



Meeting	Deputy Leader and Cabinet Member for Community and Housing Decision Day
Date and Time	Monday, 13th June, 2022 at 9.30 am.
Venue	Walton Suite, Guildhall, Winchester

Note: *This decision day is being held in person at the location specified above. In line with relevant legislation and public health guidance the following arrangements apply. Members of the public should note that a live audio feed of the decision day will be available from the councils website (www.winchester.gov.uk) and the video recording will be publicly available on the council's YouTube channel shortly after the meeting.*

For members of the public and "visiting councillors" who are unable to utilise this facility a limited number of seats will be made available at the above named location however attendance must be notified to the council at least 3 working days before the decision day. Please note that priority will be given to those wishing to attend and address the decision day over those wishing to attend and observe.

AGENDA

PROCEDURAL ITEMS

- 1. Disclosure of Interests**
To receive any disclosure of interests from Members and Officers in matters to be discussed.
Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests in accordance with legislation and the Council's Code of Conduct.

BUSINESS ITEMS

- 2. Public Participation**
– to note the names of members of the public wishing to speak on items for decision
Note: members of the public wishing to speak about a particular agenda item are required to register three working days in advance if they wish to speak at a Cabinet Member Decision Day.



Members of the public and visiting councillors may speak at decision days on a specific item due for decision, provided they have registered to speak three clear working days in advance. Please contact Democratic Services by **5pm on Tuesday, 7 June 2022** via democracy@winchester.gov.uk or (01962) 848 264 to register to speak and for further details.

3. Visiting Councillors Representation

To note any request from visiting councillors to make representations on an item for decision.

Note: Councillors wishing to speak about a particular agenda item are required to register three working days in advance if they wish to speak at a Cabinet Member Decision Day. Councillors will normally be invited by the Chairman to speak during the appropriate item (after the Cabinet Member's introduction (and any comments from the leading officer) and any public participation).

4. Winchester City Council - Landlord Lettings Policy (DD46) (Pages 5 - 28)

5. Insulation Works to Voids - Variation to Osborne Term Maintenance Contract (DD49) (Pages 29 - 34)

**Lisa Kirkman
Strategic Director and Monitoring Officer**

All of the Council's publicly available agendas, reports and minutes are available to view and download from the Council's [Website](#) and are also open to inspection at the offices of the council. As part of our drive to minimise our use of paper we do not provide paper copies of the full agenda pack at meetings. We do however, provide a number of copies of the agenda front sheet at the meeting which contains the QR Code opposite. Scanning this code enables members of the public to easily access all of the meeting papers on their own electronic device. Please hold your device's camera or QR code App over the QR Code so that it's clearly visible within your screen and you will be redirected to the agenda pack.



1 June 2022

Agenda Contact: Claire Buchanan, Senior Democratic Services Officer
cbuchanan@winchester.gov.uk 01962 848 438

TERMS OF REFERENCE

Deputy Leader and Cabinet Member for Community and Housing Decision Day – Included within the Council's Constitution (Part 3, Section 2)

Public Participation

Representations will be limited to a maximum of 3 minutes, subject to a maximum 15 minutes set aside for all questions and answers.~

To reserve your place to speak, you are asked to **register with Democratic Services three clear working days prior to the decision day** – please see public participation agenda item above for further details. People will be invited to speak in the order that they have registered, subject to the maximum time period allowed for speaking not being exceeded. Public Participation is at the Chairperson's discretion.

Filming and Broadcast Notification

This decision day will be recorded and broadcast live on the Council's website. The decision day may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#).

Disabled Access

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email democracy@winchester.gov.uk to ensure that the necessary arrangements are in place.

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DD46

DECISION TAKER: Deputy Leader and Cabinet Member for Community and Housing – Councillor Paula Ferguson

REPORT TITLE: LANDLORDS LETTINGS POLICY

13 JUNE 2022

Contact Officer: Amber Russell Tel No: 01962 848 229 Email arussell@winchester.gov.uk

WARD(S): ALL

PURPOSE

The council is a member of the Hampshire Home Choice sub-regional choice based lettings scheme. Each local authority within the scheme maintains its own landlord Scheme of Allocation which contains separate policies to reflect local priorities and to address housing need specific to its location. As a stock holding authority the council also has its own landlord letting policy for its council owned social and affordable properties.

It is the landlord lettings policy which has undergone a review in consultation with officers, members, the district wide tenant and leaseholder forum Tenants and Council Together (TACT) and other housing partners. This report highlights the key changes to the landlord lettings policy which include providing greater clarity to the eligibility for some types of housing, strengthening grounds for refusal in relation to anti-social behaviour plus changes in practice and/or emerging issues facing the housing service.

RECOMMENDATION:

1. That the revised landlord lettings policy be adopted.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Homes for All – Sets out how the councils housing stock will be let in a fair and equitable manner.

