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Haverling
L O N D O N B O R O U G H

CABINET

7.30 pm	Wednesday 26 September 2012	Council Chamber - Town Hall
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Members 10: Quorum 5

Councillor Michael White (Leader of the Council), Chairman

	Cabinet Member responsibility:
Councillor Steven Kelly (Vice-Chair)	(Deputy Leader) Individuals
Councillor Michael Armstrong	Transformation
Councillor Robert Benham	Community Empowerment
Councillor Andrew Curtin	Culture, Towns & Communities
Councillor Roger Ramsey	Value
Councillor Paul Rochford	Children & Learning
Councillor Geoffrey Starns	Community Safety
Councillor Barry Tebbutt	Environment
Councillor Lesley Kelly	Housing & Public Protection

Ian Buckmaster
Committee Administration & Member Support Manager

For information about the meeting please contact:
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Please note that this meeting will be webcast.
Members of the public who do not wish to appear
in the webcast will be able to sit in the balcony,
which is not in camera range.

AGENDA

1 ANNOUNCEMENTS

On behalf of the Chairman, there will be an announcement about the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE

(if any) - receive

3 DISCLOSURE OF PECUNIARY INTEREST

Members are invited to disclose any pecuniary interests in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 8)

To approve as a correct record the minutes of the meeting held on 15 August 2012, and to authorise the Chairman to sign them.

5 THE COUNCIL'S FINANCIAL STRATEGY (Pages 9 - 18)

6 CORPORATE PERFORMANCE REPORT 2012/13 - QUARTER 1 (Pages 19 - 38)

7 DRAFT ANNUAL REPORT 2011/12 (Pages 39 - 68)

8 PRIMARY SCHOOL EXPANSIONS 2013-14 (Pages 69 - 112)

9 LOCALISATION OF COUNCIL TAX SUPPORT (Pages 113 - 160)

10 REVISED HOUSING ALLOCATIONS SCHEME AND NEW TENANCY STRATEGY COVERING THE LETTING AND MANAGEMENT OF HOUSING IN THE LONDON BOROUGH OF HAVERING (Pages 161 - 310)

Public Document Pack Agenda Item 4



MINUTES OF A CABINET MEETING Council Chamber - Town Hall Wednesday, 15 August 2012 (7.35 - 8.30 pm)

Present:

Councillor Michael White (Leader of the Council), Chairman

Councillor Steven Kelly (Vice-Chair)
Councillor Robert Benham
Councillor Roger Ramsey
Councillor Paul Rochford
Councillor Geoffrey Starns
Councillor Lesley Kelly

Cabinet Member responsibility:

(Deputy Leader) Individuals
Community Empowerment
Value
Children & Learning
Community Safety
Housing & Public Protection

Apologies were received for the absence of Councillors Michael Armstrong, Andrew Curtin and Barry Tebbutt.

Councillors Wendy Brice-Thompson, Keith Darvill, Gillian Ford, Paul McGeary, Pat Murray, Linds Van Den Hende and Frederick Thompson were present for the meeting.

6 members of the public were present.

All decisions were agreed unanimously unless otherwise indicated.

The Chairman reminded Members of the action to be taken in the event of an emergency.

There were no disclosures of pecuniary interest.

Agenda item 5 concerning the requisition of the two Cabinet decisions relating to the future shape of Education Services, and the Commission School Places Strategy 2012-16; and agenda item 6 regarding the requisition of an Executive decision concerning proposed car parking charges in parks and open spaces were not dealt with as the relevant Overview & Scrutiny Committees had declined to support the requisition of the decisions referred to in those items.

12 **MINUTES**

The minutes of the meeting of Cabinet held on 11 July 2012 were agreed as a correct and signed by the Chairman subject to one minor amendment to show that the meeting took place on 11 July, not 18 January as indicated in the minutes.

13 **COMMISSION OF A LOCAL HEALTHWATCH SERVICE**

Councillor Steven Kelly, Cabinet Member for Individuals and the Deputy Leader of the Council, introduced the report.

The Health and Social Care Act 2012 placed a duty on the Council (all councils with Social Service responsibilities) to commission a fully operational Healthwatch by April 2013.

It was reported that Healthwatch was to be the new local Health and Social Care consumer champion and watchdog and would be required to represent the views of local residents of all ages, advocating and influencing the delivery and commissioning of Health and Social Care services.

The local representative of Healthwatch would have a statutory role on the new Health and Wellbeing Board from April 2013, ensuring that the voices of patients, users and the wider public are heard, and that the vision and objectives of the Health and Wellbeing Strategy reflected the priorities of local people.

The Council was keen to embrace the opportunities offered by the reconfiguration of health services locally and had been working closely with the Clinical Commissioning Group (CCG) for Havering to develop an ambitious set of priorities targeted on improving outcomes for patients and carers locally. The Council was therefore particularly keen to commission a Healthwatch function that would champion the views of patients, users and carers and improve public health and wellbeing as these new priorities were pushed forward.

It was noted that Healthwatch would replace LINK (Local Involvement Network) and would have additional responsibilities.

A consultation paper had been issued which covered the commissioning options facing the Council with regard to the new Healthwatch function as the Council had to decide how it wished to commission Healthwatch in order for it to be in place in Havering by March 2013. The report put forward three possible models, subject to the consultation and legacy analysis.

MODEL A - Havering Healthwatch evolving from either the current LINK steering group or the host organisation

MODEL B - Havering stand-alone organisation procured by Havering Council

MODEL C - Shared Healthwatch 'Hub and Spoke' model, with joint commissioning led by the London Borough of Barking and Dagenham but with added local specification reflecting local priorities.

The closing date for the 21 day consultation was Friday 17 August 2012.

It was stressed during the discussion that despite reports to the contrary, no agreement had been reached with the London Borough of Barking and Dagenham for the creation of a shared Healthwatch model. The consultation process would provide an opportunity for the Council to gauge the views of various stakeholders and interested parties on the proposed options, which the Cabinet Member for Individuals would consider as part of the selection process for the appropriate commissioning route, should Cabinet delegate authority to him.

Reasons and Options for the decision:

Consultation was taking place on three options. The reasons for and against each of them were detailed in an appendix to the report and which is appended to these minutes.

It was recognised that the timescales were short, but this had to be balanced with the need for local people to influence the future shape of Healthwatch and ensure that the legacy of LINK forms a firm foundation to build upon. It was recommended to delegate the final decision on the arrangements for commissioning a local Healthwatch to the Lead Member for Individuals and Deputy Leader. This would allow the Lead Member to undertake further detailed work in relation to a detailed specification for future Healthwatch services.

Cabinet AGREED:

1. To note the consultation on models for the commissioning of a local Healthwatch service.
2. To confirm the inclusion of the Independent Complaints' Advisory Service in the function to be carried out by Healthwatch.
3. To delegate the consideration of consultation responses, the LINKs legacy analysis, consultation with the host organisation and current chair/vice chair of LINK and selection of the appropriate commissioning route to the Cabinet Member for Individuals and Deputy Leader.
4. To note that further work would be undertaken to draw up the specification and proposed operating model for Healthwatch in Havering once the procurement route has been established.

14 DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT WEEKLY COLLECTION SUPPORT SCHEME

Councillor Michael White, Leader of the Council introduced the report in the absence of the Cabinet Member for Environment.

The report provided an overview of the Department for Communities and Local Government's (DCLG) Weekly Collection Support Scheme (Scheme) and sought approval to submit two bids for the grant funding available.

It was explained that the Department for Communities and Local Government had made available up to £250 million to English local authorities over three years; £50 million in 2012/13, £100 million in 2013/14 and £100 million in 2014/15.

The aim of this scheme was to support local authorities in three ways:

- a) Introduce, retain or reinstate a weekly collection of residual household waste; or

b) Propose improvements to an existing waste service which was already centred around a weekly residual collection, for example by improving environmental performance, increasing the affordability or sustainability of that service; or

c) Add a weekly food waste (or organic waste) service to an existing fortnightly collection of residual household waste

Each proposal had to deliver a weekly collection of residual household waste; value for money (in terms of cost effectiveness); and deliver an environmental benefit over current performance. Schemes would only be awarded funding to local authorities that committed to weekly collections for (a minimum of) five years from 2012/13 (or the first year of the bid).

The Council had developed two bids which met the Schemes criteria and satisfied the funding stipulations. These were 'Green Rewards – Havering' and 'Havering Waste Prevention Campaign'.

'Green Rewards – Havering' would engage and motivate households to reduce their weekly residual waste and increase their weekly recycling through a proactive programme of communications and incentives and rewards. The aim of the project was to move the Councils household waste recycling and composting performance towards 40%.

It was noted that all households in the Borough would receive a welcome pack with information on how they could reduce waste and increase recycling. This would invite residents to activate their account. Once the account was activated household would receive a welcome letter and an activation card which could be used to obtain discounts from local retailers who had signed up to the scheme thereby helping to boost the local economy.

A total grant of £1,008,557 over three years was sought.

The second funding bid, 'Havering Waste Prevention Campaign', sought support to help reduce household waste over the next five years in order to reduce costs, reduce waste and contribute towards meeting the Mayor's recycling and waste targets.

Effective communications were key to reducing waste tonnages and this funding would be used to develop a full campaign for waste prevention. As well as reducing the amount the Council pays for waste disposal preventing waste would also save residents money. The campaign would attempt to fully utilise local organisations: schools, community groups, charities, etc as delivery partners and would build on the already successful Love Food Hate Waste campaign, promoting home composting, and other ways of preventing waste.

A total Grant of £350,120 over three years was sought.

It was reported that due to the tight time scales involved between feedback from DCLG and the deadline for submissions of the final bid the matter had not been included on the Forward Plan. Agreement had been sought and obtained from the Chairman of Environment Overview and Scrutiny Committee that the report be exempted from inclusion on the Forward Plan and that the item would be exempt from call-in to the Environment Overview and Scrutiny Committee.

Reasons for the decision:

Final bids for the grant funding had to be submitted to DCLG by 17 August 2012. Because the funding sought was over one million pounds a Cabinet decision was required.

Other options considered:

There was no obligation to bid for funding under the DCLG scheme.

Cabinet Agreed:

1. **That two grant funding bids be submitted to DCLG by the deadline of 17 August 2012.**
2. **Bid 1 - Green Rewards - Havering. A total grant of £1,008,557 over three years.**
3. **Bid 2 - Havering Waste Prevention Campaign. Total Grant of £350,120 over three years.**
4. **To continue to provide a weekly waste collection for a minimum of five years from 2012/13 in accordance with the funding conditions of the DCLG Support Scheme.**

15 **EXCLUSION OF THE PUBLIC**

Cabinet **RESOLVED** that the public be excluded from the meeting on the grounds that it was likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during the following item there would be disclosure to them of exempt information within the meaning of paragraphs 3 and 4 of Schedule 12A to the Local Government Act 1972 which it was not in the public interest to publish.

16 **CHIEF EXECUTIVE'S REPORT CONTAINING EXEMPT INFORMATION**

Councillor Michael White, Leader of the Council, introduced the report

The report provided the results of a mini tender exercise undertaken by London Authorities for the supply of Agency workers. The mini tender had been 'called off' from the Eastern Shires Purchasing Organisation (ESPO) Managed Service for Temporary Agency Resources (MSTAR) national framework for Agency workers. The framework had a number of different delivery models; including a Vendor Neutral Managed Service (VNMS) and a Managed Service (MS).

The outcome of the evaluation of the mini tender from the ESPO MSTAR agency worker framework was to award Lot 1a (VNMS) to Comensura and Lot 1b (MS) to Adecco.

It was noted that the Council would need to determine which model was most appropriate for its business needs and engage the winning supplier accordingly.

Reasons for the decision:

1. It was essential that the London Borough of Havering had a cost effective and value for money contract in place for agency workers when the current arrangements expires in August 2012.
2. As an organisation, the Council had been operating a VNMS system since 2006. It had delivered significant benefits, however a new contract would benefit from changes in the agency worker market and move to a fixed 'pence' mark-up arrangement, rather than a percentage mark-up – which would result in savings over and above current arrangements.
3. It was imperative to build on the benefits the Council had already delivered and looked to make further enhancements. There was an opportunity, to achieve these, by moving to a MS model, which would 'strip-out' the VNMS costs and mean that the Council would engage with one single supplier for the vast majority of agency workers and for the hard to fill and specialist type roles the MS provider would work with their chosen partners. With specialists recruited via the chosen partner the Comensura mark up would be replaced by an Adecco mark up. This would give the Council significant savings over the current arrangements.
4. There was a future option to integrate the MS providers system with Oracle R12, i-Procurement system so that agency workers were 'hired and paid' via the agreed corporate system. This would not be part of a standard 12 week implementation plan and although it was feasible to integrate with Oracle it had not been undertaken with Oracle R12, which was what the Council used. This bespoke integration was likely to add several months to the implementation timetable and due to the imminent contract expiry, it was suggested that the Council implement the stand alone system from Adecco. An example of an implementation plan was outlined in the Appendices to the report. The Council could schedule a move to an integrated solution at an appropriate juncture once the new system was up and running and delivering benefits subject to a full cost/benefit appraisal and the necessary approvals.

Options considered:

1. That service users source their own Agency Workers in the wider marketplace. This would create a situation whereby the less reputable companies in this market would be provided with an opportunity to sell to the Council. There were a number of companies that approached Councils to provide Agency Workers but past experiences, pre 2006, had shown that overall the true cost of sourcing Agency Workers via this route was more expensive than a corporate contract. This would also mean that there would be no centralised accurate management information, little control of spend, unable to assess quality, VFM or compliance with AWR.
2. Go out to tender alone. This would take around nine months to complete, due to the EU tendering timetable and would not get the best rates due to LBH expenditure being relatively small in

comparison to the £100s of millions per annum which would be spent on a national basis from this framework. Hence, the Council would not get the benefit of economies of scale of collaborating with others and using aggregated expenditure when going to market.

3. Join ESPO MSTAR framework. There were two sub-options, Lot 1a - VNMS, which is what LBH has been operating for past 5 – 6 years. Lot 1b - MS, which will mean that we engage directly with an agency that will provide 75 – 80+% of the agency workers directly. In the event of specialist / hard to fill posts the MS provider would use their second tier suppliers. The rates for both models, via the ESPO framework, will mean a reduction on our current rates and therefore provide significant savings. The outcome mini competition exercise undertaken by London Authorities was significantly delayed in deciding which suppliers should be awarded which Lot. A challenge was mooted by an aggrieved supplier over the procurement process and rather than go through a Legal process, which would have added further delay, the procurement process was re-started. This delay in the decision of the mini competition from the ESPO framework has meant that we have been unable to make our decision in a more timely manner. As a result of this unforeseen delay we will be 'out of contract' for a matter of months. Interim discussions with the incumbent supplier, Comensura, have taken place and they have agreed in principle to extend the rates and T&Cs of the current contract for up to 3 months. This should allow us enough time to implement an alternative model, as recommended.
4. Join other frameworks that had been set up by other London Authorities. These had been compared to the ESPO framework however; they were not able to compete with them on rates.

Cabinet Agreed:

1. To confirm using the Eastern Shires Purchasing Organisation (ESPO) Managed Service for Temporary Agency Resources (MSTAR) national framework and the subsequent mini-tender exercise undertaken by London Authorities.
2. That the Managed Service option (Lot 1b) was the most economically and operationally advantageous option and accordingly approve the corporate contract for supply of Agency workers be awarded to Adecco from August 2012 to April 2014, with an option to extend until 10 April 2015.

Chairman

CABINET 26 SEPTEMBER 2012	REPORT
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Subject Heading:	The Council's Financial Strategy
Cabinet Member:	Cllr Roger Ramsey
CMT Lead:	Andrew Blake-Herbert Group Director Finance & Commerce
Report Author and contact details:	Mike Stringer Head of Finance & Procurement 01708 432101 mike.stringer@havering.gov.uk
Policy context:	The Council is required to approve an annual budget and this report provides information to enable Cabinet to make recommendations to Council in February 2013
Financial summary:	There are no specific financial issues, this report deals with developments relating to the localisation of business rates
Is this a Key Decision?	No
Is this a Strategic Decision?	No
When should this matter be reviewed?	December 2012
Reviewing OSC:	Value

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	[X]
Championing education and learning for all	[X]
Providing economic, social and cultural activity in thriving towns and villages	[X]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[X]

SUMMARY

Over the course of the previous two years, Havering Council has agreed a package of savings to mitigate the impact of very significant cuts in central government funding to local authorities.

These savings, totalling in excess of £19 million in the first tranche, with a further £16 plus in the second tranche, were made up of a range of measures designed to reduce back-office costs, cut bureaucracy and focus resources where they would have the most impact – while remaining fair to those local residents who most rely on the Council for their day-to-day support.

Government plans for radical changes to a number of areas were announced over this period. More detail is gradually emerging. These changes will fundamentally alter the way in which local authorities are funded. This report updates Cabinet on developments relating to the localisation of business rates.

A further report will be submitted to Cabinet in due course, dealing with a number of other developments and setting out the position in the current financial year, and a number of other relevant issues, as these need to be taken into account in developing the detailed budget for 2013/14.

RECOMMENDATIONS

Cabinet is asked to:

1. Note the current position with developments relating to the funding of local authorities through the localisation of business rates.
2. Note that details of the Local Government Financial Settlement for 2013/14 will be reported to Cabinet in full in January.
3. To delegate to the Cabinet Member for Value approval of the Council's response to the technical consultation on the localisation of business rates.
4. To note that a further report will be submitted to Cabinet on a range of other financial matters.

REPORT DETAIL

1. BACKGROUND

- 1.1 In the light of the global financial climate and the decisions taken by the Coalition Government on public sector spending, the broad financial position and prospects for the future have been set out in previous reports to Cabinet. In very broad terms, the anticipated funding reductions were expected to lead to an overall budget gap of around £40m over a 4 year period. In response to this, Cabinet agreed two tranches of savings, totalling around £36m, and these were subsequently included in the budget formally approved by Council.

- 1.2 The proposals agreed by Cabinet would largely meet the Authority's savings requirements without excessive Council Tax increases and not raising Council Tax above 2.5% throughout the life of this Administration. It would ensure a stabilised financial position with clear plans in place to meet the overall budget gap and bring as much certainty as possible to residents over both Council Tax levels – given the Administration's commitment to low increases – and the level of service they can expect.
- 1.3 The Coalition Government had already previously announced proposals for fundamental changes to the funding system for local authorities, as well as a number of other proposals that will impact directly on the Council. The most immediate and critical of these relating to the localisation of business rates is covered as part of this report as this will affect the budget setting process for 2013/14.

2. FUNDING CHANGES

- 2.1 The Government had previously announced a variety of changes that will impact, either directly or indirectly, on the funding regime for local authorities. These have, to a greater or lesser extent, been reported to Cabinet previously, but progress towards the implementation of these changes is accelerating rapidly. An update on each of the following areas will be presented to Cabinet in due course, but the most immediate of these is addressed below:
- Localisation of business rates
 - Localisation of Council Tax support
 - The Social Fund Replacement Scheme
 - School Funding Reform
 - Academies
 - Public Health Transfer
 - Local Government Pension Scheme.

Localisation of Business Rates

- 2.2 The Government announced plans to fundamentally change the basis on which local authorities were funded some time ago. Under the current funding system, local authorities had historically been funded through a combination of specific and general grants. Specific grants were for a designated purpose and authorities were expected, and indeed in some cases only allowed, to spend these funds on explicit functions.
- 2.3 In the wake of the general economic climate, the Coalition Government is reducing the amount of funding available to the public sector. For local authorities, this has been reflected in an ongoing reduction in grant funding. There have also been major changes to specific grant funding, with both a reduction in number and value, but a shift towards grants being unringfenced, and thus more general in nature.

- 2.4 The next stage of this process will be the cessation of the existing funding system, and the core element of the new system will be the localisation of business rates. This new system is being implemented in April 2013, and will thus impact on the next budget setting process. Reports setting out information on this new system have previously been submitted to Cabinet, but more detail is emerging. This report updates Cabinet on the most recent developments.
- 2.5 In broad terms, the current system will cease. In its place, local authorities will retain funds generated locally through business rates. This will see a shift from the present system, where local authorities effectively collect business rates on behalf of the Government, and receive general grant funding, to one where they will now retain those business rates locally.
- 2.6 However, the proposals announced by the Government will not see full retention. Instead, it is proposed that authorities will retain only 50% of the sum collected, with the remaining 50% being returned to the Government. In return, local authorities will receive a general grant. There will also be limits on how much authorities can “gain” or “lose” through local shifts in the level of business rates, so for example, a material reduction in local business rates would be compensated for.
- 2.7 The Government recently published a Technical Consultation on Business Rates Reform. This sets out a range of proposals on how the new system would operate. The consultation paper contains 83 questions; responses are required by 24 September 2012.
- 2.8 Details of the key highlights of the scheme are set out in Appendix A, and in summary are as follows:
- A “50/50” share, with local authorities retaining 50% of business rates
 - New RSG system to fund the 50% which will be returned to Government
 - A system of tariffs and top ups
 - Changes in the treatment of existing grants
 - Impact on tax base.
- 2.9 Details of funding, including the base amount for business rates and the level of general grant, will be set out in the Local Government Financial Settlement (LGFS). It is clear that the previous system of funding announcements through the LGFS will continue in spite of the shift to a new funding system. Whilst there are more uncertainties over the transition this year, this does mean that, unless the Government chooses to issue multiple years, the exact funding position will not be known until the settlement is released. For 2013/14 in particular, this is not expected until December. This will mean a significant amount of work will need to be undertaken at that time and it will not be possible to provide details to Cabinet until January, when budget proposals are formally submitted for consultation purposes.
- 2.10 Officers are working through the technical consultation document, which runs to over 250 pages, and will be drafting a response in time for the close of the consultation process. To maximise the time available, the response will need

to be finalised after the Cabinet meeting. It is therefore proposed that approval of the response is delegated to the Cabinet Member for Value, and Cabinet is asked to agree this.

- 2.11 Although there is a distinct lack of clarity over what impact the new funding system will have, there does seem to be a clear incentive for authorities to maximise the yield from their business base. With that in mind, officers are considering what steps might be appropriate, and what resources might be needed to do so. This will be the subject of a separate report to Cabinet.
- 2.12 Given that the new funding system will include some form of relative needs and resources, grant transfers and adjustments, floor damping, and a system of tariffs and top-ups, there is an argument that this replicates most if not all of the key elements of the existing system. That, in turn, heightens the risk that the new system may be no more transparent than the current one.
- 2.13 Finally, it is important to bear in mind that, although local authorities will retain a proportion of business rates, control of the system remains firmly with central Government. The business rates multiplier, which generates the actual sum due from the rateable value (RV), will still be set by Government; there is no ability for Councils to vary this. Moreover, RVs themselves are driven by various factors, and again in broad terms are not actually set by local authorities. This, plus the continued reliance on a formula-based grant allocation, means in reality that local authorities will remain heavily dependent on how central Government approaches the commercial taxation and public sector finance systems.
- 2.14 This emphasises the level of risk that exists with the transition to the new funding system, and that necessitates that a prudent approach is maintained.

3. BUDGET TIMETABLE

- 3.1 Although, as this report sets out above, there is a significant level of change being made to the funding system, and various uncertainties affecting the Council's financial position, it is essential that work continues in planning for the budget setting process for 2013/14.
- 3.2 A broad timetable has been developed and is set out in the table below.

Activity	Date
Update on other financial matters	October 2012
Announcement of LGFS	Nov/Dec 2012
Budget proposals for consultation to Cabinet Details of LGFS to Cabinet	23 Jan 2013
Budget proposals to Cabinet	13 Feb 2013
Formal budget setting proposals to Council	27 Feb 2013

- 3.3 Further reports will be submitted to Cabinet as more information becomes available on the various issues covered in this report. It is proposed to provide

an update to Cabinet at the next meeting on a range of other financial matters and an assessment of the financial position and its potential impact on 2013/14.

REASONS AND OPTIONS

Reasons for the decision:

It is essential that the Council's financial strategy takes due account of Government plans, and any other material factors where these are likely to have an impact on the Council's financial position. This report provides an update to Cabinet on the most immediate issue relevant to the budget setting process.

Other options considered:

None. The Constitution requires this as a step towards setting the Council's budget.

IMPLICATIONS AND RISKS

Financial implications and risks:

The Council's budget process will ensure that financial implications and risks are fully met. There are continuing risks given the uncertainty over the transition to localised business rates, and to the associated announcement of the LGFS, and the potential impact on funding, together with the other aspects referred to in this report. The steps already taken by the Council should mitigate this, but to what extent remains unclear. It will therefore be necessary to assess the position once the funding levels are finally known.

There are considerable risks in the medium to longer term, with the continuing economic uncertainty as well as the imminent changes. The Council therefore needs to maintain a prudent approach over its financial management and the budget setting process.

Legal implications and risks:

The Council is subject to a number of duties in relation to revenue, capital and procurement. For instance, as a Best Value Authority the Council is under a duty to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness." s 3 Local Government Finance act 1999.

Human Resources implications and risks:

The Council continues to work closely with its staff and with Trades Unions to ensure that the effects on staff of the savings required have been managed in an efficient and compassionate manner.

All savings proposals or changes to the funding regime that impact on staff numbers, will be managed in accordance with both statutory requirements and the Council's Managing Organisational Change & Redundancy policy and associated guidance

Equalities implications and risks:

There are no equalities implications or risks at this stage. However any savings that need to be considered following publication of details of the Local Government Financial Settlement may carry equalities implications and risks and accordingly, these will need to be analysed.

Other Risks:

There are no particular other risks arising, other than a significant increase in workload is likely to implement the new legislation as and when it is enacted. This is being planned for but much of the detail will have to await the final announcements and publication.

BACKGROUND PAPERS

There are none.

FORMULA GRANT & LOCALISATION OF BUSINESS RATES

Introduction

The Department for Communities and Local Government (CLG) issued the business rate consultation on the 17th July 2012. This briefing note highlights the key developments of the proposals to date.

The consultation is due to run for ten weeks and closes on the 24th of September 2012 with the view to provide local authorities with a draft model and provisional figures in late November / early December.

Business Rate Consultation

The Department of Communities and Local Government released the Business Rate Retention Technical Consultation. This provides further details of how the new funding regime will be implemented however the final design and funding allocation will not be known until mid / late January. The new funding regime will operate in-line with the spending control totals which still currently has two more years of budget cuts to be built into the model.

Previously in May, The Department of Communities and Local Government released the publication "Business rates retention scheme: The central and local shares of business rates" stating that Local authorities would retain 50% of their business rate yield (Local Share) and 50% will be transferred to Government (Central Share). Of the Local Share, it is now understood that from the latest consultation document that a "significant amount" will be transferred to fund the GLA. This reduces the amount of business rate yield that local authorities are able to retain however this proposal will share the risks / rewards of any decline / growth in business rates between Central / Local Government and precepting authorities.

The central share will be paid to Government with the view to redistribute this funding to Local Authorities and Fire Services through grants (approximately £11bn). This will not only fund local authorities Revenue Support Grant allocations but also help fund the New Home Bonus, the GLA, Capitalisation and the Safety Net used in the event that an authority's business rates baseline falls below a set percentage set by Central Government (between 7.5% and 10%)

To enable the local share to be set at 50%, Central Government have rolled in approximately £8bn of grants into the retention model. These grants will be rolled in after floor damping resulting in like-for-like transfer of funding. For Havering, this amounts to approximately £31m to be rolled into the retention model. The grants which are to be rolled in are as followed:

- Early Intervention Grant
- Learning Disability and Public Health
- Council Tax Freeze Grant

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- Council Tax Support
- Homelessness Prevention
- Lead Local Flood Authorities

In addition to the rolled in grants, £3bn and £1.2bn will be transferred out to fund the police authorities and Local Authority Central Spend Equivalent Grant (LACSEG) respectively.

It is also expected that minor adjustments to the indicators used in establishing the current formula grant will transfer further funding out of London to District authorities. This will reduce Havering's funding starting position for 13/14 onwards.

There are huge variations between the amount of business rates local authorities collect and the formula grant they receive. In 2012/13 Havering will contribute £67.6m to the national pool of which will only receive back £51.3m from the Local government Finance Settlement. Under the new funding regime, to ensure local authorities are not subject to large variation in funding, local authorities will either be required to pay a tariff (up rated by RPI each year) or receive a top-up (up rated by RPI each year) to ensure stability from the new system against their previous years formula grant allocation. At this stage until further details are provided in regards to the impact of the GLA contribution it's difficult to ascertain whether Havering will be a Top-up or Tariff authority.

The final scheme design will be announced in Late November / early December, however it is understood at this moment in time that the Government will set a business rate baseline for each authority based on a five year average in business rate yield. This baseline will identify whether authorities are a top-up or tariff authority, as well as identify whether any authority has a shortfall against their expected 13/14 yield. In the event that the anticipated income is less than the business rate baseline then authorities would need to budget for this outcome and potentially having to factor in any safety net payment into their budget.

Table A below shows the estimated allocations for 13/14 based on the information provided to date.

Local Authority	Amount of Formula grant 12/13 exc council tax freeze grant	Estimated Rolled in grants	Total	Anticipated 13/14 funding including the SR spending reductions
	(£ Millions)	(£ Millions)	(£ Millions)	(£ Millions)
Havering	51.363	31.10	82.46	77.35
Barking and Dagenham	99.028	30.40	129.43	119.54
Bexley	60.524	26.70	87.22	81.12
Bromley	59.636	34.60	94.24	88.31
Newham	202.749	47.30	250.05	229.74
Redbridge	93.660	30.40	124.06	114.72
Outer London Average	94.131	36.78	130.91	120.76
Inner London Average exc City of London	169.688	37.46	207.15	188.39

As can be seen above, the amount of formula grant Havering has received in previous years has been significantly lower compared neighbouring authorities and the London average. The indicators used in apportioning the formula do not reflect the demographics of the borough. In contrast, the amount of grant Havering received through unringfenced and specific grants which are to be transferred into the retention scheme has been more reflective of the demographics as the data used to allocate funding is based on actual caseload, population etc. This is evident by the amount of rolled in grant Havering has received compared to other authorities. The transfer of these grants in the long-term will be detrimental as these allocations will be subject to spending cuts and formula grant changes.

CABINET

REPORT

26 September 2012

Subject Heading:

Corporate Performance Report 2012/13 –
Quarter 1

Cabinet Member:

Councillor Michael White

CMT Lead:

Cynthia Griffin

Report Author and contact details:

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Policy context:

The report sets out the Council's
performance against the Corporate
Performance Indicators for Quarter 1 of
2012/13.

Financial summary:

There are no direct financial implications
arising from this report. It is expected that
the delivery of targets will be achieved
within existing resources.

Is this a Key Decision?

No

Is this a Strategic Decision?

No

When should this matter be reviewed?

The Corporate Performance Report will be
brought to Cabinet following the end of
each quarter.

Reviewing OSC:

Value

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	[X]
Championing education and learning for all	[X]
Providing economic, social and cultural activity in thriving towns and villages	[X]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[X]

SUMMARY

This report sets out the performance of the Council's Corporate Performance Indicators for the first quarter (April-June 2012), against the five Living Ambition Goals of the Corporate Plan:

- Environment
- Learning
- Towns and Communities
- Individuals
- Value

Of the 68 Corporate Performance Indicators, 39 are able to be measured quarterly. The remaining indicators are collected on an annual or bi-annual basis only.

The report identifies where the Council is performing well (Green) and not so well (Amber and Red). The variance for the 'RAG' rating is:

- Red = more than 5% off the Quarter Target
- Amber = up to 5% off the Quarter Target
- Green = on or above the Quarter Target

Where performance is more than 5% off the Quarter Target and the RAG rating is 'red', a 'Corrective Action' box has been included in the report. This highlights what action the Council is taking to address poor performance where appropriate.

