

Public Document Pack

Mid Devon District Council

Homes Policy Development Group

Tuesday, 26 July 2022 at 2.15 pm
Exe Room, Phoenix House, Tiverton

Next meeting
Tuesday, 20 September 2022 at 2.15 pm

PLEASE NOTE: - this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Zoom. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

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Membership

Cllr G Barnell

Cllr J Bartlett

Cllr J Cairney

Cllr S J Clist

Cllr D R Coren

Cllr R J Dolley

Cllr P J Heal

Cllr S Pugh

Cllr R F Radford

AGENDA

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notice of appointment of substitutes.
- 2 **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
- 3 **Declaration of Interests under the Code of Conduct**
To record any interests on agenda matters.
- 4 **Minutes** (*Pages 5 - 10*)
To consider whether to approve the minutes as a correct record of the meeting held on 31 May 2022.
- 5 **Chairman's Announcements**
To receive any announcements that the Chairman may wish to make.
- 6 **Performance and Risk Outturn Report for 2021/2022** (*Pages 11 - 58*)
To receive a report from the Interim Corporate Performance and Improvement Manager providing Members with an annual review of the Council's performance against the Corporate Plan, service objectives and targets for 2021/2022.
- 7 **Tenancy Standard Policy Framework** (*Pages 59 - 122*)
To receive a report from the Corporate Manager for Public Health, Regulation and Housing. The landlord service, Mid Devon Housing (MDH), is currently reviewing previously adopted policies with the aim of rationalising them and ensuring that they support work to ensure regulatory compliance. To this end, policies are being more closely aligned with each of the core individual Standards within the regulatory framework. Having valid, clear adopted policies in place is a requirement of the Regulator for Social Housing.
- 8 **Housing Strategy 2021-25 Progress Update** (*Pages 123 - 140*)
To receive a report from the Corporate Manager for Public Health, Regulation and Housing providing members of the PDG with the first update report on the Housing Strategy 2021-25.
- 9 **Homes for Ukraine Scheme update**
To receive a verbal update regarding the Homes for Ukraine Scheme.

10 **Housing Initiatives Project - Purchase of Houses in Multiple Occupation (HMO'S) for Temporary Accommodation** *(Pages 141 - 152)*

To receive a report from the Corporate Manager for Public Health, Regulation and Housing seeking agreement to purchase either one or two houses in multiple occupation, currently in the private rented sector, for use as temporary accommodation and for rough sleepers.

11 **Council Tax Second Homes and Long Term Empty Briefing Paper** *(Pages 153 - 154)*

To receive a briefing paper from the Corporate Manager for Revenues, Benefits and Recovery.

12 **Identification of items for the next meeting**

Members are asked to note that the following items are already identified in the work programme for the next meeting:

- Housing Service Fees and Charges
- Private Sector Housing Fees and Charges
- Housing Assistance Policy
- Asbestos Management Plan
- Mid Devon Housing Service Delivery Report
- Private Sector Housing and Homelessness (G/F) Update
- Briefing on the Social Housing White Paper

(Each of these items will be confirmed nearer the time).

Note: This item is limited to 10 minutes. There should be no discussion on the items raised.

Stephen Walford
Chief Executive
Monday, 18 July 2022

Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

If you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on:

E-Mail: slees@middevon.gov.uk

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 31 May 2022 at 2.15 pm

Present

Councillors

R J Dolley (Chairman)
G Barnell, J Cairney, S J Clist, D R Coren
and S Pugh

Apologies

Councillors

J Bartlett, P J Heal and R F Radford

Also Present

Councillors

R Evans and S J Penny

Also Present

Officers

Stephen Walford (Chief Executive), Karen Trickey (District Solicitor and Monitoring Officer), Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Matthew Page (Corporate Manager for People, Governance and Waste), Claire Fry (Housing Services Operations Manager), Paul Deal (Corporate Manager for Finance), Mike Lowman (Building Services Operations Manager), Nicola Cuskeran (Interim Corporate Performance Manager & Safeguarding Officer), Sarah Lees (Member Services Officer) and Jessica Watts (Member Services Apprentice)

1 ELECTION OF CHAIRMAN (CHAIRMAN OF THE COUNCIL IN THE CHAIR FOR THIS ITEM ONLY)

RESOLVED that Cllr R J Dolley be elected as the Chairman of the Homes Policy Development Group for the municipal year 2022/2023.

2 ELECTION OF VICE CHAIRMAN

RESOLVED that Cllr D R Coren be elected as the Vice Chairman of the Homes Policy Development Group for the municipal year 2022/2023.

3 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllrs: J Bartlett, P J Heal and R F Radford.

4 PUBLIC QUESTION TIME

There were no members of the public present and none had registered to ask a question in advance.

5 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

No interests were declared under this item.

6 **MINUTES**

The minutes of the meeting held on 15 March 2022 were approved as a correct record of the meeting and signed by the Chairman.

7 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

8 **START TIME OF MEETINGS FOR 2022/2023**

It was **AGREED** that the start time for meetings for the remainder of the municipal year continue to be at 2.15pm on Tuesday afternoons.

9 **REVENUE AND CAPITAL OUTTURN REPORT FOR 2021 - 2022 (00:10:00)**

The Group had before it, and **NOTED**, a report * from the Deputy Chief Executive (S151) presenting the Revenue and Capital Outturn figures for the financial year 2021/22 for both the General Fund (GF) and Housing Revenue Account (HRA).

The Corporate Manager for Financial Services outlined the contents of the report and explained that the general fund had an underspend of £29k and the HRA had an underspend of £67k. This was an excellent return and showed a good degree of financial forecasting.

The following key highlights were provided:

- Reduced levels of income due to the pandemic including car parks, leisure and business rates.
- The reduction in levels of Government funding received for the Council.
- Higher contract staffing levels due to sickness and unfilled vacancies.
- The significant grants provided by the Government which were passed onto residents.
- The movement of reserves remained 10% above the minimum agreed by the Cabinet.
- The Treasury position had shown a greater return than forecasted.

Discussion took place regarding:

- The two surgeries joining together in Crediton and the monies saved as a result of economies of scale.
- Excess income received over that budgeted for. It was explained that when the budget was set in February 2021, an assumption had been made that the effects of Covid would be waning, however, this did not prove to be the case. There were good news stories in the areas of Planning due to the housing market, in business grants, Public Health funding and an increase in recycling income.

- Concerns regarding the use of S106 due to this excess income. For example were S106 monies being used for specific causes rather than to top up holes in the budget and also what monies were being used to develop community infrastructure? It was confirmed that S106 monies were being used for specific causes. There was not a structural problem within the budget, greater recovery was expected as the effects of the pandemic subside and income was expected to return to pre-Covid levels.
- The Council had committed to building circa 160 properties in the near future and was on track to deliver this. An update would be provided to the next meeting on this.
- Voids: the arching intention was to bring properties back into use as quickly as possible. However, there were sometimes complicating factors preventing this. A detailed explanation had been provided to Members recently on this issue.
- The need for a Housing Needs Assessment which would be discussed by the Planning Policy Advisory Group shortly and a need for discussion on a specific house building budget line. It was hoped that this Group could monitor this going forwards.

The Group hoped that the comments they had made during the meeting could be fed back to the Cabinet and considered as part of any budget discussions.

Note: *Report previously circulated and attached to the minutes.

10 **PDG WORK PROGRAMME AND POLICY DEVELOPMENT FOR 2022/23 (00:55:00)**

The Group had before it a report * from the District Solicitor and Monitoring Officer setting out the role of the PDG including results of the residents survey and the current work programme.

It was explained that this was an opportunity for the Group to focus on the areas that fell under its remit and to specifically identify areas of work that it wanted to focus on bearing in mind the feedback from the residents survey.

Discussion took place with regard to:

- The need for an update on the provision for Gypsies and Travellers.
- The need for the Group to have sight of the Repairs and Maintenance Complaints Action Plan and the need to monitor this.
- It was explained that Gypsy and Traveller provision and the Housing Needs Assessment would be covered in an update on the Housing Strategy which would be provided to the next meeting of the Group. There was also a proposal to deliver an all Member briefing on the Housing Strategy.
- A need for a provision within the Corporate Plan to provide support to refugees whilst ensuring this could be delivered in a sustainable way.
- The importance of resident survey reports.
- The use of more 'remote' meetings to deliver briefings and discussion forums in order to cover these important issues and for only focussed discussion to take place at formal Group meetings so that information was not being provided for 'information sake'.

- Second Homes and Council Tax – it was explained that a briefing paper would be circulated to all members shortly. A repository would be created for Members where all such information could be stored over the coming months.

Note: * Report previously circulated; copy attached to the signed minutes.

11 **CORPORATE PLAN MID POINT REVIEW (01:10:00)**

The Group had before it a report * from the Chief Executive considering the progress against delivery for the Corporate Plan at its midway point. This had previously been presented to the Cabinet on 5 April 2022. Feedback was now being sought from the Policy Development Groups in order to inform an update to the Cabinet in July.

The Chief Executive explained that the Corporate Plan had been agreed just prior to the pandemic and therefore it was not as far along as originally hoped but that some progress had been made. He informed Members that it was now prudent to revisit the plan to establish what could realistically be completed in the time frame to 2024.

During the discussion that followed the need to include an aim to support refugees and residents generally experiencing hardship was identified. This had also been discussed at the Scrutiny Committee the previous day.

It was also reconfirmed that the Council could only continue to 'lobby' against Right To Buy, not many other options being available at the current time. However, this served as a good example for Members to think about what their priorities were and how best to be using available resources.

Note: * Report previously circulated; copy attached to the signed minutes.

12 **MID DEVON HOUSING COMPLAINTS HANDLING REPORT (00:20:00)**

The Group had before it, and **NOTED**, a report * from the Corporate Manager for Public Health, Regulation and Housing providing an overview of Mid Devon Housing's (MDH) plan to implement and promote a positive complaint handling culture and drive service improvement through lessons learned from complaints, to Members.

The contents of the report were outlined with particular reference to the following:

- Complaints needed to be handled efficiently and lessons needed to be learned.
- Any landlord managing circa 3000 properties would have complaints at any one moment in time. The complaints made were common across all registered providers and were consistent nationally.
- This was the most scrutinised service in the Council.
- In the past year 171 complaints had been received with 55 being upheld. This needed to be seen within the context of thousands of repairs.
- Complaints reaching the final stage ended up going to the Housing Ombudsman. 5 such cases had occurred in the previous year, not all of these had been upheld.
- A performance update would be provided on a quarterly basis through the MDH update report to the Group.

Consideration was given to:

- How a small issue can often escalate unless dealt with very quickly or at least a plan of action being put in place.
- The relationship between the tenant and the landlord was a two way process.
- The need for this Group to monitor this area and receive regular updates.
- The new format of Neighbourhood Walkabouts was working extremely well which included close liaison with Police and other interested parties in a joined up approach which was able to solve issues 'on the ground'.

Note: * Report previously circulated; copy attached to the signed minutes.

13 HOMES FOR UKRAINE SCHEME (01:43:00)

The Corporate Manager for Public Health, Regulation and Housing provided an update on the Council's involvement with the Homes for Ukraine Scheme by way of presentation which included the following key highlights:

- Information with regard to the three Government schemes to help Ukrainians come to the UK.
- The funding available to Ukrainians guests and hosts to support the schemes.
- The timescales involved and some of the challenges faced in delivering the schemes.
- The Local Mid Devon Delivery Team and how this linked into the wider regional team.
- Current data as of 30 May 2022.
- The wraparound support available.
- Commissioned support from CHAT, Citizens Advice and the Devon Ukrainian Association.
- Risks involved with vulnerable individuals suffering trauma and the threat of exploitation.

Consideration was given to:

- How sad the situation was and the fact that elected Members wanted to do all they could to offer support.
- A request was made that the presentation be forwarded to all Members so that they could forward on the information to their Town and Parish Councils.
- The current amount of support being given by the Council was unsustainable in its current form. Officers were being drawn away from 'the day job'. Discussions across local and regional teams were planned so that a sustainable management of refugee programming could try to be ascertained going forwards. An update was requested for the next meeting.

14 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (02:21:00)

In addition to the items already listed in the work programme for the next meeting the Group requested that it receive an update in relation to:

- The Homes for Ukraine Scheme

Other requests made during the meeting would be covered in the reports already listed for the next meeting.

It was explained that because of the need to liaise with a Members Working Group on ASB, the Neighbourhood & Community Standard Policy may not come to the next meeting due to a timing issue. It was hoped that the Tenancy Standard Policy could be brought in its place.

(The meeting ended at 4.40 pm)

CHAIRMAN

HOMES PDG

DATE: 26TH JULY 2022

PERFORMANCE AND RISK OUTTURN REPORT FOR 2021/22 (LEADERS REPORT)

Cabinet Leader

Cllr Bob Deed

Responsible Officers

Matthew Page, Corporate Manager for People, Governance & Waste
Nicola Cuskeran, Interim Corporate Performance and Improvement Manager

Reason for Report: To provide Members with an annual review of the Council's performance against the corporate plan, service objectives and targets for 2021/2022.

RECOMMENDATION: That the Homes PDG reviews the performance and risks and feeds back any areas of concern.

Relationship to Corporate Plan: Corporate Plan priorities and targets are effectively maintained through the use of appropriate performance indicators and regular monitoring.

Financial Implications: There are no direct financial implications arising from this report. However, if performance is not at the expected or desired level then resources may need to be reviewed or redirected to enable more focused performance.

Legal Implications: There are no direct legal implications arising from this report. However, if performance is not at satisfactory levels, the risk of legal challenge arising increases.

Risk Assessment: If performance is not monitored we may fail to meet our corporate and service targets or to take appropriate corrective action where necessary. If key business risks are not identified and monitored they cannot be mitigated effectively.

Equality Impact Assessment: Customer feedback can help the council identify any groups of people who may potentially be experiencing a less satisfactory level of service when compared to the majority of our customers. When reviewing performance and making recommendations on priorities, the council should be minded to consider how services might impact on different sections of the community.

Climate Impact Assessment: A number of performance indicators are either directly or indirectly related to our corporate ambition to reduce carbon emissions. Monitoring the performance of these can help evaluate the impact of Council interventions as well as guide future decisions on spend and investment.

1.0 Introduction

- 1.1 This report provides a year end analysis of the overall performance position for the period of 2021/2022.
- 1.2 As outlined in the reports to the Cabinet throughout the year, the pandemic led to a step change being taken to ensure effective service delivery was maintained through staff working remotely and the use of digital platforms. In December 2021 ICT services increased the bandwidth (in computing terms is the maximum rate of data transfer) doubling the existing speed of connection and made some changes to the firewall to improve performance. As of April 2022 ICT services have rolled out 3CX telephony system to support and aid remote working and improve the customer experience by being able to converse with officers.
- 1.3 The attached KPI appendices cover the entire financial year. Progress is monitored throughout the year by reporting against the declared aims for each priority identified.
- 1.4 In terms of the priorities for the coming year, the Cabinet will be focused on embedding a recovery from the pandemic, whilst ensuring that delivery against the corporate plan is maintained and improved.
- 1.5 A mid-point review of the Corporate Plan has been published and was presented at Cabinet on 5 April 2022. The report will also be presented to Audit committee, Cabinet and the Policy Development Groups (PDG's) during June 2022.

2.0 Environment Appendix 1

Aim - Increase recycling rates and reduce the amounts of residual waste generated

- 2.1 A trial of three weekly residual waste collection in parts of the District took place between July and October 2021. This demonstrated a reduction in residual waste of between 24% and 44% in the urban trial locations, and a reduction of between 6% and 30% in rural settings. Analysis suggests that the majority of this change accrues to the diversion of food waste from residual waste – aided by the trial of weekly food caddy collections. This informed the decision taken by the Cabinet in February 2022 to commence 3 weekly collections as standard practice from late September 2022.
- 2.2 Encouragement was drawn from a survey carried out with affected residents after the trial where 71% of those surveyed thought that reducing the carbon footprint was the most important aspect to them when asked about the benefits of collecting non-recyclable waste every three weeks. A communication and soft enforcement plan will be presented to all members on the 14 June 2022 will emphasise the importance of each household directly contributing to the District reducing its carbon footprint and achieving carbon zero net status through greater reusing, reducing and recycling of waste.
- 2.3 Household recycling rates in Mid Devon for 2021/2022 was 53.4% which was better than the target. The total of residual waste collected was slightly above the target at 364.5Kg per household.

- 2.4 The number of households who pay for their garden waste to be collected at the kerbside increased by 229 customers. The percentage of missed refuse and organic waste collections reported was slightly above target at 0.02%.
- 2.5 The revised Public Spaces Protection (Dog Control) Order (PSPO) was reviewed and a public consultation took place. The Environment PDG recommended the fixed penalty for breaches of the PSPO would be set at the maximum of £100 and the Cabinet approved the recommendation.

Aim - Encourage "green" sources of energy supply new policies and develop plans to decarbonise energy consumption in Mid Devon

- 2.6 Through the Devon Solar Together initiative, the number of solar panels installed is 253 (this succeeded the pre-set target of 250).
- 2.7 All 5 Council-owned locations for 10 fast charger points under the Deletti scheme were approved and the lead partner Devon County Council has prepared for procurement with installations taking place during 2022. The total usage of electric car charging was well above the target (2,300) at 4,639.

Aim – Encourage retro-fitting of measures to reduce energy use in buildings.

- 2.8 The Council's Property Services team has carried out improvement works at all 3 leisure sites. The measures will mean that over the life of the assets, CO2 emissions will be cut by 520 tonnes, with an annual reduction of around £40,000 - £50,000 in electricity charges, as well as reduced maintenance costs.

Aim - Encourage new housing and commercial developments to be 'exemplars' in terms of increasing biodiversity and reducing carbon use.

- 2.9 The Council's planned modular housing development in Cullompton has been shortlisted for four awards in the South West's Construction Excellence Awards. This is being delivered in partnership with innovative modular house builder Zed Pods Ltd. The zero carbon homes are set to be installed on a council-owned site on the St Andrew's estate in Cullompton and, once completed, will be an exemplar social housing scheme.

3.0 Homes Appendix 2

Aim - Deliver more affordable housing and greater numbers of social rented homes

- 3.0 The Council has been working hard and recently developed and adopted a new, comprehensive and innovative housing strategy (2021-2025) ensuring a whole organisation approach to housing enablement, delivery and management. This new approach has created a multi-disciplinary Housing Strategy Delivery team.

- 3.1 Our Housing Strategy sets out a clear direction, for the next five years, to offer more housing with more choice by developing new homes and improving existing homes and communities. There is a particular focus on affordable and social rent properties alongside a strong commitment to having low-carbon, accessible and adaptable homes. This means we can support our most vulnerable residents to access and maintain good quality housing which meets their needs. This will help our hamlets, villages and towns to be sustainable in the longer term and contribute to the district's prosperity and wellbeing.
- 3.2 The percentage of emergency repairs to our tenants properties completed on time met its target of 100%. The percentage of urgent repairs completed on time was above the target (95%) at 99.3%. The percentage of routine repairs completed on time was above the target (95%) at 98.8%.
- 3.3 During the last year the council has commissioned contracts following approval of our planning applications for 3 homes in Tiverton, 6 modular carbon-zero homes in Cullompton, 8 modular carbon-zero homes in Tiverton and the projects are currently being commissioned. In the next few weeks a major planning application submission for 70 homes on land at Post Hill Tiverton will become part of Mid Devon's housing stock.

Aim - Work with landlords to ensure the quality of homes in the private rented sector

- 3.4 During 2021-2022 a total of 54 empty homes were brought back into use while in 2020-2021 the total of empty homes reintroduced was 101. The combined total exceeds the target of 72 homes each year (155 compared to the target of 144).

4.0 Economy Appendix 3

Aims - Identify strategic and tactical interventions to create economic and community confidence and pride in the places we live. This includes a continued focus on Town Centre Regeneration. Develop and deliver regeneration plans for all 3 main towns in partnership with Town and Parish Councils, private and third sector organisations and communities.

- 4.1 The Minister of State for Transport has discussed the importance of regional connectivity as proposals to reopen a station in Cullompton gather momentum. The importance of regional connectivity and the role that railways play in terms of connecting people and places, people in their communities, people and jobs and opportunities.
- 4.2 During the last year the District Council launched two rounds of Love Your Town Centre funding. Both rounds received bids from local businesses, town councils or organisations across Crediton, Cullompton and Tiverton, with proposals to generate and support the town centres economic recovery. The scheme has proved vital this year, providing funding for quick-win projects and supporting footfall return to the town centres, which has been welcomed by community groups.

- 4.3 Over the last year the Cullompton High Street Heritage Action Zone has achieved:
- Higher Bullring Public Realm Enhancement scheme - concept design work is underway following the appointment of consultants last autumn, in partnership with Devon County Council and Historic England.
 - The Cultural Consortium 'Creative Cullompton' were successful in their bid to Historic England and awarded a grant of £90,000 to support local cultural and historic activities in the town centre as part of the High Street Heritage project.
 - The updated Cullompton Conservation Area Appraisal (CAMP) has been completed.
 - The Building Grants Scheme is progressing and the High Street Heritage Officer is working with owners of various properties to develop eligible projects for funding. Properties have been identified following a Condition Survey and the preparation of a Building Priority list.

Aim – Work with developers to secure our ambitious plans for the J27 'Devon Gateway' development site

- 4.4 In terms of strategic development, one of the district's most significant future development opportunities exists at Junction 27 of the M5 – where the M5 and the A361 north Devon link road intersect. The Eden project has received £250k of Community Renewal Fund monies in order to progress its outline proposals for the site which include using Junction 27 to create a gateway to Devon / North Devon in a highly accessible location on the strategic highway network.
- 4.5 The Council was one of the first to go live nationally across the UK and first in Devon and Somerset with applications on the 12 March 2022 for the Council Tax Energy Scheme, payments could not be made until on or after 01 April 2022 as per Government guidance. As at 16 May 2022 the Council has paid out a total of £3,505m to eligible Mid Devon households this is 84% of the total budget.
- 4.6 Mid Devon have issued millions of pounds of assistance in business rate grants over the past 2 years.
- 4.7 The Benefits Service delivered the test & trace scheme where £500 was paid out to more vulnerable people when they had to isolate.
- 4.8 The community response to support the 74 Asylum Seekers, accommodated at Tiverton Hotel, as part of the Government's Initial Asylum Seekers Accommodation has concluded.
- 4.9 The government has launched the 'Homes for Ukraine Scheme' to support the refugees seeking a safe home in our communities whilst fleeing from the war in the Ukraine. Team Devon are working closely together to deliver a wraparound package of support (access to benefits; health services; education; wellbeing).

5.0 Community Appendix 4

Aim - Seek opportunities to address public health issues and disparities to improve the health and wellbeing of everyone in Mid Devon

- 5.1 There was an increase in the number of Health Referral Initiatives across our Leisure centres last year. Conversations have taken place at a regional level through the Active Devon group, supported by Sport England, to ensure a consistent approach to this element of the Leisure provision.

Aim – Encourage communities to deliver their own projects to reduce carbon emissions

- 5.2 The State of the District Debate this year returned and was on the subject of the Climate Change Agenda. A number of topic specialists provided valuable insights, speaking on themes such as energy advice for our homes, impacts on farming and successful green projects that are taking place within the district. The debate was well received and Members will be considering what was discussed and will look at ways to work with communities to address the issues raised.

Aim - Promote new, more integrated approaches to promoting good health and healthier living especially in the context of planned new developments.

- 5.3 The Council consulted on the Plan Mid Devon 2023 – 2043 Issues Paper between 31st January and 28th March 2022, involving both on-line and face to face public engagement events. This is the first stage in preparing the new Local Plan, in which views have been invited about what the new Local Plan will include and how Mid Devon should be planned for in the future. Consultation responses are currently being considered and work is now progressing across a range of technical evidence that will be used to help inform the preparation of a Draft Policies and Site Options Report that will be consulted on in mid-2023.

Aim – Promote community involvement in Council activity

- 5.4 The number of complaints received during 2021/2022 was 404 and the percentage of complaints resolved within the timescales of 10 to 12 weeks was 91%, slightly above target.

6.0 Corporate Appendix 5

- 6.1 The Planning KPIs are all on target or better than target. Considering the relatively undiminished volume of applications, this is a significant success.
- 6.2 The Building Control service has exceeded their performance targets relating to the assessment of full plans and applications examined within 3 weeks.
- 6.3 The response rate to FOI requests answered on time was 98% against 100% for the previous two years.

- 6.4 The Council's own industrial units had 98% occupancy rates at the end of the year.
- 6.5 Collection rates for Council tax in the financial year of 2021/2022 had a target of 96% with the team securing a rate of 96.69%.
- 6.6 NNDR rates (Business Rates) in the financial year of 2021/2022 had a target of 96% with the team securing a rate of 98.62%. The service has worked very hard to secure a 1.5% increase on the pre-set target.
- 6.7 In 2021/2022 an average of 7.47 days per fte were lost due to sickness absence which is an increase compared to 5.80 days in 2020/2021. There were fewer formal restrictions during the autumn and winter months of 2021/22 which led to increased amounts of sickness and COVID related infection amongst the workforce.

Despite these pressures all services were maintained during this difficult period including the collection of all waste and recycling despite a third of the workforce having COVID-19 in the last quarter of 21/22.

- 6.8 An independent staff survey was carried out in the autumn of 2021 to assess staff feedback on key components of their employment experience and to compile an all staff action plan which was presented to Scrutiny in April 2022. All local authorities including Mid Devon have a considerable challenge as we emerge from the pandemic and face the current cost of living crisis to recruit and retain our most vital asset; our people.

7.0 Risk

Some risk scores have increased due to the Covid 19 pandemic especially as regards financing, homelessness and the economic outlook.

- 7.1 The Corporate risk register is regularly reviewed by both the Corporate Management Team and Leadership Team and updated as required.
- 7.2 Risk reports to committees include strategic risks with a current rating of 10 or more in accordance with the Risk and Opportunity Management Strategy. (Appendix 6)
- 7.3 Operational risk assessments are job specific and flow through to safe systems of work. These risks go to the Health and Safety Committee biannually with escalation to committees where serious concerns are raised.
- 7.4 Like all local authorities the council is facing the challenge of increased turnover and high level of vacancies. Part of this challenge is down to wage stagnation due to current levels of inflation vastly outstripping the cost of living rise that local authorities cannot afford to make. Talks are being conducted nationally across the regions on what can be achieved to address the situation.

- 7.5 There is a risk of the 'Homes for Ukraine scheme' failing should the host relationship breakdown and re-matching is not an option. Where refugees cannot afford to pay for private accommodation the council has a Homelessness Duty.
- 7.6 This would see an increase in the need for our homelessness service to find suitable alternative safe temporary accommodation at a cost to the authority and that may be some distance from the location of the original hosting arrangement due to availability pressures.
- 7.7 There is a risk around safeguarding vulnerable individuals and children who may fall outside of the 'Homes for Ukraine scheme' by not having their needs met and /or refugees being vulnerable to exploitation.