2 FINANCIAL IMPLICATIONS

- 2.1 There are no financial implications associated with the revised landlord lettings policy.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 As a landlord the council is required to set out how its properties are let and provide information on how decisions are made. This is to ensure consistency of practice and that homes are let in a fair and equitable manner.
- 3.2 The requirement under the Housing Act 1996 for housing authorities to publish a Lettings Policy detailing how and to whom the authority allocates its properties / make nominations to other landlords' properties remains. No obligation has been placed on the Council by the Localism Act 2011, or any other legislation, to amend the current Landlords Lettings Policy which is being done as a matter of good practice.
- 3.3 This Cabinet report proposes amending the current Landlords Letting policy in a number of ways. All the amendments are lawful under the Localism Act.

4 CONSULTATION AND COMMUNICATION

- 4.1 On 1st March 2022 the proposed changes to the landlord letting policy were presented to members of the Business and Housing Policy Committee. These were well received and discussions centred on clarifying the age restrictions for older persons housing and how an individual with previous behavioural issues could demonstrate positive change. Members also gave feedback on the structure and grammatical content of the policy and their comments have been incorporated into the revised policy.
- 4.2 The policy was also presented to members of TACT on 17th March 2022. TACT understood the elements of the policy which have been amended and support the approach taken, particularly in respect of strengthening of the grounds for refusal in relation to behaviour.
- 4.3 No wider tenant or customer consultation has taken place although the policy has been amended to take into account concerns raised by customers through the council's complaints process.
- 4.4 The views of relevant officers from both the housing landlord and strategic teams have been taken into account as part of the review. Also, feedback

from other register social landlords, including Sovereign and Aster regarding how their policies operated have been considered.

5 ENVIRONMENTAL CONSIDERATIONS

5.1 There are no environmental implications associated with the revised council landlord lettings policy.

6 PUBLIC SECTOR EQUALITY DUTY

6.1 As part of the review, an Equality Impact Assessment was undertaken was undertaken for the revised landlord lettings policy. The assessment identified the following issue:

a) Potential impact on individuals on the basis of age due to the restriction of some specific properties to older persons.

6.2 The justification for this ring fencing of some accommodation for a specific age group was as follows:

a) Restrictions are only applied to properties specifically designed to meet the needs of older people. This protects the properties from being let to households unable to derive the full value from the design and also generates a healthy movement within the stock, releasing under occupied homes for use by families. In addition, experience has demonstrated that when restrictions have been relaxed this can lead to complaints due to conflicting lifestyles. For example noise nuisance has been raised as a concern by older residents living in older person's bungalows when neighbouring households had younger relatives residing with them. However, there is still provision within the policy in for discretion in exceptional circumstances. Examples would include when younger household members provided care or other essential support.

7 RISK MANAGEMENT

7.1 The main risks are outlined as follows:

Risk	Mitigation	Opportunities
Financial Exposure <i>None</i>		
Exposure to challenge <i>Challenges may come from persons refused or ineligible for council housing</i>	Policy is in place, has undergone review, has been EIA screened and consulted on Comparable with other	All member briefing on the policy

	social housing providers and Meets requirements as set out in the Council's Tenancy Strategy	
Innovation <i>None</i>		
Reputation <i>Failure of staff to not follow or misinterpret policy</i>	Staff training on policy Monitoring of quality of property adverts Refusals must signed off by a service manager	Housing complaints monitored by tenant service delivery group
Achievement of outcome <i>None</i>		
Property <i>Increased void times, impact on rent loss</i>	Policy allows for under occupation of hard to let properties Systems in place to monitor performance	Void KPIs to be included in council weekly metrics
Community Support <i>None</i>		
Timescales <i>Not applicable</i>		
Project capacity <i>Not applicable</i>		
Other <i>None</i>		

8 OTHER KEY ISSUES

8.1 None.

9 SUPPORTING INFORMATION:

- 9.1 The council is a member of the Hampshire Home Choice sub-regional choice based lettings scheme in partnership with East Hampshire District Council, Eastleigh Borough Council, Havant Borough Council and Test Valley Borough Council.
- 9.2 The scheme operates through a jointly agreed Hampshire Home Choice Framework. The framework details all aspects of the allocation process, including the responsibility for decisions, policy on offering choice to applicants, how application will be assessed, processed and how decisions will be made across the partnership.
- 9.3 Each local authority also maintains its own local Scheme of Allocation which contains separate policies to reflect local priorities and to address housing need specific to its location.
- 9.4 In addition, as a stock holding authority, the council has its own landlord lettings policy for its council owned social and affordable properties. It is this policy that has undergone a review.
- 9.5 The landlord lettings policy outlines the measures in place from initially advertising a property to signing up the successful applicant. It details the measures in place when offering a tenancy, the suitability of applicants and the circumstances in which the council may refuse an applicant nominated through the Hampshire Home Choice Framework. The policy provides consistency of practice and ensures council homes are let in a fair and equitable manner.
- 9.6 The policy has not been significantly amended and most criteria remains current. The changes made are as follows:
- a) Refusal Criteria - A new clause added providing a timescale of when refusal decisions will be re-assessed.
 - b) Advice and Support - A new section added outlining the advice and support provided to those seeking access to council housing.
 - c) Older Persons Housing - The age restrictions for sheltered housing and housing designated for older persons, for example bungalows has been further clarified.
 - d) Hard to Let - This section has been expanded to include further criteria regarding how the council's landlord service will advertise and let hard to let properties, in particular two bedroomed general needs flats.
 - e) Grounds for Refusal Categories - The categories for the refusal grounds have been amended to make them clearer.