Also included for indicators measured quarterly is a Direction of Travel (DoT) column which compares performance in Quarter 1 2012/13 with performance in Quarter 1 2011/12. A green arrow symbol (↑) signifies performance is better than Quarter 1 2011/12 and a red arrow symbol (↓) signifies performance is worse than Quarter 1 2011/12.

Of the 39 indicators measured quarterly, 37 have been given a RAG status in Quarter 1. For one indicator a RAG status is not applicable and for the other indicator the information is not yet available. In summary 26 indicators (70%) are rated as 'green' and 11 indicators (30%) are rated as 'amber' or 'red'.

RECOMMENDATIONS

Members are asked to review the contents of the report and note its content.

REPORT DETAIL

Analysis of the 11 indicators not on target shows the following:

Three of the red or amber rated indicators are recession related. There has been an increase in the numbers of people claiming housing and council tax benefit and needing to be assessed for those benefits because of changes in their circumstances. This increase has put substantial pressure on the staff processing these claims and some additional resources have been brought in to clear a backlog that has developed. Given the upturn in demand/activity it is anticipated that, despite the additional resources, performance will not substantially improve during quarter 2. A review of overall demand is being undertaken as this upturn has knock-on effects on the customer services function while it is continuing to implement the new customer services processes. The collection rate of NNDR is also slightly below target and showing as amber.

Two of the red indicators are in relation to hospital discharges. The first indicator is an overall partnership indicator that measures the total number of delayed discharges across the system including in the hospital itself which is still higher than it should be and is not yet showing improvement. The second is the delayed discharges for which Havering is responsible. This is reducing due to work being undertaken within social care and the number of delays are lower than last year. The indicator shows as red despite the reductions because a tougher target has been set indicating Havering's intentions to continue to improve its services in this area. The Council continues to work with health partners and with the other local authorities who are served by BHRUT to improve systems and processes to improve care in the community in order to prevent unnecessary hospital admissions, particularly of older people.

A further indicator showing as red within adult social care is for direct payments. This target has been increased to a more stretching target than was in place last year in order to continue to increase the amount of self determination and choice for social care clients. As can be seen, the performance is already higher than last year, but has not yet met the new stretch target.

The % of placements lasting at least 2 years is a measure of the stability of placements for looked after children. The performance in this area is not considered good enough, particularly in the area of teenagers where foster care placements can tend to break down. A review of this area has been undertaken. This has resulted in increased work to recruit foster carers and also different procedures which offer greater support to the foster care placements when they come under pressure. This is an area that is being prioritised for improvement within children's services.

Two red indicators are in relation to the speed of processing planning applications. There was a rush of applications earlier in the year, seeking to be approved before

the Mayor's new CIL came into affect. The performance in the first quarter of this year reflects the fact that the planning service are still catching up with the backlog this caused.

The red indicators on speed of processing Member/MP enquiries and corporate complaints represent significant increases in numbers of incoming enquiries. (831 verses 592 from Members/MPs and 276 verses 176 corporate complaints) There has been an upturn of enquiries in relation to housing in respect of benefit reforms. Many housing enquiries are also complex. Additional resources are being brought in within housing services in order to respond to these matters.

The Corporate Performance Report 2012/13 – Quarter 1 is attached as Appendix 1.

REASONS AND OPTIONS

Reasons for the decision: To provide Cabinet Members with a quarterly update on the Council's performance against the Corporate Performance Indicators.

Other options considered: N/A

IMPLICATIONS AND RISKS

Financial implications and risks:

Adverse performance for some Corporate Performance Indicators may have financial implications for the Council. Whilst it is expected that targets will be delivered within existing resources, officers regularly review the level and prioritisation of resources required to achieve the targets agreed by Cabinet at the start of the year.

Legal implications and risks:

Whilst reporting on performance is not a statutory requirement, it is considered best practice to regularly review the Council's progress against the Corporate Plan.

Human Resources implications and risks:

There are no specific Human Resources implications.

Equalities implications and risks:

There are no specific Equalities implications.

BACKGROUND PAPERS

The Corporate Plan is available on the Living Ambition page on the Havering Council website at: <http://www.havering.gov.uk/Pages/Campaigns/living-ambition-our-20-year-vision.aspx>

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Appendix 1: Corporate Performance Report 2012/13 – Quarter 1

Key

Direction of Travel (DoT)		RAG Rating	
↑	Performance is better than Q1 2011/12	Red	More than of 5% off the Quarter Target
↓	Performance is worse than Q1 2011/12	Amber	Up to 5% off the Quarter Target
→	Performance is the same as Q1 2011/12	Green	On or within the Quarter Target
Corporate Plan Performance Indicator			

Environment - to ensure a clean, safe and green borough

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
(ex) NI192	% of household waste sent for reuse, recycling and composting (LAPS indicator)	Bigger is Better	36%	36%	36%	34%	↑	Performance is better than target for this indicator, and better than Quarter 1 2011/12.	Streetcare
SC18	Total number of fly tip incidents	Smaller is Better	2,704	827	797	801	↑	This indicator fluctuates due to seasonal variance - in the summer when the weather is brighter more people clear out homes and garages. Performance has improved compared to this time last year.	Streetcare
CSP2	The number of anti-social behaviour crimes reported (NEW)	Smaller is Better	5,970	1,492	1,358	1,721	↑	Poor weather during the summer months may have contributed towards the figure for this indicator, as good weather does tend to correlate with an increase in incidents reported. Incidents that have taken place in Romford town centre are the main contributor to these figures.	Legal and Democratic Services
SC11	% of missed collections put right within target	Bigger is Better	93%	93%	96%	92%	↑	There has been an improvement in the response rate to missed collections. This is a result of reorganisation and rescheduling by the Council's contractor.	Streetcare
(ex) NI185/R8	Greenhouse gas emissions from Local Authority estate and operations	Smaller is Better	29,940 tonnes (2011/12)	Annual	25,700 tonnes (2011/12)	30,242 tonnes (2010/11)	↑	The figures for this indicator become available every July and have therefore been included in the Quarter 1 report. The vacation of Scimitar House and the Transport Depot contributed towards achieving this target, as well as the energy efficiency initiatives undertaken throughout the year.	Customer Services
CSP1	The number of residential	Smaller	1,909	477	471	409	↓	Poor weather during the summer months may have	Legal and

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
	burglaries reported (NEW)	is Better						contributed towards the figure for this indicator, as good weather does tend to correlate with an increase in crimes reported. Although performance is worse than Quarter 1 2011/12, the outturn is better than target.	Democratic Services
(ex) NI191	Residual household waste (kg) per household (LAPS indicator)	Smaller is Better	645kg	174kg	171kg	125kg	NA	Performance is still better than target for this indicator. Data for Quarter 1 2011/12 is not for the full period, therefore no DoT has been provided.	Streetcare
(ex) NI195d	% of fly posting	Smaller is Better	1%	Bi-annual	NA	Bi-annual	NA	This is a bi-annual indicator and will be reported in Quarter 2. It has been included for information purposes only.	Streetcare
SC13	Casualty reductions - killed and seriously injured in Road Traffic Accidents	Smaller is Better	65	Annual	NA	NA	NA	This is an annual indicator. It has been included for information purposes only.	Streetcare
CI12	% of residents who feel local streets are clean and tidy (NEW)	Bigger is Better	74%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Corporate

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Learning - to champion education and learning for all

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
LA5	% of 3 and 4 year olds who have access to an early education entitlement place if their parents wish <i>(Whilst this refers to access to places, it is actually measured on take up of places. The wording has remained the same because this is how it is reported to the Department for Education)</i>	Bigger is Better	90%	90%	86% (2011/12)	82%	↑	This indicator is measured by academic year which runs from August to July. The figure provided is therefore the end of year outturn. Whilst take-up of free Early Education Entitlement is encouraged, there will always be some parents/carers that will make their own separate arrangements for childcare. Across the borough as a whole, Havering does have sufficient places for all 3 and 4 year olds. Therefore this indicator has been given a RAG status of 'green'.	Learning and Achievement
LA6	% of Early Years providers, including those in schools, judged Good or Outstanding by OFSTED	Bigger is Better	73%	73%	74.8%	64%	↑	Performance is better than target for this indicator and performance has improved when compared to Quarter 1 2011/12.	Learning and Achievement
LA1	Number of apprentices	Bigger is	460	230	320	296	↑	The indicator is reported by academic year (August to	Learning and

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
	recruited in the borough	Better		(Q2)	(Q2)			July) and this is the figure for the second quarter 2011/12. The target of 460 was set by the 14-19 Partnership, as part of a three year programme to increase the number of apprenticeships in the borough.	Achievement
(ex) NI117	% of 16 to 19 year olds (school years 12-14) who are not in education, employment or training	Smaller is Better	5.1%	5.3%	4.7%	5.3%	↑	Performance is better than target for this indicator. Various initiatives have contributed towards achieving the target, such as the locally established Apprenticeship Task Force to focus on promoting the benefits of the Apprenticeship programme and to maximise employment opportunities.	Learning and Achievement
LA10	KS4 - number of schools below the floor standard where fewer than 35% of pupils achieve A*-C grades in both Maths and English and make less than average progress in Maths and English	Smaller is Better	0	Annual	0 (2011/12) (provisional)	0 (2010/11)	NA	This is an annual indicator, reported by academic year. A provisional figure has been included but a final figure will not be available until November. Therefore no RAG rating or DoT has been provided.	Learning and Achievement
LA9	KS2 - number of schools below the floor standard where fewer than 60% of pupils achieve Level 4 or above in both Maths and English and make less than average progress in Maths and English	Smaller is Better	0	Annual	1 (2011/12) (provisional)	0 (2010/11)	NA	This is an annual indicator, reported by academic year. A provisional figure has been included but a final figure will not be available until November. Therefore no RAG rating or DoT has been provided.	Learning and Achievement
(ex) NI075	KS4 - % of pupils who achieve 5 or more A*-C grades, including Maths and English	Bigger is Better	68%	Annual	61.1% (2011/12) (provisional)	64.2% (2010/11)	NA	This is an annual indicator, reported by academic year. A provisional figure has been included, but a final figure will not be available until November. Therefore no RAG rating or DoT has been provided.	Learning and Achievement
LA8	% of children with a good level of achievement in Early Years Foundation Stage	Bigger is Better	Not yet set	Annual	60% (2011/12) (provisional)	58.6% (2010/11)	NA	This is an annual indicator, reported by academic year. No target has been set as the Service is awaiting the outcome of Government report because this measure is changing. A provisional figure has been included but a final figure will not be available until November. Therefore no RAG rating or DoT has been provided.	Learning and Achievement
LA25	People of working-age	Bigger is	63.6%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for	Learning and

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
	qualified to at least level 2 (% of working age population) (NEW)	Better						information purposes only.	Achievement
(ex) NI089	Minimise number of schools judged as requiring special measures	Smaller is Better	0	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Learning and Achievement

Towns and Communities - to provide economic, social and cultural opportunities in thriving towns and villages

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
Page 28 (ex) NI157a	Processing of major applications within 13 weeks (%)	Bigger is Better	60%	60%	45%	78%	↓	<p>A number of applications processed outside the 13 weeks period were those that were prioritised for decision within Quarter 4 of 2011/12, prior to the introduction of the Mayoral Community Infrastructure Levy (CIL) on 1st April 2012. Whilst the figure for Quarter 1 is worse than target and Quarter 1 2011/12, performance has improved since Quarter 4 2011/12, when the figure was 26%.</p> <p>Corrective Action</p> <p>The determination of applications should return to normal patterns later in 2012/13 following the one-off effect of Mayoral CIL's introduction on decision timeframes. Therefore no corrective action is required</p>	Development and Building Control
H5	% of rent arrears against rent debit	Smaller is Better	2%	2%	2.4%	2.4%	→	<p>Performance is worse than target this quarter but is the same as Quarter 1 2011/12. The economic climate has had an impact on performance for this indicator.</p> <p>Corrective Action</p> <p>To address poor performance, Homes in Havering (HiH) are producing a 52 weeks projection of arrears and debits to identify previous trends. As well as this, new reports will be developed to give details of potential weaknesses in the way arrears are collected.</p>	Housing and Public Protection
CS11	% of NNDR collected (LAPS indicator)	Bigger is Better	98%	32.32%	31.88%	36.03%	↓	<p>Performance is marginally worse than target and is worse than this time last year. This is because during Quarter 1 2011/12, the Council collected Business Rates for all Council properties. In 2012/13, this will take place</p>	Customer Services

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
								in Quarter 2. Therefore performance should be in line with last year's figure in the Quarter 2 report.	
(ex) NI158	% of decent council homes	Bigger is Better	58.4%	35.5%	34.6%	38.52%	NA	The figures do not accurately reflect performance this quarter because all properties expected to become non-decent during 2012/13 have been included in the Quarter 1 figure. This is because Keystone, the system Homes in Havering (HiH) use to record this data cannot break this down by month. Therefore no DoT has been provided. However, the service is confident that the year end target of 58.4% will be achieved, therefore this indicator has been given a RAG status of 'green'.	Housing and Public Protection
R3	Number of businesses accessing advice through regeneration initiatives	Bigger is Better	600	150	177	211	↓	In addition to ongoing in-house business support for new and existing businesses, a number of events were held this quarter. A Leaders Network meeting in June offered financial and business structure advice for businesses from local banks and a 'Women in Business' event provided peer support and networking opportunities. A number of Havering Business Awards workshops were also held, which provided advice on how to complete award applications for the event, which will be held in October 2012.	Regeneration
(ex) NI157b	Processing of minor applications within 8 weeks (%) (LAPS indicator)	Bigger is Better	65%	65%	71%	79%	↓	Although worse than Quarter 1 2011/12, performance is better than target this quarter.	Development and Building Control
(ex) NI157c	Processing of other applications within 8 weeks (%) (LAPS indicator)	Bigger is Better	80%	80%	89%	92%	↓	Although performance is worse than Quarter 1 2011/12, we remain better than target for this indicator.	Development and Building Control
DC4	% of appeals allowed against refusal of planning permission	Smaller is Better	30%	30%	24%	29%	↑	The service reviews all appeal decisions and keeps an eye out for trends so that any issues in our decision making can be addressed.	Development and Building Control
CL2	Number of library visits (physical)	Bigger is Better	1,520,000	380,000	407,154	391,093	↑	Performance is better than target this quarter and better than Quarter 1 2011/12.	Culture and Leisure
R2	Net external funding (£) secured through regeneration initiatives	Bigger is Better	£1,000,000	£250,000	£925,000	£690,215	↑	This quarter, a bid for £900,000 external funding from the Outer London Fund for public realm works in Rainham was successful; therefore performance is significantly better than target this quarter.	Regeneration
(ex)	Number of affordable	Bigger is	250	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for	Housing and

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
NI155	homes delivered (gross)	Better						information purposes only.	Public Protection
CL14	% of residents who feel their local park is clean and tidy (Spring Clean Survey)	Bigger is Better	73%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Culture and Leisure
CI9	% of residents satisfied with the area as a place to live (YCYS survey)	Bigger is Better	77%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Corporate
CI10	% of residents who feel that they get on well together in their neighbourhood (YCYS survey)	Bigger is Better	72%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Corporate
CL15	% of residents satisfied with library services (YCYS survey)	Bigger is Better	82.5%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Culture and Leisure

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Individuals - to value and enhance the lives of our residents

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
CY2	% of placements lasting at least 2 years	Bigger is Better	75%	75%	57.40%	60%	↓	<p>Whilst performance has improved since Quarter 4 2011/12 when the figure was 50.9%, performance is worse than Quarter 1 2011/12 and we are still significantly below target for this indicator.</p> <p>Corrective Action</p> <p>To address poor performance, the service has done some analysis of placement moves through interviewing young people and their foster carers. The results from this have fed into the Looked After Children (LAC) Plan. The aim of this plan is to provide additional support in the form of more foster carers, which will increase placement choice. This will also allow the service to lengthen emergency placements from 24 hours to 7 days, allowing more time for a child to be appropriately matched to the next foster carer. The LAC plan has already begun to be implemented across the service. Following the service restructure, further improvements</p>	Children and Young People

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
								have been made, including improved processes for management oversight of casework, which has included the introduction of case clinics and multi-way problem solving through the Havering Access to Resources panel. The service will continue to implement the LAC Plan. This should result in improved performance throughout 2012/13.	
(ex) NI131/2C (i)	Overall number of delayed transfers of care from hospital per 100,000 population (this includes delays attributable to health partners)	Smaller is Better	7	7	15	11.3	↓	<p>This quarter, Barking, Havering and Redbridge University Hospital Trust (BHRUT) experienced a surge of admissions which adversely impacted on delays in facilitating timely and appropriate transfers from hospital. There is no known reason for this surge in admissions.</p> <p>Corrective Action</p> <p>A challenging target has been set for this indicator to drive improvement. We continue to work with the London Boroughs of Barking and Dagenham and Redbridge and all three Clinical Commissioning Groups (CCGs) as well as health providers (BHRUT & NELFT) to reduce delays and address systematic issues as changes to health are implemented. Those delays attributable to ASC remain low compared to the overall figure.</p>	Adult Social Care
(ex) NI131/2C (ii)	Number of delayed transfers of care from hospital attributable to Adult Social Care (ASC) and health per 100,000	Smaller is Better	3	3	4.5	5.9	↑	<p>This quarter, Barking, Havering and Redbridge University Hospital Trust (BHRUT) experienced a surge of admissions which adversely impacted on delays in facilitating timely and appropriate transfers from hospital. There is no known reason for this surge in admissions. Although worse than target, performance has improved since Quarter 1 2011/12.</p> <p>Corrective Action</p> <p>A challenging target has been set for this indicator to drive improvement. We continue to work with the London Boroughs of Barking and Dagenham and Redbridge and all three Clinical Commissioning Groups (CCGs) as well as health providers (BHRUT & NELFT) to reduce delays and address systematic issues as changes to health are implemented. Those delays attributable to ASC remain low compared to the overall figure.</p>	Adult Social Care

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
(ex) NI130/1C (i)	% of people using social care who receive self-directed support and those receiving direct payments	Bigger is Better	60%	43.9%	44.7%	31.9%	↑	Performance is better than target in the first quarter as self-directed support is becoming further embedded as the default way we work; where the service user is in charge of their care arrangements and the funds to pay for it.	Adult Social Care
(ex) NI130/1C (ii)	Direct payments as a proportion of self-directed support (%)	Bigger is Better	15%	15%	12.1%	10.5%	↑	In line with the national picture, we continue to face challenges in increasing the take up of direct payments for older people. The Service is working hard to help people make best use of the money they receive to purchase their own care services and to increase the proportion of people who use Personal Budgets. A challenging target has been set for this indicator and whilst it has not been achieved this quarter, performance has improved since Quarter 1 2011/12. Corrective Action To improve performance, the service is identifying staff with a good record of setting up direct payments, as 'champions' and is encouraging best practice to be shared between colleagues. There are also plans for individual staff targets for direct payments to be introduced later in the year.	Adult Social Care
L3	% of people who, having undergone reablement, return to ASC 91 days after completing reablement and require an ongoing service	Smaller is Better	7%	7%	6%	2.80%	↓	Performance is better than target in the first quarter, and has improved since Quarter 4 of 2011/12 when the figure was 7.8%, demonstrating that reablement services are achieving sustainable positive outcomes. As the service matures ASC are beginning to focus on more vulnerable clients. It will be important to ensure this does not result in deterioration in performance.	Adult Social Care
CY13	% of Child Protection Plans lasting more than 24 months	Smaller is Better	5%	5%	0%	0%	→	Performance is better than target this quarter and is better than Quarter 4 2011/12 when the figure was 7%.	Children and Young People
TBC	Total number of Careline and Telecare users in the borough	Bigger is Better	3600	3424	3496	3195	↑	The service works closely with Adult Social Care to increase Careline and Telecare usage throughout the borough. Another publicity campaign will take place this year to promote the product and the demonstration facility at Yew Tree Lodge	Housing and Public Protection
(ex) NI065	% of children becoming the subject of a Child Protection	Smaller is better	8%	8%	0%	NA	NA	Performance is better than target for this indicator. During Quarter 1 we had 23 children becoming the	Children and Young People

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
	Plan for a second or subsequent time within 2 years (LAPS indicator)							subject of Child Protection Plan; of these none were the subject of a Plan previously within 2 years. The wording of this indicator has been modified to include 'within 2 years' to echo the findings of the Munro report (before it had an open ended timescale). Therefore the outturn is not comparable with Quarter 1 2011/12.	
(ex) NI112	Teenage pregnancies per 1,000 population (< 18 year old girls)	Smaller is Better	35	35	29.1 (Q4 2010/11)	30.1 (Q4 2009/10)	↑	NB. The figures do not correspond to the 2011/12 annual target and a RAG and DoT cannot be stated. This is because the ONS release conception statistics around 14 months after the period to which they relate (as information on a birth may not be available until 11 months after the date of conception and the ONS then require 3 months to compile the conception statistics). There has been a downward trend for this indicator since early 2009. The Council and its partners aim to reach a target of 35.00 per 1000 population by 2013 and we remain on track to deliver this target.	Children and Young People
(ex) NI125/2B	Proportion of older people (65+) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services	Bigger is Better	85%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Adult Social Care
L6	Number of extra care housing units in the borough	Bigger is Better	216	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Housing and Public Protection
R9	% of residents that give up their time to volunteer (YCYS survey)	Bigger is Better	Not yet set	Annual	Annual	Annual	NA	This is an annual indicator and is currently under development. It has been included for information purposes only.	Customer Services
D3.1	Prevalence of healthy weight in 4-5 and 10-11 year olds	Bigger is Better	Not yet set	Annual	Annual	Annual	NA	Targets to be agreed by the Health and Wellbeing Board as part of a wider set of measures for 2012/13 in preparation for when the Public Health Outcomes Framework becomes statutory in April 2013.	Public Health
PH1	Adult smoking prevalence	Smaller is Better	Not yet set	Annual	Annual	Annual	NA		
D5.4	Percentage of eligible population who receive an NHS health check	Bigger is Better	Not yet set	Annual	Annual	Annual	NA		

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
D3.5	Percentage of adults who are physically active	Bigger is Better	Not yet set	Annual	Annual	Annual	NA		
PH2	Difference in life expectancy at birth between the wards with the highest and lowest life expectancy	Smaller is Better	Not yet set	Annual	Annual	Annual	NA		
PH3	Acute admission as a result of falls or falls injuries for over 65	Smaller is Better	Not yet set	Annual	Annual	Annual	NA		
PH4	Percentage of 13 year old girls who are vaccinated against HPV	Bigger is Better	Not yet set	Annual	Annual	Annual	NA		
PH5	Percentage of mothers initiating breast feeding	Bigger is Better	Not yet set	Annual	Annual	Annual	NA		

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Value - to deliver high customer satisfaction and a stable council tax

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
CS4	Speed of processing changes in circumstances of HB/CTB claimants (days) (LAPS indicator)	Smaller is Better	12 days	12 days	22.70 days	16.83 days	↓	<p>The current economic climate and changes to the way the DWP notifies the Council of new HB/CTB claims and changing circumstances has resulted in increased volumes, which combined with a reduction in Government funding has made it difficult to achieve the target. In addition, the number of people applying for benefits has risen substantially with the introduction of a new electronic claim form.</p> <p>Corrective Action Additional resources have been secured to clear the backlog of claims. However, it is estimated the impact of these actions will not be reflected in performance figures until Quarter 3.</p>	Customer Services
CS3	Speed of processing new HB/CTB claims (days) (NEW) (LAPS indicator)	Smaller is Better	19 days	19 days	31.78 days	23.25 days	↓	<p>The current economic climate and changes to the way the DWP notifies the Council of new HB/CTB claims and changing circumstances has resulted in increased volumes, which combined with a reduction in</p>	Customer Services

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
								<p>Government funding has made it difficult to achieve the target. In addition, the number of people applying for benefits has risen substantially with the introduction of a new electronic claim form.</p> <p>Corrective Action</p> <p>Additional resources have been secured to clear the backlog of claims. However, it is estimated the impact of these actions will not be reflected in performance figures until Quarter 3.</p>	
CS10	% of Member/MP enquiries completed within 10 days	Bigger is Better	90%	90%	83.15%	84.8%	↓	<p>Although performance is worse than this time last year, significantly more Member/MP enquiries were logged this quarter (831) than in Quarter 1 2011/12 (592). A large proportion of these enquiries are related to Housing as a result of the benefit reforms, rather than an enquiry about the service.</p> <p>Corrective Action</p> <p>Complaint owners will be reminded to respond to enquiries within the required timescales. Additional resources will also be put in place in those services where the number of enquiries has increased to improve performance.</p>	Customer Services
CS7	% of corporate complaints completed within 10 days	Bigger is Better	90%	90%	73.91%	70.5%	↑	<p>Although more complaints were logged this quarter (276) compared to Quarter 1 2011/12 (176) performance has improved. A large proportion of these complaints are related to Housing as a result of the benefit reforms, rather than a complaint about the service.</p> <p>Corrective Action</p> <p>Complaint owners will be reminded to respond to complaints within the required timescales. Additional resources will also be put in place in those services where the number of enquiries has increased to improve performance.</p>	Customer Services

Ref.	Indicator	Value	2012/13 Annual Target	2012/13 Q1 Target	2012/13 Q1 Performance	2011/12 Q1 Performance	DoT	Comments	Service
(ex) NI014	% Avoidable contact	Smaller is Better	8%	8%	3%	2.5%	↓	Avoidable contact is defined as contact that adds no value for the customer, is duplicative or is caused by failures in the Council's business processes, e.g. when we fail to provide our customers with the right and/or appropriate information first time around causing the customer to contact us again. This quarter our performance remains better than target.	Customer Services
CS1	% of council tax collected (LAPS indicator)	Bigger is Better	97%	27.70%	30.70%	30.98%	↓	Performance is better than target this quarter, although slightly worse than Quarter 1 2011/12.	Customer Services
ISS10	% of suppliers paid within 30 days of receipt, by Transactional Team, by invoice	Bigger is Better	97%	97%	98%	91%	↑	Performance is better than target and has improved by 7% compared to Quarter 1 2011/2. To maintain this standard the service is reliant on services promptly complying with corporate processes.	Internal Shared Services
CS21	% Customer satisfaction with the call centre	Bigger is Better	80%	80%	86%	New PI	NA	Ensuring customer satisfaction is a high priority for the Council. Performance is better than target for Quarter 1. This is a new indicator for 2012/13, therefore no DoT has been provided.	Customer Services
CI1	Sickness absence rate per annum per employee (days) (LAPS indicator)	Smaller is Better	7.6 days	7.6 days	Not yet available	Not yet available	NA	The data for this indicator is still being checked and will not be available until the first week in September.	Internal Shared Services
CI7	Maintain spend within budget (including delivery of savings targets within budget)	-	Council delivers its services within the agreed annual budget	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Corporate
AM2	Delivery of capital projects on time and budget	-	85% within 5% +/- parameter	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Asset Management
CI11	% of residents who feel informed about what the Council does (YCYS survey)	Bigger is Better	46%	Annual	Annual	Annual	NA	This is an annual indicator. It has been included for information purposes only.	Corporate

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CABINET

REPORT

26 September 2012

Subject Heading:

Draft Annual Report 2011/12

Cabinet Member:

Councillor Michael White

CMT Lead:

Cynthia Griffin

Report Author and contact details:

Claire Thompson, Corporate Policy & Community Manager,
claire.thompson@havering.gov.uk
01708 431003

Policy context:

The Annual Report provides information on the Council's progress towards achieving the Living Ambition goals in 2011/12 as set out in the Corporate Plan. The Annual Report outlines the activities that have taken place in 2011/12 in the context of the 2011/12 budget.

Financial summary:

Is this a Key Decision?

No

Is this a Strategic Decision?

No

When should this matter be reviewed?

Annually

Reviewing OSC:

Value

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	[X]
Championing education and learning for all	[X]
Providing economic, social and cultural activity in thriving towns and villages	[X]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[X]

SUMMARY

The purpose of the Annual Report 2011/12 (attached as a draft) is to provide information to the public, partners and staff on the Council's performance and progress towards achieving the Living Ambition goals and objectives, as set out in the Corporate Plan 2011-14. It is also an opportunity to promote the Council's key projects and achievements in 2011-12.

The Annual Report has a similar structure to the Corporate Plan, with a chapter on each corporate goal and a list of performance indicators at the end. Each chapter lists the key achievements in that area, followed by case studies on a particular project/achievement. Where a performance indicator is relevant, it has also been included in this section (as well as listed at the end of the document).

It is proposed that the Annual Report is published as an electronic resource to keep costs to a minimum. Copies will only be printed upon request.

RECOMMENDATIONS

Members are asked to approve the Annual Report 2011/12 for publication on the Council's website, under the Living Ambition page.

REPORT DETAIL

The draft Annual Report 2011/12 is attached as Appendix 1.

REASONS AND OPTIONS

Reasons for the decision: To give Cabinet Members the opportunity to receive and review the draft Annual Report 2011/12 and to approve its publication on the Council's website.

Other options considered: N/A

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications arising from this report.

Whilst the Annual Report 2011/12 provides brief information on the Council's Statement of Accounts for 2011/12, this information will be available separately on the Council's website in late September.

Legal implications and risks:

Whilst the Annual Report is not a statutory requirement, it is considered best practice to make performance information available to the public and to illustrate how the Council's money is spent. The report also provides assurance that the Council is delivering the Corporate Plan, and reaffirms the Council's goals and objectives.

Human Resources implications and risks:

There are no specific Human Resources implications.

Equalities implications and risks:

There are no specific equalities or social inclusion risks associated with this report.

Where relevant, the individual projects within the Corporate Plan have been assessed for equality implications separately, to ensure the Council maintains its statutory obligations under the Equality Act 2010.

Many of the achievements listed in the Annual Report illustrate how the Council targets services at vulnerable residents who are most in need of support, ensuring that the Council is actively working to reduce inequality in Havering.

The Annual Report will be produced in alternative format on request.

BACKGROUND PAPERS

The Corporate Plan is available on the Living Ambition page on the Havering Council website at: <http://www.havering.gov.uk/Pages/Campaigns/living-ambition-our-20-year-vision.aspx>

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Annual Report

2011-12



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Getting Information in your language or another format

This is Havering Council's Annual Report 2011-12 which outlines the key achievements and progress made towards delivering the Council's vision and corporate goals during the year. If you would like to get this document in your language or in another format (large print, Braille, audiotape or easy read), please contact the Corporate Policy and Partnerships Team at corporatpolicy@haverling.gov.uk or on 01708 434343.

Welcome to our Annual Report 2011/12



Cllr Michael White,
Leader of the Council



Cheryl Coppel,
Chief Executive

This year has been a testing time for Havering. However, despite the backdrop of economic challenge, we have made significant progress towards achieving our goals.

This report highlights some key examples of the work we have been doing over the past 12 months. All this has been achieved in a context of considerable change and transition, which has transformed the way we work, becoming a more efficient and innovative council to protect our front-line services.

In the face of the financial doom and gloom, we have achieved a great deal in the past year, from completing brand new community facilities such as the myplace centre in Harold Hill, to delivering more affordable and decent homes. We have opened CarePoint, a one stop shop in Romford for people looking for information about adult health and social care, and we have re-designed the way in which older and vulnerable people receive social care services from the Council, with the overall aim of enabling people to retain their independence for as long as possible. This has included giving people more control over their care packages and making adaptations to enable them to live at home, rather than in residential care.