8.0 Recommendations

- 8.1 That Scrutiny review the performance and risks and feeds back any areas of concern.

Contact for more Information: Matthew Page, Corporate Manager for People, Governance & Waste email: mpage@middevon.gov.uk, Nicola Cuskeran, Interim Corporate Performance and Improvement Manager email: ncuskeran@middevon.gov.uk

Circulation of the Report: Leadership Team and Leader of the Council

Corporate Plan PI Report Environment

Monthly report for 2021-2022
 Arranged by Aims
 Filtered by Aim: Priorities Environment
 For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Environment																
Priorities: Environment																
Aims: Increase recycling and reduce the amount of waste																
Performance Indicators																
Title	Prev Annual Year End	Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Residual household waste per household (measured in Kilograms) (figures have to be verified by DCC)</u>	379.8	362.0	33.7	62.3	93.1	124.2	154.3	185.2	213.3	243.9	272.1	306.3	333.3	364.5	Darren Beer	(April - March) Vt slightly ov target however : 3.06% decrease comparec pervious year contributi to the 3.2 decrease overall waste arisings. (LD)
<u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>	10		0	0	0	0	0	0	0	0	0	0	0	0	Darren Beer	(March) Manager post now and a change to team members (NC)
<u>% of Household Waste Reused, Recycled and Composted (figures have to be verified by DCC)</u>	53.5%	54.5%	52.1%	51.4%	53.6%	53.8%	53.9%	54.8%	54.9%	54.6%	54.0%	53.8%	53.6%	53.4%	Darren Beer	(March) Household recycling tonnage f decrease by 3.04% comparec last year; residual waste has also decrease resulting i 3.24% reduction waste arisings. The effec on the recycling rate is therefore 0.1% poir reduction comparec the previc year. Results fr the recen trial indic that the introducti of three weekly collection will have : considera

Corporate Plan PI Report Environment																
Priorities: Environment																
Aims: Increase recycling and reduce the amount of waste																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																positive impact on the recycl rate. (LD)
<u>Number of Households on Chargeable Garden Waste</u>	11,653	11,200	11,620	11,620	11,620	11,791	11,861	11,879	11,888	11,713	11,695	11,691	11,758	11,882	Darren Beer	(March) A increase of 229 customer: comparec 2020/21 (LD)
<u>% of missed collections reported (refuse and organic waste)</u>	0.02%	0.03%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.03%	0.03%	0.02%	0.02%	0.02%	0.02%	Darren Beer	(March) Within target for the year (LD)
<u>% of Missed Collections logged (recycling)</u>	0.02%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	Darren Beer	(March) C target for year (LD)

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Corporate Plan PI Report Climate Change

Monthly report for 2021-2022
 Arranged by Aims
 Filtered by Aim: Priorities Climate Change
 For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below
target

Below target

On target

Above target

Well above
target

* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Climate Change

Priorities: Climate Change

Aims: Green Sources of Energy

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>New Solar Initiatives</u>	251	250	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a	253	Jason Ball, Andrew Busby	(Quarter 4) Thus far, through the Devon Solar Together initiative, the number of solar panels installed is 246; and 31 kWh of battery storage capacity, across 7 installation sites. (JB)
<u>Electric Car Charger usage</u>	1,867	2,300	279	633	1,017	1,442	1,918	2,322	2,768	3,130	3,546	3,838	4,194	4,639	Jason Ball, Andrew Busby	
<u>Electric Car Charger Units</u>	0	8	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	Jason Ball, Andrew Busby	(Quarter 4) The installation and operation contract for the Deletti partnership scheme has now been procured by Devon County Council (as the lead partner) and chargepoint installations are expected to begin in May 2022 (completion before end

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Corporate Plan PI Report Climate Change																
Priorities: Climate Change																
Aims: Green Sources of Energy																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																of 2022). (JB)

Aims: Biodiversity																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Corporate Tree Planting Scheme</u>	0	500	n/a	n/a	0	n/a	n/a	0	n/a	n/a	35	n/a	n/a	650	Jason Ball, Andrew Busby	(Quarter 1) Winter 2020-2021 planned planting was deferred due to pandemic restrictions. Planting planned for winter 2021-2022 and we are working to secure funding. (JB)
<u>Community climate and biodiversity grants</u>	No	Agree funding. Options paper to be considered by Env PDG.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	No	Jason Ball, Andrew Busby	(2021 - 2022) Climate and Biodiversity fund is a priority in the Climate Strategy. Proposal included in the Budget Options for Climate Investment report to Environment PDG 11 Jan 2022. (NC)

Aims: Retro-fitting measures																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Corporate Renewable Energy Projects</u>	1	4	n/a	n/a	0	n/a	n/a	0	n/a	n/a	1	n/a	n/a	6	Jason Ball, Andrew Busby	(Quarter 4) 2020-2021: Carlu Close solar PV project completed. 2021-2022: Retrofit of ASHP (Air Source Heat Pump) at Lords Meadow Leisure Centre; retrofit energy saving light installations at all 3 leisure centres; retrofit energy saving lighting measures installed at Tiverton multi-storey car park. The hydro project is a live planning application at present. (JB)
<u>ECO Flex</u>	1,028	300	133	191	259	289	322	375	413	438	469	503	555	625	Simon Newcombe	
<u>Housing Assistance Policy</u>	5	5	0	0	0	2	3	6	7	7	13	15	18	28	Simon Newcombe	
<u>Home Improvement Loans</u>	10	10	n/a	n/a	2	n/a	n/a	3	n/a	n/a	4	n/a	n/a	5	Simon Newcombe	

Aims: Other																
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Corporate Plan PI Report Climate Change																
Priorities: Climate Change																
Aims: Other																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Schemes</u>	0	4	n/a	n/a	4	n/a	n/a	4	n/a	n/a	6	n/a	n/a	8	Jason Ball, Andrew Busby	(Quarter 4) Active liaison with at least 8 groups across the district, e.g. online workshops, correspondence, events, promoting their activities on the Climate and Sustainability website, and outreach to ask for their input on Council activities. (JB)
<u>Council Carbon Footprint</u>	19,407	18,250	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Jason Ball, Andrew Busby	(2021 - 2022) Quarter 4 - we are waiting for the figures to be checked before we can publish them. (NC)

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Corporate Plan PI Report Homes

Monthly report for 2021-2022
Arranged by Aims
Filtered by Aim: Priorities Homes
For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below
target

Below target

On target

Above target

Well above
target

* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Homes

Priorities: Homes

Aims: Deliver Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Net additional homes provided</u>	335	393	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	(2021 - 2022) Data not yet available until May 2022, due to lag time in receiving Building Control completion notices and the need for data quality checks (TP)
<u>Self Build Plots</u>	1	5	n/a	n/a	6	n/a	n/a	6	n/a	n/a	12	n/a	n/a		Tristan Peat	(Quarter 3) Permission granted on 1.10.2021 for a dwelling at Bow, Crediton (application reference: 21/01088/FULL), and 5 CSB plots at the Tiverton EUE (21/00128/MFUL) on 11.11.2021 (TP)
<u>Gypsy & Traveller Pitches delivered</u>	1	2	n/a	n/a	0	n/a	n/a	1	n/a	n/a	1	n/a	n/a	1	Tristan Peat	(Quarter 2) Retrospective planning permission granted for one pitch at Yeoford (TP)
<u>Number of affordable homes delivered (gross)</u>	30	94	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	(2021 - 2022) Data not yet available until May 2022, due to lag time in receiving Building

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Corporate Plan PI Report Homes

Priorities: Homes

Aims: Deliver Housing

Performance Indicators

Title	Year End	Target	Act	Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																Control completion notices and the need for data quality checks (TP)
<u>New Social Rent Council Houses</u>	0	17	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a	6	Andrew Busby, Simon Newcombe	(Quarter 4) A total of 6 homes, 5 were buy back and 1 was a new home. (NC)
<u>Number of Homelessness Approaches</u>	587		n/a	n/a	144	n/a	n/a	316	n/a	n/a	493	n/a	n/a	675	Simon Newcombe	

Aims: Community Land Trusts

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Land Trusts Assisted</u>	2	1	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	1	Tristan Peat	(Quarter 4) Release of £500 from the Council's Community Led Housing Fund to the Chawleigh Community Trust, as part of approved grant support. (TP)

Aims: Private Sector Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Deliver homes</u>	101	72	0	9	16	20	20	30	35	42	43	45	48	54	Simon	(January) In the last 12 months

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Corporate Plan PI Report Homes

Priorities: Homes

Aims: Private Sector Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>by bringing Empty Houses into use</u>															Newcombe	and has been delivering a national pilot project relating to the enforcement of the Minimum Energy Efficiency Standards in the private rented sector. As a service we've clearly also been tasked with supporting our core Public Health role regards the Covid pandemic which has diverted resources across the team, especially in the last 12-months. This has meant that the focus of the team has not been on empty homes. This decision to prioritise of statutory, high-risk duties versus lower risk and largely non-statutory work was taken at a corporate level in consultation with the relevant portfolio holders and was wholly consistent with regulatory guidance provided by MHCLG (now DLUHC) at the time. Despite this we have continued to monitor properties and intervene where there has been a serious impact on neighbours. 2 properties that

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Corporate Plan PI Report Homes

Priorities: Homes

Aims: Private Sector Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																have caused problems have been listed for sale through our property auction partner this year. Going forward we are introducing a new role that will have a greater focus on empty homes work and we have a clear commitment to tackling empty homes from 2022/23 under the new Housing Strategy. (SN)
<u>Houses in Multiple Occupation (HMOs) investigations</u>	96%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	Simon Newcombe	
<u>Landlord engagement and Support</u>	14	9	n/a	n/a	1	n/a	n/a	4	n/a	n/a	10	n/a	n/a	14	Simon Newcombe	(Quarter 4) 1 x mailout re MEES, 2 x press releases and media engagement, 1 x pinpoint news bite (TW)

Aims: Council Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Tenant Census</u>	34%		n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Simon Newcombe	(Quarter 4) Team are

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Corporate Plan PI Report Homes

Priorities: Homes

Aims: Council Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																developeing an action plan as part of the Housing Strategy 2021-2025 (NC)
% <u>Emergency Repairs Completed on Time</u>	104.2%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	Simon Newcombe	
% <u>Urgent Repairs Completed on Time</u>	99.9%	95.0%	99.0%	99.5%	99.7%	99.6%	99.6%	99.4%	99.4%	99.3%	99.3%	99.2%	99.3%	99.3%	Simon Newcombe	
% <u>Routine Repairs Completed on Time</u>	99.6%	95.0%	97.7%	98.3%	98.7%	98.8%	98.9%	99.0%	99.0%	98.6%	98.8%	98.7%	98.7%	98.8%	Simon Newcombe	
% <u>Properties With a Valid Gas Safety Certificate</u>	99.4%	100%	100%	99%	99%	99%	99%	100%	100%	99%	99%	100%	100%	99%	Simon Newcombe	
% <u>Complaints</u>	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	98.5%	98.6%	97.6%	97.9%	98.2%	98.4%	98.6%	98.8%	Simon Newcombe	

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Corporate Plan PI Report Homes

Priorities: Homes

Aims: Council Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Responded to On Time</u>																

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Corporate Plan PI Report Economy

Monthly report for 2021-2022
 Arranged by Aims
 Filtered by Aim: Priorities Economy
 For MDDC - Services

Key to Performance Status:

Performance Indicators: No Data Well below target Below target On target Above target Well above target

*
 Indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Economy

Priorities: Economy

Aims: Incubator and start-up space

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Incubator and Start-up space</u>	0	2	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a	0	Adrian Welsh	(Quarter 4) This indicator is being reviewed informed by the emerging recovery plan work. (AW)
<u>Sites for Commercial Development</u>	0	2	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Keith Ashton, Andrew Busby	

Aims: Improve and regenerate our town centres

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Number of business rate accounts</u>	3,356		3,358	3,362	3,366	3,375	3,381	3,384	3,405	3,429	3,436	3,424	3,426	3,426	Dean Emery	
<u>Business Rates RV</u>	£45,601,082		£45,614,697	£45,572,772	£45,572,772	£46,111,792	£46,092,812	£46,128,787	£46,258,944	£46,312,564	£46,354,264	£46,303,869	£46,384,114	£46,305,114	Dean Emery	
<u>Empty Business Properties</u>	244					250	250	242	249	232	240	242	236	231	Dean Emery	
<u>Tiverton Town Centre Masterplan</u>			n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Adrian Welsh, Angharad Williams	(2021 - 2022) Tiverton Town Centre Masterplan second round consultation scheduled to follow outcome of CRF bid - Cabinet March 2022 (AW)
<u>Cullompton Town Centre Masterplan</u>	n/a				Yes		Yes	Yes							Adrian Welsh, Angharad Williams	(September) Delivery Plan being developed (CY)
<u>Crediton Town Centre Masterplan</u>	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Angharad Williams	(2021 - 2022) Procurement March 2022 (AW)
<u>Pannier Market Regular Traders</u>	53.2%	85%	63%	73%	75%	76%	78%	80%	81%	82%	82%	82%	82%	82%	Jim Bray, Adrian Welsh	(May) First full month after easing of restrictions (JB)
<u>West Exe North and South</u>	13		n/a	n/a	13	n/a	n/a	13	n/a	n/a	14	n/a	n/a	13	Keith Ashton, Andrew Busby	(Quarter 4) Quarter 4 - one vacancy in West Exe North (NC)
<u>Fore St Tiverton</u>	4		n/a	n/a	5	n/a	n/a	5	n/a	n/a	5	n/a	n/a	5	Keith Ashton, Andrew Busby	(Quarter 4) 100% occupancy (NC)
<u>Market Walk Tiverton</u>	14		n/a	n/a	14	n/a	n/a	14	n/a	n/a	15	n/a	n/a	15	Keith Ashton, Jason Ball,	(Quarter 4) 100% occupancy (NC)

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Corporate Plan PI Report Economy**Priorities: Economy****Aims: Improve and regenerate our town centres****Performance Indicators**

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
															Andrew Busby	

Aims: Community Land Trusts**Performance Indicators**

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Land Trusts Assisted</u>	2	1	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	1	Tristan Peat	(Quarter 4) Release of £500 from the Council's Community Led Housing Fund to the Chawleigh Community Trust, as part of approved grant support. (TP)

Aims: Digital Connectivity**Performance Indicators**

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Digital connectivity</u>			n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 4) Progress with the town centre wi-fi projects has been hampered by Covid 19, but is due to be delivered by 1st Qtr of 2022. Econ Dev Project Manager also working to ensure maximum uptake of FFTP through 2nd Phase CDR rollout through Airband (JB)

Corporate Plan PI Report Community

Monthly report for 2021-2022

Arranged by Aims

Filtered by Aim: Priorities Community

Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020

For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Community

Priorities: Community

Aims: Health and Wellbeing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Annual Community Safety Partnership (CSP) Action Plan</u>	12	12	1	3	5	7	11	13	13	15	15	15	15	15	Simon Newcombe	(November) Reclaim the night - promotion of issues around safe places and violence against women and girls Workforce Development Felt Trauma - training delivered to 10 staff (TW)
<u>Safeguarding standards for drivers</u>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	Simon Newcombe	
<u>Mental Health First Aiders</u>	0	5	n/a	n/a	0	n/a	n/a	2	n/a	n/a	15	n/a	n/a	15	Matthew Page	(Quarter 4) 15 were trained in the previous quarter. which has meant the numbers have remained the same which is well above the target of 5 Officers trained each year. (NC)
<u>National and regional promotions</u>	7	9	1	1	1	1	2	3	3	3	4	5	5	6	Simon Newcombe	(January) Big Energy Saving Week (TW)

Aims: Community Involvement

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>% of complaints resolved w/in timescales (10 days - 12 weeks)</u>	90%	90%	100%	99%	97%	97%	96%	95%	95%	93%	93%	93%	93%	91%	Lisa Lewis, Brian Trebilcock	(March) 36 completed at 1st check (RT)
<u>Number of Complaints</u>	273		38	78	116	145	179	214	235	269	292	320	355	404	Lisa Lewis, Brian	

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Corporate Plan PI Report Community																
Priorities: Community																
Aims: Community Involvement																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
															Trebilcock	

Aims: Leisure Centres																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Health Referral Initiative starters</u>	6	15	3	7	17	25	39	48	48	54	56	74	87	102	Corinne Parnall	(March) 15 (K)
<u>Health Referral Initiative completers</u>	0	10	3	3	3	3	3	12	12	19	23	42	53	58	Corinne Parnall	(March) 5 (K)
<u>Health Referral Initiative conversions</u>	0	5	2	2	2	2	2	11	11	16	19	24	31	33	Corinne Parnall	(March) 2 (K)

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Corporate Plan PI Report Corporate

Monthly report for 2021-2022

Arranged by Aims

Filtered by Aim: Priorities Delivering a Well-Managed Council
For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below
target

Below target

On target

Above target

Well above
target

* Indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: South West Mutual Bank

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>South West Mutual Bank</u>		No target set for this indicator	n/a	n/a	n/a	n/a	n/a		n/a	n/a	n/a	n/a	n/a		Paul Deal, Andrew Jarrett	(October - March) An update went to Cabinet on 26 October. A further £125,000 investment was secured during the last financial year. The length of time to obtain a Banking Licence means it will be mid-2024 before the first product openings. (NC)

Aims: Commercial Opportunities

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Tiverton Other</u>	8		n/a	n/a	8	n/a	n/a	8	n/a	n/a	8	n/a	n/a	7	Keith Ashton, Andrew Busby	(Quarter 4) x1 void - Shoe Zone Fore Street (AB)

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Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Commercial Opportunities

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Industrial Units Cullompton</u>	15		n/a	n/a	14	n/a	n/a	14	n/a	n/a	15	n/a	n/a	14	Keith Ashton, Andrew Busby	(Quarter 4) Unit 4 Kingsmill is vacant (KA)

Aims: Other

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Sickness absence %</u>	2.10%	2.78%	n/a	n/a	2.08%	n/a	n/a	2.45%	n/a	n/a	2.96%	n/a	n/a	2.73%	Matthew Page	
<u>Appraisals completed</u>	97%	100%	n/a	n/a	n/a	n/a	n/a	94%	n/a	n/a	n/a	n/a	n/a	62%	Matthew Page	(October - March) The deadline for the return of completed appraisals has been extended until 27 May 2022, the figure of completed appraisals was up until 31 March

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Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Other

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																2022 (NC)
<u>% total Council tax collected - monthly</u>	96.96%	96.00%	11.02%	19.86%	28.76%	37.56%	46.15%	53.43%	64.54%	72.60%	79.81%	91.20%	96.09%	96.69%	Dean Emery	
<u>% total NNDR collected - monthly</u>	96.81%	97.00%	9.29%	15.07%	31.84%	39.83%	45.54%	57.36%	60.58%	69.36%	75.47%	84.72%	95.65%	98.62%	Dean Emery	
<u>New Performance Planning Guarantee determine within 26 weeks</u>	100%	100%	n/a	n/a	100%	n/a	n/a	100%	n/a	n/a	100%	n/a	n/a	100%	Angharad Williams	
<u>Major applications overturned at appeal (over last 2 years)</u>	5%	10.00%	n/a	n/a	7.14%	n/a	n/a	6.30%	n/a	n/a	5.81%	n/a	n/a	5.53%	Angharad Williams	
<u>Major applications overturned at appeal % of appeals</u>	0.05%	10.00%	n/a	n/a	8.33%	n/a	n/a	4.51%	n/a	n/a	3.01%	n/a	n/a	2.26%	Angharad Williams	
<u>Minor applications overturned at appeal (over last 2</u>	2%	10.00%	n/a	n/a	0.43%	n/a	n/a	0.22%	n/a	n/a	0.36%	n/a	n/a	0.43%	Angharad Williams	

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Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Other

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
years)																
<u>Minor applications overturned at appeal % of appeals</u>	1.66%	10.00%	n/a	n/a	0.70%	n/a	n/a	0.63%	n/a	n/a	0.71%	n/a	n/a	0.78%	Angharad Williams	
<u>Response to FOI/EIR Requests (within 20 working days)</u>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	Haidee Fairclough	(March) 1 late out of 53 (HF)
<u>Working Days Lost Due to Sickness Absence</u>	5.80days	7.00days	n/a	n/a	1.35days	n/a	n/a	3.20days	n/a	n/a	5.75days	n/a	n/a	7.80days	Matthew Page	
<u>Staff Turnover</u>	24.5%	15.0%	n/a	n/a	5.8%	n/a	n/a	10.7%	n/a	n/a	15.1%	n/a	n/a	21.3%	Matthew Page	

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Corporate Risk Management Report - Appendix 6 2021-2022

Report for 2021-2022

Filtered by Prefix: Exclude Risk Prefix: OP, PR, EV

Filtered by Flag: Include: * Corporate Risk Register

For MDDC - Services

Filtered by Performance Status: Exclude Risk Status: Low

Not Including Risk Child Projects records, Including Mitigating Action records

Key to Performance Status:

Mitigating Action:	Milestone Missed	Behind schedule	In progress	Completed and evaluated	No Data available
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Risks: No Data (0+) High (15+) Medium (6+) Low (1+)

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Civil Contingencies Act Responsibilities Civil Contingencies Act 2004 set certain responsibilities for category 1 responders to have in place

Service: Public Health

Mitigating Action records

No Mitigating Action records found.

Current Status: Medium (12)

Current Risk Severity: 4 - High

Current Risk Likelihood: 3 - Medium

Service Manager: Simon Newcombe

Review Note: Contingencies and responses have been well tested over the last 18 months as a result of the pandemic. Severity remains high and likelihood increased as a result of the ongoing uncertainties around how the pandemic will impact communities with the easing of restrictions and entering the autumn months.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Climate Change Declaration The implications to the Council's strategic, budget and medium term financial plans are not yet fully explored and understood. This introduces an increased level of uncertainty. Impact of climate change on the financial viability of the Council.

Service: Climate Change

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Climate Change Strategy and Action Plan	Approved by Cabinet on 1 October 2020. The Climate Action Plan (CAP) was published December 2020. The Climate Strategy and Handbook was published December 2020 (to be updated with a link to the new Sustainable Mid Devon website). The Strategy, the CAP and Carbon Footprint (GHG Accounting Report) will be published and updated on the Sustainable Mid Devon website, on an annual basis.	Nicola Cuskeran	09/12/2020	01/05/2022	Satisfactory (2)
In progress	Consideration by the Environment PDG	This PDG was tasked with considering the Council's own policy response(s) to the Climate Change Declaration made at Full Council on 26 June 2019. Actively engaged in this work supported by the NZAG, the C&S Specialist and the Corporate Manager for Property, Leisure and Climate Change.	Nicola Cuskeran	19/07/2019	01/05/2022	Satisfactory (2)
Completed and evaluated	Devon Climate Emergency – Tactical Group	MDDC are part of the tactical group for the climate emergency that has strategic links to our own plans.	Nicola Cuskeran	18/05/2020	01/05/2022	Fully effective(1)
In progress	Net Zero Advisory Group	Meetings and minutes of these meetings are presented to the Environment PDG	Nicola Cuskeran	18/05/2020	01/05/2022	Satisfactory (2)

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Corporate Risk Management Report - Appendix 6 2021-2022

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		thorough out the year. Performance Indicators relating to the Corporate Plan are updated				

Current Status: High (20)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 4 - High

Service Manager: Jason Ball

Review Note: The Climate and Sustainability Specialist is prioritising work streams for future consideration. A report on budget options for climate investment went to Environment PDG on 11 January 2022.

Risk: Coronavirus Pandemic The risk to MDDC's ability to conduct business as usual

Service: Governance

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business Continuity Planning (BCP)	BCPs have been reviewed. Regular updates are being obtained from Public Health England and the Local Resilience Forum. Meetings of managers and Leadership Team via Skype now monthly.	Catherine Yandle	06/03/2020	02/05/2022	Satisfactory (2)
Completed and evaluated	Financial and Economic effects monitoring	To ensure that local authorities including MDDC are reimbursed in full for the Covid 19 response by Central government. Assurance has been received from Internal Audit reviews of our claims.	Catherine Yandle	13/05/2020	02/05/2022	Fully effective (1)

Current Status: High (20)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 4 - High

Service Manager: Simon Newcombe

Review Note: Staff absence rates are at present the highest they have been during the entire pandemic, it is expected that BCPs may need to be invoked over the next few months.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Culm Garden Village Possible discontinuance of Government funding support

Service: Planning

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Funding opportunities	Lobby for the creation of further funding opportunities and for further rounds of the garden communities capacity funding	Adrian Welsh	03/02/2021	29/04/2022	Satisfactory (2)
In progress	Further bids for capacity funding	To continue to secure external funding to support the project	Tristan Peat	29/03/2019	29/04/2022	Satisfactory (2)

Current Status: No Data **Current Risk Severity: 4 - High** **Current Risk Likelihood: 3 - Medium**

Service Manager: Tristan Peat, Adrian Welsh

Review Note: Future bid opportunities unknown at this stage and will be announced by Government in due course

Risk: Cyber Security Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. If the Council fails to have an effective ICT security strategy in place.

Risk of monetary penalties and fines, and legal action by affected parties

Service: I C T

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Regular user awareness training	Staff and Member updates help to reduce the risk	Lisa Lewis	03/01/2019	28/04/2022	Satisfactory(2)
Completed and evaluated	Technical controls in place	Required to maintain Public Sector Network certification	Lisa Lewis	03/01/2019	28/04/2022	Fully effective (1)

Current Status: No Data **Current Risk Severity: 5 - Very High** **Current Risk Likelihood: 4 - High**

Service Manager: Brian Trebilcock

Review Note: Continued email warnings ongoing. DAP and MHCLG audits completed. Member briefing scheduled 28th Sept 2021 and Desktop exercise for Senior Managers/Members scheduled for 5th October. Cyber risk mitigation plan in place work programme due to be commenced shortly.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Economic Development Service The macro economic position might necessitate a reactive response, impacting on the Council's resourcing and reducing its ability to deploy resources as planned.

