faceted comprising a wide variety of assets. The use of property impacts on every aspect of the Council's activities and as such is an inherent part of the Council's plan and a key component in ensuring the Council achieves its goals. As such it is essential that the Council takes a holistic view of its asset base and 'adopts a one Council' co-ordinated approach to its management to ensure that it is effectively, efficiently and safety managed, it is fit for purpose and able to meet

the needs of its service users whilst at the same time ensuring that the value/potential value of the estate is fully realised.

The effective use of the asset base will help enable the Council to meet its social and financial challenges through asset disposals, generation of capital receipts, savings in costs through the reduction, rationalisation and improved efficiency of the estate and more importantly the generation of value through income generation and the repurposing, redirecting and reuse of land and buildings for housing, schools and other essential service needs.

The Property Strategy & Asset Management Plan is a key component of the Council's transformation strategy in order to help services meet their changing service needs and assisting the council in meeting its statutory obligations, its social and economic aspirations whilst at the same making a significant contribution to overcoming the financial challenges that it faces.

This report outlines how the Council will determine the future shape of its estate and how it will be managed. It sets out for approval a strategy that will provide for a framework for decision making based on a clear set of principles and mechanisms by which the future use of individual and classes of assets within the property portfolio will be considered together with a clear action plan with regard to the reshaping and re-purposing of the Estate.

## **1. Executive Summary**

The Council has a wide and diverse variety of property interests geographically spread throughout and across Dorset.

The Council Plan identifies that the effective utilisation of the Council's property assets forms one of the six transformational programmes that the council is undertaking.

The Council's primary aims are to: -

- Rationalise the property estate, reduce costs and identify assets that are suitable for disposal or redevelopment
- To improve the condition of the estate and reduce its environmental impact
- Adapt the council's office accommodation in order to alter its estate and modernise its workspace to meet the needs of future agile working and the aims of the Dorset Workplace
- To seek to maximise the value of the estate by creating income generation opportunities, disposing of or repurposing poor performing assets in order to create greater social, commercial and economic returns

In addition, the Council aims to build on the principles of 'One Public Estate' programme and work in collaboration with other public sector partners to utilise assets to: -

- Create economic growth (new homes and jobs)
- Deliver more integrated customer focused services through joint provision
- Generate efficiencies through capital receipts and reduced running costs

As one of the largest land and property owners within Dorset it is recognised that the Council is in a unique position to work with partners to lead and deliver strategic regeneration and that significant potential exists within its property base which can be used to help meet the Council's housing targets and the financial challenges the Council faces, in particular, from an ageing population.

In order both to achieve its wider goals and in the face of continual financial pressures the Council needs to review the size, efficiency and occupation of both its operational and commercial estate and have a clear mechanism, rationale and process for determining property need, the best use of property and ensuring it achieves best value from its estate through disposal or re-development of assets.

As part of its strategy the Council will either utilise its own resources, consider different delivery models or work in partnership/collaboration with others where appropriate and in such circumstances that will allow the Council to generate greater returns and benefits, mitigate risks and access resource and expertise in order for projects to come forward at a greater scale and pace over the coming three to five years.

## **2. Financial Implications**

Through the rationalisation of the property estate and the re-provisioning of existing assets the Council will be able to generate not only efficiency savings and capital receipts but also generate income and both commercial and social value through the repurposing and redirection of the existing estate in order to meet the Council's social, economic and financial needs and aims.

## **3. Climate implications**

The Council has declared a climate and ecological emergency and is committed to taking direct action to reduce the negative environmental impact of our services.

Included within the Council's Draft Climate & Ecological Emergency Strategy is a Buildings & Built Assets Detailed Technical Paper which has established a series of objectives and an action plan for the estate to ensure that it becomes zero carbon by 2040.

The Property Strategy and Asset Management Plan recognises the above objectives and as part of any Asset Review and new Council developments will

work to implement the necessary actions in order to reach the Council's carbon-reduction target.

#### **4. Other Implications**

The implementation of the Dorset Workplace, any possible office closures or changes together with the implementation of new or different ways of working may require employee and Trade Union consultation.

In addition, certain changes particularly those that may affect or impact on service or other public provision may also require public consultation.

Acquisitions, disposals and the creation of any form of joint venture or new legal entity will require Legal and Finance input.

#### **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**

It is envisaged that there will be a series of individual projects that will emanate from this strategy. As individual projects are developed and brought forward for approval a separate EQIA will be prepared for each.

#### **7. Place & Resources Scrutiny Committee**

On the 29<sup>th</sup> September the Place and Resources Scrutiny Committee considered a report of the Corporate Director of Property & Assets which set out the approach and methodology to be used as the basis for the review of the Council's assets and the basis for determining the future shape and size of the estate.

An extract from the minutes of that meeting detailing the points arising as a result of the discussions that took place is attached at Appendix 1.

It was decided that the Place and Resources Scrutiny Committee support the approach and methodology to be used as the basis for the review of assets and the basis for determining the future shape and size of the estate.

#### **8. Appendices**

- Appendix 1 Place & Resources Scrutiny Committee Minute Extract

- Appendix 2 The Dorset Council Property Estate
- Appendix 3 Property Strategy & Asset Management Plan
- Appendix 4 Property & Asset Management Strategy Action Plan

## **9. Background Papers**

- The Dorset Council Plan 2020-2024
- Blueprint for Change
- Draft Climate & Ecological Emergency Strategy
- Draft Economic Growth Strategy
- Building Better Lives
- Local Waste Plan

## **10. Background**

- 10.1 In 2019 Avison Young were commissioned following Local Government Reorganisation (LGR) to undertake a review of the Estate.
- 10.2 They identified that the Authority owned or leased 1,409 property assets (land and buildings) consisting of 36 different classifications of assets and distributed across 22 locations throughout the county. 322 of these are located in Weymouth, 169 in Dorchester, 133 in Bridport and 118 in Wimborne. These are identified at Appendix 1.
- 10.3 As at 1<sup>st</sup> April 2020 the Property portfolio has a capital value of £463m.
- 10.4 The Council owns a total of 608 sites which have buildings on them for which it is responsible (excluding schools).
- 10.5 The Council's gross property costs as reported in its 2019/20 accounts are £14.34m and net after allowing for income etc is £2.85m. These figures do not include for those residential property costs incurred by Adults, Housing or Children's Services for permanent and temporary accommodation as part of commissioned services.
- 10.6 The Council's estimated backlog maintenance costs for its estate in total are in the region of £37m of which 65% is schools related. The maintenance backlog is categorised in terms of risk and priority and 'in year' budgets targeted to ensure that all essential works are undertaken, buildings are fully compliant from a health and safety perspective as well as being maintained to a reasonable standard.
- 10.7 The property portfolio can be broken down into two main elements namely Commercial Assets of which there are 355 from which it earns income from third parties and Operational Assets (including any heritage

and community assets) for the provision of services which consists of 1,054 assets.

10.8 Avison Young broke these two groups down further into the following four sub portfolio's or groups: -

- Assets supporting locality based direct service delivery or access to services. The council has c217 assets that fall into this category namely administrative offices, leisure buildings, libraries, community centres, youth centres, adult learning centres, family centres, day centres, residential homes and public conveniences.
- Assets supporting specialist council services namely housing, depots, cemeteries and crematoria, archives, outdoor education centres of which there are c200 assets
- Assets serving market and or coastal towns and the economy. The council has in excess of 400 land based assets that play an important role in supporting the economic health of Dorset's market and coastal towns serving shoppers, visitors and tourists and directly supporting employment with a particular focus on agriculture. These include 133 car parks, harbours, recreational facilities, 48 County farms, 118 industrial Units, 61 Hotels and 34 retail and Commercial Units.
- Other Assets including 116 land parcels, 4 Gypsy and Traveller sites, 25 Infrastructure assets, 32 Garages, 5 Access Rights and 13 miscellaneous assets.

10.9 As part of the work to develop the Property Strategy and Asset Management Plan, further and more detailed work has and is being undertaken looking at the individual categories within the above portfolio's and considering future use in accordance with the framework below.

## **11. Approach to Developing the Strategy & Plan**

### **Information**

- 11.1 A significant amount of work was undertaken at the time of LGR consolidating assets and pulling these together into a single Asset Register. This data was reviewed as part of the work undertaken by Avison Young and is being subsequently cleansed and re-profiled/re-categorised as part of the property review that formed the basis of the plan. In addition, an analysis of the Council's property costs, in particular, its backlog maintenance costs together with projected costs going forward is ongoing and will help inform the review of a number of assets and categories of assets within the portfolio.
- 11.2 Access to accurate and effective management information is an essential component in ensuring the property portfolio is proactively managed and



also to highlight repair and maintenance issues including the requirement for any capital expenditure which will improve asset value, prolong asset life, generate increased income or identify excessive and long term problems or issues. As a result of being able to capture the performance and cost information a series of benchmarks will be established such as gross property running costs, net property running costs, maintenance backlog, energy rating, premises utilisation which will help determine the long term viability of assets. The upgrading of the Council's property and asset management software is ongoing and essential in this regard.

### **Service Planning & Property Requirements**

- 11.3 The property requirements needed to maintain and improve services sit at the heart of the process. Services will develop outline property requirements upon which decisions can be made about which property best suits those needs. Services will be asked to advise on the area in which they need to be located, in accordance, with the regionalisation plans, along with the space, type and other requirements of the building which can be used to build an area by area strategy for consolidation. These requirements will be critiqued to take into account occupancy, usage, building cost, duplication etc.
- 11.4 Individual Service Plans and strategies will set out the needs and requirements for each function and its model or models of delivery which will then help determine the asset base required in order to ensure successful delivery. A key determining factor, therefore, in determining the size and shape of the estate is ensuring there are sufficient assets of the right type available to meet service needs subject to ensuring that the assets are well used, cost effective and whether greater value can be created through re-purposing or disposal.

### **Spatial Planning & Socio-Economic Analysis**

- 11.5 In order to understand the background and context to the plan, work previously undertaken with regard to master planning exercises in Weymouth, Dorchester and Ferndown have been considered which will be supplemented with a review of the Wimborne estate. In addition data collated as part of strategic housing market assessment exercises across Dorset has helped identify housing needs and provide a flavour for the priorities and pressures the council faces.
- 11.6 A spatial approach will be taken to identifying those assets within redevelopment areas. Where assets fall within such area's assets will need to be assessed to determine how best they might be utilised to deliver any priority outcomes taking into account regeneration and deliver housing opportunities and how they might be delivered together

with the model of delivery. In such instance's consideration will be given to whether the Council is a majority or minority landowner, the level of risk etc.

- 11.7 Any potential disposal, relocation or redevelopment will consider the impact and benefits to local communities

### **The Office Estate**

- 11.8 The Council employs around 4,500 people (excluding schools based staff) of which 3,000 work from office environments either for all or part of their time. The majority of these staff are located in Dorchester and this is where the bulk of the desk capacity is currently located.

- 11.9 The asset register and the Avison Young study shows that the Council owns and leases 64 offices and administration buildings of which 7 to date have been identified as surplus to requirements, 16 are leased entirely third parties, 17 are leased/licensed from other NHS bodies at no cost as space is reciprocated within Council buildings, 9 offices are occupied by a single service within the Council, 14 are multi-functional offices occupied by the Council and there is 1 Weymouth office on a long lease. The Council's primary focus is to rationalise, consolidate and reduce further the 24 offices which it currently occupies. It should be noted, however, that within these numbers County Hall is made up of three sites (County Hall, South Annexe and East Annexe), the history Centre is also included although it has limited office space and that the 3 Harbour authority offices have also been included.

- 11.10 Whilst the concepts of 'hot desking' and agile working have been introduced in a number of organisations in recent years changes to technology and access to information has allowed for work to be done differently and more flexibly. More recently the necessary response to the Covid 19 pandemic have accelerated and accentuated this and has presented the need to work remotely in different ways. This has brought about a change at a rate that previously could not have been imagined, both in working practices and to attitudes staff and managers had about working remotely. This has been reflected in recent staff feedback from surveys and various forums and as reflected in recent discussions with senior managers when discussing future service requirements.

- 11.11 Property formed one of the workstreams within the Dorset Workplace and the review and work undertaken by the Administrative Offices team informed a major element of the paper presented to Cabinet in October on the Dorset Workplace

- 11.12 Prior to Covid following LGR work had already commenced on a review

of the office estate and as a result the leases at Allenvie House in Wimborne and Princes House in Dorchester are being terminated in 2021 in accordance with the lease break provisions. In addition, a review of a number of options with regard to South Walks House is currently being considered.

- 11.13 A fundamental driver in the review of the office estate is to undertake a further process of consolidation of services into fewer, better properties that reflect the requirement for Children's and Adult services in particular to operate closer to the communities to which they serve and as such the need to create a regional multi-purpose office network in 4/5 locations throughout Dorset.

### **Local Co-Location & Collaboration**

- 11.14 The sharing of premises with other public sector bodies is also desirable and in line with the principles of the 'one public estate' although it should be noted that there are a number of locations where the Council's Adult Care Services and the NHS are co-located currently. There is currently a number of exploratory discussions being undertaken with a number of public sector bodies with regard to the sharing of existing office space and facilities

### **Dorchester Office Estate**

- 11.15 Dorchester is the administrative hub for the Council where the majority of its administrative activities take place and as such the Council owns and leases a number of buildings.
- 11.16 As part of the review of the office estate a review of County Hall has been undertaken supported by consultants from the Capital Markets and Development Division of Knight Frank. This exercise was based on a similar piece of work undertaken on behalf of the Royal Borough of Kensington & Chelsea in the early part of 2020.
- 11.17 In addition other administrative locations within Dorchester including South Walks House will form part of a wider review taking account of the benefits of more agile working and any changes in service provision. The outcome of this exercise with regard to the Council's office needs within Dorchester and its future strategy will be the subject of a separate cabinet paper.

## **Other Studies & Reviews**

11.18 A number of individual cross functional working groups have been established consisting of representatives from relevant Service Areas to look at and review the following areas:

- Operational Depots
- Administrative Offices
- Leisure Centres
- Individual elements of the Commercial Estate

Further groups where appropriate and necessary will be and are being established to review individual or particular asset categories. These groups will be supported where necessary by external expertise to challenge as well as support any aspect of the review.

11.19 The work undertaken by the Leisure and Administrative Offices Group has helped inform the 'Leisure Services Review' and 'Dorset Workplace' papers that were considered by cabinet in October.

## **Third Party Leases**

11.20 The Council has inherited as part of LGR a number of leases that had been entered into by predecessor Council's relating to buildings for operational and administrative use and for buildings that it owns which have been let to third parties.

11.21 As a matter of principle, wherever possible and at the earliest opportunity the Council will seek to terminate such leases associated with buildings that it is renting for administrative and operational purposes on the proviso that dependent on need the Council can accommodate the service utilising such buildings within its existing wholly owned estate. Consideration will be given to surrendering a lease early and paying a premium where it is financially viable to do so and a clear annual revenue saving will materialise.

11.22 There are a number of commercial leases that have been previously agreed by predecessor Councils whereby in exchange for a premium payment the Council entered into a long lease of 125 years or more (virtual freeholds) at a peppercorn rent. Such leases limit the Council's opportunities to influence or direct the use of particular sites unless the lease is re-acquired. Should the Council perceive there is a strategic or commercial rationale to buy back a lease a business case to pursue such an option would need to be prepared and approved in accordance with the Council's processes and procedures.

## **Approach Outcomes**

- 11.23 Arising from the Property Strategy and Asset Management Plan will be a series of individual strategies, development projects, acquisitions or disposals focused on particular assets or groups of assets which will align themselves to the Council's Draft Economic Growth Strategy, Draft Climate and Ecological Emergency Strategy together with the Draft Local Plan, Waste Local Plan, future Housing Strategy and key service strategies namely Children's 'Blueprint for Change' and Adult Services 'Building Better Lives'.
- 11.24 Following a review of the Property Portfolio within each service area and the agreement of a plan and set of priorities with the service and the relevant Portfolio Holder each strategy will be brought forward to cabinet with a recommendation or series of recommendations for approval based upon the 4 Box Model with an options appraisal and viability analysis where appropriate as described below and set out within the Property Strategy.

## **12. Disposals**

- 12.1 The Council's plans for disposals has been severely disrupted as a result of Covid and the proposed programme has been subject to significant delays and changes.
- 12.2 The Council have previously adopted a process, whereby, any asset sale is agreed subject to planning approval. An analysis of this approach has shown that in all cases the initial agreed sales price has not been met either as result of planning or viability issues arising. The process in terms of timescales have generally taken longer than originally envisaged given the dependency on the proposed purchaser to obtain consent and the time it takes to resolve issues that arise. In addition, in a number of schemes the development has not achieved the desired affordable content.
- 12.3 Over the period between an agreement to sell and its completion the assets remain the responsibility of the Council and during this period the Council incurs holding costs associated with security, council tax/business rates etc. Holding costs currently are in the region of £450k per annum.
- 12.4 Given the above going forward it is proposed that unless there is little or no benefit associated with redevelopment the Council should undertake a viability assessment and at that point will decide whether to seek either outline or full planning permission prior to making a decision as to whether to dispose of or redevelop an asset. The adoption of this approach will

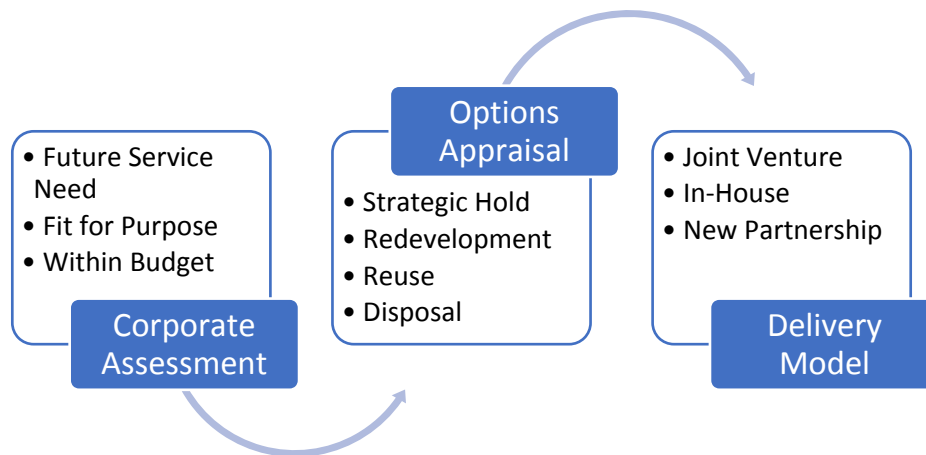
allow the Council to exert greater influence over the development in terms of timescales, tenure, affordable content and environmental impact

### 13. Asset Review & 4 Box Model

13.1 The Property & Asset Strategy attached at Appendix 3 sets out the process through which the future use of assets will be assessed. The key to this is for the property team to understand the overall operational service requirements for the Council in the future as well as understanding the aims and aspirations of the Council. This is the basis of being able to develop a new operational estate and to plan for either new requirements or for the future use of surplus assets in good time.

13.2 By ensuring engagement between property and the services, planning for any changes can happen as early as possible which will help reduce the amount of time a property is vacant, plan for future use, reduce and keep holding costs to a minimum.

13.3 This process is set out in the table below: -



13.4 The principle underlying this process should be that the Council retains an asset only if: -

- It is identified as having/could have development potential within the local plan or within a realistic timetable (deliverability)
- It can be re-let/intensified for revenue generation
- The Council wishes to develop the site itself
- It has strategic value
- Sites will unlock a development in future (within a specific timescale)

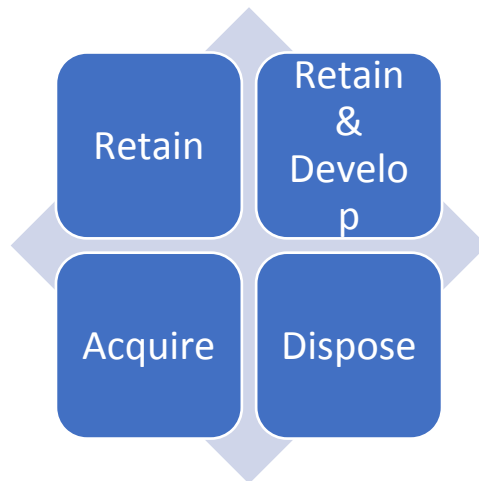
- There is an identified viable service requirement where the building will be fully utilised
- The assets are determined as being a core Council requirement and part of a core Council service
- Services cannot be reasonably be provided from any other facility/facilities both within the Council estate or those of its public sector partners or within the Commercial market at a lower cost

13.5 The proposal is that the Council should not continue to hold assets that do not meet one of these criteria

13.6 Assets that are high cost/low performance or yield should be prioritised through this process to ensure that best value is delivered at all times to residents.

13.7 It is expected that there will be considerable opportunities across the asset portfolio for redevelopment or disposal and that given the location, type and connectivity of sites the vast majority will be best suited to residential redevelopment. The Council will look to develop a revenue stream to support future services and to develop a housing portfolio to provide affordable housing but also to reduce future Council costs through a targeted, self-funding development programme.

13.8 Following a review of the estate, assets can usually be categorised and fall within one of four boxes: -



13.9 It is envisaged that the number of corporate/operational facilities that the Council retains and maintains will decrease overtime as the office base and other sites are rationalised going forward.

13.10 It is also recognised that the Council may always have a need to acquire other assets particularly where there is nothing in the portfolio

that can meet a particular need although it is envisaged that these will be 'few and far between'.

- 13.11 Whilst asset disposals remain an option for the Council it is envisaged that increased focus will be on retaining sites and developing these for primarily housing purposes either directly or through a joint venture relationship with a view to realising both the Council's commercial and social ambitions.

#### **14. Future Development Pipeline**

- 14.1 Arising from the asset review, the Council will create lists of future development schemes, prioritise these schemes based on speed, extent of delivery, revenue income, meeting housing demand and economic development objectives.
- 14.2 Using the review process, it will also determine the best delivery method for the development including: -
- Direct Delivery
  - Joint ventures
  - Collaboration agreements with other Public Sector Partners
- 14.3 This will create a future pipeline of deliverable schemes with clear benefits in terms of capital/revenue income generation and homes/jobs creation.
- 14.4 The Council is keen to support the delivery of affordable housing across Dorset and to this end where the Council sells land or develops land and buildings for new homes and where viability allows it is committed to ensuring that all schemes meet the affordable housing requirement/targets.
- 14.5 In addition there is an opportunity for the Council to reduce its costs by targeting new developments in such a way to meet the needs of the Council in offsetting the growth of its ageing population and to increase its revenue income streams to support services in future with the development of residential property.

#### **15. Corporate Landlord Model**

- 15.1 In reviewing the various approaches to Property and Asset Management consideration has been given to the different approaches taken by other Local Authorities particularly with regard to the 'Corporate Landlord' model.



- 15.2 A number of Local Authorities have adopted 'Corporate Landlord' models in accordance with CIPFA (The Chartered Institute of Public Finance & Accountancy) recommendations and guidance.
- 15.3 The Council has gone some way towards implementing a Corporate Landlord Model informally in that there is one property function which manages the assets and asset related budgets. However, in many cases departments are still very involved in property related matters meaning that decision making about future property use is undertaken by different groups across the Council. Adopting this approach will allow for decision making to be improved, reduce any lost opportunities and make best use of available resources.
- 15.4 In order for a property strategy to be successful and for the Council to deliver its ambitions, decisions about the best use of assets, the approach to property development, project delivery, acquisitions and disposals must be made centrally based on the principles and processes laid out in the strategy. It is therefore recommended to fully implement the corporate landlord model with a property function that has the ability to properly manage the portfolio to deliver efficiencies, savings, income and value (both commercial and social).
- 15.5 The corporate landlord model is intended to enable a Council to utilise its assets to deliver better, more efficient services: -
- to unlock the value of assets, seek efficiencies and where possible work with other public sector partners
  - to integrate thinking about property with financial, regeneration and other considerations
- 15.6 It is the predominant asset management model used by large private sector organisations and is increasingly used in local government.
- 15.7 Under a corporate landlord approach the ownership of the asset and the responsibility of its management, maintenance and funding are centralised. The service department then makes a case for the property they wish to change or use, enabling the corporate landlord to properly plan and manage space the Council needs, in the right locations.
- 15.8 The service department's priority is therefore to plan and deliver the service and the corporate landlord's function is to ensure the service is suitably accommodated and to plan, manage and maintain the asset in order to ensure it, not only, meets service needs but also the wider commercial and social requirements of the Council.

## **16 Residential Property & Other Delivery Models**

- 16.1 It is proposed that the Council irrespective of whether it was to develop or sell its assets would be responsible either in its own right or through a nominated entity with which it may work for achieving the necessary planning approvals and stipulating the necessary caveats and conditions for any onward sales.
- 16.2 This strategy is proposing that the Council takes more control of any proposed developments on its land which will generate greater guaranteed social and commercial value together with flexibility of use from the development of its assets within a shorter timeframe.
- 16.3 The exact extent and level of control may range from do nothing and merely obtain planning permission to dispose of an asset to taking responsibility for and acting as the Developer or joint venture partner for a project or series of projects. This decision will depend on the nature of the project, its size and scale, complexity and risk and the level of social and commercial returns that each or series of projects may offer.
- 16.4 A number of local authorities have set up their own development companies in order to build a mixture of housing for private sale and affordable rent on Council land with the former helping to subsidise the latter. Consideration of such an approach would be subject to a separate decision and cabinet paper.
- 16.5 Through taking control of the property through its lifecycle, will enable the Council to influence to a greater extent developments that meet its housing needs and developments that can reenergise the local environment whilst generating greater social and commercial returns in order to meet the financial challenges it faces.
- 16.6 It is recognised, however, that the Council particularly in higher risk, more complex, regeneration type projects will need to establish and create different delivery models and will need to collaborate and partner with others in order to access resources, expertise and to mitigate risk

## **17. Asset Management**

- 17.1 A key part of the corporate landlord model is that once the Council has determined it wishes to retain a property there must be a clear maintenance and investment plan. The Council will develop a robust, proactive asset management plan for each of its assets and for its portfolio in its entirety, determining and prioritising investment requirements in order to ensure all properties meet health and safety and other legislative

requirements, as well as being fit for purpose for their continued and future use.

## **18. Commercial Portfolio**

- 18.1 The Council holds a commercial portfolio of approximately 355 property assets generating rental income of c£4.25m per annum (excluding any rental income associated with care facilities).
- 18.2 Of these assets 226 (63%) fall within just 4 categories: -
- 62 Hotels & Holiday Parks
  - 53 Farms
  - 118 Industrial Units
  - 34 Retails Units
- 18.3 Not only does the Property team manage the estate but also supports the management activities associated with the Dorset Innovation Park.
- 18.4 The key objectives of the portfolio are not only to generate a commercial return and positive cashflows but to actively manage the estate to minimise risk, ensure a good quality mix of tenants to invest in and support the local economy whilst providing opportunities for start-up businesses as well as training opportunities.
- 18.5 Where appropriate assets will be sold or re-purposed where they are under performing or where greater social and commercial returns can be generated. New investment will be considered where opportunities exist that can provide a solid return and reliable cashflows or where an investment is considered strategic to allow for future growth opportunities or protection of existing investments. Such opportunities will be treated on a 'case by case' basis and judged on individual merit.

## **19. Performance Reporting Governance**

- 19.1 The Council will require good reporting to develop a framework on the status of its property projects and assets and it is imperative that senior officers and members have visibility of this to enable good decision making and to resolve issues, as well as being able to communicate effectively on the status of projects with wider partners where necessary.
- 19.2 To enable this a performance dashboard model process will be established to enable reporting against the whole asset base.
- 19.3 It is proposed that the dashboard be implemented from April 2021 and will be refined through the rest of the financial year to ensure a robust monitoring and performance regime is in place.

19.4 Furthermore as part of the Council's more general performance monitoring of the overall estate measures need to be put in place to monitor consolidation, rationalisation and income generation and include amongst other things: -

- Revenue cost savings
- Reduction in backlog maintenance
- Capital receipts generated

As well as measures relating to energy and utility performance as part of the tracking of sustainability performance.

## **20. Resourcing**

20.1 In order for the Council to deliver its property programmes at pace appropriate resources are required and internal resources repurposed and re-organised to reflect the new priorities.

20.2 Before determining, however, whether a site is feasible, commercially viable or practicable to take forward further site work, assessments and modelling are required all of which requires some form of 'seed funding' or initial investment.

20.3 It is estimated that to complete a feasibility study (inclusive of any professional fees) and to complete the planning process (including pre application discussions and planning fees), may cost in the region of an average of £40k per site and as such an initial budget of £250k is requested to initially undertake around 6/7 studies (although this may be more or less depending on scheme size and complexity). Monies would be allocated against identified projects or schemes and credited back in the event the scheme is built out or sold with planning permission to allow for the monies to be recycled and further projects/studies to be undertaken.

20.4 As mentioned previously access to accurate and effective management information is an essential component in ensuring that the property portfolio is proactively managed, compliant with regard to health and safety and integral in terms of improving asset life and monitoring commercial income. It is essential, therefore, that the Council's property management systems are of a quality and standard to ensure that they can support the work of the property team. Following LGR the existing Technology Forge system was upgraded to allow for the consolidation of all the management information from the former Districts into it, some work of which is still ongoing. It is envisaged that over the next two years a small investment will be required to replace or further upgrade this system.

## **21 Partnership Working**

- 21.1 Building on established relationships and as part of the 'one public estate' programme closer working with other public sector bodies such as the various health organisations and the emergency services to seek to share and utilise more efficiently the public estate is seen as a key priority with the Council playing a key part in this across Dorset.
- 21.2 In addition closer collaboration with the Town and Parish Councils to share space and explore opportunities will be beneficial in driving down costs, identifying development opportunities and potentially generating income.

## **22. Summary & Conclusion**

- 22.1 The Council Plan identifies that effective utilisation of the Council's property assets form one of the six transformational programmes that the Council is undertaking.
- 22.2 The Property Strategy & Asset Management Plan seeks to set out a framework for decision making for how the Council can utilise its assets to unlock opportunities for housing, provide opportunities for economic growth and regeneration, support community initiatives, generate savings and income in order to protect services and deliver greater financial and social returns.
- 22.3 By taking greater control of the future use of its assets it is envisaged that the Council will be able to generate greater social and commercial benefits in a much shorter time frame than currently being achieved.
- 22.4 The exact extent and level of control can be determined on a project by project basis dependent upon the nature of the project, its size and scale, its complexity and risk and the social and commercial benefits that they bring.

### **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

**Extract from minutes of Place and Resources Scrutiny Committee – 29 September 2020**

**Property Strategy and Asset Management Methodology Report**

The committee received and considered a report of the Corporate Director of Property and Assets which set out the approach and methodology to be used as the basis for the review of the council's assets and the basis for determining the future shape and size of the estate. In addition to the report, the committee received a presentation in order to provide further detail on the key issues which included the impact of the current situation with Covid-19 in this area.

The Chairman highlighted to the committee that this report was in relation to the methodology around the council's asset management plan and did not go into detail of specific assets held by the council.

The committee considered the issues arising from the report and presentation and during discussion, the following points were raised:

- In response to a question, the Corporate Director noted that local access was an important element in the service strategy and that this needed to be reflected in the council's property portfolio. The example of Children's Services was provided where the service was looking for a more local presence
- A recent review of leisure services and subsequent report to Cabinet included work with the service to understand the best way to utilise assets in this area
- Reference was made to county farms which were a valuable, revenue generating asset for the council. All assets would be reviewed but as a general rule there would be a wish to continue where assets were generating revenue
- An example was provided of a third party lease where there would be a choice as to whether this was reviewed or exited and other elements which were driven by the ability to vacate a premise. There was a need to prioritise where the council could achieve the greatest value
- The council's office estate would be included in the review
- A point was made that there needed to be a clear timetable for this work with targets as to when reports would be made and decisions taken. The Corporate Director confirmed that there needed to be a timeframe to be agreed by the appropriate portfolio holder and Cabinet to move the work forward
- A discussion was held in respect of issues around school assets and academisation
- The link between the sale of assets and the council's role as a planning authority was considered. The Corporate Director provided an overview of the number of ways that an asset could be disposed of ranging from no consideration of planning issues, some level of planning consideration through a pre-planning process through to a full planning process in respect of an asset
- In response to a concern raised with regard to governance issues in this area, the Corporate Director (Legal and Democratic Services) assured councillors that the

- council had arrangements in place that were legally compliant and which maintained a clear separation between the executive and planning functions
- A point was noted that reference to climate change/energy costs did not cover one off costs of things such as demolition and rebuilding or changes such as how people used accommodation, for example how far people travel to get to work. In response, the Corporate Director of Property and Assets noted that agile working would form part of the work at looking at buildings. Work would be undertaken to understand viability issues around how buildings were maintained
  - A point was made that it was essential to have timescales in place so that progress could be monitored. In response it was noted that there was still work to do in order to have an overall plan and programme for the work
  - Options around disposal of assets needed to be considered to take into account financial issues such as revenue to the council but also wider council objectives such as the provision of affordable housing
  - The council needed to take a holistic approach when considering its estate and what it was able to achieve in terms of both social and economic aims
  - A question was raised in respect of the market for selling property and balancing achieving the best value for the sale of an asset. In response, the Corporate Director noted that the market could determine the value of an asset. The potential of each asset needed to be considered as to whether it should be sold in order to achieve a one off capital receipt or whether it should be repurposed in order to create greater value and ongoing revenue
  - A comment was made about the potential impact of the proposed planning white paper in this area
  - Reference was made to page 8 of the agenda and a comment that the council should be zero carbon by no earlier than 2035 and the point made that the wording should clarify that the council did not have to wait until this date in order to achieve this
  - It was noted that consideration of heritage assets would be subject to consultation and that there would be a sensitive approach to dealing with these assets.