And our achievements have not gone unnoticed, with a number of Council schemes and initiatives receiving national awards, highlighted throughout this report under 'Award Success'. The Banking Protocol, a public/private partnership initiative between the Council, local banks and charities, was even featured in a new BBC crime show. All this, along with the continued provision of high quality front-line services, is testament to the hard work of staff and partners who have pulled together at this challenging time to deliver for our communities.

We have had a lot to celebrate in 2012 from the Royal Wedding to the Diamond Jubilee, and the party spirit continued with the Olympic and Paralympic Games being held just down the road in Stratford. This has also brought the opportunity to showcase our borough; the new Visitor Centre in Romford town centre promotes the borough to newcomers and residents alike, providing information on our top attractions and helping to put Havering on the map.

Financially, we have been able to achieve our projected efficiency target this year of £11.4 million, with an additional £300k of future years' savings delivered early. Ways that this has been delivered include a corporate review of office accommodation, which resulted in the vacation of a Council building, Scimitar House, saving £1 million per year. We also reduced bureaucracy within the Council and centralised our transactional support services into a 'shared services' model, saving £1.5 million in 2011-12, with a further £1 million due in 2012-13. Despite the financial climate, we have also been able to invest in technologies to improve services, such as the new telephone system that provides the option for customers to self-serve for most enquiries, and the Council's website that enables more people to interact with us online. Improvements that enable customers to help themselves will also help us to become more efficient and deliver further savings over coming years.

With a strong focus on our residents' priorities, and working with our partners and local communities, we are confident in our ability to deliver our vision; a better quality of life for residents now and in the future.

Our Living ambition *for a better quality of life*

The London Borough of Havering is situated in the North East of London and is home to around 237,000 people. At around 40 square miles, it is one of the largest boroughs in Greater London. A breadth of data, information and research about the borough can be found on our Data Intelligence Hub at www.haveringdata.net

In 2008 the Council launched Living Ambition, a long-term strategy to improve still further the quality of life enjoyed by Havering residents. The vision of our Living Ambition is that:

"Havering residents enjoy the highest possible quality of life, in a borough that thrives on its links to the heart of the Capital, without ever losing the natural environment, historic identity and local way of life that makes Havering unique."

Underpinning our vision are five goals:



Environment

to ensure a clean, safe and green borough



Towns and Communities

to provide economic, social and cultural opportunities in thriving towns and villages



Value

to deliver high customer satisfaction and a stable Council Tax



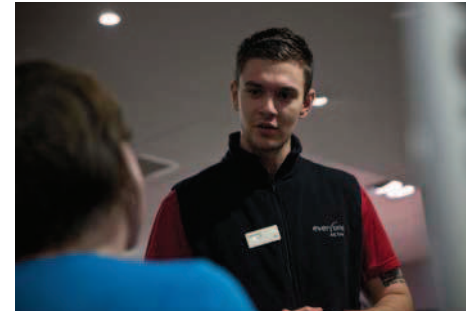
Learning

to champion education and learning for all



Individuals

to value and enhance the lives of our residents



Since we launched our Living Ambition in 2008, Government action to cut the deficit has meant councils have much less money to spend, and the relationship between public services and local communities is changing. In response to this, the Council introduced Havering 2014, a programme to deliver the Living Ambition in a more efficient and focused way, whilst remaining fair to the people who rely on the Council's support. This transformation is making a real difference to the way the Council works, whilst ensuring the best outcomes for local people.

The activities the Council is undertaking to achieve our Living Ambition and five goals are outlined in our Corporate Plan 2011-14 which is being used to deliver our priorities for the borough over the next three years. This Annual Report sets out our key achievements and activities that have taken place in 2011-12.

Environment - to ensure a clean, safe and green borough

Making the borough a cleaner, greener and a safer place to be is one of our key goals. In 2011-12, we made significant progress towards achieving this by working with partner organisations and the local community.

'Environment' highlights in 2011-12

- The scheme 'Caught Out Keep Out' was launched to reduce the number of underage drinking, which often leads to drunkenness and disorder. The Council and the Metropolitan Police reached an agreement with local licensees to ban any teenagers caught attempting to use fake ID in order to drink under age from Romford's pubs and clubs until they are 19. Failure to comply is an offence.
- 295 people have been issued a preliminary banning notice under the 'Banned From One, Banned From All' scheme that prevents disorderly individuals from entering pubs and clubs that are part of the Safe and Sound Premises- a town centre 'pub watch' group.
- A new Council information shop, managed by volunteers from the Briar Residents Action Group (BRAG) as part of the Harold Hill Ambitions Project was opened in December. The shop aims to encourage a stronger relationship between the estate's 1,200 residents, the Council



and other local agencies, by acting as a single point of contact providing services and advice.

- To promote waste reduction, the Council used funding from the Waste and Resources Action Programme (WRAP) for a Love Food Hate Waste campaign, in the form of training and free cookery workshops for residents between September and March. The workshops, which were held with the help of two professional chefs, proved to be very popular and helped residents cook more frugally, reducing the amount of food thrown away.

- Graffiti incidents have reduced by more than 30% over the last year. This is due to the Enforcement team and the StreetCare Graffiti team proactively targeting problem areas and clearing reported incidents as quickly as possible, discouraging graffiti "walls" to develop.
- Projects at Cranham Brickfields and Cranham Marsh have transformed the local nature reserves, making them attractive and interesting places for local residents to visit. Funding from Veolia Havering Riverside Trust, the Environment Agency and the Council was used to improve access and conservation at the sites, as well as install interpretative panels by local artists and sculptors.



- As part of Havering's Biking Borough's Strategy, a number of new secure cycle facilities have been provided throughout the borough, working with local businesses, residents and Homes in Havering (HiH). In addition, cycle training, advice on locking techniques and free cycle marking/tagging by the police has taken place throughout the year.

Environment

- The new Parks Protection Service and changes to the parks locking-up procedure ensures that park visitors feel safe. The team is comprised of experienced enforcement officers equipped with motorbikes, a four-wheel drive Ford Ranger and quad bikes, enabling them to respond quickly to any problems that arise. In 2012, the team targeted motorcycle riding in the parks and successfully eliminated this over the course of eight months. Football training is now controlled and monitored through a Football Association backed scheme, ensuring the safety of all participating children.

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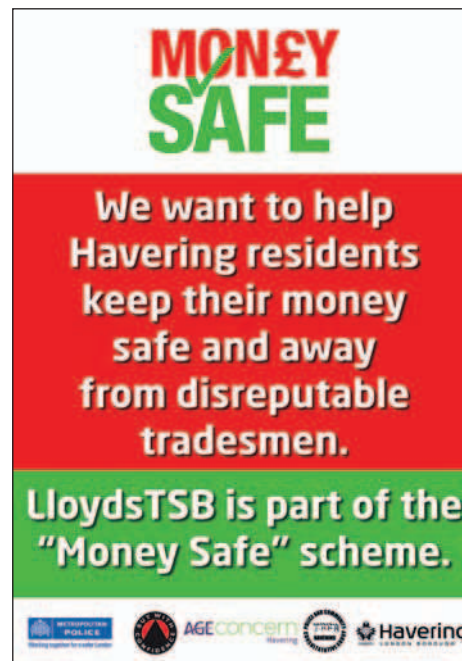


The Banking Protocol

The Council works with various partners to help keep Havering one of the safest boroughs in London. The Banking Protocol was developed by the Council in partnership with local banks, the Metropolitan Police, Community Police Consultative Group and Age Concern to enable bank staff to tactfully intervene when older and vulnerable customers seek to withdraw unusually large sums of cash.

The idea for the scheme emerged after several local people were pressured to withdraw their savings by bogus builders, including one elderly Havering man who had £10,000 taken from his account after being driven to the bank twice by conmen. They'd promised to do some work on his house, but never did.

To date, 17 banks have signed up to the Banking Protocol in Romford, Upminster, Elm Park, Hornchurch and Harold Hill. More than 16 cases of victimisation have been brought to the attention of partners prior to and during implementation of the scheme and, since the protocol has been in place, partners have successfully prevented more than £56,000 from being withdrawn.



Initiatives such as the Banking Protocol are helping keep crime in the borough to a minimum. This year we were successful in achieving our crime reduction target.

Award Success

The Banking Protocol was 'highly commended' in the Public/Private Partnership category at The MJ Achievement Awards in June 2012 and won the Public/Private Partnership category at the Association for Public Service Excellence (APSE) Awards in September 2012. The initiative also received national recognition, being featured in a new BBC crime show 'Doorstep Crime 999'.



Indicator	Value	Target for 2011/12	Outturn for 2011/12
The overall crime rate in the borough (per 1,000 population)	Smaller is better	73.7 (17,399 crimes)	73.6 (17,377 crimes)

Environment

Improving Energy Efficiency

The Council works hard to reduce its energy use and contribution to carbon dioxide (CO₂) emissions in Havering. This "carbon footprint" is produced largely through the Council's use of energy for heating and powering buildings, street lighting and employee travel during work. The approach to reducing our carbon footprint is not to reduce our provision of services, but to identify actions and measures that will allow the Council to become more efficient in its use of energy. In as much as the Council strives for financial efficiency and cost-effectiveness to demonstrate good performance, the

Council must also aim for the most efficient use of natural resources (e.g. energy, water, reduction of waste) to demonstrate value-for-money.

In 2011-12 the Council undertook many schemes and initiatives to make more efficient use of its energy. The lights in Angel Way, Como Street and Rex Close car parks and the subways throughout the town have been replaced with LED bulbs, improving the lighting of these areas, whilst reducing the energy consumed. Efficient lighting has been introduced throughout the Council's offices and better management controls put in for our heating systems.

To help Havering residents reduce their energy bills as part of the Decent Homes Programme, which requires all Council housing stock to be warm, weatherproof and have reasonably modern facilities, many Council homes in the borough have had cavity wall and loft insulation installed. The Council has been very successful in securing funding for residents of all tenures to gain free or discounted insulation and heating improvements. Whilst saving energy and improving comfort for residents, these measures help to reduce household energy bills by approximately £100 per year (depending on the measures installed).

Initiatives such as these are helping the Council reduce the greenhouse gases we emit through our buildings and operations.

myplace

Designed as a zero carbon building and constructed using sustainable materials, myplace in Harold Hill is Havering's greenest building. To achieve carbon neutrality, and an Energy Performance Certificate (EPC) rating of A+, the building utilises a 33.5kW Photovoltaic (PV) array to generate power and a gas-condensing boiler for space heating. Over 30 tonnes of CO₂ will be saved each year compared to a building constructed to meet the 2006 Building Regulations.

The Your Council Your Say survey revealed residents had high levels of satisfaction with rubbish collection (85%), doorstep recycling (83%), the local tip (79%) and parks (76%)

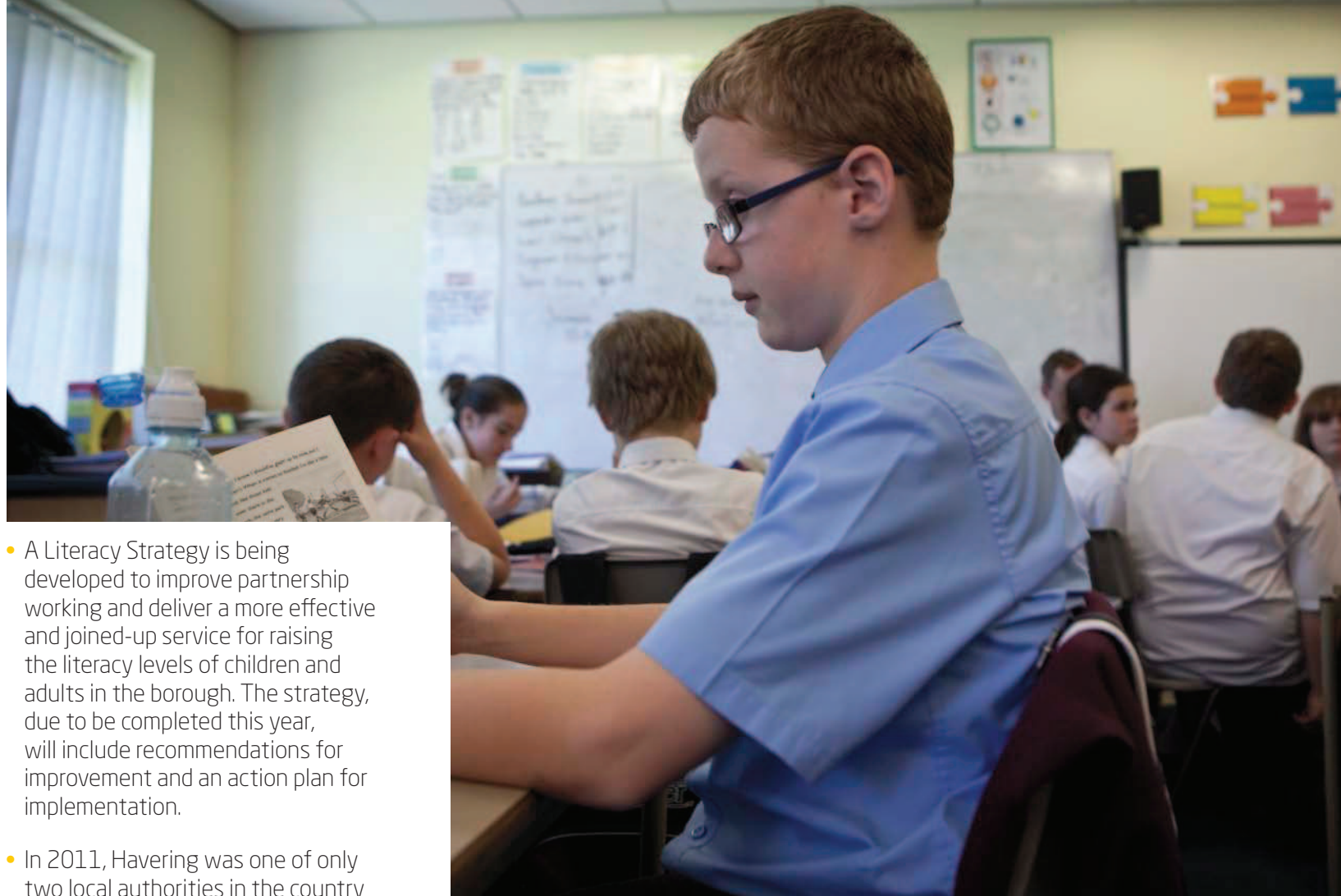
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Indicator	Value	Target for 2011/12	Outturn for 2011/12
Greenhouse gas emissions from local authority own estate and operations	Smaller is better	29,940 tonnes	25,700 tonnes

Learning - to champion education and learning for all

Working with our partners, the Council has undertaken a number of initiatives and projects to help provide first class educational opportunities for all and reduce unemployment throughout the borough.



'Learning' highlights in 2011-12

- An assessment of the statutory provision of sufficient places for all three and four-year-olds to access free Early Education Entitlement in April 2011 found that there were insufficient places borough-wide. The Council is currently running pilot schemes in preparation for September 2013, when the authority will have a duty to provide Early Education Entitlement for qualifying two-year-olds.
- The places for Early Education Entitlement are provided by a range of 'settings', including Childminders. In the 2011-12 the Ofsted inspection rating for these settings rated 'good or above' increased from 71% to 73%, above the national figure of 68%.
- A Literacy Strategy is being developed to improve partnership working and deliver a more effective and joined-up service for raising the literacy levels of children and adults in the borough. The strategy, due to be completed this year, will include recommendations for improvement and an action plan for implementation.
- In 2011, Havering was one of only two local authorities in the country to have no schools performing below the Government's floor standards at Key Stage 2 (end of primary) and Key Stage 4/GCSE (end of secondary). Havering also has significantly fewer schools as a proportion graded 'satisfactory or below' than is found nationally and proportionally more judged to be 'good or outstanding'.

The table shows the differences as of May 2012:

	Satisfactory or Below	Good or Better	Outstanding
Primary: National	45%	55%	8%
Primary: Havering	22%	78%	19%
Secondary: National	48%	52%	14%
Secondary: Havering	35%	65%	12%
All: National	44%	57%	11%
All: Havering	27%	73%	17%

Learning

- In November, a new skills academy opened in Romford that provides a state-of-the-art facility for people who wish to improve their job skills and employment prospects and for employers who want to train and invest in their staff. Managed by Havering College of Further and Higher Education in partnership with the Council, the academy will also assist job-seekers referred by Jobcentre Plus, helping them to become better trained and gain the skills they need to find a job.
- As part of the 'Learn Longer for a Better Future' campaign to ensure secondary school pupils are aware of the opportunities open to them when they leave school, a number of roadshows and information events have taken place in the borough. In total, over 5,000 students and 500 parents attended these events. In addition, Prospects, which provides advice and guidance to young people to prepare them for their working life, visited every secondary school to talk to the pupils who are among the first to be affected, about the change and what it means to them. The campaign is in line with government plans to raise the age of participation in education to 17 from 2013 and to 18 from 2015 with the aim of helping young people reach their full potential and not become unemployed.



- For the second year running, a borough-wide '14-19 Curriculum Map' has been produced for students, which sets out the qualification and apprenticeship opportunities available to young people. The map has been distributed to all schools and colleges in the borough and has been well received.
- A targeting toolkit has been developed and piloted with six schools to help identify those 14 to 19-year-olds at risk of disengaging with education and training opportunities and to boost post-16 participation levels. Training on the toolkit will be provided to all schools in July so that it can be used in the 2012-13 academic year.
- The Library service has made a number of resources available to residents, including 'Zinio', a free online magazine service and 'Universal Class' a new online learning resource, which has over 300 free online courses in a range of subjects. In addition, a number of new language courses have been launched.
- Havering Music School provides a range of opportunities for children in the borough to learn how to play musical instruments, to sing and to perform in a wide range of ensembles, in line with the Government's ambitions for music education. Graded music examinations have seen high levels of success this year with very positive remarks from external examiners and more students have been involved in infant and junior Annual Vocal Festivals than in

previous years. In addition, students from the school have performed at many prestigious events, including concert performances at Trafalgar Square with the London Symphony Orchestra, and performances at Cadogan Hall and the South Bank Centre with the London Chamber Orchestra.

In addition, the Music School's bid to Arts Council England to be a Music Education Hub Leader for Havering was successful and from September 2012, the school will be encouraging partners to come together to create joined-up music education provision for children and young people and ensure that every child aged 5-18 has the opportunity to sing and learn a musical instrument, to progress to the next level, and play with other children as part of an ensemble or choir.



Learning

Increasing Apprenticeship Opportunities

In partnership with the Teaching and Learning Group, the Council through the Adult College is developing a local Apprenticeship Training Agency (ATA). This new scheme will support the delivery of a high quality apprenticeship programme which will focus on developing apprenticeship opportunities with smaller employers and local priority sectors that may not otherwise choose or be able to recruit apprentices. Local employers interested in the scheme will be able to work with the ATA to develop apprenticeship placements and the ATA will recruit apprentices to fill the placement vacancies. It is hoped that the scheme will also resolve the gaps in current apprenticeship provision, based on local and national priorities.

The ATA will build on the existing promotion of apprenticeship opportunities through organisations such as Prospects who provide career advice and support for young people and adults.



Indicator	Value	Target for 2011/12	Outturn for 2011/12
The number of apprentices recruited in the borough	Bigger is better	460	320 (Quarter 2 figure, 2011/12 Academic Year)
The percentage of 16-19 year olds (school years 12-14) who are not in education, employment or training	Smaller is better	N/A	19%

Award Success

Two of the borough's new schools were winners at the British Council for School Environments (BCSE) Annual Awards in June 2012. Elm Park Primary School in Hornchurch and Hylands Primary School in Romford split the judges over which most deserved to win in the Excellence in Design - new build (primary) category - so both were given the top honour. Elm Park and Hylands are the first new schools opened in the borough for more than 30 years.



Towns and Communities - to provide economic, social and cultural opportunities in thriving towns and villages

We have made significant progress towards achieving this goal in 2011-12, with more affordable and good standard homes provided for local people, promotion of our retail centres and cultural facilities and the delivery of our regeneration programmes.

'Towns and Communities' highlights in 2011-12:

- The Council has completed a number of housing developments, providing the borough with more affordable homes. These include Kingfisher Court in Romford, in partnership with East Thames Group; the Clockhouse development in Collier Row, in partnership with Estuary Housing Association; and Elmhurst Drive in Hornchurch, in partnership with Family Mosaic. The schemes consist of housing for both social rent and shared ownership.
- Rainham Hall Gardens were completed in December as part of the Rainham Compass regeneration programme. The Mayor of London, Boris Johnson, accompanied the Leader to an event to mark the completion of the project to restore the gardens to their former glory. Funded through the London Development Agency and Veolia Haverling Riverside Trust, the work involved recreating the original fruit orchards, creating one of the largest in London, installing a maze in the shape of sailing knots, new decorative railings, stone urns and benches and a shrubbery walk. In addition, the soon-to-be completed elevated walkway which leads from Rainham Station down on to the rich environment of Rainham Marshes is set to put Rainham on the tourist map and give more local people the chance to enjoy one of the most impressive natural landscapes in London.
- Haverling Visitor Centre has opened for business in Romford town centre. Serving as a one-stop reference point for people who want to visit some of Haverling's attractions, especially during the London 2012 Olympic and Paralympic Games, the Centre will also act as an information point for people to find the best deals on food and entertainment, specials from local businesses and offer travel advice from TfL. A 72-page guide to the borough, 'Discover Haverling' has been published by the Council, promoting the borough to both first-time visitors and residents who might want to find out more about where they live. The guide is available in the Visitor Centre and in libraries



- throughout the borough.
- Properties in Waterloo Gardens, Romford were amongst some of the housing that underwent major work this year to ensure properties are brought up to the 'decent' homes standard. Homes in Haverling (HiH) and the Council teamed up with Climate Energy, to complete the £1.1 million project which was part-funded by the Social Housing Energy Saving Programme (SHESP).
- In August, the popular Haverling Show took place at Harrow Lodge Park and in November, approximately 6,000 people attended the Christmas lights switch-on in Romford marketplace, which was headlined by X Factor finalists 2 Shoes and children's favourites the ZingZillas. Other events included the Armed Forces Day Parade, where thousands of people lined the streets of Romford and in November, Haverling experienced one of the biggest ever turnouts for Remembrance Sunday at various memorials throughout the borough.
- The borough celebrated Her Majesty's Diamond Jubilee in style through a number of special events, from a Jubilee-themed Romfest to a Fun Run and Sports Festival. The grand finale was a concert at Langtons House, which included a performance from the Westminster Philharmonic Orchestra. In addition, permission was granted for nearly 100 street parties across the borough.
- The London 2012 Olympic Torch Relay brought out around 150,000 residents to cheer on the 44 torch bearers as they ran along the 7.2 mile leg of the relay through Haverling. There were 104 local community volunteers participating on the day keeping residents safe and informed, and ensuring everyone had a good time. The event was brought together by teams from Culture and Leisure, Streetcare, Emergency Planning and Communications.

Towns and Communities

- Havering's Culture Strategy has been developed in consultation with a wide range of internal and external partners, providing a vision for what will be achieved by 2014 and bringing together a range of sub strategies which will also be launched this year.
- The Community Chest grants pot has given out £100,000 in small grants over the last 12 months. The scheme allocates small injections of cash to grassroots community groups, such as the Havering Neighborhood Watch Association; the 3rd Upminster Poots; Add Up and a number of local sports clubs. These groups provide activities that benefit hundreds of local people and really make a difference to the quality of life in Havering.
- The borough maintained eight parks with Green Flag status and is on track to receive a ninth with the restoration of Raphael Park, which has received funding from the Heritage Lottery Fund and Veolia ES Cleanaway Havering Riverside Trust. Works to improve the park are due to start in October 2012.

- Conservation area appraisals and management plans were consulted upon and agreed for St Andrews and Langtons conservation areas in Hornchurch.
- Romford Contemporary Arts programme offers an exploratory approach to limiting the visual impact of empty retail units in the town centre by providing space for contemporary artists to display original work. It also provides for a series of pop-up exhibitions by young contemporary artists in Romford market and has been selected by London Councils as an exemplary model of good practice. The programme links in with Romford Arts Trail, a two-week event, held over the summer, of exhibitions in temporary spaces in and around Romford.

Romford Leisure Centre agreement is signed!

As part of the ongoing regeneration of the town, the development of a new leisure centre in Romford was confirmed in May after a multi-million pound deal with Wm Morrisons Supermarkets plc was announced. Due to open in 2015, the development will have a new competition size ice rink, an eight lane swimming pool with changeable floor depths, training pool, state-of-the-art fitness suite, spa facilities and a destination restaurant.

With something for everyone, the new Leisure Centre will enhance the borough's leisure offer, whilst also creating approximately 300 jobs for local people and 65 new residential units.

myplace

A new community facility called myplace was opened in June, following consultation with residents as part of the Harold Hill Ambitions Programme, which aims to regenerate the area. Funded by a £4.7 million grant from the Big Lottery Fund, along with contributions from the Council and Veolia Havering Riverside Trust, the centre is a community facility that is predominantly aimed at young people. The caterpillar-shaped building includes a dance and music performance space, a recording studio, bike workshop, café, art and meeting rooms, a computer suite and counselling, health and information services. There is also space to hire for community groups and local businesses.



The impressive development hosted BBC *Question Time* in April 2012, and has received a lot of interest as Havering's first zero carbon building. Energy efficient features include natural ventilation, day lighting, high levels of insulation and solar panels. A youth board made up of local young people worked closely with architects to ensure it was what they wanted.

The building was opened by the former Government Minister Tim Loughton MP who praised myplace as an "iconic facility". The former Parliamentary Under-Secretary-of-State for Children and Families toured the centre and saw first-hand the benefits it will provide the local community, and the wider population of Havering.



Towns and Communities

Providing 'decent' and affordable homes

Throughout the year a number of housing developments have been completed, providing the borough with new affordable homes. In addition, the Council has been working to bring a number of properties up to the Government's 'decent' homes standard, defined as being wind and weather tight, warm and having modern facilities. Both targets were achieved, as illustrated below.

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Award Success

The myplace centre, as part of the Harold Hill Ambitions Programme, has been selected as a winner for environmental best practice at the Green Apple Awards. The Awards, established in 1994, are an annual campaign to recognise, reward and promote environmental best practice around the world.

Award Success

The Council's Building Control team won the Best Social or Affordable Housing category at the London District Surveyors Association Awards. The award, which was won along with the main contractor Wilmott Dixon, was for their work on phase one of the Orchard Village housing development in Rainham. Phase two of the regeneration project is now underway, and is expected to be completed in spring 2013.

The Council and its town centre partners were winners of the 'UK's Best Town Team or Town Centre Partnership' category at the Association for Town Centre Management Awards in July, for the 'Shop Romford' campaign and associated initiatives that supported the Love Romford brand. The awards showcase best practice and high standards achieved across the UK in town centre management.

Award Success

The 2011 London In Bloom Awards saw Havering receive:

the 'Biodiversity Award' in recognition of the borough's commitment to protecting wildlife and nature in its parks and open spaces

A Gold (Outstanding) Award for Hornchurch Country Park in 'Country Park of the Year',

Silver Gilt (Very Good) for Lodge Farm Park in 'Large Park of the Year'

Silver (Good) for Langton Gardens in 'Small Park of the Year'.

Indicator	Value	Target for 2011/12	Outturn for 2011/12
The percentage of decent Council homes	Bigger is better	39.2%	40.1%
The number of affordable homes delivered	Bigger is better	250	426



Individuals - to value and enhance the lives of our residents

The Council is working hard to enable vulnerable adults to be independent for as long as possible through a number of preventative initiatives and projects. This preventative approach is central to the Council's work to safeguard children and families.



'Individuals' highlights in 2011-12

- The Havering Children's Trust is leading the way in effective prevention and intervention services with the establishment of the Multi Agency Safeguarding Hub (MASH), due to be launched with key partners in summer 2012. The MASH will improve the quality of information sharing and decision making when potential safeguarding concerns are identified, helping to ensure safeguarding interventions are timely, proportionate and necessary.
- School children from Hilldene Primary School dressed in yellow to launch 'Fostering Fortnight' in May 2012 and to show their support for children in care. In addition, two information events were held for anyone who was considering fostering, explaining the benefits for both the child and carer.

- Throughout 2011, the Council helped to establish the Havering User-Led Organisation (HULO) consortium to support the work of user-led organisations and service users in the implementation of personalised care, giving people more choice and control over their care arrangements so that they best suit their specific needs. Consisting of voluntary sector groups, service users and representatives from the Council, HULO provides a forum where members can share their ideas, experiences, and resources to help improve services.

- CarePoint was launched in February 2012, a new one-stop-shop in Romford for people looking for information about adult health and social care in Havering. Supported by the Council, Care Point is an independent service delivered by a consortium of local voluntary groups. In addition to the shop, the new Care Point website helps people find the information they need more easily, guiding users through a step by step process on-screen and signposting them to the most appropriate provider, agency or service for their specific needs.
- The number of teenage conceptions decreased by 46.9% in 2010-11

(2011-12 data is not available because of the time it takes to collate the data) and is currently at its lowest level since the 1990s. This is the fastest reduction in London and continues the downward trend in Havering for this indicator since 2009.

- Havering's Breastfeeding Friendly Scheme, a project which aims to help mums identify places that welcome breastfeeding when out and about in public, has been recognised by the Centre for Excellence and Outcomes in Children and Young People's Services (C4EO) as good practice. The initiative encourages local businesses and partners to join the scheme

Individuals

and display a sticker, showing the 'Supporting Breastfeeding in Havering' logo, in their window to indicate mothers using the venue are welcome to breastfeed.

- As part of a project to target support for the borough's most troubled families, a cross-public sector exercise has been undertaken to identify the families that the Council and other agencies have the most contact with. Over three years and focusing on a cohort of 415 of these families, the Council and its partners will work to ensure intervention is more targeted and streamlined.



- A free Community Falls Exercise programme and a Falls Prevention Outreach Service have been launched by the Council and North East London NHS Foundation Trust. Aimed at those residents most at risk of falling and injuring themselves, the new programme includes Falls Management Exercise (FAME) and Tai-Chi for balance and is open to

all residents, including those not registered with a doctor. The new outreach service helps residents in care and nursing homes and users of the telecare alarm system by providing help and access to services based on individual needs.

- Working with NHS Havering and Sports and Leisure Management (SLM) Limited, a health and physical activity programme is being delivered across the borough to increase participation levels in physical activity and improve wellbeing. To date, over 440 people have attended activity and dance classes and over 300 people have taken part in a walks programme. There are many projects up and running, including beginner badminton lessons, men's football league, zumba gold, yoga taster and belly dance classes.
- We have reviewed our provision of day opportunities for people with a learning disability in order to ensure we are providing flexible, varied, meaningful and stimulating activities that are centred on the individual. The service is now more integrated with the community and other local provision so that clients can have flexibility and review their choices regularly rather than having to be 'locked in' to services that have to continue for months or even years. In addition, Nason Waters Day Centre in Rainham has been renovated to

create an environment that is tailored to clients' needs by creating new activity rooms, upgraded toilet facilities, a training kitchen and more computers.

- Working with voluntary, community and faith groups, the Council has begun to scope the project 'Activate Havering', which will co-ordinate the approach to preventative services and build on the already vibrant voluntary sector and wide range of community activity in the borough. Due to be launched later in 2012, the project will focus on low level prevention and support, that is vital in identifying people with potential health and wellbeing issues at an early stage before they might formally be picked up by public services further down the 'care pathway' where more intensive statutory services are required.
- Working with partners in the NHS and voluntary sector, three new services have been commissioned to improve the lives of residents with dementia and their carers. These include: a travelling information and advice surgery, allowing people the opportunity to speak confidentially



with experts in informal settings; 'Singing for the Brain' groups provided by the Alzheimer's Society, which enable people with dementia and their carers to come together in a relaxed, informal setting and explore music therapy and singing as a form of peer support; working with Crossroads Care Havering which provides respite opportunities for those caring for people with high-end dementia needs.