Service: Growth, Economy and Development

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Distribution and processing of Gov business support funding.	To assist businesses during the Covid19 pandemic and to help sustain them during this time of national restrictions.	Adrian Welsh	12/05/2020	29/04/2022	No Score(0)
In progress	Hardship funding	To support individuals/households but also crucial for self employed and furloughed staff as a result of the pandemic.	Adrian Welsh	12/05/2020	29/04/2022	No Score(0)
In progress	Recovery plans	Work underway in partnership with other Devon and regional partners to develop economic recovery plans to assist positive outcomes on local economy.	Adrian Welsh	12/05/2020	29/04/2022	No Score(0)
Current Status: High (25)		Current Risk Severity: 5 - Very High		Current Risk Likelihood: 5 - Very High		

Service Manager: Adrian Welsh

Review Note: The pandemic has had a critical impact on the local, national and global economy. Distribution of grant assistance again being required following the impacts of the Omicron variant. Development of a longer term approach to recovery is currently being considered by the Economy PDG.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Economic Strategy Failure to deliver projects/outcomes in Economic Strategy

Service: Growth, Economy and Development

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Continue to seek out existing and new funding opportunities	To assist in ensuring adequate funding for delivery of COVID19 economic recovery work.	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)
In progress	partnership working	Continue to work closely with delivery partners to gain advance warning of difficulties so as to seek to mitigate and also to develop joint responses to COVID economic recovery	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)
In progress	Project Management	Continue rigorous project management, monitoring and reporting of economic development projects	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)
In progress	Recovery Plans	Recovery Plans will be put in place to aid recovery.	Adrian Welsh	12/05/2020	29/04/2022	Satisfactory (2)
In progress	Review and reprioritisation	Part of review of projects for Year 2 actions and a review of the likely impacts on the economy of the pandemic. This will consider maximising investment through external funding and prioritising officer time.	Adrian Welsh	31/01/2020	29/04/2022	Satisfactory (2)
Current Status: High (20)		Current Risk Severity: 4 - High		Current Risk Likelihood: 5 - Very High		

Service Manager: Adrian Welsh

Review Note: Work is underway with regard to Economic Strategy actions with a number of projects being progressed; however many other actions will be reviewed as part of the longer term recovery plan work and the need for revised prioritisation.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Funding Insufficient resources (including funding) to deliver growth aspirations of Corporate Plan.

Service: Growth, Economy and Development

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Actively pursue funding opportunities through Levelling Up Agenda/Shared Prosperity Fund	Work currently being undertaken to be in a state of readiness as opportunities become available	Adrian Welsh	03/02/2021	29/04/2022	Satisfactory (2)
In progress	Lobbying	Officers will continue to review funding opportunities and seek opportunities to work closely with local partners and the HotSWLEP to seek additional funding support for key infrastructure.	Adrian Welsh	12/05/2020	29/04/2022	Satisfactory (2)
In progress	Officers have reprioritised work programmes to explore new funding opportunities	End of European funding sources	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)

Current Status: High (16) **Current Risk Severity: 4 - High** **Current Risk Likelihood: 4 - High**

Service Manager: Adrian Welsh

Review Note: Given ongoing constraints on resource and the scale of the challenges to the GED team at this time there has been need to carefully prioritise project delivery. Funding opportunities are actively being pursued.

Risk: Health and Safety Inadequate Health and Safety Policies or Risk Assessments and decision-making could lead to Mid Devon failing to mitigate serious health and safety issues

Service: Governance

Mitigating Action records

No Mitigating Action records found.

Current Status: Medium (10) **Current Risk Severity: 5 - Very High** **Current Risk Likelihood: 2 - Low**

Service Manager: Nicola Cuskeran

Review Note: Covid working arrangements unchanged. RAs continue to be kept under review.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Homelessness Insufficient resources to support an increased homeless population could result in failure to meet statutory duty to provide advice and assistance to anyone who is homeless.

Service: Public Health

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Multi-skilled Staff	Due to an increase in homelessness approaches more applicants with complex needs are coming through the system that require far greater staff attention than normal. In order to mitigate this, staff are expanding their training around mental health, drug and alcohol awareness, and safeguarding, in order to create a more multi-skilled and adaptable workforce. This may require a greater allocation of resources as homelessness increases.	Michael Parker	21/12/2020	27/04/2022	Satisfactory (2)
In progress	RSI funding	The number of homeless approaches and the number of rough sleepers in the District are both likely to increase as a result of the economic instability and the current outbreak of Covid19. Our success in obtaining up to £6,400 in RSI funding to deliver services during the cold weather means that we can adapt to this increased caseload and better carry out early intervention	Michael Parker	21/12/2020	27/04/2022	Satisfactory (2)

Corporate Risk Management Report - Appendix 6 2021-2022						
Mitigating Action records						
Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		and prevention options to aid rough sleepers and prevent returning to the streets.				
Completed and evaluated	Staff Support	Officers are trained and knowledgeable and the structure of Housing Options team reviewed to build resilience.	Michael Parker	22/06/2017	27/04/2022	Fully effective(1)
In progress	Temporary Accommodation	With the rise in homelessness applicants, the overall cost of homelessness provisions will increase and therefore there is a need to make use of existing stock as temporary accommodation, as opposed to more costly alternatives such as bed and breakfast.	Tanya Wenham	21/12/2020	27/04/2022	Satisfactory (2)
Current Status: High (16)		Current Risk Severity: 4 - High		Current Risk Likelihood: 4 - High		
Service Manager: Tanya Wenham						
Review Note: Position essentially unchanged from previous review. The number of approaches continues to increase. The temporary accommodation and homelessness strategy are being reviewed alongside wider housing policies to take account of the growing need for temporary accommodation of varying types. See also Affordable Housing risk for wider update						

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Information Security Inadequate data protection could lead to breaches of confidential information and ultimately enforcement action by the ICO.

Service: Governance

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Data Protection Officer	Following the departure of the Corporate Lead for Performance, Governance and Data, a new post has been created of Data Protection Officer and is being recruited too.	Lisa Lewis	20/05/2022		No Score (0)

Current Status: Medium (12)

Current Risk Severity: 4 - High

Current Risk Likelihood: 3 - Medium

Service Manager: None

Review Note: IS and IS Incident policies were reviewed and approved by Cabinet on 4 January 2022. Policies updated on LMS.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Infrastructure delivery Inability to deliver, or delay in delivering, key transport infrastructure to unlock planned growth

Service: Growth, Economy and Development

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Close working with Devon County Council (delivery partner) over the HIF schemes	DCC is the delivery partner for the Council's HIF highway infrastructure project. Close working is taking place in order to ensure risks of project delay or cost escalation are reduced. DCC is undertaking robust project management of the projects. These actions seek to ensure the projects remain on track and any problems are raised at an early stage allowing for corrective action.	Adrian Welsh	13/01/2021	10/03/2022	Satisfactory (2)
In progress	Close working with Homes England over the HIF schemes	Grant fund agreements over the HIF funding to deliver 2 highway infrastructure schemes. These include a range of requirements and project milestones. Close liaison with Homes England is taking place via monthly project update meetings and quarterly monitoring returns. This ensures Homes England is updated on both projects, is aware of issues as they arise and any corrective actions can be taken- for example seeking the revision of project milestones to reflect the latest project programme.	Adrian Welsh	13/01/2021	10/03/2022	Satisfactory (2)
In progress	Partnership working	Close working with delivery partners to	Adrian Welsh	12/05/2020	10/03/2022	Satisfactory (2)

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Corporate Risk Management Report - Appendix 6 2021-2022

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		attempt to mitigate risks.				
In progress	Partnership working with infrastructure providers and statutory bodies	Reduce risk of delays and communication.	Adrian Welsh	10/06/2019	10/03/2022	Satisfactory (2)
In progress	target funding opportunities	To seek to bring forward delivery	Adrian Welsh	10/06/2019	10/03/2022	Satisfactory (2)

Current Status: High (16) **Current Risk Severity: 4 - High** **Current Risk Likelihood: 4 - High**

Service Manager: Adrian Welsh

Review Note: Officers are working closely with Homes England on both HIF schemes and looking to mitigate project risks as and when they occur. The Cullompton Relief Road has been granted planning permission and the project is progressing. As Levelling Up Funding was not made available to this project in the first round, additional funding opportunities to help deliver the Cullompton Relief Road scheme are being explored.

Work on re-opening Cullompton Railway Station is progressing well, a report went before the Cabinet on 8 March 2022, proposing a transfer of the lead to Network Rail given the intricate level of rail specific knowledge and expertise required to secure timely approvals and decisions in order to meet DfT requirements and key gateways. This change to the project is seen to be a significant mitigation with regard to project risks.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Multi Storey Car Park ASB may result in injury, may also be reputational damage if not seen to be dealing with issues.

Service: Property Services

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Essential Maintenance / Improvement Project is underway	A full review of the MSCP structure and maintenance requirements has been fully assessed and works completed. New upgraded CCTV installed.	Andrew Busby	02/05/2020	09/05/2022	No Score (0)
Completed and evaluated	MSCP Improvement Project	A full review of the MSCP structure and maintenance requirements has been fully assessed and works are completed.	Andrew Busby	23/08/2020	09/05/2022	No Score (0)

Current Status: No Data **Current Risk Severity: 4 - High** **Current Risk Likelihood: 3 - Medium**

Service Manager: Keith Ashton, Jason Ball, Andrew Busby

Review Note: Corporate Risk Assessment in place - completed in conjunction with the Health and Safety Officer. Increased risk following

Risk: Out of Hours ICT Cover Ineffective out of hours ICT cover for services (eg leisure and Pannier Market) runs reputational risk of not having full system functionality

Service: I C T

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Managed links in place and manual contingency plans available	to enable Leisure Centre continue to function outside of office house	Lisa Lewis	22/10/2015	06/09/2021	Fully effective (1)
Completed and evaluated	Managed links, remote access to resolve issues	Support all businesses within MDDC	Lisa Lewis	12/09/2017	06/09/2021	Fully effective (1)

Current Status: Medium (12) **Current Risk Severity: 3 - Medium** **Current Risk Likelihood: 4 - High**

Service Manager: Brian Trebilcock

Review Note: Remote connectivity limits risk/access to staff. Mitigations in place at Leisure Centres, e.g. removing door access requirements and broadband for kit run off separate adsl lines.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Overall Funding Availability Changes to Revenue Support Grant, Business Rates, New Homes Bonus and other funding streams in order to finance ongoing expenditure needs.

Service: Financial Services

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Engaging in commercial activities	To provide additional revenue streams	Paul Deal	28/09/2017	27/04/2022	Satisfactory (2)
In progress	Medium term planning	Work to close is on-going. A range of options are being considered but Covid, business rates and uncertainty over fair funding review make the situation extremely challenging	Paul Deal	28/09/2017	27/04/2022	Satisfactory (2)
In progress	We continue to work with managers to reduce costs and explore new income streams	To close the budget gap and maintain services	Paul Deal	07/02/2019	27/04/2022	Satisfactory (2)
Current Status: High (15)		Current Risk Severity: 5 - Very High		Current Risk Likelihood: 3 - Medium		

Service Manager: Paul Deal

Review Note: The 2022/23 Finance Settlement was better than forecast, but failed to provide any information about the future funding for Local Government. At the time of review, the S151 is confident that we will balance the 2022/23 budget without significant management action required. However, a budget deficit is still forecast in future years than must be addressed. The 2023/24 progress will need to begin promptly and thoroughly review all aspect of the budget. All options identified will be Cabinet and PDG's in the Autumn 2022.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Reduced Funding - Budget Cuts We are subject to continuing budget reductions. If we concentrate on short term cost savings, it may increase long term impact of decisions

Service: Financial Services

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business Plans	Service Business Plans are reviewed each financial year with suggestions for revised performance targets based on budget to be agreed by Cabinet Member and PDG.	Paul Deal	28/05/2013	27/04/2022	Satisfactory (2)
In progress	Identify Efficiencies	Taking proactive steps to increase income and reduce expenditure through efficiencies, vacancies that arise and delivering services in a different way.	Paul Deal	28/05/2013	27/04/2022	Satisfactory (2)
No Data available	Reserves	Cabinet have taken the decision to recommend a minimum general reserve balance of 25% of Net annual budget.	Paul Deal	28/05/2013	27/04/2022	No Score(0)
Completed and evaluated	Set Budget	Each year as part of the budget setting process, members are consulted via PDGs in time to evaluate savings proposals, ahead of the November draft budget.	Paul Deal	28/05/2013	27/04/2022	Fully effective (1)
Current Status: High (20)		Current Risk Severity: 5 - Very High		Current Risk Likelihood: 4 - High		

Service Manager: Paul Deal

Review Note: At the time of review, the S151 is confident that we will balance the 2022/23 budget without significant management action required. However, a budget deficit is still forecast in future years than must be addressed. The 2023/24 progress will need to begin promptly and thoroughly review all aspect of the budget. All options identified will be Cabinet and PDG's in the Autumn 2022.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Reputational damage - social media impact of reputational damage through social media is a significant risk that warrants inclusion on the Authority's risk register.

Service: Communications

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Monitoring social media	Two members of the communications team monitor the main corporate social media accounts on a rota basis. Alerts are also set up so the team receives notification of comments and can respond as appropriate. This is monitored in office hours only and the team does not provide 24 hour monitoring or a call out function. The Comms Team also works with other local authorities and takes part in social media training with other local authorities as the opportunities arise budgets permitting.	Jane Lewis	05/06/2019	25/04/2022	Satisfactory (2)

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Jane Lewis

Review Note: A new SM governance group has been formed. SM will also be included in LMS and a database of those who access will be kept. IT have been contacted to put SM access on the leavers list too.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Resourcing Risk If the Council fails to recruit and/or retain sufficient, suitable staff it may not be able to maintain essential and/or statutory services.

Service: Human Resources

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Turnover Figure	<p>The actual turnover figure came in as 21.23% which was an increase from 14% in the year 2020/2021. The council is currently able to continue business whilst carrying a number of vacancies.</p> <p>You would expect to have a reasonable turnover during the financial year, it is natural to have a number of leavers and gives opportunities to bring in to the Council different skill set and knowledge</p>	Matthew Page	14/04/2022	14/04/2022	Satisfactory (2)

Current Status: No Data **Current Risk Severity: 4 - High** **Current Risk Likelihood: 3 - Medium**

Service Manager: Matthew Page

Review Note: The vacancy rate for the organisation is around 10% with turnover looking to come in at 18% for the 21/22 financial year. Sickiness has been fairly low to date given the rise of the Omicron variant but we expect this to be more challenging in quarter 4.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: SPV - 3 Rivers - Failure of the Company This will depend on Economic factors and the Company's success in the marketplace commercially.

For MDDC the impacts will be:

3 Rivers are unable to service and repay the loan from MDDC

Not receiving the forecast additional income

Not supporting corporate objectives.

Service: Financial Services

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Board report and action plan recommendations	The Board of 3 Rivers deliver a bi-monthly report to the Cabinet which provides progress still ongoing. All 33 governance and finance recommendations from the action plan are completed.	Andrew Jarrett	28/04/2022	28/04/2022	No Score (0)
Completed and evaluated	Cabinet	Regular meetings with Shareholder Representatives and updates to Cabinet on progress with the recommendations action plan and projects.	Andrew Jarrett	09/11/2020	28/04/2022	Satisfactory (2)
Completed and evaluated	Regular monitoring	The Board of 3 Rivers deliver a half yearly report to the Cabinet which provides an update on their delivery against their business plan. We charge interest to them at a commercial rate in order to maintain an "arms-length" relationship and the interest provides some mitigation to the outstanding principal.	Andrew Jarrett	30/05/2019	28/04/2022	Satisfactory (2)

Current Status: High (16) Current Risk Severity: 4 - High Current Risk Likelihood: 4 - High

Service Manager: Paul Deal

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Corporate Risk Management Report - Appendix 6 2021-2022

Review Note: The MDDC accounts (which includes 3R within the Group Accounts) was audited and no issues were identified. The company's latest business plan was recently approved by Cabinet and continues in line with that plan.

Risk: SPV 3 Rivers Reputational Impact That 3 Rivers' reputation is damaged by the actions of the council, threatening the long-term success of the company and potentially threatening the operational activity of the company through increased costs, reduced revenues, staff retention, or future claims against the council.

Service: Governance

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Work with Members	Sustained work with elected members to ensure that the necessary balance is struck between constructive challenge and debate, without bringing the company or its activity into disrepute. Awareness raising relating to the roles of the council's scrutiny committee in assuring governance outcomes, the audit committee providing assurance on risk and mitigation, and the cabinet in its decision-making as shareholder. Use of external advice when necessary to provided added assurance.	Stephen Walford	11/11/2020	28/04/2022	Satisfactory (2)
Current Status: High (15)		Current Risk Severity: 5 - Very High		Current Risk Likelihood: 3 - Medium		

Service Manager: Stephen Walford

Review Note: With matters of governance now addressed, this risk sits predominantly with the actions of members who must work to balance the need for process checking, challenge and assurance.

With regular updates at Cabinet continuing, alongside auditing, members have structurally embedded a range of mechanisms to give confidence in the governance, oversight and assurance process.

Corporate Risk Management Report - Appendix 6 2021-2022

Risk: Tiverton Pannier Market Failure to maximise the economic potential of Tiverton Pannier Market

Service: Growth, Economy and Development

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Continue to retain and prioritise market budget	To ensure most efficient use of resources	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)
In progress	continue to work with traders on promotion	To increase footfall.	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)
In progress	Implement and review market strategy	Implementation of strategy will increase market's financial success and help fulfill its function as a key driver for the town.	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)
In progress	Masterplan Implementation	To realise benefits from the Masterplan to increase visibility of market and increase footfall.	Adrian Welsh	10/06/2019	29/04/2022	Satisfactory (2)

Current Status: Medium (12)

Current Risk Severity: 4 - High

Current Risk Likelihood: 3 - Medium

Service Manager: Adrian Welsh

Review Note: Plans to maximise economic potential of the pannier market are being reviewed to reflect the current challenges and future opportunities arising from changing retail habits as a result of the pandemic. The Market Manager is embarking on a number of initiatives to attract more traders and customers to the market.

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HOMES POLICY DEVELOPMENT GROUP 26 JULY 2022

TENANCY STANDARD POLICY FRAMEWORK

Cabinet Member(s): Cllr Stuart Penny, Cabinet Member for Housing
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report and Recommendation: The landlord service, Mid Devon Housing (MDH), is currently reviewing previously adopted policies with the aim of rationalising them and ensuring that they support work to ensure regulatory compliance. To this end, policies are being more closely aligned with each of the core individual Standards within the regulatory framework. Having valid, clear adopted policies in place is a requirement of the Regulator for Social Housing.

Recommendation: That Members recommend the adoption of the updated policies within the overarching Tenancy Standard Policy Framework document to the Cabinet as set out in Annex 1

Financial Implications: The Tenancy Standard Policy Framework will be delivered within existing resources in the Housing Revenue Account (HRA).

Budget and Policy Framework: There are no direct budget implications arising from this report.

Legal Implications: MDH is a social landlord and is registered with the Regulator for Social Housing (RSH), meaning that it is a Registered Provider (RP). The RSH sets consumer standards and the Tenancy Standard is one of these. More information on this is provided in the introductory section of Annex 1 Framework document. The role of the regulator is to intervene where failure to meet the standards has caused, or could have caused, harm to tenants. The legal requirement for this policy is set out in Section 1 of this report.

Risk Assessment: Agreed housing policy provides a framework for decision-making which ensures that customer-facing teams deliver consistency in the discharge of duties to support good housing management. This ensures that both properties and tenancies are managed effectively and reduces reputational risk.

Equality Impact Assessment: This policy takes into account the needs of tenants from a variety of backgrounds as well as people with protected characteristics. An Equality Impact Assessment is conducted for each policy review. MDH will commence work on a tenant survey to ensure that our knowledge is up-to-date.

Relationship to Corporate Plan: This policy is consistent with the overarching vision within the corporate plan, namely 'sustainable and prosperous communities'.

Impact on Climate Change: None relevant to this report

1.0 Introduction/Background

1.1 Under the Localism Act 2011 and the Regulatory Framework for Social Housing in England, Registered Providers must publish clear and accessible policies

which outline their approach to tenancy management, including interventions to sustain tenancies preventing unnecessary evictions and tackling tenancy fraud.

- 1.2 In addition to the Localism Act 2011, the Regulator for Social Housing consumer standards include a Tenancy Standard which outlines further expectations for social housing landlords to address within their policy, specifically the management of mutual exchanges and successions.
- 1.3 A full review of our compliance with the Tenancy Standard started in November 2021 which involved simultaneous reviews of the Allocations Policy, Introductory Tenancy Policy, Tenancy Changes Policy, Tenancy Policy, Leaseholder Policy, Decant Policy and Vulnerability Policy, which are now incorporated into an overarching Tenancy Standard Policy Framework document. A series of staff consultations took place from November 2021 through to June 2022. The draft policies have been made available on the MDH website page, for tenants and other stakeholders to feedback comments and/or suggestions.
- 1.4 A customer access review was completed as part of the Vulnerability Policy update. This exercise enabled officers to assess current practices relating to how we identify, record and monitor vulnerable tenants, suggest improvements to streamline work processes, and review and monitor the data we hold on a more frequent basis, to ensure our housing data is up-to-date.
- 1.5 The policies within the framework have been revised to reflect current legislation and consolidate separate policies documents into one. The aim is to make it easier for tenants to understand and exercise their rights. It also provides a reference point for officers and ensures decisions are made in a consistent way and support greater transparency when it comes to compliance and performance monitoring.
- 1.6 The relevant policies are listed as Appendices within the Tenancy Standard Policy Framework document.
- 1.7 If Members of the Policy Development Group wish to view the existing policies, these are available to view on the Housing webpages on the Council's website (link below).
- 2.0 **MDH Allocation Policy (Appendix 1 of Tenancy Standard Policy Framework)**
- 2.1 The revised policy demonstrates how MDH comply with the regulatory framework by demonstrating how our allocations:
 - Make best use of available housing stock
 - Are compatible with the purpose of housing
 - Contribute towards strategic housing function and sustainable communities
- 2.2 The policy aim is to facilitate the best use of stock and enable MDH to give preference to certain applicants, to meet local supply and demand needs. Local lettings preferences can be applied in some cases, as part of the commitment to building sustainable communities as set out in the Tenancy Strategy.
- 2.3 The update reflects wider policy and legislative changes since its last inception. For example, the Homelessness Reduction Act 2017, Improving Access to Social

Housing for Members of the Armed Forces Statutory Guidance 2020, Domestic Abuse Act 2021, Homelessness Code of Guidance 2018 (updated 2021), and Allocation of Accommodation: Guidance for Local Housing Authorities in England 2012 (updated 2021)

- 2.4 The policy is intended to support the landlord functions of MDH whilst remaining compliant with allocating properties in a fair and transparent way through the Devon Home Choice lettings system.
- 2.5 A range of minor changes are made throughout the policy to improve the wording, remove duplication from the strategic Devon Home Choice policy and reflect updated procedures and practices
- 3.0 **Tenancy Management Policy (Appendix 2 of Tenancy Standard Policy Framework)**
- 3.1 The tenancy management policy sets out in detail how MDH will manage tenancy related matters, in conjunction with the Tenancy Strategy.
- 3.2 The tenancy management policy sets out our approach to:
- The types of tenancies MDH will offer
 - The circumstances in which tenancies will be granted
 - The length of tenancies
 - The approach to tenancy management and sustainment
- 3.3 When a tenant accepts an offer of a MDH property they sign a tenancy agreement which includes a wide range of rights and responsibilities in relation to the occupation of the home. Many of the conditions are prescribed by legislation i.e. right to repair, right to sublet etc., however many other aspects are a matter for the landlord to determine e.g. how many successions are permitted, who can succeed a tenancy, what type of agreements are issued to new tenants etc. The Tenancy Management policy sets out MDH's position with regard to matters over which it has discretion.
- 3.4 This policy consolidates the existing tenancy changes policy, introductory tenancy policy and the tenancy policy in order to harmonise our suite of MDH policies.
- 3.5 The policy reconfirms our commitment to tenancy management through proactive engagement and partnership working, specifically around tenancy fraud and tenancy sustainment.
- 3.6 Amendments have been made to reflect section 79 of the Domestic Abuse Act 2021, which prescribes that for reasons connected with domestic abuse, MDH grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy.
- 3.7 The policy ensures that MDH adheres to current legislation and provides a reference point for housing officers to make informed and consistent decisions.
- 3.8 A range of minor changes are made throughout the policy to improve the wording and reflect updated practices and job titles.

4.0 Leaseholder Policy (Appendix 3 of Tenancy Standard Policy Framework)

- 4.1 The draft leaseholder policy has been reviewed to reconfirm our commitment to providing leaseholders with a high level of customer service and promoting inclusive engagement opportunities.
- 4.2 The policy has been updated to reflect the Leaseholder Reform Act 2022 which comes into force on 30 June 2022, to fulfil the commitment to set future ground rents to zero on new lease agreements.
- 4.3 The policy reinforces leaseholder rights and responsibilities as well as the responsibilities of MDH as a landlord.
- 4.4 A range of minor changes are made throughout the policy to improve the wording and reflect updated practices.

5.0 Decant Policy (Appendix 4 of Tenancy Standard Policy Framework)

- 5.1 The aim of this policy is to clearly set out what happens when it is identified that a decant is necessary and ensure that consistent decisions are made by officers, whilst supporting our tenants throughout the process
- 5.2 The draft decant policy has been refreshed to ensure that, as much as possible, any disturbance caused by decanting a tenant to alternative accommodation is minimised. A decant is essentially a managed move to alternative accommodation, necessary because the landlord needs to recover the property, for whatever reason.
- 5.3 MDH aims to ensure tenants do not incur any 'out of pocket' expenses as a result of a managed move by way of a decant. The policy details the assistance that MDH is able to provide to such tenants, in accordance with our statutory obligations.
- 5.4 A range of minor changes are made throughout the policy to improve the wording and reflect updated practices.

6.0 Vulnerability Policy (Appendix 5 of Tenancy Standard Policy Framework)

- 6.1 The vulnerability policy has been updated to reflect current practices and relevant legislation.
- 6.2 Identifying vulnerable tenants at the earliest opportunity is critical to ensuring officers are able to provide choices, information and communication that is appropriate to the diverse needs of our tenants, as set out in the Tenant Involvement and Empowerment Standard.
- 6.3 As a result of the customer access review, senior officers will review the training programme available in relation to vulnerability to ensure that it provides those engaged with housing management with the knowledge to enable effective intervention when responding to issues involving the many facets of vulnerability.

- 6.4 An addition is made to the policy to incorporate MDH's approach to 'reasonable adjustments' as set out in the Equality Act 2010.
- 6.5 The Tenancy Standard requires registered providers to take into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children.
- 6.6 MDH is committed to ensuring that our services are accessible to everyone. MDH will seek alternative methods of access and service delivery where barriers, perceived or real exist, may make it difficult for people to engage or utilise our services. MDH will tailor services accordingly, in line with the provisions of the Tenant Involvement and Empowerment Standard and those outlined within the revised Tenant Involvement Strategy.

A range of minor changes are made throughout the policy to improve the wording and reflect updated practices.