The Portfolio Holder for Economic Growth, Assets and Property thanked the committee for their interesting comments on this subject. He reflected on the position in bringing together a large estate into Dorset Council from the former councils and the work undertaken in order to restructure the officer resources in order to ensure that there was capacity to drive this work forward.

The Chairman summed up the discussion held by the committee which included the key points made in respect of county farms and the revenue generated by these, concerns expressed over the need for clear timescales for this work, issues around academy leases, associated planning issues, provision of affordable housing on sites and disposal of assets and market values. Comments made by the committee would be reported to Cabinet when they considered the report on asset management at their meeting on 3 November 2020.

**Decision**

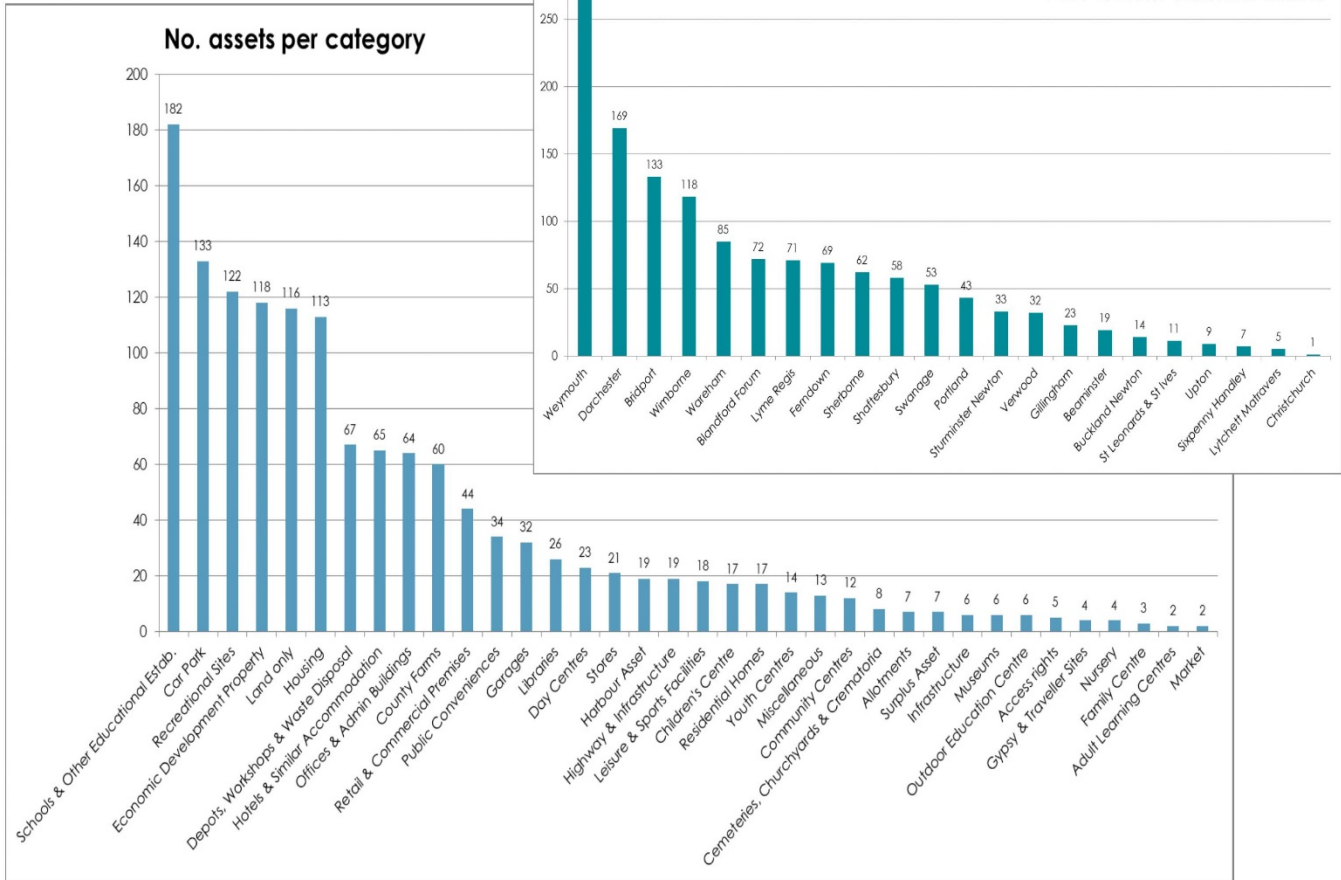
That the Place and Resources Scrutiny Committee support the approach and methodology to be used as the basis for the review of assets and the basis for determining the future shape and size of the estate.



Appendix 2

# Dorset Council Estate

36 asset categories and 22 locations



**Appendix 3**

**Dorset Council**

**Property Strategy & Asset Management Plan**

**2020-2024**

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## **Purpose of the Strategy**

The Property Strategy and Asset Management Plan sets out the Council's approach to the strategic management of its assets, how it will support delivery, provide the Council with income and how it will be used to promote growth and support regeneration.

The Strategy is intended to define the principles, criteria and process through which decisions will be made regarding the future use of assets.

## **Context**

The Council has a significant and diverse range of interests throughout Dorset.

In 2019 Avison Young were commissioned following Local Government Re-organisation (LGR) to undertake a review of the Estate.

They identified that the Council owns or leases 1,409 property assets (land and buildings) consisting of 36 different classifications of assets distributed across 22 different locations throughout Dorset (see Appendix 1) the majority of which are managed by the Council's Property department. Of these 322 are based in Weymouth, 169 in Dorchester, 133 in Bridport and 118 in Wimborne.

As at 1<sup>st</sup> April 2020 the total book value of these assets was £463m.

The Council owns a total of 608 sites which have buildings on them and for which it is responsible (excluding schools).

The Council's gross property costs as reported in its 2019/20 accounts are £14.34m per annum and net after allowing for income etc is £m per annum. These figures do not reflect or include those residential property costs incurred by Adult's, Housing or Children's Services for permanent or temporary accommodation as part of commissioned services.

## **Key Drivers for Change**

The Council is aiming to make Dorset a great place to live, work and visit and the Council Plan outlines its five strands in order to support this goal: -

- Staying Safe & Well-working with residents to ensure a good quality of life
- Strong Healthy Communities-working with residents and partners to build and maintain strong communities where people get the best start and lead fulfilling lives
- Suitable Housing-working to deliver affordable, suitable and decent housing
- Economic Growth-working to deliver sustainable economic growth, increasing productivity and the number of high quality jobs in Dorset
- Unique Environment-working to deliver sustainable development while protecting and enhancing Dorset's environment

In addition, the Council have an ambition to design and implement a system of local government that is streamlined, entrepreneurial, agile, innovative, ambitious and sustainable. In order to fulfill these aspirations, the council have embarked on a transformation programme consisting of six key themes of which Property and the Council's Estate is one whereby it wishes to ensure it delivers services in the right place by making best physical and financial use of its estate.

The Council's property portfolio provides a resource base from which to help enable the Council's plans and deliver a range of priorities for the Council and its residents in support its housing, social care and economic development strategies. The Property Strategy and Asset Management Plan sets out the framework and methodology through which the Council will make best use of its assets in order to unlock opportunities for housing (including the provision of more affordable homes), provide opportunities for economic growth and generate income to protect its services and deliver financial and social returns.

### **Aims & Principles**

The Property Strategy will establish a holistic approach to ensure consistency in the management and development of the Council's real estate assets and embed a corporate approach to property rationalisation, consolidation, development and investment in property assets and how it will be managed and will be focused on: -

- Optimising the estate in order to build an efficient, resilient and sustainable portfolio to meet the administrative, operational, educational and social needs of the Council that is fit for purpose
- Conserving, preserving, protecting and effectively utilising those sites of historical interest
- Managing, developing and redeveloping where necessary and viable to do so the commercial estate to maintain and maximise the income provided to support Council services
- Utilising spare land or surplus assets for housing provision and economic regeneration
- Supporting the provision of workspace particularly the Development of the Innovation Park in support of the Council's economic agenda
- Enabling the regeneration of key towns and urban areas
- Providing value for money

The overall outcomes that the council is seeking to achieve are: -

- A significant reduction in the operational estate with associated revenue savings
- Review of surplus operational and commercial assets to determine best possible future use in order to generate additional revenue income streams and capital receipts

The principles are intended to set out the Council's approach to its assets in future and guide future decision making through the process set out later in this document as well as to drive pace in project delivery and asset value realisation.

#### **Principle 1**

Embed the Corporate Landlord model to drive the rationalisation and consolidation of the asset estate and corporate asset decision making based on 3-5 year service property requirement strategies

#### **Principle 2**

Consolidate operational assets to decrease the number of single use assets, reduce revenue costs and create multi-functional properties, supporting service improvement

#### **Principle 3**

Review the asset base to analyse the performance of the assets, ensuring correct mix and type and future needs before determining whether to retain, retain and develop, dispose or acquire

#### **Principle 4**

Develop a robust asset management plan to invest properly in all retained assets to ensure they are fit for the future in supporting service delivery and achieve the necessary environmental aspirations

#### **Principle 5**

To work collaboratively with Town Councils and other public sector bodies in line with the 'one public estate' principles as well as other Voluntary, Community and faith Sector organisations to identify wider opportunities to benefit the community within the context of asset strategy and planning

#### **Principle 6**

Support economic growth working with other associated partners in the provision of workspace at the Innovation Park and other locations throughout Dorset

#### **Applying the Principles**

Embedding the Corporate Landlord Model fully within the Council's target operating model will drive different and faster decision making for the future. Based on prepared service property strategies or commercial analysis for properties that fall outside a service or within the Commercial estate for the coming 3-5 years decisions will be made on the viability and feasibility of sites guided by the above principles and using the process and criteria set out below.

It is intended that all assets that are assessed as surplus, not required for operational purposes or are thought not to be performing as anticipated and to be repurposed should be reviewed through this process. This provides confidence that any decision regarding future use of property provides the best and most appropriate output.

It should be noted that best value in terms of capital receipts is not always the right outcome and the Council needs a mix of revenue, capital, social and economic/regenerative returns.

#### **The Decision Making Process**

Attached at Appendix 1 is the process of decision making on future asset usage, project delivery and the disposal or otherwise of sites.

The process is in two parts:

##### **Part 1 The Corporate Assessment**

This part of the process determines whether an asset has an identified use which enables service delivery in line with corporate and service strategies, for example where there is an identified need within a specified location by multiple services and as such these are co-located within a multi-functional hub therefore enabling asset consolidation and reduction in running costs.

Additionally, this could identify assets which could support alternative service delivery for example extra care sheltered housing that reduces expenditure on high cost care but also delivers important outcomes to residents.

The assessment should consider the cost and condition of the site and would consider, for example, whether a site was low performing (poor occupancy, limited opening hours, high downtime, high voids)/high cost asset in poor condition that is not fit for purpose and whether it requires significant investment etc. In such circumstances the Council may not wish to retain the asset for operational uses and would look to dispose, repurpose or redevelop.

Assets would be retained where there is a clearly defined future strategic purpose (repurpose or redevelop), which has a value and can be delivered within an agreed reasonable timeframe.

The process sets out the stages of this assessment and what happens in each case. If the asset is not suitable or not needed it moves to Part 2.

In Part 1 the following criteria will be used to make these decisions

### **Corporate Assessment Criteria**

In order for an asset to be retained for existing use it must meet one or more of the following criteria: -

An asset requirement has been identified within the service strategy, supports overall service transformation/delivery over the life of the payback period for any future investment and continued use can be justified

The use of the asset reduces: -

- Number of overall assets used
- Revenue cost of asset
- Future investment needs

Or

- Generates additional revenue or capital income

Cost/benefit analysis of investment to make the asset fit for purpose demonstrates an appropriate payback period relevant to the length of future use

Use of the assets will provide fit for purpose, flexible and reconfigurable accommodation that is future proofed and supports multi-purpose building use

The levels of occupancy and the cost of occupying and running the building either equal or compare favourably to relevant benchmark data

It is essential that the building is retained as no other suitable alternative provision is available

The management, maintenance, financing and void costs associated with the building do not exceed the income (particularly with regard to commercial and rented residential accommodation) apart from where significant savings arise when compared with alternative provision such as hotel use.

## **Part 2-The Option Appraisal**

This part of the process focusses on the use of the asset beyond existing use, existing service or operational use requirements. This might include a site that could be disposed of for a capital receipt; redeveloped for revenue income generation or held for future strategic use to maximise output or benefits.

The process outlined in Appendix 2 sets out how this will work but the primary process is a formal options appraisal which considers potential future users of the site. The options appraisal will identify the preferred option and how this best aligns with the Council's needs, aims and ambitions.

### **Criteria for the Option Appraisal Assessment**

Asset is required for future service needs, optimal income generation and/or future development opportunities

Ensuring 'best value' is gained by modelling a net present value (NPV) versus an outright disposal and capital receipt

Scheme deliverability in terms of timescales, risk assessment and prioritisation. Any assessment will take account planning constraints and other issues.

Schemes will be assessed in line with planning guidance and meeting Council prescribed affordability targets to ensure schemes are viable and value of land appropriately reflected

Partnership working and shared development will be assessed and considered where opportunities will deliver quantifiable benefits, mitigate risks or provide significant resources beyond the council's capabilities

Asset supports economic growth and improves the environment and the 'place'

Consideration will be given to the method and cost of funding and as to whether the scheme/project for which the asset is being used can attract any external funding which will then feed into the viability assessment if known.

### **Place & Economic Growth**

The strategy sets out to enhance and utilise the assets the Council owns. With every asset comes an opportunity to revitalise public spaces, enhance community involvement and re-use buildings and land for investment and growth.

In collaboration with partners where appropriate be they public or private sector or, indeed, both the Council will support economic growth and regeneration where viable and beneficial to do so through the re-use and release of its assets. The creation of a joined up approach to asset management coupled with clear criteria for decision making will allow, where appropriate, for the Council in some not all cases to deliver opportunities at a greater pace that meets the needs of Dorset residents.



## **Scheme Delivery & Approval**

The final part of the assessment of any potential project is the method of delivery which may vary from project to project to take account of size, scale, complexity, resource requirements, risks etc.

There are a variety of different delivery models from: -

- disposal and delivery by others,
- direct delivery using Council appointed contractors and third-party professionals where necessary
- working in collaboration with other public sector partners or in some form of joint venture relationship with a private sector partner.

It is not envisaged that the Council will adopt a 'one size fits all' approach and the approach will be dependent on the type and nature of the project and as such the Council will adopt a delivery model that best suits its particular needs either on an individual project basis or based on a combination of projects that can best suit its needs.

## **Conclusion and Delivery**

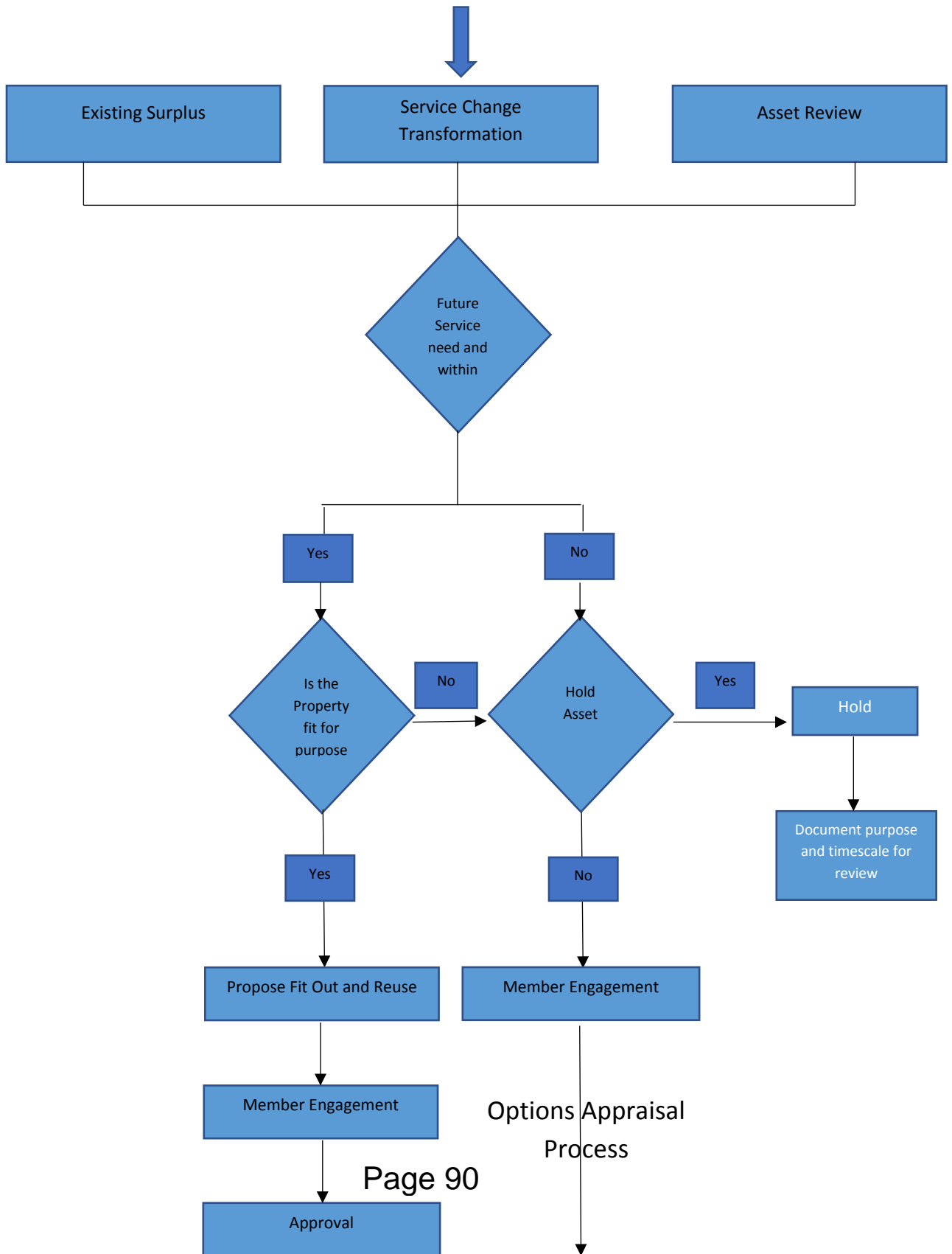
This strategy establishes the principles by which decision making on assets will be made during the period 2020-2024 to deliver the Council's aims and objectives.

It should be read in conjunction with the action Plan which will include the actions required to deliver the principles set out in this document.

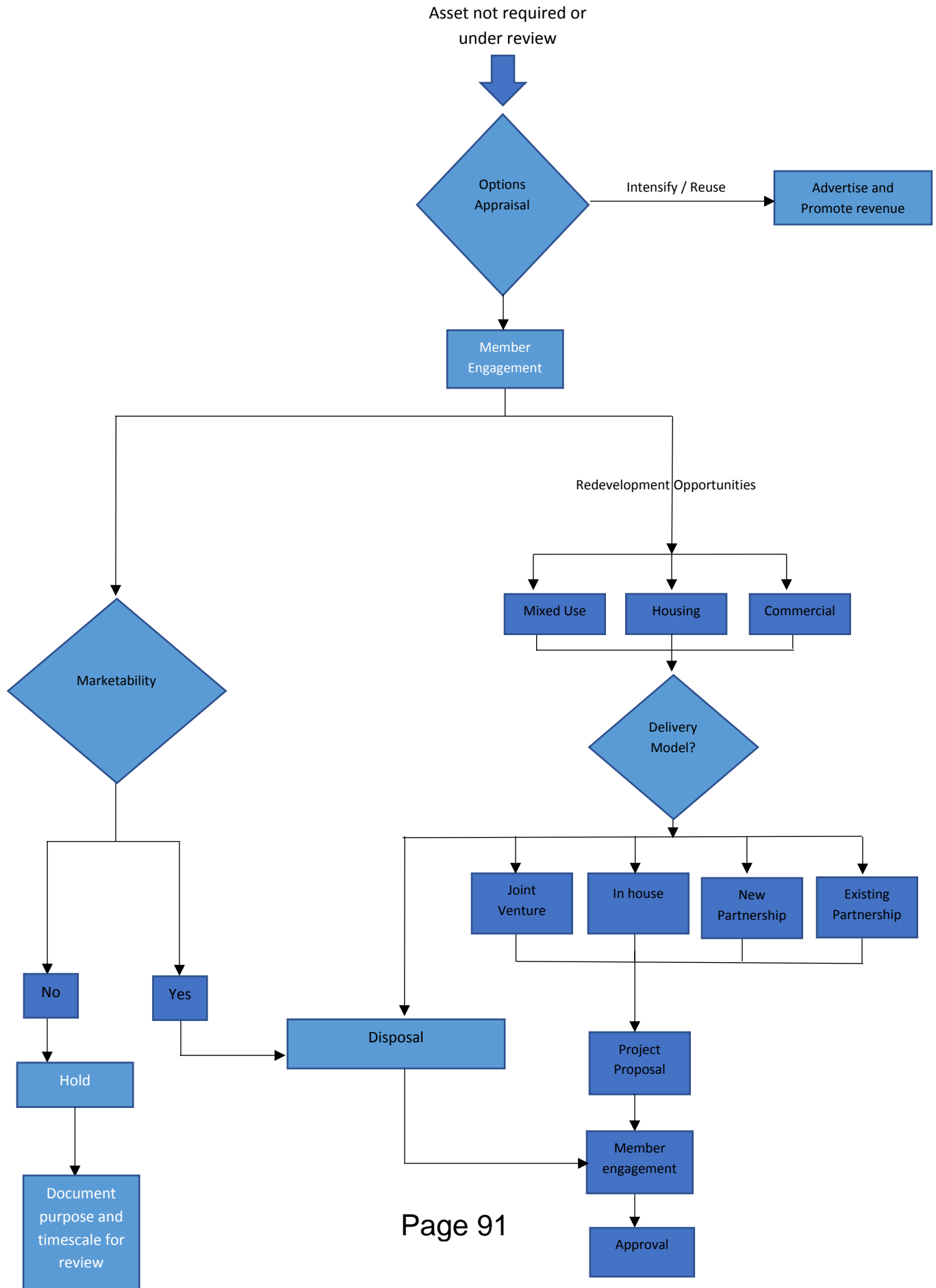
The Property & Assets strategy should be regularly reviewed to ensure it remains fit for purpose in driving forward the Council's property priorities in the future.

# Appendix 1

## Corporate Assessment Process



# Appendix 2 Options Appraisal Process



## Appendix 4: Property & Asset Management Strategy-Action Plan

Action No	Action	Detail	Immediate Deadline	Completion Deadline
1a	Review of 223 Operational Assets  ( Assets less commercial assets, schools, car parks, recreational sites, harbours, leisure centres, land, housing, garages, surplus assets, access rights, markets and offices leased to third parties, traveler sites, shared offices on third party sites at no charge)	The Council is seeking to review its operational assets to ensure the right mix and type and where possible consolidate operational assets over the next 3-5 years  Targets to be agreed as part of and following service consultations	Sept 2021	2024
1b		Develop the detailed process for capturing, analysing and planning for future use of surplus property-in order to ensure property is back in use, developed or disposed of as quickly as possible, reducing holding time/ costs	March 2021	
1c		Appraise opportunities for re-use, disposal or development and prepare implementation timetable-aligned to consultation-in case asset declared surplus	Sept 2021	
1d		Once all operational assets reviewed then repeat every 3 years		2024

2	Development of Service Property Strategies	Service property requirement strategies for years 2-5 by Sept 2021	Sept 2021	March 2021
3	Agile Working	Agile working is implemented to support the reduction in office space 2021/22 to reflect new desk ratios following service consultations. Ref Dorset Workspace actions	Sept 2021	March 2022

4a	Corporate Landlord	Fully implement and embed the Corporate Landlord model within the Council's property function	June 2021	June 2021
4b		Ensure the development of a robust asset management plan of investment	Ongoing	Ongoing
4c		Specify, procure and implement an upgrade/ replacement for the Technology Forge/BIM system with assessment by Sept 2021 and implementation by March 2022	Sept 2021	March 2022
5a	Governance	Complete a review of governance relating to property, assets	December 2020	December 2020
5b		Complete a review of the decision making process relating to project delivery, including procurement, scheme of delegation and approvals. Amend the constitution if required	December 2020	Dec 2020-March 2021
6	Resourcing	Ensure the projects and delivery plan are fully and appropriately resourced including the implementation of any new management structure required to support the Corporate landlord model. Plan for implementation to be ready end June 2021	June 2021	June 2021
7a	Project Delivery	Current surplus freehold and leasehold assets that have been identified for disposal or termination to be completed between March-June 2021	March-June 2021	March-June 2021
7b		Initial list of Priority projects to be established no later than June 2021	June 2021	June 2021
7c		Delivery of the future pipeline of work, including disposals must be resourced to create a future capital and revenue income stream. Develop resource model as part of capital programme development	June 2021	June 2021

8a	Review of the Commercial Portfolio (355 assets)	An initial review of the commercial asset categories and the assets within them should be undertaken to identify whether they are generating adequate returns, could be repurposed to provide greater value and determine whether they fulfill the Councils economic aims	Sept 2021	Sept 2021
8c		Priorities assets based on high cost/low performance, strategic, potential opportunity value, lease status	April-Sept 2021	Sept 2021
8d		Develop an implementation plan for approval and delivery of resulting priority projects	April-Sept 2021	Sept 2021
8e		Complete analysis of the next tranche of asset analysis as per the process and priorities	Sept 2021-March 2022	March 2022
9a	Review of all other 520 Assets (excluding schools/recreational areas include land, garages, housing, allotments, car parks, toilets etc)	All other assets should be reviewed to identify whether they are operating efficiently, effectively, are core Council assets, have alternative or complimentary purposes that add value, have a future requirement	March to Sept 2021	Sept 2021
9c		Priorities assets based on high cost/low performance, redevelopment opportunity etc	April-Sept 2021	Sept 2021
9d		Develop an implementation plan for approval and delivery of resulting priority projects	April-Sept 2021	Sept 2021
9e		Complete analysis of the next tranche of asset analysis as per the process and priorities	Sept 2021-March 2022	March 2022
10a	One Public Estate	Re-establish the working group of public sector bodies to review 'one public estate' opportunities	June 2021	June 2021
10b		Develop a list of potential opportunities and co-working opportunities involving the Dorset Property portfolio	June 2021	June 2021
10c		Implement a series of initiatives that deliver efficiencies and improvements from co-location in accordance with the 'one public estate' principles	July 2021-March 2022	March 2022
11	Joint Ventures	Establish a legal and financial model for possible Joint Venture working/arrangements	Sept 2021-March 2022	Sept 2021-March 2022



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## **Cabinet 3 November 2020 Transformation Programme Annual Report**

### **For Decision**

**Portfolio Holder:** Cllr P Wharf, Corporate Development and Change

**Local Councillor(s):** Cllr

**Executive Director:** A Dunn, Executive Director, Corporate Development

Report Author: Dr Deborah Smart

Title: Corporate Director Digital and Change

Tel: 01305 224711

Email: [Deborah.Smart@dorsetcc.gov.uk](mailto:Deborah.Smart@dorsetcc.gov.uk)

**Report Status:** Public

### **Recommendation:**

That the Cabinet:

1. Approves the draft revised Transformation plan at appendix A.
2. Notes progress and allocations from the £5 million transformation fund made in the last year.
3. Approves delegation to Performance Leadership group (comprising Cabinet and the Senior Leadership Team) responsibility for:
  - a. Oversight of the amended transformation plan
  - b. Allocation of the transformation fund according to the criteria and gateway process
4. Approves the amended governance arrangements particularly for the transformation fund and its accountability to Cabinet.
5. Recognises the importance of Digital and technology to underpin all our transformational activity and recommends that Place and Resources Overview committee add a review of the output from the EAP for ICT and Digital and the draft digital vision to their forward plan.

## **Reason for Recommendation:**

In order to achieve further savings due to the ongoing financial challenges from the COVID-19 pandemic, the council needs to change how it prioritises and delivers transformation. An agile, theme-based approach will enable projects to focus on designing solutions at pace and with a relentless customer focus and ensure appropriate oversight and management of the amended transformation plan and allocation and tracking of the transformation fund.

### **1. Executive Summary**

In November 2019, Dorset Council published its first transformation plan. From the period November 2019 – March 2020 work was underway to mobilise the programme in order to implement change and make savings.

In March 2020 the emergence of the COVID-19 pandemic halted that work as the council reprioritised activities in order to support residents during the pandemic.

Since March 2020 the financial impact of COVID-19 has been significant and as the council moves to recovery it is important to restart transformation in order to make savings and support the council achieve a balanced budget. The revised transformation plan and governance arrangements build on the learning from COVID-19 as well as from implementation of the current transformation plan and provides a framework to accelerate and move forward.

### **2. Financial Implications**

The transformation programme will return savings of £9.15m in 2021/22 and a further £8.7m in 2022/23. These savings are from whole organisational change across all directorates and help reduce the anticipated budget gap of £41.9 million.

To deliver the transformation programme, a transformation fund was agreed in 2019/20 and continues to be used in line with the criteria agreed in November 2019.

### **3. Climate implications**

The transformation plan is aligned to the climate change and ecological strategy and activity will be closely managed to ensure delivery contributes to the dependent aims of the strategy.

### **4. Other Implications**

None.

### **5. Risk Assessment**

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

Current Risk: High  
Residual Risk: High

The council has a corporate risk, identified as high, which is ‘failure to adequately manage the financial position leads to an overspend which is untenable in the medium term’. The proposals contained within the transformation plan aim to mitigate it by providing the resourcing needed to deliver transformation, and the governance required to oversee its delivery.

## **6. Equalities Impact Assessment**

An assessment of the impact of the plan is attached at appendix C

## **7. Appendices**

- A Dorset Council revised Transformation plan
- B Risk assessment
- C Equality impact assessment

## **8. Background Papers**

Dorset Council Plan  
Approach to value for money  
Dorset Workplace  
Economic Growth Strategy  
Dorset Council Transformation Plan 2020-2024  
People Strategy  
Climate change and ecological strategy

## **9. Background**

9.1 In November 2019 Cabinet approved the draft transformation plan setting out how Dorset Council will prioritise, fund and measure future changes in order to ‘fundamentally change the way we deliver our services and the way we operate, to achieve our council priorities within our financial constraints’.

9.2 Between November 2019 and March 2020 progress was made against planned activity including the following:

- progress in the convergence of planning systems
- progress in the convergence of ICT solutions to one domain
- initiation of the Dorset Workplace to review ways of working
- Blueprint For Change, transformation in Children’s
- continued development of the Dorset Care Record
- new solution for the management of archived paper records
- governance structures established across the planned programmes of work
- bids to the transformation investment fund considered and approved as appropriate by the Transformation Board
- resource confirmed following the conclusion of tranche 2 restructure in January 2020 and the appointment of a Corporate Director for Digital and Change
- delivery boards established for the 6 transformation programmes
  - a) One council service reform
  - b) Customer service

- c) Travel and transport
- d) Property and estates
- e) Employer of choice
- f) Efficient organisation

## **10. Impact of the COVID-19 response**

10.1 In March 2020 the COVID-19 pandemic and the initiation of a national lockdown had an impact on the planned delivery of the transformation programme as employees were redeployed to support the response. This included:

- Community shield which coordinated food, medicines and wellbeing support to 15,000 residents
- Employee skills agency which redeployed employees from non-critical services to support residents during the pandemic
- Supporting the delivery of devices to the community
- Coordinated support to the Senior Leadership Team within the command and control framework as set out by the Local Resilience Forum

10.2 However, not all transformational activity ceased. Planning transformation continued as well as work to progress the Dorset Workplace, asset management and indeed the work to revise the transformation plan itself. The COVID-19 response has also resulted in a shift in future transformation priorities following the accelerated change driven from the focused response to residents.

10.3 Learning from the ongoing pandemic response includes:

- Increased capacity to implement change quickly and in an agile way, focussed on improving the customer experience for residents
- Working more openly and collegiately with our partners including the voluntary and community sector who continue to work tirelessly to help residents during the pandemic
- Accelerated adoption of digital service delivery including community volunteer digital champions who teach basic digital skills to help others to get online. This has been hugely important during the pandemic as digital exclusion can contribute to isolation, poverty and poorer health and wellbeing. Dorset Council won the Digital Skills Award at the Connected Britain Awards in September for this work.
- Employees working in a different way has demonstrated that employees can be more flexible in how and where they work. Employees have been able to balance the COVID-19 restrictions with still being available to residents, where and when they have needed help and support.
- Accelerated reduction in carbon emissions and spend on travel as a result of the change in the way employees and residents are travelling during the pandemic. This learning is being considered for future modelling within the Dorset workplace programme and the climate and ecological emergency action plan.