- f) Behaviour Grounds for Refusal - The grounds for refusal in relation to behaviour have been strengthened and made clearer. Additional clauses have been included.

9.7 The revised Landlord Lettings Policy provides greater clarity and transparency on how the council landlord service allocates and lets its housing stock, the support it can provide and sets out clearer definitions and circumstances in which an applicant may be refused a property.

10 OTHER OPTIONS CONSIDERED AND REJECTED

10.1 To not review and update the Landlord Letting Policy is rejected as it leaves the council with an outdated policy, potentially unsuitable letting of council homes, and open to policy challenge.

10.2 The comments of the Business and Housing Policy Committee were considered and suggested changes have been incorporated into the final draft. The housing service will organise an all member briefing on the subject as requested.

BACKGROUND DOCUMENTS:-

Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

BHP027 Winchester City Council - Landlord Letting Policy 01 March 2022

Other Background Documents:-

None.

APPENDICES:

Appendix 1 – Landlord Lettings Policy (separate document)

Winchester City Council – Housing Services Policy and Procedure

Title	Landlord Lettings Policy
Housing Team	Tenancy Services
Author Name & title	Laura Doyle, Tenancy Services Manager
Reference Number where appropriate	N/A

Policy Narrative	This policy sets out the approach to advertising and letting the Council's social and affordable rented housing stock
Basis of Policy	As a landlord, the Council is required to document its approach to letting its properties ensuring consistency of practice, fairness and equitability
Ratification Details	BHP027 1 st March 2022 DD46 6 th June 2022
Other Related Policy and Procedures	Tenancy Policy 2018 – 2023 Sign Up Policy & Procedure Extra Care Policy & Procedure Garage Policy & Procedure Hampshire Home Choice Allocations Framework WCC Scheme of Allocation
Details of Performance Indicators	LAHS – Section D Lettings & E Vacants
<ul style="list-style-type: none"> • Relevance to statutory returns (e.g. CORE, H-CLIC, LAHS) • Relevance to non statutory returns (locally agreed indicators and HouseMark Benchmarking club) 	Housemark – Lettings Performance Service specific KPIs for Void Management

Review and Version Control

Review Date	June 2025
Title of officer with responsibility for maintaining and updating	Tenancy Services Manager
<p>Briefing & Training</p> <p>Property Lettings Officers and Tenancy Housing Officers to be trained on changes to the Policy and Procedure</p> <p>Briefing for relevant Housing teams and Members</p>	

Version Control

Version	Date	Description of changes made	Ref id if required
1	11/2021		
2	06/2022	<ul style="list-style-type: none"> • Refusals (6.3) - new clause giving timescale when refusal decisions will be re-assessed • Advice & Support (8) - new section • Older Persons Housing (11.2) - clarification of age restrictions • Hard to Let (12) - additional criteria • Grounds for Refusal (Appendix 1) - general grounds removed and suitability and eligibility grounds added • Behaviour Grounds for Refusal - new clauses (26, 29, 33, 34 & 35). Overall strengthening and clarity of refusal grounds 	

Headline Summary of Lettings Policy June 2022

Introduction

The policy sets out our approach to how we let our social and affordable housing and the checks carried out prior to offering a tenancy with Winchester City Council. The policy is relevant to applicants on the Council's housing register, ensuring consistency of practice in the allocation and letting of our properties, supporting tenants to sustain their tenancies and minimising the risk of anti-social behaviour or rent arrears.

Purpose/Aim

We are committed to providing good quality, affordable homes to people in communities where they want to live and the aim of this policy is to outline how Winchester City Council allocates its general needs and sheltered housing.

The Council will aim to allocate its rented housing in a fair and non-discriminatory way to ensure that all sections of the community regardless of the protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity) have equal access to housing.

Scope

We want to offer housing solutions to customers through a range of housing products. We will do this by:

- Letting our homes in a fair and transparent way
- Making the best use of available stock
- Minimising rent loss and maximising income
- Letting our homes in accordance with our Void standard
- Identifying and providing assistance for those customers who are vulnerable or require additional support

1. Introduction

- 1.1 This policy outlines how we let our social housing from initially advertising a property to signing up the successful applicant. It outlines the measures we take to ensure the suitability of applicants to properties and confirms the circumstances in which we may refuse an applicant.
- 1.2 This policy should be read in conjunction with the Tenancy Policy which sets out our approach to tenancy management and the types of tenancy we offer.