Individuals

- The Council continues to work closely with health colleagues in preparation for the transfer of Public Health functions from Primary Care Trusts to Local Government in April 2013. The multi-agency Health and Wellbeing Board is already making firm plans to ensure the transition is a successful one.
- A new Health and Wellbeing Strategy has been drafted as required by the 2012 Health and Social Care Act. Improving wellbeing is a national priority, and one we are working hard to achieve in Havering. By improving our residents' wellbeing, we can reduce health issues, improve quality of life and the quality of our health services. The Health and Wellbeing Strategy will allow colleagues from the NHS, Council, voluntary and community groups and residents to be involved in improving health and wellbeing across Havering.
- In addition, three new chapters of the Joint Strategic Needs Assessment (JSNA) have been developed to support the Health and Wellbeing Strategy. These chapters focus on the needs of vulnerable adults and older people, vulnerable children and young people, and keeping people out of hospital. The actions developed from these will help us

to achieve crucial financial savings, whilst also enabling us to improve the support and care we give to our most vulnerable residents.

- Havering Libraries have signed up to the Royal National Institute of Blind People (RNIB) six-step programme to make services more accessible to blind and partially-sighted people. This includes having a dedicated "champion" providing access to large print and audio books and a strategy for provision of access technology.

Young people from Parents of Autistic Children Together (PACT) visited three of Havering's libraries to deliver autism awareness training for staff to improve service provision.
- The Arts Service has worked with Romford Autistic Group (RAGS) to promote access and health improvement for people with autism.
- 'Inclusive and Active 2' is the Sport and Physical Activity strategy for disabled people in London (co-owned by the Greater London Authority, NHS London and Interactive). Specific adapted and disability exclusive activity plays a major role in the increase of provision for disabled people. By committing to this strategy, Havering has the support of an Interactive Inclusion Officer

to help develop and implement an action plan.

Telecare

Telecare refers to assistive technologies that can help someone remain supported, safe and independent in their own home, reducing the risk of them being admitted to hospital or a care home.

Throughout the year, the Council has been working hard to promote telecare products and services through leafleting campaigns and promotional stands at Council events and shopping centres. An improved demonstration facility has been set up at Yew Tree Lodge in Romford, allowing the public to try out the telecare equipment to decide if the service is appropriate for them, and which pieces suit them best. It has received a lot of interest, not only from residents, but from other authorities who are interested in setting up a similar facility. A number of new products have been introduced, including a more user-friendly falls detector and more innovative use of newly developed GPS monitoring equipment that can support local residents with dementia to remain at



home and in the community.

The Council's Telecare Centre received national accreditation this year for the services they provide, having passed all six areas inspected by the national Telecare Services Association.

The Council measures the net number of new telecare users and was just short of achieving its annual target this year.

Indicator	Value	Target for 2011/12	Outturn for 2011/12
The number of telecare users in the borough	Bigger is better	200	190

Individuals

Helping people take control - Self Directed Support

Self Directed Support is a new way of providing social care which gives people more choice and control over their care arrangements so that it best suits their specific needs. This means they are in control of their own money to spend in the ways which help them best. It is part of a wider focus on the personalisation of care, so that residents have choice and control over

their care and the services available to them. This is key to making residents' experience of the care they receive positive and effective.

The Council has continued to make good progress in increasing the number of Social Care clients who receive Self Directed Support, exceeding our target of 45%. Working with partners, we provide information, advice and services which emphasise greater choice, independence and control.

Indicator	Value	Target for 2011/12	Outturn for 2011/12
The proportion of people using social care who receive Self Directed Support	Bigger is better	45%	45%

Reablement and Rehabilitation

Reablement is planned, short-term help for residents following a period of illness or disability to help them re-learn lost skills and build confidence. It is proven to deliver positive outcomes, helping people to live more independently in their own homes and reduce the longer-term level of care required.

Adult Social Care and local NHS services provide these in a range of ways and locations, including in peoples' homes, in hospitals and in our specifically-designed reablement housing at Royal Jubilee Court.

We were just short of achieving our target this year by 0.1%!

Indicator	Value	Target for 2011/12	Outturn for 2011/12
The percentage of adult social care clients who receive a reablement service and then return within 91 days requiring an ongoing service	Smaller is better	7.7%	7.8%



Individuals

Ofsted Results

In September 2011, Ofsted undertook their detailed announced inspection of Safeguarding and Looked After Children's services. This followed two previous unannounced inspections of front-line child protection services, which identified strengths as well as some areas for improvement.

Ofsted's assessment found that an adequate service is being provided by the Council to safeguard and look

after children. The inspectors found that no children were at risk of harm as a result of our actions and that our ambition to drive further improvement in supporting vulnerable families and in taking forward our early intervention strategy is good.

The recommendations arising from the inspection, which spanned the Council, local Health partners and the Local Safeguarding Children's Board, have been addressed and improvements implemented. In several cases, Ofsted's

recommendations reinforced our own assessment of where we needed to make improvements. There was already work planned or underway to make these improvements; the Ofsted recommendations have therefore acted as a catalyst and opportunity to focus minds on addressing a given area of business.

The overall Ofsted assessment for 2011 was that our local children's services 'perform well'.



The Council received the Gold Food for Life Catering Mark by the Soil Association in recognition of the healthy meals it is putting on the plates of the borough's school children. Havering is among the first school catering services to achieve the national award, which guarantees fresh, seasonal food is served in all school canteens, using a range of local and organic ingredients.



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Value - to deliver high customer satisfaction and a stable Council Tax

Providing efficient and effective services, whilst maximising funding for the borough is central to the Council achieving its goals. In 2011-12, significant progress has been made towards making efficiency savings and transforming the way we work.

'Value' highlights in 2011-12

- The Council was successful in achieving the projected efficiency target of £11.4 million this year, and with the early delivery of some savings, £11.7 million in total, and is on track to reduce running costs by £40 million by 2014 through delivering huge changes in the way the organisation works, whilst also protecting front-line services. At the same time, the Council has been able to cut or freeze Council Tax for the last three years, alleviating the financial strains on many households across the borough.
- A key contribution to reducing costs this year was a review of office premises, the results of which included the vacation of Scimitar House in autumn 2011. Office space in the Town Hall and Mercury House has been better utilised to accommodate the additional members of staff and in addition, a policy of 'hot desking'- where staff have no fixed desk but instead are encouraged to sit in any available space - has been introduced where possible.

- The Council has increasingly used 'Customer Insight'; the process of using data and information about our residents to better understand their needs, expectations, behaviours and experiences to target services at those most in need and communicate with residents in a more personalised way. One of the best examples of this in practice was the Over 65s Volunteer Consultation project, for which the Council attracted national recognition through the Local Government Improvement and Development (LGID)'s customer insight programme. The project was 'commended' at The MJ Achievement Awards 2012 in the Delivering Better Outcomes category.
- In June, the Council launched the Havering Data Intelligence Hub, which provides data, information and research about the borough of Havering. By hosting resources including data, analysis, surveys and reports, the Havering Data Intelligence Hub aims to benefit the local authority, its partners and the public in understanding key information about the borough.
- Information on the Council's performance is now available on the 'Living Ambition' page of the website through five reports; one for each corporate goal. The reports, updated during the financial year, include information on the Council's

key activities and also include the relevant performance figures.

- Following the success of the 'Your Council Your Say Survey', in January 2011, in which 11,700 residents responded, the Council launched the Spring Clean survey in March 2012.

Approximately 7,500 responses were received and the Council gained important feedback from residents. This information will be used to help the Council decide where and how to target resources to improve the borough.



Value

Improving Customer Service

The Council is engaged in a number of innovative projects to deliver more efficient support services and better customer service. This includes introducing new technology that is speeding up the way we work and making our processes more efficient and less costly. For example, as part of a wider Customer Service Improvement Programme, many changes have been made to make it easier for customers to communicate with us, and provide better value for money:

- In March 2011, a new Contact Centre opened which will provide a more efficient service at a reduced cost. The centre, being located next to the Public Advice and Service Centre (PASC) in the Liberty shopping centre, Romford, means that the knowledge and skills of staff can be shared between the two services.
- A new telephone system was introduced that provides the customer with the option to wait or call back if lines are busy, and informs them approximately how long the wait will be. The new system includes the option to self-serve in many cases.

- A new Customer Relationship Management (CRM) system was introduced that allows Council staff to have all of a customer's information at hand, whenever or however the customer contacts the Council.

Going forwards, the Council is looking at increasing the number of self-serve options available by, for example, introducing a number of self-service desks at the PASC and further improving the website so that

customers can access services 24/7. By increasing the number of self-serve options, Customer Service Advisors will have the flexibility to spend time answering the more complex customer queries, both over the telephone and at the PASC.



Award Success

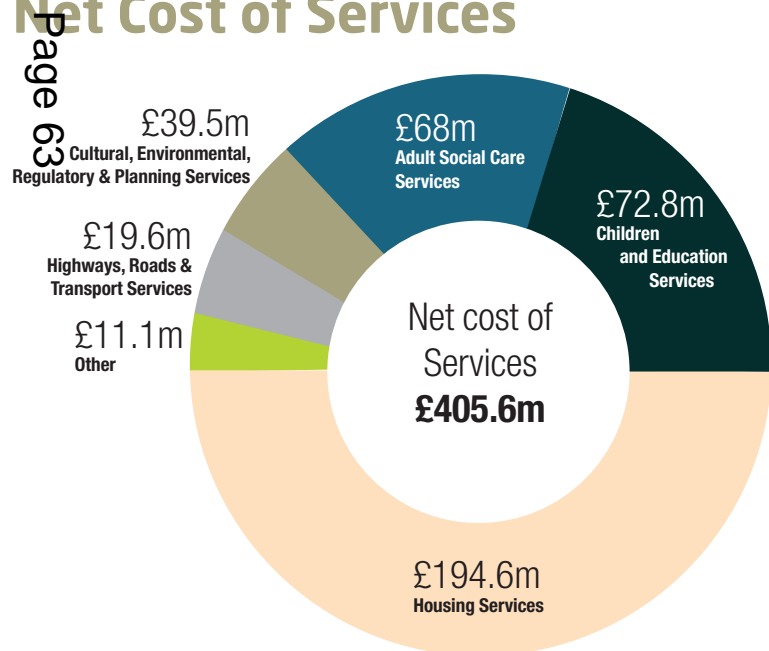
The Council is a top finalist in the Best Information Technology and Communication Initiative category at the Association for Public Service Excellence (APSE) Awards in September 2012 for its Internal Shared Services (ISS); a radical transformation of back-office processes and systems to improve the effectiveness and efficiency of the Council.

Our Finances

This section provides information from the Council's Statement of Accounts for 2011-12, which are subject to audit by our external auditors.

A copy of the full Statement of Accounts will be available on the Council's website on completion of the audit in late September at www.havering.gov.uk/Pages/Previous-years-statements-and-budget-books.aspx

Net Cost of Services



*Local Authority Housing includes a one off payment of £165 million to Central Government to buy out from the housing subsidy system, enabling the Council to support their own housing stock from their own income and giving tenants a clear relationship between rent collected and services provided.

Cost of Council Services

This statement sets out the cost of running Council services in 2011-12. It shows where the money came from to finance the costs and any surplus deficit at the end of the financial year.

Gross expenditure, gross income and net expenditure of continuing operations	£000s Gross Expenditure	£000s Gross Income	£000s Net
Central Services to the Public	13,292	(4,014)	9,278
Cultural, Environmental, Regulatory and Planning Services	51,521	(12,042)	39,479
Children's and Education Services	239,641	(166,890)	72,751
Highways, Roads and Transport Services	25,504	(5,893)	19,611
Other Housing Services	113,275	(111,187)	2,088
Local Authority Housing (HRA), incl Self-Financing Determination	249,797	(57,253)	192,544
Adult Social Care Services	81,331	(13,324)	68,007
Corporate and Democratic Core	6,706	(97)	6,609
Non-Distributed Costs	1,946	(6,744)	-4,798
Cost of Services	783,013	(377,444)	405,569
Other Operating Expenditure	—	—	25,459
Financing and Investment Income and Expenditure	—	—	11,106
Surplus or Deficit on Discontinued Operations	—	—	—
Taxation and Non-specific Grant Income	—	—	(220,699)
(Surplus) or Deficit on Provision of Services	—	—	221,435
Surplus or Deficit on Revaluation of Property, Plant and Equipment Assets	—	—	(24,261)
Surplus or Deficit on Revaluation of Available for Sale Financial Assets	—	—	—
Actuarial Gains / Losses on Pension Assets / Liabilities	—	—	52,991
Other Comprehensive Income and Expenditure	—	—	28,730
Total Comprehensive Income and Expenditure	—	—	250,165

*Although it appears there is a deficit of £250.165 million, in fact this is largely due to notional accounting entries such as the £165 million HRA payment to buy out of the subsidy system, and general depreciation and impairment charges. These entries are subsequently reversed out, and are not chargeable to the Council Tax payer.

Our performance

The Council closely monitors its performance throughout the year against the following indicators to inform key decisions and to ensure progress is made towards achieving our Corporate Goals and ultimately our Living Ambition.



Environment - to ensure a clean, safe and green borough

Strategic Outcome	Indicator	Value	Target for 2011/12	Outturn for 2011/12
Attractive, well-kept streets and pavements	The percentage of litter	Smaller is better	9%	14%
	The percentage of detrius	Smaller is better	12%	12%
	The percentage of graffiti	Smaller is better	5%	4%
	The percentage of fly posting	Smaller is better	1%	0%
	The number of fly tip incidences	Smaller is better	2,704	2,972
Whilst the Council was short of achieving the target for the percentage of litter, the 'Spring Clean' survey, undertaken in March 2012, found that a very high proportion – three quarters – of survey respondents felt their local area was clean and tidy. The proactive work being undertaken in Briar Road as part of the Harold Hill Ambitions project to regenerate the area resulted in an increase of fly tip incidents reported during the year. This has impacted on the overall performance here.				
Low rates of crime and the perception of crime	The overall crime rate in the borough (per 1,000 population)	Smaller is better	73.7 (17,399 crimes)	73.6 (17,377 crimes)
The Council works with various partners to keep crime to a minimum and a range of crime reduction initiatives that have taken place throughout the year have contributed towards achieving the target.				
Increased recycling rates and reduced waste and landfill	The amount of residual household waste per household	Smaller is better	691 kg	653 kg
	The percentage of household waste sent for reuse, recycling and composting	Bigger is better	35%	35%
Various schemes such as the 'Love Food Hate Waste' campaign funded by the Waste and Resources Action Programme (WRAP) have contributed towards reducing household waste and increasing reuse, recycling and composting. Performance has been maintained, despite a reduction in funding.				
Reduced impact on climate change	Greenhouse gas emissions from local authority own estate and operations	Smaller is better	29,940 tonnes	25,700 tonnes
The vacation of two Council buildings and several energy efficiency projects during the year have contributed towards achieving the target.				

Our performance



Learning - to champion education and learning for all

Strategic Outcome	Indicator	Value	Target for 2011/12	Outturn for 2011/12
First class learning opportunities for children and young people	The percentage take up of an Early Education Entitlement placement for 3 and 4 year olds	Bigger is better	90%	86%
	The percentage of children with a good level of achievement in Early Years Foundation Stage	Bigger is better	N/A	60% (provisional figure)
Although 86% of 3 and 4 year olds have taken an Early Education Entitlement placement, there are enough places available across the borough for all 3 and 4 year olds. There will always be some parents/carers that make their own separate arrangements for childcare.				
Council resources focused on schools and pupils who need our support most	The number of schools where fewer than 60% of pupils achieve Level 4 or above in both Maths and English	Smaller is better	0	1 (provisional figure)
Good education and training opportunities for young people	The percentage of 16-19 year olds (school years 12-14) who are not in education, employment or training	Smaller is better	N/A	4.5%
	The number of apprentices recruited in the borough	Bigger is better	460 (2011/12 academic year)	320 (quarter 2 figure, 2011/12 academic year)
Throughout the year the Council has worked with partners to provide advice, guidance and targeted intervention to young people who are not in education, employment or training (NEET) and increase the number of apprentices recruited.				
Reduced adult skills gap between Havering and London	The number of adult learning courses delivered in the borough	Bigger is better	355	478
There has been a high demand for adult learning courses this year. In addition, a number of new courses have been launched, including employability programmes which have recruited well.				

Our performance



Towns and Communities - to provide economic, social and cultural opportunities in thriving towns and villages

Strategic Outcome	Indicator	Value	Target for 2011/12	Outturn for 2011/12
Family housing that local people can afford and best use of Council housing for those in greatest need	The number of affordable homes delivered	Bigger is better	250	426
	The percentage of decent Council homes	Bigger is better	39.2%	40.1%
As part of the Mayor's Housing Strategy, the Council aims to deliver 750 new affordable homes by March 2014. A number of housing units were completed ahead of schedule in 2011/12. The Council also has an agreed delivery plan with the Homes and Communities Agency (HCA) to bring housing up to the Decent Homes Standard, defined as being wind and weather tight, warm and having modern facilities.				
Increase inward investment and economic growth	The percentage of National Non Domestic Rates (NNDR) collected	Bigger is better	97.5%	96.7%
	The percentage of working age people on out-of-work benefits	Smaller is better	11.2%	10.8% (Feb 2012)
A partnership arrangement with Barking and Dagenham, who collect business rates on our behalf has been firmly established and will increase the percentage of NNDR collected in 2012/13. The percentage of working age people on out-of-work benefits is within target, despite the economic climate.				
Local people are involved in place shaping and regeneration and play an active part in communities to meet their own needs	The percentage of residents' satisfaction with the area as a place to live	Bigger is better	76%	'Your Council Your Say' survey not undertaken in 2011/12
Cohesive communities where people get on well together	The proportion of residents who feel that people get on well together within their neighbourhood	Bigger is better	71%	'Your Council Your Say' survey not undertaken in 2011/12
Culture and leisure play a key part in community life	The percentage of residents' satisfaction with library services	Bigger is better	82%	'Your Council Your Say' survey not undertaken in 2011/12
High levels of satisfaction with parks and open spaces	The percentage of residents' satisfaction with parks and open spaces	Bigger is better	77%	'Your Council Your Say' survey not undertaken in 2011/12
In 2011 the Council asked residents for their views in the 'Your Council, Your Say' survey. The results from this survey showed that clean streets and a tidy neighbourhood were top priorities for the Council to address. The 'Spring Clean' survey sent to residents in March 2012 focused specifically on these issues and found that 73% of residents felt their local park was clean and tidy.				

Our performance



Individuals - to value and enhance the lives of our residents

Strategic Outcome	Indicator	Value	Target for 2011/12	Outturn for 2011/12
Safeguarding children continues to be our top priority	The percentage of looked after children with an unplanned move during the year	Smaller is better	40%	58%
	The percentage of placements lasting at least 2 years	Bigger is better	75%	51%
A top priority for Children and Young People's Services is to increase both the breadth and quality of foster care placements, particularly for vulnerable teenagers.				
Services that are bespoke to individuals' needs, targeted to those who need them most	The proportion of people using social care who receive self-directed support	Bigger is better	45%	45%
The Council works with partners to provide information, advice and services which emphasise greater choice, independence and control. Good progress has been made this year in increasing the number of social care clients who receive self-directed support.				
Older people enabled to have the support they need to live independently	The number of extra care housing within the borough	Bigger is better	118	88
	The percentage of adult social care clients who receive a reablement service and then return within 91 days requiring an ongoing service	Smaller is better	7.7%	7.8%
	The number of telecare users in the borough	Bigger is better	200	190
The Council works hard to ensure vulnerable adults remain independent for as long as possible. Although we did not meet our target for extra care housing this year, the Council is on track to deliver a number of units in 2012/13. In 2011/12 the Council experienced the highest number of referrals and take-up of telecare by new customers for several years. However, a number of clients stopped using the service for different reasons, including that it was no longer needed, the client moved into care or the client passed away.				

Our performance



Value - to deliver high customer satisfaction and a stable Council Tax

Strategic Outcome	Indicator	Value	Target for 2011/12	Outturn for 2011/12
High customer satisfaction with the Council	Efficiency and operational savings	Bigger is better	£40 million by 2014	
	The percentage of Council Tax collected	Bigger is better	97.50%	97.62%
	The amount of avoidable contact	Smaller is better	8%	5.90%
	The percentage of residents who feel informed about what the Council does	Bigger is better	45%	'Your Council Your Say' survey not undertaken in 2011/12

A review of office accommodation and internal processes to reduce bureaucracy has enabled the Council to make significant efficiencies in 2011/12.

CABINET**REPORT****26 September 2012****Subject Heading:**

Primary School Expansions 2013/14

Cabinet Member:

Cllr Rochford

Cllr Ramsey

CMT Lead:

Sue Butterworth

Group Director Children's Services

Andrew Blake-Herbert

Group Director Finance & Commerce

Report Author and contact details:

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Head of Learning & Achievement

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Head of Asset Management

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Policy context:

The proposals have implications for all wards in the borough.

Financial summary:

The permanent expansions are estimated to cost £11.1m funded by £9.9m approved funding for primary expansions as per the 12/13 capital programme £1.1m Dedicated Schools Grant funding, and £0.1m additional S106 allocations.. In addition costs of the Branfil expansion and ks1 replacement are expected to be contained within the £5.5m funding available. The revenue implications for schools will be funded via the Dedicated Schools Grant (DSG) contingency. The revenue implications for the LA are still being quantified and will be raised through the appropriate channels.

Is this a Key Decision?

Yes

Is this a Strategic Decision?

Yes

When should this matter be reviewed?

September 2014.

Reviewing OSC:

Children's Services

Finance & Commerce

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input checked="" type="checkbox"/>
Providing economic, social and cultural activity in thriving Towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

This version of the report is prepared in anticipation of the outcome of the consultation on the Commissioning School Places Strategy and the statutory consultation on expansion of Branfil P.S. and must be viewed as provisional only and subject to change.

SUMMARY

The report to Cabinet on 11 July 2012 on Commissioning School Places recommended consultation on a draft strategy for ensuring the sufficiency of school places over the next five years. That consultation has now concluded and the Strategy finalised with some minor amendments. The report highlighted the shortage of primary school places projected for September 2013 and indicated that this further report would be presented to Cabinet in September 2012 offering specific proposals to address the projected shortage of places.

RECOMMENDATIONS

That Cabinet approves:

1. the 15 schools listed in Appendix 1 for proposed permanent expansion from September 2013 to meet the projected deficit of primary places;
2. statutory processes to be initiated to permanently expand the capacity of eight of those 15 schools by September 2013: Harold Court Primary; Harold Wood Primary; Pyrgo Priory Primary; St Patrick's Primary; Rise Park Infant and Junior schools; and Towers Infant and Junior schools;
3. the proposal to expand Branfil Primary School from 1 September 2013, following the Representation Period which ended on 31 August 2012;

4. Officers to take all necessary steps in order to deliver the expansion programme, including the submission of planning applications
5. the commencement of a tendering process for construction/ refurbishment works at issue of tenders for Harold Court Primary, Harold Wood Primary, Mead Primary, Parsonage Farm Primary, Rise Park Infant and Junior schools, Towers Infant and Junior schools, together with all associated investigations e.g. soil survey
- 6 that the final allocation of available Capital funding as detailed within this report be delegated to the Lead Members for Children and Learning and Value, and the Group Directors of Children's Services and Finance and Commerce.

REPORT DETAIL

1. Introduction

- 1.1 Cabinet, at its meeting on 11 July 2012, noted that there was a projected need for 103 permanent Year Reception classes for September 2013 and to meet this projected growth it was proposed to expand the capacity of a sufficient number of schools each by 15 or 30 pupils per year group, that is by either 0.5 or 1 form of entry (FE) for September 2013.
- 1.2 Therefore the proposals set out in this report detail the way in which the Local authority is proposing to meet that agreed need. It sets out the individual schools which have been selected to expand, the rationale for their inclusion and the indicative costs of each scheme. The schools have been selected based on the local authority's Commissioning School Places Strategy the draft of which was presented to Cabinet in July 2012 and then subject to consultation, being approved in slightly amended form by the Lead Member for Children & Learning on 17 September 2012.
- 1.3 For those schools with accommodation that can be brought back to general teaching use the Council can decide to admit pupils beyond their Published Admission Numbers ('PAN'). For those schools however that need additional accommodation to admit 200 pupils or more than 25% (as long as this is more than 30 pupils) of their existing 'net capacity' (whichever is the smaller figure), a statutory process of consultation will be necessary before the Council is able to agree the expansion. Therefore the second element that has been included is those school requiring a statutory consultation process.
- 1.4 For the Upminster area Branfil Primary is proposed school for expansion. A statutory process is required and this process was started much earlier than for the remaining eight schools in need of statutory proposals because

major building works were already planned and there was a need to complete the statutory process as soon as possible to enable expansion works to be included within the major project and thereby achieve best value.

2. Expansion Proposals

2.1 Details of the 15 expansion proposals for September 2013 are included in Appendix 1.

2.2 The table below summarises the projected deficit of forms of Entry (FE) for September 2013 for each planning area and indicates the shortfall remaining after the expansion proposals are considered.

Planning area	Deficit of FEs	Sum of proposed FEs	Balance
Romford	3	2	-1
Collier Row & Mawney	2	2.5	+0.5
Harold Hill	2	1.5	-0.5
Hornchurch	2	1.5	-0.5
South Hornchurch, Elm Park & Rainham	2	1.5	-0.5
Upminster	1	1	0
Total	12	10	-2

2.3 In Romford there is a remaining deficit of 1FE and options are currently being considered for providing a new 2FE (or larger) Free school or Academy by September 2014. Expansion proposals for neighbouring Collier Row and Mawney are a half a form of entry above the projected deficit which is expected to give sufficient flexibility to accommodate the additional pupil numbers in Romford in September 2013.

2.4 The shortfall of a half form of entry in each of the planning areas of Harold Hill, Hornchurch and South Hornchurch, Elm Park and Rainham will be made up by inviting a further school in each area to permanently admit 0.5 or 1FE from September 2013. This could be done for example by phasing building works and spreading the cost of expansions over a number of financial years or by looking at the feasibility of providing a bulge where possible.

2.5 Longer term the Council has successfully applied to rebuild and enlarge both Hacton Primary and Suttons Primary through the DFE's Priority Schools Building Programme and the latest indication is that both these projects would be completed in time for admitting additional numbers in September 2015.

Branfil Primary School

- 2.6 The consultation process has been completed and the Council is now at Stage 4 (of the statutory process required for changes for mainstream maintained schools (stages set out in paragraph 3.1 below). Stage 1 (statutory consultation) was undertaken between 11 June 2012 and 13 July 2012. Following consideration, by officers, of the outcome of that consultation the Head of Learning and Achievement concluded that there was no viable alternative to the expansion of this school and consequently gave approval to the publication of a statutory notice (Stage 2) setting out the Council's legal proposal to expand this school. Stage 3 of the statutory process comprised the 'Representation Period' from 3 August 2012 – 31 August 2012 during which further comments could be made. This stage marks the final opportunity for people to express views or raise relevant issues before the decision (Stage 4) is made.
- 2.7 In considering the proposal to expand Branfil Primary School the Council, as decision maker has four options. The Council can decide to approve the proposal, reject the proposal, approve the proposal with a modifications (e.g. the implementation date) or approve the proposal subject to meeting a specific condition from a range of circumstances set out the DfE Guidance. Officers have reviewed these options and, on the basis of the substantive rationale for expansion and in the light of the representations received, have concluded that the best option is to approve the proposal.
- 2.8 For Branfil the Council, as Decision Maker, is expected to undertake a number of 'procedural' checks on the formal statutory proposal before making a decision. These checks relate to the 'completeness' of the proposal in accordance with DfE guidance, compliance with statutory requirements, the quality of the consultation undertake at statutory stage 1 and whether the proposal is related in any way to other published statutory proposals. Officers can confirm that the statutory process covering the Branfil proposal complies with national guidance and requirements.
- 2.9 The Branfil Proposal must also be judged on the effect it has on school standards and improvement. Colleagues in HSIS have confirmed that expanding Branfil in the way being proposed will make a major contribution to further raising standards at the School leading to improved achievement for the young people it serves. The proposed new accommodation and the refurbishment of existing premises will provide greatly improved and more efficient education facilities, designed in full consultation with the School. Pupils, staff and the wider community will all benefit from an outstanding new and upgraded learning environment complementing and greatly enhancing the original building.
- 2.10 There are also a number of other benefits that the Proposal can provide to the education of pupils at Branfil Primary School providing yet further positive impact on school standards and effectiveness. There are considerable economies of scale that can enable the School to use the

additional funding in a flexible or targeted way. This can allow for the further development of learning resources, additional and specialist staffing, and more flexibility in class grouping arrangements and the deployment of teaching staff and learning assistants. It could also enable the School to expand and innovate its curriculum offer, offering a wider range of educational, sporting, musical or artistic opportunities. Increases in staffing numbers also provide additional options in terms of developing leadership areas within the school, and providing additional capacity to tackle any emerging priorities.

- 2.11 During the Representation Period for Branfil a total of fourteen representations were received and a petition signed by 308 local residents, included as Appendix 3. A summary of the representations made together with comments is shown as Appendix 2.
- 2.12 The objections made to the proposal within the petition centred on the arguments that while it is agreed Havering needs additional primary school places that need is in other parts of the Borough and not in Upminster. Also it was argued that the evidence presented by the Council for the need for places in Upminster was non-existent, incorrect, factually flawed and contradictory.
- 2.13 In response to the objections it should be made clear that the basis of the Council's proposal for providing places in Upminster is the substantial rise in the number of births *within* the Upminster locality and not related to housing developments or inward migration from neighbouring local authorities.
- 2.14 Births in the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013; and potentially a further one form of entry deficit by 2016/17, based on existing trends. To meet the shortage of places in this planning area for Sept 2013 consideration was given to all primary phase schools in this planning area and Branfil was proposed because it was popular and successful, judged by OfSTED as Good, it was central rather than periphery to the growth area, and the Headteacher and Governing Body fully supported expansion. A more detailed response to the many substantial points made in the petition is included in Appendix 2.
- 2.15 In response to the separate objections made by local residents, the Council was very aware of the need to address the impact of the expansion on the local environment and commissioned Traffic and Transportation specialists Robert West to carry out traffic surveys, attend local resident and parent consultations and to support the school in producing a new Travel Plan for the enlarged school. This Plan promotes safer routes to school, discourages car journeys, and identifies the steps that will be taken to achieve these aims.