10.4 There have been financial implications for the transformation programme including the acknowledgement that the anticipated £3 million savings from

transformation in 2020/21 could not be achieved due to the diversion of employees during the COVID-19 response.

## **11. Reshaping Dorset's transformation plans**

11.1 Along with many other organisations around the world, the changing working environment, together with the learning from the COVID-19 response as well as the need to increase the scope of transformation, has led the council to revise its transformation priorities.

11.2 The revised transformation plan sets out themes and a framework to support the Council to transform into the organisation described in the Council plan.

11.3 Dorset Council will transform to:

- Be a key player in place shaping, optimising community capacity and assets.
- Be an early intervention, inclusion county.
- Be smart in its use of assets, estate and capital.
- Be a commercial council that demonstrates value for money services.
- Be a great organisation to work in and with, an employer of choice.

11.4 This will be achieved by:

- transforming our services with our customers, communities and partners
- operating at a lower cost with a reduced carbon footprint
- planning for the long term by investing in services and activities that set a strategic path to managing demand
- using evidence and business intelligence to direct our decisions to deliver improved impact and good value
- tackling digital exclusion so that no-one in Dorset is disadvantaged digitally
- building ambitious and sustainable capabilities that prepare the council for the future

### **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 A**



**Draft Transformation Plan, Themes and Approach**

Version:	V3.0
Date:	6 <sup>th</sup> October 2020

**1. Introduction**

This amended transformation plan sets out Dorset Council's approach to change and aligns our newly developed transformation themes to the corporate plan. It describes the aims, objectives and approaches to deliver these themes including the initially identified key projects that support their delivery. The overarching aim of this amended approach is to build on our one council approach and the learning and opportunities COVID-19 has enabled, as well as the financial challenges it has presented us with.

**2. Transformation - delivering the Dorset Council plan**



The Dorset Council plan sets out our vision, values and our organisational aspirations (shown above or described below). Our transformational approach must support us to bring these to life and shape our services and together with our organisational principles of being customer focused, effective and modern, an employer of choice and creating a sustainable organisation this transformation plan will enable the new Dorset Council to continue to make those a reality.

**Our Vision:** To make Dorset a great place to live, work and visit.

**Our Values:**

- We are an advocate for Dorset on a local, national and global stage.
- We work together with our communities and our partners to make things happen.
- We put people first and design services around their needs now and in the future.
- We are open, accessible and accountable.

- We use time and money wisely.
- We value people and build on their strengths.

### **3. Transformation - Description of the transformed council**

It is important to describe what an organisation will be like once transformation aspirations have been realised. In bringing the elements together from the Dorset plan and refining them, our aim is that the transformed council will:

- Lead only when it has to
- Have services, designed with our customers, communities and partners
- Operate at low cost, with a reduced carbon footprint
- Plan for the long term and invest in services and activities that have clear results and real impact
- Use evidence, insight, data and information to inform decisions
- Use its assets wisely
- Tackle digital exclusion so that no-one in Dorset is disadvantaged digitally
- Feel innovative and ambitious and is an employer of choice.

### **4. Transformation – the financial challenge**

There is a huge degree of uncertainty about the future state of public finances following COVID-19. Initial modelling suggests an anticipated budget gap in 2021/22 of £41.9 million. Inaction is therefore not an option and this amended transformation plan takes into consideration both the increased emphasis on transforming services to save money and the greater amount required from change activities in order to bridge the budget gap.

In order to respond to the financial challenges, whilst still delivering our vision and values according to our principles, the council has agreed five transformation themes to guide our journey towards the kind of council we want to become. These are to:

- Be a key player in place shaping, optimising community capacity and assets.
- Be an early intervention, inclusion county.
- Be smart in its use of assets, estate and capital.
- Be a commercial council that demonstrates value for money services.
- Be a great organisation to work in and with, an employer of choice.

The following sections set out these themes in more detail and describe how they support the council to deliver on its values, describes the approaches required to deliver them, who needs to be involved and how the changes will be monitored and managed.

### **5. TRANSFORMATION THEME 1: Be a key player in place shaping, optimising community capacity and assets.**

This theme delivers on the following Council Plan Values:

- We work together with our communities and our partners to make things happen.
- We put people first and design services around their needs now and in the future.
- We are open, accessible and accountable.
- We use time and money wisely.

## **Aim**

The aim of this theme is to transform the council's approach in order to play an important role in place shaping in Dorset, to support the delivery of the economic development strategy and outcomes from COVID recovery.

## **Outcomes**

Working with partners to understand and tackle longer-term health and wellbeing improvements including people of Dorset having good quality jobs, homes and strong social networks. We want to focus on outcomes, for example, community wealth building approaches as an additional economic recovery measure and enabling a nuanced approach across the county to meet local need.

The council wants to be a key player in place shaping in order to:

- Support our residents in doing more for themselves
- Communities accessing more easily the support they require
- Develop and deliver health and wellbeing hubs
- Developing the local economy
- Creating local work for local people
- Good homes for the people of Dorset

## **Approach**

In order to deliver our aspirations, the council will adopt a co-production approach. Taking a strengths/assets based approach to community development, facilitating community led responses and the importance of connecting people to their communities. Providing infrastructure support to anchor organisations/community leaders to lead community support. Adopting this approach to stimulate Dorset's economy as it recovers from the impacts of COVID alongside a strong economic development strategy and vision for digital which includes facilitating the delivery of digital infrastructure and other key enablers will significantly contribute to making Dorset a great place to live work and visit. We will put people and communities at the heart of the change we are creating. This is about leading with a shared sense of purpose and clarity of outcomes and repurpose activity in order to deliver these outcomes.



## **6. TRANSFORMATION THEME 2: Be an early intervention, inclusion county**

This theme delivers on the following Council Plan Values:

- We work together with our communities and our partners to make things happen.
- We put people first and design services around their needs now and in the future.
- We value people and build on their strengths.

### **Aim**

To make Dorset an inclusive county focused on helping people at the earliest point.

### **Outcomes**

The outcomes we want to achieve from this theme are:

- People access the right help for them when and where and from the right person at the right time
- We work to keep children in their families and support adults to remain in their own homes
- Our children and adults with additional needs stay local in local provision
- Decrease demand on late intervention/crisis led services
- Our children achieve well in school and are prepared well to economically contribute to our communities
- Prioritise employment for adults with additional needs
- Promote social care as a proactive career choice

### **Approach**

The approach to this theme is to collate data and information and analyse the impact of the current approaches and how these need to change. We will analyse where we spend our revenue across pathways and services to get the balance right between supportive interventions and early preventative interventions. This will enable us to understand and evidence the cost of outcomes in Dorset. Often the approach to wait for a crisis or for problems to hit an eligibility threshold mean services are more expensive to deliver. In order to act, we will use data to inform our decisions as well as learning from others, before delivering a comprehensive programme of change.

## **7. TRANSFORMATION THEME 3: Be smart in its use of assets, estate and capital**

This theme delivers on our principles of being effective and modern and the following Council Plan Values:

- We work together with our communities and our partners to make things happen.

- We put people first and design services around their needs now and in the future.
- We are open, accessible and accountable.
- We use time and money wisely.

### **Aim**

The aim of this theme is to create and operationalise a robust approach to asset, estate and capital management.

### **Outcomes**

The outcomes we want to achieve from this theme are an asset, estate and capital management strategy and embedded approach that supports the council to:

- Release capital for reinvestment in organisational priorities
- Save revenue by maximising the use of its estate
- Identify and provide intergenerational hubs that support our other transformation areas
- Demonstrably make best use of all its assets including to promote economic growth and support community development .

### **Approach**

Capital strategy and asset management group (CSAMG) will lead this theme. The group will review existing approaches and support the development of these where they do not currently exist and then subsequently bring these together aligned to the budget setting process. Once the strategy is in place processes and procedures can be established to embed and operationalise good asset management practice and transformation to the council's estate to deliver revenue savings.

## **8. TRANSFORMATION THEME 4: Be a commercial council that demonstrates value for money services.**

This theme delivers on the following Council Plan Values:

- We work together with our communities and our partners to make things happen.
- We put people first and design services around their needs now and in the future.
- We use time and money wisely.
- We are open, accessible and accountable.

### **Aim**

The aim of this theme is to reduce the operating cost of the Council by adopting a robust approach to service reviews by embedding a service design approach to examining alternative delivery models including co-production or more efficient

ways of delivering services while maximising income. The Service design approach is well established way to examine options and redesign services in a customer focussed way. Together with the approach to value for money reviews agreed by Cabinet in October 2020 this will make sure the council systematically benchmarks and assesses its service provision against others.

### **Outcomes**

Services are stopped, re-imagined, reshaped, or enhanced and enabled through the use of technology and data to reduce operating costs or improve income. Improve service offerings by utilising data and continually measuring services.

### **Approach**

Starting with services that have a significant budget or that could generate more income, systematically use the service design approach to implement the new customer service approach and review services examining alternative delivery models and methods, including options to reduce service quality in order to generate savings. This would include robust financial understanding of the existing services, any future options proposed and the cost to implement the changes. The approach would include benchmarking our services against comparator organisations to understand our balance of cost and quality and finding out if we are offering more or less than we need to. To do this we will ask and challenge ourselves to think differently. The long term benefits of adopting this approach will be to move towards delivering proactive services rather than reacting to an issue, maintaining control of the services we need to provide, which in turn will move us away from the need to 're-design' and embed a culture of 'just keep designing'.

## **9. TRANSFORMATION THEME 5: Be a great organisation to work in and with, an employer of choice**

This theme delivers on all our Council Plan Values:

- We are an advocate for Dorset on a local, national and global stage.
- We work together with our communities and our partners to make things happen.
- We put people first and design services around their needs now and in the future.
- We are open, accessible and accountable.
- We use time and money wisely.
- We value people and build on their strengths.

### **Aim**

The aim of this theme is through our approach to transformation and other specific actions, to create an organisation that is an employer of choice.

## **Outcomes**

The outcomes of this theme are to:

- Develop the organisational culture so staff are proud to work for the council and encourage others to do so.
- Develop our leadership culture that support distributed leadership and enables people at all levels to get involved in the delivery of change and transformation
- Encourage high levels of involvement in areas of personal/professional interest to support pride and job satisfaction
- Develop strong recruitment and retention programmes to minimise the use of agency staff.
- Become a coaching organisation.
- Deliver the Dorset Workplace Project
- Be an organisation where you can be yourself, equality and diversity issues are recognised and taken seriously, for example Pride and Black History month are celebrated.

## **Approach**

This theme is strongly underpinned by the council's people strategy, including work programmes within Organisational Development to support the development of great leadership and an inclusive culture together with deliver of the outcomes in the Dorset Workplace/

### **10. Approach to Transformation**

How an organisation embarks on transformation at this scale can have a positive or negative impact on culture depending on the approaches taken. The success of the transformation programme will be supported through work to develop the organisational approach to leadership and culture. This work will highlight the journey that employees will take as we continue to embed the new culture for Dorset Council. Work is taking place with managers to lead the way in embracing change, committing to our new shared ways of working and language, and leading in our behaviours.

This work will align to the People Strategy and the Dorset Workplace within the broader Council Plan and will help empower employees to work more efficiently and embrace best practice, whilst having their holistic needs met. It will enable all employees to build better relationships and be a part of the changes, on our journey to become an employer of choice.

During the council's response to the COVID-19 pandemic we adopted different techniques for driving change. This included investment and energy from across the whole workforce who stepped forward and were redeployed. Our delivery at pace during this time has been because we have moved to a more positive risk-taking framework and in order to deliver the transformation we aspire to, we need to keep this momentum and enable many more people to participate in delivery and this refreshed transformation plan enables that to happen, through the new approach to governance described below.

## 11. Financial outcomes from Transformation

Alongside the desire to progress transformation plans differently is the additional financial challenges on the council as a result of COVID-19. With a £41.9 million projected budget gap for 2021/22, transformation must deliver more and deliver it quickly. Therefore, the currently identified transformation projects (described below) while supporting the delivery of our transformation themes also contribute considerably to supporting the council to bridge the deficit. It is anticipated that as projects that support the delivery of our transformation themes come forward they will be prioritised and added to the portfolio and savings totals updated. Working on a rolling basis with projects coming forward throughout the year should encourage the whole organisation to always be thinking about alternative more effective ways to do things and plan in the delivery of those projects.

*Currently projected transformation savings as at 20 October*

	Year 1 2021/22	Year 2 2022/23	Years 3-5 2023-26	Total
Total	£9,158,057	£8,740,525	£6,500,000	£24,398,582
Adults	£6,581,922	£6,035,525	£3,000,000	£15,617,447
Children	£1,070,000	£2,125,000	£3,500,000	£6,695,000
Place	£1,516,135	£580,000	0	£2,096,135

As described above, in addition to the savings above, there are new projects currently in early stages of initiation, with the scope to make further savings. Discovery work is underway enabling the total value of savings to be clearer in the next 4-6 weeks. It is expected these will identify several million in further savings.

## 12. Investment – Transformation fund

When the transformation programme was first conceived there was a transformation fund of £5million established to support the investment required to deliver change. In line with Cabinets decision in Nov 2019 allocations from the fund (detailed below) have been over seen by the transformation board and followed a gateway process and the criteria set out for the transformation fund.

In line with the revised approach to transformation it is recommended to Cabinet that the Performance Leadership Group take on the responsibility of allocating and keeping track of the fund. A revised gateway process is shown below demonstrating this proposed change. It is not proposed that the investment fund criteria are changed and remain as follows.

Successful applications to the fund must:

- a) Deliver the priorities for Dorset Council
- b) Fundamentally change systems, processes, people or technology across the whole organisation to improve outcomes for residents
- c) Be able to deliver the proposal straight-away
- d) Be costed and financially viable

- e) Demonstrate cross-council working
- f) Evidence the rational using robust data and customer insight/research.

The table below demonstrates the value of the gateway process as some projects have not been taken forward to gateway 1 as initial work has led to a change of direction or emphasis or indeed the project was no longer seen to be viable as conceived. These fund where unspent are then returned to the fund.

Currently there are 3 projects at gateway 1 and a further 7 projects proceeding, having received gateway 2 funding. There is a further description of all projects comprising the transformation plan below some of which will be looking to secure investment from the fund in order to start to deliver their outcomes.

## Transformation projects and stages of investment funding as at 18<sup>th</sup> October 2020

Project Name	Stage	Approved at gateway 1	Approved at gateway 2	Total Approved spend	Description
Dorset Travel joint commissioning and SEND travel	1	£40,082.00		£40,082.00	This project will improve the user experience for adults and children booking and using transport in Dorset including the provision of SEND transport through an alternative delivery model. It will balance the travel budget and make savings by delivering a safe, reliable and compliant transport service alongside improving data quality and understanding of the true cost of the service.
Asset Management Review	Spent	£40,082.00		£40,082.00	Dorset Council is reviewing its estate following local government reorganisation to ensure assets are most effectively used or are carefully disposed of. This includes a review of the office estate as a dependency with the Dorset Workplace programme.
Planning convergence and transformation	2		£1,122,682.00	£1,122,682.00	This project will converge planning systems following local government reorganisation. This will include the introduction of a single planning software system to replace the six legacy systems currently in use.
Regulatory services convergence and transformation	1	£40,082.00		£40,082.00	Following local government reorganisation, Dorset Council has inherited a number of different business solutions. This project will implement a single cloud-based solution for regulatory services which will enable officers to work in an agile way in the community to better meet the needs of customers.
DWP-in-cab devices	2		£177,283.00	£177,283.00	To equip DWP vehicles with digital devices to improve efficiency and effectiveness of service delivery.
Carbon Neutral Greenspace Management Equipment	2		£65,000.00	£65,000.00	This funding is to support the green premium' associated with this initiative.

Customer services and platform	2		£450,000	£450,000	Through rationalising the way customer services are delivered, we will improve our overall service, reduce the cost of customer services and free up resources to support impactful services. This includes procurement of a new digital platform to support this across the organisation.
Business intelligence	2	£40,082.00	£220,000.00	£260,082	The purpose of this project is to further develop our own data warehouse and technical skills inhouse to deliver transformational business intelligence, insight and performance for Dorset Council. This will support any requirement to link into wider initiatives such as the Dorset Insight and Dorset Intelligence and Insight Service, and the Dorset Care Record.
Whole of Life Integrated commissioning unit	Closed	-£40,082.00		-£40,082.00	This project will not progress to gateway 2 and has been closed.
Review of a Whole of Life Disability Service	Closed	-£50,000.00		-£50,000.00	This project will not progress to gateway 2 and has been closed.
Independent Travel Training	2		£160,000	£160,000	The project will offer travel skills to young people with SEND to give young people greater independence and confidence by offering them a lifelong skill to travel independently on public transport.
Refurbishment costs to set up residential children's home	Closed	-£40,082.00		-£40,082.00	
Embedding Strength Based Practice with Partners	Closed		-£25,000.00	-£25,000.00	This project has been funded from an alternative source.



Digital Infrastructure Projects	2		£285,000	£285,000	Digital infrastructure projects to accelerate economic recovery from the impact of the coronavirus pandemic
Adults transformation	1	£50,000.00		£50,000.00	This bid is to support the entire transformation programme in adults releasing £15,617,447 of saving individual projects are listed below.
<b>Total investment from the fund</b>		<b>£210,328.00</b>	<b>£2,479,965</b>	<b>£2,690,293</b>	Closed projects or returned funds have been excluded from these totals.

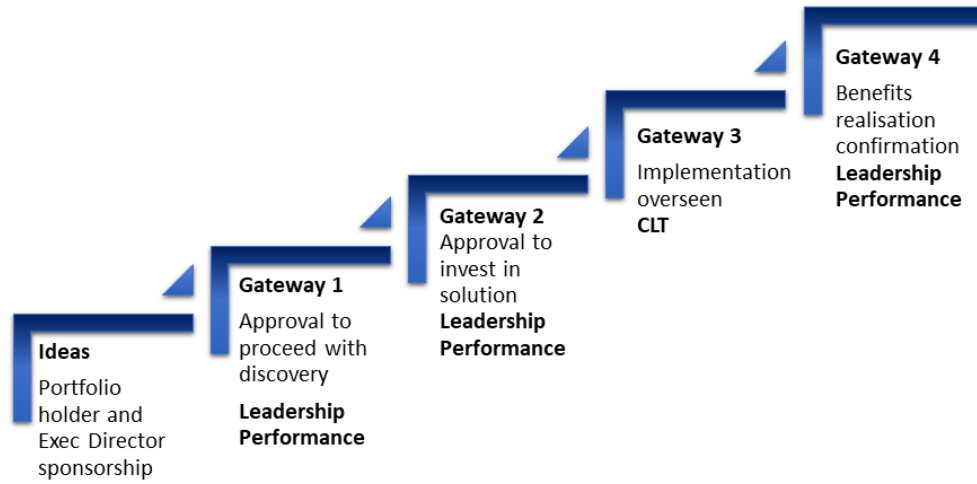
## Remaining Transformation projects that make up the current portfolio as at 18<sup>th</sup> October 2020

Project	Purpose
Building capacity in our education partners	This will see Dorset Council work in partnership with Dorset schools to seek to strengthen their capacity to deliver outcomes, to redefine a new operating model, to support schools become self-sustaining and reduce reliance. We would seek to ensure that we have the capacity in our special school system to provide support to Dorset schools across the full spectrum of needs for children with Special Educational Needs and Disability (SEND).
Development of local special school provision	The project will develop a multi-purpose site to enable local provision of special schools and alternative provision. This will tackle financial pressures on the high needs block and support the development of more appropriate provision that can meet needs and support targeted interventions.
Early intervention - whole family approaches to service delivery	This project will further develop a service and culture that supports whole family safeguarding, focused on meeting the needs of both children and the adults around them. By working with multidisciplinary teams, which include adult specialist workers, families can access tailored support to address their needs and the risks posed to children.
Family self-serve support	This project will redesign transactional processes to introduce self-service service portals and standardised and automated working processes and technological solutions that are fit for purpose. This will reduce costly and inefficient workarounds, releasing efficiencies, but also change the nature of support services.
Review of Early Help	Review of early help services to ensure appropriate provision, including the role of Children's Centres.
Children in care external placements	This project will reprofile the spend on external placements for existing children in care to ensure value for money and improve outcomes for children and young people.
Increased registered provision	This project will review the landscape in respect of unregistered provision and to implement changes to increase registered provision in Dorset, reducing cost pressures.
Whole life service	This project will bring children's services and adult services together to consider the potential for a whole life service, supporting families together to improve outcomes.
Residential spend reduction	This project reshapes the community offer to residents with enhanced strength-based services and enables a reduction in residential spend. This will include reviewing out of county placements and changing the model of care homes to provide more specialist and enhanced provision.
Impact of enablers	This project will increase the number of users in receipt of direct payments by 50%. It will develop a tool to enable a review of current 700 Direct Payment Users and ensure that their payments are appropriate.
Service redesign of day services	The project will explore new models of delivery for day services, including the private day services market, using learning from the Covid-19 pandemic. Focus will be on connecting to communities, promoting wellbeing, increasing independence, pathways to employment and implementing the dementia services review.
Implement full care charges	This work will implement a process from April 2021 to charge people who use our services the actual cost of care.
Integration of brokerage and quality services	This project will integrate brokerage and quality services into a joint integrated service across the Integrated Care System (ICS) footprint.

Workforce efficiencies in Adults & Housing	Exploration of opportunities to ensure more effective delivery of statutory services using the learning from Covid and the impact of the new service model
Reduction in contracted capacity	Following the impact of the new service model, opportunity to reduce contracted capacity within the market
Travel savings reduced business travel	This project will explore the reduction in mileage travelled by employees for work purposes and consider the right energy efficient vehicles to reduce both cost and CO <sub>2</sub> emissions. This will be undertaken whilst still ensuring that we provide the same or an improved user experience for Dorset Council residents.
Parking harmonisation	The harmonisation of parking charges across the Dorset Council area will be undertaken following local government reorganisation in 2019. This will deliver greater consistency for our customers, from aligned charging and opening times across the Dorset Council car park estate.
Waste review	A review of the Dorset waste service has been commissioned to benchmark Dorset against other local authorities and against the private sector. It will make recommendations on opportunities for improved service delivery, alternative delivery models, efficiencies and financial savings.
Leisure service review	This review will consider the leisure services offer and make recommendations in respect of future delivery models.
Dorset Workplace	This programme will review the ways of working for office based employees and implement a flexible, more agile approach. This work has a dependency with the asset management review of the Dorset Council estate.
Commercialisation	This project will develop four aspects of commercialisation; making money, commissioning, being business friendly, and behaving in a more business like way. The initial priority will be to focus on contract management, and identify any areas of duplication inherited from predecessor councils along with the identification of efficiencies. This will enable contract disposal/harmonisation opportunities and savings, including effective commercial contract management and re-procurement.

## Proposed revised approach to releasing resources from the transformation fund

### Releasing resource from the transformation fund



### **13. Transformation – Governance**

Recognising that there are change or transformation resources embedded across the council that can be used to succeed in delivering a single transformation programme and to embed our #oneteam approach, a cross-organisational group called DART (Dorset Agile Resource Transformation) brings change resources and activity together across directorates and services into one place. DART is led by Deborah Smart, Corporate Director for Digital and Change. This team will support and monitor all change whether through large projects or transformations through ongoing incremental continuous improvement that is agile.

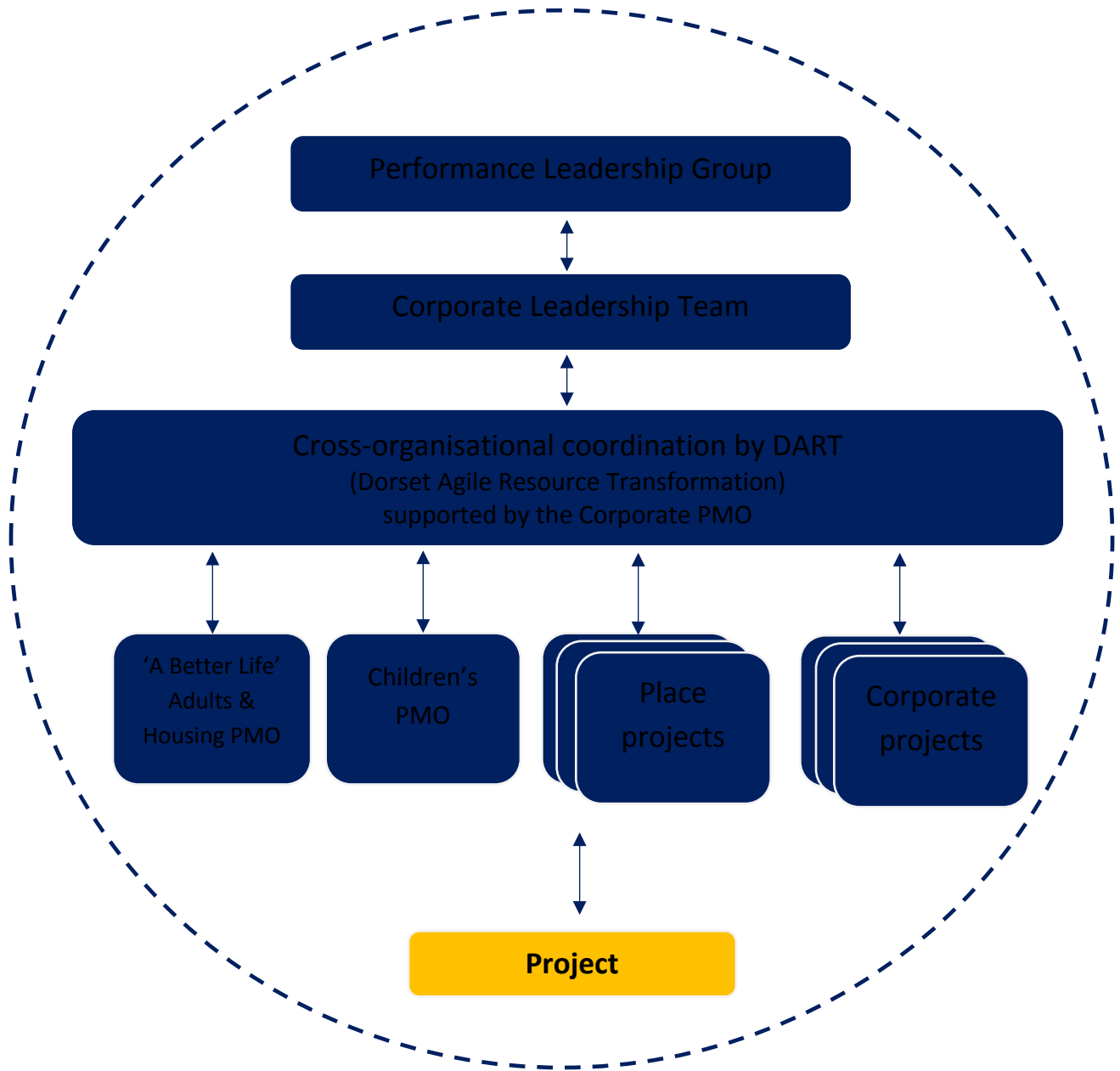
Therefore, the delivery of change activity happens within services, by people who know and understand the business and their customers. Our transformation themes and framework through DART reflects, supports and aids the delivery of directorate transformation plans, for example 'A better life' in Adult services. Therefore, all transformation is supported by the Digital and Change Service who provide specific skills in delivering change, will co-ordinate sourcing additional capacity if needed and who will maintain the master list of changes that comprise the transformation portfolio. They will work alongside colleagues from across the organisation to make sure EQIAs are completed early for all projects and provide a central reporting mechanism to track progress.

While DART members will work day-to-day with their project sponsors, the group as a whole and the transformation programme are directed by the Corporate Leadership Team, consisting of membership from directors and other senior leaders. This group have accountability for the delivery of projects as business owners.

The Performance Leadership Group consists of Cabinet members and the senior leadership team and their role is to hold the programme accountable for delivery. Subject to Cabinet's agreement this group also determine investment in transformation and provide challenge to ensure return on investment.

A diagram explaining this new governance is given below.

# Dorset transformation programme governance diagram



## Appendix B - Risk Assessment

Current Risks:

Corporate Risk Ref	Risk Title	Dorset Transformation Plan V3.0 Risk Description	Risk Rating
CRR01	Budget	In order to implement transformation continued use of the transformation fund will be needed.	High
CRR21	Covid-19 Response	Uncertainty over our required future responses to Covid-19 will have a continued impact to the future design and delivery of transformation and the projects and programmes that comprise them	High

Residual Risks with controls in place:

Ref	Risk Description	Dorset Transformation Plan V3.0 Risk Description	Residual Risk Rating
CRR01	Budget	<ul style="list-style-type: none"> <li>Transformation has a major role to play in redesigning services in order to facilitate savings.</li> </ul>	High
CRR21	Covid-19 Response	<ul style="list-style-type: none"> <li>Performance Leadership and CLT will actively review the impact of COVID-19 on phases of transformation and monitor and review impacts and priorities as necessary</li> </ul>	High

## Appendix C

### Equalities Impact Assessment

## Equality Impact Assessment (EqIA)

### Initial Information

Name:	Deborah Smart
Job Title:	Corporate Director Digital & Change
Email address:	<a href="mailto:Deborah.smart@dorsetcc.gov.uk">Deborah.smart@dorsetcc.gov.uk</a>
Members of the assessment team:	Deborah Smart
Date assessment started:	1 <sup>st</sup> October 2020
Date of completion:	20 <sup>th</sup> October 2020
Version Number:	1

### 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)	Every project within the transformation plan will have to bring forward an EQIA to make a detailed impact assessment. This EQIA is looking at the impact on internal employees of the revisions made to the
---------------------------	---



	transformation plan and its governance.
External (residents, communities, partners)	
Both of the above	

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

**Dorset Transformation plan V3.0**

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

The amended transformation plan sets out Dorset Council's approach to change and aligns our newly developed transformation themes to the corporate plan. It describes the aims, objectives and approaches to deliver these themes including the initially identified key projects that support their delivery. The overarching aim of this amended approach is to build on our one council approach and the learning and opportunities COVID-19 has enabled, as well as the financial challenges it has presented us with.

What is the background or context to the proposal?

The previous transformation plan needed to be reviewed and revised.

## **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?

The previous EQIA and the sources referred to therein.

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

### **Key themes identified from research**

That the changes to the council's transformation plan reflected in this new version are still adequately covered by the previous EQIA and the important point to stress and ensure is that individual projects within the transformation portfolio must complete EQIAs at an early stage in the their development to

support the design and delivery of their projects. DART team members will champion this as part of their role.

### Demographic Information

<b>Gender</b>	
<b>Category</b>	<b>Overall workforce (Amount / %)</b>
Male	1,758 / 37.37%
Female	2,946 / 62.63%
<b>Total</b>	<b>100</b>
<b>Ethnicity</b>	
<b>Category</b>	<b>Overall workforce (Amount / %)</b>
White British	3,258 / 69.26%
White Other	113 / 2.4%
BAME	53 / 1.13%
Prefer not to say	354 / 7.53%
Not declared	926 / 19.69%
<b>Total</b>	<b>100</b>

<b>Disability</b>	
<b>Category</b>	<b>Overall workforce (Amount / %)</b>
Disabled	129 / 2.74%
Not disabled	2,710 / 57.61%
Prefer not to say	312 / 6.63%
Not declared	1,553 / 33.01%
<b>Total</b>	<b>100</b>

<b>Age</b>	
<b>Category</b>	<b>Overall workforce (Amount / %)</b>
14 – 24	293 / 6.23%
25 – 39	1,124 / 23.89%
40 – 49	1,116 / 23.72%
50 – 59	1,441 / 30.63%
60 – 64	482 / 10.25%
65+	248 / 5.27%
<b>Total</b>	<b>100</b>

\* Employees aged between 14-16 are 'Casual Swim Helpers'

Data collected between 29-31 May 2019:

<b>Sexual Orientation</b>			
<b>Category</b>	<b>Overall workforce (%)</b>		
Heterosexual	37.13		
Lesbian / Gay	0.58		
Bisexual	0.16		
Other	0.27		
Prefer not to say	7.04		
Not declared	54.82		
<b>Total</b>	<b>100</b>		

<b>Religion / Belief</b>			
<b>Category</b>		<b>Overall workforce (%)</b>	
Christian		15.14	
Buddhist		0.14	
Hindu		0.02	
Jewish		0.02	
Muslim		0.02	
Other		0.72	
No religion		10.99	
Prefer not to say		4.02	
Not declared		68.93	
<b>Total</b>		<b>100</b>	

Is further information needed to help inform this proposal?

### **Part 3: Engagement and Consultation**

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

Wide engagement with cabinet members, senior leaders, change and transformation resources across the council has taken place over the summer as the transformation themes have been developed. This activity compliments wide staff engagement in projects that comprise the transformation portfolio which have been undertaken on a project by project basis.