2. Advertising a Vacant Property

- 2.1 We will advertise our empty properties through the Hampshire Home Choice, choice based lettings scheme. This is a sub-regional scheme where a common approach for the allocation of social housing has been agreed by Winchester City Council, East Hampshire District Council, Eastleigh Borough Council, Havant Borough Council and Test Valley Borough Council.
- 2.2 We aim to provide as much detail as possible about a property on the advert and will include a photograph of the exterior to enable applicants to make an informed choice when bidding. We will try to highlight any specific features, for example potential access concerns, where there is a separate dining room, large garden and so on.
- 2.3 In certain circumstances we may request that a property be directly allocated to an applicant with a specific need which is known as a direct match. The advert will clearly state that the property has already been allocated to such an applicant. This could relate to an applicant requiring a specifically adapted property, being subject to Multi-Agency Public Protection Arrangement or requiring specific accommodation in a specific area.
- 2.4 In a small number of cases it may be appropriate to request that a property is let sensitively. This aims to create sustainable and cohesive communities in relation to individual lettings where there may be a need to redress the balance of the community. Details of the sensitive letting will be clearly displayed on the property advert.
- 2.5 Where a property is adapted for the needs of disabled person/s we will wherever possible attempt to let the property to a person who requires such aids and adaptations. This is to ensure we make best use of existing adaptations in properties and avoid costly removal and re-installation of adaptations. Details of adaptations will be provided in the property advert together with a notification that priority for the property will be given to applicants who require the adaptations.
- 2.6 All village vacancies (S106 and non S106) will be advertised with priority given to those with a local connection to the village/parish. A local connection is met through residency, previous residency with close family still resident

there, employment or close family. Information regarding village vacancies will be clearly displayed on the property advert.

- 2.7 On occasion we may request that a Local Lettings Plan is implemented for first lets, for example on a new build development scheme. This can be an important tool to create balance and mix of communities. It can allow priority to applicants with a local connection and can protect existing stable communities. Information regarding Local Lettings Plan allocations will be clearly displayed on the property advert.

3. Nominations

- 3.1 On receipt of a nomination we aim to contact the applicant promptly to discuss the property, arrange a viewing and make an appointment to complete a pre-tenancy assessment. If we are unable to make contact with the applicant within 2 working days of our first attempt, we will refuse the nomination. We will try to contact the applicant by phone, email and SMS where these contact details are provided, and also the Hampshire Home Choice message system.

4. Pre-tenancy Assessments

- 4.1 Before we offer an applicant a tenancy we will meet with them to ensure they meet our lettings criteria. It is important we ensure the property is suitable and affordable for the applicant. We will ask for general information about the applicant and any other members of their household including pets, support needs, current and/or previous criminal convictions and/or anti-social behaviour, previous tenancy/housing history and other relevant information. We will also undertake a financial assessment including a benefits check.
- 4.2 We will ask for proof and verify the identity of the applicant, preferably photographic ID such as a passport or driving licence although other forms of ID may be accepted depending on the applicants circumstances.
- 4.3 A photograph will also be taken of the applicant to help us manage the tenancy and reduce the risk of tenancy fraud.

5 Making an Offer

- 5.1 Once we are satisfied that an applicant is suitable and can afford the tenancy we will offer them a tenancy. The applicant will be issued with an offer letter and will be provided with a copy of the tenancy agreement so they can make sure they understand this before signing up for the tenancy.
- 5.2 We will endeavour to show applicants around the property they have been successful for or a similar property. Where this is not possible, we will provide as much information as possible to the applicant, such as photographs and floor plans of the property.

6 Refusals

- 6.1 We may refuse an applicant/s for reasons set out in **Appendix 1**. In making our decision we will consider each case on its own merits and take into account all relevant information. We will allow applicants whose nomination is refused to appeal to the Tenancy Services Manager/Income Services Manager within 10 working days to ensure we are applying our Lettings Policy and its grounds for refusal correctly. If any refused applicant is dissatisfied with the outcome of this decision they can appeal through the Council's formal complaints procedure. A Manager (not involved in the initial refusal) will carry out the review and their decision is final.
- 6.2 We may allow a move to proceed in exceptional circumstances, even if the applicant/s falls into one of the categories for refusal. This will be at the discretion of the Tenancy/Income Services Manager or where necessary the Service Lead – Housing Operations and Community Safety.
- 6.3 If an applicant is refused a tenancy, the appropriate Housing Officer will explain the reasons for refusal and give advice and guidance on how they can seek to improve their housing situation. This will be done verbally and confirmed in an email or letter if there is no facility to email. If appropriate, information will be provided about council teams/services and statutory/voluntary agencies which may be able to offer assistance.
- 6.4 We may include a timescale after which our refusal decision will be re-assessed. This will not normally be less than 6 months from after our original decision date. The applicant will not be considered for any of our properties during this period.

7 Sign Up

- 7.1 During sign up, a clear explanation will be given explaining the rights, responsibilities and obligations on the part of the council and tenant, before asking the applicant to sign the tenancy agreement and associated tenancy documentation.
- 7.2 We will ask all applicants being offered a property to pay one month's rent in advance prior to us signing them up for a tenancy.