7 Recommendation

- 7.1 That Members recommend the adoption of the updated policies within the overarching Tenancy Standard Policy Framework document to the Cabinet as set out in Annex 1.

Contact for more Information: Mrs Claire Fry, Operations Manager for Housing Services, email: cfry@middevon.gov.uk or Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing snewcombe@middevon.gov.uk

Circulation of the Report:

Members of the Housing PDG
Cllr Stuart Penny, Cabinet Member for Housing and Property Services
Leadership Team
Corporate Management Team
Service/Operations Managers
Legal Services

Useful additional information:

[Tenancy Standard published by the Regulator of Social Housing](#)

[Allocation of accommodation: guidance for local authorities](#)

[Improving access to social housing for victims of domestic abuse](#)

[Leaseholder Reform Act 2022](#)

[Mid Devon Housing - MIDDEVON.GOV.UK](#)

Annex 1 – Tenancy Standard Policy Framework



Tenancy Standard Policy Framework 2022

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Tenancy Standard Policy Framework

1. Policy Framework

1.1 One of the main objectives of the Regulator of Social Housing (RSH) is its Consumer objective: *to make sure that tenants get quality accommodation, have choice and protection, and can hold their landlords to account*. To achieve these objectives, they have a set of regulatory standards that contain specific expectations registered providers of social housing must comply with and the outcomes that providers are expected to achieve.

1.2 There are four core consumer standards which apply to all registered providers of social housing:

Home Standard – quality of accommodation and repairs and maintenance

Tenancy Standard – how properties are allocated/exchanged and terms around tenure

Neighbourhood and Community Standard – issues around neighbourhood and communal areas and anti-social behaviour

Tenant Involvement and Empowerment Standard – customer service and complaints, tenant rights and involvement.

This policy framework covers how we will achieve compliance with the **Tenancy Standard**.

1.3 The Tenancy Standard sets expectations for registered providers of social housing to ensure that homes are let to tenants in a fair, transparent and efficient way.

1.2 The RSH has an important role in intervening when there is a failure to meet the standards, and as a result, it has caused, or could have caused harm to the tenant.

1.3 In accordance with the Tenancy Standard, MDH will offer tenancies which are compatible with the purpose of the accommodation, the needs of individual households, the suitability of the community, and to make efficient and best use of our stock.

1.4 The new Tenancy Standard Policy Framework therefore brings together the following policies:

- MDH Allocation Policy
- Tenancy Management Policy
- Leaseholder Policy
- Decant Policy
- Vulnerability Policy

2. Objective

2.1 The overarching objective of our Tenancy Standard Policy Framework is to provide one clear and accessible document, outlining MDH's approach to tenancy management, outlined by the RSH in the Tenancy Standard framework. This policy seeks to ensure current and future tenancies are managed consistently and supports the aims set out in the Tenancy Strategy.

3. Policies within The Tenancy Standard Policy Framework

3.1 Allocation Policy

ii

This policy has been written to operate alongside the Devon Home Choice (DHC) policy, which covers the strategic elements of the operation of a choice based lettings system, as set out in the Tenancy Standard. MDH allocations policy deals only with exceptions to the DHC policy, which will be applied by MDH in our role as a social landlord.

The policy has been written to:

- identify provisions for assistance with tenants who are currently under-occupying or overcrowding their properties.
- manage the exception cases which operate outside the scope of DHC
- make best use of limited stock by addressing and managing local demands and needs
- frame and align with the DHC policy to ensure clear and transparent allocations
- manage and monitor the use of direct lets or management moves

3.1.1 Please see **Appendix 1** to read the full version of the policy.

3.2 Tenancy Management Policy

This policy supersedes the tenancy policy, tenancy changes policy and introductory tenancy policy. Creating one policy provides a clear and comprehensive policy.

This policy has been written to:

- offer the most secure form of tenure compatible with the purpose of the housing and the sustainability of the community
- meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements
- develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions
- make sure that the home continues to be occupied by the tenant for the duration of the tenancy period
- create sustainable communities
- provide a clear framework for the offer, length and review of tenancies
- have a consistent approach to tenancy amendments and changes
- outline MDH's approach to tenancy termination and fraud
- facilitate increased mobility through promotion of mutual exchanges

3.2.1 Please see Appendix 2 to read the full version of the policy

3.3 Leaseholder Policy

This policy sets out the rights and responsibilities of both the leaseholder and MDH in relation to the management of leasehold properties.

MDH identifies key principles to ensure that leaseholders are provided:

- with timely and accurate information regarding responsibilities and services
- with information about service charges and ground rents and ways to pay their annual service charge bill
- clear information on how to make a complaint, should a leaseholder feel that the service they have received has not met the required standard

3.3.1 Please see **Appendix 3** for the full version of the policy

3.4 Decant Policy

This policy sets out how MDH will manage the decant process effectively, providing clear information whilst ensuring the tenant is consulted throughout the decant process.

The policy ensures that:

- tenants are consulted about decants
- MDH provides clear information and keeps the tenants informed of the procedures through the process
- tenants needs are considered regarding alternative accommodation
- MDH complies with the Land Compensation Act 1973 when making home loss and disturbance payments
- the policy seeks to ensure that decants are carried out efficiently, with minimal stress and hardship caused to the decanting tenant

3.4.1 Please see **Appendix 4** for the full version of this policy

3.5 Vulnerability Policy

The Tenancy Standard requires Registered Providers to:

- take into account the needs of those households who are vulnerable by reasons of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability

The policy sets out how MDH will:

- identify vulnerable tenants
- help vulnerable tenants overcome barriers which could prevent tenants accessing our services
- make reasonable adjustments for applicants who are vulnerable or those identified as having additional support needs
- offer advice and support with the provision of support services and signposting when necessary

3.5.1 Please see **Appendix 5** to read the full version of this policy



Allocation Policy

2022

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1. Introduction

- 1.1 It is Mid Devon Housing's (MDH's) policy to offer applicants a choice of accommodation where possible. This is achieved through the operation of a Choice Based Lettings system, Devon Home Choice (DHC).
- 1.2 Within Mid Devon, there is a high demand for accommodation but a very limited supply of social housing. Whilst MDH is committed to delivering new social homes, there will still be a large imbalance between the number of applicants seeking social housing, and the relatively low number of properties which are available.
- 1.3 In this context, the allocations policy allows MDH to allocate this scarce resource as fairly as possible whilst ensuring that everyone has fair access to social housing.
- 1.4 In framing the allocations policy, regard has been given to the Homelessness Strategy and Tenancy Strategy.
- 1.5 The DHC Policy is a separate document which should be read in conjunction with this policy.

2. Aims and Objectives

- 2.1 MDH's allocation policy will deal with local, specific issues outside of the scope of the DHC policy. It will set out exceptions to DHC policy.
- 2.2 In exceptional circumstances, MDH reserves the right to depart from any aspect of this policy.
- 2.3 Any decision to depart from the policy will be taken by the Operations Manager for Housing Services.

3. Background

- 3.1 MDH has a retained housing stock. DHC is the choice based lettings system adopted by MDH and 10 other local authorities as well as Registered Provider's working within Devon. This enables applicants the choice as to which properties they apply for, facilitating opportunities for mobility.
- 3.2 MDH is committed to offering our existing and any future residents the choice in the allocation of social housing within the district.
- 3.3 MDH ensures that whilst the choice is compatible with the needs of the applicant, housing goes to those with the greatest housing need.
- 3.4 MDH recognises that there is a high demand for affordable housing within Mid Devon and this demand cannot be fully met. Consequently, this means that more often than not, those in the greatest need of housing are most likely to obtain social housing.

4. Devon Home Choice

- 4.1 DHC is a choice based letting scheme that is transparent, easy to use and accessible for all. It aims to manage expectations through regular published reports of housing allocations.
- 4.2 MDH coordinates DHC within Mid Devon and maintains the housing register for all partners operating within the area.
- 4.3 The DHC policy sets out the fundamental principles upon which the scheme is based and forms the best part of MDH's allocation policy.
- 4.4 For more information on the DHC scheme please visit:
[Devon Home Choice](#)

5. Legal Context

- 5.1 In developing this policy MDH has followed and fully considered the following:
- 5.2 **Legislation:**
 - The Housing Act 1996, Part 6 as amended by the Homelessness Act 2002 and the Localism Act 2011
 - The Housing Act 1996, Part 7 amended by the Homelessness Reduction Act 2017
 - The Children Act 2004
 - The Equality Act 2010
 - The Domestic Abuse Act 2021
- 5.3 **Statutory guidance:**
 - Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) "the Code".
 - Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) "Supplementary Code".
 - Homelessness code of guidance for local authorities (February 2018).
 - Improving access to social housing for members of the Armed Forces (MHCLG June 2020).
 - Improving access to social housing for victims of domestic abuse (MHCLG January 2022)
 - The Right to Move and social housing allocations (MHCLG March 2015)
 - The Localism Act 2011 introduced significant amendments to Part 6 of the Housing Act 1996.

6. Allocations

- 6.1 For the purposes of Part 6 of the 1996 Act, a local authority allocates accommodation when it:
 - Selects a person to be a secure or introductory tenant of accommodation held by that authority
- 6.2 The following are not allocations under this policy:
 - Succession to a tenancy on a tenant's death pursuant to s89 Housing Act 1985
 - Assignment of a tenancy by way of mutual exchange

- Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenant's death
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004
- An introductory tenancy becoming a secure tenancy
- A person being granted a family intervention tenancy
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power

7. Verification Checks and Offers

- 7.1 If an applicant is successful with their bid on DHC, a verification check of their housing application will be completed. This ensures the applicants housing circumstances reflect that stated in their application, and that their banding and bedroom need is correct.
- 7.2 A provisional offer will be sent, requesting documentation from the applicant in order to verify their housing need. The information that we request is as follows:
- Proof of ID (for all household members)
 - 5 years address history
 - Bank statements for all accounts held
 - Proof of benefits or income
 - Tenancy reference
- 7.3 When an applicant has been provisionally offered a property, their application will be set to 'bid shortlisted' and they will not be able to bid on any other properties, until they have accepted or refused that offer of accommodation.
- 7.4 Once all information has been received and verified, a formal offer will be sent to the applicant.
- 7.5 The applicant will get an opportunity to view with property with the Allocations Officer. At the viewing the Officer will go through a schedule of works and confirm a completion date for the property.
- 7.6 If an applicant accepts an offer of accommodation from MDH, their DHC application will be set to housed and closed.
- 7.7 Should the applicant refuse the property, a refusal reason will be added to the shortlist and the property will be reoffered to the next eligible applicant. Please see the DHC Policy for more information on refusals - [DHC Policy - Refusals \(4.15\)](#)

8. Tenancy Types

- 8.1 New tenants of MDH will normally be offered an Introductory Tenancy for an initial 12 month period.
- 8.2 In exceptional circumstances, it may be appropriate to grant a Secure or Flexible Tenancy. Flexible Tenancies are offered on a 2 or 5 year fixed term.

- 8.3 An applicant will be notified in writing as to an offer of 2 or 5 years and the grounds in which a 2 year fixed term can be appealed.

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- 8.4 Existing tenants of MDH or another Registered Provider, who have been tenants for 12 months or more, will normally be offered a Secure Tenancy.

- 8.5 More information on Tenancy Types can be found in the MDH Tenancy Management Policy

9. Withdrawal of Properties

- 9.1 MDH reserve the right to withdraw properties from DHC at any time. For example, it is possible that some advertised properties may still be awaiting void inspections and may have to be withdrawn if it later becomes apparent that they require extensive maintenance works (major void).

10. Reasonable Preference

- 10.1 The Housing Act 1996 as amended requires all Councils to give 'reasonable preference' in their allocations scheme to groups in high housing need, such as the homeless, people with medical or welfare needs, or those living in overcrowded, insanitary or unsatisfactory circumstances.
- 10.2 The DHC application form incorporates questions to establish whether an applicant is in one of the reasonable preference categories. A full explanation of reasonable preference groups are listed in the DHC Policy - [DHC Policy - Reasonable Preference \(3.9.13\)](#)

11. Local Letting Policies and Priority Bidding

- 11.1 Local Letting Plans serve to achieve agreed objectives, such as minimising the likelihood of anti-social behaviour in certain areas or improving the success rate of integrating young or vulnerable people into general needs housing.
- 11.2 Local Letting Plans are developed on a site by site basis to address the requirements of that specific area.
- 11.3 Local lettings may be used to (this is not an exhaustive list):
- Enable new schemes to be allocated to a mixture of tenants in order to develop a sustainable community
 - Enable an existing community to become more sustainable, by encouraging more working families to move into the area
 - Enable applicants to return to an area where they have a local connection
- 11.4 When a property, advertised on DHC is subject to a local lettings scheme, this will be clearly stated in the advert. The local lettings policy will be available to view on the DHC website.

Priority Bidding:

- 11.5 MDH may advertise properties giving additional preference to specific groups. These specific groups are listed below:

- Allocations to existing MDH tenants/transfers

- Allocations to homeless applicants owed the main housing duty and living in temporary accommodation provided by the Council
- Allocations to applicants requiring adapted properties
- Preference to larger families if it is a 4 or 5 bedroom property
- Preference to those over 55 years of age if the property was previously categorised as 'sheltered'
- Other specific groups of applicants, determined by MDH from time to time

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12. Direct Lets and Management Moves

12.1 In certain circumstances, MDH has a discretion to make an allocation of accommodation through a direct let to applicants, or a management move for tenants, without the need to advertise through DHC.

12.2 Direct offers/Management moves will be agreed by the Operations Manager for Housing

12.3 Illustrative examples of direct lets/management moves are as follows:

- Where a property is needed urgently to deal with an emergency
- Where in exceptional circumstances an offer is required to prevent the homelessness of an applicant who would otherwise be requiring temporary accommodation
- Where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection Arrangements meeting or to fulfil agreements made with offender management services, or where an applicant has been referred as part of the witness protection scheme
- Where a property has been fully adapted/partially adapted and would meet the needs of an applicant/tenant needing that type of accommodation
- Where an applicant/tenant has a specific need for support/adaptations. If they remained in their current accommodation it would cause unnecessary hardship e.g. unable to meet their basic needs.
- Hospital discharge – when a vulnerable applicant is to be discharged from hospital who has nowhere suitable available to stay upon their discharge and temporary accommodation is not suitable.
- Where a property has been advertised at least once and cannot be let from that advert by applying the usual policy, it will be allocated outside of the bidding scheme.
- High risk domestic violence - in some urgent cases when the Domestic Abuse Partnership identifies that there is a high risk of further abuse to the victim/survivor.
- Life limiting illness - when an applicant has a life limiting illness and their current home is not suitable for their needs, it may be necessary to re-house them quickly into a home that is suitable.
- Similar alternative property - when an applicant has been offered a property and it is subsequently discovered that it will not be available to occupy within a reasonable timeframe, or even at all (for example if major works are discovered to be required after the property was advertised) they can be awarded the next property of that type in the area that becomes available.
- 'Other' exceptionally urgent cases where an applicant/tenant needs to be rehoused
- The quota of properties made as a direct offer of social housing will be monitored and reported back to the Devon Home Choice Project Lead.

12.4 Homeless direct offer – applicants that are homeless and have been accepted under the relief or main duty:

- May be made one suitable offer either within or outside Mid Devon District, regardless of the areas requested by the applicant (unless the applicant(s) are fleeing in which case only areas

considered to be safe will be offered) in order to prevent or relieve homelessness successfully.

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- Offered a property that is not going to be advertised through DHC, as temporary accommodation for an interim period, to relieve the pressure on temporary accommodation use. These properties would be offered on a licence agreement and not as a Part 6 offer.
- MDH may be required by the Housing Options team to hold an empty property, until such time as any appeal has been reviewed and a decision made.

13. Sensitive Lets

- 13.1 Occasionally MDH may agree that an individual property be identified as a 'sensitive let'. For example, if there has been significant anti-social behaviour in the local area and a property becomes available for re-let, it may be advertised as a sensitive let to try and prevent further issues arising.
- 13.2 The DHC advert will clearly state that the property is being advertised as a sensitive let and the preference to a particular group will be stated.

14. Categorised Properties

- 14.1 MDH will advertise properties which were previously specified as 'sheltered' with a preference to those over 55 years of age in the first instance.
- 14.2 MDH will advertise adapted properties with a preference to those with a need for an accessible property in the first instance, to ensure we are meeting the needs of those with mobility issues and making best use of our stock.
- 14.3 MDH will not advertise properties which are categorised for those with a learning disability. When a property of this type becomes available to let, the Allocations Officer will request a report from the DHC Lead, with all those applicants, registered on DHC with a learning disability. MDH will also liaise with the Mid Devon Learning Disability Team to ensure that all appropriate applicants are put forward. The property will then be allocated in accordance with the DHC banding policy and any specific preferences, stated in the advert (for example local connection to Mid Devon or those with a need for a level access shower).

15. Hard to Let Properties

- 15.1 MDH recognise that some properties are harder to let than others. When notice is received on a property that we know to have been hard to let in the past, MDH will look to offer a multiple viewing day to all applicants on the shortlist and then allocate in accordance with the DHC policy.
- 15.2 If we are not able to allocate the property after the multiple viewing day, MDH will look to offer the property as a direct match to a homeless applicant who is owed a main housing duty by Mid Devon.

16. Rent Arrears

- 16.1 The DHC policy stipulates that applicants who owe rent or a tenancy related debt, accrued within the last 2 years will not normally be offered a property and their application placed into the E Band – no housing need.

- 16.2 There may be exceptional circumstances in which rent arrears can be waived in order to allocate a property. MDH will only do this where it is viewed as an exceptional circumstance and where it is fair and just to do so.
- 16.3 MDH reserves the right to exercise discretion (on a case-by-case basis) in relation to levels of rent arrears that would otherwise prevent an offer of accommodation from being made, if it is in the interest of MDH to do so (for example, to reduce void periods of empty properties or to minimise the use of temporary accommodation).
- 16.4 For information relating to the DHC rent arrears policy, please visit – [DHC Policy - Rent arrears \(2.6\)](#)

17.Changes to the Allocation Policy

- 17.1 MDH reserves the right to deviate, expand, change, or alter any element of the allocations policy as and when required to meet changes in housing need, capacity, operational demands, resource and legislation.
- 17.2 From time to time a situation may arise that is not adequately reflected in this allocations policy but the needs or circumstances are exceptional, and cannot be reasonably remedied with the use of management discretion.

18.Prevention of Fraud

- 18.1 It is a criminal offence for any applicant and/or anyone providing supporting information to knowingly make a false statement or knowingly to withhold reasonably requested information relevant to the housing application.
- 18.2 MDH will also seek to obtain possession of any home that has been obtained as a result of fraud. MDH will decide when these provisions apply and when to begin legal proceedings.
- 18.3 Where an applicant provides false information in connection with their application this will be dealt with in line with the DHC Policy - [DHC Policy - Fraud \(4.18\)](#)
- 18.4 It is the applicant's responsibility to inform MDH of any change that could affect the priority that has been awarded. If MDH offer affordable housing to an applicant and, on further investigation, it appears that their circumstances had changed before the offer in a way that affected their housing priority, MDH reserve the right to withdraw the offer.

19.Right to Review

- 19.1 Any applicant has the right to request a review of decisions taken in regard to their application.
- 19.2 The review process is set out in the DHC Policy - [DHC Policy - Reviews \(4.21\)](#)

20.Complaints

- 20.1 Where an applicant considers that they have been treated unfairly or believes that there has been maladministration of the scheme, they can make a formal complaint to MDH.
- 20.2 MDH's complaints procedure is detailed on Mid Devon District Council website: [Feedback and Complaints](#)



Tenancy Management Policy

2022

Appendix 2

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1. Introduction

- 1.1 MDH's Tenancy Management Policy sets out our approach to providing an efficient and effective tenancy management service to our tenants.
- 1.2 It is a requirement of all social landlords to publish a tenancy policy which sets out the types of tenancy that will be offered and how these tenancies will be managed.
- 1.3 This policy combines the previous Introductory Tenancy Policy, Tenancy Policy and the Tenancy Changes policy to provide one combined document that is clear and concise for both tenants and staff.

2. Aims

- 2.1 The aims of this policy are to set out how MDH will manage tenancies in respect of:
 - The types and lengths of tenancies MDH will offer
 - The circumstances which determine the type of tenancy that will be offered
 - How a tenancy can be brought to an end
 - Changes to tenancies
 - MDH approach's to tenancy management, tackling tenancy fraud and tenancy sustainment

3. Related Documents and Legislation

- 3.1 This policy should be read in conjunction with:

- Tenancy Agreement
- Tenancy Strategy
- Homelessness Strategy
- MDH Allocations Policy
- Anti-Social Behaviour Policy
- Rent Arrears Policy
- Allocations Policy
- Devon Home Choice Policy
- Rechargeable Repairs Policy

Legislation:

- The Housing Act 1985, 1988 and 1996
- Localism Act 2011
- Domestic Abuse Act 2021
- Tenancy Standard 2015
- Prevention of Social Housing Fraud Act 2013
- ASB, Crime and Policing Act 2014
- Matrimonial and Family Proceedings Act 1984
- Civil Partnership Act 2004

Documents:

- Reshaping consumer regulations: our principles and approach – RSH
- Social housing regulation – DLUHC

4. Types of Tenancies

Introductory Tenancies

- 4.1 An introductory tenancy is a fixed term tenancy for 12 months. This can be extended by a further 6 months at the discretion of MDH. No further extensions are permitted.
- 4.2 The terms and conditions of an introductory tenancy are broadly the same as a secure tenancy, apart from some key exceptions. [Please see supplement 1](#)
- 4.3 All prospective tenants are informed before their sign up if they are being offered an introductory tenancy and they will have had a draft copy of the agreement, sent in advance of their sign up.
- 4.4 A tenancy review will take place at around 6 weeks from the tenancy start date. This can be done over the phone or via a home visit (where there has been additional support needs flagged) to ensure that the tenant is managing their tenancy, able to maintain their home and that all other aspects of the tenancy are being met.
- 4.5 If additional needs are identified at the 6 week check, the officer will facilitate appropriate support, or signpost to a support agency, to ensure that the tenant is given every opportunity to maintain their introductory tenancy.
- 4.6 At the end of the 12 month period, an introductory tenancy will automatically convert to either a flexible tenancy or a secure tenancy. The only exceptions to this would be when a decision has been made to extend the tenancy, or MDH are seeking possession of the property.
- 4.7 MDH may extend the introductory tenancy by a further 6 months, if there is any breach of the tenancy conditions, set out in their agreements. Tenants have the right to request a review of this decision.
- 4.8 MDH may decide not to allow an introductory tenancy to convert and the tenant will be required to move out. Tenants have the right to have this decisions reviewed by the Operations Manager for Housing Services.
- 4.9 Introductory tenancies can be brought an end more easily than secure tenancies. As long as MDH have followed the correct processes, a court must grant possession to MDH.
- 4.10 Introductory tenancies will not be used where:
 - Someone is a secure tenant of a local authority immediately before the offer of accommodation, or a secure or assured tenant of a housing association; or
 - Where a secure tenancy is being assigned, including by way of a mutual exchange.
 - In exceptional circumstances, where it would not be appropriate to grant an Introductory Tenancy, MDH will grant a Secure or Flexible Tenancy.

Flexible Tenancies

- 4.11 Section 154 of the Localism Act 2011 gives local authorities the power to offer new social tenants flexible tenancies for a fixed term. A fixed term tenancy is a secure tenancy normally offered for a period of 5 years but no less than 2 years in certain circumstances where this is permitted.
- 4.12 Flexible tenancies will be offered for a 5 year period, following a successful 12 month introductory tenancy.
- 4.13 Flexible tenants have the same rights as secure tenants – [please see supplement 1](#). The only exception is that flexible tenants do not have the right to claim compensation for any improvements carried out at the property.

- 4.14 Flexible tenants will be reviewed before the fixed term is due to expire. This review will determine whether or not a further flexible tenancy is issued.
- 4.15 Factors that are taken into account when conducting the flexible review will include (but not be limited to):
- Household income / financial resources – as set out in the Devon Home Choice Policy
 - Household composition – if the property is under or over occupied it may not be appropriate to issue a further tenancy at the same property
 - General tenancy conduct such as serious rent arrears or ASB
 - If the property has been adapted for someone no longer living in the property
- 4.16 Following review, the options available are:
- Offer a further flexible tenancy at the same property
 - Offer a further flexible tenancy at a different property
 - Offer a secure tenancy
 - Not offer any further tenancy and require the tenant to vacate the property
- 4.17 If a further tenancy is offered, it will normally be for another 5 years. MDH may offer a reduced period of 2 years if there is a need to balance the household against local housing demand. This would be the case if the household compositions is likely to change significantly within the next 2 years.
- 4.18 A decision notice will be issued to the tenant with a full explanation given as to the decision that has been reached. If the decision is not to issues a further tenancy, details of advice and assistance will be made available to the tenant.
- 4.19 Tenants will have the right to request a review for all options above (apart from where a further flexible tenancy is offered at a different property). The review process will be in line with the Flexible Tenancies Regulations 2012 (Review Procedures).

Secure Tenancies

- 4.20 A secure tenancy is a lifetime tenancy, meaning it cannot expire and can only be brought to an end if one of the following occur:
- the tenant serves a valid Notice To Quit (NTQ)
 - the tenant offers a [surrender of the tenancy](#) which is accepted by the landlord
 - one of the tenant or landlord conditions of a secure tenancy ceases to be met
 - the tenant loses the secure tenancy by [subletting the whole property](#)
 - the tenant is demoted to a [demoted tenancy](#)
 - a court order for possession takes effect under one of the grounds specified in the [Housing Act 1985 \(legislation.gov.uk\)](#)
- 4.21 MDH will grant a secure tenancy if the applicant was a tenant of a social landlord, prior to taking a tenancy with MDH.
- 4.22 A secure tenancy gives the tenant security of tenure and the following statutory rights as shown in [supplement 1](#)
- 4.23 A person under the age of 18 cannot legally hold a tenancy. In cases of minors seeking tenancies, MDH will require another member of the minor's family or another trusted adult to hold the tenancy in trust until they have reached the age of 18 when they tenancy will pass to them.

Demoted Tenancies

- 4.24 A demoted tenancy is a flexible or secure tenancy that has been demoted by a court order to a tenancy with the status of an introductory tenancy.
- 4.25 MDH will consider the use of demoted tenancies as part of our response to dealing with and tackling anti-social behavior.
- 4.26 A demoted tenancy will remain for 12 months and during this period, the tenancy will be monitored closely. If the tenancy has been conducted satisfactorily, it will revert to its original status i.e. Flexible or Secure.
- 4.27 Where a flexible tenancy has been demoted, and the demotion period completed satisfactorily, a notice will be served before the end of the demotion period, informing the tenant that the tenancy will be a flexible tenancy, specifying the length of the fixed term and any other express terms of the tenancy.