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

Feedback is ongoing as the transformation plan evolves and changes, it will be a regular feature of leadership and employee forums.

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

Not every proposal will require an EqIA. If you decide that your proposal does **not** require an EqIA, 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 EqIA.

**Please tick the appropriate option:**

An EqIA is required (please continue to Part 4 of this document)	
An EqIA is <b>not</b> required (please complete the box below)	<b>X</b>

This policy, strategy, project or service does not require an EqIA because:

The transformation plan is an overarching thematic document that sets out a framework for the council to co-ordinate change and change resources in order to deliver specific projects. It is at the project by project level that detailed analysis and EQIAs will need to be undertaken.

Name: Deborah Smart      Job Title:      Corporate Director Digital and Change  
Date: 18<sup>th</sup> October 2020

Please send a copy of this document to [Diversity & Inclusion Officer](#)

**Next Steps:**

- The EqIA will be reviewed by Business Intelligence & Communications and if in agreement, your EqIA will be signed off.
- If not, we will get in touch to chat further about the EqIA, to get a better understanding.

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## **Cabinet 3 November 2020 Dorset Council Housing Allocations Policy 2021 - 2026**

### **For Recommendation to Council**

**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](mailto:Sharon.attwater@dorsetcouncil.gov.uk)

**Report Status:** Public

**Recommendation:** That members of the cabinet:

Endorse the recommendation of the People and Health Overview Committee on 27 October 2020 and 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 Cabinet to consider the draft housing allocations policy and recommend to Full Council the adoption of the Dorset Housing Allocation Policy and the 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.

## **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

Dorset Council  
Draft Housing Allocations Policy  
2021 - 2026

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## 1 Introduction

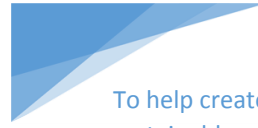
- 1.1. The Housing and Regeneration Act 2008 includes the definition of social housing as low-cost homes for rent to people whose housing needs cannot be met by the general housing market.
- 1.2. The Dorset Council Housing Allocation Policy describes how social housing is available through our Choice 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](http://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](http://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](http://www.dorsetcouncil.gov.uk)
- Phone: 01305 251010
- Email: [housingoptionsteamb@dorsetcouncil.gov.uk](mailto: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](http://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](mailto: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 16
People who have assets and/or income above the financial resource limit	Section 17
People who own their own home	Section 18
People who have deliberately worsened their circumstances	Section 19
Prisoners whose release date is more than 2 months	Section 20

## 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 41).

## **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 41).

## 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 41).

## 19 Deliberately worsening circumstances

19.1

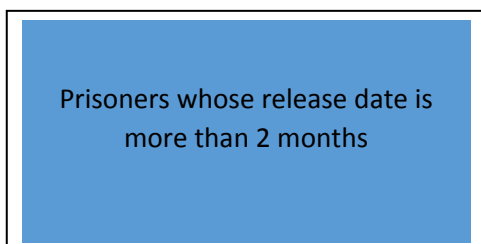
People who have deliberately  
worsened their circumstances

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 41)

## **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 41).
- 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

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	
<b>Band D – Low Housing Need</b>				
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](http://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 41).

### **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](http://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](http://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](mailto: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](http://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 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>
- 41.9 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.
- 41.10 Concerns can be reported by telephoning the ICO’s helpline on 0303 123 1113 or online at <https://ico.org.uk/concerns/>

## **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](http://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 possess 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)

<b>Example 1</b>	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](http://www.dorsetcouncil.gov.uk)

## Appendix 4

### Bedroom Entitlement

<b>Property type/size</b>	<b>Household</b>
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, 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, Symondsburly
- 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 <a href="http://www.dorsetcouncil.gov.uk">www.dorsetcouncil.gov.uk</a>
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.

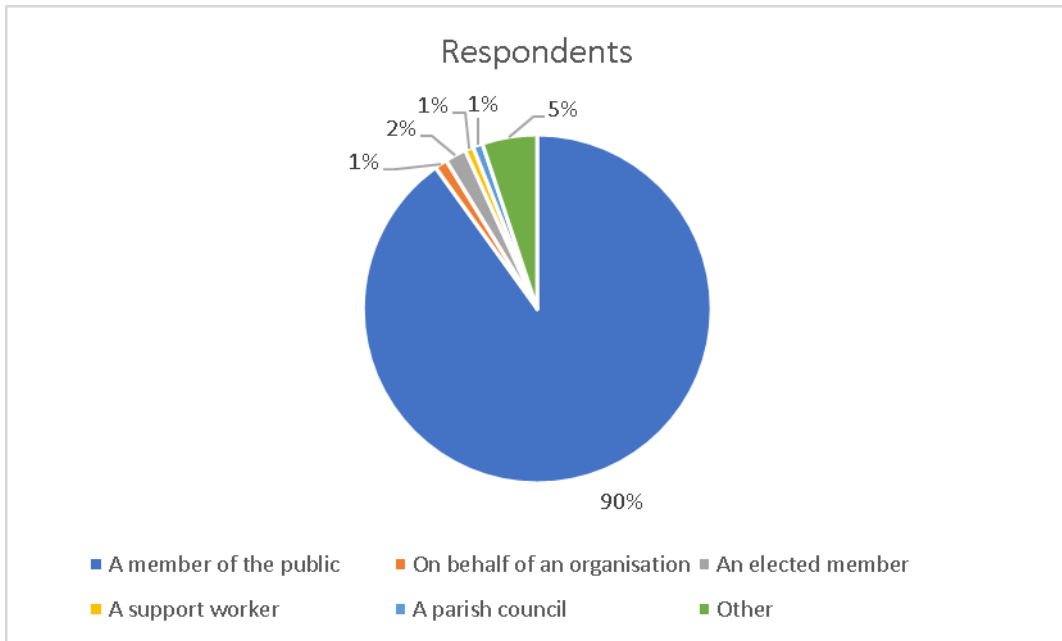
## About respondents

766 overall responses were received.

### Q Are you responding as:

#### Respondents:

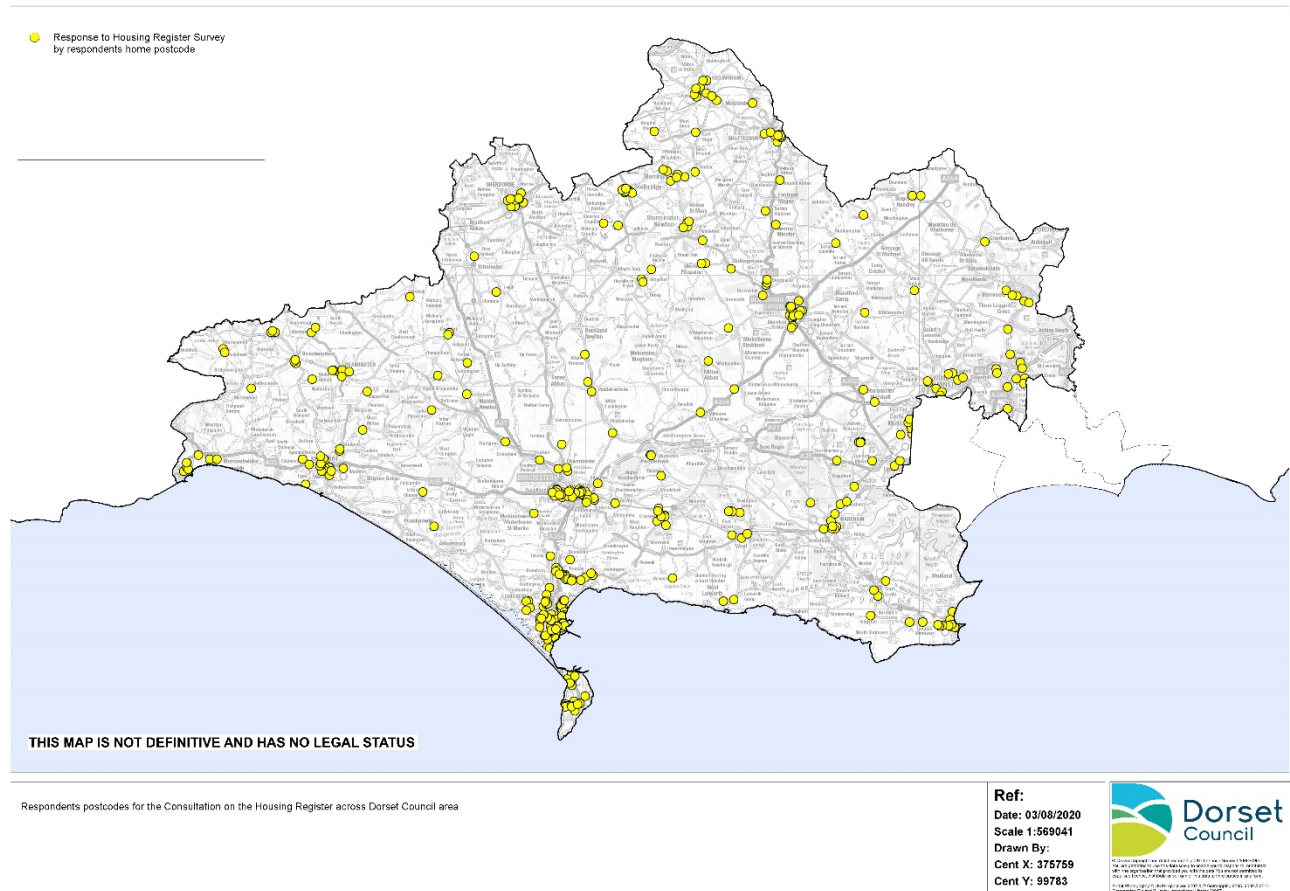
	% of all respondents	Number
A member of the public	90.1%	689
On behalf of an organisation	1.2%	9
An elected member	2.0%	15
A support worker	0.8%	6
A parish council	0.9%	7
Other	5.1%	39



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
<b>On the housing register with Dorset Homechoice Common Allocations Policy</b>	57.3%	436
<b>On the housing register with Christchurch and East Dorset Joint Housing Allocations Policy</b>	3.8%	29
<b>Social Housing Tenant</b>	23.8%	181
<b>Private Rented Tenant</b>	21.3%	162
<b>Owner Occupier</b>	18.7%	142
<b>Other</b>	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

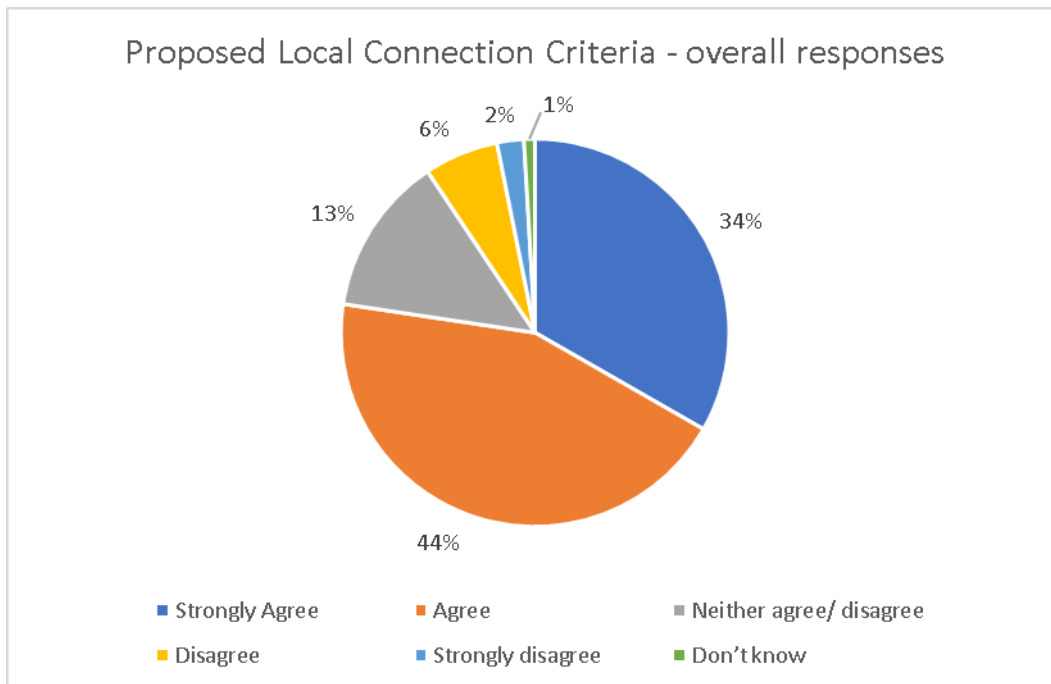
Who can apply to join the register? A key element of the policy is a local connection. To qualify for the Homechoice Dorset scheme applicants must meet ONE of the local connection criteria (below) to ensure wherever possible social housing goes to local people (there are some exceptions to this criteria 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
<b>Residency</b> in the Dorset Council area	2 years or 3 years out of the last 5 years
<b>Close family continuous residency</b> in the Dorset Council area (parents, siblings, non-dependant children)	5 years evidenced
<b>Paid employment</b> in the Dorset Council area	16 hours per week average for minimum period of 1 year (including zero hours contracts).
<b>Offer of permanent employment</b> 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
<b>Location requirements</b>	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
<b>Number</b>	253	335	101	47	17	7
<b>% of all who responded</b>	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 show 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**

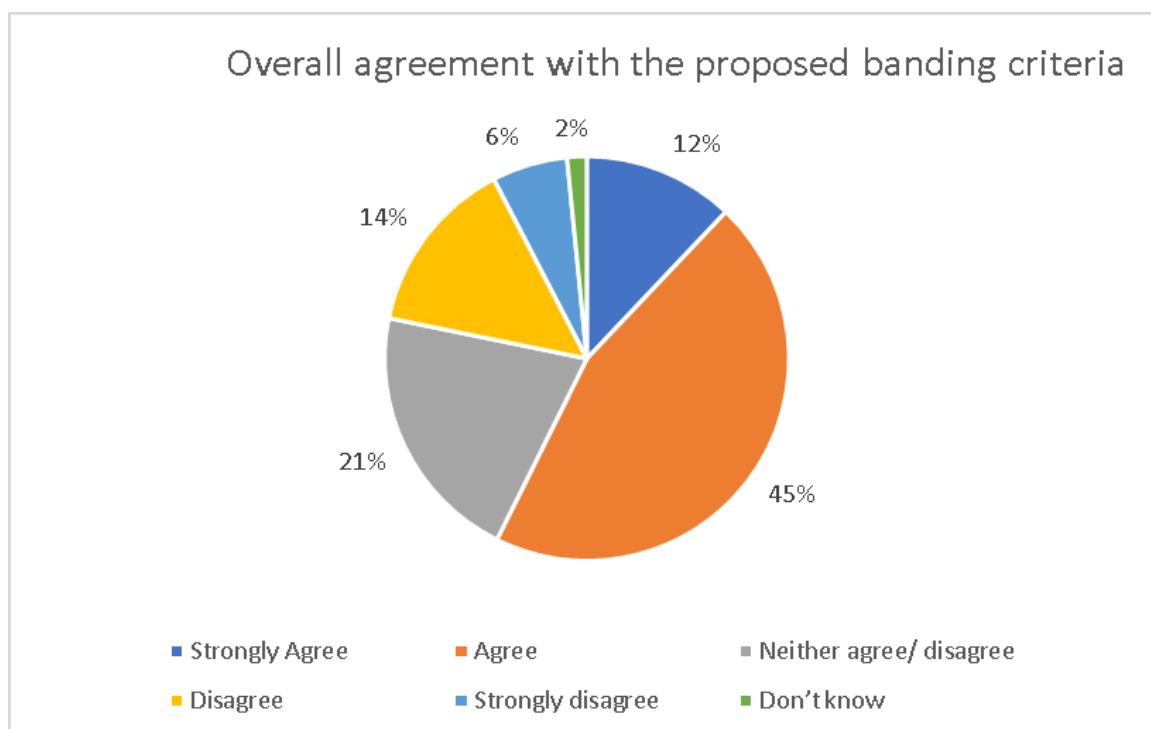
- Low Housing Need
- Low Medical Need
- Low Disrepair Need

- 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:

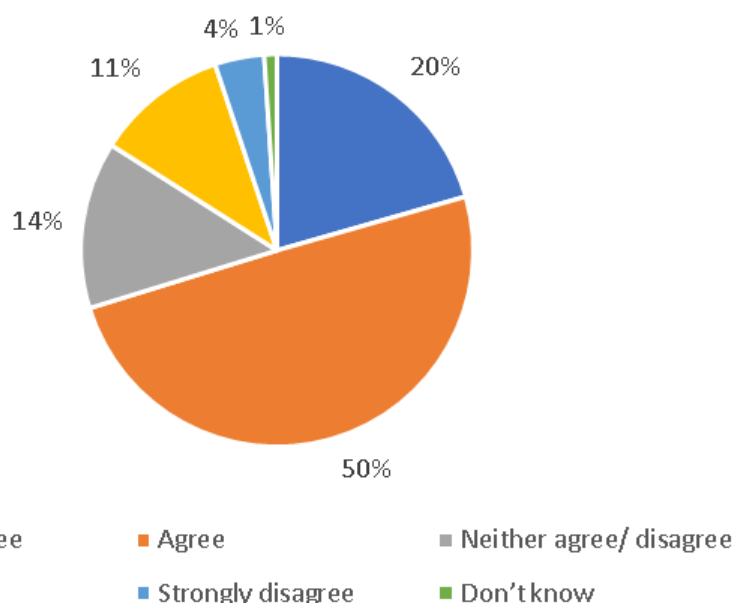
Property type/size	Household
<b>Bedsit/studio</b>	Single Applicant
<b>1 Bedroom</b>	Single Applicant or Applicants living as a couple with no children
<b>2 Bedrooms</b>	Couple, with 1 child; or Single Applicant, or Applicants living as a couple, with 2 children of: (a) The same sex under 16 (b) Opposite sex under 10
<b>3 Bedrooms</b>	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
<b>4 Bedrooms</b>	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
<b>Number</b>	157	379	105	83	31	8
<b>% of all who responded</b>	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

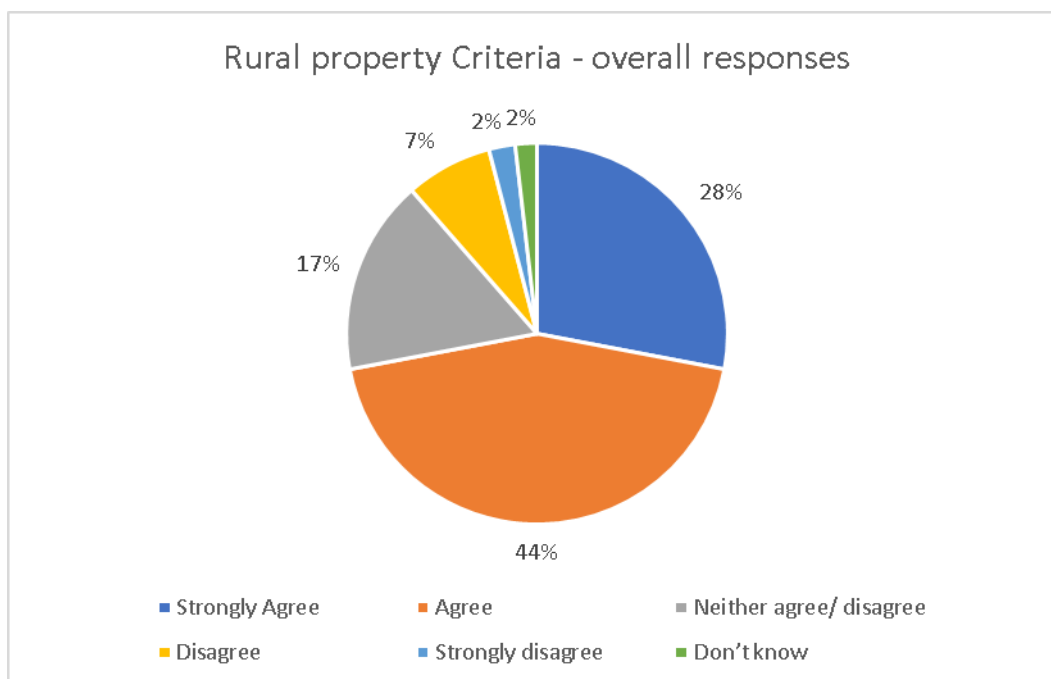
- Abbotsbury, Affpuddle, Alderholt, Allington, Alton Pancras, Anderson, Arne, Ashmore, Askerswell, Athelhampton
- Batcombe, Beaminster, Beer Hackett, Bere Regis, Bettiscombe, Bincombe, Bishop's Caundle, Blandford St Mary, Bloxworth, Bothenhampton, Bourton, Bradford Abbas, Bradford Peverell, Broadmayne, 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 Intrinsic
- 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, Symondsbur
- 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 Canonicorum, 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

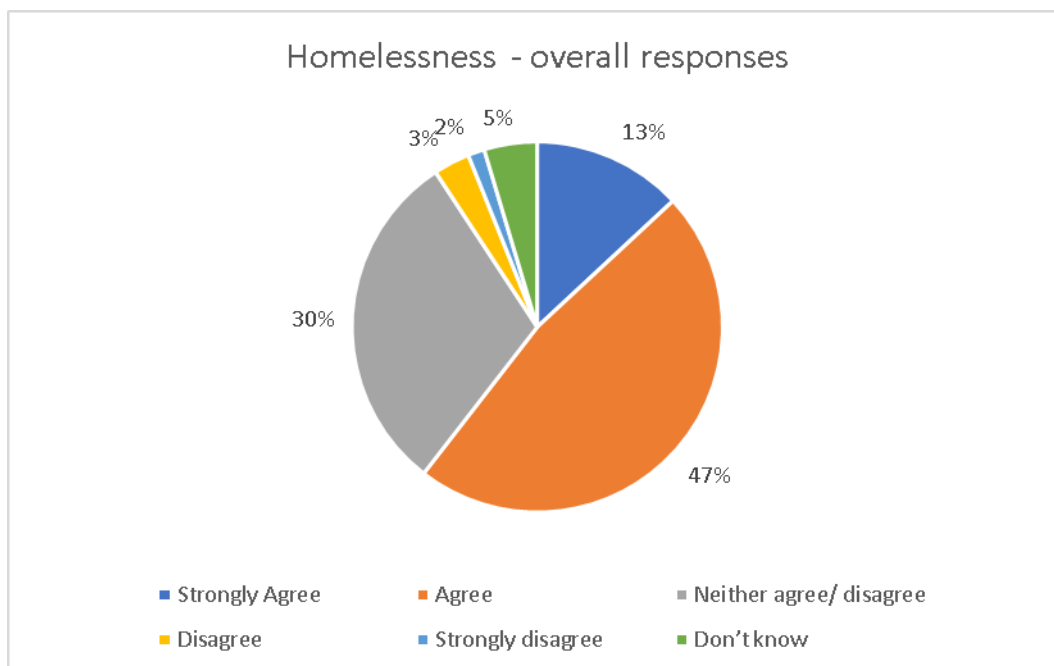
The Homelessness Reduction Act 2017 introduced new duties for the council to prevent or relieve homelessness. We propose to harmonise the variations in the way homelessness applicants are supported on the housing register. That includes:

- ~ 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."

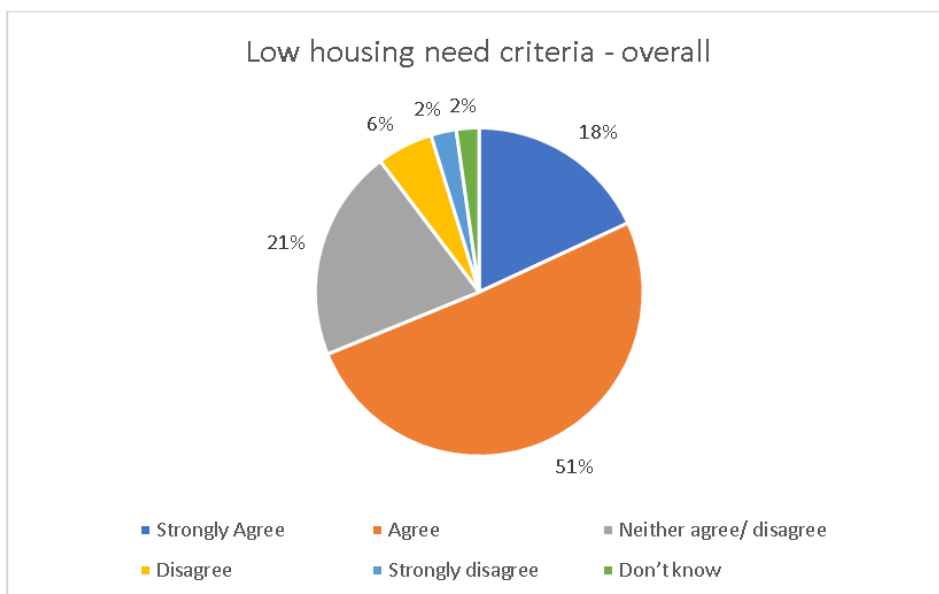
# Low Housing Need

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 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.”

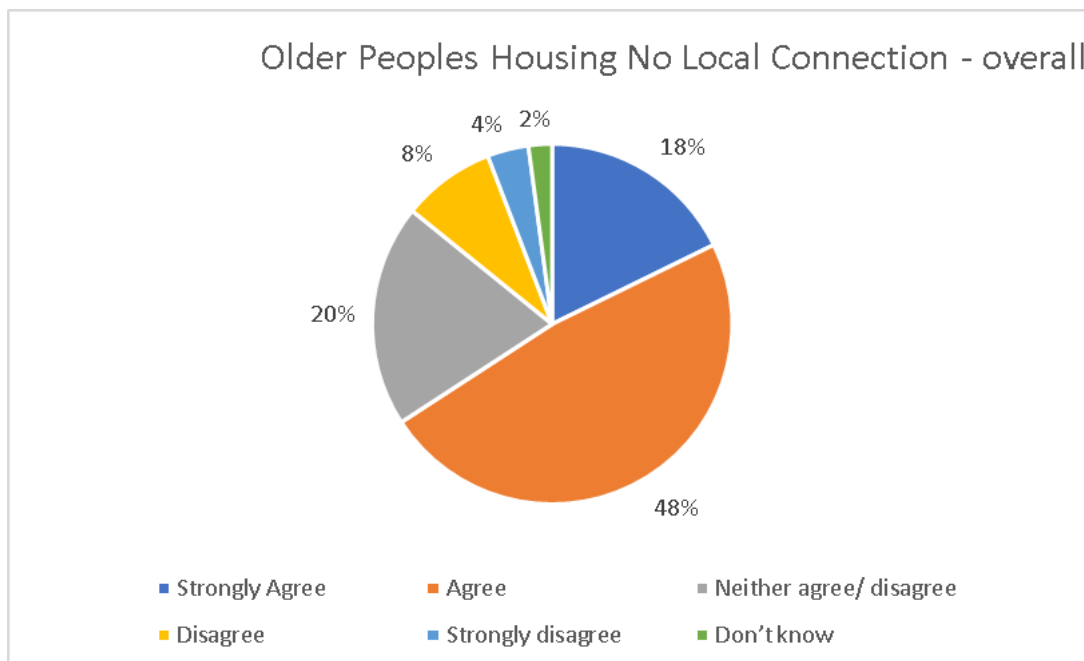
# Older Peoples Housing No Local Connection

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 they have a local connection There are residents with school age children in housing (BUNGALOWS) designed for 'older residents Thorncombe already"

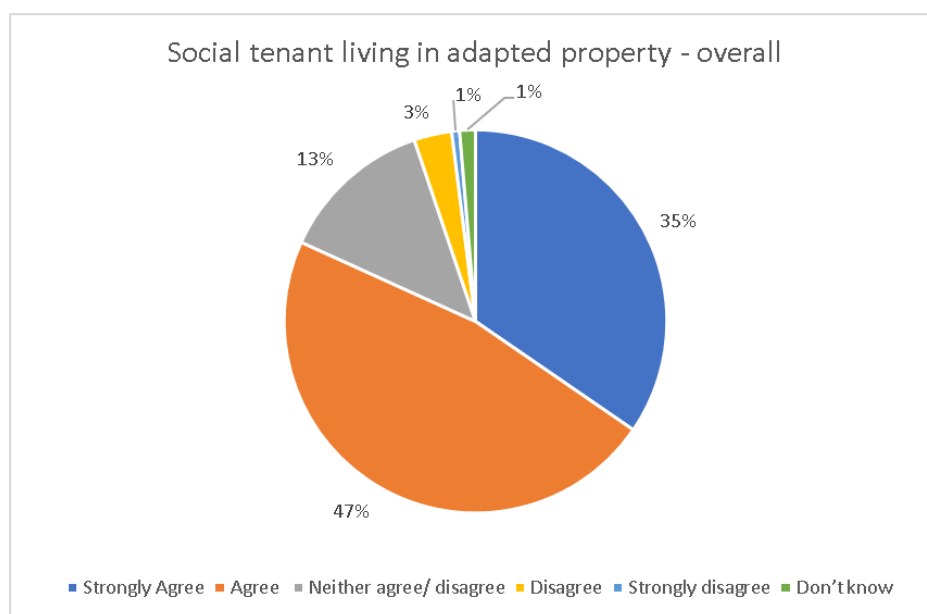
# Social tenant living in an adapted property

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?"

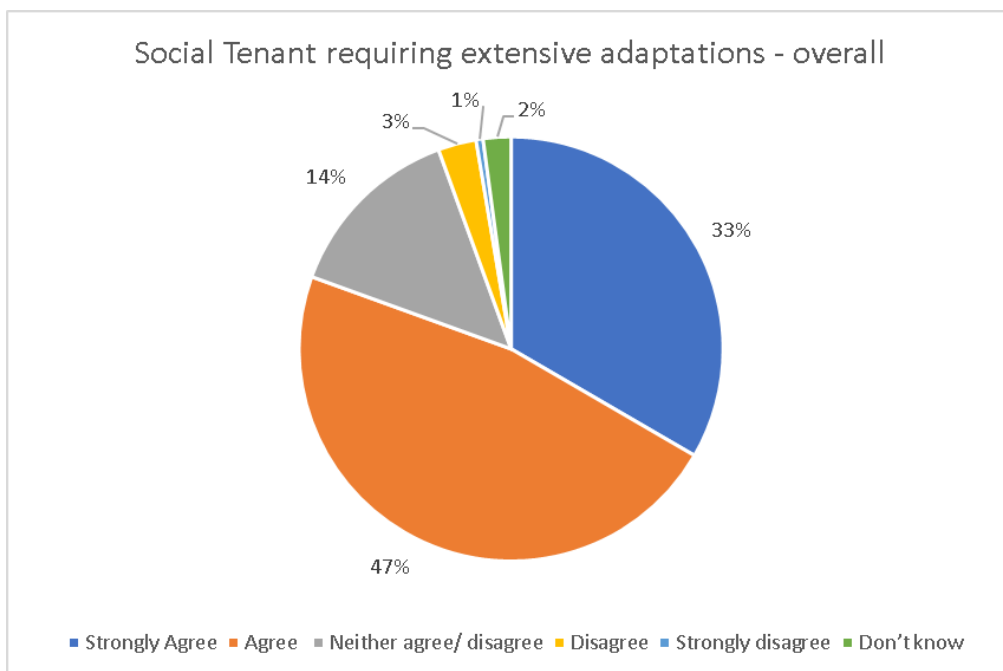
# Social tenant requiring extensive adaptations

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."

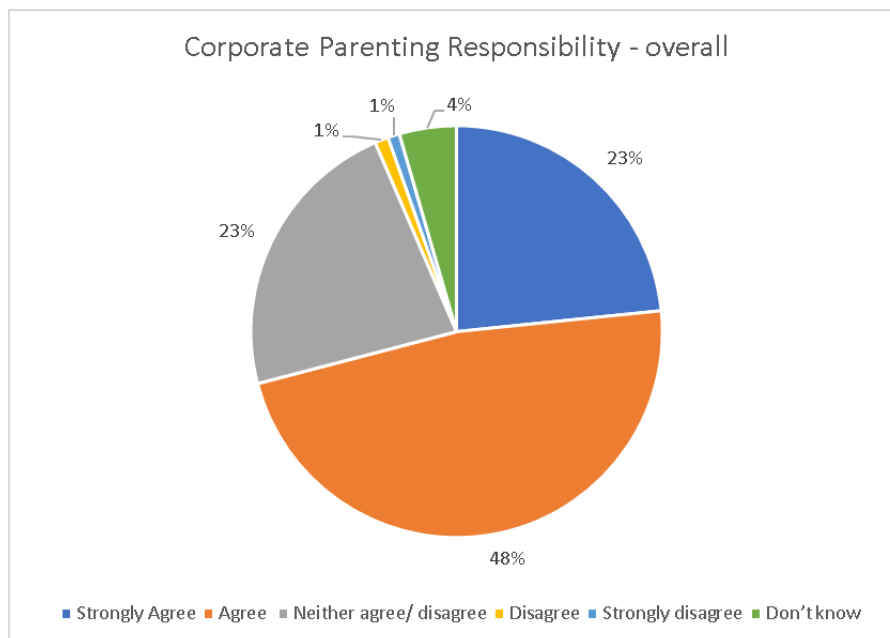
# Corporate Parenting Responsibility

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
<b>% of responses in age group</b>	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
<b>What best describes your gender?</b>	26.4%	70.2%	0.0%	3.3%

	Yes	No	Prefer not to say
<b>Do you consider yourself trans?</b>	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 EqIA. If you decide that your proposal does **not** require an EqIA, 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 EqIA.