8 Advice and Support

- 8.1 We will:
- provide a person centred approach.
 - provide applicants for our homes with advice and guidance on accessing housing, including support with the application process and bidding process when needed.
 - provide information on becoming a Winchester City Council tenant and holding a tenancy with us, the services we offer and the support available.

- offer translation services to applicants who do not speak English as their first language and seek to assist others who have difficulties with written English.
- work closely with applicants and partner agencies to identify any vulnerability or support needs and ensure appropriate support is in place.

9 Tenure Type

9.1 We currently offer introductory and secure tenancies in accordance with our Tenancy Policy.

10 Property Size

10.1 We aim to maximise the occupancy of our properties and will apply criteria set out in the Hampshire Home Choice Allocations Framework and Council's Scheme of Allocation with regards to bedroom entitlement.

10.2 Our property adverts will confirm the maximum and minimum number of permitted occupants. We may allow our properties to be over or under occupied in exceptional circumstances. This will be dependent on the household situation, including the ages of children and will be at the discretion of the Housing Operations and Community Safety Service Lead.

10.3 We classify our properties as having a double bedroom if the room is 10 sq. metres or more. Single bedrooms ideally are over 7 sq. metres. Where a bedroom is smaller than 7 sq. metres we will highlight this in the property advert.

10.4 Where our properties have a separate dining room these can be used as an additional bedroom and our adverts, including the permitted occupancy will reflect this.

10.5 We will make applicants know if they will be impacted by Welfare Reform, particularly with respect to affordability, under occupancy charges and the benefit cap.

11 Housing Type

11.1 Some of our properties are designated for particular groups, for example sheltered housing, extra care housing, housing designated for older persons and supported housing.

Accommodation in sheltered housing schemes and housing designated for older persons

11.2 As this accommodation provides housing for older people, applicants must be 60 years or over and anyone else in their household must be over 50. Exceptions may be given for carers and/or partners on a case-by-case basis

with the consent of the Service Lead for Housing Operations and Community Safety.

- 11.3 We may allow housing register applicants (this does not include members of the applicants household) who are under 60 to be housed in our older person's accommodation in special circumstances, for example those in receipt of higher rate mobility benefit who would benefit from this housing type. Each request is carefully considered, taking into account proof of benefit entitlement, support from medical professionals and any other relevant information.
- 11.4 For those requiring extra care accommodation, we will assess the applicant's needs with the assistance of Hampshire County Council and care provider in accordance with our Extra Care Policy & Procedure.
- 11.5 For those requiring supported accommodation, we will assess the applicant's needs with the assistance of Hampshire County Council and support provider in accordance with our procedures.

12 Hard to Let

- 12.1 We recognise that from time to time some of our housing stock may be difficult to let. By this we mean that a property is consistently refused by applicants or no/low number of bids are placed. We may in these circumstances look to allocate the property differently.
- 12.2 We may extend our hard to let properties to any applicant within the Hampshire Home Choice sub-region. In these circumstances we will continue to give first priority to applicants with a local connection to the Winchester District.
- 12.3 We may allow our hard to let properties to be under occupied. In the case of our hard to let two bedroom general needs flats, we may extend these properties to applicants with an assessed one bedroom need. In these cases, priority for under occupancy will be given to couples/joint applicants in employment. Applicants will be required to pass our financial assessment to ensure affordability and will be made aware of potential under-occupancy charges should their circumstances change. We will still give first priority to applicants with an assessed two bedroom need.
- 12.4 Any concessions for hard to let cases will be reviewed and determined by the Service Lead - Housing Operations & Community Safety.

13 Tenancy Policy

- 13.1 Please refer to our Tenancy Policy for information on our approach to tenure types, minors and tenancies, rent setting, tenancy agreements and responsibilities, tenancy reviews and visits, tenancy rights (succession,

assignment, mutual exchange), tenancy changes, tenancy sustainment and tenancy fraud. Our Tenancy Policy can be found on our website using the following link <https://www.winchester.gov.uk/assets/attach/18132/tenancy-policy.pdf>

14 Garages

14.1 We have a portfolio of garages we let to existing tenants and the wider community. Charges to our tenants will not incur VAT. Private renters will be charged VAT on all garages they rent. Garages will be allocated with priority given to Council tenants, Council leaseholders and persons with a disabled parking badge and will not be allocated to current and former tenants and garage licensees where they owe outstanding monies to us. Further information about our approach to letting our garages is contained within our Garage Policy & Procedure.

15 Monitoring & Review

15.1 We will monitor the performance of our lettings service by:

- periodic reports via our performance monitoring scorecard and systems
- core reports
- Local Authority Housing Statistics (LAHS) returns
- equality monitoring – including refusal cases
- team/service meetings to discuss performance
- team checking procedures to ensure the quality and accuracy of adverts/lettings

Appendix 1 – Grounds for Refusal

We may refuse an applicant/s for housing if any of the following are applicable:

Suitability

1. The property is unsuitable because the applicant would be overcrowding or under occupying without agreement or may be impacted by benefit restrictions.
2. The property is subject to a local lettings plan and the applicant does not meet the agreed criteria for letting.
3. The property is subject to a Town and Country Planning Act Section 106 Agreement and the applicant does not meet the required criteria.
4. The applicant has pets that are not permitted at the property.
5. The property is subject to a sensitive letting and the applicant is not considered suitable for it or does not meet the criteria as set out in the letting advert.