Licence Agreements

- 4.28 MDH offers licence agreements to people who are being housed temporarily under the Council's homelessness duties. They are generally used for interim accommodation.
- 4.29 There may be other situations where a licence may be used; for example, if someone needs to be urgently moved by way of a decant into temporary accommodation. However, decisions relating to this will take account of all relevant circumstances, and other forms of tenure may be more appropriate.

5. Ending a Tenancy

Where a Tenant wishes to end the Tenancy

- 5.1 A tenant may decide at any time that they wish to end their tenancy. They can do so by giving MDH 4 weeks notice in writing'. This is known as Notice to Quit and has to be completed in a prescribed format, (please contact MDH if you wish to give notice to end your tenancy), MDH will send you the prescribed form via email or in the post, but this must be returned with your signed signature, a typed signature will not be deemed legally binding. Terminations can be hand delivered, a photo taken of the written document and emailed to us at htenancy@middevon.gov.uk . If notice is being given by someone who is not the tenant, we will need to see the original Power of Attorney or a Will showing the person signing the notice is named as either executor or administrator of the will.
- 5.2 Once the termination has been received, the notice becomes effective on the Monday and all tenancies will end on a Sunday four weeks after the effective date. Rent will still need to be paid, up until the end date of the notice
- 5.3 When leaving, all tenants must give vacant possession which means the property must be left clean and clear as per the terms in the tenancy agreement. If the property is not left in a satisfactory manner, the costs of cleaning and clearing will be recharged to the outgoing tenant.

- 5.4 If a tenant serves a NTQ and then changes their mind, the notice cannot be retracted. Once notice has been served it cannot be withdrawn, it would be at MDH's discretion to grant a new tenancy at the end of the notice period if this was requested, and there is no legal obligation for us to grant this. We consider an individual's circumstances, whether the property has already been advertised for letting and offered to someone else would impact on our ability to agree a new tenancy.

Where MDH wishes to end the Tenancy

- 5.5 MDH seeks to support tenants in maintaining their tenancies but will take action to end tenancies in circumstances where:
- The tenant has breached their tenancy conditions
 - The tenancy has been obtained fraudulently
 - MDH needs the property for a redevelopment or regeneration scheme
- 5.6 The tenant will be referred at the earliest opportunity to the Housing Options Team for advice and assistance.

6. Death of a Tenant

- 6.1 In the unfortunate event of a death of a tenant, the tenancy can be transferred to an eligible family member. This is called a succession and based on the legal requirements as to who is deemed a successor tenant under the Housing Act 1985 and the Localism Act 2011.
- 6.2 Whilst a family member may succeed to a tenancy this does not mean they can automatically remain in the home. MDH will work with the successor tenant considering their individual circumstances and either allow continuation of the tenancy at the property they have resided in, or offer a suitable alternative that meets their housing need.
- 6.3 If there is no eligible family member to succeed the tenancy, MDH will end the tenancy by serving notice. You will be signposted to complete a Devon Home Choice Application to assess your housing need and encouraged to contact Housing Options at Mid Devon District Council to offer appropriate housing advice where there is no legal right to succeed the tenancy.
- 6.4 MDH Neighbourhood Team Leader, Housing Options Officer, Allocations Officer, Income Officer and Estates Officer will request relevant information to your case, to establish your housing need. They will collectively decide on the appropriate course of action. Contact will be maintained to ensure that you are kept informed of the progress of your case.
- 6.5 Once we have vacant possession of the property, an inspection will be carried out. If there are any rent arrears or other monies owing, for example, recharges, these will pass to the deceased's estate. If the tenant left a will, MDH will make a claim to the tenant's executor.

7. Assignment

- 7.1 An assignment is the legal way in which a tenancy can be passed from a tenant to someone else:
- by way of a mutual exchange (excluding introductory tenancies)
 - following a court order obtained under matrimonial proceedings or civil partnership proceedings
 - the proposed assignee would be eligible for housing under the Devon Home Choice Scheme and MDH's Allocation Policy

- 7.2 MDH will allow both flexible and secure tenants to assign their tenancy to another person. The assignment will only be made to a person who would be entitled to succeed to the tenancy should the tenant have died immediately before the assignment.
- 7.3 Assignments use up the right of succession and a tenancy can only be succession or assignment. If someone was granted their tenancy as a succession, they will not be able to carry out an assignment.
- 7.4 Tenants wishing to assign their tenancy must apply to MDH in writing. Unauthorised assignments are a breach of tenancy and legal action will be taken to remove unlawful occupiers. Costs associated with this will be the tenant's liability.
- 7.5 Where MDH receives an application to assign a tenancy, a decision within a reasonable timescale, upon receipt of all of the required information
- 7.6 MDH will only withhold consent on the following grounds:
- The existing tenant succeeded to the tenancy
 - The tenancy was assigned to the existing tenant
 - MDH is in the process of taking legal action to recover possession of the property
 - The person the tenant wished to assign the tenancy to is not a person who would be entitled to succeed to the tenancy, if the tenant died immediately before the assignment
- 7.7 In instances where the MDH withholds consent to the proposed assignment this will be in writing, advising the tenant of the reasons for the decision.
- 7.8 In instances where MDH provides consent to the proposed assignment, this will be in writing. The tenant and the assignee will be invited to sign the deed of assignment. MDH will advise the assignee of their rights and responsibilities as a secure tenant, the date the tenancy was commenced and the balance of the rent account.
- 7.9 The assignee is regarded as a successor tenant.

8. Succession

- 8.1 When a tenant dies, another family member may be entitled to inherit their tenancy. In legal terms, this is called a succession. It is only possible to have one succession per tenancy.
- 8.2 On being advised of the death of a tenant who doesn't live alone, MDH will undertake investigations to establish whether the right of succession exists and whether the person(s) who lived with the late tenant are entitled to succeed to the tenancy. Succession will only be granted to someone who is entitled to succeed to the tenancy. The person succeeds the tenancy and not the property.
- 8.3 A person is qualified to succeed to the tenancy if they occupy the home and have done so for at least 12 months prior as their only or principal home at the time of the tenant's death and is either:
- the tenant's spouse or civil partner; or
 - the tenant's cohabitant and has resided with the tenant throughout the period of the 12 months ending with the tenant's death; or
 - another member of the tenant's family who has resided with the tenant throughout a period of the 12 months.

- 8.4 A person is considered to be a family member if their relationship was one of the following: the tenant's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.
- 8.5 For secure tenancies created after 1 April 2012, there is no right for a family member to succeed, unless the tenancy agreement allows it. In normal circumstances, the following members can succeed a tenancy after 1st April 2012:
- Husband/Wife
 - Civil partner
 - Co habiting partner
- 8.6 **To succeed the tenancy, MDH will check:**
- The date the tenancy started
 - If the individual is one of the persons listed above
 - Whether the deceased was using the home as their main or principle home up until the date of death for at least 12 consecutive months prior to the death
 - The successor was also living at the home during this period, whilst married, in a civil partnership or co habiting.
- 8.7 **MDH will not agree to a succession in the following situations:**
- If the applicant is unable to prove that they are a family member or that they live/had lived at the address.
 - If the tenancy has already been succeeded as it cannot be succeeded again. This also applies if there has been an assignment of the tenancy.
- 8.8 Eligible successors to the tenancy will have the same tenancy as the person who dies.

9. Succession and Under-occupation

- 9.1 In cases where the successor is a close family member (as above) and the property they occupy is considered too large or unsuitable, MDH will offer a tenancy of a suitable alternative property.
- 9.2 If the successor is occupying a property which is considered too large or unsuitable, MDH make a suitable alternative offer of accommodation. This may be done through a direct let or via the Devon Home Choice scheme.

10. Sole and Joint Tenancies

- 10.1 MDH offers both sole and joint tenancies to new tenants moving into one of MDH's properties.

Sole Tenancy

- 10.2 A sole tenancy is where one member of the households signs the tenancy and is responsible for ensuring anyone living within the property fulfils the responsibilities set out within the tenancy agreement. Where there is a breach of tenancy, the sole tenant will be accountable, even if the breach was caused by a member of the household or guest.

Joint Tenancy

- 10.3 A joint tenancy is where more than one person has responsibility for meeting the requirements of the tenancy agreement. Each tenant has equal rights to the tenancy.
- 10.4 MDH will offer a joint tenancy to a maximum of 2 people. The tenancies listed above could be granted a joint tenancy based on the following circumstances:

- The proposed joint tenants are both eligible for housing as defined by legislation and
- Where the proposed joint tenants are married or civil partners or
- Where the proposed joint tenants live together and the relationship is an 'established'

Converting a sole tenancy to a joint tenancy

- 10.5 Requests from existing sole tenants that wish to add another person to their tenancy, creating a joint tenancy will be considered on a case by case basis at MDH's discretion. It is important to seek independent legal advice if you are considering requesting a joint tenancy.
- 10.6 Applications for a sole to joint tenancy will be refused under the following circumstances:
- The household cannot provide proof of marriage or civil partnership, or of joint residency for at least 12 months prior to the application
 - There is outstanding action against the household for a breach of tenancy
 - There are outstanding rent arrears
 - There is a history of tenancy breaches
 - The tenancy has been demoted
 - The applicant is already named on another a tenancy
 - The tenancy has already been assigned to the sole tenant
 - The tenancy has been succeeded to by the sole tenant

Converting a joint to sole tenancy

- 10.7 In some situations, a household may wish to convert their joint tenancy to a sole tenancy. MDH will check whether this is lawfully possible under [Section 91 of HA 1985](#)
- 10.8 The tenant who wishes to remove themselves must complete a notice to quit on our prescribed form requesting to end the tenancy. If your tenancy is a flexible, demoted or introductory notice will be required from both joint tenants. If your tenancy is secure then any one joint tenant can end the tenancy, this puts the joint tenant at risk of also losing their home.

A notice will be accepted for flexible tenants where:

- Both parties agree
- There are no outstanding breaches against the tenancy
- There are no outstanding rent arrears
- The home has been adapted for the leaving tenant

A notice will be accepted for secure tenants where:

- One party signs the notice
- There are no outstanding breaches against the tenancy
- There are no outstanding rent arrears

If the other joint tenant wishes to remain at the property they may do so whilst we establish the following under use and occupation, a weekly charge equivalent to the rent will be charged for the duration of occupation, this is known as Mesne Profits:

- Register with Devon Home Choice
- Provide relevant support evidence
- Provide household occupant information

MDH will check the remaining occupants eligibility for social housing by:

- Assessing your eligibility for the property size
- Ensuring that you do not have capital above the amount permitted under the Devon Home Choice Policy.
- Whether you are eligible to remain at the property
- We will consider what tenancy type to award you, (we do not have to give you the same tenancy that you held previously, this is at MDH's discretion)

10.9 MDH may consider offering a property to one joint tenant after the tenancy has been terminated by the other joint tenant. A feature of a joint tenancy is that it can be brought to an end by one of the joint tenants, acting unilaterally. There may be circumstances where one joint tenant does this with unfair consequences for the other joint tenant, e.g. following a relationship breakdown. In such circumstances MDH may agree to grant the other joint tenant a sole tenancy of the property, or of another vacant property.

11. Change to Household

11.1 Tenants are responsible for telling MDH of any changes to their household. This includes people moving in, people moving out, or the number of children in the property. If a tenant marries or changes their name, MDH will require evidence of this before updating a tenancy record. The following documents would be accepted as evidence:

- Passport / Driving licence
- Certificate of marriage, civil partnership or divorce/dissolution
- Confirm of name change by Deed Poll

12. Mutual Exchanges

12.1 A mutual exchange is where one tenants can 'swap' their tenancy with another tenant.

12.2 All MDH secure and flexible tenants have to right to do a mutual exchange with another MDH tenant or a tenant of another social landlord.

12.3 A mutual exchange is the process through which secure and assured tenants can assign their tenancy to another secure or assured tenant. Flexible tenants can also apply to exchange homes this way and there are provisions in place when a flexible tenants wishes to exchange homes with a secure tenants with a tenancy that came into effect prior to 1 April 2012.

12.4 Secure or assured tenants whose tenancy commenced before 1 April 2012 wishing to exchange properties with a tenants holding a flexible or fixed term tenancy are entitled to have their exchange granted through a surrender and re-grant of a new tenancy.

12.5 MDH encourages the use of mutual exchange for tenants who wish to downsize, upsize or who want to move to another location.

12.6 MDH will ensure that tenants who wish to mutually exchange are aware of any implications to their tenancy, such as:

- Any rent changes
- Any changes between security i.e. secure or assured status
- Any implications on the Right to Buy

12.7 MDH uses the [HouseExchange](#) website to allow tenants to advertise their property.

- 12.8 Once MDH receives the application form, for all parties to the exchange, the application will be processed, a property inspection completed as well as an electrical check. A letter will need to be signed confirming acceptance of the new property and its current condition.
- 12.9 If the tenant is moving to a home owned by another landlord, MDH will provide a tenant reference and will request a reference for the incoming tenant.
- 12.10 An exchange can only happen once permission has been given from all landlords. If for any reason, the exchange is not approved, the reasons for the refusal will be put in writing to the applicant.
- 12.11 Examples of when an exchange may be refused can be found in [supplement 2](#)

13. Granting of a Discretionary Tenancy

- 13.1 MDH may consider a discretionary tenancy in exceptional circumstances. Any new tenancy will be granted at the discretion of the Operations Manager for Mid Devon Housing and in accordance with the Devon Home Choice Policy and MDH Allocation's Policy.
- 13.2 There are circumstances where we may consider granting a discretionary tenancy:

If no succession rights exist:

- MDH may consider the granting of a discretionary tenancy of the current property. This will be an introductory tenancy and will be let in accordance with MDH's allocation policy and Devon Home Choice scheme.
- Each case will be considered on its merits following receipt of a written request to remain in the property, which must be received no later than two months after the tenant's death. We may also consider use and occupation for a short time to allow the occupant to find alternative accommodation.

14. Tenancy Sustainment

- 14.1 MDH is committed to helping tenants to maintain their tenancy and offers a variety of ways to support tenants in achieving a successful tenancy.
- 14.2 MDH expects our tenants to maintain their property in accordance with their tenancy agreement.
- 14.3 MDH will monitor the condition of homes and neighbourhoods by carrying out regular neighbourhood walkabouts and tenancy home checks. MDH will take appropriate action to resolve any breaches effectively.
- 14.4 Where a tenant has been identified as needing additional support, the tenant will be sign-posted to external agencies such as the CAB, CHAT or floating support services.

Tenancy Home Checks

- 14.5 MDH will utilise tenancy home checks to touch base with our tenants and ensure that we are delivering a good quality service. It will also provide an opportunity to:
- Update our tenant profiling, identify vulnerable tenants and offer referrals to appropriate support services when necessary
 - Pick up any repair issues and ensure the property has not been damaged or used unlawfully.
 - Ensure that our tenants are aware of the different ways they can get in touch with us and how they can be involved in tenant engagement activities.
 - Identify any potential fraud

15. Tackling Tenancy Fraud

Tackling Tenancy Fraud

- 15.1 MDH will take action against any tenant found to be committing tenancy fraud. Examples of tenancy fraud include:
- Unauthorised sub-letting
 - Right to Buy fraud
 - Non-occupation by the tenant
 - Anyone obtaining a social tenancy fraudulently
- 15.2 MDH's approach is to comply with the Regulatory Framework, and take action to prevent fraud and ensure that our housing stock is only occupied by those with a legal right to be in residence.
- 15.3 MDH will work in partnership with our council departments and external agencies to tackle reports of fraud
- 15.4 Where appropriate, MDH will publicise cases of tenancy fraud
- 15.5 MDH will take enforcement actions to stop tenancy fraud and ensure social housing is being used for its intended purpose
- 15.6 MDH will continually look to improve our performance on tackling tenancy fraud.

16. Lodgers and Sub-letting

- 16.1 MDH recognises that there may be situations where a tenant wishes to rent out a room in their home and in this case the new occupier will be a lodger. Tenants may decide to rent out a room in the interests of relieving loneliness or for help with household bills. Tenants can take in lodgers without the consent of MDH provided this does not overcrowd the premises. Tenants would be expected to notify MDH with household details.
- 16.2 When the tenant ends the tenancy by giving a NTQ, lodging arrangements granted by the tenant end at the same time as the tenancy.
- 16.3 As per the terms of the Tenancy Agreement, tenants are not permitted to sub-let the property. It must be used as their sole or principle home.

17. Overcrowding and Under-occupation

- 17.1 There will be times where a tenant's home has become too big or too small for their needs. When situations like this arise, MDH will work with the tenant, to discuss the options of transferring via the Devon Home Choice, choice based lettings site and also via the mutual exchange site [HouseExchange](#)

18. Vulnerable Households

- 18.1 MDH is committed to providing support for tenants who have language and literacy difficulties as well as those with support needs in line with our vulnerability policy, which is available on our website.
- 18.2 When making decisions to grant, renew, extend or terminate a tenancy, we will ensure that we take into account:

- Any special circumstances and needs of the household who are vulnerable because of a protected characteristic
- Ensure that the needs and circumstances of the tenant are known before making a decision

19. Domestic Abuse

- 19.1 This policy does not aim to cover MDH's policy on domestic abuse. This is a separate policy which can be found on our website.
- 19.2 In situations where survivors of domestic abuse need support to remain in their existing home, and where the perpetrator is a joint tenant, MDH may consider the scope for evicting the perpetrator and allowing the survivor to return to their home with a new tenancy agreement.
- 19.3 We recognise that survivors of domestic abuse who have a lifetime social tenancy (whether a local authority secure periodic tenancy or a housing association assured periodic tenancy) may be reluctant to leave an abusive situation if it means losing their security of tenure.
- 19.4 The Domestic Abuse Act 2021 ensures that lifetime tenants who suffer domestic abuse will retain lifetime security if they are granted a new tenancy by a local authority for reasons connected with the abuse.
- 19.5 This protection applies to survivor who have a lifetime tenancy, or survivor who have had a lifetime tenancy in the past and have fled their social home to escape domestic abuse.
- 19.6 The protection also applies to the survivor of domestic abuse who have a joint lifetime tenancy and who wish to continue living in their home after the perpetrator has left.
- 19.7 The provisions apply to lifetime tenants of local authorities and private registered providers of social housing.
- 19.8 Domestic Abuse survivors have a right to apply as homeless to any council if they do not feel safe in their homes and should speak to the Housing Options Team on 01884 255255 if they wish to apply to Mid Devon District Council as homeless.
- 19.9 If a tenant is experiencing a relationship breakdown Shelter has produced a help guide which will help the tenant understand their rights. More information can be found at [Shelter England](#)

Supporting survivors in MDH homes

- 19.10 Tenants who have suffered domestic abuse may wish to remain in, or return to, their own home, where for example the perpetrator has left or can be removed. Where it is safe to do so, MDH will encourage survivors to return to their home. It is important that survivors are supported to make an informed choice and that an appropriate risk assessment is carried out. They should not be put under pressure to remain in their home in order to reduce pressure on available housing.
- 19.11 Following an assessment of the property, and the needs and circumstances of the household, MDH may be able to make it safer for the survivor and family to remain in the property through the provision of appropriate security measures through the Sanctuary Scheme. These include: reinforced doors and windows, and extra locks; fire retardant letter boxes, smoke alarms and fire safety equipment; alarms, intercoms, and video entry systems; and the provisions of a sanctuary room from where the survivor can call and wait for the arrival of the police.

- 19.12 MDH will inform tenants of the option of applying to the court for an injunction against the perpetrator such as an order prohibiting the perpetrator from molesting the tenant (non-molestation orders), or an order prohibiting the perpetrator from living in the home, such as a transfer of tenancy into a sole name if joint tenants (see section 10.7). Based on individual circumstance, tenants could seek a stalking protection order.
- Further advice is provided at [paragraph 21.36 of the 2018 Homelessness code of guidance](#).

20. Complaints

- 20.1 MDH will deal with complaints in line with our complaints procedure.

21. Training and Awareness

- 21.1 New starters will receive training on our policies and procedures. As and when policies are reviewed and updated, staff are updated appropriately. The Tenant Engagement Team are actively involved to work closely with our Tenants to ensure important messages are relayed.

22. Monitoring and Review

- 22.1 The policy will be reviewed in line with changes to relevant legislation and/or good practice.

23. Equality and Diversity

- 23.1 MDH is committed to all our residents having the opportunity to reach their potential and seek to ensure our services meet all their needs. MDH seek to ensure that no section of our community is excluded from the benefits and opportunities available and that MDH always have regard to the need to eliminate discrimination, harassment, and victimisation.

Tenancy Management Procedures (Supplement 1)

Tenancy Types as part of MDH Tenancy Management Policy



Type of Agreement	What is it and when does MDH grant them?	How can this tenancy be brought to an end
Introductory Tenancy	<p>12 month 'probationary' tenancy granted to new social housing tenants. Regular reviews of the tenancy will take place in the 12-month introductory period.</p> <p>Rights include:</p> <ul style="list-style-type: none"> • Basic tenancy rights • Right of succession and repair <p>Introductory tenants cannot:</p> <ul style="list-style-type: none"> × Make major improvements × Swap with another council or HA tenant × Sublet × Apply to buy the property through the Right to Buy scheme 	<ul style="list-style-type: none"> • By serving a 4 weeks' NTQ • A possession order obtained under one of the grounds listed in Schedule 2 of the 1988 Housing Act • A NTQ served where the property has been abandoned or the tenant no longer occupies the property as their only or principle home <p>If a tenant fails to pass the 12-month introductory tenancy and or a subsequent 6 months extension period, MDH may seek possession through service of notice under section 127 Housing Act 1996 at any time. In these circumstances tenants will be offered the right to review and must inform MDH of their intention to do so, within 14 days of the notice being served.</p>
Flexible Tenancy	<p>Generally granted for a fixed term of 5 years.</p> <p>In exceptional circumstances, MDH may grant a 2 year fixed term. Examples of exceptional circumstances:</p> <ul style="list-style-type: none"> • Where the tenancy is offered as part of a specific scheme or programme where a shorter tenancy 	<ul style="list-style-type: none"> • By acceptance of a Tenants surrender before the end of the fixed term, provided both parties agree • By the Tenant serving MDH 4 weeks' NTQ • A possession order obtained under one of the grounds listed in Schedule 2 of the Housing Act 1988

	<p>term might be appropriate</p> <ul style="list-style-type: none"> In circumstances determined by the Operations Manager for Housing Services as being exceptional, for example, where the tenant has a history of ASB, non-payment of rent or where there is a change in household profile income or circumstances <p>Rights include:</p> <ul style="list-style-type: none"> ✓ Mutual exchange ✓ Succession rights ✓ Assignment Rights ✓ Make improvements (subject to permission) ✓ Sublet 	<ul style="list-style-type: none"> A notice served where the property has been abandoned or the tenant no longer occupies the property as their only or principle home <p>Before the end of the fixed term of the flexible tenancy (2 or 5 years) MDH will review the tenant circumstances. In making its decision, MDH will have regard to the following points:</p> <ul style="list-style-type: none"> Household Profile Tackling under occupation Income and savings Adapted properties Stock disposal/refurbishment Mixed communities Tenancy conduct Rent arrears <p>If MDH decide not to renew a flexible tenancy, at the end of the fixed term, the tenant will be notified of the reasons for the decision and their right to request a review of the decision.</p>
Secure Tenancy	<p>A lifetime tenancy has no end date. This is the most secure type of tenancy granted. These will be granted to:</p> <ul style="list-style-type: none"> existing MDH secure tenants, a secure tenant, an assured tenant of a social landlord, an introductory tenant who has successfully completed their trial period and existing secure tenants who need to move or have recently moved from their social tenancy to escape domestic abuse 	<ul style="list-style-type: none"> By acceptance of a tenants surrender By the tenant serving MDH 4 weeks' NTQ A court order for possession takes effect under one of the grounds specified in Schedule 2 of the Housing Act 1985 Schedule 2 of the HA 1985 If the property is no longer occupied by the tenant as their sole and principle home

	<p>Rights include:</p> <ul style="list-style-type: none"> ✓ Make improvements to your home (subject to permission) ✓ Mutual Exchange ✓ Right to Buy ✓ Succession Rights ✓ Assignment Rights ✓ Right to claim compensation for any improvements carried out ✓ Take in lodgers (subject to permission) 	
Licence Agreement	<ul style="list-style-type: none"> • Agreement for use and occupation • Occupant does not have exclusive use of the property • This agreement provides basic occupation rights • These licences are excluded from the Protection of Eviction Act • Where the occupant does not have exclusive use of the property and shares communal facilities such as a bathroom, kitchen or living space with other occupants (e.g. Ivor Macey House) • For temporary decants • For homeless clients who are provided with temporary accommodation 	<p>Homeless applications will not be subject to protection under the Protection from Eviction Act 1977 when granted a licence to occupy accommodation under the following sections of the Housing Act 1996:</p> <ul style="list-style-type: none"> • Section 188 (accommodation pending inquiries) or • Section 190 (duties to an applicant who has been found intentionally homeless) <p>If there is a breach of the licence agreement, depending on the severity, accommodation can be ended immediately.</p>

Schedule 3 of the Housing Act 1985	Schedule 14 of the Localism Act 2011	Reason	Grounds for refusing consent to exchange
	Ground 1	Rent Arrears	When any rent lawfully due from a tenant under one of the existing tenancies has not been paid
	Ground 2	Breach of Tenancy	When an obligation under one of the existing tenancies has been broken or not performed
Ground 1	Ground 3	Possession Order	A court order for possession or a suspended possession order has been made for either property
Ground 2	Grounds 4 & 5	NOSP served or possession proceedings have commenced for secure tenancy under grounds 1-6	The Landlord has served a notice of seeking possession and the notice is still in force, or possession proceedings have commenced
Ground 3	Ground 7	Under Occupation	The property is substantially larger than reasonably needed by the proposed assignee
Ground 4	Ground 8	Suitability	The property is not reasonably suitable to the needs of the proposed assignee and their household
Ground 5	Ground 9	The property is part of a building that is used for accommodation other than housing accommodation and the property has been part of employment	The property is part of or close to a building that is held for non-housing purposes, or it is situated in a cemetery and was let in connection with employment with the landlord or with the local authority, a new town corporation, housing action trust, an urban development corporation, or the governors of a grant-aided school
Ground 6	Ground 10	Conflict of charity objectives	The landlord is a charity and the proposed assignee's occupation of the property would conflict with the objects of the charity
Ground 7	Ground 11	Adapted Property	The property has been substantially adapted for the occupation by a physically disabled person, and if the assignment went ahead a physically disabled person would not be living there.