**Please tick the appropriate option:**

An EqIA is required (please continue to Part 4 of this document)	√
An EqIA is <b>not</b> 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"> <li>• the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.</li> </ul>
Negative Impact	<ul style="list-style-type: none"> <li>• Protected characteristic group(s) could be disadvantaged or discriminated against</li> </ul>
Neutral Impact	<ul style="list-style-type: none"> <li>• No change/ no assessed significant impact of protected characteristic groups</li> </ul>
Unclear	<ul style="list-style-type: none"> <li>• Not enough data/evidence has been collected to make an informed decision.</li> </ul>

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,
--	---

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

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**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 Cabinet 3 November 2020

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

#### For Decision

<b>Portfolio Holder:</b>	CLlr G Carr-Jones, Housing and Community Safety
<b>Local Councillor(s):</b>	NA
<b>Executive Director:</b>	V Broadhurst, Interim Executive Director of People - Adults
<b>Report Author:</b>	Steve March and Richard Conway
<b>Title:</b>	Senior Environmental Health Officer/Service Manager Housing Standards
<b>Tel:</b>	01258 484313
<b>Email:</b>	<a href="mailto:steven.march@dorsetcouncil.gov.uk">steven.march@dorsetcouncil.gov.uk</a>
<b>Report Status:</b>	Public
<b>Recommendation:</b>	Cabinets approves the adoption of 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 2019 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 maybe 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.

The policy was subject to review at the People and Health Overview Committee on the 27<sup>th</sup> October 2020.

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**

**3 November 2020**



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

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

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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.

<b>Proportionate</b>	Our activities will reflect the level of risk to the public and any enforcement action taken will relate to the seriousness of the offence
<b>Consistent</b>	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.
<b>Targeted</b>	We will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.
<b>Transparent</b>	We will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return.
<b>Accountable</b>	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)

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 may be 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 licencing 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 Councils 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 Councils 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 verses 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](http://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](mailto: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 <b>(A)</b>
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
<b>TOTAL</b>	2.00	£ 35.12	6.50	£ 199.62	1.50	£ 57.44	1.00	£ 48.01	<b>£ 340.18</b>

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
<b>TOTAL</b>		<b>19.45</b>		<b>700.47</b>	<b>16.20</b>	<b>586.33</b>
<b>Total rounded down - Full Fee</b>				<b>700.00</b>		<b>580.00</b>
<b>10% discount for LLAP or *</b>				<b>70.05</b>		<b>58.63</b>
<b>Total 10% discount</b>				<b>630.42</b>		<b>527.69</b>
<b>10% discount rounded down</b>				<b>630.00</b>		<b>520.00</b>
	<b>2020 Hourly rate:</b>					
	<b>Business Support (BS)</b>		<b>£ 17.56</b>			
	<b>EHO</b>		<b>£ 30.71</b>			
	<b>Team Leader (TL)</b>		<b>£ 38.29</b>			
	<b>Service Manager (SM)</b>		<b>£ 48.01</b>			

## **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.<sup>3</sup>

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

Not every proposal will require an EqIA. If you decide that your proposal does **not** require an EqIA, 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 EqIA.

**Please tick the appropriate option:**

An EqlA is required (please continue to Part 4 of this document)	<b>Yes</b>
An EqlA is <b>not</b> 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"> <li>• the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.</li> </ul>
Negative Impact	<ul style="list-style-type: none"> <li>• Protected characteristic group(s) could be disadvantaged or discriminated against</li> </ul>
Neutral Impact	<ul style="list-style-type: none"> <li>• No change/ no assessed significant impact of protected characteristic groups</li> </ul>
Unclear	<ul style="list-style-type: none"> <li>• Not enough data/evidence has been collected to make an informed decision.</li> </ul>

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

### EqIA Sign Off

Officer completing this EqIA:	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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## Cabinet 3 November 2020 Private Sector Housing Assistance Policy

### For Decision

**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:

The People and Health Overview Committee recommended that:

1. Cabinet approves the adoption of the Private Sector Housing Assistance Policy attached as **Appendix 1** to this report.
2. Cabinet delegates authority 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><b>Disabled Facilities Grant</b></p> <ul style="list-style-type: none"> <li>Up to £30,000 to help disabled people remain independent in their own homes.</li> <li>Subject to a test of resources.</li> <li>Call 0333 00 300 10</li> </ul> <p><b>Disabled Facilities Loan</b></p> <ul style="list-style-type: none"> <li>Up to £25,000 to assist applicants for DFGs where the maximum grant is insufficient to meet the cost of the works.</li> <li>Subject to affordability (determined by LCIC*)</li> <li>Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a></li> </ul> <p><b>Handy Person</b></p> <ul style="list-style-type: none"> <li>For older and disabled people with the aim of helping them maintain independent living.</li> <li>Only pay the cost of any materials used, means tested.</li> <li>Call 0333 00 300 10</li> </ul>
Decent Homes	<ul style="list-style-type: none"> <li>•</li> <li>• <b>Home Loan</b></li> <li>Up to £25,000 to bring a property up to the Decent Homes Standard and/or remove category 1 hazards.</li> <li>Call 01823 461099</li> <li>Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a></li> <li>Subject to affordability (determined by LCIC)</li> </ul>
Empty Properties	<p><b>Empty Property Loan</b></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"> <li>Call 01823 461099</li> <li>Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a></li> <li>Subject to affordability (determined by LCIC)</li> </ul>
Park Homes	<p><b>Park Home Loan</b></p> <p>Up to £10,000 to rectify defects to an existing park home</p> <ul style="list-style-type: none"> <li>Call 01823 461099</li> <li>Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a></li> <li>Subject to affordability (determined by LCIC)</li> </ul>
Healthy Homes	<p><b>Healthy Homes Dorset</b></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"> <li>Call 0300 003 7023</li> <li><a href="mailto:help@healthyhomesdorset.org.uk">help@healthyhomesdorset.org.uk</a></li> </ul>
Heat Melcombe Regis	<ul style="list-style-type: none"> <li>•</li> <li>• <b>Heat Melcombe Regis, Weymouth area only</b></li> <li>Free gas central heating systems, free mains gas connections (where needed), free loft and cavity wall insulation.</li> </ul>

	<ul style="list-style-type: none"> <li>• Funding up to 50% of the cost for boiler upgrades is available where homes already have heating installed.</li> <li>• Residential property must be in the designated areas of Melcombe Regis, Weymouth</li> <li>• Call: 01305 550556 / 0800 002 9060</li> <li>• <a href="mailto:info@heatmelcomberegisproject.org.uk">info@heatmelcomberegisproject.org.uk</a></li> </ul>
<b>Energy Efficiency</b>	<p><b>ECO and ECO Flex grants</b>  Eco flex applications are usually processed by installers  For more information contact Healthy Homes Dorset:</p> <ul style="list-style-type: none"> <li>• Call: 0300 003 7023</li> <li>• <a href="mailto:help@healthyhomesdorset.org.uk">help@healthyhomesdorset.org.uk</a></li> </ul> <p><b>Energy Efficiency Loans:</b>  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"> <li>• Call 01823 461099</li> <li>• Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a></li> <li>• Subject to affordability (determined by LCIC)</li> </ul>

\* 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	✓ <sup>1</sup>	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	✓ <sup>1</sup>	LCIC Call 01823 461099 Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a>
Empty Property Loan	✓	X	X	✓	£25,000	✓ <sup>1</sup>	LCIC Call 01823 461099 Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a>
Park Home Loan	X	X	✓	X	£10,000	✓ <sup>1</sup>	LCIC Call 01823 461099 Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a>
Healthy Homes Dorset	✓	✓	✓	X	Varies	X	Healthy Homes Dorset Tel:0300 003 7023 <a href="mailto:help@healthyhomesdorset.org.uk">help@healthyhomesdorset.org.uk</a>
Heat Melcombe Regis	✓	✓	X	✓	Varies	✓ <sup>2</sup>	Heat Melcombe Regis <a href="mailto:info@heatmelcomberegisproject.org.uk">info@heatmelcomberegisproject.org.uk</a> Tel: 01305 550556 / 0800 002 9060
Energy Efficiency Measures	✓	✓	✓	X	Varies	✓	Healthy Homes Dorset Tel:0300 003 7023 <a href="mailto:help@healthyhomesdorset.org.uk">help@healthyhomesdorset.org.uk</a>
Energy Efficiency Loans	✓	X	X	✓	Up to £15,000	✓ <sup>1</sup>	LCIC Call 01823 461099 Email: <a href="mailto:enquiries@wrcic.org.uk">enquiries@wrcic.org.uk</a>

<sup>1</sup>Subject to affordability (determined by LCIC)

<sup>2</sup>Subject 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

<b>Title</b>	Private Sector Housing Assistance Policy		
<b>Date assessment started:</b>	20.5.2020	<b>Version No:</b>	V2
		<b>Date of completion:</b>	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

<b>What are the aims of your strategy, policy, project or service?</b>
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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:

<b>Adaptations to help people remain independent at home</b>	<b>Disabled Facilities Grant</b> <b>Disabled Facilities Loan</b> <b>Handy Person</b>
<b>Decent Homes</b>	<b>Home Loan</b>
<b>Empty Properties</b>	<b>Empty Property Loan</b>
<b>Park Homes</b>	<b>Park Home Loan</b>
<b>Healthy Homes</b>	<b>Healthy Homes Dorset</b>
<b>Heat Melcombe Regis</b>	<b>Heat Melcombe Regis, Weymouth area only</b>
<b>Energy Efficiency</b>	<b>ECO and ECO Flex grants</b> <b>Energy Efficiency Loans:</b>

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](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"> <li>1. It continues to comply with legislation, guidance and case law.</li> <li>2. That no service user or group of service users are unfairly treated or excluded</li> <li>3. Existing approved budgets are not exceeded.</li> <li>4. The Council can take advantage of new sources of finance and opportunities that arise from time to time.</li> </ol>
<p><b>How will the outcome of consultation be fed back to those who you consulted with?</b></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"> <li>• Positive impact on a large proportion of protected characteristic groups</li> <li>• Significant positive impact on a small proportion of protect characteristics group</li> </ul>
Negative Impact	<ul style="list-style-type: none"> <li>• Disproportionate impact on a large proportion of protected characteristic groups</li> <li>• Significant disproportionate impact on a small proportion of protected characteristic groups.</li> </ul>
Neutral Impact	<ul style="list-style-type: none"> <li>• No change/ no assessed significant impact of protected characteristic groups</li> </ul>
Unclear	<ul style="list-style-type: none"> <li>• Not enough data/evidence has been collected to make an informed decision.</li> </ul>

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 of 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.
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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	<b>Communication Plan</b> Communication plan required to publicise the assistance available to residents of Dorset and ensure that all equality groups are addressed within the plan.  To include a large print version available at launch	Service Manager Housing Standards	December 2020

2	<p><b>Review of policy</b></p> <p>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.</p>	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](mailto:susan.ward-rice@dorsetcouncil.gov.uk)

Jane Nicklen

[jane.nicklen@dorsetcouncil.gov.uk](mailto:jane.nicklen@dorsetcouncil.gov.uk)

Kathy Boston-Mammah

[kathleen.boston-mammah@dorsetcouncil.gov.uk](mailto:kathleen.boston-mammah@dorsetcouncil.gov.uk)

## Cabinet

**3 November 2020**

## **A new way of securing developer contributions for NHS infrastructure**

### **For Decision**

**Portfolio Holder:** Cllr D Walsh, Planning

**Local Councillor(s):** All

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Andrew Galpin

Title: Infrastructure and Delivery Planning Manager

Tel: 01305 838214

Email: [andrew.galpin@dorsetcouncil.gov.uk](mailto:andrew.galpin@dorsetcouncil.gov.uk)

**Report Status:** Public

### **Recommendation:**

1. To approve the document titled 'Exploring Developer Contributions for NHS Infrastructure' as set out in Appendix A.
2. To give the Head of Planning, in consultation with the Portfolio Holder for Planning, appropriate delegation to make any consequential changes to the approved document and finalise implementation.

### **Reason for Recommendation:**

To provide a framework for securing developer contributions for dealing with the impact of new housing development on NHS healthcare across Dorset.

#### **1. Executive Summary**

As new housing is developed in Dorset, and the population grows, so the demand on health services increases. Along with other publicly funded services, improvements to health infrastructure are needed to ensure services are sustainable.

The NHS requires physical infrastructure to meet health care needs in three elements of the NHS:

- Primary care– doctors surgeries
- Secondary (Acute) care – acute hospitals
- Community services, mental health services and children, young people and families services – within the community based in community hospitals and hubs

Dorset Clinical Commissioning Group and the hospital trusts in Dorset currently request contributions from larger development on a site by site basis. These approaches have been used with varying degrees of success. Neither approach has the functionality to deal holistically with the needs of healthcare, something which this new approach seeks to overcome.

These challenges prompted the Dorset Integrated Care System Senior Leadership Team to set up a task and finish group to explore the potential for new housing development to contribute towards healthcare infrastructure. Planning teams from Dorset Council and BCP Council have worked together on this strategy to ensure coverage across the county.

To provide certainty to those considering or making planning applications for residential development and to ensure transparency and accountability, a standard contribution has been established by adapting a long-standing planning tool used by the NHS and London Boroughs. The tool establishes the calculation using local population and housing forecast data, healthcare usage and cost assumptions

Housing trajectories establish the cost per new dwelling as:

- £722 per home in the West of Dorset area.
- £516 per home in the East of Dorset area (which includes BCP)

It is proposed that Dorset Council will also recover most of the cost through the Community Infrastructure Levy (CIL) (except in North Dorset area where there is no CIL charging schedule in place). Where sites are zero rated from paying CIL, and in the North Dorset area, a contribution will be sought through S106 agreement using the standard contribution of £722 per home.

By 2025, it is estimated there would be £6.93m collected for NHS infrastructure in the West of Dorset area and £7.76m for NHS infrastructure in the East of Dorset area, though much of what is recovered in the east will be through the use of BCP Council developer contribution policies.

The proposed strategy identifies the extensive capital requirements in relation to future health infrastructure requirements in Dorset. As such the identified

contributions recovered will flow to the relevant organisation following an annual reconciliation exercise facilitated by the relevant local authority team.

The approach as set out in Appendix A was considered and approved by the Dorset ICS System Leadership Team on the 24<sup>th</sup> September 2020. BCP Council will consider this approach separately in due course. The implementation of this approach by Dorset Council is not dependent on that approval.

## **2. Financial Implications**

The Community Infrastructure Levy (CIL) together with Planning Obligations (s106) represent sources of funding to provide additional infrastructure or services necessary to enable or support development. Dorset Council can recover up to 5% of CIL income to help cover the cost of administering the levy. The process outlined in this report can be met via the Infrastructure and Delivery Team will not require any additional DC resources.

The strategy proposes that most of the agreed tariff is recovered through CIL (except in North Dorset area where there is no CIL charging schedule in place). Where sites are zero rated from paying CIL, and in the North Dorset area, a contribution will be sought through S106 agreement using the standard contribution of £722 per home.

Dorset Council is required to report on the collection and spend of developer contributions through an Infrastructure Funding Statement which will be published in December each year.

These funding statements will also establish the housing completions for the preceding financial year. At the point of publication, the total healthcare cost for dwellings completed in that financial year will be reported to the Senior Leadership Team of the ICS. Following this, the CCG and Hospital Trusts will be invited to formally request the drawdown of CIL money from Dorset Council in line with the its CIL Governance Strategy agreed by Cabinet in July 2020.

## **3. Climate implications**

A number of the infrastructure projects identified in the strategy will result in the improvement and efficiency of healthcare provision across Dorset. The strategy helps ensure that the impact on healthcare caused by new development is mitigated as close to the source as possible. The strategy helps the NHS to work together collaboratively on the roll out of capital plans and programmes.

## **4. Other Implications**

This strategy has been prepared having regard to the tests set out in the Community Infrastructure Regulations 2010 and subsequent amendments, in

particular Regulation 122 which sets out the three tests that the planning obligation should be necessary, directly related and fairly and reasonably related in scale and kind to the development.

Planning authorities can now use CIL and Section 106 obligations to contribute towards the same piece of infrastructure, subject to three planning tests (in Regulation 122). The councils can use different mechanisms dependent upon local circumstances with existing policies and procedures.

## **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**

An EqIA scoping assessment has been undertaken for this item. It has concluded that an EqIA is not necessary at this stage.

## **7. Appendices**

Appendix A - Exploring Developer Contributions for NHS Infrastructure – Task and Finish Group.

## **8. Background Papers**

None

## **9. Introduction and Background**

9.1 In 2019, the Integrated Care System Senior Leadership Team of which Dorset Council is a member, set up a task and finish group to explore the potential for new housing development to contribute towards NHS healthcare infrastructure. The group comprised representatives across the ICS from:

- Planning Policy, Dorset Council;
- Planning Policy, Bournemouth Christchurch & Poole Council (BCP Council);
- Dorset Clinical Commissioning Group (DCCG);
- Public Health Dorset;
- Dorset County Hospital NHS Foundation Trust;
- The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust



- Dorset HealthCare University NHS Foundation Trust
- NHS England and Improvement

9.2 The Group was tasked with reviewing the evidence to ascertain whether;

- Developers could be asked to contribute towards health care infrastructure in order to mitigate the pressure of population growth.
- Recommend a collectively agreed methodology and approach.
- Agreement of tariff and payment mechanism.
- Agreement of boundary allocations.

9.3 Historically, the strategic planning of healthcare through the planning system has been inconsistent. Working with Dorset Clinical Commissioning Group, Dorset and BCP Councils have been able to secure some mitigation from proposed development towards primary care (doctor's surgeries). But there's increasing demand on a solution that deals with the needs of NHS healthcare comprehensively.

9.4 The need for developer contributions is determined in part by establishing whether a gap exists between the known capital cost of healthcare and any funding secured. The strategy identifies a total capital cost of £895.2m and just £165m secured.

9.5 The infrastructure needs to meet population growth in Dorset cannot be met from government funding alone. This currently leaves a significant funding gap as set out above. In this circumstance it is appropriate to seek funding from development to mitigate its impact upon the health care service, as there currently is a significant shortfall in funding this critical infrastructure. Other funding will be necessary as developer contributions will only fund a small proportion of this gap.

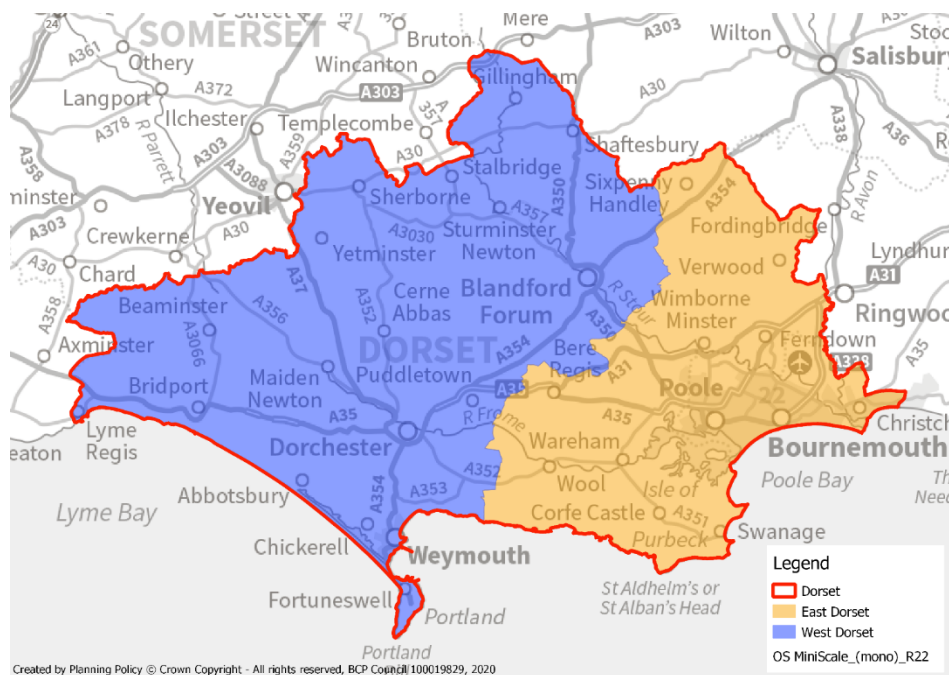
9.6 The proposed new approach provides a comprehensive contributions policy for the purposes of easily and robustly calculating the cost of mitigating the impact of future development on all forms of health care in Dorset, and the recovery of that cost through developer contribution tools including Community Infrastructure Levy and S106 planning obligations.

## **10. Approach**

10.1 Following a scoping exercise, the task and finish group adopted the Healthy Urban Development Unit Planning Contributions Model (HUDU). This model has been developed to assist NHS organisations and local authorities in addressing the impact of new residential developments and population growth on healthcare services and infrastructure and help secure developer contributions. This model has been created by the NHS London Healthy Urban Development Unit.

- 10.2 The model is updated annually with the latest data, and functionality has been added to provide a new approach to assess primary healthcare impacts.
- 10.3 The HUDU model provides a standardised and transparent approach to help calculate potential developer contributions. The approach has been refined and used successfully by all London Boroughs and its application has withstood challenge. The model has the functionality to work outside of the London area using locally obtained data.
- 10.4 The use of the HUDU model locally has been encouraged and supported by Public Health Dorset. Dorset is one of the first areas outside of London to use it in earnest. As a result, there has been a high level of interest from other Local Integrated Care Systems in relation to the Dorset integrated approach and development and allocation of the health tariff.
- 10.5 It is clear that some healthcare services across Dorset serve largely distinct catchments. To ensure that mitigation aligns to the area where impact occurs, the county of Dorset has been broadly split between East and West to accord with the catchment areas of the hospital trusts as shown in Figure 1. The boundaries align roughly with the split of the BH and DT postcode areas.

Figure 1: The split of East and West Dorset



10.6 Each year the Councils prepare a housing trajectory forecasting planned housing growth. These housing trajectories were used to populate the HUDU model and are based upon forecasted housing delivery through existing local plans in the East of Dorset and West of Dorset areas.

HUDU Approach	Example	East of Dorset area	West of Dorset area
Housing Trajectory	Each Council's housing trajectory with a base date of April 2019	£516 per home	£722 per home

10.7 The housing trajectory approach is the simplest to use as it requires one single calculation using the HUDU model.

10.8 For 2020/21, it is proposed that a tariff of £516 per home for the East Dorset area and £722 per home for the West Dorset area will be used. On this basis, the estimated contributions for 2020/21 would be £1.6m for East of Dorset and £1.11m for West of Dorset.

10.9 The total contributions recovered would then be split out to each of the health care sectors. The percentage share for each sector is based on the output of the HUDU model and differs slightly between East of Dorset and West of Dorset areas.









	East of Dorset		West of Dorset	
Forecast no of homes built	3,102		1,536	
Rate per home	£516		£722	
Total projected contributions	£1,600,632		£1,108,992	
Primary Care share	21%	£336,133	16%	£177,439
Acute Care share	57%	£912,360	62%	£687,575
Community/ Mental health share	22%	£352,139	22%	£243,978

## **11. Recovery of Contributions**

- 11.1 Dorset Council will recover most of the cost through CIL (except in North Dorset area where there is no CIL charging schedule in place). Where sites are zero rated from paying CIL, and in the North Dorset area, a contribution will be sought through S106 agreement using the standard contribution of £722 per home
- 11.2 The contributions paid to the CCG and hospital trusts by the end of each calendar year will be based upon the Council's annual monitoring of housing completions for the preceding financial year, commencing with the year 2020/21.
- 11.3 The funding of equipment and buildings is a major undertaking, Councils will work with the ICS to ensure that the developer funding collected through CIL and planning obligations will be spent in a timely manner ensuring that the developer contributions will go to each of the NHS organisations in Dorset. As public bodies (and not for profit) 100% of the contribution will be spent for the public benefit and accounts are publicly audited.
- 11.4 As a consequence of this approach, the CCG and the acute hospital trusts have agreed to cease submission of case by case requests for financial contributions through existing methods. It is proposed that the Head of Planning, in consultation with the Portfolio Holder for Planning are given delegated powers to agree the implementation of this new approach to manage the effects on live planning applications which may be affected as a result.

### **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.

# Exploring Developer Contributions for NHS Infrastructure

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## Task and Finish Group

**Author:** Dorset Council/BCP Council  
**Version:** v5 – Final for DC consideration  
**Date:** 22 October 2020

## Executive Summary

This report sets out the findings of a task and finish group set up by the Systems Leadership Team of the 'Our Dorset' integrated health care system. The role of the group was to review the evidence and explore ways in which new development can contribute towards the additional pressure new homes place upon health care infrastructure.

The current method used by the Dorset Clinical Commissioning Group and Health Care Trusts is to make a request for contributions from a planning application. These are targeted at larger developments and omits to capture contributions from all development.

The HUDU model is a bespoke piece of software that was designed for use by the NHS in calculating contributions and is mainly used in London. However, the model can be programmed to use local Dorset costs and assumptions and local housing or population forecasts. The model generates a cost per dwelling or per person.

The model can calculate the cost for an individual development or a group of several developments. At a strategic scale it can apportion costs per home based on the Council's housing trajectory of forecast delivery or on the basis of population growth forecasts.

Using the model for individual developments is onerous due to the time involved in finding out the specific information for each planning application and inputting this into the model. The simplest and recommended approach of the Group is to use the housing trajectory approach. This only requires the parties to update the model once on annual basis with the latest forecasts of delivery and cost assumptions. This is far less onerous, and the output is a standard cost per home. Splitting Dorset into two areas corresponds with the hospital trust areas.

Based upon the Council's housing trajectories at April 2019, the cost per dwelling towards health care would be:

- £516 per home in the East Dorset area; and
- £722 per home in the West Dorset area.

With more homes are projected to be built in the East Dorset area, the projected contributions for 2020/21 are £1.6M for East Dorset and £1.11M in the West Dorset area. The table apportions the contributions to health care sectors. The proportions vary due to differing population characteristics and types of development in each area. Note that 2020/21 coincides with the Covid-19 pandemic which may see less homes built than forecast.

	East Dorset		West Dorset	
Forecast no of homes built	3,102		1,536	
Rate per home	£516		£722	
Total projected contributions	£1,600,632		£1,108,992	
Primary Care share	21%	£336,133	16%	£177,439
Acute Care share	57%	£912,360	62%	£687,575
Community/ Mental health share	22%	£352,139	22%	£243,978

The estimated total contributions would be £7.76m for East Dorset and £6.93m for West Dorset:

	2020/21	2021/22	2022/23	2023/24	2024/25	Total
East Dorset	£1,600,632	£1,756,464	£1,543,872	£1,490,724	£1,370,496	£7,762,188
West Dorset	£1,108,992	£1,329,202	£1,072,892	£1,222,346	£2,200,656	£6,934,088

The Group recommends that each year the Council's contribution is reported to the Systems Leadership Team and the ICS is invited to request the requisite amount of contributions for the development completed in the previous years. The contributions will mainly be collected through community infrastructure levy. The exception is the North Dorset part of Dorset Council where the community infrastructure levy isn't in place and Section 106 planning obligations will be collected instead.

The Councils will annually publish the contributions collected and how it was spent in the new Infrastructure Funding Statement. Dorset Clinical Commissioning Group and Health Care Trusts are also required to report their income and expenditure.

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# 1. Introduction

## The role of the task and finish group

- 1.1 In 2019 the Systems Leadership Team set up a task and finish group ('the Group') to explore the potential for new housing development to contribute towards health care infrastructure. The Group comprises representatives from:
- Planning Policy, Dorset Council;
  - Planning Policy, Bournemouth Christchurch & Poole Council (BCP Council);
  - Dorset Clinical Commissioning Group (DCCG);
  - Public Health Dorset;
  - Dorset County Hospital NHS Foundation Trust;
  - The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust
  - Dorset HealthCare University NHS Foundation Trust
  - NHS England and Improvement
- 1.2 The Group was set the task of reviewing the evidence to ascertain whether developers could be asked to contribute towards health care infrastructure in order to mitigate the pressure of population growth.
- 1.3 Historically, the strategic planning of healthcare through the planning system has been inconsistent. Working with Dorset Clinical Commissioning Group, Dorset and BCP Councils have been able to secure some mitigation from proposed development towards primary care (doctor's surgeries). But there's increasing demand on a solution that deals with the needs of healthcare comprehensively.
- 1.4 The Group is therefore exploring a possible comprehensive contributions policy for the purposes of easily and robustly calculating the cost of mitigating the impact of future development on all forms of health care in Dorset, and the recovery of that cost through developer contribution tools including Community Infrastructure Levy and S106.
- 1.5 This report provides the recommendations of the Group to the Systems Leadership Team that will decide how to progress these recommendations into actions.

## 2. The Integrated Health Care Partnership

- 2.1 The [NHS Long Term Plan](#) (2019) sets out a 10 year plan for reform to create Integrated Health Care where the NHS and Councils work closer together to promote health and wellbeing, and break down barriers between health and social care. This would include the 'triple integration' of primary and specialist care, physical and mental health services, and health with social care. There are currently 14 Integrated Health Care that have formed across England, including Dorset.
- 2.2 '[Our Dorset](#)' is a partnership of the NHS, Public Health Dorset, Bournemouth Christchurch and Poole Council (BCP Council) and Dorset Council working together to deliver Integrated Care Systems. It is an important steppingstone towards a better integrated, continuously evolving health and care system for Dorset, putting us in the best position to jointly plan and prioritise our resources, meaning better experiences and outcomes for everyone.
- 2.3 The ambition of Our Dorset is for everyone to have the best possible health and care outcomes with everyone living healthier, longer and fulfilling lives. The vision is for everyone to have access to high quality, joined-up health and care services, available when and where they are needed. In short, it is about working together for people to have healthier, fulfilling lives supported by sustainable health and care services.
- 2.4 The partnership will work closely together to tackle all of the factors affecting health and wellbeing, including employment, housing and transport and ensure we invest our collective resources wisely for now and the future.
- 2.5 The emerging '[Our Dorset Looking Forward 2019-2024](#)' plan sets out an aspiration for communities to be active, social and engaged with the natural environment. Planning policy plays a key role in shaping the built and natural environments to help meet these aspirations by shaping communities that support physical activity (e.g. active travel), provide safe and affordable housing, enable social interaction and support mental wellbeing (e.g. provision of high quality, accessible greenspaces).

### The Dorset Vision

- 2.6 Rising demand on NHS services means that significant changes are needed to ensure the NHS can afford to provide high-quality safe care both now and in the future.
- 2.7 The outcome of the [Clinical Services Review](#) will transform hospital services for the people of Dorset. Poole Hospital will become the major planned care hospital for east Dorset and Royal Bournemouth Hospital the major emergency care hospital. The plans include securing £147 million of government funding to invest in both hospitals, and alongside this, the trusts are also planning to merge to become the University Hospitals Dorset NHS Foundation Trust.
- 2.8 Under the plans, Dorset County Hospital will continue to be an emergency and planned hospital for its communities. Planned investment will expand the Emergency Department and Intensive Care Unit as well as establish an Integrated Care Hub as part of a long-term project to deliver the recommendations of Dorset's Clinical Services Review. The programme of works identified in the Clinical Services Review is expected to be completed by 2026/2027.