- 2.16 The Council carried out a full public consultation between 11 June and 13 July which included consultation meetings on 3 and 5 July. During this period it was made clear that the Representation period would take place during the summer from 3-31 August and consultees were alerted of the need for their representations to be made within this period and a large number of representations have been received. In common with most London Boroughs, Havering is experiencing a major growth in birth rate that has led to the need for additional primary places in all localities, including Upminster. The Council has a statutory duty to provide sufficient school places and every effort is made to listen to the comments and representations made by the school and local residents to ensure the school remains successful and the impact on the local environment is minimalised.
- 2.17 Cabinet is therefore recommended to approve the expansion proposals for Branfil Primary School

3. Next steps

- 3.1 Where there is a need to apply the statutory process to increase the capacity of a primary school to enable it to admit additional numbers, the following timescale will be adopted:

Key milestones	Date
Cabinet decision to undertake statutory consultation	26 Sept 2012
Statutory Stage 1 - Consultation period	15 Oct – 23 Nov 2012
Decision by Head of Learning & Achievement to publish Statutory Notices and Proposals	17 Dec 2012
Statutory Stage 2 – Publication of Statutory Notices	4 Jan 2013
Statutory Stage 3 – Representation Period	4 Jan 2013 – 1 Feb 2013
Statutory Stage 4 - Decision on proposals by Head of Learning & Achievement	13 Feb 2013
Statutory Stage 5 - Implementation	1 Sept 2013

- 3.2 Whilst every effort will be made to procure the technical supply chain for the capital element of the proposed school expansions to completion for 1 September 2013, the timetable for statutory consultation as detailed above results in there being a maximum of 6 months (February - August 2013) within which to undertake all building works, secure the cooperation of any utility companies, complete all internal finishes, install fixed furniture and equipment and render the site safe for occupation by pupils and staff. Consequently there is likely to be a significant programme risk to delivering the proposed expansion by September 2013 at those eight schools requiring a statutory consultation process in advance of construction works

commencing. The statutory process for enlarging Branfil Primary will be completed by September 2012, with the decision of Cabinet at this meeting.

- 3.3 An appropriate contingency plan will therefore be required if pupil projections for these schools exceed current capacity before September 2013. It is considered that the earliest feasible date for the expanded capacity to be available is the start of the January 2014 term
- 3.4 For Branfil Primary School the next step would be for the Council, as proposer, to implement its decision to expand the school on the date specified (1 September 2013) in the statutory notice.

Planning Applications

- 3.5 Planning approval for proposed works at Branfil was granted by Regulatory Services Committee in June of this year. Separate planning applications will be required for the remaining schools where expansion is proposed and will be submitted later this year, with supporting studies and reports where required.

Tender Arrangements

- 3.6 Havering, in common with other east London boroughs, has recently been party to the procurement of a new construction framework agreement for education and other services, procured in accordance with European procurement rules by the London Borough of Barking and Dagenham.
- 3.7 Use of the framework agreement offers the scope for tendering periods and costs to be reduced for the benefit of the expansion programme. Seven contractors have been approved within the framework, ensuring both that competitive tenders are achieved and that adequate capacity exists. The Council is also free to procure outside of the framework if circumstances warrant.
- 3.8 Given the tight timescales surrounding the programme, Cabinet are asked to give agreement in principle to the use of this construction framework to tender for the expansion of the schools detailed here. . The final award of individual tenders (and hence the commitment to expenditure) will be the result of separate approvals in due course, subject to a positive outcome from the statutory consultation process where applicable.

REASONS AND OPTIONS

4. Reasons for the decision:

- 4.1 These decisions are necessary to provide sufficient additional primary places to meet the forecast rise in primary pupil numbers projected from Sept 2013 and beyond. The reasons for proposing specific schools for expansion are given in Appendix 1.

5. Other options considered:

- 5.1 The option of adapting existing accommodation for 'bulge' (temporary) classes to respond to the projected deficit of primary places was considered because this would be more affordable and avoid the risk of providing permanent accommodation that might then become surplus in the foreseeable future.
- 5.2 This option was rejected because of the high level of confidence in the latest pupil forecasts for 2012 that project the birth rate will be sustained at the current high level for the medium term and the corroboration of these projections by the latest ONS forecasts. Given the long term confidence in forecasts the permanent expansion proposals are considered to provide best value for money and the preferred option of schools for responding to expansions.
- 5.3 In some planning areas there was more than one option for deciding on a school to expand for September 2013 and a clear rationale was given for each school being proposed and which is specified in Appendix 1. As projections of rising pupil numbers is forecast to continue, all schools that were not proposed for expansion in 2013 will be fully considered for any future programme.
- 5.4 The decision to proceed with planning applications and tendering arrangements in parallel with the statutory consultation process is a necessity in order to avoid delays in delivering the required capacity. In the event of the statutory consultation being unsuccessful, the planning permission and contract award will not be implemented.

IMPLICATIONS AND RISKS

6. Financial implications and risks:

CAPITAL

6.1 Implementation of the above expansions is dependant on the outcome of the statutory consultation process/a decision to formally expand the schools. However, at this stage, estimated costs are set out below. It should be noted that in some cases these are high level estimates as detailed design work has not taken place at all schools, so the actual costs will be subject to change. Fee levels may also impact on the estimates. Estimates also assume that despite the tight timescales it will be possible to deliver the expansion programme without the need for temporary accommodation. Should this not be possible then costs would increase further.

School	Estimated Cost
Towers Infant & Junior	1,750,000
Wykeham Primary	750,000
Pinewood Primary	500,000
St Patrick's Catholic Primary (see note 1)	400,000
Rise Park Infant & Junior	1,750,000
Mead Primary	1,000,000
Harold Court Primary	1,200,000
Harold Wood Primary	1,500,000
Parsonage Farm Primary	1,000,000
Scargill Infant & Junior	750,000
bulge classrooms - per ED	455,000
(see note 4)	11,055,000
Funding available	
2012/13 Capital Programme allocation for primary expansions.	9,876,000
DSG Allocation (see note 2)	1,060,000
Further Anticipated S106 (see note 3)	119,000
Allocations	
TOTAL FUNDING	11,055,000
Costs	
Branfil Primary*	5,500,000
Funding available	
2012/13 Capital Programme allocation for Branfil primary – replacement of KS1 accommodation and expansion of 1.0FE	5,500,000

Note 1: St Patricks is a voluntary aided catholic school and will be procuring their own expansion, financially supported by the Council. Details of their specification and cost estimate are awaited.

Note 2: £1.36m was previously top sliced from the Dedicated Schools Grant (DSG) to fund bridge funding costs associated with the primary review programme. However this was not needed as funding was available within the Councils overall treasury fund management. The Schools Forum subsequently agreed in 2012 that the funding could be reallocated to the primary expansion programme (£1,060k) and schools asbestos surveys (£300k). It should be noted that DSG funding can only be deployed on certain criteria per the grant stipulations.

Note 3: When preparing the 2012/13 Capital Programme it was envisaged that nine permanent expansions would be required in addition to the Branfil programme. At this stage a shortfall of £1m was envisaged which it was anticipated would be largely covered by the DSG allocation identified above. However, following further review 15 permanent expansions are now proposed. This increase in classrooms, coupled with more detailed design work has resulted in the need for additional funding. The Council is expecting to receive further S106 allocations, over and above those already anticipated within the £9,876,000 approved funding and as such it is recommended that they are allocated to the primary expansion programme.

Note 4: It should be noted that costs do not include estimates for the outstanding proposals for Romford (para 2.3)/additional 0.5 Forms of entry Harold Hill, Hornchurch and South Hornchurch, Elm Park and Rainham (para 2.4).

There is no cost listed related to Pyrgo Primary as the school already has capacity to admit 2FE.

6.2 It should be noted that exact costs of individual schemes may fluctuate as designs are clarified and tender processes undertaken. Every effort will be made to maintain costs within the funding currently identified. However, if final costs exceed £11.1 m and/or further expansion is required there are further potential options available to bridge any future shortfall, albeit they are not confirmed funding streams. The potential options are:

- Future years basic need grant allocations (if based on a similar level to 2012/13 – funding would be £8m per year) however this may be needed to fund future years expansion programmes. The first call on this grant would need to be the 2013/14 expansion programme should the gap not be addressed via other means, which could lead to similar issue arising in future years.
- Further Additional S106 allocations. The 2012/13 primary expansion Capital Programme was originally intended to be funded from £6.2m of

anticipated S106 allocations. However, to significantly reduce the risk of basing a capital programme on unconfirmed receipts £4.1m of this was replaced with additional 2012/13 basic need grant allocation received, leaving only £2.1m of S106 to be identified. To date we have received approximately £1.7m S106 monies and there are further agreements in place which may generate in excess of the £0.4m still to be identified. Arrangements are currently in place to review this situation. The Council is expecting to receive further S106 allocations, over and above those already allocated to this scheme, agreements exist for a number of schemes where the trigger levels for paying the Council have yet to be reached.

- 6.3 It may be possible to implement expansions in 2 phases, firstly providing KS1 (infant) accommodation and then providing KS2 (junior) provision at a later stage. This would allow further time to resolve any funding gaps.
- 6.4 Officers will continue to monitor the financial position of the expansion programme and should a shortfall of funding be identified raise this through the appropriate channels.,

REVENUE

Implications for Schools

- 6.5 The revenue implications for schools are that, in creating an additional class from September (eg Sept 12), additional resources will be incurred particularly for teaching and support staff. From the following financial year (eg 2013/14) the schools will receive additional funding through their budget shares as the pupils will be on roll at the date of the pupil census that is used to calculate funding. For the period September to March, however, additional resources will need to be provided. These will be met from a contingency held within the Schools Budget (funded by the Dedicated Schools Grant) as agreed by the Schools Funding Forum. As referred to above, the DSG will be increased from the following financial year as the Year R pupils are on roll; the bulk will be allocated to schools however there may be some available to fund LA services.
- 6.6 The contingency "pot" may reduce as a result of schools becoming academies and as such be insufficient to fund remaining schools for additional pupils.
- 6.7 It is proposed that from 2013/2014, the funding regime will be changing and contingency funds will be delegated to schools unless the schools forum approve otherwise. If a central contingency is not approved schools will be funded on the basis of pupils on roll in the previous January and will need to manage the in year financial consequences of any increase in admissions.

- 6.8 Schools may face financial difficulties if they have significant spare capacity as the level of funding attracted on a per pupil basis may not be sufficient to employ the required staffing levels. At present there is a factor within the schools funding formula to allow additional funds to be allocated in these circumstances. However this will no longer be permitted in future years.

Implications for the Local Authority

- 6.9 An increase in school admissions across the Borough may also have a 'knock-on effect' on other budgets such as free school meals, home to school transport, special school places and pupil referral units. The details of this are currently being quantified and any pressures will be dealt with accordingly.
- 6.10 The financial implications of the whole primary expansion programme will be kept under review as detailed plans for delivery of additional school places become clearer. This will consider the estimated capital costs and funding sources plus the revenue implications for schools and local authority. Any significant issues will be reported through the appropriate channels as necessary.

7. Legal implications and risks:

- 7.1 The draft Commissioning School Places Strategy approved by Cabinet at its meeting on 11 July has formally been approved by the Lead Member for Children Services, subject to some minor changes, following the formal consultation period.
- 7.2 The Council has a statutory duty to secure that efficient primary and secondary education are available to meet the needs of the population of their area. (section 13 Education Act 1996). It is clear that without the implementation of a strategy to increase the provision within the Borough over the next few years the Council may fall into breach of its statutory duty.
- 7.3 Under Schedule 11 of the Education Act 2011 (1) if a local authority in England thinks a new school needs to be established in their area, they must seek proposals for the establishment of an Academy.
- 7.4 Individual proposals are now being submitted to Cabinet for those six schools requiring statutory approval to expand their accommodation to admit additional pupil numbers ie above 200 pupils or 25%(provided this is more than 30 pupils) of all school places, whichever is the lesser. Any such proposals will be subject to consultation which must be meaningful. In other words sufficient time and information must be given to consultees to respond meaningfully and then their responses must be conscientiously considered before a final decision is taken.

7.5 The tendering and procurement processes for the construction and refurbishments will require separate advice in due course.

8. Human Resources implications and risks:

8.1 As a result of a decision supporting the expansion programme, there is a need to recruit additional teaching and support staff within the relevant schools. These schools will directly manage the recruitment and selection process in accordance with the existing and relevant HR policies and procedures. Schools' HR support in relation to these processes will be provided as appropriate.

9. Equalities implications and risks:

9.1 An Equalities Impact Assessment has been conducted and the conclusion is that there would be no identified adverse impacts.

10. Appendices

1. Details of the expansion proposals for September 2013
2. Summary of representations received to the Council's proposal to expand the capacity of Branfil Primary to admit three forms of entry from September 2013.
3. Petition from local residents.

BACKGROUND PAPERS

- Havering School Planning Data Pack Spring 2012
- Havering Commissioning School Places Strategy 2012/13-2016/17
- Representations received in response to the publication of the statutory notice to expand Branfil Primary School.
- Executive Decision 91/12 – Use of Education and other Services Framework and commencement of tender process

Appendix 1						
Proposed Permanent Primary School Expansions for September 2013.						
<u>Planning area</u>	<u>Projected FE deficit 2013</u>	<u>Proposed school</u>	<u>Additional places provided</u>	<u>Statutory process required</u>	<u>Rationale for proposing</u>	<u>Capital implications</u>
Romford	3	Towers Infant & Junior	1FE (2-3FE)	✓	<p>These linked schools border a growth area and have sufficient site area to expand by 1FE. Both governing bodies are willing to expand. Ofsted judge the infants to be good and the juniors as satisfactory. Juniors have, however, improved their results significantly in 2012.</p> <p>A proposal to expand the junior school at a later date would need to be linked to the infant school proposal.</p>	An allocation of £1,750,000 is proposed however detailed design work and discussion with the schools is currently on going. Final allocation will be determined once design work is completed. There is currently no surplus capacity within these schools.
		Wykeham Primary	1FE (2-3FE)	x	The school has sufficient site area to expand by 1FE and significant surplus accommodation that can be efficiently utilised. Governors are willing to expand. New Headteacher has stabilised the school since it came out of an Ofsted category.	An allocation of £750,000 is proposed for the KS2 expansion in 2014-15 as the KS1 element of the expansion can be delivered by the use of surplus accommodation.
Collier Row & Mawney	2	Pinewood Primary	1FE (1-2FE)	x	The school has significant surplus capacity and governors are keen to permanently expand. Ofsted consider the school to be satisfactory but with good capacity.	It is proposed to allocate £500,000 for improvement works and classroom refurbishment in 2014-15
		St Patrick's Catholic	0.5FE (1.5-2FE)	✓	This popular and successful VA Catholic school is in a growth area and the governors are willing to expand with	A £400,000 allocation is proposed, the expansion will be delivered directly by the school.

		Primary			appropriate capital support to provide additional class bases. Ofsted judge the school to be good, with above average standards.	
		Rise Park Infant & Junior	1FE (2-3FE)	✓	These linked schools border a growth area and have sufficient site area to expand by 1FE. Both governing bodies are willing to expand. Infants judged as good by Ofsted, with the juniors as satisfactory. Standards usually above average. A proposal to expand the junior school at a later date would need to be linked to the infant school proposal.	An allocation of £1,750,000 is proposed however detailed design work and discussion with the schools is on going. Final allocation will be determined once design work is completed. There is currently no surplus capacity within these schools.
Harold Hill	2	Mead Primary	1FE (2-3FE)	x	This popular and successful school is within a growth area, with surplus accommodation in KS2 and the governors are willing to expand. Judged good by Ofsted with significant improvements in recent years.	It is proposed to allocate £1,000,000 to extend the existing KS1 block and refurbish the KS2 block in 2013-14
Hornchurch	2	Harold Court Primary	0.5FE (1.5-2FE)	✓	The school is within a growth area, has site capacity to expand by 0.5FE and is close to a major new housing development. Governors are willing to expand. Standards broadly average with Ofsted judging the school as satisfactory.	A £1,200,000 allocation is proposed for new build extension to match existing together with toilet upgrade for 2013-14.
		Harold Wood Primary	1FE (2-3FE)	✓	A popular and successful in a growth area and governors have agreed to permanent expansion subject to capital investment. Judged by Ofsted as good, the school has standards that are above average.	An allocation of £1,500,000 is proposed however this is a constrained site and may necessitate a more expensive build solution.
South	2	Parsonage	1FE	x	A popular and successful in a growth	It is proposed to allocate £1,000,000

Hornchurch Elm Park & Rainham		Farm Primary	(2-3FE)		area, with significant surplus accommodation and the governors are willing to expand. Ofsted judge the school as good.	for a KS1 extension in 2014-15.
		Scargill Infant & Junior	0.5FE (2.5-3FE)	x	Popular and successful linked schools within a growth area, with a surplus class base in the Infants. Governors of both schools are willing to expand. The infants is judged as outstanding by Ofsted, with the juniors as good. Standards in both schools are above average.	A £750,000 allocation is proposed for new build expansion in 2014-15.
Upminster	1	Branfil Primary	1FE (2-3FE)	✓	A popular and successful school where the opportunity of a major capital project presents the opportunity to expand. Statutory consultation ended on 13 July 2012. Judged by Ofsted as good. Statutory procedures have already begun for the proposed expansion of Branfil Primary.	£5,500,000 has been allocated for the rebuild of the KS1 block and refurbishment/remodelling of the KS2 block in 2013-14.
Harold Hill		Pyrgo Priory	0.5FE (1.5-2FE)	✓	This popular and successful school is within a growth area and the governors are willing to expand. Judged as good by Ofsted. The school has increased capacity to accommodate 2FE and there now needs to be a statutory process to confirm this expansion.	The school already has sufficient capacity for a 2FE (420 places) school.

Appendix 2		
Responses to the Representation Period for the Proposals to expand Branfil Primary School.		
Representation	Author	Comments
<p>1. The argument for the expansion of Branfil to take pupils from the Upminster area (or even Havering) is fatally flawed. That Havering as a whole need more school places is not in doubt, but the need is in other parts of the Borough, not Upminster. The evidence for the need in this area is non- existent or contradictory. The London Borough is spending £5M at Branfil on the basis of incorrect and misleading information.</p>	Local resident	<p>The local resident has made a number of points supporting the objection to the proposal. Assertions are made that the birth rate for 'Branfil feeder wards' is falling or stable; the birth rate is falling in Upminster & Cranham; the Year Reception (YrR) population for Upminster and Cranham is due to rise by a very small amount; and Havering is providing places for other Boroughs rather than for local need.</p> <p>The statistical data referred to indicates that in Havering for the period 2006/07 to 2010/11 there has been a 16.2% increase in births and for the same period in Upminster & Cranham the increase was 15.5%. These projections also show that by Sept 2012 there will be a shortfall of YrR and that the shortfall in this Year group rises to -36 by 2016/17. This projection takes into account the rising numbers of births by Havering residents, housing product in the vicinity, as well as migration. However the forecasters are clear that the main factors generating the projected growth are the substantial increase in the number of births; the growth of the cohort group between birth and YrR; and an increase across all primary year groups.</p>
<p>2. We do not object to the building of the school were it for children in this catchment area but considering it would not be then we think the school should remain for the capacity at present. Should you bring more children in and also more teachers the road and surrounding roads would not be sufficient at present each morning lunchtime and afternoon we cannot get in and out of the road if we can get off our drive has parents park across our drives ad if we ask them to move we are given abuse. Why should we pay high house prices and community charge so that we can live in an area and have better schooling and then people are brought in from outside perhaps schools should not be</p>	Local resident	<p>As outlined above, there is strong forecast data to indicate the need for an additional form of entry at primary stage in Upminster and an increase in births is a primary cause of the forecast rise in demand.</p> <p>Traffic and transportation advisory consultants were commissioned to survey existing traffic at school times and to provide the school with recommendations on how to discourage car journeys to school and make walking and travel by other forms of transport easier. The school has produced a revised travel plan for an enlarged school and will be robustly engaging with parents and pupils to discourage car journeys to and from school.</p>

<p>demolished then this would not happen. The birth rate in Upminster cannot be that high unless pensioners are having babies! Finally there isn't public transport to the school so parents would therefore drive as for parking and walking. We could not imagine this has most parents need to get as close to the school gates as they can.</p>		
<p>3. A request is made to not disturb an Acacia tree planted on the school site in memoriam and the school railings that have survived the various scrap metal drives of the war years and are of historical importance.</p> <p>The proposed car park has spaces that although presumably within the size specified in outdated regulations, are too small and inaccessible in several areas for many modern cars, thus are likely to remain empty, while teachers continue to park in the road as at present.</p> <p>The parking chaos prevails in Cedar Avenue and beyond would be exacerbated significantly by additional intake. It is a complete fallacy to believe that any proposed advice on travelling to school will change the character of any parent. Without legislation and enforcement, people will continue to do as they wish.</p> <p>The proposed building extension is not in architectural harmony with the existing school, and better use could be made of the existing classrooms; one, for example, is currently used as a spacious office.</p> <p>The proposal appears to reduce the recreation area still further whilst significantly increasing the number of pupils.</p>	<p>Local resident</p>	<p>While no assurances can be given for the future, there are no plans to disturb either the tree or the railings as a part of the expansion proposals.</p> <p>The car park provision for the expanded school will fully meet the planning permission specifications.</p> <p>The school will operate a new Travel Plan for expanded numbers to discourage car journeys to and from school.</p> <p>The design of the new building has been approved by Planning control.</p> <p>Designs and space standards for all external areas of the expanded school, including playing fields and play grounds, conform to DFE</p>

		area guidelines.
<p>4. Currently at Branfil there are:</p> <ul style="list-style-type: none"> • 62 out of Borough pupils, the equivalent of over two classes • 49 in Borough pupils with several primary schools between them and Branfil, 1.75 classes • 137 pupils from Hacton and St Andrews, 40 of which should attend a closer school, 1.6 classes • 15 fewer first choice applications in 2011/12 than places, 0.5 class 	<p>Chairman of the Cedar & Lime Avenue Residents Association.</p> <p>Petition supported by 308 signatures.</p>	<p>Admissions to schools are not limited to pupils residing in the local area. The national framework ensures a system of open enrolment whereby parents are encouraged to consider schools that meet their requirements and they are through legislation free to apply to their preferred school. This policy aims to raise educational standards. Furthermore, projected pupil growth in the Upminster area is forecast a shortage of 30 places in Year Reception from Sept 2013 onwards, while the objection suggests there are currently places available across the range of year groups.</p> <p>Branfil is over subscribed by 118 first preferences for 2012/13.</p>
<p>4. (cont.) Havering's Joint Strategic Needs Assessment (JSNA) 2010 states:</p> <ul style="list-style-type: none"> • the population of Havering is set to rise however the populations for Upminster, Hacton, and St Andrew's are due to fall 2010-2015 • the majority of increase is in wards well away from Upminster • Upminster has the oldest population in the Borough and the overall number of elderly residents is set to rise, therefore the opportunity for lots of school children in Upminster is limited • The expected rise in population in the Borough is in wards where that are currently undergoing considerable residential development, Upminster has no land available for development 	<p>Chairman of the Cedar & Lime Avenue Residents Association.</p> <p>Petition supported by 308 signatures.</p>	<p>The JSNA refers to the population as a whole while the Council's Pupil forecasts refer to the pupil population which determines the number of places needed in schools in future years.</p> <p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments.</p>

<p>4. (cont.) Council documents and statistics show the policy of increasing the size of Branfil is based on faulty information:</p> <ul style="list-style-type: none"> • The birth rate for all Branfil feeder wards (Upminster, Hacton, Cranham, and St Andrews is going down or stable • The birth rate by locality is falling in Upminster & Cranham • Year Reception numbers for Upminster & Cranham are due to rise by a small amount until 2016/17. However the graphs show the birth rate falling between 2009/10 and 2010/11 <ul style="list-style-type: none"> • Havering is a net importer of children from Thurrock, 508 in 2010/11. Aveley is the nearest centre in Thurrock to Branfil, up to 4 miles away. A 4 mile radius from Branfil would lead to a catchment area that extends to Rush Green, through Romford to Gallows Corner; difficult to believe Havering cannot find the pupils with that radius within the Borough • Branfil currently has 62 pupils out of Borough, along with the net importing of pupils from out of Borough shows Havering is providing places for other Boroughs rather than local need 	<p>Chairman of the Cedar & Lime Avenue Residents Association.</p> <p>Petition supported by 308 signatures.</p>	<ul style="list-style-type: none"> • The Council's data shows that while births in Hacton fell by 12.8% in the period 2006/07-2010/11, births in all other wards referred to within this period rose significantly: Upminster +8.8%, Cranham +26.1%, St.Andrews 5.9% • The number of births in the Upminster & Cranham locality rose by 15.6% during the period 2006/07-2010/11 • While the number of births falls in one year between 2009/10 and 2010/11, over the five year period 2006/07 to 2010/11 births rose by 15.6% which is the basis for projecting growth in YrR. By 2016/17 YrR numbers are projected to exceed the number of YrR places by 36. Class size legislation prohibits class sizes for Years R-2 going above 30 and therefore by this time there would be a need for an additional two forms of entry in Upminster, especially when we consider the need to provide some additional places to allow for flexibility in forecast numbers. • Admissions to schools are not limited to pupils residing within the Borough boundary and the legally binding Greenwich Judgement has decided that local authorities cannot give preference to children residing within their boundary. • The basis for proposing the need for an additional form of entry in Upminster in YrR from Sept 2013 is the increase in the number of births <i>within</i> the Upminster & Cranham locality and not inward migration of pupils.
<p>5. There is already enough space at Branfil to cover the Upminster area, so the children attending would be from out of the area. Do they pay the same contributions as we do? Our council tax is considerably higher which is therefore unfair that they use our schools and don't have to pay the same as us.</p>	<p>Local Resident</p>	<p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17.</p>

<p>6. Although the school is in need of refurbishing I object most strongly to the expansion of the school to accommodate children from outside of the Upminster area.</p> <p>This will cause inconvenience to all residents as there is lack of parking, lack of access roads which has already been terrible since our own children were at the school, over 25 years ago. This money could be put to better use elsewhere in the borough.</p>	<p>Local Resident</p>	<p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17.</p> <p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan that will be produced as a result of this investigation will be adopted by the school.</p>
<p>7. There is no proven need for the increase in numbers for Branfil School within the Upminster or Cranham area.</p> <p>I do not want increased traffic issues in front of my house, as students are driven to and from the school each day, as there is not proven local need.</p>	<p>Local Resident</p>	<p>Comments as for 6 above.</p>
<p>8. There is no proven need for the increase in places at Branfil School from within the Upminster or Cranham area. The vast majority of the increase in Havering's population is in wards well away from Upminster meaning this school expansion would generate large amounts of extra traffic as pupils are transported in. Gaynes Park Road is already excessively congested at peak times. It will not cope with increased traffic. How can this be consistent with the council's sustainable transport obligations? The evidence for the need in this area is non-existent meaning the expense and negative environmental impact cannot be justified. The council should not proceed with this plan in Upminster.</p>	<p>Local Resident</p>	<p>Comments as for 6 above.</p>
<p>9. There are currently pupils attending Branfil School from out of Havering however the populations for Upminster, Hacton and St, Andrews, the three Wards that provide most of Branfil's pupils, are due to fall between 2010 and 2015. This means that more pupils</p>	<p>Local Resident</p>	<p>Comments as for 6 above.</p>

<p>from out of the area will be taking up the places at Branfil's and not from the Upminster area.</p> <p>There is a very big problem of parking in the area from people bringing children to Branfil's by car and as these extra places will be taken by more children out of the area it will get worse also inconsiderate parking and not being able to make journeys by car until the area has been cleared of traffic.</p> <p>Emergency services also have a problem getting through if needed.</p>		<p>The London Emergency Planning Authority and Fire Service were consulted during the planning stage of the project and approval to the plans was given.</p>
<p>10. There is no proven need for additional spaces in the Upminster Area.</p> <p>I also query the fact that this consultation is taking place after Planning Permission has been granted for new and expanded building for Branfil School.</p>	<p>Local Resident</p>	<p>Comments as for 6 above.</p> <p>The Council needed the assurance, through the approval of its planning application that the project could proceed once the statutory school organisation proposal had been approved.</p>
<p>11. We are local residents and parents of a child at Branfil School. We consider Branfil to be a good school in pleasant surroundings. We object to an increase in pupil numbers for the following reasons:</p> <ul style="list-style-type: none"> • There will be an increase in traffic in and around Cedar Avenue which already gets quite heavily congested with some children travelling in from Thurrock and Grays. This not only causes annoyance to local residents and parents but increased traffic could also pose a safety issue for the children. • Upminster has an ageing population so the proposed expansion will see more children coming into Upminster from outside the area. If there is a need for extra school places due to an increase in Havering's birth rate then from an eco - friendly point of view, a new school or school expansion should take place in these areas of higher birth rate. • Building on the Junior playground will remove some of the outdoor space and the smaller playground will need to accommodate more children. 	<p>Local Resident</p>	<p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school that will be produced as a result of this investigation will be adopted by the school.</p> <p>Branfil School has sufficient land and capacity for expansion and the Head and Chair of Governors have been fully consulted on the building works proposed and support the project scheme.</p>

<ul style="list-style-type: none"> • The additional building work will create noise and other disruption for the children. If only the damaged part of the infant block was demolished and replaced this would be a quicker project and therefore less disruptive. • From an aesthetic point of view, the new building is unlikely to blend in with the local area and will look as if it's been "crammed in". • The demand for extra school places should be met by a school with more land than Branfil or the development of a new school elsewhere in Havering. 		<p>Branfil has sufficient land for a three form entry school, including the detached playing field.</p>
<p>12. An increase to the pupil intake of the school, of children from outside the local area, will increase the traffic volume and heighten the existing parking problems local residents already experience.</p> <p>Havering Council claims the proposed extension to Branfil School in Upminster, which will increase the number of pupils from 420 to 630, is urgently needed because of local and national birth rate projections. The council is being economical with the truth:</p> <ul style="list-style-type: none"> • In a Freedom of Information request, the council has had to supply the latest figures from the school census (January 2011) and the Havering Joint Strategic Needs Assessment (2010). Contrary to public statements from the council and cabinet members, the populations of Upminster, Hacton and St Andrews wards – the three wards providing most of Branfil pupils - are due to fall between 2010 and 2015. The same figures show that the increase in population is occurring in wards well away from Upminster. • The latest Office of National Statistics figures show the expected rise in Havering's population is in wards currently undergoing residential development, i.e. Harold Wood, Brooklands, Romford and South Hornchurch. • Havering Council's own 2012/13 school intake data for Branfil states it had 60 places available for the 2012/13 reception 	<p>Local Resident</p>	<p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, that will be produced as a result of this investigation, will be adopted by the school.</p> <ul style="list-style-type: none"> • The JSNA refers to the population as a whole while the Council's Pupil forecasts refer to the pupil population which determines the number of places needed in schools in future years. Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. • The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments. • Branfil is over subscribed by 118 first preferences for 2012/13.