Ground 8	Ground 12	Property is let for those with special needs	The landlord lets properties to people in difficult circumstances (other than merely financial circumstances) and the proposed assignee would not fulfil these criteria.
Ground 9	Ground 13	Property is let for those with special needs and the support provision is provided in close proximity to the property	The property is let to people with special needs and there is a social service or special facility nearby to the properties to assist people with those special needs, and if the assignment goes ahead no person with those special needs would be living there.
Ground 10	Ground 14	Property subject to a management agreement	The dwelling is the subject of a management agreement where the manager is a housing association of which at least half the members are tenants subject to the agreement and at least half of the tenants of the dwellings are members of the association, and also that the proposed assignee is not such a member nor is willing to become one
Additional Ground (Housing Act 2004)	Ground 6		An injunction order under section 153 of the Housing Act 1996 or an anti-social behaviour order or a Demotion Order or a possession order under Ground 2 for secure tenancies or Ground 14 for assured tenancies is in force or an application for one of those is pending either against the tenant, the proposed assignee or a person who resides with either of them.
		Apply conditions to the Exchange	For example, clear rent arrears before the exchange takes place
		MDH would be in breach of another agreement	By allowing the exchange, MDH would be in breach of the following agreements in respect of the property: <ul style="list-style-type: none"> ✓ Section 106 local connection restrictions ✓ Any planning agreement restrictions which affect the local allocations or lettings policy ✓ Where there is a head-lease with any covenants binding the tenancy ✓ A Housing and Communities Agency agreement in respect of Affordable Rent
		Exceptional Circumstances	Exceptional circumstances where it would not be reasonable to consent to the exchange

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Leaseholder Management Policy

2022

Appendix 3

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1. Introduction

- 1.1 This policy outlines that way Mid Devon Housing (MDH) deals with the day to day management of leasehold properties. This includes the collection of ground rent, service charges and other associated charges.
- 1.2 This policy, together with the Leaseholder Handbook and leaseholder agreement, ensures that all leaseholders understand their obligations and what they can expect from MDH.
- 1.3 This policy applies only to leaseholders who own a property where MDH is the freeholder, either where they have purchased the property through Right to Buy, or bought it on the open market.
- 1.4 The lease is a contract which details covenants made by each party and includes the provision of payment for services.

2. Legal and Regulatory Framework

- Landlord and Tenant Act 1985 & 1987
- Leasehold Reform, Urban Development Act 1993
- Housing Act 1985 and 1996
- Common hold and Leasehold Reform Act 2002
- Leasehold Reform (Ground Rent) Bill 2022

3. Related Documents:

- Leaseholder Handbook
- Leaseholder Agreement
- Income Collection Policy

4. Definitions:

Leasehold Management covers the range of services provided by MDH to those who own their property on a leasehold basis.

A Leaseholder is a tenant who has purchased a long lease, usually lasting up to 125 years.

Service charges are defined under section 18 of the Landlord and Tenant Act 1985 as “an amount payable by a tenant of a dwelling as part of or in addition to the rent (a) which is payable directly or indirectly for services, repairs, maintenance, improvements or insurance or the landlord’s costs of management (b) and the whole or part of which varies or may vary according to the relevant costs”.

Major works are usually cyclical works to the structure or fabric of the building. This may include external painting or re-roofing, where the lease allows a recharge to be made to the leaseholder to recover costs of the work.

Enfranchisement is a group right for leaseholders to buy the freehold of the building they live in subject to meeting certain conditions.

Lease is a binding contract between MDH and the leaseholder which outlines the rights and duties of both parties.

5. Service Charges

- 5.1 MDH will make a charge for services provided to a block. Examples of such charges are as follows:
- Ground rent
 - Buildings insurance
 - Grounds maintenance
 - Communal lighting
 - Communal heating (Brewin Road)
 - Communal repairs and maintenance charges
 - Management charge
- 5.2 Appropriate notice will be given to leaseholders for service charges. Where there are changes to services provided, or to how they are charged, leaseholders will be consulted prior to their introduction.
- 5.3 However, it is the lease that determines exactly what MDH can charge for. The general principle is that MDH can only charge for a particular service if it is permitted by the lease. These charges must be reasonable as covered in the Landlord and Tenant Act 1985 [section 19](#)
- 5.4 MDH will send leaseholders details of service charges annually. This will include a breakdown of how the annual service charge is calculated as covered in the Landlord and Tenant Act [section 21](#)
- 5.5 Leaseholders that fall behind with payments will be contacted and appropriate action taken for arrears recovery. If for any reason, a leaseholder is not able to pay the service charge within a 28 day notice period, MDH will consider alternative repayment options, dependent on individual circumstances.
- 5.6 Persistent failure to pay service charges could result in legal action being taken, including forfeiture in accordance with the lease.

6. Ground Rent

- 6.1 Ground Rent is set in line with the lease and collected annually alongside the service charge, in accordance with statutory requirements provided within the Commonhold and Leasehold Reform Act 2002. The amount payable is £10 which is payable on the 1st April each year.
- 6.2 As of 30 June 2022, ground rents on new houses and flats which are sold under ‘regulated’ leases with the exception of retirement properties, ground rent will be charged at “one peppercorn” per year (£nil).

7. Insurance

- 7.1 MDH is required under the terms of its leases to provide a buildings insurance policy for its leasehold properties, the cost of which is recovered through the service charge. MDH will ensure value for money when obtaining buildings insurance so that leaseholders benefit from any cost savings.
- 7.2 Where leaseholders choose to sublet the property they must provide a copy of a formal tenancy agreement for their tenant.

8. Improvements

- 8.1 Leaseholders are responsible for maintaining and repairing the internal parts of their home including maintenance of fixtures and fittings (please refer to your lease for more details). Windows and doors would be the responsibility of MDH, however, leaseholders can request to arrange their own repair or renewal of some external parts, such as doors and windows.
- 8.2 We are supportive of leaseholders wishing to improve their homes. Leaseholders are required under the terms of their leases to obtain written consent from us to make any alterations or improvements. Where permission is refused, we will set out the reasons in writing for our decision. Consent will not be withheld unreasonably.
- 8.3 If it is found that alterations have been carried out to the property without written consent, the leaseholder will be instructed to return the property to its original state.
- 8.4 Any written consent given will be on condition that the leaseholder has provided us with details of the proposed works and subject to meeting conditions, such as obtaining planning permission and/or building regulations.
- 8.5 The future maintenance of any improvements or alterations to the property will be the responsibility of the leaseholder. Any damage caused to adjacent properties due to any works carried out, the leaseholder will be responsible for making good and any costs incurred for putting it right.

9. Repairs and maintenance

- 9.1 We will maintain the external fabric of the building and shared communal areas in accordance with lease obligations. This will include day to day repairs, cyclical maintenance and major works. Under the terms of the lease, we will charge leaseholders for their share of the costs.
- 9.2 A leaseholder may be entitled to a loan to help to pay for major works, subject to qualifying conditions. Under the [Housing \(Service Charge Loans\) Regulations 1992](#), Right to Buy leaseholder's who have bought under the provisions of the Housing Act 1985 have the right to a loan from MDH within the first ten years of their lease.
- 9.3 The loft space within a block of flats remains the property of MDH and should not be used by a leaseholder for any purpose including the storage of goods. Leaseholders who have sole access to a loft can apply to purchase the loft space, however we are under no obligation to sell.
- 9.4 MDH is committed to maintaining its stock and has a cyclical programme of repairs and improvements. When scoping works, decisions are based upon the long term value for money in block maintenance regardless of the proportion of tenanted or leasehold properties.
- 9.5 All works undertaken will be in accordance with the terms of the lease and works which necessitate [Section 20](#) consultation will be dealt with in line with legislation.

10. Breach of Lease

- 10.1 MDH will take appropriate action if and when we become aware of a leaseholder breaching terms of their lease. Breaches may include:

- Non-payment of ground rent, repairs or service charges

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- Unapproved works to the property
- Improper use of the property for illegal purposes
- Failure to maintain or damage to the property
- Anti-social behaviour, including harassment or neighbour nuisance

10.2 MDH will try to work with the leaseholder to resolve any issue raised. Failure to remedy the breach could result in MDH taking legal action against the leaseholder.

11. Consultation

- 11.1 In addition to the statutory requirement to consult with leaseholders under [section 20](#) of the Landlord and Tenant Act 1985, where possible, MDH will actively consult and work with leaseholders to understand their needs and preferences, and to provide services that reflect this.
- 11.2 MDH is committed to involving residents in meaningful engagement to improve our services.

12. Enfranchisement

- 12.1 Subject to certain conditions, leaseholders of flats may have the right to collective enfranchisement, if they and the building in which they live in qualifies. They are advised to seek independent advice.
- 12.2 Should leaseholders seek to acquire the freehold of a block of flats, MDH will comply as required by the [Commonhold and Leasehold Reform Act 2002](#).

13. Subletting

- 13.1 Leaseholders are permitted to sublet their property, individual leases will provide the terms for these arrangements.
- 13.2 If a leaseholder chooses to sublet their property, they will become a private landlord and will be subject to the statutory and regulatory conditions imposed on landlords.

14. Selling the property

- 14.1 When a leasehold property is being sold, MDH will provide on request to the current and/or prospective leaseholder and their advisors, all the necessary information regarding service charges and any planned major works. A fee for this service will be charged.
- 14.2 A leaseholder who is selling their property is legally obliged to notify the prospective purchaser of any notices that have been served on them or the property.
- 14.3 Leaseholders are not required to seek permission from us if they wish to sell their home. However they are required to offer to sell their home back to MDH, if they purchased it under the Right to Buy scheme, within ten years of the original conveyance.
- 14.4 It is a requirement of the lease to notify MDH of the sale within one month following completion. This needs to be done by way of a formal Notice of Assignment served by the purchaser's solicitors to MDH. There is a fee for serving this Notice. If a Notice is not received, the original leaseholder will be liable for any charges made against the property.

15. Right to Buy Discount Rules

- 15.1 If a property has been purchased under the Right to Buy Scheme, re-selling can usually take place at the discretion of the leaseholder. If the property is sold within the discount repayment period (within 5 years of the purchase), MDH will pursue repayment of the proportion of the discount.

16. Complaints

- 16.1 Any leaseholder who has a complaint about the services provided by MDH will have the right to follow the Complaints Procedure. Further information on the complaints policy can be obtained from website.
- 16.2 If leaseholders consider that they should not have to pay for a service charge item, that the quality of work is inadequate, or that a charge is not reasonable, they may have the right to challenge that part of your service charge at a First-tier Tribunal. Leaseholders can also seek a determination on works or services that are proposed in the future. An application cannot be made to a First-tier Tribunal if:
- the matter has already been agreed or admitted by the leaseholder;
 - the matter has been determined by a court;
 - the matter has been or is to be referred to an arbitral tribunal where agreement to go to arbitration has been reached after a particular dispute has arisen;
 - the matter has been the subject of determination by an arbitral tribunal where agreement to go to arbitration was reached after a particular dispute has arisen.
- 16.3 However, the leaseholder is not to be taken as having agreed or admitted any matter solely because they have made a payment. Consideration will be given to seeking independent legal advice in cases where payment has been made.

17. Equality Impact Assessments

- 17.1 MDH complete an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.



Decant Policy 2022

Appendix 4

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1. Introduction

- 1.1 This policy is intended to cover situations where a tenant of Mid Devon Housing (MDH) is required to move out of their home on a temporary or permanent basis, this is called a decant. This policy only applies to tenants of MDH.
- 1.2 This policy is utilised for ad-hoc or one-off situations such as the result of a fire, flood or major repairs. If a redevelopment project is being carried out, project specific policies will apply.
- 1.3 A decant will only be considered as a last resort, where it is deemed impossible for the tenant to remain in the home while works to the property are being carried out.
- 1.4 MDH recognises that this policy could affect void performance, especially if void properties are held to facilitate a decant. Therefore, every effort will be made to limit the impact of this.

2. Related Documents

- Tenancy Agreement
- MDH Tenancy Management Policy
- Devon Home Choice Policy
- MDH Allocations Policy
- Complaints Policy
- MDH Compensation Policy

3. Purpose

- 3.1 Decants can be disruptive and difficult for tenants and this policy sets out how MDH will mitigate this disturbance. MDH will ensure that we:
 - Act quickly once a decant is deemed necessary
 - Minimise the disruption to the tenant
 - Consult tenants at the earliest opportunity regarding a decant
 - Provide tenants with clear information in relation to the decant process
 - Consider the needs of tenants when offering alternative accommodation and try to balance the requirements of the tenant with the move
 - Provide clear, accurate and up to date information
 - Remain compliant with the Land Compensation Act 1973 when making home loss and disturbance payments.

4. Consultation and Information:

- MDH will consult with the tenant, in detail as to why the decant is necessary and the process that follows

- Tenants will be asked about their requirements, in particular where a tenant has special needs that need to be taken into consideration
- MDH will give the tenant an estimated timeframe of the decant duration 1
- MDH will give the tenant a schedule of works with interval periods for regular updates
- MDH will advise the tenant of the support/compensation that they may be eligible for
- Where a claim has been received for compensation towards eligible expenses, MDH will make a payment within 28 days.
- The tenant's neighbourhood officer will be the main point of contact throughout the process, providing advice and assistance when necessary.

5. Type of moves

5.1 Temporary moves

5.2 If the decant is due to major repairs needed to the home, a tenant will usually be able to return to the property, once the repairs have been completed (unless the works are scheduled to take longer than 6 months – see permanent moves below). Examples of major repair works include:

- Structural repairs
- Dry rot
- Chemical preservation treatment
- Major asbestos disturbance
- Or any other circumstance that would pose a risk to the tenant

Decants will not normally be arranged for planned improvement works such as heating replacement, kitchen or bathroom replacements, or re-wires.

5.3 If the tenant is able to stay with family/friends while we carry out the repairs they will be entitled to receive compensation (see disturbance payments below)

5.4 If the tenant cannot stay with family/friends, MDH will make a direct offer of accommodation, or arrangements will be made for you to be placed into Bed and Breakfast accommodation. If the tenant chooses to make their own bed and breakfast/hotel arrangements, the cost of the accommodation must be reasonable and agreed with MDH in advance any bookings made.

5.5 A tenant may only need to move out of their home on a temporary basis, for example, for a week or two, whilst works are being carried out. Where works may last longer, for example several months, this will be taken into account when considering the various options available.

5.6 If it is estimated that works will only take a few days, then it may be more cost effective to consider the following:

- Making arrangements for the tenant to stay with friends and family;
- Placing the tenant in B&B accommodation;
- Seeking respite care for the tenant; or
- Paying for the tenant to stay in a chalet, caravan or similar type accommodation within Devon
- If the tenant has a support network, outside of Devon, MDH will consider a request for placing into accommodation outside of Devon. This will be at the discretion of the Service Manager.

5.7 The tenant will be obliged to carry on paying rent for their permanent home, therefore they will not have to pay for the cost of their temporary accommodation. If they have transferred to

alternative accommodation within MDDC's own housing stock, the above will be confirmed in writing

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5.8 Emergency Decants

5.9 If the tenant has to move as an emergency, for example in the event of a fire or flood, MDH will liaise with the Housing Options Team to secure temporary accommodation while we carry out the repairs. This policy does not intend to cover temporary housing in an emergency, however, it can be applied if longer term temporary rehousing is required.

5.10 Permanent moves

5.11 If the move is permanent, tenants can bid for a new property through Devon Home Choice ([DHC](#)) or MDH will look to make a direct offer of accommodation.

5.12 MDH will take into account the tenants housing needs, the distance of accommodation from place of work or education and the proximity to their support network.

5.13 The tenant will continue to have the same tenancy type and security that they had in their original property.

6. Types of properties offered

6.1 Suitable properties will be identified within MDH's own stock.

6.2 If the decant is urgent and there are no suitable properties within our stock, other options will be considered, such as bed and breakfast accommodation.

6.3 Properties which are offered as a temporary decant will generally be 'like for like' with the tenants main home. Depending on the availability of suitable properties, MDH may have to move a tenant to a property that whilst not suitable in the long-term, would be suitable on a short term basis. This may relate to the size, location or property type.

7. Tenants Responsibilities

7.1 Tenants will be required to pack their own belongings, unless there is a valid reason, for example they are vulnerable or have special needs and that they cannot. In these instances, MDH will arrange a packing service.

7.2 The property must be left vacant and any items left will be cleared and there will not be an opportunity to return to the property to collect anything left behind.

7.3 The tenant is required to provide access for contractors or agents acting on MDH's behalf. Tenants must take responsibility for their own fixtures and fittings, unless the property is due to be demolished. A disclaimer will need to be signed to say that the tenant does not require any compensation for the loss of items.

7.4 Tenants must make appropriate arrangements for pets to be removed from the property.

7.5 Tenants must notify their insurance company and service providers of their move out date

3

8. Rights to return

- 8.1 There may be occasions when the tenant will have no automatic right to return to the property in which they are decanted from. It will depend on a number of factors, including the property size after redevelopments. In these circumstances, housing options will be explored with the tenant.
- 8.2 In some cases, the tenant may request to remain in the decant property on a permanent basis. Such requests will be considered by the Operations Manager for Housing Services. If a permanent move is authorised, no further costs in relation to the decant will be payable.

9. Expenses and Payments

9.1 Home-loss payments

- 9.2 If a move is permanent, the tenant be entitled to a home-loss payment. These payments are made in line with the [Land Compensation Act 1973](#)
- 9.3 A tenant will only qualify for a home loss payment if they were in occupation of the property as their only and main residence for a minimum of 12 months.

9.4 Discretionary Compensation (decant)

- 9.5 If a tenant is decanted, less than a year into their tenancy, they may receive discretionary compensation. The amount offered will be based on how long they have lived in the property. Provided that the tenant is able to provide receipts for 'out of pocket' expenses as a result of a decant, MDH may offer discretionary compensation.

- 9.6 If a tenant owes rent arrears or any other payment to Mid Devon District Council, this payment may be used to offset any monies owing.

9.7 Disturbance Payments

- 9.8 MDH will compensate the tenant for costs incurred from moving and ensure that you have not been left 'out of pocket' due to moving - [disturbance payments](#).

- 9.9 Examples of the items which can be included are:

- The cost of removals and/or storage of belongings
- The reasonable cost of refitting carpets, altering blinds if possible, if not replacing these items
- The reasonable charges incurred from moving your furniture and effects to your new house.
- The reasonable cost of moving the following items - cooker, washing machine, dish washer, telephone, TV aerial, satellite dish or other telecommunication equipment, alarms, re-direction of mail.
- The cost of new school uniforms should a change of school be necessary.
- The reasonable cost of cattery or kennels of pets if they cannot be accommodated in any temporary accommodation.
- The reasonable cost of redecoration of new home

- Loss of wages where time off is unavoidable due to displacement and removal and wages are lost as a consequence. In some cases we may reimburse for the cost of new appliances, for example if your existing cooker cannot be connected to your new energy supply, but this must be agreed with us beforehand.

4

- Installation of any disability aids and adaptations
- Providing a shower in the decant property if it is necessary due to health issues and agreed by an occupational therapist.

10. Monitoring and review

10.1 This policy will be reviewed in line with legislative or regulatory changes

11. Equality Impact Assessment (EIA)

11.1 This policy has been subject to an EIA. Both positive and negative impacts have been considered in relation to protected characteristic groups and communities that MDH work with.



Vulnerability Policy 2022

Appendix 5

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1. Introduction

- 1.1 MDH aims to ensure that everyone has the opportunity to access and benefit from our service. MDH realises that for some service users who may be vulnerable, barriers can exist which may prevent participation.
- 1.2 The Regulator of Social Housing's Tenant Involvement and Empowerment Standard, requires us to "provide choices, information and communication that is appropriate to the diverse needs of (our) tenants" and to "demonstrate that (we) understand the different needs of tenants, including in relation to the equality strands and tenants with additional support needs."
- 1.3 MDH is committed to making sure our services can be easily accessed by tenants with complex and/or additional needs.
- 1.4 The policy also defines what a 'reasonable adjustment' is, in what type of circumstances they will be carried out and how a request for a reasonable adjustment can be made.
- 1.5 This policy does not aim to explain how we will approach every circumstance where a tenant with complex needs requires a service to be adjusted. It is a general statement of our commitment to ensure tenants with disabilities are not at a disadvantage when accessing MDH services.

2. Objectives

- 2.1 This policy sets out to achieve the following:

- How vulnerable adults are identified
- How vulnerable adults can access services from MDH
- How MDH can adapt its services to meet the needs of vulnerable people
- Signposting
- MDH's approach to reasonable adjustments

At MDH, one of our objectives is to ensure that our vulnerable tenants receive the services and assistance they require to sustain their tenancy. To achieve this, we aim to:

- Identify a tenant who may have a vulnerability and/or support need
- Record any vulnerabilities on housing management system
- Use all available information to identify if a tenant is vulnerable
- Take account of known vulnerability factors in the provision of services and in decisions around tenancy management and enforcement
- Assist vulnerable tenants in accessing additional services that they may need.
- Record any known representatives who act as a 'delegated authority' or with power of attorney or other care givers who may act on the tenants behalf
- Consider any additional needs due to the vulnerability and where appropriate vary our service delivery to ensure vulnerable residents still receive the same level of service

- Make appropriate referrals to tenancy sustainment services, such as CHAT (Churches Housing Action Team) or support agencies, based on our local knowledge of resources and the needs of the tenant, where appropriate to do so
- Make reasonable adjustments when a request is made and justified (see section 10).

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3. Definition of vulnerable:

- 3.1 Vulnerable means any individual who is, or may be, in need of help or support due to mental health difficulties, disability, age, illness or frailty and who are, or may be, unable to look after their home and/or their wellbeing or unable to protect themselves from harm or exploitation by others.
- 3.2 For the purposes of this policy, MDH will define vulnerable as a tenant who requires an enhanced housing service (for example correspondence in a different language or large print, or where signposting to other services is necessary). This definition does not replace statutory definitions.
- 3.3 MDH has due regard to tenants who may have specific requirements, these include, but are not limited to:
 - Tenants with sensory impairments, such as visual impairment, deafblind and hearing impaired
 - Tenants who do not have English as a first language
 - Tenants who are socially isolated or lonely
 - Tenants whose disabilities limit their physical mobility
 - Tenants with learning disabilities
 - Tenants with mental health problems
 - Tenants who are frail or elderly
 - Tenants who have alcohol or substance misuse problems
 - Tenants who are experiencing domestic abuse or harassment
 - Tenants who lack capacity to make decisions (under the Mental Capacity Act 2005)
- 3.4 A tenant may be vulnerable as a result of a single problem or condition, or due to a combination of factors. Vulnerability can also occur at different points in a person's life, for instance someone may need support following bereavement for a temporary period, whereas another may require support permanently.
- 3.5 This policy does not assume that whole groups of people are vulnerable. For example, it is not correct to assume that all older people are vulnerable or that all disabled people are vulnerable.
- 3.6 There are a number of signs that someone may be vulnerable. These may include, but are not limited to the following:
 - Falling into rent arrears or other debt problems
 - Issues with maintaining the tenancy
 - Being the victim, or perpetrator, of anti-social behaviour, hate crime or harassment
 - Disputes with neighbours
 - Damage to the person's home
 - A detrimental change to a person's physical appearance
 - A failure to respond to correspondence or to answer the door when visited
 - Self-neglect, hoarding or other behaviour which results in the person's home and/or garden becoming damaged, neglected or otherwise unfit for occupation

4. How MDH identifies vulnerable tenants

- 4.1 When a tenant contacts Mid Devon Housing, this presents an initial opportunity to identify whether they are vulnerable. A tenant can become vulnerable at different stages of their lives, it is essential that identification of vulnerabilities is not just at first contact, but throughout a tenancy and whenever contact is made.
- 4.2 MDH is able to identify vulnerabilities in a number of ways:
- Reviewing any support needs or vulnerabilities identified in a Devon Home Choice application form
 - At the sign up stage for a new tenant and upon completion of the vulnerability questionnaire
 - During home visits
 - Reports from relatives or care givers
 - Reports via a support agency or another external agency such as police or probation.
 - Local knowledge gathered or observed through day to day housing management activities e.g. neighbourhood walkabouts, tenancy home checks, through tenants reporting a repair and the operative picking up a vulnerability and/or support need, or as a result of a breach of tenancy.

5. What MDH does when a tenant is identified as vulnerable

- 5.1 When a tenant is identified as vulnerable (according to the MDH definition), the officer will look at ways to support the tenant (some of which referenced below in section 6)
- 5.2 The tenant's record on the housing system will be marked with a warning flag (UDC) with the nature of the vulnerability and how the tenant needs to be assisted (e.g. needs letters sent in large print).
- 5.3 Monthly reports are produced, on warning flags and these are checked by the neighbourhood officers to ensure the data we have is up to date and accurate.
- 5.4 At the sign up stage, the tenant will be asked whether they have any support needs and/or any communication preferences.
- 5.5 These will be recorded onto our internal systems and will be used in order to meet the tenant's specific needs throughout the duration of their tenancy.
- 5.6 We will proactively check that we have the appropriate support flags and communication preferences recorded on our systems, where information is missing or requires updating.

6. How MDH can support vulnerable tenants

- 6.1 General signposting and referrals:

6.2 When a Housing Officer or another member of staff identifies a vulnerable adult they will seek to signpost or refer the person to appropriate support if it is needed. Some of the services signposted or referred to may include for example:

- GPs and other health services
- Mental health services
- Adult Social Services (for care and support services or safeguarding)
- Tenancy sustainment support
- Occupational Health
- Substance misuse services
- Domestic abuse services
- Debt advice and welfare benefit services
- Advocacy services

6.3 MDH recognises that carers, who are caring for vulnerable people in a voluntary capacity (e.g. partner, relative or friend), may also need support in fulfilling their responsibilities and in looking after their own wellbeing. Carer's can be signposted, wherever appropriate.

6.4 **Communication:**

6.5 MDH communicates with its tenants or service users in a variety of different ways:

- Face to face, which includes: home visits or booked office appointments
- Phone
- Letters
- Newsletter
- Email
- Texts
- Social media
- MDDC Website

6.6 In accordance with the MDDC's Equality and Diversity Policy, documents are available in other languages, braille, large print and audio tape and all officers will provide assistance to complete forms when requested.

6.7 Tenants can also ask that correspondence is sent to someone who will act on their behalf. Telephone and face-to-face language interpreting and British Sign Language interpreting services can also be provided upon request.

6.8 At the sign up stage, the tenant will be asked whether they have any support needs and/or any communication preferences (questions are posed in the vulnerability checklist) but also at other opportunities during their tenancy. This ensures that the Housing Service can communicate with the service user in the best way possible and in a way that is tailored to their individual needs. These will be recorded onto our internal systems and will be used in order to meet the tenant's specific needs throughout the duration of their tenancy.