### Partnership working

- 2.9 Our Dorset is a partnership of health and social care organisations working together to deliver Integrated Care Systems. The ambition of Our Dorset is for everyone to have the best possible health and care outcomes. Living healthier, longer and fulfilling lives. Our vision is for everyone to have access to high quality, joined-up health and care services, available when and where they are needed. In short, we are working together for people to have healthier, fulfilling lives supported by sustainable health and care services.
- 2.10 There are 3 NHS Foundation Hospital Trusts in Dorset:

- Dorset County Hospital NHS Foundation Trust
  - The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust/Poole Hospital NHS Trust merging to become University Hospitals Dorset NHS Foundation Trust (from 1 October 2020)
  - Dorset Healthcare NHS Foundation Trust
- 2.11 Poole Hospital is an acute general hospital based on the south coast of England and employs around 3,700 staff. The hospital has a 24-hour major accident and emergency department and is the designated trauma unit for east Dorset, serving a population of around 500,000 people. In addition, the hospital's flagship Dorset Cancer Centre provides medical and clinical oncology services for the whole of Dorset, serving a total population of over 750,000.
- 2.12 The Royal Bournemouth and Christchurch Hospital NHS Trust provides health care for the residents of Bournemouth, Christchurch, East Dorset and part of the New Forest with a total population of around 550,000, which rises during the summer months. Some specialist services cover a wider catchment area, including Poole, Purbeck and South Wiltshire.
- 2.13 Dorset County Hospital NHS Foundation Trust is a busy, modern hospital providing a full range of district general services, including an accident and emergency department, and links with satellite units in five community hospitals.
- 2.14 Dorset County Hospital is the main provider of acute hospital services to a population of around 250,000, living within Weymouth and Portland, West Dorset, North Dorset and Purbeck. they also provide renal services for patients throughout Dorset and South Somerset; a total population of 850,000. Some 3,000 staff work in GP surgeries, schools, residential homes and people's own homes as well as Dorset County Hospital and the community hospitals. Dorset County Hospital has approximately 400 beds, seven main theatres and two day theatres.
- 2.15 Dorset HealthCare is responsible for all mental health services and many physical health services in Dorset, delivering both hospital and community-based care. Dorset HealthCare is the biggest provider of healthcare in Dorset, and services continually evolve and develop to meet the needs of the local community. Dorset HealthCare serve a population of over 750,000 people and employ around 5,000 staff, covering a wide range of expertise and specialisms. Staff provide healthcare at over 300 sites, ranging from village halls and GP surgeries to mental health inpatient hospitals and community hospitals - as well as in people's homes. Dorset HealthCare's services include:
- Dorset's 12 community hospitals and minor injuries units
  - Adult and children's community health services (physical and mental)
  - Specialist learning disability services
  - Community brain injury services
- 2.16 Community health services encompass: district nurses, health visitors, school nursing, end of life care, sexual health promotion, safeguarding children, diabetes education, audiology, speech and language therapy, dermatology, podiatry, orthopaedic services, wheelchair services, anti-coagulation services, pulmonary rehab, early discharge stroke services, Parkinsons care, community oncology and breastfeeding support services.
- 2.17 Dorset Council and BCP Council are partners in the Integrated Care System. The councils have a key role in delivering services and support for adults and children. Working in partnership through the Integrated Care System (ICS) not only helps to deliver a range of services to local residents, but also helps embed health and wellbeing into strategic and local plans.

### 3. Legislative and Policy Background

- 3.1 **Clinical Commissioning Groups** (CCGs) were created following the Health and Social Care Act in 2012, and replaced Primary Care Trusts on 1 April 2013. They are clinically-led statutory NHS bodies responsible for the planning and commissioning of health care services for their local area. As of 1 April 2019 there are 191 CCGs in England.
- 3.2 The National Health Service (General Medical Services Contracts) Regulations 2004 provides the legal requirements of general practice to provide care for their registered patient population.

#### Community Infrastructure Levy (CIL) and planning obligations (s106)

- 3.3 Planning obligations under Section 106 (S106) of the Town and Country Planning Act 1990 allows local authorities to enter into a legal agreement with a developer to secure financial or 'in kind' contributions to mitigate the impact of a development proposal. Developers may also contribute towards infrastructure by way of the Community Infrastructure Levy (CIL) which is a fixed charge levied on new developments to fund infrastructure and is intended to address the cumulative impact of developments in an area.
- 3.4 The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 came into force on 1 September 2019. The amended regulations make changes to how CIL is charged, collected and reported and seeks to clarify the relationship between CIL and S106 contributions. The Government have updated the national Planning Practice Guidance on Community Infrastructure Levy and Planning Obligations to reflect the amended regulations.
- 3.5 The guidance clearly distinguishes between the purpose of S106 obligations to mitigate site-specific impacts and CIL which can be used to address the cumulative impact of infrastructure in an area. Planning authorities can now use CIL and S106 obligations to contribute towards the same piece of infrastructure, subject to three planning tests (in [Regulation 122](#)) to ensure that S106 contributions are necessary, reasonable and directly related to the development.

#### *“Limitation on use of planning obligations*

122. (1) *This regulation applies where a relevant determination is made which results in planning permission being granted for development.*
- (2) *A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is*
- (a) necessary to make the development acceptable in planning terms;*
  - (b) directly related to the development; and*
  - (c) fairly and reasonably related in scale and kind to the development.”*

- 3.6 Local planning authorities are also required to produce an infrastructure funding statement (under Regulation 121A) which identifies the infrastructure required to support development in an area and how it will be funded, using CIL, or S106 obligations, or a combination of both. It will also report on how CIL and S106 receipts have been spent. The first statement should be published by 31 December 2020 and will cover the financial year 2019/2020.

#### National Planning Policy Framework

- 3.7 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It prepares a framework within which locally-prepared plans for housing and other development can be produced. Planning Practice Guidance (PPG) adds further context to the NPPF and it is intended that the two are read together. The Planning Practice Guidance brings together planning guidance on various topics into one place.
- 3.8 At the heart of the planning system is sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without

compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, economic, social and environmental.

- 3.9 The social objective is to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 3.10 NHS bodies (including Healthy Urban Development Unit Planning Contributions Model) responded to recent changes to the NPPF – supporting changes to planning policies at the national level seeking a structured and equitable level of support for NHS organisations. The Government are currently working on preparing national guidance on developer contributions for health being drafted by NHS England and Improvement for the Department of Health and Social Care. The proposed approach in Dorset is consistent with the emerging guidance.

## Development Plans

- 3.11 The local authorities in Dorset have adopted Local Plans which contain policies that address health care:
- *Bournemouth Core Strategy (2012)*
  - *Christchurch and East Dorset Local Plan Part 1 (2014)*
  - *The Poole Local Plan (2018) - Policy PP32 Part (1)*
  - *The North Dorset Local Plan Part 1 (2016)*
  - *The Purbeck Local Plan Part 1 (2012) and Swanage Local Plan (2017) - A new Purbeck Local Plan is currently at examination and will replace the 2012 Plan*
  - *The West Dorset, Weymouth & Portland Local Plan (2015)*
- 3.12 Local plans across Dorset have been developed with the NPPF and the principle of sustainable development at their core. Following local government reorganisation in April 2019, the two new Councils have commenced preparation of the BCP Council Local Plan and the Dorset Council Local Plan. These two new local plans will replace the plans listed above when adopted. The process should be complete by 2022/23.
- 3.13 The local plans will be accompanied sustainability appraisals which identify and evaluate the impact of the plan and its policies on those three objectives. Health and equalities impact assessments may form part of these appraisals to closely evaluate health receptors.
- 3.14 In addition to the local plans, there may be relevant policies in neighbourhood plans.

## 4. Evidence

- 4.1 As new housing is developed in Dorset and Bournemouth Christchurch Poole (BCP) Council areas, and the population grows, so the demand on health services increases. Along with other publicly funded services, improvements to health infrastructure are needed to ensure services are sustainable.
- 4.2 The NHS requires physical infrastructure to meet health care needs in three elements of the NHS:
- Primary care– doctors surgeries
  - Secondary (Acute) care – acute hospitals
  - Community services, mental health services and children, young people and families services – within the community based in community hospitals and hubs
- 4.3 A list of known infrastructure projects is set out in Appendices 1-4. These are discussed below:

### NHS Infrastructure needs and its funding

- 4.4 NHS England is responsible for determining allocations of financial resources to CCGs. The allocations process uses a statistical formula to determine geographic distribution.

#### Primary care

- 4.5 General practices are responsible for their individual surgery buildings and must meet all the national health and safety and clinical standards set out either by national legislation or by the Care Quality Commission. Health Building Notes<sup>1</sup> () and Health Building Memorandas give best practice guidance on the design and planning of new healthcare buildings and on the adaptation or extension of existing facilities.
- 4.6 Principles of best practice for the design of primary medical care facilities can be found in Health Building Note 11-01: Facilities for primary and community care services and Health Building note 11-01 Supplement A. Resilience and emergency planning in primary and community care<sup>2</sup>.
- 4.7 A list of known projects is set out in Appendix 1. The projects involve new doctors surgery provision and total an estimated £42.5M.

#### Secondary (Acute) care

- 4.8 All acute NHS trusts in Dorset are funded through what is referred to as a Collaborative Agreement (a 'block contract' for the provision of services and detailed cost improvement plans) with Dorset CCG. This is calculated by submission of annual activity data by the local trusts, which is then used to forecast predicted activity in the coming 12 month period. This methodology is used for the majority of specialities across all 3 trusts (although specialist services are commissioned directly from NHS England).

#### Community care

- 4.9 Community buildings range from community hospitals that are subject to the complexities of the aforementioned Healthcare Technical Memorandums as they contain operating theatres and other similar treatment facilities, to office spaces with associated facilities for delivering community services. Clinics are held in locations around the County in designated rooms fitted out for a range of services from mental health sessions to chiropody. It is widely accepted that there is significant backlog maintenance in many of the Trust owned properties due to historic lack of availability of capital for investment. The funding for the services provided by the Trust follows the same model as suggested below in the Acute Care section via the CCG.

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<sup>1</sup> <https://www.gov.uk/government/collections/health-building-notes-core-elements>

<sup>2</sup> <https://www.gov.uk/government/publications/guidance-for-facilities-for-providing-primary-and-community-care-services/>

### Capital Plan - East Dorset acute hospital services

- 4.10 The two acute hospital trusts in East Dorset are the Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust (RBCH) and Poole Hospital NHS Foundation Trust (PHT). Between them, the trusts provide acute hospital care to residents of East Dorset and beyond, to the local workforce, students, tourists and other visitors.
- 4.11 The two trusts are due to merge in 2021, and in collaboration with Bournemouth University, the new merged trust will have University Hospital status. In anticipation of merger, the trusts are already working collaboratively on the planning and delivery of a joint Capital Plan for the six year period from 2020/21 to 2025/26 (and on further capital investment plans for the period thereafter). This will be delivered within the framework of the Dorset Integrated Care System (ICS).
- 4.12 The strategic context for the Capital Plan is formed by the Clinical Service Review (CSR) completed by Dorset Clinical Commissioning Group (CCG) in 2017. The CSR considered the future provision of NHS services in Dorset recognising the population growth and associated demographic impacts.
- 4.13 Under CSR, acute hospital services in East Dorset are to be reconfigured to create an emergency hospital at Royal Bournemouth Hospital (RBH) and a planned care hospital at Poole Hospital Trust (PHT). In accordance with this plan, significant new build developments are required to create a new Women's Children's and Emergency Centre at RBH and a new Theatres facility at PHT. A range of further new build and refurbishment projects are also to be delivered in support of the strategy. In addition, investment will be made in IT infrastructure and medical equipment.
- 4.14 A new end-of-life care facility will be developed at Christchurch Hospital in collaboration with Macmillan Caring Locally. Meanwhile, ongoing investment will also be made in support of business-as-usual at all three hospitals through ongoing refurbishment and backlog maintenance.
- 4.15 The East Dorset Acute Hospitals planned capital developments are included within Appendix 2. This plan demonstrates a required capital investment of £526.2 million over the period 2020-28. Externally secured national capital funding into the Dorset Integrated Care System subject to any final approval process has been identified in Figure 1. These external capital funds described as Public Dividend Capital (PDC) exactly aligns to the Five Year NHS Capital Plan submission submitted on 29 May 2020.

### Capital Plan - West Dorset acute hospital services

- 4.16 Dorset County Hospital are hoping to expand the Emergency Department (ED) and Intensive Care Unit (ICU) as well as establish an Integrated Care Hub as part of a long-term project to deliver the recommendations of Dorset's Clinical Services Review.
- 4.17 The West Dorset Acute Hospitals planned capital developments are included within Appendix 3. This plan demonstrates a required capital investment of £85 million over the period 2020-28. Externally secured national capital funding into the Dorset Integrated Care System subject to any final approval process has been identified in Figure 1. These external capital funds described as Public Dividend Capital (PDC) exactly aligns to the Five Year NHS Capital Plan submission submitted on 29 May 2020.

### Dorset Healthcare Capital Plan

- 4.18 The Dorset Healthcare Capital plan is included in Appendix 4 and shows a capital investment requirement of £241.5M for the next 5 to 8 years. The plan is made up of Capital development schemes that contribute to the fulfilment of the Dorset Clinical Services Review as well as the Trust's Strategic Mental Health growth agenda. It also includes backlog maintenance requirements as well as capital replacements. As per the Acute Care Trusts above funding is provided via Public Dividend Capital, however it shall be insufficient to cover the overall capital requirements of the trust.

## Need for developer contributions

4.19 As set out above known capital costs are:

- Primary care £42.5m
- Acute care £611.2m (£526.2m for East and £85m for West Dorset)
- Community & mental health £241.5m

4.20 The Five Year NHS Capital Plan submission submitted on 29 May 2020 is set out in Figure 1.

*Figure 1: Dorset Five Year NHS Capital Plan submission 29 May 2020*

Funding source	Amount secured
One Dorset Reconfiguration Wave 1	£147,265,000
HIP 2 Seed Funding (Dorset ICS)	£3,700,000
LIMS - Pathology IT System (Dorset ICS)	£958,000
Blandford Primary and Community Hub Wave 4	£4,186,000
Mental Health Estates Development Wave 4	£5,932,000
Cyber Security	£14,000
Provider Digitisation	£2,957,000
<b>Total</b>	<b>£165,012,000</b>

4.21 As set out above the infrastructure needs to meet population growth in Dorset cannot be met from government funding alone. This currently leaves a significant funding gap. In this circumstance it is appropriate to seek funding from development to mitigate its impact upon the health care service, as there currently is a significant shortfall in funding this critical infrastructure. Other funding will be necessary as development will only fund a small proportion of this gap.



## 5. Finding a robust methodology

- 5.1 The previous section provided a justification that there is a funding gap between funding and the infrastructure needs to meet the requirements of a growing population. This section looks at methods of securing funding for health care from development.
- 5.2 The CCG and the Hospital Trusts currently request contributions from larger development on a site by site basis:
- (i) Primary care calculator – this approach establishes the cost of general practice space (doctor’s surgeries) as a result of new development. It is used on the floorspace needs of doctors surgeries local to the proposed housing development.
  - (ii) Acute care calculator – this approach the cost of the number of hospital visits generated by each new home in the first year of occupation. The developer contribution covers the gap funding of staffing cost in hospitals in that first year, as the Trusts costs are paid in arrears. the first 12 months.

Appendices 5 and 6 provides a full explanation of these approaches and worked examples.

- 5.3 These approaches have been used with varying degrees of success. Neither approach has the functionality to deal holistically with the needs of healthcare, something which this guidance seeks to overcome. The CCG approach requires a calculation for every development proposal and is sought on proposals over 40 dwellings only, see Appendix 5. Examples where this calculator has secured a financial contribution include Bank & Ridge Farms, Chickerell, and Littlemoor, Weymouth.
- 5.4 Government is preparing guidance to help local authorities determine a methodology. As this is yet to be published the Group has explored other options, principally the use of the Healthy Urban Development Unit Planning Contributions Model (the HUDU Model).

### HUDU and NHS funding model in Dorset

- 5.5 The Healthy Urban Development Unit Planning Contributions Model (HUDU)<sup>3</sup> has been developed to assist NHS organisations and local authorities in addressing the impact of new residential developments and population growth on healthcare services and infrastructure and help secure developer contributions. This model has been created by the NHS London Healthy Urban Development Unit.
- 5.6 The HUDU model was first created in 2005 and then updated and placed on a website in 2009. A third version of the model was introduced in 2016 and added new functionality and analysis options, notably the ability to analyse the impact of a group of developments (in addition to just a single development), and/or the impact of a housing trajectory or population projection profile over a set period. It also enabled data to be more easily and regularly updated.
- 5.7 The model is updated annually with the latest data, and functionality has been added to provide a new approach to assess primary healthcare impacts.
- 5.8 The HUDU model provides a standardised and transparent approach to help calculate potential developer contributions. The approach has been refined and used successfully by all London Boroughs and its application has withstood challenge.
- 5.9 The use of the HUDU model locally is encouraged and supported by Public Health Dorset. It can also assist both planners and NHS partners to provide evidence to support future healthcare provision and to make the case for the allocation and release of development contributions where new capacity is needed to mitigate the impacts of population growth resulting from new development.

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<sup>3</sup> <https://www.healthyurbandevlopment.nhs.uk/our-services/delivering-healthy-urban-development/hudu-model/> with user guidance notes

## Inputting housing assumptions into the model

5.10 The model has 4 analysis options:

- Population projections
- Housing trajectory
- Single development
- Grouped development

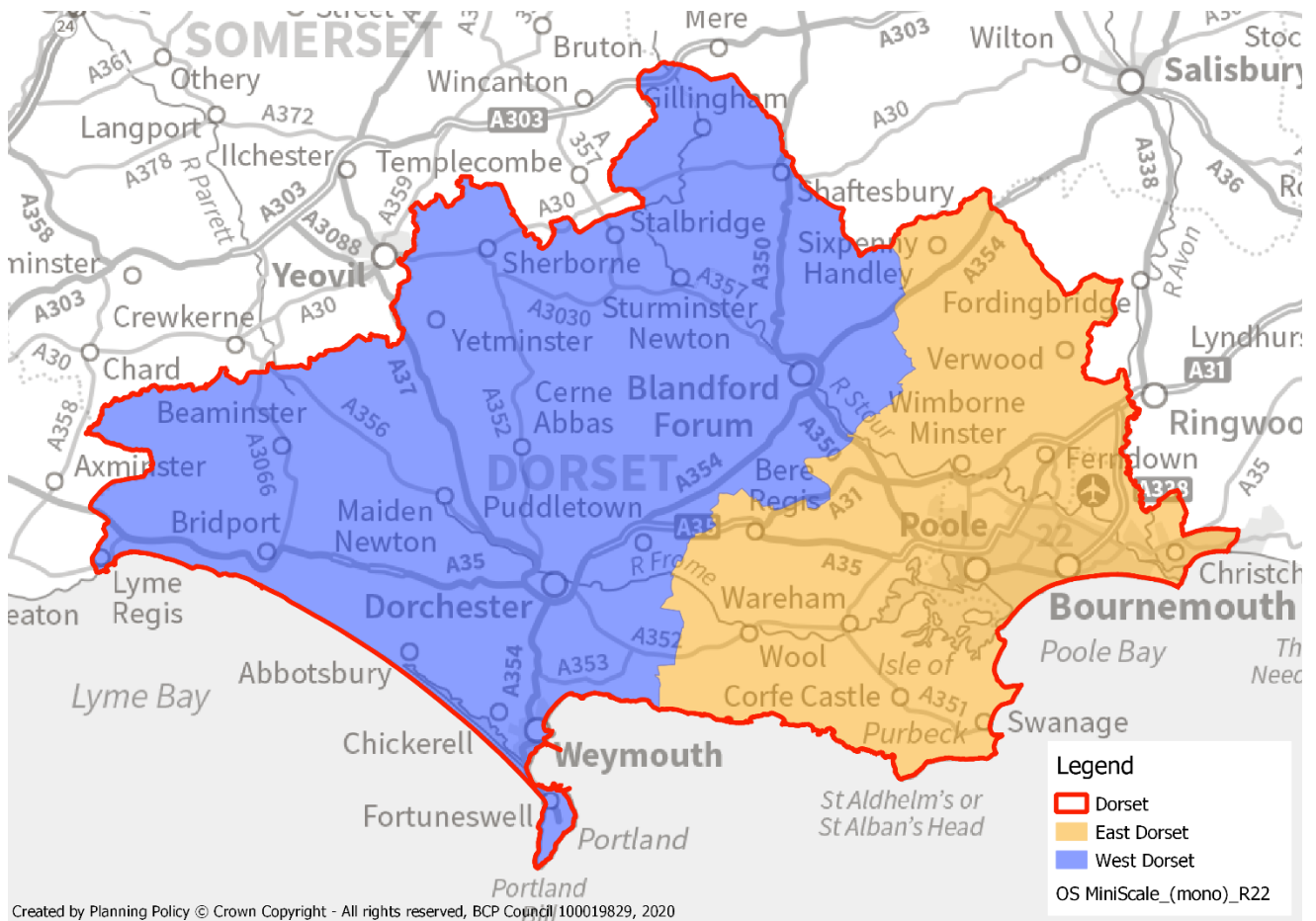
5.11 Using the housing trajectory and population projection analysis options, the model can be used as a forward planning tool to estimate future healthcare requirements and costs to support the preparation and review of borough infrastructure delivery plans. The model can also help NHS organisations plan for future healthcare provision and make the case for the allocation and release of developer funding where new capacity is needed to mitigate the impacts of population growth resulting from new developments.

5.12 The single and grouped development analysis option enables users to assess the impact of one or more developments based on a shared set of data assumptions. The user is only required to enter the new housing profile and build rates for each individual development. However, the shared default assumptions can be manually changed, and different baseline years can be selected for each individual development. The model generates a summary report for each individual development and a summary report for the group of developments.

5.13 The model uses a range of assumptions based on the most up to date information available. Although used primarily in London the model includes functionality to work outside of London by inputting locally derived data. Users can manually adjust or input new data or assumptions.

5.14 The geography of has been broadly split between East and West Dorset to accord with the hospital trusts as shown in Figure 2. The boundaries align roughly with the split of the BH and DT postcode areas.

*Figure 2: The split of East and West Dorset*



5.15 These roughly relate to the local plan areas as shown in Figure 3:

Figure 3: Geography of hospital trusts corresponding with local plans

Area	Hospital Trust	Local Plan
East Dorset	Royal Bournemouth & Christchurch	Bournemouth
		Christchurch and East Dorset
		Poole
		Purbeck
West Dorset	Dorchester	West Dorset and Weymouth
		North Dorset

### Standard assumptions in the HUDU model

5.16 Any reductions in average lengths of stay associated with Acute and Mental healthcare due to efficiency savings and proportion forecast to be re-provided in the intermediate care setting. Proportion of A&M Length of Stay reduction:

- Efficiency savings 50%
- Re-provided as intermediate care beds 25%
- Re-provided as intermediate care day places 25%

5.17 Projected GP/ Nurse consultations uses the national (England) contact rates per age band per year are as follows:

- Ages 0-4 5.86 contacts per year
- Ages 5-14 2.16 contacts per year
- Ages 15-44 3.81 contacts per year
- Ages 45-64 5.21 contacts per year
- Ages 65-74 7.98 contacts per year
- Ages 75-84 11.12 contacts per year

- Ages 85+ 13.19 contacts per year
- 5.18 For instance, a child aged 6 is estimated to need a primary care appointment just over twice a year.
- 5.19 GP activity and premises usage assumptions are based on national default values:
- 15 minutes appointment duration
  - 60 opening hours per week
  - 60% Clinical room availability
  - 20% use of clinical rooms for wider primary and community care use
- 5.20 Standard revenue costs are applied using the 2019/20 Clinical Commissioning Group Allocations per Head per Age Band as follows:
- Ages 0-4 £722
  - Ages 5-14 £453
  - Ages 15-44 £978
  - Ages 45-64 £1,443
  - Ages 65-74 £2,809
  - Ages 75-84 £4,415
  - Ages 85+ £7,051
- 5.21 Facilities for primary and community care are based on new standalone buildings. The model factors in annual build cost inflation which applies over the project timeline. The following standard costs are included:
- Professional fees at 15%
  - Equipment costs (varies by healthcare type)
  - A contingency of 7.5%

#### Local data inputted into the HUDU model

- 5.22 The HUDU model enables the user to input local data. Where local data isn't available the model uses national data sets. The following local data was used for health care assumptions.

#### Existing Admission Levels

- 5.23 A local input is the latest records of Acute and Mental Healthcare patient admissions which will then be compared against the population at 2018 to generate a Health Activity Rate, as shown in Figure 4.

Figure 4: Existing Admission Levels (patient numbers) by East or West Dorset area.

Age	Elective In-Patient		Non-Elective In-Patient		Day Case		Mental Health	
	East	West	East	West	East	West	East	West
0-4	65	45	5,006	2,564	210	215	0	0
5-14	107	92	2,459	1,303	619	448	9	0
15-44	1,343	778	16,596	7,536	10,055	4,673	644	351
45-64	2,871	1,901	11,491	6,180	17,712	10,893	299	158
65-74	2,307	1,899	7,940	5,145	12,821	9,898	105	63
75-84	1,789	1,525	10,084	6,579	10,772	8,468	84	59
85+	578	449	9,716	6,341	4,158	3,314	37	27
<b>Total</b>	<b>9,060</b>	<b>6,689</b>	<b>63,292</b>	<b>35,648</b>	<b>56,347</b>	<b>37,909</b>	<b>1,178</b>	<b>658</b>

Data source: Monthly acute SUS ([Secondary Uses Service](#)) data, national NHS England dataset which is standard methodology and format for all provider of NHS funded care.

#### Existing Average Length of Stay and Average Occupancy Rates

5.24 A local input is the latest records of average lengths of stay and the latest records of occupancy associated with each type of admission. The same data is used for both East and West Dorset areas as shown in Figure 5.

Figure 5: Existing Average Length of Stay and Average Occupancy Rates

Occupancy	Elective In-Patient	Non Elective In-Patient	Mental Health
Existing Average Length of Stay	2.7	3.8	69.8
Existing Average Occupancy Rates	87%	87%	89.8%

Data source: Average length of stay is at patient level, data taken from SUS as highlighted above using the total length of stay (days from admissions to discharge) for each patient.

5.25 Standard default assumptions are applied to the local rates. The annual change in average lengths of stay per admission is -2.8% for elective in-patients , -3.1% for no-elective in-patients and -1.5% for mental health. There is no forecast change to occupancy rates. This is based on bed availability & occupancy – provider [KH03 quarterly](#) submissions, overnight bed usual submitted by all providers

#### Floorspace Requirements and Build Costs for each Healthcare Facility

5.26 A local input is the floorspace requirements and capital cost of building associated with each type of healthcare facility space or bed. The same standard is used for both East Dorset and West Dorset areas as shown in Figure 6.

Figure 6: Floorspace Requirements and Build Costs for each Healthcare Facility

Type of health care facility	Floorspace requirement sq.m per bed/place	Build Cost £ sqm
Acute Beds (elective/ non elective/ day)	24 sq.m	4,604
Mental Health Beds	24 sq.m	4,586
Intermediate Care Beds	24 sq.m	3,853
Intermediate Care Places	24 sq.m	3,853
GP and Primary Care Service	16 sq.m	3,898

Data source: Health Building Notes (<https://www.gov.uk/government/collections/health-building-notes-core-elements>)

5.27 Once all of the information is inputted, the output of the HUDU model are calculations of:

- The net increase in population resulting from new development
- Health activity levels
- Primary healthcare needs (GP surgeries)
- Community health facilities (mental health & physical health community based facilities)
- Acute healthcare needs (hospital beds and floor space requirements)
- Other healthcare floor space
- Capital and revenue cost impacts

## 6. Options for calculating a developer contribution

- 6.1 To obtain the possible developer contributions the HUDU model was tested for the three scenarios:
- Population projections
  - Housing trajectory
  - Single development
- 6.2 Each of these scenarios is discussed below, and the outputs are summarised at the end of this section. Where there is specific local information this was used to populate the model. The health care assumptions are set out in the previous section. Local data inputs for housing growth are included below.
- 6.3 There is a fourth option of grouped developments, i.e. two or three developments in one area. This option was not tested as the other 3 options provide sufficient information. This option would only be needed for a specific area, e.g. a neighbourhood plan area.

### Testing the HUDU model approaches

#### Population projections

- 6.4 This approach generates a contribution per dwelling using the 2018 ONS mid year estimates and population projections. This data has been refined to the East and West Dorset areas. Both areas indicate the main increase will be in the over 65s as people are forecast to live longer. This older age group has higher health care requirements. Despite a fall in the 0-64 population, the increase in over 65s is far higher and leads to an increase in population, as shown in Figure 7.

*Figure 7: Population projections from 2018-2038 for the East and West Dorset areas*

Age Group	2018 existing population East Dorset	2018 existing population West Dorset	2038 forecast population change East Dorset	2038 Forecast population change West Dorset
0-4	26,575	10,567	-2,967	-1,114
5-14	57,129	25,484	-8,295	-3,798
15-44	182,934	68,613	-4,909	-4,167
45-64	137,904	70,001	-4,583	-5,237
65-74	64,966	36,414	+13,080	+9,094
75-84	40,967	21,398	+15,694	+12,114
85+	19,845	9,471	+10,218	+8,093
<b>Total:</b>	<b>530,320</b>	<b>241,948</b>	<b>+18,238</b>	<b>+14,985</b>

- 6.5 This approach is based on likely number of people, which provides accuracy in terms of pressures on health care. However, this approach does not take into account planned housing growth, which the other options do. It is also unlikely that government will accept the 2018 population projections as the basis for setting housing targets.

#### Housing Trajectory

- 6.6 Each year the Councils prepare a housing trajectory forecasting planned housing growth. The trajectory forecast at April 2019 is set out in Figures 8 and 9. These housing trajectories were used to populate the HUDU model and are based upon forecasted housing delivery through existing local plans in the East and West Dorset areas.

Figure 8: Housing trajectory by local plan area for East Dorset area (net)

Local Plan area	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
East Dorset & Christchurch	961	989	868	746	708	702	732	602	541
Purbeck	160	180	185	225	275	230	230	230	180
Bournemouth	988	988	988	988	988	559	559	559	559
Poole	794	945	1363	1033	918	1165	1164	1124	1074
<b>TOTAL</b>	<b>2903</b>	<b>3102</b>	<b>3404</b>	<b>2992</b>	<b>2889</b>	<b>2656</b>	<b>2685</b>	<b>2515</b>	<b>2354</b>

Source- Council SHLAA/AMRs

Figure 9: Housing trajectory by local plan area for West Dorset area (net)

Local Plan area	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
West Dorset and Weymouth	837	1253	1189	1115	1232	2097	1013	1006	831
North Dorset	182	283	652	371	461	951	664	450	371
<b>TOTAL</b>	<b>1019</b>	<b>1536</b>	<b>1841</b>	<b>1486</b>	<b>1693</b>	<b>3048</b>	<b>1677</b>	<b>1456</b>	<b>1202</b>

Source- Council SHLAA/AMRs

6.7 The trajectory approach uses the housing mix of past completions to determine population. Data for the 5 year period 2014/15-2018/19 was used for the East Dorset area and for the 2 year period 2016/17-2017/18 for the West Dorset area as set out in Figure 10. The figure shows that there is a higher proportion of flatted development in the East Dorset area as would be expected for an area dominated by the BCP conurbation.

Figure 10: Housing mix for East Dorset and West Dorset areas (gross)

Type	Flats	%	Houses	%
Market housing – East Dorset				
1 bed	2633	30.78%	103	1.20%
2 bed	1770	20.69%	726	8.49%
3 bed	278	3.25%	1149	13.43%
4 bed	242	2.83%	1022	11.95%
Affordable housing - East Dorset				
1 bed	108	1.26%	25	0.29%
2 bed	163	1.91%	161	1.88%
3 bed	2	0.02%	154	1.80%
4 bed	0	0.0%	17	0.20%

Type	Flats	%	Houses	%
Market housing – West Dorset				
1 bed	180	12.79%	65	4.62%
2 bed	224	15.92%	185	13.15%
3 bed	52	3.70%	260	18.48%
4 bed	0	0.00%	199	14.14%
Affordable housing - West Dorset				
1 bed	35	2.49%	9	0.64%
2 bed	42	2.99%	82	5.83%
3 bed	0	0.00%	68	4.83%
4 bed	0	0.00%	6	0.43%

Source- Council monitoring of housing completions

6.8 The housing trajectory provides a robust way of planning infrastructure to meet the needs of new growth. It is not yet possible to use the housing targets in the new local plans as the target has yet to be agreed. This approach could therefore be refined alongside the local plan process.

### Single Development

6.9 This approach looks at the specific proposals for an individual development. Three examples were used based on the housing mix put forward by the applicants. All three are within the East Dorset area:

#### East Dorset area

- North of Merley for 600 homes (mostly family houses)
- North of Bearwood for 695 homes (mostly family houses)
- Winter Gardens for 351 homes (all flats)



## West Dorset area

- Bank & Ridge for 292 homes (mostly family houses)
- Land south of Nottingham Lane 215 homes (mostly family houses)
- McCarthy & Stone, Dorchester 45 homes (retirement apartments)

6.10 This approach would be onerous for every development, so is best used for larger schemes.

## Results of the Testing

6.11 The figures above have been inputted into the HUDU model and the three different approaches produced the results shown in Figure 11. The population projection figure works out significantly higher. However as discussed above this approach is not proportionate as it doesn't take into account that a much higher number of homes will be built. Whereas, both the housing trajectory and testing of a number of known single developments provides a more proportionate and consistent approach.

Figure 11: Possible rates for East and West Dorset areas based on the different HUDU approaches

HUDU Approach	Example	East Dorset area	West Dorset area
Population Projection	ONS 2018 mid year estimates and population projections	£3,199 per house £2,181 per flat	£4,157 per house £2,846 per flat
Housing Trajectory	Each Council's housing trajectory with a base date of April 2019	£516 per home	£722 per home
Single Development	North of Merley (600 homes)	£495 per home	n/a
	North of Bearwood (695 homes)	£596 per home	n/a
	Winter Gardens (351 homes)	£319 per home	n/a
	Bank & Ridge (292 homes)	n/a	£722 per home
	Land south of Nottingham Lane (215 homes)	n/a	£609 per home
	McCarthy & Stone, London Road, Dorchester (45 homes)	n/a	£344 per home

6.12 The housing trajectory approach is the simplest to use as it requires one single calculation using the model. Providing calculations for every single development is onerous so is not preferred.