Eligibility

6. We've been unable to make contact with the applicant by either phone, email or SMS within 2 working days of our first attempt.
7. We have no documentary evidence that the applicant has the right to reside in the UK and/or has no access/recourse to public funds.
8. The applicant has not provided documentation supporting their application or requested by us as part of the assessment process within a set timescale.
9. There has been a change in the applicant's circumstances which means they are no longer the successful bidder.
10. The applicant has an interest in an alternative property and they are legally and reasonably able to reside in it. This includes properties owned by the applicant where they have let the property. Exceptions will be considered, these include but are not limited to circumstances where someone is applying for extra care accommodation.
11. The applicant is under 18 years of age and has failed to provide an appropriate guarantor.

12. The applicant (or anyone else in the household) has failed to provide accurate disclosure of their circumstances to Winchester City Council and therefore has attempted to obtain a tenancy by fraud or deception.
13. The property is designated for older people and there are restrictions in place in relation to age of the applicant and/or members of the household.

Financial Status

14. The applicant is an existing Winchester City Council tenant or leaseholder who owes money to us, either for rent, service charges, court costs, rechargeable works orders, garage charge or any other debt - unless agreed as part of an approved management move or a downsizing move.
15. New applicants or our former tenants have a housing related debt such as rent arrears, court costs, recharges, either with us or another housing provider, including private landlords.
16. The applicant has an interest in an alternative property, either by way of a financial interest, being named on a mortgage agreement or named as a tenant of another property and, can reasonably be expected to raise funds to secure alternative accommodation in the private sector. Exceptions will be considered, these include but are not limited to circumstances where someone is applying for extra care accommodation.
17. The applicant's or household's income is in excess of £60,000 per annum or has savings/assets exceeding £16,000 and there is no overriding medical condition or other exceptional circumstances. These include but are not limited to circumstances where someone is applying for extra care accommodation.
18. The applicant is not able to produce evidence of access to sufficient funds to show they can afford the property, which includes rent, service charges and associated living expenses.
19. The applicant is assessed as not being able to afford the property or there are other concerns regarding the applicant's finances. This could include a history of rent arrears or other debt that hasn't been repaid on a regular basis. Where this has been the case it's expected that they will work with a charity or a support agency for a period of time until they can demonstrate improved money management.

Support Needs

20. A suitable confirmed support package is not in place which would provide the help needed to maintain the tenancy.

21. The applicant has failed, or is refusing to engage with relevant support services in relation to an existing or proposed support package.
22. The applicant's needs (either physical or mental health) exceed what our service can provide after considering all relevant information from key support providers.
23. Where we do not have the ability to reasonably adapt the property to the specific needs and requirements of the applicant.
24. The applicant has applied for a property that does not meet their immediate need, e.g. an adapted property where the applicant does not need the adaptations provided or needs adaptations which are not deemed not to be reasonable and practical to complete at the property.
25. An applicant for extra care has complex behaviours or needs which may impact on the welfare, safety or wellbeing of other residents or staff. This may include applicants with:
 - severe mental health issues
 - a history of drug and/ or alcohol abuse
 - complex behavioural needs
 - a history of violence
 - convictions for serious offences
 - a requirement for nursing care

Behaviour

The applicant/s, or member/s of the household:

26. Have been evicted for ASB, another breach of tenancy or abandoned a previous tenancy.
27. Have been subject to tenancy enforcement action in the last five years for ASB. This could include domestic abuse, harassment or other violent criminal offences.
28. Have committed ASB or criminal activity in the last 2 years, or since being released from prison if within the last 2 years. If the behaviour was very serious, we may refuse applicants even if it occurred more than 2 years ago. A previous conviction does not mean that we will automatically refuse an applicant housing.
29. Have a history of or have existing substance (including drugs and/or alcohol) misuse which could have resulted in ASB or criminal proceedings.
30. Have previously used rented accommodation for illegal or immoral purposes.

31. Have behaved unacceptably in their current or previous home/s and we would have considered tenancy enforcement action if they had been our tenants.
32. Have been assessed as presenting a considerable risk to neighbours or any member of the wider community including our staff, contractors, councillors and partner agencies.
33. Have been assessed as being unsuitable for communal living.
34. Have been assessed as requiring more support than would be available at the supported accommodation.
35. Are a Scheduled Offender as defined by Multi-Agency Public Protection Arrangements (MAPPA) or are a Registered Sex Offender (RSO). This will be considered on a case by case basis in consultation with MAPPA and other agencies.
36. Have been threatening, abusive, or been persistently vexatious towards an employee, contractor or elected member of the Council, or any partner agency.
37. Have not maintained their current property and it does not meet our lettable standard.
38. Have ever caused significant damage to a property during a tenancy.