6.9 We will regularly check that we have the appropriate support flags and communication preferences recorded on our systems, and will regularly check that the information we hold is up-to-date.

7. Support that MDH can offer:

- Identifying any support needs or requirements at sign up stage and completing referrals where necessary
- Updating the housing management system with a UDC flag if the tenant has a support need or a requirement for an enhanced service
- Post sign up check – usually 6 weeks after the tenant has moved in
- Offering Lifeline alarm services for a charge
- Providing housing advice

4

- Provide aids and adaptations to promote independent living, requested through a Disabled Facilities Grant (DFG) in accordance with the Aids and Adaptations Policy
- Providing additional security through the Sanctuary Scheme for tenants who are survivors of domestic abuse and wish to remain in their current home
- Offer referrals to Devon Mediation Service where there are identified neighbour issues.
- Installation of gas or electric cooker connections can be provided by MDH, charged at a competitive rate.

8. Children and vulnerable adults

- 8.1 MDH has a duty to protect children and vulnerable adults. Where it is brought to the attention of MDH that a child or adult may be at risk, Officers will refer to the Council's Safeguarding Children and Vulnerable Adults Policy. When and if appropriate, Officers will signpost or refer cases to other agencies.

9. Mental Capacity

- 9.1 The Mental Capacity Act (2005) provides the legal framework for acting and making decisions on behalf of people who lack mental capacity to make decisions for themselves.
- 9.2 When MDH identifies a tenant who does not have mental capacity to make decisions, MDH will work in line with the [Mental Capacity Act Code of Practice](#) to ensure tenants are able to access our services.

10. Reasonable Adjustment

- 10.1 A reasonable adjustment involves making a change to the way that we usually do things to ensure that we are fair to all of our tenants. This may involve departing from our usual practice in the way we do things if we find that the current position places that person at a substantial disadvantage. For example we would:
- Allow more time for someone to respond or provide information; or
 - Make sure our office buildings do not present obstacles for disabled people, for instance by providing lifts or ground floor meeting rooms; or offer a suitable alternative locations
 - Provide information in large print or alternative language
 - Allow for more time to answer the door if someone has mobility issues
- 10.2 How do MDH define 'reasonable'?
- 10.3 The Equality and Human Rights Commission suggests the following considerations when we decide whether an adjustment is 'reasonable' or not:

- How effective the adjustment(s) will be in assisting a customer with a disability and in preventing or reducing the possibility of them being at a disadvantage;
- The practicality of making the adjustment(s)
- The cost of the adjustment(s) and whether this is possible within our resources; and
- Any disruption to the service that making the adjustment(s) may cause.

10.4 A reasonable adjustment can be requested from MDH in the following ways:

- In writing, explaining what the adjustment is and why it is needed
- By telephoning, writing or emailing in to the MDH service
- By referral from a support agency or external agency
- By a family member when we have been given permission for them to do so; and or
- A member of staff may suggest for one to be made, when they are aware it will support the tenant's needs.

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10.5 Reasonable adjustments to our complaints process

10.6 We will make reasonable adjustments to our complaints service where necessary, ensuring tenants with a disability are not at a disadvantage when accessing the service.

10.7 Examples of the reasonable adjustments we will make are:

- Using the customer's communication preference throughout the duration of the complaint;
- We will not request a complaint to be made in writing where this presents a barrier or disadvantage to the customer due to their disability or additional needs;
- Extension of any time limits (where it is lawful to do so); and
- Provide information in alternative formats eg. Braille, large print or on coloured paper.

10.8 In the circumstance where we are unable to make a reasonable adjustment due to cost or resources, we will work together with the tenant to find the most appropriate alternative solution for them.

10.9 If a tenant is dissatisfied with the arrangements or decisions we have made regarding a reasonable adjustment, we will respond in accordance with our Complaints Policy.

11. Monitoring and Review

11.1 This policy will regularly be reviewed in line with legislative and regulatory changes and best practice.

12. Equality Impact Assessment

12.1 MDH complete an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.

HOMES POLICY DEVELOPMENT GROUP 26 JULY 2022

HOUSING STRATEGY 2021-25 PROGRESS UPDATE

Cabinet Member(s): Councillor Stuart Penny
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report and Recommendation: On 26 October 2021 Cabinet adopted the updated corporate Housing Strategy for the period 2021-25 which was subsequently published on the MDDC website (link below). On the 15 March 2022, the Homes PDG received and agreed the following proposal for informing the PDG on strategy delivery on a rolling basis:

- an update report with the combined action plan for review in May (or nearest meeting)
- full annual review report in November (or nearest meeting) with any recommendations to Cabinet for relevant updates, changes or amendments to the strategy, in particular with regard to strategy objectives and targets

This report provides members of the PDG with the first update report.

Recommendation: Members note the update on Housing Strategy delivery

Financial Implications: None directly arising from this report.

Budget and Policy Framework: There are no direct budget implications of this report.

This strategy sets out those opportunities and challenges in respect of several key delivery functions; housing delivery, enabling and renewal/standards alongside housing needs and homelessness. As such it links with a much wider policy framework, adopted or in development. It therefore reflects the current and projected priorities, needs and aspirations of our community in respect of having access to affordable, safe and healthy housing.

Legal Implications: The strategy has no formal basis and there is no legal requirement for have one. Nonetheless, it provides links to a number of statutory requirements on the Council, for example in acting as the Strategic Housing Authority and as registered social housing provider alongside being the Local Planning Authority.

Risk Assessment: The strategy provides a framework for the delivery of those key functions and priorities outlined above. In doing so, it will help in the development of a coherent and consistent approach to housing across the district.

Equality Impact Assessment: A full EIA was completed as part of the formal adoption of the strategy in October 2021 and no protected characteristics were identified as negatively impacted. Conversely, the strategy has several objectives aimed at improving access to suitable housing for vulnerable people, whether this is due to financial circumstances (affordable housing) or physical or mental-health

disabilities (supporting specific needs, Housing Assistance Policy and adapting for neuro-diversity in social housing).

Relationship to Corporate Plan: Our Corporate Plan for 2020-2024 has four key priority areas one of which is Homes. Within each priority strand the Council has committed to ensuring we are working towards sustainable and prosperous communities. This includes a recognition that our villages and towns need affordable housing for local people. There are number of specific actions that underpin this commitment includes targets for the delivery of affordable housing, working with community land trusts and private sector landlords and working to improve the supply of quality housing.

Impact on Climate Change: Decisions relating to the management and maintenance of the homes belonging to the Council and influence the carbon performance of market or community led housing will enable officers and Members of the Council to influence the direction of travel against appropriate targets. We can use new development as opportunities to help communities to become increasingly sustainable and self-sustaining at neighbourhood level.

There are specific carbon standard and decarbonisation objectives within the strategy in relation to existing and new housing.

1.0 Introduction

1.1 Previous reports regarding the Housing Strategy 2021-25 including the February report into this PDG have introduced and summarised the Strategy comprehensively. This include setting out the context of addressing housing needs in a strategic, joined-up way providing further information on the purpose of the strategy and its priorities and specific objectives. Reference should made to these reports and/or the strategy document itself for this wider information in full.

1.2 In seeking to update the PDG on progress, it is nonetheless helpful to reiterate the strategy focus and measurable outcomes as set out below.

2.0 Priorities and objectives

2.1 The strategy identifies the following 'HOME' priorities:

Housing - increase delivery of quality designed, well-built homes across the housing market to meet identified needs

Optimise - fit for purpose healthy, sustainable, adaptable homes optimised for high energy efficiency and low carbon impact

Making the most - making the most of our existing homes across the private and public sector in all forms of tenure

Engage - engaging and working with others including partner organisations to deliver our aims

- 2.2 Consequently, the Strategy is divided into four chapters which expand upon each of our key housing priorities. All priorities have equal weighting; each impacts on the other and much of the work around these priorities will necessarily be overlapping and interdependent.
- 2.2 Within each chapter are specific objectives and targets to deliver the different elements that make up each priority.
- 2.3 Overall, some 40 objectives are described within the Strategy and ultimately this provides a detailed but strong framework; setting direction for each of our partners and stakeholders involved in housing; residents, ward members, housing associations, developers, government bodies, regulators, investors, private landlords, charities, voluntary groups and the Council – to provide the right type of homes that are needed.
- 2.4 Members will therefore need to consider the document and the objectives set out holistically within boundaries of where we have an influencing, commissioning or direct delivery role with regard to the provision of housing.

3.0 **Monitoring and reporting 2021-22 and into 2022-23**

- 3.1 With strategy being formally adopted in October 2021, the focus on this first update report is on the activity and outcomes achieved against the relevant objectives over the last nine-months or so.
- 3.2 Where possible, additional information is provided on early progress and planned activity for 2022-23 and beyond.
- 3.3 Overall, there has been a high level of activity across the priorities moving towards meeting specific, measurable outcomes. Section 4 below provides a headline summary of some of the relevant activity for 21/22 and 22/23 (to date).
- 3.4 Annex 1 of the report provides a more complete summary of the current activity and monitoring status for the each objective (action plan).

4.0 **Summary**

- 4.1 The overall progress of the 40 objectives within the strategy is as follows:

4	No progress/delayed/below target or overdue data
24	Started/on-track
11	Complete (for 2021/22)
1	Not due

- 4.2 Of those complete for 2021/22, many will be rolling annual targets continued for 2022/23 and onwards to 2025 (subject to annual review) and shown as started/on-track or not due for the current year. Nonetheless, several were distinct projects and new updated target for the relevant objectives are currently being developed to reflect project outcomes and next stages (see Annex 1).

- 4.3 The key headlines for activity completed during 2021/22 and across Q1 of the current year are set out below by strategy priority (chapter).

Housing – increased new delivery to meet needs

- 235 homes including 22 affordable homes (Objectives 1 and 3) were completed in the period 1 April 2021 to 31 March 2022. These figures are provisional and currently being finalised (Objective 1).
- Secured planning permission of 14 no. modular zero-carbon social housing properties for Mid Devon Housing (MDH) - St Andrews Cullompton and Shapland Place Tiverton (Objectives 5, 6 and 21)
- Commissioned contracts for additional 3 no. social housing properties for MDH in Tiverton together with a further 5 no. buy-back properties secured (Objective 5)
- Major planning application submitted for 70 no. social and affordable homes at Post Hill, Tiverton for MDH (Objective 6)
- Updated 5-year MDH social housing programmes for 1-4-1 and non-1-4-1 receipts/capital including first 2022 bid into Homes England Affordable Homes Programme (Shapland Place) and 7no. Feasibility Studies for new sites commissioned (Objectives 5, 6 and 40).
- An all-Member briefing on the MDH development programme planned for 30 August 2022 (Objectives 5, 6 and 40)
- Successful DLUHC bid for 3-years Rough Sleeper Initiative funding for 2022-25 totalling £346k (Objective 13)
- Delivery plan in place for Domestic Abuse Act Tier 2 funding and link into wider Devon Domestic Abuse support strategy and Community Safety Partnership Action Plan focusing on vulnerable individuals at risk of homelessness (Objective 15)
- Contact with all town and parish councils to help stimulate interest in Community Led Housing and prioritise those areas for support via Housing Need Surveys. Completed/commissioned surveys for Newton St Cyres and Culmstock with potential for Crediton (Objective 7)
- One new pitch for Gypsies and Travellers was completed in the period 1 April 2021 and 31 March 2022. Outline planning permission exists for up to 5 pitches at Pedlarspool, Crediton and 6 pitches (3 outline / 3 reserved matters) at the Tiverton Eastern Urban Extension. Local Plan allocations remain at North West Cullompton (5 pitches) and East Cullompton (10 pitches). A new Gypsy and Traveller Accommodation Assessment is currently being prepared which will cover Mid Devon, East Devon, Teignbridge and Exeter City. (Objective 16).

Optimise – adapting existing housing

- Lifeline service reviewed and repurposed with a new, dedicated Commercial Team in Building Services (MDH). New dedicated officer in post and updated income target agreed as part of wider development plan for achieving over 1,000 customer households. Links made with other adaptations and handyman services (Objective 21)
- Review of Devon Home Choice data and local allocations policy and rolling programme adaption works to MDDC properties (Objectives 20 and 21)
- Draft, innovative standards for meeting neuro-diversity needs (social housing) developed ready for pilot. Standards presented to Devon Housing Summit in May 2022 with positive feedback (Objective 23)
- Updated Air Quality Action Plan adopted January 2022 with focus on improvements for specific town-centre residential areas of Cridton and Cullompton (Objective 25)
- ECO Flex 3 scheme completed with 625 energy efficiency and affordable warmth installations supported in private sector properties (>250 for 2021/22) (Objective 27)

Make – improving the quality and accessibility to housing across private and public sectors (all tenures)

- Empty Homes Plan review at advanced stage and review of Empty Dwelling Management Orders complete (Objectives 28 and 29)
- 100% of current Houses in Multiple Occupation assessed and ongoing review of potential management service alongside emerging and current refugee schemes (Objective 32)
- 14 landlord engagement activities undertaken in 2021/22 (Objective 34)
- Second DLHUC (with Homes England) Rough Sleeper Bid for support to purchase two. Houses in Multiple Occupation (HMO) was unsuccessful on value for money grounds. Other successful RSI bid funding will provide for recently recruited Housing Initiatives role to link homelessness cases with private sector options and an options paper will come forward to utilise existing capital to potentially fully purchase one or both HMOs instead (Objective 35)
- Uptake on Home Improvement Loans (HILs) impacted by Covid during 2021/22 but recent increase in activity. Additional, external funding for HILs secured via Better Care Fund (Objective 37)

Engage – partnership working

- Local Housing Needs Assessment (jointly commissioned by East Devon District Council, Exeter City Council, Mid Devon District Council and Teignbridge District Council) is nearing completion. A series of

Member briefings have taken place to consider the findings of the study. Over the coming months, officers will be reviewing the implications of the LHNA and identifying potential policy interventions that can be taken forward through Plan Mid Devon. These will be subject to additional Member engagement and discussion. The final LHNA report will be published as part of the evidence base for Plan Mid Devon in due course, and which will also be capable of being used to help inform the preparation of other plans, programmes and strategies. (Objective 39 and links to others)

- Working with Homes England on pipeline of potential sites under Affordable Homes Programme
- 8 broad engagement activities commenced across Homes England (Affordable Homes Programme), ASB/Police, DCC and safeguarding, refugee schemes, networking via Community Engagement Network, MDH tenant engagement/policy review and community consultation on Post Hill scheme (Objective 40)
- Additional MDDC (MDH) participation in national social housing professionalism DLUHC research project (1 of 8 UK case-studies) in June 2022 and rolling membership of DLUHC/Local Authorities/Local Government Association national Strategic Advisory Group (affordable housing policy, LA housing, Social Housing Bill and Right to Buy (Objective 40)

5.0 Recommendation

5.1 It is recommended that Members note the update on Housing Strategy delivery

Contact for more Information: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing.

Circulation of the Report:

Members of the Housing PDG
Cllr Stuart Penny, Cabinet Member for Housing and Property Services
Leadership Team
Corporate Management Team
Service/Operations Managers
Legal Services
Housing Strategy Officer Working Group

List of Background Papers:

MDDC Housing Strategy 2021-25
<https://www.middevon.gov.uk/residents/housing/housing-strategy/>

Annex 1 – Housing Strategy objectives status and detail (2021/22 and Quarter 1 2022/23)

HOUSING
Maintaining a supply of new homes and sustainability

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
1	Maintain the supply of new market homes in Mid Devon	Number of net additional homes each year	393	235 additional homes completed during the 2021/2022 monitoring year inclusive of 22 affordable homes (provisional figure subject to being finalised).	No progress or delayed	Overall housing completions during the 2021/22 monitoring year fall below the target objective. Officers are currently investigating the reasons underpinning this although evidence suggests that housing completions are below targets for other LAs in the region as well. Shortages of skilled workers and the high cost of materials and labour are also likely affecting housebuilding rates in Mid Devon. Levels of house completions are also likely to be impacted by prevailing economic circumstances affecting the development industry.	Ongoing/review target in light of Local Housing Needs Assessment (LHNA)	Not Due

2	Focus the delivery of new homes in sustainable places	Monitor the amount and distribution of new housing against strategic targets	Tiverton (30%), Cullompton (50%), Crediton (10%) and rural (10%)	Breakdown of housing completions as follows: Tiverton (29%), Cullompton (3%), Crediton (22%) and Rural areas (46%)	Started / on track	The breakdown of housing completions reflects where planning permissions have been granted and sites are currently being developed. The proportion of completions at Cullompton is expected to align with the target (50%) in future monitoring years once the local plan site allocations at the North West and East of the town come forward for development.	Ongoing	Not Due
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Meeting all housing needs of all types and tenures and type

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
3	Secure more affordable housing	Monitor the number of affordable homes delivered annually	94	22 affordable homes completed during the 2021/22 monitoring year. (provisional figure subject to being finalised).	Started / on track	Overall housing completions during the 2021/22 monitoring year fall below the target objective. Officers are currently investigating the reasons underpinning this although evidence suggests that housing completions are below targets for other LAs in the region as well. Shortages of skilled workers and the high cost of materials and labour are also likely affecting housebuilding rates in Mid Devon.		Not Due
4	First Homes	First Homes Policy including local eligibility criteria developed and adopted	Interim policy guidance brought into use 2021. Formal policy to be included in a new Local Plan (adoption mid 2025)	Interim policy guidance in place which follows the approach set nationally. Template s106 provisions are also in the process of being agreed to ensure consistency across decision making. Consideration of additional eligibility criteria and amended price caps will take place as Plan Mid Devon is progressed.	Started / on track	Timetable to follow Plan Mid Devon.		Started / on track

5	Retain a viable Council Housing stock baseline of a minimum 3,000 properties through full use of available Right to Buy (RTB) 1-4-1 receipts	Monitor the number of social rent delivered for the Mid Devon Housing Revenue Account/Council Housing stock	Deliver 60 new Council homes between 21- 25 and a further 20 by 2027	5no. buy-back properties	Started / on track	Initial budget for 47 units by the end of financial year 24/25 identified, although budget will be available in 25/26 to enable further delivery of 33 units by the end of 26/27	3no.Buy-back properties 3no. new properties @ Beech Rd Tiverton - PP and contract secured 6no. new properties @ St Andrews Cull modular - PP and contract secured 2no. new properties @ Siddalls Grds - PP and budget for in-house delivery secured 1no. New property @Wingfield Close, Tiverton Budget for in-house delivery secured	Started / on track
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6	Grow the Mid Devon Council Housing stock beyond baseline through additional, non 1-4-1 mechanisms	Monitor the number of social rent and affordable homes delivered for Mid Devon Housing	Deliver 70 new Council homes between 21 – 23 and additional 15 homes per annum thereafter to 2025	70 no. properties @ Post Hill at RIBA Stage 3, Pre-app and detailed design underway 8 no. properties @Shapland Place PP and contract secured	Started / on track		70 no. properties @ Post Hill at RIBA Stage 3, Planning Applic submitted 23 June 8 no. properties @Shapland Place PP and contract secured	Started / on track
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Meeting housing needs of rural communities

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
7	Understand housing need in rural areas	Parish surveys of local housing need	3 surveys per yr	Housing Need Survey completed for Newton St Cyres. A study has also been commissioned for Culmstock Parish Council. Discussions are also currently taking place with Crediton Town Council regarding the possibility of applying the HNS methodology to a town. A letter has been sent to all town and parish councils to help stimulate interest in Community Led Housing and prioritise those areas for support via Housing Need Surveys.	Started / on track	Follow-up parish leads		Not Due
8	Support community led housing schemes	Assist Community Land Trust through the Community Led Housing Fund	1 Community Land Trust provided grant funding each year, subject to assessment criteria being me	A letter has been sent to all town and parish councils to help stimulate interest in Community Led Housing and inform them of the grant funding available to support projects. Initial discussions have taken place with a number of parish councils.	Started / on track	Follow-up parish leads		Not Due

Raising building design standards – accessibility, design quality and climate change

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
9	Improve accessibility standards in new homes	Monitor annual completions on major sites (10 or more dwellings) to be built to Level 2 of Building Regulations Part M (access to and use of new dwellings)	20%	Awaiting data/overdue	No progress or delayed	Officers have incorporated the implementation of M4 (2) requirements into housing monitoring processes although it is not possible to retrospectively backfill this data. It is envisaged that data on the number of completions built to Level 2 of Building Regulations Part M will be available following the end of the 2022/2023 monitoring year.		Not Due

10	Improve design quality in new homes	Monitor number of appeals allowed where planning permission has been refused due to poor quality design	0	Awaiting data/overdue	No progress or delayed			Not Due
11	Improve the climate change sustainability and resilience of new Council Housing	Monitor % of properties that meet defined zero-carbon and other standards (e.g. Passivhaus)	100% of all new build Council homes to be net-carbon zero by 2025 and meet a defined comfort and energy use standard	Post Hill and, Shapland and St Andrews new schemes design to zero-carbon standard for commencement in 2022	Started / on track		Modular schemes commissioned for occupancy 22/23. Post Hill planning application submitted	Not Due
<i>Preventing homelessness and supporting priority households</i>								
Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
12	Minimising rough sleeping	Successful applications for external funding streams including MHCLG (now DLUHC) Rough Sleeping Initiative, on-going Navigator projects delivery and development of our night shelter accommodation during the winter months	5 or less rough sleepers within Mid Devon at any one time	Rough Sleeper Initiative Bid submitted February 2022 for three years funding. £346k awarded June 2022	Started / on track	Bid contains a number of proposed activities for reducing rough sleeping and preventing homelessness for the next 3 years.	Bid for Rough Sleeping Accommodation programme due to be submitted in April 2022. Proposal to purchase private sector HMOs for use as temp accommodation – bid unsuccessful	Started / on track
13	Maximising prevention activities and outcomes	Working with the Housing Options Accommodation Officer to facilitate or provide support for all households at risk of homelessness and ensure there is sufficient temporary or emergency accommodation available to all priority households	90% of all temporary or emergency accommodation for priority households provided within the district / putting in place support to help tenants to sustain their tenancies where appropriate	Rough Sleeper Initiative Bid submitted February 2022 for three years funding. Funding awarded as part of Objective 12. 100% of current temp/emergency accommodation is within the district	Complete	Part of the suite of options identified in successful RSI bid		Not Due

14	Increasing accommodation options	Work with the Planning Service and through this wider strategy to deliver more affordable accommodation, review Deposit and Advance Rent Scheme (DARS) and promote and work with Public Health private sector housing officers and private sector in increase good quality private sector accommodation	See Objectives 3 – 5 and affordability housing, review DARS scheme by 2022 and integration of the Housing Options team with Public Health from August 2021	Integration of Housing Options with Public health is complete. DARS being reviewed as part of the RSI bid and Housing Assistance Policy review	Complete	Policy finalisation and on forward plan for adoption 22/23	Not Due
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15	Improving health and wellbeing by supporting those with complex needs	Supporting those at risk of/experiencing domestic abuse and wider vulnerable groups at risk of homelessness, build relationships with local GPs and other support services and making appropriate referrals and developing protocols of working with partner agencies	Develop delivery plan for Domestic Abuse Act Tier 2 capacity funding 2021/22/membership of Devon Domestic Abuse Local Partnership Board, ongoing engagement with other fora including MARAC (Domestic and Sexual Violence and Abuse), Early Help, Safeguarding and TAF (Team Around the Family) and the East and Mid Devon Community Safety Partnership (CSP)	Members of Devon Domestic Abuse Local Partnership board Continue to engage with and attend MARAC meeting Continue to engage with and attend Early Help meetings Continue to engage with and attend Safeguarding and TAF meetings Continue to engage with partnership working of the Community Safety Partnership	Complete	Ongoing and also review in light of new Serious Violence Bill (Duty)/CSP/OPCC and Safer Devon Partnership with links across to vulnerable persons with complex needs	Not Due
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Gypsy, traveller and travelling showpeople provision

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
16	Meet the housing needs of Gypsies and Travellers	Delivery of new pitches	8 (2021 - 2025)	Monitoring of new pitches in Mid Devon ongoing. 1 pitch completed during the 2021/2022 monitoring year.	Started / on track	Outline planning permission was granted in April 2021 for up to 5 Gypsy and Traveller pitches as part of a mixed development at Pedlerspool, Cridton (Local Plan site allocation CRE5). This scheme is subject to a reserved matters planning application that is currently being determined by the Council. Outline planning permission exists for 3 pitches, and reserved matters permission for a further 3 pitches for Gypsies and Travellers on sites at the Tiverton Eastern Urban extension. The adopted Local Plan requires the provision of at least 5 pitches at the North West Cullompton and at least 10 pitches at East Cullompton.		Not Due

Modern methods of construction

21/22

22/23

Objective	Description	Measurement	Target	Activity	Status	Comment	Activity	Status
17	Pilot modern methods of construction (MMC)	Number of MMC development schemes in the district	4 (2021 - 2025)	Two Council-led schemes in partnership with Zed Pods are being progressed: 1) St Andrews Estate in Cullompton for a zero carbon housing scheme for 6 homes and 2) Shapland place, Tiverton Zero Carbon Housing Scheme for 8 homes. Planning Committee at its meeting of 2nd February resolved to approve plans for the 6 energy efficient homes at Cullompton. Plan Mid Devon also includes questions about how further support can be given to MMC in Mid Devon.	Started / on track		Commissioned schemes and feasibility studies for additional sites	Not Due

Custom and Self-Build

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
18	Facilitate the delivery of serviced plots for custom and self-build (CSB) housing	Monitor serviced plots granted planning permission	20 (2021 - 2025)	To date, 10 CSB serviced plots have been granted planning permission within this monitoring year. Data will be finalised in May once the monitoring year has concluded and all data has been analysed.	Started / on track			Not Due
19	Support custom and self-build	Prepare detailed guidance in a Custom and Self Build Supplementary Planning Document	Adopt Custom and Self Build Supplementary Planning Document – spring 2022	Custom and Self Build Supplementary planning Document in progress.	Started / on track		Finalise, formal consultation and adoption of SPD	Not Due

OPTIMISE
Plan and support for future health needs

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
20	Identifying needs and trends	Interrogate new 2021 Census data and the existing Devon Home Choice (DHC) register to predict future housing trends and needs	Interrogate new 2021 Census data and the existing Devon Home Choice (DHC) register to predict future housing trends and needs	The Census won't begin to be released until summer this 2022, which will contain population and household estimates by age and sex. After that, more detailed data will be released (no schedule yet known) but will include: <ul style="list-style-type: none">• shared/unshared dwellings, with details of the type of dwelling• population structure, which may indicate a need for family or elders accommodation• second address details, which will identify the extent of second homes/holiday homes• occupancy, indicating under occupation or overcrowding, including whether there are enough bedrooms for the occupants• long-term health or disability, identifying the need for accessible dwellings• source of heating, identifying reliance on non-renewable/fossil fuels• tenure• distance and method of travel to work	Started / on track		See activity identified in 21/22	Not Due