<p>year. All of the 52 children in Havering who applied to Branfil as their first choice were accepted. An additional seven applied from Thurrock and one pupil from Barking & Dagenham. So Havering is not short of places. Indeed, there are currently 62 pupils at Branfil from outside of Havering. On this basis, the school expansion is not needed for local Upminster children. I am all for improving schools, particularly Branfil which has some very dilapidated buildings that need replacing, but school extensions should be in the wards that need them the most.</p> <ul style="list-style-type: none">• Branfil School is in a very quiet residential area and may become one of the largest in the borough simply so the council can get additional funding from central government to re-build dilapidated classrooms and replenish dwindling local authority coffers. As a result, local residents will have an increased volume of traffic and street parking in the roads surrounding the school. The narrow side streets in the area surrounding the school were not built for high volumes of traffic. If the school enlargement goes ahead, these streets will now need to handle an additional 210 parental cars and an additional 30+ staff cars. The staff car parking provision in the application is not sufficient for the anticipated increase in staff numbers. The roads impacted by the proposal are not just Cedar Avenue, Acacia Gardens and South View Drive - i.e. the roads mentioned in the traffic study - but also Gaynes Park Road which is already very busy during the school run in the morning and afternoon, and gets clogged with parked cars, so much so that it can be difficult to safely get out of my drive. Visibility down the street is poor when cars are parked by the roadside during school drop off/pick up and this will only get worse. Consequently I am concerned with the increased risk of a child being injured or even killed by a car. In addition, I am not happy with the prospect of the increased noise elevated		<ul style="list-style-type: none">• Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, that will be produced as a result of this investigation, will be adopted by the school.
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<p>traffic levels will bring to Gaynes Park Road. Like many other people in Upminster, we chose to live in this area because it is a quiet residential area. We want to keep it that way.</p>		
<p>13. I chose Branfil Primary school for my children not because it was the nearest school to me as I was also considering Upminster Infants school, but primarily due the fact that it was a small school which gave it an advantage over other schools in the area. At present the teachers know all the pupils, the Head also knows all the pupils and parents, this is vital when problems need to be addressed. The head knows who his pupils are rather than a name on a list. It also leads to a friendly atmosphere and a sense of cohesion and community. The increase of 210 pupils will have a negative impact on this community and I believe on the quality of the teaching and I can see Branfil's performance falling as a result which would be a dreadful shame.</p> <p>The argument is that Havering needs more school places, this may well be but it should be targeted at the areas that are in the greatest need. This is not Upminster. We have the highest proportion of elderly in the borough and that is unlikely to change as it is becoming increasingly harder for young couples to get on the housing ladder at all let alone in an affluent area such as Upminster. As Branfil already has some pupils from outside the area mainly being Aveley and South Ockendon this would indicate that under the admission guidelines there are certainly enough places for Upminster children other wise they would have had priority distance wise than those living further away.</p> <p>The council is also ignoring the environmental impact of this proposal. The government wants everyone to reduce their carbon footprint and green issues are very high profile, how then can it be environmentally friendly to make pupils travel longer distances none of which will be on foot. The parents of these children if they have a car will be forced to drive to school which at that time of the</p>	<p>Local Resident & Parent</p>	<p>Branfil is a successful school, judged by OfSTED to be good, and the Head and Chair of Governors who fully support the proposal, believe an enlarged school will be able to sustain these high standards.</p> <p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments.</p> <p>The Council was very aware of the need to address the impact of the expansion on the local environment and commissioned Traffic and Transportation specialists Robert West to carry out traffic surveys, attend local resident and parent consultations and to support the school in producing a new Travel Plan for the enlarged school. This Plan promotes safer routes to school, discourages car journeys, and identifies the steps that will be taken to achieve these aims.</p>

day is a long, fuel consuming journey. Then where will they park? Of course most will want to park as near as possible to the school which means either Cedar Avenue itself or the surrounding roads. Currently Cedar Avenue is heavily congested at school times with double parking, blocking of drives and general inconsideration very much the norm. Surrounding roads are affected at the moment too, it is already a dangerous situation. If an ambulance or fire engine needed to gain access to the school at these times it would fail thereby putting children's lives at risk that is not acceptable. If you add another 210 cars into the mix I shudder to think what the outcome will be. I live in Lime Avenue which at present has some school traffic parking in it but generally is much less than Cedar, 8 weeks ago 2 ambulances needed to attend to my neighbour in an emergency at school start time, if this had happened with the proposed volume of traffic and parking they wouldn't have stood a chance.

The council were happy to ignore Branfil's failing building needs for many years and it has now only acted due to parent pressure in the past year over the state of the classrooms. These parents who acted on their children's interests have been cheated. All we wanted were suitable classrooms for our children to be taught in, mainly the rebuilding of the KS1 site, I don't think anyone who campaigned for this to happen would think it would lead to a larger school and most do not want this to happen. Unfortunately due to some clever propaganda by both the council and the school, a lot of parents think that the funding will only become available for new classrooms if the school becomes 3 form entry. Why was the public notice giving details of the proposal and how to object posted on the school gate at a date when the council knew no parents would see it as the school is closed for the summer holiday and the deadline for objections to the proposal ends before the school re-opens. Forgive me for being cynical but the

The Council carried out a full public consultation between 11 June and 13 July which included consultation meetings on 3 and 5 July. During this period it was made clear that the Representation period would take place during the summer from 3-31 August and consultees were alerted of the need for their representations to be made within this period and a large number of representations have been received.

In common with most London Boroughs, Havering is experiencing a major growth in birth rate that has led to the need for additional primary places in all localities, including Upminster. The Council has a statutory duty to provide sufficient school places and every effort is made to listen to the comments and representations made by the school and local residents to ensure the school remains successful and the impact on the local environment is minimalised.

<p>planning of that publication date couldn't have worked out better for the council. Luckily those residents with children at the school may have seen it and I for one have passed on the information to anyone I know.</p> <p>Branfil is not the right school for expanding. I believe it will destroy the very thing that made most parents choose it in the first place. Branfil is in the middle of a quiet residential area with no direct public transport links. The school spaces are not needed in Upminster, they should be made available where the most need is.</p>		<p>To meet the shortage of places in this planning area for Sept 2013 consideration was given to all primary phase schools in this planning area and Branfil was proposed because it was popular and successful, judged by OfSTED as Good, it was central rather than periphery to the growth area, and the Headteacher and Governing Body fully support expansion.</p>
<p>14. We support the proposal to expand Branfil Primary School from two to three form entry as set out in the statutory notice.</p>	<p>Various</p> <p>Online petition supported by 61 individuals</p>	<p>Signatories included the Chair of Governors and Headteacher.</p>
<p>15. I am very concerned that there is no capacity in this location to cope with such an enlargement. Access to the school is mostly in Cedar Avenue which is not wide enough to take the school traffic at present. Any increase will be unacceptable.</p> <p>Regular control of the traffic will be needed even at the present pupil numbers let alone an increase. The particular rudeness of parents already attending the school with regard to the lack of consideration shown to local residents should be taken into consideration.</p> <p>Cars arriving (at the school) as early as 7.30am....would pose a nuisance with noise and disturbance...</p>	<p>Local Resident</p>	<p>Every effort will be taken to minimise the impact of the expansion on local residents. Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, which will be produced as a result of this investigation, will be adopted by the school.</p>
<p>16. I do not feel that adequate research has been carried out into the impact on traffic conditions and the environmental impact of increased vehicle traffic. The traffic conditions at school opening</p>	<p>Local Resident</p>	<p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, which will be produced as a result of this</p>

<p>and closing times are currently too much and possibly dangerous. Cedar Avenue is blocked every day and if an emergency vehicle needs to access Cedar (Avenue) it is impossible and any proposed expansion will exacerbate this problem. Cedar Avenue itself is a narrow road and only takes two vehicles to park opposite each other for the road to be blocked. This is unacceptable, Emergency services should have good and free access to the school, I doubt this is the case at present and if the pupil numbers are increased then unencumbered access for emergency services needs to be essential.</p> <p>Pupils from outside the borough should not be taken in (to Branfil Primary School), if there is a lack of space for Havering Children then it can be addressed by stopping children attending schools who do not live in the borough.</p> <p>...birth rates...are not increasing in Upminster, Upminster has one of the oldest generations in Havering. The Councils own documentation shows that only 1 pupil per year is coming from new developments in Upminster, that is because Upminster has no residential development opportunities that will generate more families.</p> <p>The councils own documentation shows that population increases will be in Harold Wood, Romford and South Hornchurch and so any school developments should be local to these areas so that they can serve the local community.</p> <p>Branfil is not served by public transport. The nearest bus stop is some 15 - 20 minutes walk. This will mean an unacceptable increase in vehicle transport and the resulting emissions that will bring. School expansion should be on roads that are served</p>	<p>investigation, will be adopted by the school.</p> <p>Emergency Services were consulted during the planning stage of the project and approval to the plans was given.</p> <p>The Council, as admissions authority for Branfil Primary School, is legally bound to offer places at schools according to national guidelines and requirements. It would not be possible to refuse to offer a school place on demand simply because a child lived in a different local authority from that in which the school is located.</p> <p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments.</p> <p>Yes there is increased demand for additional places in these areas and the Council already has proposals in place for dealing with this.</p> <p>It would not be practicable to limit the provision of additional school places to those schools located on roads served directly by public transport.</p>
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<p>directly by public transport.</p> <p>One major concern is the lack of Playing fields at Branfil. The playing field is a 5 minute walk away from the school and means pupils crossing a busy road. The playing fields are not accessible by pupils at break times and so no large soft play area is available. The playing field at the moment is not that big and with the proposed increase in pupil numbers I question if it will be big enough. Has a risk assessment been carried out on the fact that pupils will need to be walked on foot from the school to the playing field each time for field sports and activities?</p> <p>I object to this proposal, it is not required in Upminster and a more suitable location should be sought.</p>		<p>Branfil School has sufficient land and capacity for this proposed expansion</p> <p>No alternative options for dealing with the need for additional places were identified during the consultation stage relating to this proposal.</p>
<p>17 Gaynes Park Road is a very busy road. This year I have had early hospital appointments, and have not been able to pull out into the road because of cars and traffic jam. This proposal to enlarge Branfil is going to make this situation much worse.</p>	<p>Local Resident</p>	<p>Emergency Services were consulted during the planning stage of the project and approval to the plan was given.</p>

Appendix 2

Responses to the Representation Period for the Proposals to expand Branfil Primary School.

Representation	Author	Comments
<p>1. The argument for the expansion of Branfil to take pupils from the Upminster area (or even Havering) is fatally flawed. That Havering as a whole need more school places is not in doubt, but the need is in other parts of the Borough, not Upminster. The evidence for the need in this area is non- existent or contradictory. The London Borough is spending £5M at Branfil on the basis of incorrect and misleading information.</p>	Local resident	<p>The local resident has made a number of points supporting the objection to the proposal. Assertions are made that the birth rate for 'Branfil feeder wards' is falling or stable; the birth rate is falling in Upminster & Cranham; the Year Reception (YrR) population for Upminster and Cranham is due to rise by a very small amount; and Havering is providing places for other Boroughs rather than for local need.</p> <p>The statistical data referred to indicates that in Havering for the period 2006/07 to 2010/11 there has been a 16.2% increase in births and for the same period in Upminster & Cranham the increase was 15.5%. These projections also show that by Sept 2012 there will be a shortfall of YrR and that the shortfall in this Year group rises to -36 by 2016/17. This projection takes into account the rising numbers of births by Havering residents, housing product in the vicinity, as well as migration. However the forecasters are clear that the main factors generating the projected growth are the substantial increase in the number of births; the growth of the cohort group between birth and YrR; and an increase across all primary year groups.</p>
<p>2. We do not object to the building of the school were it for children in this catchment area but considering it would not be then we think the school should remain for the capacity at present. Should you bring more children in and also more teachers the road and surrounding roads would not be sufficient at present each morning lunchtime and afternoon we cannot get in and out of the road if we can get off our drive has parents park across our drives ad if we ask them to move we are given abuse. Why should we pay high house prices and community charge so that we can live in an area and have better schooling and then people are brought in from outside perhaps schools should not be demolished then this would not happen. The birth rate in Upminster cannot be that high unless pensioners are having babies!</p>	Local resident	<p>As outlined above, there is strong forecast data to indicate the need for an additional form of entry at primary stage in Upminster and an increase in births is a primary cause of the forecast rise in demand.</p> <p>Traffic and transportation advisory consultants were commissioned to survey existing traffic at school times and to provide the school with recommendations on how to discourage car journeys to school and make walking and travel by other forms of transport easier. The school has produced a revised travel plan for an enlarged school and will be robustly engaging with parents and pupils to discourage car journeys to and from school.</p>

<p>Finally there isn't public transport to the school so parents would therefore drive as for parking and walking. We could not imagine this has most parents need to get as close to the school gates as they can.</p>		
<p>3. A request is made to not disturb an Acacia tree planted on the school site in memoriam and the school railings that have survived the various scrap metal drives of the war years and are of historical importance.</p> <p>The proposed car park has spaces that although presumably within the size specified in outdated regulations, are too small and inaccessible in several areas for many modern cars, thus are likely to remain empty, while teachers continue to park in the road as at present.</p> <p>The parking chaos prevails in Cedar Avenue and beyond would be exacerbated significantly by additional intake. It is a complete fallacy to believe that any proposed advice on travelling to school will change the character of any parent. Without legislation and enforcement, people will continue to do as they wish.</p> <p>The proposed building extension is not in architectural harmony with the existing school, and better use could be made of the existing classrooms; one, for example, is currently used as a spacious office.</p> <p>The proposal appears to reduce the recreation area still further whilst significantly increasing the number of pupils.</p>	Local resident	<p>While no assurances can be given for the future, there are no plans to disturb either the tree or the railings as a part of the expansion proposals.</p> <p>The car park provision for the expanded school will fully meet the planning permission specifications.</p> <p>The school will operate a new Travel Plan for expanded numbers to discourage car journeys to and from school.</p> <p>The design of the new building has been approved by Planning control.</p> <p>Designs and space standards for all external areas of the expanded school, including playing fields and play grounds, conform to DFE area guidelines.</p>
<p>4. Currently at Branfil there are:</p> <ul style="list-style-type: none"> • 62 out of Borough pupils, the equivalent of over two classes • 49 in Borough pupils with several primary schools between them and Branfil, 1.75 classes 	Chairman of the Cedar & Lime	<p>Admissions to schools are not limited to pupils residing in the local area. The national framework ensures a system of open enrolment whereby parents are encouraged to consider schools that meet their requirements and they are through legislation free to apply to their preferred school.</p>

<ul style="list-style-type: none"> • 137 pupils from Hacton and St Andrews, 40 of which should attend a closer school, 1.6 classes • 15 fewer first choice applications in 2011/12 than places, 0.5 class 	<p>Avenue Residents Association.</p> <p>Petition supported by 308 signatures.</p>	<p>This policy aims to raise educational standards. Furthermore, projected pupil growth in the Upminster area is forecast a shortage of 30 places in Year Reception from Sept 2013 onwards, while the objection suggests there are currently places available across the range of year groups.</p> <p>Branfil is over subscribed by 118 first preferences for 2012/13.</p>
<p>4. (cont.) Havering's Joint Strategic Needs Assessment (JSNA) 2010 states:</p> <ul style="list-style-type: none"> • the population of Havering is set to rise however the populations for Upminster, Hacton, and St Andrew's are due to fall 2010-2015 • the majority of increase is in wards well away from Upminster • Upminster has the oldest population in the Borough and the overall number of elderly residents is set to rise, therefore the opportunity for lots of school children in Upminster is limited • The expected rise in population in the Borough is in wards where that are currently undergoing considerable residential development, Upminster has no land available for development 	<p>Chairman of the Cedar & Lime Avenue Residents Association.</p> <p>Petition supported by 308 signatures.</p>	<p>The JSNA refers to the population as a whole while the Council's Pupil forecasts refer to the pupil population which determines the number of places needed in schools in future years.</p> <p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments.</p>

<p>4. (cont.) Council documents and statistics show the policy of increasing the size of Branfil is based on faulty information:</p> <ul style="list-style-type: none"> • The birth rate for all Branfil feeder wards (Upminster, Hacton, Cranham, and St Andrews is going down or stable • The birth rate by locality is falling in Upminster & Cranham • Year Reception numbers for Upminster & Cranham are due to rise by a small amount until 2016/17. However the graphs show the birth rate falling between 2009/10 and 2010/11 <ul style="list-style-type: none"> • Havering is a net importer of children from Thurrock, 508 in 2010/11. Aveley is the nearest centre in Thurrock to Branfil, up to 4 miles away. A 4 mile radius from Branfil would lead to a catchment area that extends to Rush Green, through Romford to Gallows Corner; difficult to believe Havering cannot find the pupils with that radius within the Borough • Branfil currently has 62 pupils out of Borough, along with the net importing of pupils from out of Borough shows Havering is providing places for other Boroughs rather than local need 	<p>Chairman of the Cedar & Lime Avenue Residents Association.</p> <p>Petition supported by 308 signatures.</p>	<ul style="list-style-type: none"> • The Council's data shows that while births in Hacton fell by 12.8% in the period 2006/07-2010/11, births in all other wards referred to within this period rose significantly: Upminster +8.8%, Cranham +26.1%, St.Andrews 5.9% • The number of births in the Upminster & Cranham locality rose by 15.6% during the period 2006/07-2010/11 • While the number of births falls in one year between 2009/10 and 2010/11, over the five year period 2006/07 to 2010/11 births rose by 15.6% which is the basis for projecting growth in YrR. By 2016/17 YrR numbers are projected to exceed the number of YrR places by 36. Class size legislation prohibits class sizes for Years R-2 going above 30 and therefore by this time there would be a need for an additional two forms of entry in Upminster, especially when we consider the need to provide some additional places to allow for flexibility in forecast numbers. • Admissions to schools are not limited to pupils residing within the Borough boundary and the legally binding Greenwich Judgement has decided that local authorities cannot give preference to children residing within their boundary. • The basis for proposing the need for an additional form of entry in Upminster in YrR from Sept 2013 is the increase in the number of births <i>within</i> the Upminster & Cranham locality and not inward migration of pupils.
<p>5. There is already enough space at Branfil to cover the Upminster area, so the children attending would be from out of the area. Do they pay the same contributions as we do? Our council tax is considerably higher which is therefore unfair that they use our schools and don't have to pay the same as us.</p>	<p>Local Resident</p>	<p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17.</p>

<p>6. Although the school is in need of refurbishing I object most strongly to the expansion of the school to accommodate children from outside of the Upminster area.</p> <p>This will cause inconvenience to all residents as there is lack of parking, lack of access roads which has already been terrible since our own children were at the school, over 25 years ago. This money could be put to better use elsewhere in the borough.</p>	Local Resident	<p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17.</p> <p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan that will be produced as a result of this investigation will be adopted by the school.</p>
<p>7. There is no proven need for the increase in numbers for Branfil School within the Upminster or Cranham area.</p> <p>I do not want increased traffic issues in front of my house, as students are driven to and from the school each day, as there is not proven local need.</p>	Local Resident	Comments as for 6 above.
<p>8. There is no proven need for the increase in places at Branfil School from within the Upminster or Cranham area. The vast majority of the increase in Havering's population is in wards well away from Upminster meaning this school expansion would generate large amounts of extra traffic as pupils are transported in.</p> <p>Gaynes Park Road is already excessively congested at peak times. It will not cope with increased traffic. How can this be consistent with the council's sustainable transport obligations? The evidence for the need in this area is non-existent meaning the expense and negative environmental impact cannot be justified. The council should not proceed with this plan in Upminster.</p>	Local Resident	Comments as for 6 above.
<p>9. There are currently pupils attending Branfil School from out of Havering however the populations for Upminster, Hacton and St, Andrews, the three Wards that provide most of Branfil's pupils, are due to fall between 2010 and 2015. This means that more pupils from out of the area will be taking up the places at Branfil's and not from the Upminster area.</p>	Local Resident	Comments as for 6 above.

<p>There is a very big problem of parking in the area from people bringing children to Branfil's by car and as these extra places will be taken by more children out of the area it will get worse also inconsiderate parking and not being able to make journeys by car until the area has been cleared of traffic.</p> <p>Emergency services also have a problem getting through if needed.</p>		<p>The London Emergency Planning Authority and Fire Service were consulted during the planning stage of the project and approval to the plans was given.</p>
<p>10. There is no proven need for additional spaces in the Upminster Area.</p> <p>I also query the fact that this consultation is taking place after Planning Permission has been granted for new and expanded building for Branfil School.</p>	Local Resident	<p>Comments as for 6 above.</p> <p>The Council needed the assurance, through the approval of its planning application that the project could proceed once the statutory school organisation proposal had been approved.</p>
<p>11. We are local residents and parents of a child at Branfil School. We consider Branfil to be a good school in pleasant surroundings. We object to an increase in pupil numbers for the following reasons:</p> <ul style="list-style-type: none"> • There will be an increase in traffic in and around Cedar Avenue which already gets quite heavily congested with some children travelling in from Thurrock and Grays. This not only causes annoyance to local residents and parents but increased traffic could also pose a safety issue for the children. • Upminster has an ageing population so the proposed expansion will see more children coming into Upminster from outside the area. If there is a need for extra school places due to an increase in Havering's birth rate then from an eco - friendly point of view, a new school or school expansion should take place in these areas of higher birth rate. • Building on the Junior playground will remove some of the outdoor space and the smaller playground will need to accommodate more children. • The additional building work will create noise and other disruption for the children. If only the damaged part of the infant block was demolished and replaced this would be a quicker project and therefore less disruptive. • From an aesthetic point of view, the new building is unlikely to 	Local Resident	<p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school that will be produced as a result of this investigation will be adopted by the school.</p> <p>Branfil School has sufficient land and capacity for expansion and the Head and Chair of Governors have been fully consulted on the building works proposed and support the project scheme.</p>

<p>blend in with the local area and will look as if it's been "crammed in".</p> <ul style="list-style-type: none"> The demand for extra school places should be met by a school with more land than Branfil or the development of a new school elsewhere in Havering. 		<p>Branfil has sufficient land for a three form entry school, including the detached playing field.</p>
<p>12. An increase to the pupil intake of the school, of children from outside the local area, will increase the traffic volume and heighten the existing parking problems local residents already experience. Havering Council claims the proposed extension to Branfil School in Upminster, which will increase the number of pupils from 420 to 630, is urgently needed because of local and national birth rate projections. The council is being economical with the truth:</p> <ul style="list-style-type: none"> In a Freedom of Information request, the council has had to supply the latest figures from the school census (January 2011) and the Havering Joint Strategic Needs Assessment (2010). Contrary to public statements from the council and cabinet members, the populations of Upminster, Hacton and St Andrews wards – the three wards providing most of Branfil pupils - are due to fall between 2010 and 2015. The same figures show that the increase in population is occurring in wards well away from Upminster. The latest Office of National Statistics figures show the expected rise in Havering's population is in wards currently undergoing residential development, i.e. Harold Wood, Brooklands, Romford and South Hornchurch. Havering Council's own 2012/13 school intake data for Branfil states it had 60 places available for the 2012/13 reception year. All of the 52 children in Havering who applied to Branfil as their first choice were accepted. An additional seven applied from Thurrock and one pupil from Barking & 	<p>Local Resident</p>	<p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, that will be produced as a result of this investigation, will be adopted by the school.</p> <ul style="list-style-type: none"> The JSNA refers to the population as a whole while the Council's Pupil forecasts refer to the pupil population which determines the number of places needed in schools in future years. Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments. Branfil is over subscribed by 118 first preferences for 2012/13.

Dagenham. So Havering is not short of places. Indeed, there are currently 62 pupils at Branfil from outside of Havering. On this basis, the school expansion is not needed for local Upminster children. I am all for improving schools, particularly Branfil which has some very dilapidated buildings that need replacing, but school extensions should be in the wards that need them the most.

- Branfil School is in a very quiet residential area and may become one of the largest in the borough simply so the council can get additional funding from central government to re-build dilapidated classrooms and replenish dwindling local authority coffers. As a result, local residents will have an increased volume of traffic and street parking in the roads surrounding the school. The narrow side streets in the area surrounding the school were not built for high volumes of traffic. If the school enlargement goes ahead, these streets will now need to handle an additional 210 parental cars and an additional 30+ staff cars. The staff car parking provision in the application is not sufficient for the anticipated increase in staff numbers. The roads impacted by the proposal are not just Cedar Avenue, Acacia Gardens and South View Drive - i.e. the roads mentioned in the traffic study - but also Gaynes Park Road which is already very busy during the school run in the morning and afternoon, and gets clogged with parked cars, so much so that it can be difficult to safely get out of my drive. Visibility down the street is poor when cars are parked by the roadside during school drop off/pick up and this will only get worse. Consequently I am concerned with the increased risk of a child being injured or even killed by a car. In addition, I am not happy with the prospect of the increased noise elevated traffic levels will bring to Gaynes Park Road. Like many other people in Upminster, we chose to live in this area because it is a quiet residential area. We want to keep it that way.

- Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, that will be produced as a result of this investigation, will be adopted by the school.

<p>13. I chose Branfil Primary school for my children not because it was the nearest school to me as I was also considering Upminster Infants school, but primarily due the fact that it was a small school which gave it an advantage over other schools in the area. At present the teachers know all the pupils, the Head also knows all the pupils and parents, this is vital when problems need to be addressed. The head knows who his pupils are rather than a name on a list. It also leads to a friendly atmosphere and a sense of cohesion and community. The increase of 210 pupils will have a negative impact on this community and I believe on the quality of the teaching and I can see Branfil's performance falling as a result which would be a dreadful shame.</p> <p>The argument is that Havering needs more school places, this may well be but it should be targeted at the areas that are in the greatest need. This is not Upminster. We have the highest proportion of elderly in the borough and that is unlikely to change as it is becoming increasingly harder for young couples to get on the housing ladder at all let alone in an affluent area such as Upminster. As Branfil already has some pupils from outside the area mainly being Aveley and South Ockendon this would indicate that under the admission guidelines there are certainly enough places for Upminster children other wise they would have had priority distance wise than those living further away.</p> <p>The council is also ignoring the environmental impact of this proposal. The government wants everyone to reduce their carbon footprint and green issues are very high profile, how then can it be environmentally friendly to make pupils travel longer distances none of which will be on foot. The parents of these children if they have a car will be forced to drive to school which at that time of the day is a long, fuel consuming journey. Then where will they park? Of course most will want to park as near as possible to the school which means either Cedar Avenue itself or the surrounding roads. Currently Cedar Avenue is heavily congested at school times with double parking, blocking of drives and general inconsideration very much the norm. Surrounding roads are affected at the</p>	Local Resident & Parent	<p>Branfil is a successful school, judged by OfSTED to be good, and the Head and Chair of Governors who fully support the proposal, believe an enlarged school will be able to sustain these high standards.</p> <p>Births <i>within</i> the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments.</p> <p>The Council was very aware of the need to address the impact of the expansion on the local environment and commissioned Traffic and Transportation specialists Robert West to carry out traffic surveys, attend local resident and parent consultations and to support the school in producing a new Travel Plan for the enlarged school. This Plan promotes safer routes to school, discourages car journeys, and identifies the steps that will be taken to achieve these aims.</p>
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moment too, it is already a dangerous situation. If an ambulance or fire engine needed to gain access to the school at these times it would fail thereby putting children's lives at risk that is not acceptable. If you add another 210 cars into the mix I shudder to think what the outcome will be. I live in Lime Avenue which at present has some school traffic parking in it but generally is much less than Cedar, 8 weeks ago 2 ambulances needed to attend to my neighbour in an emergency at school start time, if this had happened with the proposed volume of traffic and parking they wouldn't have stood a chance.

The council were happy to ignore Branfil's failing building needs for many years and it has now only acted due to parent pressure in the past year over the state of the classrooms. These parents who acted on their children's interests have been cheated. All we wanted were suitable classrooms for our children to be taught in, mainly the rebuilding of the KS1 site, I don't think anyone who campaigned for this to happen would think it would lead to a larger school and most do not want this to happen. Unfortunately due to some clever propaganda by both the council and the school, a lot of parents think that the funding will only become available for new classrooms if the school becomes 3 form entry. Why was the public notice giving details of the proposal and how to object posted on the school gate at a date when the council knew no parents would see it as the school is closed for the summer holiday and the deadline for objections to the proposal ends before the school re-opens. Forgive me for being cynical but the planning of that publication date couldn't have worked out better for the council. Luckily those residents with children at the school may have seen it and I for one have passed on the information to anyone I know.

Branfil is not the right school for expanding. I believe it will destroy the very thing that made most parents choose it in the first place. Branfil is in the middle of a quiet residential area with no direct public transport links. The school spaces are not needed in

The Council carried out a full public consultation between 11 June and 13 July which included consultation meetings on 3 and 5 July. During this period it was made clear that the Representation period would take place during the summer from 3-31 August and consultees were alerted of the need for their representations to be made within this period and a large number of representations have been received.

In common with most London Boroughs, Havering is experiencing a major growth in birth rate that has led to the need for additional primary places in all localities, including Upminster. The Council has a statutory duty to provide sufficient school places and every effort is made to listen to the comments and representations made by the school and local residents to ensure the school remains successful and the impact on the local environment is minimised.

To meet the shortage of places in this planning area for Sept 2013 consideration was given to all primary phase schools in this planning area and Branfil was proposed because it was popular and successful, judged by OfSTED as Good, it was central rather than periphery to the growth

Upminster, they should be made available where the most need is.		area, and the Headteacher and Governing Body fully support expansion.
<p>14. We support the proposal to expand Branfil Primary School from two to three form entry as set out in the statutory notice.</p>	<p>Various Online petition supported by 61 individuals</p>	<p>Signatories included the Chair of Governors and Headteacher.</p>
<p>15. I am very concerned that there is no capacity in this location to cope with such an enlargement. Access to the school is mostly in Cedar Avenue which is not wide enough to take the school traffic at present. Any increase will be unacceptable.</p> <p>Regular control of the traffic will be needed even at the present pupil numbers let alone an increase. The particular rudeness of parents already attending the school with regard to the lack of consideration shown to local residents should be taken into consideration.</p> <p>Cars arriving (at the school) as early as 7.30am....would pose a nuisance with noise and disturbance...</p>	<p>Local Resident</p>	<p>Every effort will be taken to minimise the impact of the expansion on local residents. Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, which will be produced as a result of this investigation, will be adopted by the school.</p>
<p>16. I do not feel that adequate research has been carried out into the impact on traffic conditions and the environmental impact of increased vehicle traffic. The traffic conditions at school opening and closing times are currently too much and possibly dangerous. Cedar Avenue is blocked every day and if an emergency vehicle needs to access Cedar (Avenue) it is impossible and any</p>	<p>Local Resident</p>	<p>Traffic consultants have been commissioned to investigate the impact of expansion of the school on the local community. The Travel Plan for an expanded school, which will be produced as a result of this investigation, will be adopted by the school.</p>

proposed expansion will exacerbate this problem. Cedar Avenue itself is a narrow road and only takes two vehicles to park opposite each other for the road to be blocked. This is unacceptable, Emergency services should have good and free access to the school, I doubt this is the case at present and if the pupil numbers are increased then unencumbered access for emergency services needs to be essential.

Pupils from outside the borough should not be taken in (to Branfil Primary School), if there is a lack of space for Havering Children then it can be addressed by stopping children attending schools who do not live in the borough.

...birth rates...are not increasing in Upminster, Upminster has one of the oldest generations in Havering. The Councils own documentation shows that only 1 pupil per year is coming from new developments in Upminster, that is because Upminster has no residential development opportunities that will generate more families.

The councils own documentation shows that population increases will be in Harold Wood, Romford and South Hornchurch and so any school developments should be local to these areas so that they can serve the local community.

Branfil is not served by public transport. The nearest bus stop is some 15 - 20 minutes walk. This will mean an unacceptable increase in vehicle transport and the resulting emissions that will bring. School expansion should be on roads that are served directly by public transport.

One major concern is the lack of Playing fields at Branfil. The playing field is a 5 minute walk away from the school and means pupils crossing a busy road. The playing fields are not accessible

Emergency Services were consulted during the planning stage of the project and approval to the plans was given.

The Council, as admissions authority for Branfil Primary School, is legally bound to offer places at schools according to national guidelines and requirements. It would not be possible to refuse to offer a school place on demand simply because a child lived in a different local authority from that in which the school is located.

Births *within* the Upminster & Cranham area rose by 15.6% in the five year period 2006/07- 2010/11 and this is projected to lead to a deficit of pupil places equating to one form of entry (30 per year group) in Year Reception by Sept 2013 in the area; and potentially a further one form of entry deficit by 2016/17. The main determinant of the projected rise in pupil numbers in Upminster is the substantial increase in births and not an increase in housing developments.

Yes there is increased demand for additional places in these areas and the Council already has proposals in place for dealing with this.

It would not be practicable to limit the provision of additional school places to those schools located on roads served directly by public transport.