6.13 Therefore the preferred approach is to use the housing trajectory approach. For 2020/21 a tariff of £516 per home for the East Dorset area and £722 per home for the West Dorset area will be used. On this basis, the estimated contributions for 2020/21 would be £1.6m for East Dorset and £1.11m for West Dorset as shown in Figure 12.

6.14 The total contributions are then split out by each of the health care sectors. The percentage share for each sector is based on the output of the HUDU model and differ between East and West Dorset areas. Note that 2020/21 coincides with the Covid-19 pandemic which may see less homes built than forecast.

Figure 12: Estimation of possible contributions for the year 2020/21

	East Dorset		West Dorset	
Forecast no of homes built	3,102		1,536	
Rate per home	£516		£722	
Total projected contributions	£1,600,632		£1,108,992	
Primary Care share	21%	£336,133	16%	£177,439
Acute Care share	57%	£912,360	62%	£687,575
Community/ Mental health share	22%	£352,139	22%	£243,978

6.15 Figure 13 illustrates how contributions can be estimated for the next 5 years. This uses the same rates and housing projections referred to above. The estimated total contributions would be £7.76m for East Dorset area and £6.93m for West Dorset area.

Figure 13: Estimation of possible contributions for the years 2020/21-2024/25

	2020/21	2021/22	2022/23	2023/24	2024/25	Total
East Dorset	£1,600,632	£1,756,464	£1,543,872	£1,490,724	£1,370,496	£7,762,188
West Dorset	£1,108,992	£1,329,202	£1,072,892	£1,222,346	£2,200,656	£6,934,088

## Benchmarking

6.16 Advice was sought and provided by HUDU throughout the process. The HUDU based approach is largely used by London local authorities where the contribution per unit is typically between £1,400 - £1,800 per unit. The cost per unit will vary depending on whether the default or manual values are used.

6.17 Outside of London, Mid and South Essex use a standardised tariff based approach for primary care only which results in approximately £330 per unit. To enable comparison, applying the 21% share for primary care in East Dorset and 15% in West Dorset (Figure 14).

Figure 14: Comparison of Dorset rates with known rates elsewhere

	Elsewhere	East Dorset	West Dorset
Contribution per dwelling	£1400-£1800 in London	£516	£722
Contribution per dwelling for primary health care only	£330 in Mid and South Essex	£108	£108

6.18 This illustrates that the contributions per home are lower in Dorset than the sample authorities in the south east of England, which may be down to lower capital costs. The Council will continue to monitor how other local authorities set rates and how these compare with Dorset.

## 7. Paying for the Mitigation Strategy

- 7.1 This document has been prepared having regard to the tests set out in the Community Infrastructure Regulations 2010 and subsequent amendments, in particular Regulation 122 which sets out the three tests that the planning obligation should be necessary, directly related and fairly and reasonably related in scale and kind to the development.
- 7.2 Planning authorities can now use CIL and Section 106 obligations to contribute towards the same piece of infrastructure, subject to three planning tests (in Regulation 122). The councils can use different mechanisms dependent upon local circumstances with existing policies and procedures.
- 7.3 To provide certainty to those considering or making planning applications for residential development and to ensure transparency and accountability, this document sets a standard contribution of £722 per home to fund NHS healthcare in the West Dorset area and £516 per home in the East Dorset area. Both market and affordable housing development will need to contribute to health care infrastructure.
- 7.4 BCP Council will recover the cost through the Community Infrastructure Levy. Dorset Council will also recover most of the cost through CIL (except in North Dorset area where there is no CIL charging schedule in place). Where sites are zero rated from paying CIL, and in the North Dorset area, a contribution will be sought through S106 agreement using the standard contribution of £722 per home
- 7.5 Some health infrastructure will be expected to be delivered directly by developers through on site provision. This may have a bearing on the value of the standard contribution.
- 7.6 The funding equipment and buildings is a major undertaking, the Councils will work the ICS to ensure that the developer funding collected through CIL and planning obligations will be spent in a timely manner ensuring that the developer contributions will go to each of the NHS organisations in Dorset. As public bodies (and not for profit) 100% of the contribution will be spent for the public benefit and accounts are publicly audited.

## 8. Monitoring and Implementation

- 8.1 Each Council will need to determine its spending priorities through Cabinet and Council committee meetings and this document will provide the basis for justifying a portion for health. The Councils may also choose to consult upon this document as a new interim strategy.
- 8.2 The Councils are required to report on the collection and spend of developer contributions through an Infrastructure Funding Statement which will be published in December each year.
- 8.3 These funding statements will also establish the housing completions for the preceding financial year. At the point of publication, the total healthcare cost for dwellings completed in that financial year will be reported to the Senior Leadership Team of the ICS. Following this, the CCG and Hospital Trusts will be invited to formally request the drawdown of CIL money from each Council. Each organisation will have to report its spending as per its own governance.
- 8.4 This report has been developed in the early stages of strategic planning for Dorset and BCP Councils. The group will review the evidence base through the development of local plans, in particular the housing delivery forecasts which are based on emerging housing targets.
- 8.5 Updates from HUDU are expected in time, which will also need to be considered by the group.

## 9. Summary & Recommendations

9.1 The report has tested a number of scenarios of the HUDU Planning Contributions Model.

9.2 On the 24<sup>th</sup> September 2020, the Systems Leadership Team approved the recommendations of this report, specifically:

- The geographical split between East and West Dorset, aligned to the Local Plan;
- The use of a housing trajectory led approach yielding a contribution per home in accordance with the outputs of the HUDU model;
- That the identified costs will be recovered through each Council's Community Infrastructure Levy, except for the area covered by the North Dorset Local Plan where Section 106 contributions will be used;
- That the contributions paid to the CCG and Hospital Trusts by the end of each calendar year will be based upon the Council's annual monitoring of housing completions for the preceding financial year, commencing with the year 2020/21;
- The proportioning of health contributions between the primary, acute and community sectors in accordance with the outputs of the HUDU model;
- That the costs and assumptions contained in this report are monitored and reviewed as necessary alongside the development of local plans and other emerging strategies, including a regular assurance review in relation to the HUDU model data inputs and associated outputs;
- The CCG and Hospital Trusts cease submission of requests for contributions to planning applications and current 'live' requests are superseded by this new approach.

9.3 The next steps following the Systems Leadership Team approval are for Dorset Council and Bournemouth Christchurch and Poole Council to agree their own governance arrangements of how to take this forward with the aim to implement this strategy and approach in 2020/21.

## Appendix 1 – Primary Care - Known Infrastructure Projects

Infrastructure Project	Type	Cost (£)	Funding Secured	Funding Gap	Delivery Agency	Timescale Delivery
Parkstone Tower Practice: Merging of two GP facilities into one New build on a new site	Additional Surgery Provision	£5M (estimated)				up to 2021
Potential expansion to capacity of GP's at Hamworthy: To provide additional healthcare services to support growth	Additional Surgery Provision	£150,000	£0	£150,000	BCP/ Developers (s106/CIL)	up to 2033
Potential expansion to capacity of GP's at Merley and Bearwood: To provide additional healthcare services to support growth.	Additional Surgery Provision	£2M	£0	£2M	BCP/ Developers (s106/CIL)	Up to 2030
Relocation of Panton Surgery : New build on a new site.	Additional Surgery Provision	£5M (estimated)	£0	£5M		Up to 2022
Blandford : New surgery	Additional Surgery Provision	£5M (estimated)	£4.2M but also needed for Blandford Community Hospital reconfiguration			Up to 2022
Extension to Strouden Park Surgery	Additional Surgery Provision	£100,000	£0	£100,000		Up to 2022
Extension to Adam practice - Longfleet Road	Additional Surgery Provision	£250,000	£0	£250,000		Up to 2022
New Chickerell Surgery	Additional Surgery Provision	£5M (estimated)	£252,000			Up to 2022
Boscombe Town Regeneration	Additional Surgery Provision	£5M (estimated)				Up to 2023
Wareham Gateway/Community Hub	Additional Surgery Provision	£5M (estimated)	£0		Dorset Council	Up to 2025
North Bournemouth – new surgery with two practices working together	Additional Surgery Provision	£5M (estimated)			BCP Council	Up to 2025
Winton Surgery	Additional Surgery Provision	£5M (estimated)			BCP Council	Up to 2023
<b>Total</b>		<b>£42.5M</b>				

## Appendix 2 – Acute Care Capital Plan Submission 29 May 2020 – East Dorset area

Infrastructure Project	Type	Cost (£)	Delivery Agency	Timescale Delivery
St. Mary's Hospital: To share services between Poole and Bournemouth Hospitals			TBC	up to 2033
Women, Children & Emergency Centre New Build Development at RBH	Works	£154.3M	RBCH/PHT	2020-25
Theatres Development at PH	Works	£43.7	RBCH/PHT	2020-26
MacMillan Unit New Build at Christchurch Hospital	Works	£12.6M	RBCH/PHT	2020-23
Pathology Hub New Build on Wessex Fields	Works	£17.2M	RBCH/PHT	2020-22
Pathology Essential Services Lab and Urgent Treatment Centre at PH	Works	£2.4M	RBCH/PHT	2024/25
Linac Refit at Poole	Equipment & Works	£6.3M	RBCH/PHT	2020-22
Ward Refurbishments for CSR at RBH	Works	£32.5M	RBCH/PHT	2021-25
Infrastructure at RBH, including Road and Energy Centre developments	Works	£18.7M	RBCH/PHT	2020-26
Patients and Visitors Concourse at RBH	Works	£13.1M	RBCH/PHT	2020-25
Miscellaneous Decants	Works	£4.9M	RBCH/PHT	2020-25
Multi-Storey Car Park at RBH	Works	£15.6M	RBCH/PHT	2020-22
Estates Backlog	Works	£11.3M	RBCH/PHT	2020-26
IT Infrastructure	IT	£23.0M	RBCH/PHT	2020/26
ITMS (Pathology IT System)	IT	£1.4M	RBCH/PHT	2020-22
Electronic Prescribing and Medicines Administration System (EPMA)	Works	£18.7M	RBCH/PHT	2020-26
Medical Equipment	Equipment	£14.2M	RBCH/PHT	2020-22
Merger - Swipe Cards & Signage	Other	£0.3M	RBCH/PHT	2020/21
Other	Miscellaneous	£2.2M	RBCH/PHT	2020-23
<b>East Dorset Acute Hospitals Sub Total</b>		<b>£375.7M</b>		
Christchurch Hospital Community Hub	HIP2 Bid (1% seed funded)	£10M	RBCH/PHT	2022-24
Royal Bournemouth Hospital Community Hub (incl. wards & infrastructure)	HIP2 Bid (1% seed funded)	£87M	RBCH/PHT	tbc
Poole Hospital Community Hub (incl. wards & theatres)	HIP2 Bid (1% seed funded)	£53.4M	RBCH/PHT	2028
<b>HIP2 SUB TOTAL</b>		<b>£150.5M</b>		
<b>Total</b>		<b>£526.2M</b>		

## Appendix 3 – Acute Care Capital Plan Submission 29 May 2020 – West Dorset area

Infrastructure Project	Type	Cost (£)	Delivery Agency	Timescale Delivery
Emergency Department / Hospital expansion	Works	£62m		
Multi storey Car Park	Works	£12m		
Residential / Health / Community	Works	£7m		
Hospital Support Services		£4m		
<b>Total</b>		<b>£85M</b>		



## Appendix 4 Community and Mental Health Capital Plan Submission 29 May 2020 – East and West Dorset areas

Infrastructure Project	Type	Cost (£M)	Delivery Agency	Timescale Delivery
Eating Disorders Unit at St Ann's	Works	£7.6M	DHUFT	2020-22
Alderney OPMH	Works	£12.2M	DHUFT	2020-23
8 Bed CAMHS PICU-Alumhurst Rd site-acute ward	Works	£15.0M	DHUFT	2020-23
Alumhurst Road - 2 storey extension - Pebble	Works	£1.0M	DHUFT	2020-21
Blandford Hub-WAVE 4	Works	£4.2M	DHUFT	2020-22
Business Support Vehicle Replacement Programme	Vehicles	£0.7M	Vehicles	2020-26
Estate Refurbishment	Works	£3.0M	DHUFT	2020-26
Estates Backlog	Works	£15.0M	DHUFT	2020-26
IT Infrastructure	IT	£28.2M	IT	2020-26
Equipment incl. Medical Equipment	Equipment	£3.6M	Equipment	2020-26
Electronic Prescribing and Medicines Administration System (EPMA)	IT	£1.2M	IT	2020-22
Other	Miscellaneous	£5.6M	Miscellaneous	2020-26
<b>Dorset Healthcare Sub Total</b>		<b>£97.3M</b>		
St Ann's Hospital, to expand MH facilities in Dorset.	HIP2 Bid (1% seed funded)	£35.0M	DHUFT	tbc
Forston site redevelopment. To improve MH facilities in West Dorset	HIP2 Bid (1% seed funded)	£25.0M	DHUFT	tbc
Sherborne Community Hub	HIP2 Bid (1% seed funded)	£18.2M	DHUFT	tbc
Boscombe development	HIP2 Bid (1% seed funded)	£11.0M	DHUFT	tbc
Wimborne Hub	HIP2 Bid (1% seed funded)	£5.0M	DHUFT	tbc
Shaftesbury Hub	HIP2 Bid (1% seed funded)	£20.0M	DHUFT	tbc
Weymouth Hub	HIP2 Bid (1% seed funded)	£30.0M	DHUFT	tbc
<b>HIP2 Sub Total</b>		<b>£144.2M</b>		
<b>Total</b>		<b>£241.5M</b>		

## Appendix 5 – Primary Care calculator

A calculator is currently being used by the CCG to generate a cost per development towards primary care facilities (capital costs). It calculates the cost per home in any development. This assumes a certain amount of floorspace in a doctor's surgery.

The floorspace assumptions are:

Number of patients	2,000	4,000	6,000	8,000	10,000	12,000	14,000	16,000	18,000	20,000
Type of premises										
A – single storey premises	A	A	B	B	B	B	B	B	B	B
B – two storey premises with one staircase and one lift										
Gross internal area (GIA) allowance	199	333	500	667	833	916	1,000	1,083	1,167	1,250

Then using the following steps:

- Page 386
- Each new dwelling will accommodate 2.4 people (with no adjustment made for number of dwelling bedrooms)
  - Each whole time equivalent general practitioner supports a population of 1800 people and requires 1 clinical room in which to meet the needs of this population. The NHS funds the GP
  - 1 clinical room needs to adhere to the HBN guidance referenced above at a minimum of 16 square metres.
  - The average cost per square metre to building a GP clinical room is £3,500 plus vat in Dorset. This is without any land being purchased and assuming extensions to GP surgeries can be provided with the current overall existing site.

An example:

- Proposed housing development of 750 new homes
- 750 new homes x 2.4 people per home = 1800 additional people
- 1800 people will require 1 additional GP
- 1 additional GP (funded by NHS) will need a clinical room to see these people in
- 1 additional room needs to be 16sqm @ £3,500 per sqm
- Developer contribution needs to be = **£56,000 (minimum)**

NB: additional space may be required due to the need to increase the area in the waiting room/reception/admin space etc. due to the current configuration of the existing building.

## Appendix 6 – Acute care calculator

A calculator is also currently being used by the Hospital Trusts to generate a cost per development towards acute care interventions (revenue costs). It calculates the cost per home in any development. The development contribution covers the cost of hospital visits by occupiers within the first year of occupancy of a new home. As the Hospital Trusts costs are covered in arrears the contribution is justified on the basis that the developer must cover the costs for the first 12 month period of occupancy. These costs are not capital (i.e. buildings and equipment), but staff costs for each intervention. The Hospital Trusts have no method of recovering these additional 12 months costs so they are a gap that needs funding to ensure the level of service required.

This approach is calculated on a site by site basis. Using an occupancy rate of 1.65 people per dwelling and 2018 demographic data it forecasts the number of times each new person is likely to need hospital treatment in a 12 month period. The costs of each hospital visit (intervention) are based on Reference Cost information submitted to NHS England and subject to external audit scrutiny:

- A&E based on the equivalent percentage of the population requiring an attendance
- Emergency admissions based on the equivalent percentage of the population requiring an admission
- Elective admissions based on the equivalent percentage of the population requiring an admission
- Day-case admissions based on the equivalent percentage of the population requiring an admission
- Outpatient attendances based on the equivalent percentage of the population requiring an attendance
- Diagnostic Imaging based on the equivalent percentage of the population requiring diagnostic imaging

The formula for calculating the contribution is:

Development Population x % Development Activity Rate per head of Population x Cost per Activity = Developer Contribution Premium Costs

The following is a worked example of the acute care calculator for a planning application for 695 dwellings:

Royal Bournemouth & Christchurch Hospitals NHS Foundation Trust										
Application Reference:	APP/19/00237/P	Land North of Bearwood, Magna Road and Knighton Lane, Poole						Expenditure Profile £k		
Local Authority / Area	Poole BC							2017/18*	2018/19**	
Activity Type	EL & DC	OP & Diag	Non EI	A&E			Clinical Pay	135,063	83,832	
Trust Population Catchment Estimate	420,846	359,112	348,310	363,705			All other costs	157,922	92,425	
Population Estimate of Planned Scheme	1							Total Costs*	292,985	176,258
Deprivation Weighting % (Public Health England)	0.00%	0.00%	0.00%	0.00%			Staffing cost %	46.10%	47.56%	
Development Dwellings	695	695	695	695			Premium Staff Cost %	5.87%	6.30%	
Population Multiplier	1.65	1.7	1.7	1.7						
Development Population	1,147	1,147	1,147	1,147			* Total Operating Costs Note 5.1 2017/18 Accounts			
** YTD M7 2018/19										
Activity Type	Trust Level Activity 2017/18 Reference Costs	Delivery Cost Quantum 2017/18 Reference Costs £	Delivery Cost per Activity 2017/18 Reference Costs £	Scheme Specific Deprivation Weighting £	% of Resident Population profile attending at POD	Acute Interventions (Activity)	Delivery Cost for Planned Population £	Deliver Cost for Specific Scheme Deprivation Weighted	Premium costs of Delivery £	Cost Pressure (Claim) £
A&E Attendances	95,223	14,779,590	155.21	0.00	26.18%	309	41	46,600	1,397	47,997
Non Elective Admissions	30,797	61,767,725	2005.64	0.00	8.84%	104	177	203,359	6,097	209,457
Non Elective (Short Stay)	28,964	11,977,762	413.54	0.00	8.32%	98	34	39,435	1,182	40,617
Elective Admissions	7,887	34,344,833	4354.61	0.00	1.87%	22	82	93,585	2,806	96,391
Day Case (Elective)	53,292	34,855,789	654.05	0.00	12.66%	150	83	94,977	2,848	97,825
Outpatient Appointments	360,628	43,323,573	120.13	0.00	100.42%	1,186	121	138,345	4,148	142,493
Outpatient Appointments (Procedure)	55,218	10,146,444	183.75	0.00	15.38%	182	28	32,401	971	33,372
Diagnostic Imaging	55,153	6,821,639	123.69	0.00	15.36%	181	19	21,783	653	22,437
<b>Total</b>	<b>687,162</b>	<b>218,017,355</b>				<b>2,233</b>			<b>20,103</b>	<b>690,589</b>
<b>Contribution per Dwelling £</b>									<b>994</b>	

Source: Shakespeare Martineu



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## **Cabinet 3 November 2020 Aspire Annual Adoption Report for the period from 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020**

### **For Decision**

**Portfolio Holder:** Cllr A Parry, Children, Education, Skills and Early Help

**Local Councillor(s):** All Councillors

**Executive Director:** T Leavy, Executive Director of People - Children

Report Author: Jennifer Warr  
Title: Aspire Adoption Service Manager  
Tel: 0300 123 9868  
Email: [Jennifer.warr@aspireadoption.co.uk](mailto:Jennifer.warr@aspireadoption.co.uk)

**Report Status:** Public

**Recommendation:** Cabinet are asked:

1. To note the activity undertaken by Aspire Adoption to secure adoption and special guardianship families for children.
2. To note appendix 2 Interagency Agreement is under review to reflect there are now two Councils involved rather than three.

**Reason for Recommendation:**

#### **1. Executive Summary**

In accordance with the provisions of the Adoption and Children Act 2002, all local authorities have a duty to establish and maintain an adoption service in their area, to meet the needs in relation to adoption, of children who have or may be adopted, of adults who have been adopted, parents and guardians of such children and persons who have or may adopt a child.

Since 1<sup>st</sup> July 2017, Bournemouth Borough Council, the Borough of Poole, and Dorset County Council have delegated most of those functions, along with some statutory responsibilities in relation to special guardianship, to Aspire Adoption, a Regional Adoption Agency. It was one of the first Regional Adoption Agencies (RAAs) to be set up nationally.

Each local authority retains overall responsibility for their adoption and special guardianship services, continuing to have parental responsibility for their own Children in Care, but delegating most adoption and some special guardianship functions to Aspire Adoption. Regional Adoption Agencies are expected to work closely with colleagues in the voluntary adoption sector. Aspire Adoption works in partnership with Families for Children, a Voluntary Adoption Agency based in Devon but with an office in Dorset.

This report details the adoption and special guardianship activity undertaken to secure permanence for Dorset Council's children.

## **2. Financial Implications**

None identified

## **3. Climate implications**

None identified

## **4. Other Implications**

The adoption service exists to promote good permanence outcomes for children in care

## **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**



7. **Appendices**  
N/A

8. **Background Papers**  
N/A

## **Introduction**

This is the second annual adoption report for Aspire Adoption, summarising the work of the agency in the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.. It has been written to ensure that the requirements of the Statutory Adoption Guidance 2013 and the Adoption Minimum Standards 2014 are met.

The 2014 Adoption Minimum Standards can be accessed at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/336069/Adoption\\_NMS\\_July\\_2014\\_for\\_publication.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/336069/Adoption_NMS_July_2014_for_publication.pdf)

The 2013 Statutory Adoption Guidance can be accessed at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/270100/adoption\\_statutory\\_guidance\\_2013.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/270100/adoption_statutory_guidance_2013.pdf)

### **1. Local authority statutory responsibilities in respect of adoption**

1.1 In accordance with the provisions of the Adoption and Children Act 2002, all local authorities have a duty to establish and maintain an adoption service in their area, to meet the needs in relation to adoption, of children who have or may be adopted, of adults who have been adopted, parents and guardians of such children and persons who have or may adopt a child.

1.2 Since 1<sup>st</sup> July 2017, Bournemouth Borough Council, the Borough of Poole, and Dorset County Council have delegated most of those functions, along with some statutory responsibilities in relation to special guardianship, to Aspire Adoption, a Regional Adoption Agency. It was one of the first Regional Adoption Agencies (RAAs) to be set up nationally.

1.3 As a result of local government reorganisation in April 2019, Aspire is now funded by two councils, namely Bournemouth, Christchurch, Poole Council and Dorset Council. On 1<sup>st</sup> April 2020, staff in Aspire were TUPE transferred to Bournemouth, Christchurch, Poole Council, which now hosts the RAA. The Inter Authority Agreement was revised to reflect the change in council boundaries.

1.4 Each local authority retains overall responsibility for their adoption and special guardianship services, continuing to have parental responsibility for their own Children in Care, but delegating most adoption and some special guardianship functions to Aspire Adoption. Regional Adoption Agencies are

expected to work closely with colleagues in the voluntary adoption sector. Aspire Adoption works in partnership with Families for Children, a Voluntary Adoption Agency based in Devon but with an office in Dorset.

1.5 The name “Aspire Adoption” reflects the aspiration to learn, to build on existing good practice and achieve practice improvements in the delivery of services for children, adopters and others who benefit from or are in need of adoption and special guardianship services in the area covered by the Regional Adoption Agency.

## **2. Division of roles and responsibilities between Aspire and the local authorities**

2.1 Aspire has been delegated all of the local authority statutory responsibilities for adoption, other than the court work leading to Care and Placement Orders.

2.2 Aspire has responsibility for recruiting, assessing and supporting prospective adopters, for non-agency adoption work including partner adoptions and intercountry adoptions.

2.3 The local authorities retain overall responsibility for their Children in Care, but have delegated case responsibility for the majority of children with adoption plans to Aspire following the granting of a Placement Order.

2.4 Aspire is responsible for family finding for all children with adoption plans. The RAA is also responsible for preparing children for a move to adoption, for preparing moving calendars or diaries, undertaking life story work and creating life story books.

2.5 Aspire undertakes special guardianship assessments for court on behalf of the local authority as part of care proceedings, or in private law applications.

2.6 Aspire provides support to all parties affected by adoption, including adopters, adoptive families, adopted adults and birth relatives, and also to special guardians, families created through special guardianship, and to the birth families whose children are subject to SGOs.

2.7 The table on the following page sums up the division of responsibilities between Aspire and the local authorities.

Function	Regional Adoption Agency	Local Authority
<b>RECRUITMENT AND ASSESSMENT</b>		
Marketing and Recruitment Strategy	✓	
Adopter Recruitment and Enquiries	✓	
Assessment of Prospective Adopters – all Stage One and Stage Two functions	✓	
Completion of Prospective Adopter Report	✓	
Agency Decision Maker for approval of adopters	✓	
Post approval training	✓	
Matching	✓	
Post Placement training for Prospective Adopters	✓	
<b>PERMANENCE PLANNING</b>		
Early identification of a child possibly requiring adoption		✓
Tracking and monitoring the child possibly requiring adoption	✓	✓
Support and advice to child care social worker on the adoption process	✓	✓
Sibling or other specialist assessments if commissioned by LA	✓	
Direct work to prepare child prior to placement	✓	
Preparation of the Child Permanence Report		✓
Agency Decision Maker for “Should be placed for Adoption” decisions		✓
Case management prior to the point agreed by the LA ADM		✓
Case management from point agreed by the LA ADM	✓	
<b>MATCHING AND PLACEMENT</b>		
Family finding	✓	

Looked After Child reviews	✓	✓
Shortlist and visit potential families	✓	
Organising child appreciation day	✓	
Ongoing direct work to prepare child prior to placement	✓	
Adoption Panel administration and management	✓	
Agency adviser role	✓	
Agency Decision Maker for Matching prospective adopters and child	✓	
Placement Planning meeting administration and management of introductions	✓	
Support to family post placement and planning and delivery of adoption support	✓	
Ongoing life story work and preparation of Life story book	✓	
Independent Review Officer monitoring of quality of child's care and care plan		✓
Support prospective adopters in preparation and submission of application for Adoption Order – including attending at court	✓	
Preparation of later life letter	✓	
<b>ADOPTION AND SPECIAL GUARDIANSHIP SUPPORT</b>		
Assessment for adoption or special guardianship support	✓	
Developing and delivering adoption and special guardianship support plans	✓	
Agree and administer financial support to adoptive families pre and post Adoption Order		✓
Adoption and special guardianship support delivery including: <ul style="list-style-type: none"> <li>• Support groups</li> <li>• Social events</li> <li>• Post adoption/special guardianship training</li> <li>• Independent Birth Relative services</li> <li>• Support with ongoing birth relative contact</li> <li>• Specialist Life Story practitioners</li> <li>• Adoption counselling and training</li> </ul>	✓	
Financial support to adopters and special guardians including adoption and special guardianship allowances		✓
<b>SPECIAL GUARDIANSHIP ORDERS</b>		

Receipt of application or court request for special guardianship		✓
Assessment of applicants for Special Guardianship	✓	
<b>NON-AGENCY ADOPTIONS</b>		
Step parent/partner adoption assessments	✓	
Intercountry adoption assessments and post approval and post order support	✓	

### **3. Headline activity data 01/04/19 to 31/03/20**

3.1 Seventy three children had decisions made by the local authority Agency Decision Maker that they should be placed for adoption (SBPA), compared to 75 the previous year.

3.2 In 2019-20, 42 of the SBPA decisions were for children from the BCP Council area, and 31 from the Dorset Council area. Numbers each quarter fluctuated within each local authority, with nineteen in Q1 of 2019-20 in BCP Council, nine the following quarter and only 4 in quarter 3. There were only 5 or 6 in Dorset across all quarters, apart from quarter 3 when there were 14.

3.3 There is no clear pattern which can be identified within or across the local authorities in relation to numbers of SBPA decisions each quarter to manage workloads for staff in Aspire, or to manage the workload of the Agency Decision Makers in each local authority. A total of 199 SBPA decisions have now been made since Aspire went live in July 2017, an average of 18 SBPA decisions per quarter across the local authorities funding Aspire.

3.4 Forty six Placement Orders were made by the courts from 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020. 27 were for children from the BCP Council area, 19 from the Dorset area. Following on from the local authority decision that a child should be placed for adoption, Placement Orders give social workers legal authority to place a child for adoption.

3.5 There continues to be a significant discrepancy between the number of local authority decisions that a child should be adopted and the courts making a Placement Order. This has been discussed with both local authorities, who have been given the relevant data to consider the reasons for this in relation to their permanency planning. It partly reflects the time lag between a SBPA decision and the final court hearing date, or a local authority change of plan before the final court hearing or the court making an alternative permanence plan for the child.

3.6 Fifty two children in the care of the local authorities of Bournemouth, Christchurch, Poole and Dorset were placed for adoption in the year, compared to 50 the previous year. 33 of these were from the BCP council area, and 19 were from the Dorset Council area. A total of 158 children have been placed for adoption since Aspire went live, an average of 56 each year.

3.7 Nine children were placed on an Early Permanent (EP) basis in 2019-20, compared to eleven in the previous year. Early Permanence means that children can be placed on a fostering basis with approved adopters who will go on to adopt them if the courts agree a Placement Order. All the children placed on this basis in 2019-20 either have or will be adopted by these families.

3.8 Of the 158 children placed for adoption between July 2017 and the end of March 2020, all but 3 remain in their adoptive placement or have been adopted. There was one placement disruption after the child had been with the family for eight months in March 2019; a 9 year old moved from her adoptive family within a week of placement in 2019; and a 15 year old who was due to be adopted by her foster carers decided against being adopted in February 2020. Disruption meetings are always held to learn lessons when a child placed for adoption does not go on to be adopted.

3.9 At the end of March 2020, of the 38 children waiting with Placement Orders but not yet placed, and where the plan continues to be adoption, 1 child has been matched but cannot be placed because of ongoing court proceedings, 2 children are in EP placements. Matching is progressing for most of the other children where the local authority has legal agreement to place for adoption. There are 5 children who are being adopted by their foster carers, 13 where panel dates are already booked. Links are actively being pursued for 4 more children.

3.10 There were 13 children where Placement Orders had been granted but no family is currently being explored. Of these, 9 are boys, 4 are girls; 4 are in sibling groups; The youngest child is 2 and a half but needs to be placed with her sibling; there are 2 children aged 3 and a half, one of whom also needs to be placed with a sibling; the oldest 2 children are aged 9; 2 children are aged 8; 2 are aged 7; and 2 are aged 6. There are also 2 boys aged 4. Internal and external links are being followed up for all these children but without any likely matches identified as yet.

3.11 It has been clear in the last two years that the most effective and efficient way to place these children is for Aspire to recruit and assess their own families to take children with more complex needs. Recruitment activity has been the priority in the coming year and was stepped up to increase the overall number of

adopters and targeted to recruit families who will consider the children currently waiting.

3.12 A total of 40 children were adopted in 2019-20, lower than the previous year but with 48 children in adoption placements at the end of March 2020. Adoption applications are not usually lodged with the court until after the second Child in Care review after placement, about 3-4 months after a child has been placed with their adoptive family. Some prospective adopters need longer still before they feel ready to lodge the application, which can lead to delay as the court application is the prospective adopters' application, not the local authority's application. There were 10 children where the prospective adopters do not feel ready to lodge their application at the end of March 2020, 8 of whom were in interagency placements.

3.13 There are also 13 children in adoptive placements where it is too soon to lodge the adoption application, and 10 applications already lodged with the court. Others are ready to be lodged but the slow -down in Adoption Orders is likely to continue for some time as the courts are having to prioritise their work to focus on children at risk and stopped accepting adoption applications in mid -March 2020 because of the Covid crisis. Seven applications were taken to court to lodge in mid -March but were not accepted. There are 3 others ready to be lodged, with hopes of the courts finding a working solution in early April.

3.14 National adoption scorecards measure timeliness in adoption activity on a 3 -year rolling average. They are published by the Department for Education a year later than the activity they are reporting on. The available published data is for the 3- year period 2015-18 but provisional data for 2016-19 has been drafted. Care has to be taken as small numbers can result in significant swings in averages if just a few children take longer to place for adoption. The outcome for the child is a positive one but can reflect negatively on the data.

3.15 Aspire data for 2019-20 would suggest that for the Aspire local authorities, it took an average of 160 days between the local authority receiving court authority to place the child and the ADM deciding on a match to an adoptive family. The England average from the provisional 2016-19 adoption scorecards is 170 days. It took an average of 356 days between a child entering care and moving in with its adoptive family. The England average from the provisional 2018-19 adoption scorecards is 389 days.