21	Supporting specific needs	Ongoing support and development of key support services and provision	Continued support 2021-25 for the Council's Lifeline alarm service, membership of Devon Home Choice social housing allocations scheme with specified provision for adaptations and work with Devon County Council to provide specialist adapted and independent living accommodation	Lifeline service externally audited, repositioned and repurposed in dedicated Commercial Team with in Building Services. New dedicated officer in post and updated income target agreed as part of wider development plan. Links made with other adaptations and handyman services. Continued membership of DHC and rolling programme adaption works to MDDC properties	Complete		Target to expand the number of clients that are signed up to the Lifeline service by 10% each year, we currently have 900 customers.	Started / on track
22	Housing Assistance Policy (Better Care Fund)	Promote and deliver against updated Housing Assistance Policy	Updated policy for 2022-25 covering disabled facilities grants, accessible and healthy homes, home improvement loans, debt support and affordable warmth/energy efficiency support	Revised Assistance policy due to PDG May 2022. Policy review underway.	Started / on track		Revised Assistance policy due to PDG September 2022	Started / on track
23	Adapting for neuro-diversity in social housing	We will identify and adopted new standards for our new Council Housing and consider retrofit where possible in respect of neuro-diversity needs including dementia/related conditions, autism, Attention deficit hyperactivity disorder (ADHD) and mental health conditions such as obsessive compulsive disorder (OCD)	Work with Devon County Council to develop and pilot a draft neuro-diversity standard for social housing by 2022	Linked with Autism Involvement Group (AIG) at DCC and DCC commissioning team. Several development meetings held Undertaken research into Scottish and Welsh standards/link to Passivhaus standard. Initial standards identified and drafted. Meeting with AIG and working group to develop standards further agreed March 2022/presented at May 2022 Devon Housing Summit	Started / on track		Currently working on a draft document 'Housing standards for Autistic people'. Pulling together national research (considering and meeting the sensory needs of autistic people in housing by NDTi), as well as local feedback from Devon's Autism Involvement Group (AIG) which comprises of Autistic adults. The AIG feedback largely mirrored that of the NDTi research.	Not Due
24	Improving air quality at existing residential locations in Air Quality Management Areas (AQMAS)	Update and adopt a new Air Quality Action Plan (AQAP) for Crediton and Cullompton AQMAS by the end of 2021	Various specific measures and targets set out in the Action Plan with and overall delivery period of 2021-25	Updated AQAP formally adopted January 2022	Complete	Draft AQ Supplementary Planning Document produced and plan/timeline for adoption in place	Update objective to reflect key next steps including adoption (in forward plan 22/23) of revised AQ SPD and specific town centre measures?	Not Due

Market conditions for local builders and related small and medium sized enterprises (SMEs)

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
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25	Support for local house builders	Number of SME house builders supported	Subdivision of at least 1 site greater than 1 hectare for smaller builders. Partner with at least one a SME house builder on a Council development site (market or social housing)	<p>Target in progress – there will be an opportunity to include a policy to support the sub-division of sites in the new Local Plan. The current adopted Local Plan does not do this, but the NPPF (paragraph 69) states that to promote a good mix of sites LPAs should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare</p> <p>Mid Devon Council is working in collaboration with an innovative SME modular house builder Zed Pods Ltd to deliver 14 new homes</p>	Not Due	Not Due
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Climate change and existing housing

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
26	Climate change and existing Council housing stock	Retrofit, refurbish and update our existing stock to a zero carbon standard	Ensure 15% of our existing stock (2021 baseline) meets zero carbon standard by 2030 and all stock by 2050.	This can be delivered through capital works investment via the rolling 30- year Housing Revenue Account maintenance fund and through successful bids into national grant schemes (e.g. Social Housing Decarbonisation Fund) with off-setting if required	Started / on track	Potential need to change the objective 'Ensure 15% of our existing stock' to 'Ensure 15% of our stock' as it is unlikely to be possible for us to improve the carbon standards of nearly all our existing stock by the required amount to achieve zero carbon. The only way we can achieve the 15% target is to replace the stock we have with new Zero rated properties.	Rolling programme via secured contracts	Started / on track
27	Climate change and existing private housing stock	Encourage the retrofit, refurbishment and update our existing private sector stock to a low carbon standard	Support the delivery of the Energy Company Obligation – Flexibility Eligibility (ECO-Flex) scheme 2021-22 with a target of 250 Local Authority Declarations (LADs) annually. Support for/bids into other national schemes including; Home Upgrade (HUG) Schemes, Minimum Energy Efficiency Standard (MEES) compliance and enforcement funding, as well as the Devon County Council Green Homes Grant Local Authority Delivery Scheme Local Authority Delivery Scheme round 3 (LAD 3)	ECO Flex 3 scheme completed and closed 31/3/2022 - 625 ECO Flex LA Declarations signed MEES project delivery. 1620 letters sent to properties likely to be private rented/low EPC/No EPC, 181 responses, 139 responses from private rented properties and 30 confirmed as having EPC of F or G. 20 properties referred for free EPC and of those 5 EPCs are F or G. Total of 35 non-compliant properties identified requiring further action. There are a further 48 properties where our checks have shown the EPC is F or G but there has been no engagement from the owner (NB some of these may be owner/occupiers) Sustainable Warmth Scheme delivery with DCC started 1/3/2022	Complete	ECO Flex 4 scheme due July 2022 - but potential burdens on LA that need to be considered - scheme under review and will back into review of Housing Assistance Policy LAD2 scheme with Happy Energy and EON – 176 enquiries progressing to potential install but end of June 2022. 1 install already complete. 35 Social Housing, 1 Private Landlord, 140 Owner Occupiers. Final install numbers will be available July 2022. LAD3 Sustainable Warmth project with DCC. Currently in lead generations phase for delivery later this year	Started / on track	

MAKE

Ensure the best use and improved quality of existing housing

21/22

22/23

Objective	Description	Measurement	Target	Activity	Status	Comment	Activity	Status
28	Empty Homes Plan	Promote and deliver against updated Empty Homes Plan	Building on the successful first empty homes plan with updated plan for 2022-25 and an annual target of bringing 72 homes back into use annually	EHP review commenced and in forward plan for HPDG and Cabinet in 2022	Started / on track		EHP on 22/23 forward plan	Not Due
29	Empty Dwelling Management Orders	Review the use of Empty Dwelling Management Orders as a tool for bringing homes back into use	Review completed 2021	Review completed and will inform part of update to EHP (Objective 28)	Complete		See above	Not Due
30	Key workers	Review development of an intermediate housing register specifically for key workers with supply from the private rented sector and property developed by the Council	Review practicalities and potential benefits of a Key Workers register by 2022 with possible link into Devon Home Choice (social housing) and private sector rentals for allocations to Key Workers	Objective now superceded by development of national First Homes scheme and covered by Objective 4 (Housing)	Complete			Not Due
31	Tenacy strategy	Review practicalities and potential benefits of a Key Workers register by 2022 with possible link into Devon Home Choice (social housing) and private sector rentals for allocations to Key Workers	Strategy updated and adopted by 2023	Major overarching tenancy strategy under review to be adopted in 2023 including exceptions - key worker elements covered as Objective 30	Started / on track		Review continuing into 2022	Started / on track
32	Houses in Multiple Occupation (HMOs)	Support and encourage new, high quality and well managed, Houses in Multiple Occupation in the local area, including review of offering a management service ourselves. Inspect all potential HMOs whilst licensing all that are subject to mandatory licensing and/or take relevant enforcement action against non-compliant landlords	100% of potential HMO properties assessed. Review option of an MDDC management service by 2022. Ongoing target of all HMOs to meet license conditions and management regulations	Regular review of intel, multi-agency meetings in place and 100% of potential HMOs assessed	Complete		Proactive inspection programme of licensed HMOs to be put in place during 2022 Review of HMO management in-house alongside RSI bid outcome and other policy reviews identified under other objectives	Started / on track

Working with the private sector

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
33	Private sector housing standards	Monitor and actively promote high standards in the private rented sector and take appropriate action where standards are not being met, to tackle disrepair, poor housing conditions and criminal/rogue landlords	Ensure 95% of service requests are actioned within service standards/monitor and evaluate trends of service delivery and enforcement outcomes annually to develop a rolling programme of effective engagement with private sector landlords to reduce the level of Category 1 hazards identified across the private rented housing stock. In serious cases, use banning orders and add landlords to the national rogue landlord database	95% of service requests have been actioned within the agreed service standard. 13 Housing Act notices served on private sector landlords to improve the condition of rented properties There has been no reason to prosecute, ban or add any landlords to the rogue landlord list	Complete		Evaluation of enforcement trends and compliance position scheduled for later in 2022, Implementation of Homes for Ukraine Scheme inspections has repositioned priorities and resources	Started / on track

34	Private sector landlord engagement and support	Undertake specific activities to engage, guide and advise private sector residential landlords	9 engagement activities annually including the annual landlord networking event, 'Pin Point' e-newsletter and webinars or specific events	14 landlord engagement activities in 2021/22 including 9 x Pin Point news bites, 1 x virtual webinar, 2x mail-outs and 3 x press releases New initiative post to look at methods of engagement	Complete		New engagement activities being reviewed. Guidance provided into Team Devon wide approach to Home for Ukraine scheme inspections for hosts including private sector landlord owners	Started / on track
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35	Private sector accommodation and homelessness	Use opportunities for engagement developed through Objective 32 to specifically increase the availability of private sector rented accommodation as a homelessness option	4 activities within Objective 31 to specifically target options for homelessness accommodation in this sector	Housing Initiatives role linking homeless prevention with engagement with private sector landlords agreed and due to be advertised in May 2022 RSI bid submitted to purchase 2 privately rented HMOs for rough sleeping accommodation unsuccessful	Started / on track		Housing Initiatives role agreed and due to be advertised in May 2022. Work plan to be development post-recruitment	Started / on track
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Making the best use of privately owned and occupied homes

Objective	Description	Measurement	Target	21/22 Activity	Status	Comment	22/23 Activity	Status
36	Home Improvement Loans and debt consolidation	Scope of the Home Improvement Loan scheme reviewed to evaluate inclusion of debt consolidation within parameters sustainable for scheme overall	Review completed by 2022	Forms part of the Housing Assistance Policy review and delivered through Objective 22	Started / on track			Not Due

Liaison with Social Services and Safeguarding Activity	Safeguarding vulnerable people	Liaison with DCC Court of Protection Officers. Liaison with the mental health team at Silverlea. Liaison with Splitz regarding DA cases. Devon and Somerset Fire and Rescue undertake visits to vulnerable tenants with Neighbourhood Officer. Ops Manager for Hsg Servs attends MASH strategic management group meetings Ops Manager for Hsg Servs attends Mid and East Early Help Locality Partnership meetings Neighbourhood teams attend Early Help Practitioner meetings Neighbourhood teams contribute to Team Around the Family meetings, when requested to do so. Officers flag issues relating to adult safeguarding to CareDirect Officers work with the DCC Learning Disability team, as appropriate Officers refer cases to local GP practices to flag duty of care in cases where there is a concern for wellbeing Reps from Housing Options and Neighbourhood teams attend MARAC meetings	Ongoing	Ongoing
	Helping residents to sustain their tenancies	Neighbourhood teams attend DWP UC Ambassadors meetings MDH has access to the online portal for exchange of information relating to UC claims The Council provides financial support to the CA through the strategic grant scheme. The agreement will end in March 2024 The General Fund and the HRA have the potential to fund a scheme operated by CHAT and Navigate CIO working in partnership to provide debt and money advice to customers of the Council. In discussion re arrangements for 2022/23 and beyond Neighbourhood Officers liaise with the CA Court Desk at Exeter County Court, as required Liaison with DCC Court of Protection Officers	Ongoing	Ongoing
	To support sustainable communities	The Ops Manager for Public Health & Housing Options is reviewing options with CSP and Police partners to identify a new way of commissioning mediation services. In the meantime, Officers will spot purchase mediation on a case-by-case basis from Devon Mediation Service, as required.	Ongoing	
				We have been working with the Refugee Resettlement programme team from DCC, to carry out works to 2 properties in Crediton. We have carried out any required refurbishment works and have assembled all furniture etc to make them ready for the incoming families.
Networking	To keep abreast of best practice, to identify opportunities for joint working initiatives etc	The Customer Engagement Officers attend Involvement Devon and the South West Community Engagement Network meetings The Council has signed up to two procurement networks: Procurement for Housing and Advantage South West	Ongoing	
Tenant Involvement Activity	Corporate Plan target: to support and grow active tenancy engagement	Ad hoc consultations in line with statutory and regulatory obligations. 9 completed during 2021/22 and 5 already in pipeline for 2022/23	Ongoing	
		Ongoing surveys relating to tenant satisfaction which will be required in line with changes to the regulatory framework. In particular, currently seeking views of new tenants, those who report ASB and those who have made a complaint	Ongoing	

Community Consultation on new Council housing	Corporate Plan target: Promote community involvement in Council activity	Annual reports produced yearly for tenants in line with regulatory expectations including reaching out to tenants to get them involved in design etc The 2021/22 edition is already in development	Ongoing
		Policy focus groups to discuss review of MDH policies. The review of the ASB policy and procedures is taking on board tenant views and other focus groups are planned to support further policy review work	Ongoing
		Social media pages have been updated to take account of the MDH brand and are kept upto date with regular updates which may be of interest to our tenants and other stakeholders	Ongoing
		MDH Customer Engagement Officers have provided support to the Communications team with regard to the Annual Resident Survey	Ongoing
		Neighbourhood Walkabouts continue 2x annually and this year will include increased stakeholder engagement and a Skip Amnesty and with more MDH staff supporting the initiative	Ongoing
		Pop-up energy events in rural Mid Devon, working with ECCO on 26/27 April	
		Tenant Academy - work has started on developing an offer to tackle loneliness and isolation on our estates and a bid for community funding to support this will be made from Western Power Grant Funding	Ongoing
		Youth work - a proposal to support our succession planning is being worked up which will involve partnership with local schools, colleagues and the DWP to promote a career in housing	Ongoing
		Plans are ongoing to re-open the common room at Westfield Road for community groups to use	Ongoing
Community Consultation on new Council housing	Corporate Plan target: Promote community involvement in Council activity	Mid Devon Show 23 July - MDH staff attending to support this initiative and to promote Council housing	Ongoing
		3 x public engagement events to discuss the new development of 70 Council Houses at Post Hill 25,26,27 April	Ongoing

HOMES PDG
26 JULY 2022

HOUSING INITIATIVES PROJECT – PURCHASE OF HOUSES IN MULTIPLE OCCUPATION (HMOs) FOR TEMPORARY ACCOMMODATION

Cabinet Member(s): Councillor Stuart Penny, Cabinet Member for Housing and Property Services
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report: To seek agreement to purchase either one or two houses in multiple occupation, currently in the private rented sector, for use as temporary accommodation and for rough sleepers.

Recommendations:

- 1. That the Homes PDG recommends either Option 1, 2 or 3 to Cabinet for approval as set out in Section 5 of the report.**
- 2. If Options 2 or 3 are chosen, that full funding is utilised from Earmarked reserves (EMRs) as set out in Section 3.3 of the report.**

Financial Implications: There will be a capital commitment towards the purchase of the properties and revenue commitments towards the ongoing management. Although a bid to the Rough Sleeping Accommodation Fund had been submitted to cover 50% of the costs the bid was unsuccessful. Therefore the full cost of the project will need to be funded from existing budgets. The body of the report details the full costs and commitment required. It is anticipated that capital costs will be covered utilising earmarked reserves (EMRs) for private sector housing and homelessness. The revenue costs will be covered by other Rough Sleeping Initiative funding and Flexible Homeless Grant.

Budget and Policy Framework: The project and its outcomes are supported by the current Housing Strategy 2021-25. In particular the aim of the project is to reduce the current spend on B&B as temporary accommodation and to provide accommodation with support for rough sleepers and those at risk of rough sleeping. The project will be supported utilising external grant funding and earmarked reserves

Legal Implications: The conveyancing for the purchase will need to be covered by our legal team with close links to the vendors chosen solicitor to ensure the smooth and speedy completion.

Risk Assessment: The project is low risk in respect of reputation and provides a long term solution to the provision of temporary accommodation. However, in terms of ongoing maintenance the risk is medium due to the age of the properties and the manner in which they will be occupied.

Equality Impact Assessment: An Equality Impact Assessment has not been carried out in respect of this report. Consideration will be given to the use and accessibility of the properties in the event that the decision is to purchase.

Relationship to Corporate Plan: This initiative falls within the Homes priority of the corporate plan.

Impact on Climate Change: If the properties are purchased, the renovation will include works to improve energy efficiency resulting in a small improvement to the properties carbon footprint.

1.0 Introduction/Background

1.1 The current Government has committed to ending rough sleeping by 2025 and is encouraging local authorities to develop innovative and sustainable services to achieve this commitment.

1.2 In order to achieve this aspiration the Government released two funding opportunities in quarter 4 of 2021/22. These are

- The Rough Sleeping Initiative Fund (RSI) which is a revenue based grant for 3 years to fund prevention, intervention and recovery services.
- The Rough Sleeping Accommodation Programme (RSAP) which is mainly a capital programme to provide Move-On homes, available as long-term assets, and accompanying support services to achieve a sustainable reduction in rough sleeping.

1.3 The Public Health and Housing Options service submitted bids to both programmes. The bid for RSI was successful and we were awarded £342,000 to spend on projects over the next 3 years. Unfortunately the bid for RSAP was unsuccessful with DLUHC stating the reasons for this as Mid Devon having (comparatively) low numbers of rough sleepers.

1.4 Although the funding towards the purchase of properties would have been welcome, it did restrict the use of the properties to rough sleepers only and would have resulted in a loss of some bedroom space due a requirement for fully self-contained accommodation (non-HMO). Without the funding the PDG and Cabinet are being asked to decide if they wish to go ahead and purchase either one or both the properties for use as temporary accommodation and not just for rough sleepers.

2.0 Project overview

2.1 Mid Devon District Council is experiencing a rise in the number of presentations to our service from people either rough sleeping, at risk of rough sleeping or homeless for a variety of reasons. The amount spent on temporary accommodation is increasing and housing solutions for single adults are unaffordable and difficult to secure.

2.2 In 2021-22 the service spent £171,874 on temporary accommodation such as B&B and hotel rooms. A further £127,294 was spent on the use of our own stock as temporary accommodation.

- 2.3 For the first quarter of 2022-23 there are 17 applicants in B&B and a further 37 households in other forms of temporary accommodation. We have spent £43k on B&B accommodation so far this year (1st April 2022 to 30th June 2022).
- 2.4 This proposal is to purchase one or two properties located in Tiverton that are currently being used as HMOs in the private rented sector. The proposal aims to provide a sustainable option of safe and secure accommodation that supports individual's needs with appropriate wrap around services. The aim is to reduce spend on B&B accommodation year on year through the provision of our own accommodation.
- 2.5 Alongside the accommodation we aim to provide a range of support services through partnership working and help them to move-on successfully. This will include support and services around education, employment, budgeting and tenancy sustainment.
- 2.6 The RSI funding and Flexible Homeless Grant will be used to develop these services.

3.0 Capital Proposal – Purchase and Repair

3.1 Scheme 1

- 3.1.1 This property is a privately rented property with planning use as a HMO. It is fully licensed with the Council and meets the basic requirements of the HMO licensing regime. The property is licensed for up to 6 households providing 6 bed spaces however is larger. It has potential to provide up to 8 bedrooms for single occupancy.
- 3.1.2 We have been approached by the owner with a view to selling this property to Mid Devon District Council. The property has had a full independent RICS valuation and condition report. We have estimates for the costs of refurbishment and repair from Building Services.

Purchase price	£325,000
Repairs/Refurb	£20,000 (max – see Annex A)
Stamp duty	£6,250
Solicitor fees (estimate)	£2,000
Estimated total cost of project	£353,250

3.2 Scheme 2

- 3.2.1 This property is a privately rented property with planning use as a HMO. It is fully licensed with the Council and meets the basic requirements of the HMO licensing regime. The property is licensed for up to 6 households providing 6 bed spaces for single occupancy.
- 3.2.2 We have been approached by the owner with a view to selling this property to Mid Devon District Council. The property has had a full independent RICS valuation and condition report. We have estimates for the costs of

one refurbishment and repair from Building Services. Of the two properties this requires more work, with the potential for unforeseen structural repairs.

Purchase price	£275,000
Repairs/Refurb (estimate)	£55,000
Stamp duty	£3,750
Solicitor fees (estimate)	£2,000

Estimated total cost of project £335,750

3.3 It is proposed that the full capital funding required to purchase and repair these properties comes from the Private Sector Housing and Homelessness EMRs (capital codes EQ818 and EQ742). If both properties are purchased then £489k will come from EQ818 and £200k from EQ742. If only one property is purchased then £200k will still come from EQ742 and the balance from EQ818.

3.4 These properties are in the ownership of a single owner who does not want these properties identified publically at this stage and they are not currently marketed for sale on the open market. Further information on the properties is therefore provided in Annex A: PART II – Confidential.

3.5 Opportunities to acquire fully-licenced operational HMOs with relevant planning status within the district are very rare.

4.0 Revenue commitment

4.1 Based on our experience of managing Ivor Macey House the following revenue requirements will be needed per property per year assuming the maintenance is likely to be higher due to the age of the properties:

Property Management/Cleaning/maintenance estimate	£28,000
Council tax/Utilities/Broadband	£10,380
Tenant support service costs (ave. £80 per rm/wk)	£29,120

Total per property per year £67,500

Total annual revenue required for both properties £135,000

4.2 The properties will be let at a maximum affordable rent level according to the Local Housing Allowance (LHA) for Mid Devon. This is £126 per week per room which includes basic rent, utilities and council tax is a combination of £104 housing benefit with maximum top-up (paid by tenant) of £22 per week. This is the same amount we can currently recover per week against B&B or hotel costs.

4.3 The annual revenue costs will be covered by the RSI and Flexible Homeless grants and the rental income used to offset this at year end.

4.4 Annual Rental income assuming a prudent 70% recovery and fully occupied for 52 weeks is approx. £37k for Scheme 1 and £27k for Scheme 2. Consequently, rent will not fully cover the annual revenue costs set out in 4.1, with a deficit of circa £20.5k for Scheme 1 and £30.5k for Scheme 2 (£51k

total). Nonetheless, in comparison the equivalent B&B or hotel costs for up to 14 households per week are significantly greater (see below).

4.5 Net cost comparison based on current prices to house 14 single households:

Scheme 1 and 2 HMO accommodation

- Net revenue cost after LHA rent = £0.98k per week for 14 persons
(£51k per year)
= £71 per week per person

B&B or hotel accommodation

- Net revenue cost after LHA rent = £5.23k per week for 14 persons
(£272k per year)
= £374 per week per person

Note: B&B costs based on £500 per week average

4.6 Nonetheless, going forward, predicting savings on B&B is very challenging. On the one hand, the average cost of rooms is going up and they can double during the holiday season. But at the same time the numbers of homeless people is escalating due to the cost of living increases and being unable to pay bills and rent alongside potential pressures arising from refugee schemes. Either way, there is high cost benefit to the Council in maximising its own temporary accommodation and reducing reliance on B&Bs etc.

4.7 Clients will be referred into the properties via the Rough Sleeper Navigators and the Housing Options team. They will be assessed against a set of criteria to ensure the accommodation is the best fit for them and to ensure the right support services are in place.

5.0 Options

5.1 Based on the information in sections 3.0 and 4.0 the PDG are asked to consider the following options:

Option 1 – Do not purchase either property

Option 2 – Purchase one property – Scheme 1 is the preferred option in terms of size, location and ongoing maintenance.

Option 3 – Purchase both properties

6.0 Recommendation

6.1 The Homes PDG recommends either Option 1, 2 or 3 to Cabinet for approval as set out in Section 5 of the report. If either Option 2 or 3 is taken then funding is utilised from EMRs as set out in Section 3.3 of the report.

Contact for more Information: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing, snewcombe@middevon.gov.uk or Tanya Wenham Operations Manager for Public Health and Housing Options twenham@middevon.gov.uk

Circulation of the Report:

Members of the Housing PDG
Cllr Stuart Penny, Cabinet Member for Housing and Property Services
Leadership Team
Corporate Management Team
Legal Services

List of Background Papers:

ANNEX A: PART II - Confidential

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Council Tax Second Homes & Long Term Empty Briefing Paper

Current Position

Mid Devon applies Council Tax premium charges in accordance with legislation, this can be up to 300%. Where a second home is furnished the law only allows a charge of 100% to be billed. The Government's aim was to try and bring properties back into use.

Furnished Second Homes

There is no discount for an unoccupied furnished property. If you have a furnished second home that is nobody's main residence you pay a 100% Council Tax Charge in accordance with current legislation.

Current Rules – Long Term Empty Second Homes

Mid Devon currently apply the following rules in line with legislation where a property has remained unoccupied and substantially unfurnished for two years or more, the increases applied are discretionary to a Local Authority, members voted the increase in when agreeing the 'tax base'

A Council Tax premium is currently charged at 100% when a property has been unoccupied and substantially unfurnished for two years but less than five years, for properties that have been empty for five years or more a premium of 200% is currently charged.

- for properties that have been empty and substantially unfurnished for two years, but less than five years, the premium remains set at 100%
- for properties that have been empty and substantially unfurnished for five years but less than ten years, the premium remains set at 200%
- where a property has been unoccupied and substantially unfurnished for ten years or more, the premium will increase to 300%. This means that if you own a property which has been empty and unfurnished for ten years or more, you will be charged an extra 300% Council Tax on top of the full Council Tax for the property (a 400% Council Tax charge).

As this premium applies to the property, a change of ownership or tenancy will not affect the charge. If when a property is purchased or leased and it is already empty and unfurnished for two years or more, the extra Council Tax charge remains payable. The additional charge can only be removed by **bringing the property back into use**.

There are two types of property that are not affected by the premium:

- property which is left empty by a member of the armed services, who is away from the property as a result of their service
- property which forms part of a single property, for example, an annexe.

Future Change (pending regulations)

The Levelling Up and Regeneration Bill has stipulated that councils will be able to introduce a new discretionary council tax premium on second homes of up to 100% where the property is furnished but not being used as some one's "sole and main residence". According to the bill, councils will also be allowed to apply this premium to homes that have remained empty for longer than a year – current legislation states councils may do so after two years. The regulations are likely to be 'discretionary' officers will advise when the regulations have been received and understood.

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