Branfil School has sufficient land and capacity for this proposed expansion

<p>by pupils at break times and so no large soft play area is available. The playing field at the moment is not that big and with the proposed increase in pupil numbers I question if it will be big enough. Has a risk assessment been carried out on the fact that pupils will need to be walked on foot from the school to the playing field each time for field sports and activities?</p> <p>I object to this proposal, it is not required in Upminster and a more suitable location should be sought.</p>		<p>No alternative options for dealing with the need for additional places were identified during the consultation stage relating to this proposal.</p>
<p>17 Gaynes Park Road is a very busy road. This year I have had early hospital appointments, and have not been able to pull out into the road because of cars and traffic jam. This proposal to enlarge Branfil is going to make this situation much worse.</p>	<p>Local Resident</p>	<p>Emergency Services were consulted during the planning stage of the project and approval to the plan was given.</p>

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CABINET 26 September 2012	REPORT
Subject Heading:	Localisation of Council Tax Support
Cabinet Member:	Cllr Ramsey
CMT Lead:	Andrew Blake-Herbert Group Director, Finance & Commerce
Report Author and contact details:	Jeff Potter Head of Customer Services Tel: 01708 434139 Jeff.potter@havering.gov.uk
Policy context:	
Financial summary:	The proposed local scheme design seeks to address the £1.9 million reduction in government grant as a result of the localisation of council tax support.
Is this a Key Decision?	Yes
Is this a Strategic Decision?	Yes
When should this matter be reviewed?	Full Council January 2013
Reviewing OSC:	Value

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

At Cabinet on 11 July 2012, Members were made aware of The Welfare Reform Act 2012 which will abolish the national Council tax Benefit scheme from April 2013. Also, the Local Government Finance Bill currently making its way through Parliament will enable Local Authorities to design their own local council tax support schemes.

Cabinet Members considered eight options from which a local Council Tax Support Scheme could be developed and authorised consultation with the Greater London Authority (GLA) on these options with the Council's preferred option being option eight. Detailed information regarding all eight options (including the related equality impact assessments) can be found in the 11 July 2012 Cabinet Report papers.

In addition to the Cabinet meeting above, the Value Overview and Scrutiny committee on 31 July 2012 also considered the cabinet report and options for a new local scheme.

This Report seeks a commitment to make Option Eight the basis of the draft local council scheme from which consultation can commence with members of the public and affected persons.

RECOMMENDATIONS

1. That Cabinet approve the draft local council tax support scheme (set out at Appendix E) and amendments to council tax discounts as summarised in Appendix A for consultation with members of the public and other interested parties.
2. That Cabinet continue to note the financial pressure of a £1.9 million reduction in government grant for council tax support in 2013/14.

REPORT DETAIL

1. Background

- 1.1 At the 2010 Spending Review, the Government announced that it would localise support for council tax (CTS) from 2013 and that expenditure allocated to CTS would be reduced by 10% compared to council tax benefit expenditure.
- 1.2 As part of the Welfare Reform Act 2012, the national council tax benefit scheme (CTB) will be abolished from April 2013. The Department for Communities and Local Government (DCLG) under the Local Government Finance Bill have proposed local schemes to support residents with their council tax to be administered by local authorities.
- 1.3 The Local Government Finance Bill also enables the technical Council Tax Reforms allowing billing authorities to vary the level of certain discounts and exemptions.

Cabinet, 26 September 2012

- 1.4 Funding and financial implications have been considered in light of papers provided by the DCLG and documented in the Financial Implications and Risks areas of this report and Appendix
- 1.5 The DCLG have published papers which set out the principles of the scheme and policy intentions and these are summarised in this report.
- 1.6 The Government have also issued two further papers in July entitled: Localised support for council tax – Draft Council Tax Reduction Schemes (Prescribed Requirements) Regulations Localised support for council tax – Draft Council Tax Reduction Schemes (Default Scheme) Regulations.
- 1.7 These draft regulations have been used to inform the draft Local Council Tax Policy attached at Appendix E which will be made available as part of the consultation.
- 1.8 Further information regarding the principles of a local scheme, customer profile and how council tax benefit is calculated can be found in the 11 July 2012 Cabinet Report papers.

2. Council Tax Technical Reforms

- 2.1 Following the Local Government Resource Review, a number of technical reforms of council tax were proposed by the Government. The Government consulted on these proposals between 31 October 2011 and 29 December 2011 and published a report in May 2012 (Technical Reform for Council Tax: Summary of Responses Report) summarising the responses received during the consultation period. In this report the Government has indicated their intention to give billing authorities the power to vary discounts in respect of certain classes of empty properties. Any extra revenue generated by setting a lower discount than currently awarded will be retained by the billing authority and will not affect the distribution of Government grant.
- 2.2 The proposals that will potentially have a financial impact on the Council are as follows:
- 2.3 Second Homes
- 2.4 This refers to properties that are unoccupied but furnished.
- 2.5 The Council already has the power to award a discount for second homes to between 10% and 50% and since April 2004 the discount for this type of property has been set at 10%. The proposal is to extend this discretion so that the Council can levy up to the full council tax on second homes (i.e. reduce the discount to 0%).
- 2.6 Empty Dwellings Undergoing Major Repair
- 2.7 Current regulations provide for these properties to be exempt under class A for a period of up to 12 months. The Government's intention is to abolish this exempt class and enable billing authorities to set a discount between 0% and 100%. There is no proposal to allow Billing Authorities to vary the 12 month period therefore the discount that is set will apply for the whole of the period for which the property is undergoing repair.

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2.8 Vacant Dwellings

2.9 This refers to properties that are unoccupied and unfurnished.

2.10 Current regulations provide for vacant dwellings to be exempt under class C for a maximum period of 6 months. The Government has confirmed that it intends to abolish this exemption and replace it with a discount that billing authorities can set between 0% and 100%. Since issuing their consultation report, the Government has clarified in the Council Tax Information Letter 2/2012 that councils will not only have the flexibility to set the level of discount but also the period for which the discount applies. This means that the Council could, for example, choose to allow a 50% discount for 3 months and 0% discount for the remaining 3 months, or 100% discount for 1 month followed by 0% discount after that. Havering Council propose a zero discount to enable savings to be made for the Council Tax Support Scheme.

2.11 Liability of Mortgagees in Possession

2.12 Mortgagees (usually a bank or building society) do not currently become liable for council tax when they repossess a property. The owner continues to be liable but is exempt under class L until the property is sold. The Government intends to change the regulations regarding liability so that the mortgagees are made liable for council tax following repossession. The exemption would no longer be needed so the intention is to abolish class L and the property would then be treated as any other vacant dwelling.

2.13 The Government in their consultation paper *Technical reforms of council tax* have indicated that they will have detailed discussions with mortgage lenders about these proposals and this may result in a delay to this rule being implemented.

2.14 Local Government Finance Bill

2.15 The above proposals are still subject to amendment. The Local Government Finance Bill is currently working its way through the House of Lords and seeks to make changes to the Local Government Finance Act 1992 with effect from 1 April 2013. The next stage in the bill's journey is the report stage which is due to take place on 10 October 2012. This will be followed by a third reading and subsequently both the House of Commons and House of Lords will have opportunity to consider any amendments before royal assent is sought.

2.16 The increased income from the above council tax reforms could mitigate the 10% Government reduction in council tax support expenditure.

3. Preferred Option for the New Local Council Tax Support Scheme

3.1 Cabinet on 11 July 2012 considered eight options in detail before noting their preference for the proposed scheme which is attached at Appendix A. All the options considered by Cabinet in July are summarised under the heading Reasons and Options further below in this report.

3.2 The proposed framework of the new local scheme will have due regard to the DCLG's policy intentions and will protect pensioners. Accordingly, a 10% reduction in expenditure shared amongst working age claimants only, increases the reduction to 18%.

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- 3.3 Each of the eight options have a number of shared and unique risks associated to them which Members have considered in detail. The risks for each option can be found in the 11 July 2012 Cabinet Report papers.
- 3.4 Officers recommended that Option 8 is made known as the preferred option for consultation with the GLA as it combines elements which propose minimal impacts on working age claimants and taxpayers with only one home. It is also reasonable to expect working adults residing with the claimant to make a contribution to the council tax through an increased non dependant deduction.
- 3.5 The design of the new local scheme and changes to the council tax reforms, referred to in Appendix A, are forecast to make the required savings to mitigate the 10% Government reduction in expenditure.
- 3.6 The figures used for the initial modelling have changed as more up to date information has been made available to forecast the impacts on customers and finances. The detail is contained in Appendix A
- 3.7 It is important to note that in any final scheme, expenditure may be higher than the figures provided here. Therefore more detailed analysis and verification of the data used will continue to be required to accurately determine the reduction.
- 3.8 Also, any increase in the level of claims beyond current numbers, either due to a further downturn in the economy or an influx of claimants, would need to be dealt with locally – there is no indication to date this cost would be met by the Government. Given the current scale of payments – around £19m as indicated above – this will need to be factored into the Council’s budget risk assessment

4. Consultation with the GLA and the Public

- 4.1 In accordance with Schedule 4 of the Local Government Finance Bill, consultation has commenced with the major precepting authority, the GLA, in advance of the publication of the draft scheme.
- 4.2 The GLA have responded in their letter of 29 August 2012 and have recognised the preferred option for a draft scheme was selected from a total of eight designs. The GLA have reserved the right to respond in detail as part of the Council’s wider consultation process with residents and stakeholders which is to be launched in October 2012.
- 4.3 The Council will formally consult with residents and other groups who will be affected by the scheme as detailed in the Consultation Plan attached at Appendix C.
- 4.4 The consultation plan includes awareness articles for the Web and local media, staff and representative organization focus groups, briefings for External Providers and internal staff.
- 4.5 Subject to the draft scheme receiving Cabinet approval in September, an on-line consultation questionnaire will shortly open for the public to comment on the new local scheme. The consultations questions are attached at Appendix C.

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- 4.6 A paper version of the consultation questions will be made available at various Council outlets for customers who are unable to access the Web.
- 4.7 A summary of the draft scheme will also be made available during the consultation a copy of which is attached at Appendix E.
- 4.8 The consultation period is planned for six weeks commencing in October. This timescale will ensure the outcomes can be collated, analysed and reported to Full Council in January 2013 when the draft scheme must be ratified.

5. Local Council Tax Scheme Administration

- 5.1 To administer the proposed Council Tax Support Scheme in addition to the Council Tax Benefit Scheme for people of pensionable age and the Housing Benefit Scheme, will have major implications on Council resources.
- 5.2 The Housing Benefit Scheme will phase out over the next five years as Universal Credit phases in and will therefore, still require local authority administration.
- 5.3 The DCLG have made available £80,000 to set up the local council tax support scheme.
- 5.4 Government have indicated in their paper *New burdens doctrine – Guidance for government departments*, that “all new burdens on local authorities must be properly assessed and fully funded by the relevant department”.
- 5.5 The Government is committed to keeping council tax down and to ensuring that reasonable net additional costs of all new burdens is assessed and fully funded. These will include any one-off implementation costs, set up and transition costs as well as recurring costs for the first three years.
- 5.6 Further information or detail of the annual financial settlement is still awaited from Government.
- 5.7 Currently, the DWP provide an administration grant of £1.6 million to run the Housing Benefit and Council Tax Benefit Scheme. Normally, The DWP will indicate towards the end of the year, the funding available for the Housing Benefit Scheme and provide an explanation of how it has been calculated.

6. Council Tax and Council Tax Benefit Cost of Collection

- 6.1 The draft local Council Tax Support Scheme relies heavily on the Council tax Reforms to make the savings arising from the 10% Government reduction in expenditure.
- 6.2 The administration of council tax benefit is currently funded from grant provided by the DWP for both housing and council tax benefit. There are significant changes being implemented in 2013/14 for housing benefit with the introduction of Universal Credit. The Council has not been made aware yet of how much administration grant will be provided for the remaining element of housing benefit and any localised council tax scheme. It is therefore difficult to predict what costs the Council may therefore incur in administration.

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- 6.3 There will be an increased pressure to collect the additional £1.6 million Council Tax in 2013. From the proposal, several different risks exist including the impact of collection rates, arrears, take up on other discounts. At this stage we do not know what the full impact of these changes will have on the collection fund however, any deficit would be required to be feed into budget setting process with any shortfalls funded through additional savings, revised Council Tax Support scheme and/or an increase in council tax.
- 6.4 Customer Services will monitor the above even more closely with due regard to the Council Tax collection rate and the administration grant.

7. Timetable for Implementation

- 7.1 The timetable for implementation of the scheme is very challenging. A scheme must be approved by Members before 31 January 2013.
- 7.2 The table below identifies key milestones by which Activities must be completed.

Identify initial options	Completion Date
Review financial implications of scheme using council tax support module.	1 July 2012– 1 August 2012
Cabinet Agree principal options.	11 July 2012
Brief Senior Management and Officers regarding agreed options.	12 July 2012
Consult with GLA on options and scheme design.	16 July 2012 – 1 November 2012
Set framework and document policy for New Scheme administration.	16 July 2012 – 1 October 2012
Cabinet approve draft final scheme.	26 September 2012
Publish Draft Final scheme	1 October 2012
Prepare final scheme publicity including detailed article and press statements.	1 October 2012 – 31 January 2013
Consultation period on Draft Final scheme with residents, including meeting with external providers/partners	4 October 2012 - 14 November 2012

Convert software and data, engaging with software supplier, Capita and in house ICT department.	29 October 2012 – 6 January 2013
Prepare guidance, policy and procedure	5 November 2012 - 6 January 2013
Consultation analysis of responses received. Outcomes to be published separately to wider public.	14 November 2012 - 1 December 2012
Full Council approve the Final Scheme	23 January 2013
Publish Final Scheme	1 February 2013
New Localised Council Tax Support Scheme comes into force.	1 April 2013

REASONS AND OPTIONS

1. Reasons for the decision:

- 1.1 This report arises as a result of the Local Government Finance Bill 2012 which requires the Council to design a Local Council Tax Support Scheme to support people who are liable to pay Council Tax and are in financial need.

2. Other options considered:

The options available are summarised in the detail of the report above and a more detailed explanation is provided in Appendix A . The related equality impact assessments for each option can be found in the 11 July 2012 Cabinet Report papers.

Option	Projected Saving £	Impacts
1. Absorb 10% reduction into council financial reserves.	1.9 mil	No impact on Council Tax Benefit claimants or wider Council Tax
2. Restrict Council Tax liability to 80% for benefit purposes.	1.9 mil	All working age Council Tax Benefit claimants
3. Reduce Council Tax Benefit by 18%	1.8 mil	All working age Council Tax Benefit claimants
4. Restrict benefit to average band D award, increase taper & non dependant deductions	1.8 mil	All working age Council Tax Benefit claimants, particularly those with non dependants in household.
5. Restrict benefit to average band D award, increase taper & non dependant deductions, reduce premiums	1.8 mil	All working age Council Tax Benefit claimants

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6. Increase Council Tax in line with technical reforms.	1.8 mil	Direct impact on the wider Council Tax collection for residents with certain discounts and exemptions
7. Increase Council Tax for all tax payers by £22 per year.	1.85 mil	All residents in borough not claiming maximum CTS (approx 87,000)
8. Restrict benefit to band D, increase non dependant deductions, increase council tax for second homes in line with technical reforms.	1.8mil	Working age claimants who have non dependants or who reside in properties banded E to H. Also affects people who have second homes or homes that are not inhabited

IMPLICATIONS AND RISKS**1. Financial implications and risks:**

- 1.1 The DCLG in their paper, Localising Support for Council – Funding arrangements consultation was issued in May 2012. This document sets out how the Government intends to distribute funding to support local schemes and that expenditure is reduced by 10% from 2013-14.
- 1.2 The funding for council tax support will be set at 90 per cent of the forecast subsidised council tax benefit expenditure for 2013-14. The Greater London Authority (GLA) element of the grant will be allocated directly to them by DCLG. An illustrative figure of £13,564k has been used which does not include the funding attributable to local precepting authorities, the GLA. DCLG advise final allocations will likely differ both in amount and also in the relative distribution between authorities.
- 1.3 The GLA council tax portion is estimated 20.42% and they share the 10% reduction with local authorities and will be funded directly from the DCLG.
- 1.4 The GLA have assumed that their allocation will be £3.48 million and have based this figure on the actual benefit subsidy expenditure for 2010-11. These figures are also illustrative to assist the Council forecast demand for the council tax support in 2013-14. The assumed funding for council tax support inclusive of the 10% Government reduction is therefore £13,564k plus £3.48 million which equals £17.04 million.
- 1.5 The funding for localised Council Tax support will be transferred to local authorities through the “new” formula grant. This will affect the overall level of base grant funding for 2013/14. Thereafter, formula grant will be driven by a number of factors, but there will be no direct link back to the level of council tax support claims, unless this is included as part of any future needs assessment.
- 1.6 The DCLG will make funding available to billing and precepting authorities based on 90% of the forecast council tax benefit expenditure for 2013-14. Currently, subsidised benefit expenditure is forecast at £19.1m therefore the 10% would equal £1.9m.

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- 1.7 The Government is providing funding via the retained business rates system to strengthen the incentives for authorities to grow their local economy and help residents back into employment.
- 1.8 The GLA council tax portion is 20.42% and they share the 10% reduction with local authorities and will be funded directly from the DCLG.
- 1.9 The GLA also now share the risk in uncollected council tax and unexpected increases in caseload. An increase in the GLA precept is not anticipated in the first year of CTS.
- 1.10 There are a significant number of risks to the successful implementation and operation of a localised Council Tax Support Scheme. These are separated into scheme options, which are reflected in Appendix A, and those relating to policy, performance and project management, which are attached to Appendix D.
- 1.11 The increase in localism brings with it additional funding risks. Under the existing arrangements Council Tax Benefit income is guaranteed, however any variations in take-up under the new scheme will require local authorities to fund the shortfall. In contrast, any decrease in demand will result in a reduction in surplus although this is unlikely in the current economic climate
- 1.12 Whichever options are selected for further scrutiny, there is a core risk that these changes could result in an increase in council tax arrears thus affecting the council's collection fund. Any adverse impact of these changes would result in a deficit position on the fund which would be required by statute to be funded between the London Borough of Havering and the Greater London Authority during the budget setting process 2014/15 onwards. This is a risk that will be added to the Risk Analysis for mitigation.
- 1.13 Here is a significant financial risk that the options under consideration do not deliver the level of savings required. The actual savings achieved will depend upon the extent to which outcomes match our assumptions (which are based upon historic data). Financial outcomes may depend upon a complex range of inter-related factors including customer resistance and benefit eligibility.
- 1.14 In view of the financial risks involved it would be sensible to build in a level of contingency. This may require some changes to the preferred options to deliver increased savings or an increase in the central contingency (or a combination of both). Changes to the central contingency will of course have wider implications for the development of the MTFs and Council Tax setting.
- 1.15 It is also recognised that a new local scheme may be manipulated to avoid or reduce council tax thereby increasing the risk of potential for Fraud. This is highlighted in the Risk Analysis and a review of the robustness of monitoring arrangements and controls will be required.
- 1.16 Due to the nature of the local council tax support scheme and funding allocation passing to local authorities, there is a risk of increases in either numbers of claims or value of claims (or both). That being the case, the financial risk associated with the local scheme now falls on the local authority.
- 1.17 Due account will need to be taken of this as part of the Council's budget strategy and reflected in the budget setting cycle for 2013/14. In addition, monitoring of the

financial risk will need to be undertaken routinely and in the event of any significant variation, this would need to feed into the budget monitoring reporting arrangements.

- 1.18 The number of people reaching pensionable age and the pensionable population in Havering is high. The protected pensioner caseload is very likely to increase as a result of this and add further financial risk to the Council. This risk will be recorded in the Risk Register.
- 1.19 Any increase in the level of claims beyond current numbers, either due to a further downturn in the economy or an influx of claimants, would need to be dealt with locally – there is no indication to date this cost would be met by the Government. Given the current scale of payments – around £19m as indicated above – this will need to be factored into the Council’s budget risk assessment.
- 1.20 A Risk Appendix B is attached which outlines the policy, project and scheme implementation risks along with comments on mitigation.

2. Legal implications and risks:

- 2.1 The Local Government Finance Bill introduces a requirement for Billing Authorities to create a new local scheme for Council Tax Support by 31 January 2013 and be effective from 1 April 2013. Whilst this has not been through all relevant stages in Parliament, given the short timescales involved it is advisable that the Council act as if it is to be passed in its current form. However, there is a risk that the final version differs in a material respect and if that does occur then a further report may be necessary. Officers will keep the passage of the Bill under close review.

The local Council Tax Support Scheme will replace the national Council Tax Benefit Scheme which will be abolished by the Welfare Reform Act 2012 from April 2013.

The Bill will require Billing Authorities to consult on any proposed scheme as part of the scheme’s development as follows:

Schedule 4 paragraph 3 (1) Before making a scheme, the authority must (in the following order)—

- (a) consult any major precepting authority which has power to issue a precept to it,
- (b) publish a draft scheme in such manner as it thinks fit, and
- (c) consult such other persons as it considers are likely to have an interest in the operation of the scheme.

- 2.2 There are therefore two stages to the consultation requirements. Firstly with the major precepting authority, then once the final draft scheme has been determined with the public. A consultation must be meaningful in that it must be undertaken at a stage when consultees can influence the final decision and enough time and information must be given to enable them to respond properly.
- 2.3 The Bill further determines for Council Tax Support expenditure to be reduced by 10% although Pensioners are fully protected. The Council also has an obligation to consider other vulnerable groups in any scheme it puts forward.

- 2.4 Policy statements and detailed guidance must also be developed along with an amendment to the Constitution that reflects this new local scheme policy.

3. Human Resources implications and risks:

- 3.1 The introduction of a new local scheme will require a detailed training plan and strategy to develop staff awareness and support them through the transition from Council Tax Benefit to Council Tax Support. Staff will also require briefings throughout implementation as the options develop into a local scheme. This is contained within the appended Project Plan.
- 3.2 Customer Services will consider the implications on the administration and commit in their Business Plan for 2013 to develop a strategy in partnership with staff and Human Resources.
- 3.3 There is a short to medium term risk of significant queries arising from council tax support claimants at the start of April 2013. This is highlighted in the Risks Analysis and mitigation should be considered.
- 3.4 There are no human resource implications arising directly from this report.

4. Equalities implications and risks:

- 4.1 The proposed Local Council Tax Support Scheme will be a new policy that has been the subject of an equalities impact assessment. The equality impact assessments for the other options can be found in the 11 July 2012 Cabinet Report papers.
- 4.2 The local scheme should also take note of the DCLG guidance note: Localising Support for Council Tax - Vulnerable people – key local authority duties which was published on 21 May 2012. This is intended to address the requirement to take into account the following duties.
- 4.3 The Public Sector Equality Duty (and *The Equality Act 2010*) requires local authorities to have clearly defined responsibilities in relation to, and awareness of, those in the most vulnerable situations. This means that a local authority must pay due regard and consider how a scheme might affect people who share a relevant protected characteristic and people who do not share it. Each of the eight options to be considered are the subject of detailed Equality Analysis.
- 4.4 The duty to mitigate effects of child poverty (*The Child Poverty Act 2010*): understanding the characteristics of low income and disadvantaged families. The omission of child benefit income in the calculation of local Council Tax support goes some way to protecting children and again additional money from a discretionary fund could also help with this.
- 4.5 The duty to prevent homelessness (The Housing Act 1996) Those households who find themselves homeless through no fault of their own and who are eligible and in priority need are owed the main homelessness duty.
- 4.6 Armed Forces covenant: The DCLG also highlight the need to comply with the Armed Forces covenant. The current provision is to fully disregard income received from the War Pension Scheme (£35,165 based on 2011/12 Subsidy expenditure)

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and Armed Forces Compensation scheme will remain in place in all of our proposed schemes.

- 4.7 The guidance note does not tell local authorities what they must do in their schemes to be compliant with their duties. It is important to note the need to demonstrate that the local Council Tax support scheme is compliant with the above acts and to document all work undertaken in this area.
- 4.8 In developing a local Council Tax Support Scheme, the Equality analysis is considered an integral part of the process. The Equality analysis will be reviewed on a regular basis as the policy for the local scheme develops to ensure negative impacts are identified and minimised if not eliminated.

BACKGROUND PAPERS

Reference Documents

Localising Support for Council Tax – Funding arrangements consultation
Localising Support for Council Tax – A statement of intent
Localising Support for Council Tax in England - Government's response to consultation
Localising Support for Council Tax in England – Consultation
New Burdens Doctrine – Guidance for government departments
Localised support for council tax – Draft Council Tax Reduction Schemes (Prescribed Requirements) Regulations
Localised support for council tax – Draft Council Tax Reduction Schemes (Default Scheme) Regulations
Council Tax Information Letter 2/2012
Technical reforms of council tax - Consultation

Appendices

Appendix A Preferred Option
Appendix B Risks
Appendix C Consultation Plan
Appendix D Draft Consultation Questions
Appendix E Draft CTS Scheme

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Preferred Option for Local Council Tax Support

The original eight options are appended to 11 July 2012 Cabinet report.

Preferred Option 8. Impacts working age claimants and people with second homes

Option 8	
<p>Restrict the maximum council tax support award to the top of band D, £28.80. Increase non-dependant deductions from: £00.0 to £00.0* £3.30 to £6.00 £6.55 to £9.00 £8.25 to £15.00 £9.90 to £20.00 Increase council tax for certain properties in line with the Council Tax Technical Reforms for 2013 as follows: Remove the second homes discount completely (currently 10%). Amending the Class A exemption (Empty and undergoing major structural repairs) to a 25% discount for a maximum of 12 months. Removing the Class C exemption (unoccupied and unfurnished) completely. Taking the savings from the abolition of Class L (mortgagees in possession).</p>	
Reduction: £1.8 mil	Contingency: NIL
Risks: <ul style="list-style-type: none">• Non-dependants may disappear over time to avoid a reduction in support.• No incentive for taxpayers to tell us about these properties that would be second homes so savings reduced. On Class C exemptions alone, this could be as much as £951k lost if taxpayers advise empty properties are occupied by a single person.• Fraud implications would require consideration.• Certain exemptions could be abolished and additional income lost.	

- There is continued debate around Housing Associations receiving a Class C exemption that may be able to transfer it to Class B.
- No contingency for increase in CTS claims.
- The proposed council tax reforms are contained in the Local Government Finance Bill and are potentially subject to amendment.
- There may be additional work involved in obtaining dates of changes in liability. For example, a change in liability during an exempt period does not require an exact date as there is no charge. If, however, no discount is awarded the exact date would need to be established.
- With no reduction being given to empty properties there is no incentive for this to be reported (if the liable person remains unchanged). This will lead to less reliable management information on empty properties (this will particularly affect the Empty Properties Team).

*Under the current benefit rules, non-dependant deductions are based on the gross income of the non-dependant. However, where the non-dependant is in receipt of an out-of-work benefit, the deduction remains at zero in line with the current scheme.

Option 8 uses a combination of restricting the maximum council tax support to a weekly band D charge of £28.80, non-dependant deductions and reductions in property exemptions.

It should be noted that 2012/13 rates of non-dependant deductions have been used to calculate the savings because the 2013/14 will not be available from the DWP until December 2012.

Potentially 582 claimants residing in properties banded E, F, G and H could be affected by restricting benefit to Band D Claimants. Further analysis will continue to determine more exactly the numbers affected.

This option comprising elements of benefits and council tax to make the savings could affect 8,858 households of which 1,277 will be in receipt of benefit and 7,581 will be Council Tax Payers with second homes. It is likely only 100 or so claimants will lose Council Tax Support entirely. These are forecasted figures, which will be monitored up until the implementation of the new scheme.

Proposals in the Local Government Finance Bill are optimized above to make the majority of savings to offset the Government's 10% reduction in expenditure. The Local Government Finance Bill continues to make its way through the Houses of Parliament.

Preferred Option Statistical Data

Description	Properties that may be affected by band	No. cases All CTB lost	Annual LA Saving/Custom er Loss £	Overall % Saving
a. Restriction to Actual Band D Liability 2012/13 £28.80	Working Age: Band A - 0 Band B - 0 Band C - 0 Band D - 0 Band E - 454 Band F - 87 Band G - 20 Band H - 1	None	Total £89k A £0.00 B £0.00 C £0.00 D £0.00 E £45k F £32k G £11k H £1k	1%
b. Increase Non dependant deductions: £3.30 to £6.00 £6.55 to £9.00 £8.25 to £15.00 £9.90 to £20.00	715 cases affected	94	£185k	1%
Exemption Category	Current scheme	LGF Bill Proposal	Potential Additional Income £	No. of properties affected
c. Second homes	Having apply a Discretionary discount of 10%.	Range of discretion between 0% and 50%. Having propose 0%.	47K	739
d. Exemption Class A – empty and undergoing major repairs/structural alterations	100% up to a maximum of 12 months	Discretionary discount between 0% and 100%. Having propose 0% over 12 months.	240k	468
e. Exemption Class C – unoccupied and unfurnished	100% up to a maximum of 6 months	Discretionary discount between 0% and 100%. Having propose 0%.	1.303k	6289
f. Mortgagees in possession Class L	100% no time limit	Abolition. Having propose 0%	41k	85
Total			1.905k	7581

The Preferred Option element a. restricts Council Tax Support to the top of property band D for all working age applicants. This figure is £28.80 based on 2012/13 council tax property band D. It can be seen from the above table that 582 claimants may receive more than £28.80 in council tax benefit each week. This information has been derived from August 2012 data within Capita. However, the base calculation will need to be revised using 2013/14 figures from the DWP in December 2012 to provide more accurate forecasts.

Element b. of the Preferred Option above has been calculated using the CLG Calculator. This means the applicable amounts and non-dependants deductions relate to 2011/12 figures. In December 2012, the DWP will advise local authorities of the 2013/14 rates which will then be used to calculate the impact and savings more accurately.

With regard to point f. of the table above, the Government have indicated that they will have detailed discussion with mortgage lenders about these proposals, which may result in a delay to this rule being implemented. The savings therefore may not be available in 2013.

In addition, to estimate the savings from the Council Tax Technical Reform, which is currently, passing through the House of Parliament as part of the Local Government Finance Bill, 2011/12 full year data sets have been used.