Discretion maybe given in cases where the applicant/s, or member/s of the household, have shown a commitment to rehabilitation. We will take into consideration engagement with support agencies and any references supporting the application. This will be done on a case-by-case basis.

Assessments & Ratification

<p>App1.1 Integrated impact Assessment (IIA)</p> <p>Have you carried out an IIA?</p>	<p>Yes</p> <p>If yes please provide details</p> <p>Date of IIA -</p> <p>Date of EIA - 07/4/2022</p> <p>Validation Date -</p>
<p>App1.2 Data Impact Assessment</p> <p>Have you carried out a DPA?</p>	<p>No as doesn't meet DPA criteria</p>
<p>App1.3 Fire Safety Assessment</p> <p>Does this policy impact on WCC's fire safety offer?</p>	<p>No, not applicable</p>
<p>App1.4 Sustainability assessment</p> <p>Have you completed a sustainability assessment that measures the impact of emissions of this policy / procedure.</p>	<p>No, not applicable</p>
<p>App 1.5 Ratification</p> <p>Is formal ratification required?</p>	<p>Yes</p>

Consultation, Communication and Training

App2.1

Consultation Details – Remember to keep records of any consultation processes, along with the outcomes and how the policy has been amended as a result as an audit?

If preferred use the section below to record these details.

Who	Date	Comments Made	Changes Applied

App2.2

Briefing/Training - Remember to keep details of how this policy and procedure has been communicated to those who'll be required to deliver it.

If preferred use the section below to record these details.

Who	How	Date

App2.3

Policy Refreshers

When should refreshers be issued to those with responsibilities under this Policy and Procedures? Record details below

Who	When refresher due	Date & details of when completed

App2.4

Policy Review

Record here any details of communicating content changes as a result of review.

Who	How	Date

App 2.5

Competency Audit

Does this Policy and Procedures command submission of evidence to a regulator to demonstrate training needs have been met/ record details below.

Regulator details	Method	Frequency / Date

Sign off Housing Policy and Procedure

Officer Name	
Title of Policy and Procedure	
I confirm that I have read and understand the policy and procedure.	
Officer signature	
Date	

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DECISION TAKER: DEPUTY LEADER AND CABINET MEMBER FOR
COMMUNITY AND HOUSING – COUNCILLOR PAULA FERGUSON

REPORT TITLE: INSULATION WORKS TO VOIDS - VARIATION TO OSBORNE
TERM MAINTENANCE CONTRACT

13 JUNE 2022

Contact Officer: Andrew Kingston Tel No: - 01962 848 240 Email
akingston@winchester.gov.uk

WARD(S): ALL

PURPOSE

This report seeks approval to issue a formal variation to the contract for the provision and management of housing repairs and voids re-servicing currently under contract to Osborne Property Services Ltd.

The formal variation will cover additional insulation upgrade works to void properties and is just one of a number of carbon reduction measures and environmental initiatives that will be rolled out to the Council housing stock over the forthcoming years.

RECOMMENDATIONS:

That the Cabinet Member for Community and Housing:

1. Approves the issuing of the variation for the additional insulation works to Osborne Property Services Ltd.
2. Authorises the Service Lead - Legal to complete the variation agreement between the Council and Osborne Property Services Ltd. on agreed terms.
3. Approves an exception to the councils Contract Procedure Rules in accordance with paragraph 41 of the constitution to enable the variation to the contract.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME

- 1.1 Tackling the Climate Emergency and Creating a Greener District – The retrofitting of additional energy and carbon reduction measures to the Council’s Housing stock is a key action in the Carbon Neutrality Action Plan.
- 1.2 Homes for all – The Homes for All priority sets out an aspiration for all homes to be energy efficient and affordable to run and a commitment to move the energy efficiency of new and existing homes towards zero carbon.
- 1.3 Living Well – The Council is committed to addressing health inequalities and the Council Plan includes a commitment focus our activities on the most disadvantaged areas, communities and groups. This would specifically include those either experiencing or at risk from fuel poverty. The proposals to improve energy efficiency of homes and reduce energy demands will directly support this commitment.

2 FINANCIAL IMPLICATIONS

- 2.1 The Housing Revenue Account (HRA) budget approved by Council in February 2022 (CAB3334 refers) includes provision of £15.861m between April 2021 and March 2031 (with annual allocations indicated in the table below) to fund energy efficiency and carbon reduction measures to Council dwellings.