**A1 Days between a child entering care & moving in with their adoptive family (England average from the provisional 2016-19 scorecard is 382 days)**

	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
Bournemouth	304	404	357	354	<b>355</b>
Dorset	220	725	313	534	412
Poole	233	267	248	280	255
	<b>263</b>	<b>467</b>	<b>328</b>	<b>402</b>	<b>356</b>

**A2 Days between an LA receiving court authority to place & deciding on a match (England average from the provisional 2016-19 scorecard is 170 days)**

	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
Bournemouth	123	201	153	134	<b>155</b>
Dorset	64	304	188	234	203
Poole	42	62	54	43	51
	<b>92</b>	<b>235</b>	<b>145</b>	<b>164</b>	<b>160</b>

3.16 Numbers of adopters approved in 2019-20 more than met the year's sufficiency target of fifty new adoptive families, with 60 families approved compared to only 33 in 2018-19. The recruitment of 2.25 full time equivalent fixed term social workers in the team helped to achieve this turnaround, as well as staff on maternity and adoption leave returning to work. Recruiting at this level allows for most Aspire children to be placed with Aspire assessed adopters,

provides a surplus to meet national sufficiency needs and brings income into Aspire to offset the cost of any interagency placements which need to be purchased for Aspire children.

3.17 For the last 2 years, numbers of referrals for special guardianship assessments have settled to between 42 and 33 each quarter, and the total number of referrals for each year has been 148. The Special Guardianship Assessment Team were staffed and funded for no more than 100 referrals a year, so have been under considerable pressure in terms of capacity, especially as these reports are court ordered and timetabled to be completed in no more than 12 weeks, often less. Assessments of prospective special guardians take place across the country and not just in the wider Dorset area. In the last year, assessments have been undertaken in Bristol, Dudley, Gosport, Hull, Lancaster, Lincolnshire, Norfolk, Northamptonshire, Oxford, Peterborough, Rotherham and Walsall.

3.18 The number of withdrawals or discontinuations prior to the report being filed with the court has fallen in the last year from 52 in 2018-19, to 38 in 2019-20. This reflects the joint work between the local authorities and Aspire to ensure that viability assessments are more robust and that prospective special guardians have a clear understanding of what a Special Guardianship Order would mean to them their families and the child, as early as possible.

3.19 The provision of post order adoption and special guardianship support is a statutory requirement and where demand has been seen to be rising not just locally but on a national basis. Numbers of open adoption and special guardianship post order support cases in Aspire have remained high, with at least 240 open cases at any one time. At the end of November 2019, that figure had reached nearly 300, with 44 cases held on duty.

3.20 By the end of March 2020, caseloads ranged from 26-38 cases for full -time social workers or support workers, and 14-17 cases for part time workers. The case load weighting system evidenced that workers had double the number of cases which was felt to be manageable and did not take into account the additional responsibilities of covering the daily duty rota, running monthly support groups, workshops or training, managing indirect contact (letterbox) cases, managing direct contact with birth relatives, or linking in with other professionals e.g. linking in with local schools.

3.21 The tables below illustrate adoption activity and special guardianship activity quarter on quarter for each local authority since Aspire went live in July 2017.

ADM/SBPA	2017		2018				2019				2020	Total
	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
Bournemouth	8	7	4	10	8	7	5	8	5	2	8	72
Christchurch	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1	1	0	0	2
Dorset	9	8	7	15	7	7	1	5	6	14	6	85
Poole	1	4	3	3	4	4	4	10	3	2	2	40
<b>Total</b>	<b>18</b>	<b>19</b>	<b>14</b>	<b>28</b>	<b>19</b>	<b>18</b>	<b>10</b>	<b>24</b>	<b>15</b>	<b>18</b>	<b>16</b>	<b>199</b>

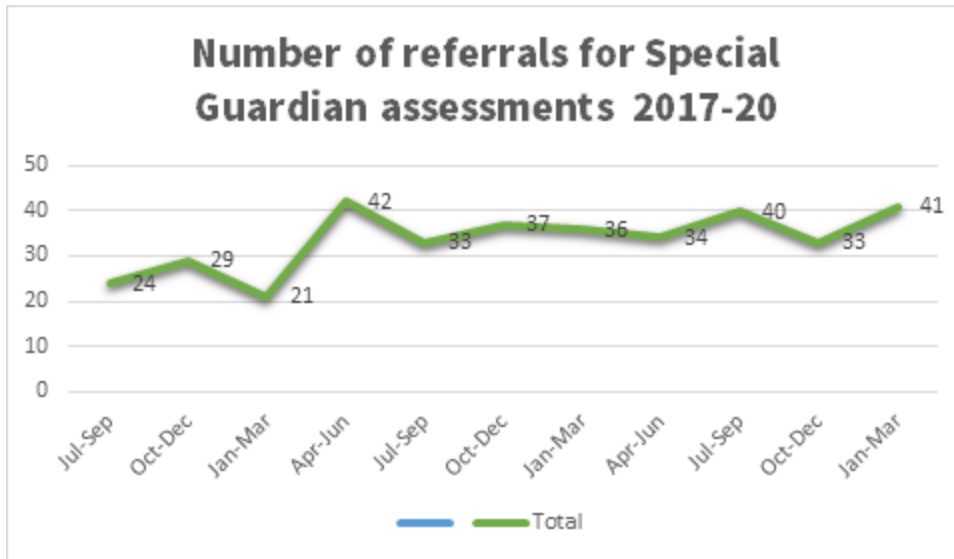
Placement Orders	2017		2018				2019				2020	Total
	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
Bournemouth	6	9	6	5	5	10	5	4	4	3	5	62
Christchurch	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1	0	0	1
Dorset	6	8	5	5	11	6	3	2	5	6	6	63
Poole	3	4	2	1	3	3	4	4	4	2	0	30
<b>Total</b>	<b>15</b>	<b>21</b>	<b>13</b>	<b>11</b>	<b>19</b>	<b>19</b>	<b>12</b>	<b>10</b>	<b>14</b>	<b>11</b>	<b>11</b>	<b>156</b>

Placements	2017		2018				2019				2020	Total
	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
Bournemouth	5	4	8	3	6	7	4	4	7	3	7	58
Christchurch	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0	0	1	0	1
Dorset	10	10	7	8	3	5	6	5	8	2	4	68
Poole	3	6	3	1	1	1	5	3	2	4	2	31
<b>Total</b>	<b>18</b>	<b>20</b>	<b>18</b>	<b>12</b>	<b>10</b>	<b>13</b>	<b>15</b>	<b>12</b>	<b>17</b>	<b>10</b>	<b>13</b>	<b>158</b>

Adoption Orders	2017		2018				2019				2020	Total
	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
Bournemouth	4	3	5	3	8	7	3	5	5	6	3	52
Dorset	7	9	3	12	2	12	9	4	5	4	3	70
Poole	0	9	3	7	4	2	5	1	1	2	1	35
<b>Total</b>	<b>11</b>	<b>21</b>	<b>11</b>	<b>22</b>	<b>14</b>	<b>21</b>	<b>17</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>7</b>	<b>157</b>

Early Permanence	2017		2018				2019				2020	Total
	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
Bournemouth	0	2	0	1	2	0	0	1	1	0	0	7
Christchurch	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0	0	1	0	1
Dorset	2	1	0	1	3	0	0	1	0	2	0	10
Poole	1	2	0	0	1	1	2	0	0	2	1	9
<b>Total</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>28</b>

Adopters	2017		2018				2019				2020	Total
	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	
	9	12	15	11	3	12	7	16	14	17	13	129



#### 4. Finance

4.1 Aspire is funded by the local authorities for whom it undertakes adoption and special guardianship services.

4.2 The budget framework percentages agreed at the time of go live were for contributions of 44.6% from Dorset County Council, 38.3% from Bournemouth Borough Council and 17.1% from the Borough of Poole. This was adjusted at the time of local government reorganisation in April 2019, to 59% from BCP Council and 41% from Dorset. This equates to a total budget of £2,102,700 with contributions of £857,840 from Dorset and £1,244,860 from BCP Council.

4.3 In the Inter Authority Agreement underpinning Aspire, it was agreed that any underspend would go into the Aspire Earmarked Reserve. In the Inter Authority Agreement it was agreed that any overspend was a shared risk and would be split proportionately between the local authorities.

4.4 The provisional Budget Monitoring position for the period April 2019 to March 2020 excludes the final end of year closedown adjustments that take place therefore these figures are still the draft position until the closedown is completed. However, they are not expected to vary considerably from this position.

4.5 It appears that Aspire will be able to balance its expenditure without having to request any additional funding from the 2 partners. This is a positive position given the pressures seen during the year and is thanks to the tight control of the

staffing position before March, as well as additional income generated in Quarter 4 despite the delays in Panels due to the Covid-19 situation.

4.6 The two key areas of budgetary pressure are salaries and interagency expenditure and income. The overspend in salaries is largely arising from previous Management Board decisions to invest in staffing with the ambition to deliver further interagency fee income. The position of interagency expenditure and income shows a net surplus Income position of £102,000, highlighting that the policy of increasing staffing to generate further income has so far delivered results to help in balancing the overall Aspire position.

4.7 At the Aspire Strategic Partnership Board in February 2020, it was agreed that contributions for 2020/2021 would remain the same, relying on continuing to deliver high levels of Interagency Fee income in order to balance the budget.

4.8 The funding for 2020/2021 was agreed as a frozen position but there are costs that will rise regardless, including approximately £36,000 for the pay award, increments for staff not on top of their grade, as well as the increase in the cost of the interagency fee for interagency placements through Voluntary Adoption Agencies, and the impact of the Covid-19 crisis.

4.9 There is sufficient funding to balance the budget in 2019/2020 but the position for 2020/2021 generally continues to be extremely volatile.

4.10 Aspire is not carrying any reserves to help smooth the position however the advantage of sharing the costs in this partnership means the risk of overspend is shared proportionately by each authority. The increased scale of Aspire gives opportunities for management of workload across the service, and these are always explored before making commitments to increasing spending levels.

4.11 Whilst the staffing and interagency budgets remain a potential pressure into 2019-20, Aspire can still be seen as providing value for money. Removing children from the care system through adoption represents a significant saving for local authorities. The University of Bristol have estimated costs of £34,320 a year for every year a child remains in foster care. To the end of March 2019, Aspire had discharged most of the local authority statutory duties in respect of adoption and special guardianship, and had placed 106 children for adoption, removing them from the care system, for a budget of just over £2,000,000 a year.

## 5. Commissioning

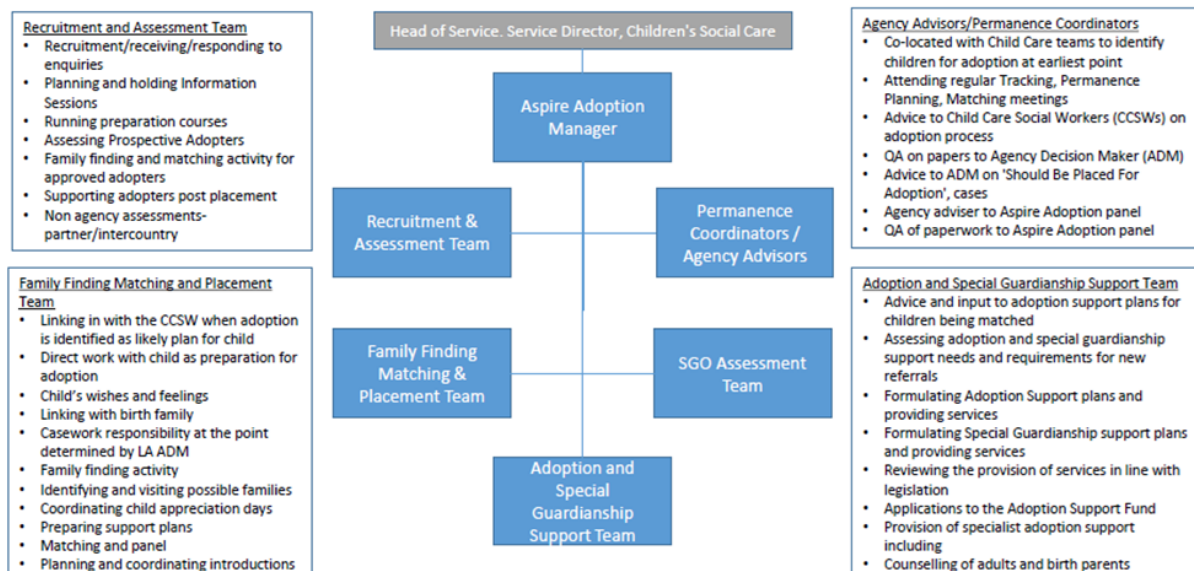
5.1 Most of the services which are the responsibility of Aspire are provided by staff directly employed by the RAA, other than an independent support service for birth families whose children have been adopted, and services provided by external therapeutic providers funded by the Adoption Support Fund.

5.2 The independent support service to birth relatives affected by adoption is commissioned out to Families for Children, the Voluntary Adoption Agency which is partnered with Aspire. Quarterly contract review meetings are held. The current contract runs to 31<sup>st</sup> March 2021.

5.3 Applications are made to the Adoption Support Fund (ASF) (funded by central government) to pay external providers, when families need therapeutic services which Aspire cannot provide in house. Providers are checked out by the Bournemouth, Christchurch, Poole Access to Resources Team (ART). The ASF generates income for Aspire for therapeutic services provided in house which can also be claimed via the ASF, generating over £28,000 in the year.

## **Appendix 1 Aspire Organisational Structure and Staffing**

### **Aspire Adoption - Regional Adoption Agency (RAA) – Organisation Structure**



## **6. Staffing**

6.1 There are 45 permanent full-time equivalent posts in Aspire, with the permanent staffing establishment supplemented by those on casual or fixed term contracts to increase capacity where needed. Many of the staff work part time, with the total number of staff comprising of social workers, support workers, and business support staff totalling about 65.

6.2 The service is led and managed by the Aspire Adoption Service Manager, Heather Freeman. Mrs Freeman is a qualified social worker, has a management qualification and is registered with Social Work England.

6.3 The Recruitment & Assessment Team comprises of a team manager, practice manager and 7.0 FTE social workers. All are registered with Social Work England

6.4 The Family Finding, Matching and Placement Team comprises of a team manager, practice manager and 5.5 FTE social workers, all of whom are registered with Social Work England, and 3 FTE family support workers.

6.5 The Special Guardianship Assessment team has a team manager, practice manager and 5.5 FTE social workers. All are registered with Social Work England.

6.6 The Adoption & Special Guardianship Support team has a team manager, practice manager and 5 FTE social workers, all of whom are registered with Social Work England. The team also has 3 FTE family support workers, a 0.4 FTE clinical psychologist and a 0.8 FTE education specialist.

6.7 There are 2 full time Permanence Coordinators, who also act as Agency Advisers to the Aspire Adoption Panel and Aspire Agency Decision Maker, and to the Agency Decision Makers in the local authorities in relation to decisions as to whether a child should be adopted.

6.8 The service is supported by 6 FTE business support staff including a senior business support officer, a panel administrator, and a marketing, media and monitoring officer.

6.9 All of the social workers employed by Aspire are registered with Social Work England, and many of the staff, including support workers, have additional qualifications including skills in a variety of therapeutic interventions such as theraplay, sensory integration, mindfulness and DDP (Dyadic Developmental Psychotherapy).

6.10 Aspire also has access to dedicated clinical psychology support for staff and service users.

6.11 No agency staff are employed, as all posts are filled, and any vacancies attract a high standard of applications across all areas of the work undertaken by Aspire. Casual staff add capacity for one off pieces of work in the Recruitment and Assessment Team and the Special Guardianship Assessment Team. There are 3 fixed term contract staff as agreed by the Management Board. Two are in the Recruitment and Assessment Team and the third is providing maternity cover in the Family Finding, Matching and Placement Team.

## **7. Staff training and development**

7.1 Staff in Aspire have access to training and courses run by Bournemouth, Christchurch, Poole Council as the host authority paying for these from the Aspire training budget of £8,000 a year. They have access to external courses, but only dependent on budgetary restrictions.

7.2 All staff have monthly supervision and annual appraisals, and regular team case and practice reflection sessions are facilitated by the clinical psychologists

7.3 A staff forum for all staff in Aspire is held every 4 months to update on Aspire performance data, local and national issues relating to the service and to develop the team service plans.



## Appendix 2 Governance

The following is taken from the Inter Authority Agreement

### **SCHEDULE 2 – TERMS OF REFERENCE**

#### **Governance Structure**



#### **Part 1 – Strategic Partnership Board**

**1 Name:**

The name of the Board for Aspire Adoption shall be the **Strategic Partnership Board** which is established pursuant to an Inter Authority Agreement between Bournemouth Borough Council, Dorset County Council and the Borough of Poole ("the Councils") for the creation of a Regional Adoption Agency.

**2 Role:**

The Board will provide advice, oversight and endorsement of the strategic direction of Aspire Adoption.

**3 The Board will:**

- 3.1 Provide and review the strategic direction of Aspire Adoption;
- 3.2 Oversee, review and endorse budget setting and make recommendations to the Councils for Aspire Adoption;
  - 3.2.1 Oversee, review and endorse the Business Plan annually and make recommendations to the Councils for Aspire Adoption;
  - 3.2.2 Attempt to resolve disputes between the Councils under the terms of the Inter Authority Agreement.

#### **4 Accountability and Responsibility:**

- 4.1 Each Local Authority is responsible for ensuring that their nominated representative(s) (or named substitute) are available to attend all Board meetings, which will be scheduled in advance.
- 4.2 All members of the Board will be in a position to make decisions within their respective organisation, where appropriate.
- 4.3 All members of the Board will be responsible for reporting to their organisation, through their respective governance arrangements.

#### **5 Meetings of the Board**

- 5.1 The Board will meet every six months or at a greater or lesser frequency if it so decides.
- 5.2 The Board will elect a Chairperson and Vice Chairperson from amongst its members.
- 5.3 The Chairperson will agree the dates, times and venues for the meetings of the Board. The meeting timetable will be scheduled over the year, to reflect both planned monitoring and evaluation requirements.
- 5.4 The Chairperson shall normally preside at all meetings of the Board.
- 5.5 The Chairperson will be responsible for agreeing meeting agendas and draft minutes for circulation.
- 5.6 Agendas and papers for the meeting will be sent out at least five working days prior to the meeting in order to provide time for members of the Board to read them and identify actions for their own organisations.
- 5.7 Minutes of meeting will be circulated within 5 working days after the meeting with an action list.

#### **6 Membership:**

- 6.1 The Board will consist of:
  - 6.1.1 Portfolio Holder and Executive Director for Childrens Services for Bournemouth Borough Council;

- 6.1.2 Cabinet Member for Learning, Skills and Children's Safeguarding and Corporate Director for Children's, Adults and Community Services for Dorset County Council;
  - 6.1.3 Portfolio Holder and Strategic Director for Children's Services for the Borough of Poole Council.
- 6.2 The Board will consult (so far as it considers proper and appropriate to do so):
- 6.2.1 Representatives from local Voluntary Adoption Agencies/Families for Children; and
  - 6.2.2 A representative from Stakeholders.
- 6.3 Members of the Board should:
- 6.3.1 Commit to attending the majority of meetings or nominate a suitable substitute who can attend in their place who will be expected to exercise the powers of the Member for whom they are substituting. Only Board members or their named representatives can attend Board meetings;
  - 6.3.2 Uphold and support the Board decisions and be prepared to follow through actions and decisions for the Board proposals and declaring any conflict of interest should it arise;
  - 6.3.3 Be prepared to represent the Board at stakeholder events and support the agreed consensus view of the Board when speaking on behalf of the Board to other parties.

## **7 Voting – Quorum**

- 7.1 No quorum is necessary for the routine business and the receiving of reports. However where the Chairperson determines that a critical decision is required there must be a representative from all the Councils.
- 7.2 In the spirit of effective collaboration and partnership working, the Board will always seek to come to agreement through consensus and unanimity following debate and discussion where all the members will be encouraged to participate.

- 7.3 The Members of the Board will be expected to subscribe to the seven principles of public life in their work and decision making. The principles are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 7.4 Members will be expected to declare any personal interests in the business of the Board and to withdraw from participation where such interests are prejudicial or pecuniary.

## **Part 2 – Operational Management Board**

**1 Name:**

The name of the Board for Aspire Adoption shall be the **Operational Management Board** which is established pursuant to an Inter Authority Agreement between Bournemouth Borough Council, Dorset County Council and the Borough of Poole ("the Councils") for the creation of a Regional Adoption Agency.

**2 Role:**

The Board will provide support, advice and management to Aspire Adoption to ensure that statutory requirements and the Business Plan is delivered effectively.

**3 The Board will:**

- 3.1 oversee the implementation of the Aspire Adoption Budget and Business Plan;
- 3.2 oversee the commissioning arrangements and operational performance against agreed local priorities and targets and in line with national priorities and targets.

**4 Accountability and Responsibility:**

- 4.1 Each Local Authority is responsible for ensuring that their nominated representative(s) (or named substitute) are available to attend all Board meetings, which will be scheduled in advance.
- 4.2 This Board will report to the Strategic Partnership Board.

**5 Meetings of the Board**

- 5.1 The Board will meet quarterly or at a greater or lesser frequency if it so decides.

- 5.2 The Board will elect a Chairperson and Vice Chairperson from amongst its members.
- 5.3 The Chairperson will agree the dates, times and venues for the meetings of the Board. The meeting timetable will be scheduled over the year, to reflect both planned monitoring and evaluation requirements.
- 5.4 The Chairperson shall normally preside at all meetings of the Board.
- 5.5 The Chairperson will be responsible for agreeing meeting agendas and draft minutes for circulation.
- 5.6 Agendas and papers for the meeting will be sent out at least five working days prior to the meeting in order to provide time for members of the Board to read them and identify actions for their own organisations.
- 5.7 Minutes of meeting will be circulated within 5 working days after the meeting with an action list.

## **6 Membership:**

- 6.1 The Board will consist of:
  - 6.1.1 Service Director for Children's Social Care for Bournemouth;
  - 6.1.2 Assistant Director – Care and Protection for Dorset;
  - 6.1.3 Head of Children & Young People's Social Care for Poole;
  - 6.1.4 Childrens Services Commissioners from each of the three Parties;
- 6.1.5 Adoption Aspire Manager.
- 6.2 Members of the Board should:
  - 6.2.1 Commit to attending the majority of meetings or nominate a suitable substitute who can attend in their place who will be expected to exercise the powers of the Member for whom they are substituting. Only Board members or their named representatives can attend Board meetings;

- 6.2.2 Uphold and support the Board decisions and be prepared to follow through actions and decisions and declaring any conflict of interest should it arise;
- 6.2.3 Be prepared to represent the Board at stakeholder events and support the agreed consensus view of the Board when speaking on behalf of the Board to other parties.

## **7 Voting – Quorum**

- 7.1 No quorum is necessary for the routine business and the receiving of reports. However where the Chairperson determines that a critical decision is required there must be a representative from all the Councils.
- 7.2 In the spirit of effective collaboration and partnership working, the Board will always seek to come to agreement through consensus and unanimity following debate and discussion where all the members will be encouraged to participate.
- 7.3 The Members of the Board will be expected to subscribe to the seven principles of public life in their work and decision making. The principles are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 7.4 Members will be expected to declare any personal interests in the business of the Board and to withdraw from participation where such interests are prejudicial or pecuniary.

### **Appendix 3 Registered Manager/Responsible Officer and Agency Decision Maker (ADM) Role**

8.1 Until 1<sup>st</sup> April 2019, the Registered Manager/Responsible Officer for Bournemouth Borough Council, under regulation 5 of the Local Authority Adoption Service (England) Regulations 2003, was one of the service managers in Bournemouth. In Poole, the role was undertaken by the Head of Children and Young People's Services. In Dorset, the role was undertaken by the Senior Manager, Placements and Resources. All are members of the Aspire Operational Management Board. From 1<sup>st</sup> April 2019, the role has been undertaken for BCP Council by the Service Manager for Aspire Adoption, and by the Senior Manager, Placements and Resources for Dorset Council.

8.2 In 2019-20, the Agency Decision Maker for approvals of prospective adopters was the Aspire Service Manager. There were also Agency Decision Makers in each local authority for Should Be Placed for Adoption (SBPA) decisions for their Children in Care and for matches of those children.

8.3 All of the Agency Decision Makers have social work and management qualifications and are registered with Social Work England and previously with HCPC.

### **Appendix 4 Aspire Adoption Panel**

9.1 Aspire Adoption operates an Adoption Panel, constituted in accordance with legislation, regulations and guidance. The panel has an independent chairperson, and 15 members on a Central List from which each panel is drawn. There is no legal maximum number of panel members at each panel but in practice, a maximum of 6 or 7 attend each panel, including the panel chair and a social worker. The designated doctor for looked after children in the local authorities funding Aspire is also the agency medical adviser and is a full member of the panel.

9.2 The panel is serviced by a panel administrator and has access to legal advice if needed. The professional advice to the panel is provided by the two Permanence Coordinators, one of whom attends each Panel to ensure the smooth running and to advise on policies and procedures.

9.3 Current membership includes individuals with personal experience of adoption as adopters and adopted adults. It also includes experienced social workers with direct experience of adoption work, a psychotherapist with experience of working in a child and adolescent mental health setting, and panel members with experience of working in an educational setting.

9.4 Members of the Central List from which individual panel membership is drawn reflect the diversity of modern society as far as possible, and include those who are single, in heterosexual and same sex relationships. One panel member on the Central List has personal experience of disability. There is some diversity in terms of age, with panel members in their 30s and others who are retired. Although most panel members are of white British ethnic origin, one panel member is of black African ethnicity and another is of Indian descent.

9.5 The functions of the panel in relation to adoption matters are

- to recommend whether prospective adopters are suitable to adopt a child;
- to recommend whether a proposed match between a child and prospective adopters is a suitable one.
- In circumstances where a child is relinquished for adoption and no Placement Order is applied for, the panel will recommend whether the child should be placed for adoption

9.6 The panel can also give advice about the numbers and ages of children in relation to prospective adopters, also about post adoption contact, delegated parental responsibility and adoption support. The panel has a consultative role regarding the agency's policies and procedures, and a monitoring role regarding quality assurance and ensuring that the time scales set out in the Adoption & Children Act 2002 are met.

9.7 The Aspire Adoption Panel makes recommendations based on detailed written reports prepared by the child's social worker and adoption social worker, and the social worker and team manager's attendance at panel to clarify points if needed.



9.8 When considering the approval or deregistration of prospective adopters or a match between prospective adopters and a child, adoptive applicants have the option of attending panel in person, to provide scope to discuss and clarify any issues relevant to the application. Applicants who decide not to attend in person are not disadvantaged in any way and no judgement is made from their decision not to do so although every effort will be made to assist their attendance.

9.9 The recommendations and advice of the panel are referred, along with the final agreed minutes of the meeting, to the Agency Decision Maker, for a decision to be made and conveyed to all parties within the time scales laid down in the Adoption & Children Act 2002.

9.10 The Panel chair is independent, is an experienced chair and an adopter of 2 children. He attends the Aspire Strategic Partnership Board and presents a report to the Aspire Operational Management Board and Strategic Partnership Board every 6 months in line with standard 17 of the Adoption Minimum Standards, on the quality of reports being presented to the panel. This includes whether the requirements of the Restrictions on the Preparation of Adoption Reports Regulations 2005 have been met, and whether there is a thorough, rigorous, consistent and fair approach across the service in the assessment of whether a child should be placed for adoption, the suitability of prospective adopters and the proposed placement. His most recent report is included as Appendix 5

## **Appendix 5 Panel chair's report January 2020**

### **Introduction**

### **Introduction**

This is my fifth Report as Chair of Aspire's Adoption Panel.

Panel continues to work very well now as an established and integrated team. Mitigation of vulnerabilities has continued and we remain focussed on the child in all of our deliberations.

I would highlight for you in this report the detail provided on Panel make up (as requested by the August meeting of the Strategic Partnership Board), the new feedback system introduced to better scrutinise social worker reports and Panel training, which has concentrated upon learning from disruptions.

## **Panel**

Panel will have met on sixteen occasions between July 1<sup>st</sup> and December 31<sup>st</sup> 2019. Workload has been consistent, but manageable. Our priority has been, and remains, to ensure that matches are heard as quickly as possible.

Improved methods of working have continued to grow organically, enhancing the way by which recommendations are delivered by panel members. Feedback from our Agency Decision Makers continues to be positive in respect of the format in which Panel's recommendations are presented.

I'm pleased to report too that time keeping has improved, with fewer over-runs, thanks to training and interventions to encourage more succinct questioning.

There are currently 15 members on the Central List, of whom 9 members including the chair and two vice chairs are independent members.

The membership of the panel consists of:

- An independent chair who is also an adopter.
- A medical adviser.
- 14 women and 2 men.
- 14 are white, 13 British and 1 Canadian. 2 panel members are black British. One panel member has a partner who is Polish.
- 2 panel members are gay.
- 1 panel member is registered disabled.
- 1 panel member is currently a single parent to dependent youngsters. 2 others have experience of having been single parents.
- 3 panel members were adopted as children.
- 4 panel members are adoptive parents. Their children were placed aged between 18 months and 6 years and are now aged between 7 and 24. Two of the adopters also have birth children.
- 5 panel members are registered social workers. Of these 2 work for BCP Council, 2 work for Aspire and 1 is an independent social worker. The independent social workers was previously a CAFCASS guardian.
- 2 additional members have medical backgrounds.
- 1 panel member was a magistrate in the family court.
- 1 panel member has a background in education.
- 1 panel members is a psychotherapist.

The average age of the current Central List is 54. Four members are under 50, six members are aged 50-60 and five are over 60.

The panel members come from a range of social and economic backgrounds.

One social worker who is appointed to the panel, is currently on maternity leave. It is unclear at this time whether she will be in a position to continue as a member when she returns to work.

The panel meets two or three times a month and it is expected that panel members commit to a minimum of one panel in three. To be quorate, the panel needs to have five members, which must include a chair or vice chair, an independent person (which could be the chair or vice chair) and a social worker. Usually six members are booked to attend each panel, and will include a mix of social workers, and those with personal or professional experience of adoption.

### **Panel Focus**

Panel's focus remains entirely on the child(ren).

We have focussed appropriately on issues of safeguarding, particularly when considering applicants for approval. This has continued to include the ability to deal with stress, applicants' presentation when frustrated, stressed or angry and the ability of their support networks to assist and mitigate at stressful moments.

Other common themes at approval have included the potential issues arising from obesity, financial arrangements and in the case of those applicants who have suffered from infertility, evidence that they have come to terms with and grieved appropriately for their loss of any birth child of their own.

Similarly, we continue to keep the child(re) at the centre of our scrutiny when considering matches. We ensure their needs are at the forefront of the matching process and that adopters have been appropriately and fully prepared.

A growing focus for Panel during consideration of matches has been contact arrangements and the support plan. It has been heartening to see an increase in the number of contact plans including direct contact for adopted children with their siblings and extended families, most particularly in the case of older children.

## Appraisals

Annual appraisals for all Panel members commence on 24<sup>th</sup> January 2020 and will be completed by the end of February.

## Panel Business

Aspire's Adoption Panel has undertaken the following business over the past six months.

	<b>July – December 2019</b>	<b>July – December 2018</b>
<b>Approvals</b>	<b>31</b>	<b>16</b>
<b>Approvals deferred</b>	<b>2</b>	<b>1</b>
<b>Matches</b>	<b>27</b>	<b>22</b>
<b>De-Registration</b>	<b>3</b>	<b>5</b>
<b>Total</b>	<b>63</b>	<b>44</b>

## Adopters

Panel has considered 31 recommendations for approval in the past six months, all those presented have been approved. Those approved included heterosexual couples, same sex couples (both male and female) and single females.

Recommendations for approval were not universally unanimous, with reasons for deferral including those relating to weight and health issues. Two couples were not approved as adopters, one after presentation of a short report, the other after a full assessment.

## Matches

Panel has considered 27 matches in the last six months,. The vast majority of matches continue to be with prospective adopters who have been approved by Aspire.

## **Quality of Social Worker Reports**

The quality of social worker reports remains high. Since October 2019 a new feedback system, using forms complete by Panel Members has been in use.

This has been successful in identifying issues for workers and more importantly for their managers in highlighting strengths and weaknesses in the reports.

The issue of analysis rather than narrative remains one at the forefront of Panel's concerns, the new system highlighting specific examples with which the Panel Advisers and Team Managers have been able to feed back comments to workers.

## **Training**

Our autumn Panel Training event was held at the Kinson Hub in November. It concentrated upon adoption matches that had disrupted during the year.

All bar two Panel members attended and we looked in detail at both national research into the reasons for disruption and also at two recent disruptions of matches made through Aspire. The concentration being upon learning for Panel around scrutiny of the match and whether opportunities to identify the vulnerabilities that led to the disruptions could have been better highlighted.

Our conclusion was that in both cases it would have been difficult to identify the eventual issues that led to the disruption occurring, but that better, possibly more tenacious questioning would have been of benefit.

## **Conclusion**

Aspire's Panel continue to work well as a team, Panel is offering appropriate scrutiny and challenge, reports are of a good standard. Our Panel Advisors offer excellent support to Panel, provide appropriate advice and have ensured efficient Panel operation.

Vulnerabilities have been identified and are being addressed through training and consultation with Aspire's management team.

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