Year	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
HRA Budget	£500	£1,512	£1,557	£1,604	£1,652	£1,702	£1,753	£1,805	£1,860	£1,915	£15,861

- 2.2 Within the annual programme for the each of the above years, £1.25m has been set aside for “fabric first” improvements. These “fabric first” improvements will initially be targeted towards voids and are the subject of the proposed variation to the existing long term contract with Osborne Property Services Ltd.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The contractual variation to which this report refers; relates to a contract with Osborne Property Services Ltd which was awarded for the purpose of re-instatement works to the councils housing stock. Works are to un-occupied Council properties.
- 3.2 The variation to the contract is in accordance with Regulation 72 (1) (b) of the Public Contract Regulations (PCR) 2015 which permits a public contract to be modified to include additional services which were not included in the initial procurement where a change of contractor:

- (i) cannot be made for economic or technical reasons; and
- (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority.

3.3 The rationale and efficacy of the Council's intention to issue these works direct to Osborne Property Services Ltd (i.e. without a separate competitive procurement exercise being undertaken) is as set out in this report in that the works are complimentary to that already undertaken by the contractor who are set up already to undertake these works. Procurement and Legal agree that there are justifiable reasons as set out in this report to rely on Regulation 72 (1) (b) of the PCR 2015 to modify the contract.

3.4 A contract notice was published in accordance with the PCR 2015 on 1st October 2021 advising the market of the proposed contract variation. No challenges were received as a result of.

3.5 The councils Contract Procedure Rules (CPR's) set out at paragraph 41 that an exception to the CPR;s can be made in exceptional circumstances where it can be demonstrated:

e) by extending the term (either by exercising an option within the contract or otherwise), or varying and/or extending the scope an existing contract, it is in the best interests of the Council.

4 CONSULTATION AND COMMUNICATION

4.1 CAB3293 (Making Homes Carbon Neutral) sets out an approach to start reducing energy demand and carbon emissions from Council homes. The report proposed an initial programme of £1.6m per annum to improve energy efficiency through additional insulation measures. There was extensive Member and TACT consultation in formulating this agreed approach to making council homes carbon neutral - culminating in CAB3293 and the recommendations contained therein.

4.2 The Housing Revenue Account (HRA) budget approved by Council in February 2022 (CAB3334 refers) includes provision of £15.861m between April 2021 and March 2031 for these additional insulation works and was subject to the normal TACT input and comment.

4.3 The tenant-led repairs service delivery group has had regular updates of the Council's preferred intention to issue these additional works to Osborne Property Services Ltd subject to all the necessary approvals being in place.

4.4 The Chair of TACT and TACT support group agree with the proposal to vary the contract and award the additional works to Osborne.

5 ENVIRONMENTAL CONSIDERATIONS

- 5.1 The retrofitting of additional energy and carbon reduction measures to the Council's Housing stock is a key action in the Carbon Neutrality Action Plan .

6 PUBLIC SECTOR EQUALITY DUTY

- 6.1 None.

7. RISK MANAGEMENT

Risk	Mitigation	Opportunities
<p><i>Financial Risk</i></p> <p><i>Cost of works exceed budget available</i></p>	<p>Works commissioned on a property by property basis when void which allows very close control of spend.</p>	
<p><i>Exposure to challenge</i></p> <p>Legal challenge to additional works being awarded direct to Osborne (i.e. without a separate competitive procurement exercise being undertaken).</p>	<p>A Modification Notice issued Oct`21 - this risk has been mitigated as no challenges received.</p>	<p>To improve the city councils housing stock.</p>
<p><i>Reputation</i></p> <p>Council's reputation should a challenge be forthcoming after the variation has been issued.</p>	<p>A Modification Notice issued Oct`21 - this risk has been mitigated as no challenges received.</p>	<p>Positive action being taken in support of the Carbon Neutrality Action Plan</p>

8 SUPPORTING INFORMATION:

- 8.1 Osborne Property Services Ltd already carry out all the other void reinstatement works under an existing long-term contract with the Council - so for practical and value for money reasons it makes sense to annex these additional insulation works to the existing contract.
- 8.2 The policy (CAB3293 Making Homes Carbon Neutral) and the budget (CAB3334 Housing Revenue Account Budget) are already in place and previously approved - this report simply seeks final approval to complete the

award of the contract variation with Osborne Property Services Ltd in accordance with the formal approvals required under the Council's Contract Procedure Rules.

9 OTHER OPTIONS CONSIDERED AND REJECTED

- 9.1 Osborne Property Services Ltd currently carry out all our other void re-instatement works under their existing 15-year contract with the Council - the final five-year truce /extension of which was approved by Cabinet only last year (CAB3290 - Rec. 15 refers).

The option to procure the insulation works via a new and separate competitive procurement exercise was considered and rejected due to the disruption and co-ordination issues it would cause by potentially having two different contractors working in voids at the same time, and/or the additional delays it would cause if the two different contractors have to work one after the other. Resulting in properties being void for a longer period of time. Additionally, supervision and many of the site cost preliminaries would be unnecessarily duplicated by having two different contractors carrying out the works thus increasing costs. Therefore it was considered to be in the best interests of the council to modify the existing contract with Osborne Property Services Ltd.

BACKGROUND DOCUMENTS:-

Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

CAB3293 Making Homes Carbon Neutral

CAB3334 Housing Revenue Account Budget 2022/23

Other Background Documents:-

None

APPENDICES

None

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