Risk Register

Appendix B

Risk			Assessment			
No.	Risk Area & Lead Officer(s)	Risk Description	Likelihood	Impact	Risk Rating	Traffic Light
1	<p>RISK</p> <p>Lead Officer – Chris Henry</p> <p>Central Government decides not to proceed with the localisation of Council Tax Support</p>	<p>Central Government decides not to proceed with the localisation of Council Tax Support and retains the current Council Tax Benefit scheme Lobbying from local government and welfare organisations has stressed the difficulties with introducing a new scheme within the timescale</p>	2	1	2.	Green
2	<p>RISK</p> <p>Lead Officer –Chris Henry</p> <p>CLG guidance and legislation delayed</p>	<p>Local Government have not been given an absolute free hand in designing a new scheme. If CLG guidance and legislation is delayed it could make it impossible to roll out a scheme within the timeframe</p>	3	3	9	Amber
3	<p>RISK</p> <p>Lead Officer –Chris Henry</p> <p>Slippage in timetable</p>	<p>Slippage in LCTS project timetable; the timetable for the introduction of the new Local Council Tax Support scheme is very challenging, requiring a new scheme to be finalised by Jan 2013</p>	3	2	6	Amber
4	<p>RISK</p> <p>Lead Officer –Chris Henry</p> <p>Options not agreed by management/members</p>	<p>Options not agreed by management/ members; following the public consultation, the council will need to confirm that they are happy to proceed with implementing a scheme as selected through the consultation process</p>	1	2	2	Green

Risk			Assessment			
No.	Risk Area & Lead Officer(s)	Risk Description	Likelihood	Impact	Risk Rating	Traffic Light
5	RISK Lead Officer –Chris Henry Poor response to consultation	A low response will undermine the legitimacy of the final decision and may encourage challenge	1	2	2	Green
6	RISK Lead Officer –Chris Henry Controlling implementation costs	Some funding has/will be made available by central government to cover implementation costs but may not be sufficient to cover all implementation costs	2	2	4	Amber
7	RISK Lead Officer –Chris Henry Scheme guidance/policy not ready for roll-out	The Council Tax Support scheme will require a new policy document and an extensive guidance manual be drafted. Extensive rewriting of the Support scheme policy and guidance will certainly need to be checked and signed off by legal services to prevent challenge from claimants and user groups. This considerably increases costs	2	2	4	Amber
8	RISK Lead Officer –Chris Henry Software changes not ready	Academy, the software providers for the council, have been reticent about what changes they are able to support without increasing costs. If the new Council Tax Support scheme differs significantly from the current scheme it will require a considerable rewriting of current software	3	3	9	Amber

Risk			Assessment			
No.	Risk Area & Lead Officer(s)	Risk Description	Likelihood	Impact	Risk Rating	Traffic Light
9	RISK Lead Officer –Chris Henry Managing the new administrative burdens	Managing the new administrative burdens arising from the introduction of a new local Council Tax Support scheme; As well as developing new performance management measures, new appeal/review procedures need to be developed. Additionally, new signage, forms and letter packs will need to be put in place	3	3	9	Amber
10	RISK Lead Officer –Chris Henry Introduction of a Local Council Tax Support scheme will have a potential impact on collection rates	Charging customers previously fully rebated and increased burdens on other groups will affect collection rates. Additionally, Customers claiming CTS who move between boroughs may become confused by the differing rules and council tax collection	3	4	12	Red
11	RISK Lead Officer –Chris Henry Savings anticipated undermined by an increased CTS caseload	Savings designed to come from the new Local Council Tax Support scheme could be undermined by an increased CTS caseload.	2	3	6	Amber
12	RISK Lead Officer –Chris Henry Increased opportunities for fraud	Development of a Local Council tax support scheme leads to an increased potential for fraud. New procedures may allow for new loopholes. Guidance and legislation confirming arrangements to allow local authorities and the DWP to share data are yet to be published.	2	2	4	Amber

Risk			Assessment			
No.	Risk Area & Lead Officer(s)	Risk Description	Likelihood	Impact	Risk Rating	Traffic Light
13	RISK Lead Officer –Chris Henry Significant changes to caseload profile	Significant changes to caseload profile could affect the Local Council Tax Support scheme increasing costs and reducing effectiveness. Economic factors (including changes to LHA) and the design of local schemes may have an impact on the caseload profile, with mobile sectors of the community moving to areas where more support is available	1	4	4	Amber
Page 134	RISK Lead Officer –Chris Henry The impact of wider reform agenda	The impact of wider reform agenda undermines the policy intentions and costs profiling of the Local Council Tax Support scheme. The added impact of other reforms may introduce pressures on other sections of the community not anticipated when the policy was drawn up	3	3	9	Amber
15	RISK Lead Officer –Chris Henry Increased life expectancy for protected pensioners	The local Council Tax Support scheme must protect pensioners from any reduction of their current Council Tax Benefit entitlement. As people are living for longer more people could be entitled to protection with a higher cost to the Council.	3	2	6	Amber
16	RISK Lead Officer –Chris Henry Reduced or no access to DWP data as Welfare Reform changes are introduced.	Currently Benefits are able to confirm information via the DWP's Customer Information System. This reduces the amount of information that has to be collected directly from claimants which improves processing times and reduces opportunities for fraud.	2	2	4	Amber

Risk			Assessment			
No.	Risk Area & Lead Officer(s)	Risk Description	Likelihood	Impact	Risk Rating	Traffic Light
		Guidance and legislation confirming arrangements to allow local authorities and the DWP to share data once these changes take effect are yet to be published.				

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Consultation Plan

Appendix C

The Council will be required to consult its proposed scheme with the public and preceptors. Any new scheme must be in place by 31st January 2013, we have identified the following consultation strategy;

<p>Prepare initial Publicity</p> <ul style="list-style-type: none"> • Draft article for website • Published on website • Advance press release drafted • Circulated to local press • Draft article for Council newsletter • Report to area committees • Council newsletter circulated 	<p>The initial stage will focus on advising Havering residents and Council Tax payers that central government are ending the current Council Tax Benefit scheme to be replaced by locally designed schemes, subject to reduced funding.</p> <p>It is also intended to advise that we will be consulting residents on aspects of the scheme in October.</p> <p>This will be achieved through a bulletin on the Havering Council website, a press release to local media and by inviting community groups to include the article within their own publications.</p> <p>It is also intended to place posters in Havering Council's public sites and libraries.</p> <p>The bulletin will be posted on the Havering website, subject to clearance by the Communications team.</p>
<p>Prepare consultation with the Greater London Authority (GLA)</p> <ul style="list-style-type: none"> • Advise GLA of options/consultation and outcome 	<p>One of the requirements placed on local authorities is that we include major preceptors in the consultation process.</p> <p>When Cabinet has identified the options to be put up for consultation in their July meeting we will consult with the GLA accordingly.</p> <p>Advice will be sought from the Legal and Communications Team as to the detail and extent of the required consultation.</p> <p>The consultation outcome will be reported to the September cabinet.</p> <p>As a principle, the GLA will be kept informed throughout the new scheme implementation.</p>
<p>Consultation Period for GLA</p>	<p>The consultation will run from July 2012 to November 2012.</p>

<p>September Cabinet approval of draft final scheme</p> <ul style="list-style-type: none"> • Report on GLA consultation outcomes drafted • Report signed off by project team • Report approved by Cabinet 	<p>The outcome of the GLA consultation will be reported at the September Cabinet meeting.</p> <p>This report will help inform Cabinet on the final design of the Local council Tax Support scheme and other changes to Council Tax charging scheme.</p> <p>Cabinet will also be made aware of any new issues (ICT or financial) which may significantly affect the operation, delivery or integrity of the scheme based on the shortlisted options.</p> <p>The Full Council will then be invited to sign off on the draft scheme to be in place from April 2013</p>
<p>Prepare consultation with residents and affected Persons</p> <ul style="list-style-type: none"> • Consider & procure appropriate service providers and communications media • Design questionnaire (including consultation on questions with front and back office staff) • Questionnaire signed off 	<p>Once Cabinet has approved the draft final scheme to be considered, a consultation document will be prepared that will allow residents to comment on aspects of the scheme. This will include case studies to help residents make informed decisions.</p> <p>The questionnaire will be drafted in consultation with the Communications team & Equalities Team to ensure that it is understandable and accessible, ensuring clarity for residents.</p> <p>The consultation process has initially been planned as an online exercise whereby residents will be able to take part by visiting the Havering website.</p> <p>We will also engage an external provider to undertake the consultation on Havering's' behalf and to collate and analyse responses to ensure timescales are met.</p>
<p>Consultation Period for residents on agreed draft final scheme</p> <ul style="list-style-type: none"> • Consultation on website • Meetings with external providers/partners 	<p>The consultation will run for 6 weeks for residents starting 4/10/12 and ending 14/11/12.</p> <p>During this period we will also meet with representatives from Havering's community groups, social landlords, internal staff and voluntary organisations to separately canvas their thoughts on the final option put forward for consultation.</p>
<p>Option Consultation</p>	<p>During the consultation process, we will collate</p>

<p>analysis</p> <ul style="list-style-type: none"> • Feedback from meetings with external providers • Consultation outcomes published 	<p>and analyse the responses received and from the meetings with the community representatives to brief members and senior officers of the progress of the consultation process.</p> <p>At the end of the consultation process, a full analysis of the responses received will be undertaken. This will be incorporated into a report to Cabinet in January. Once this report has been considered a further article for residents and Council Tax payers will be drafted advising of the results of the consultation.</p>
<p>January Cabinet</p> <ul style="list-style-type: none"> • Report drafted • Report signed off • Submitted for inclusion on Agenda • Agreed by Council 	<p>At the completion of the consultation with residents and affected persons, a full report will be submitted for the January Cabinet meeting.</p> <p>Cabinet can consider the outcomes of the consultation and formally agree the details of the final scheme.</p> <p>Once the design has been ratified we will complete work on drafting the Council Tax Support policy document and the guidance manual and procedures for operational staff.</p>
<p>Final scheme publicity</p> <ul style="list-style-type: none"> • Draft Articles and press statements • Published on website • Press release to local press 	<p>On confirmation of the scheme design, a detailed article will be drafted and published both on the website and through the local press and other outlets.</p> <p>This will report on the outcome of the consultation process, the additional consideration given by Cabinet and the high level design of the new scheme, including the likely impact on residents.</p>
<p>Contact Customers affected</p> <ul style="list-style-type: none"> • Identify affected customers • draft information letter • Issue information letter 	<p>Once Cabinet has agreed the design of the local Council Tax Support scheme, we will identify where possible those households affected by the changes, using current Council Tax Benefit and Council Tax data.</p> <p>Each household will be contacted directly and advised of the changes to the level of support they will receive and/or the increases Council Tax payable.</p>

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Online questionnaire Webpage

Local Council Tax Support – have your say

Many people on low incomes can get Council Tax Benefit to help them pay their Council Tax bill. Although residents make the claim through their local council, the money for the scheme comes from the Government.

The Government has decided to replace Council Tax Benefit with a new local Council Tax Support scheme from 1 April 2013. Each council is expected to put a new local scheme in place to support working age people and pensioners.

The new scheme must protect pensioners. This means most pensioners will continue to get the same level of support that they had under the Council Tax Benefit scheme. *(Insert link to the Draft Council Tax Reduction Schemes ((Prescribed Requirements)) Regulations).*

Council funding is made up of various grants from central Government as well as from Council tax. The Government funds 100% of the current Council Tax Benefit scheme which is about £19 million for Havering this year. Next year, the Government will only contribute 90% towards the new local Council Tax Support scheme. This means Havering's funding will be reduced by approximately £1.9 million in 2013-14. There may be other changes to our funding which may have impacts on services but this consultation is seeking views on this area of funding only.

The Council's budget does not cover the 10% reduction in funding; so we need to consider how we could cover this funding gap, either through:

- Saving this amount from the new scheme by changing some of the rules to Council tax benefits and reviewing the current exemptions.
- Increasing Council Tax (£1.9m equates to about a 1.75% increase in Council Tax)
- Change other Council Services because of this shortfall in funding
- A combination of the above.

We have designed a new Council Tax Support scheme which we would like your views on.

More information on the Council's proposed Council Tax Support scheme is available here. *(Link to document "the Council Tax Support proposed draft scheme").*

Complete consultation questionnaire now. *(Link to questionnaire, see below from page 3 onwards).*

Consultation – have your say...

Getting Information in Your Language or another Format (*Link to translations*)

The consultation starts on Thursday 4 October 2012 and ends on Wednesday 14 November 2012.

Please don't miss this opportunity to give us your views on what the local scheme for working age people will look like.

What happens to the information I provide?

The information you provide will be used by the Council to help decide what the scheme will look like.

Later in the year, the results from the consultation will be available on our website for you to read. The final decision on the scheme will be made by the Council no later than 30 January 2013.

Start of Online questionnaire

(Page 1 of survey)

Local Council Tax Support Consultation

We would like you to help shape our scheme. Please complete the following questionnaire to give us your views

The consultation closes on 14 November 2012.

With the understanding that...

1. Pensioners are not affected by this scheme; they will get the level of support prescribed in the draft regulations published by the Department for Communities and Local Government called Localising support for council tax - Draft Council Tax Reduction Schemes (Prescribed Requirements) Regulations.
2. Some people who are of working age and in receipt of Council Tax Support will be asked to pay more towards their Council Tax bill.
3. If these proposed changes are implemented this will not change other Council services and Council Tax will not need to be increased to cover this reduction in national funding.

.....please answer the following questions.

Draft

(Page 2 of survey)

Principle: Local authorities will be expected to manage the 10% reduction in subsidised expenditure.

The Council needs to make up a shortfall of £1.9million to meet Government changes to the way it funds council tax. This could be done by reviewing current exemptions from Council tax that currently apply and by changing some of the rules about who qualifies for Council Tax benefits.

Currently some second homes are exempt from Council tax, this could be used to fund most of the proposed shortfall rather than by raising the Council Tax on all properties across the borough.

Question 1 Do you agree with this proposal?

Yes

No

Don't know

Please give us your comments:

Currently people who own or rent a second property regardless of its purpose can claim a 10% Council Tax Discount.

Question 2 Should people who own or rent more than one property be able to claim council tax relief from the council?

Yes

No

Don't know

Please give us your comments:

People who own properties undergoing major repair or structural alteration can receive 100% Council Tax exemption for up to 12 months.

Question 3. Should properties undergoing repairs be eligible for Council Tax relief?

Yes

No

Don't know

Please give us your comments:

Currently unoccupied and unfurnished properties are completely exempt from council tax charges for up to six months, even if the owner owns multiple properties.

Question 4. Should unoccupied and unfurnished properties be eligible for council tax relief?

Yes

No

Don't know

Please give us your comments:

At present, when building societies and banks repossess properties, there is a 100% council tax exemption from the Council indefinitely.

Question 5 Should banks and building societies pay Council Tax on properties they repossess?

Yes

No

Don't know

Please give us your comments:

Principle: In developing schemes, local authorities should consider incentivising claimants into work.

Havering's proposed local Council Tax Support scheme will restrict the maximum Council Tax Support award to the top of properties banded D, which is currently £28.80 per week, for working age claimants. This means that claimants living in larger properties, banded E to H, would not receive more than £28.80 in Council Tax Support and so will always have some Council Tax to pay.

Question 6 Should working age people who receive Council Tax Support and live in properties banded E to H receive more Council Tax Support than those living in properties banded A to D?

Yes

No

Don't know

Please give us your comments:

Under the existing Council Tax Benefit scheme, other adults such as an adult son, daughter, other relative or friend who lives in the claimant's home are expected to contribute to household bills such as Council Tax.

Currently, a claimant's Council Tax Benefit is reduced if the other adult in the household is working. Currently, the reduction can be between £3.30 and £9.90 depending on the other adult's income.

The Council proposes to increase the reduction to between £6.00 and 20.00

Question 7 Should these other adults who are working and living in a household where the council tax payer claims Council Tax Support contribute more towards the Council Tax bill than they do now?

Yes

No

Don't know

Please give us your comments:

(Page 4 of survey)

Confidentiality of Responses

Thank you for taking part in this consultation. The information you have given us may be passed to colleagues within London Borough of Havering and published in a summary of responses received and referred to in the published consultation report.

All information contained in your response, including personal information, may be subject to publication or disclosure if requested under the Freedom of Information Act 2000. By providing personal information for the purposes of the public consultation exercise, it is understood that you consent to its disclosure and publication. If this is not the case, you should limit any personal information provided, or remove it completely. If you want the information in your response to the consultation to be kept confidential, you should explain why as part of your response, although we cannot guarantee to do this.

We will publish the responses to the consultation on our website <http://www.havering.gov.uk> in February 2012. The report will summarise the responses and the action that we will take as a result of them.

Almost done now!

Please take a moment to help us get to know you better and click next.

(Page 5 starts here)

We want to know you better...

... so that we can continue to plan and deliver fair and inclusive services that tailored to your specific needs.

The equalities information you give us will remain strictly confidential and will be used for monitoring purposes only, in accordance with the Data Protection Act 1998.

What is your postcode?

Are you... Male Female

What is your age?

Under 18 18 - 24 25 - 34 35 - 44 45 - 54
55 - 64 65 - 74 75 - 84 85 - 89 90+

What is your ethnic group?

A. White

British
Irish
Any other white background
If other, please state below

D. Black or Black British

African
Caribbean
Any other black background
If other, please state below

B. Mixed

White and Black Caribbean
White and Black African
White and Asian
Any other mixed background
If other, please state below

E. Other ethnic group

Arab
Any other ethnic background
If other, please state below

Prefer not to say

C. Asian or Asian British

Indian
Pakistani
Bangladeshi
Chinese

Any other Asian background
If other, please state below

Is English your first language? Yes No
If no, please specify _____

Do you consider yourself to have a disability? Yes No Unsure

The Equality Act 2010 defines disability as "a physical or mental impairment which has a substantial and long-term adverse effect on (a person's) ability to carry out normal day-to-day activities".

If yes, which of the following best describes your disability? (tick all that apply)

Mobility difficulties (wheelchair user)	<input type="checkbox"/>	Mental health needs	<input type="checkbox"/>
Mobility difficulties (non wheelchair)	<input type="checkbox"/>	Long-term illness or health condition	<input type="checkbox"/>
Sight difficulties	<input type="checkbox"/>	Unseen disability (e.g. diabetes, cancer, epilepsy, asthma)	<input type="checkbox"/>
Speaking difficulties	<input type="checkbox"/>	Other	<input type="checkbox"/>
Hearing difficulties	<input type="checkbox"/>	If other, please specify below	
Learning difficulties	<input type="checkbox"/>		
Prefer not to say	<input type="checkbox"/>		

What is your religion or belief?

Christian	<input type="checkbox"/>	No religion or belief	<input type="checkbox"/>
Buddhist	<input type="checkbox"/>	Prefer not to say	<input type="checkbox"/>
Hindu	<input type="checkbox"/>	Any other religion or belief	<input type="checkbox"/>
Jewish	<input type="checkbox"/>	If other, please state below	
Muslim	<input type="checkbox"/>		
Sikh	<input type="checkbox"/>		

What is your sexual orientation?

Heterosexual/Straight	<input type="checkbox"/>	Bisexual	<input type="checkbox"/>
Gay Man	<input type="checkbox"/>	Prefer not to say	<input type="checkbox"/>
Gay Woman/Lesbian	<input type="checkbox"/>		

Thank you!

**The Equalities information will be kept strictly confidential and
will be used for monitoring purposes only**

End of Online questionnaire

Draft

This is Havering Council's Localised Council Tax Support Scheme consultation. If you would like to get this document in your language or in another format (large print, Braille, audiotape or easy read), please contact Customer services via email at benefits@havering.gov.uk or on 01708 433996.

Bengali:

এটি হেভারিং কাউন্সিলের সিঙ্গেল ইকুয়ালিটি স্কীম। আপনি যদি এই কাগজটি আপনার নিজের ভাষায় অথবা অন্য কোন ফরম্যাটে (বড় অক্ষর, ব্রেইল, অডিওটেপ বা ইজি রীড) চান, তাহলে অনুগ্রহ করে ডাইভারসিটি প্রোগ্রাম টিমের সাথে equalityscheme@havering.gov.uk ইমেইল ঠিকানায় যোগাযোগ করুন অথবা 01708 431269 নম্বরে টেলিফোন করুন।

Yoruba:

Èyí ni ilàṅà idógba lónà kan ti àjò ìgbìmò ti Havering. Tí o bá fé ìwé ìrì ìdí ñkan yí ní èdè re, tàbí ní èyà òmíràn (èyí tí a ko ñlánílá, Braille, ìgbohùn sílè tí a lè túngbó, tàbí tí a lè kà ní ìròrùn), jòwó kàn sí àkójó àwon ènià tí ñse ètò nípa ará orílẹ̀ èdè òtòtò ní orí èrò ajákoro káráyè equalilityscheme@havering.gov.uk tàbí lórí 01708 431269.

Lithuanian:

Čia yra Havering Savivaldybės Vieną Lygybę Užtikrinanti Sistema .Jeigu jūs norėtumėte gauti šį dokumentą savo kalba ar kitu formatu (stambiu šriftu, Brailio raštu, magnetinėje juostoje, ar lengvai skaitomu raštu) prašome susisiekti su Diversity Programme Team(įvairovės programos Grupe)elektroniniu paštu :equalityscheme@havering.gov.uk arba tel. :01708 431269.

Polish:

Niniejszy dokument zawiera informacje dotyczące programu równości Gminy Havering. Aby otrzymać te informacje w języku polskim lub innym formacie (duży druk, alfabet Braille'a, kasety audio lub łatwy tekst), proszę się skontaktować z Departamentem ds. programu różnorodności wysyłając email na adres equalityscheme@havering.gov.uk lub dzwoniąc pod numer 01708 431269.

Punjabi:

ਇਹ ਹੇਵਰਿੰਗ ਕੌਂਸਲ ਦੀ ਸਿੰਗਲ ਇਕੁਅਲਿਟੀ ਸਕੀਮ (Single Equality Scheme) ਬਾਰੇ ਹੈ। ਜੇਕਰ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਆਪਣੀ ਭਾਸ਼ਾ/ਬੋਲੀ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਬਣਤਰ ਵਿਚ ਚਾਹੁੰਦੇ ਹੋ (ਜਿਵੇਂ ਕਿ ਮੋਟੇ ਅੱਖਰਾਂ ਵਿਚ, ਬਰੇਲ (ਨੋਤਰਹੀਣਾਂ ਲਈ), ਸੁਣਨ ਵਾਲੀ ਟੇਪ ਜਾਂ ਇਜ਼ੀ ਰੀਡ), ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਡਾਈਵਰਸਿਟੀ ਪ੍ਰੋਗਰਾਮ ਟੀਮ ਨੂੰ equalityscheme@havering.gov.uk ਤੇ ਈ-ਮੇਲ ਕਰਕੇ ਜਾਂ 01708 431 269 ਉੱਪਰ ਟੈਲੀਫੋਨ ਕਰਕੇ ਸੰਪਰਕ ਕਰੋ।

Urdu:

یہ ہاوریج کونسل کی واحد مساویت کی پالیسی (Havering Council's Single Equality Scheme) ہے۔ اگر آپ یہ دستاویز اپنی زبان میں یا کسی اور طرز [بڑی چھپائی، بریل یعنی ابھرے ہوئے حروف، آڈیو ٹیپ پر یا آسانی سے پڑھ سکیے] میں حاصل کرنا چاہتے ہیں، تو براہ کرم ڈائیورسٹی پروگرام ٹیم سے equalityscheme@havering.gov.uk پر ای میل کے ذریعے Diversity Programme Team سے equalityscheme@havering.gov.uk پر ای میل کے ذریعے 01708 431269 پر رابطہ کریں۔

London Borough of Havering Draft Local Council Tax Support Scheme

Introduction

Council Tax Benefit will be abolished from 1 April 2013. In its place each local authority is required by Section 9 of the Local Government Finance Bill to produce its own scheme to reduce the liability of working age applicants it considers to be in financial need.

This document contains Havering's draft Council Tax Support Scheme which the Council is required to produce under the provisions of Schedule 4 of the Bill.

The Council has decided to adopt its own scheme which has due regard to the Department for Communities and Local Government's policy intentions and unequivocally protects pensioners.

The Local Council Tax Support scheme is to be interpreted and applied in accordance with the Draft Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations which set out what must be included in the scheme.

The Council is required to design its own scheme to assist applicants who are below state pension credit age. If it fails to do this by 31 January 2013 it will be required to adopt the default scheme as set out in the Draft Council Tax Reduction Schemes (Default Scheme) Regulations.

This scheme, referred to as the Council Tax Support scheme (CTS), may be affected by a number of issues outside the Council's control including but not limited to:

1. The outcome of a consultation on this scheme;
2. The enactment of the Local Government Finance Bill and subsequent secondary legislation;
3. The bringing into force of the Welfare Reform Act 2012 and any secondary legislation.

It may also be amended if the expected cost of the new scheme changes before 31 January 2013 to such an extent that the scheme requires further amendment.

In this document 'the new scheme' means the proposed CTS scheme and 'the current scheme' means the existing Council Tax Benefit scheme (CTB).

The draft regulations provide a detailed scheme for the calculation of CTS where an applicant is a pensioner which following the enactment of those regulations will be incorporated within the Council's new scheme.

Unless expressly stated otherwise the provisions outlined below relate solely to working age applicants under the new scheme.

Havering's Local Council Tax Support Scheme

This document sets out the Council's Local Council Tax Support Scheme for eligible working age Council Tax payers to receive support.

The scheme applicable to pensioners is defined in the Draft Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012, Part 3, Schedules 1 to 6, which will be adopted within this scheme following their enactment.

The procedure for the operation of the Scheme summarised below is made in accordance with Schedules 7 and 8 of the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012.

The principles of the Local Council Tax Support Scheme are:

- Local authorities will be expected to manage the 10% reduction in subsidised expenditure.
- Regulations will be set to protect claimants of state pension credit age.
- Local authorities must consult on their schemes with precepting authorities and the public.
- Local authorities may collaborate to develop joint schemes.
- The Council must adopt the final scheme before 31 January 2013 or the default scheme will apply.
- Local authorities should aim to protect vulnerable groups.
- In developing schemes, local authorities should consider incentivising claimants into work.

The new scheme will adopt the existing scheme as defined in the Council Tax Benefit Regulations 2006 as they stand subject to the following amendments:

1. Restrict the maximum council tax support award to the top of Council Tax band D

That Paragraph 57 in Part 6 of the Council Tax Benefit Regulations 2006 shall be taken to read as follows:

“57.

- (1) Subject to paragraphs (2) to (5), the amount of a person's maximum council tax benefit in respect of a day for which he is liable to pay council tax, shall be 100 per cent of the amount A/B where—

- (a) A is the amount set by the appropriate authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and
 - (b) B is the number of days in that financial year, less any deductions in respect of non-dependants which fall to be made under regulation 58 (non-dependant deductions).
- (2) In calculating a person's maximum council tax benefit any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act, shall be taken into account.
- (3) The level of any Council Tax Support awarded shall be restricted to the level of band D
- (4) Subject to paragraph (5), where a claimant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons but excepting any person so residing with the claimant who is a student to whom regulation 45(2) (students who are excluded from entitlement to council tax benefit) applies, in determining the maximum council tax benefit in his case in accordance with paragraph (1), the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.
- (5) Where a claimant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph (4) shall not apply in his case.

2. Increase weekly non-dependant deductions

That Paragraph 58 in Part 6 of the Council Tax Benefit Regulations 2006 shall be taken to read as follows:

“58.

- (1) Subject to the following provisions of this regulation, the non-dependant deductions in respect of a day referred to in regulation 57 (maximum council tax benefit) shall be—
- (a) in respect of a non-dependant aged 18 or over in remunerative work, £20.00 x 1/7;
 - (b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, £6.00 × 1/7.
- (2) In the case of a non-dependant aged 18 or over to whom paragraph (1)(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is—

- (a) less than £183.00, the deduction to be made under this regulation shall be that specified in paragraph (1)(b);
- (b) not less than £183.00 but less than £316.00, the deduction to be made under this regulation shall be £9.00;
- (c) not less than £316.00 but less than £394.00, the deduction to be made under this regulation shall be £15.00.

Applications for Council Tax Support

This part applies to both pensioners and working-age applicants

The following procedure is in accordance with the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012, referred to as 'the Regulations' below and shall be implemented in accordance with those Regulations.

Entitlement to CTS is dependent on an application being made in the following way:

An application may be made:

- (a) In writing
- (b) By means of an electronic communication or
- (c) By telephone following publication by the Council of a number for this purpose.

The form provided by the Council for this purpose must be properly completed, and the Council may require the applicant to complete the form in the proper manner, and may further require that further information and evidence is provided by the applicant.

An application will be defective if the applicant does not provide all of the information the Council requires.

Applications made by telephone will only be valid if the applicant provides a written statement of their circumstances in the format required by the Council.

The Council will provide applicants making their applications with an opportunity to correct any defects in their application.

Applications may be made by those persons set out in paragraph 6 of Schedule 8 of the Regulations.

The Government has indicated that they intend to introduce legislation to the effect that people entitled to Council Tax Benefit on 31 March 2013 will be deemed to have made an application under the new scheme.

Evidence and information

Any person who makes an application or any person to whom a reduction under the Council's scheme has been awarded shall furnish such certificates, documents, information and evidence in connection with the application or award, or question arising out of it as may reasonably be required by the Council in order to determine the person's entitlement. Where the Council requests information it shall inform the applicant or person of their duty to notify the Council of any change of circumstances and shall indicate the kind of changes of circumstances which are to be notified.

Matters related to the electronic communication of information, proof of delivery and content of information will be determined in accordance with Part 4 of Schedule 7 of the Regulations.

Where the person is a pensioner paragraph 7(4) (5) (6) and (7) of Schedule 8 of the Regulations apply which specify matters relevant to evidence and information related to pensioners.

Amendment and withdrawal of applications

Any person who has made an application may amend it at any time before a decision had been made by serving a notice in writing to the Council in accordance with paragraph 8 of Schedule 8 of the Regulations.

Decisions by the Council

The Council will make a decision in respect of any application for a reduction under this scheme in accordance with the criteria set out within the Council Tax Benefit Regulations 2006 (subject to the amendments made to paragraphs 57 and 58 and Schedule 2 referred to above), and in accordance with Schedules 7 and 8 of the Regulations.

The decision will be made within 14 days of the Council receiving at its designated office the properly completed application or the information requested to complete it or the evidence required. The date upon which the Council is deemed to have received the properly completed application shall be determined in accordance with paragraphs 6 of Schedule 1, paragraph 7 and Part 1 of Schedule 7 of the Regulations being satisfied, or as soon as reasonably practicable thereafter.

The Council will notify the applicant or any person affected by its decision under the scheme in writing forthwith, or as soon as reasonably practicable.

Any person affected to whom the Council sends or delivers a notification of a decision to may, within one month of the notification of the decision, request in writing from the Council a statement setting out the reasons for its decision on any matter set out in the notice.

Following receipt of a request for a written statement the Council will provide this within 14 days or as soon as reasonably practicable thereafter.

Where an award or payment of reduction is made the time and manner of granting the reduction under the scheme will be in accordance with Part 5 of Schedule 8 of the Regulations.

Change of circumstances

For persons who are not pensioners the date on which changes of circumstances are to take effect will be determined in accordance with paragraph 4 of Part 2 of Schedule 8 of the Regulations.

Procedure for making an appeal

Any applicant who is not in agreement with the decision of the Council taken under this scheme may service a notice in writing on the Council setting out their reasons and grounds upon which they believe the Council has made the wrong decision.

Following receipt of an appeal in writing the Council will:

- (1) Consider the appeal
- (2) Notify the applicant in writing of the following:
 - (i) Any decision not to uphold the appeal and the reasons for that; or
 - (ii) That steps are being taken to proceed with the appeal and set out what steps.

Where an applicant remains dissatisfied following receipt of any written notice sent by the Council in response to their appeal, they may within two months of the service of that notice, appeal to the valuation tribunal.

Applications for further discretionary reductions

Under Section 13A(1)(c) of the Local Government Finance Act 1992 and the Draft Council Tax Reduction Schemes (Prescribed Requirements) Regulations, the Authority will consider applications for a further reduction in Council Tax.

There will be financial implications in that the cost of any reduction will be a direct cost to the Council. The cost of any discretionary reduction will, therefore, have to be met by the rest of the council taxpayers.

Applications must be made in writing or by prescribed electronic communications.

The Council will, in making decisions for further discretionary reductions, have due regard to its duties under The Child Poverty Act 2010, The Housing Act 1996, and The Equality Act 2010.

The Council will review all relevant matters when deciding whether to award a reduction including, but not limited to:

- The circumstances of any other person with whom the applicant is jointly and severally liable for Council Tax.
- The overall financial situation of the applicant and the applicant's family.

- The effect the council believes making an award will have on the applicant and any members of the applicant's family.
- Protecting the public purse and maintaining financial budgets.

A person who applies for a discretionary reduction may request that the Council review its decision. Any such request must be made in writing and be received within one month of the date the notification of the decision.

If practicable, another more senior officer, will reconsider the decision in light of all available evidence and, if appropriate amend it. Any change may lead to either a reduction or an increase in any award.

A further right of review will be available against the decision as reviewed which will be considered by a manager but only against the legality of the decision and not the actual outcome.

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CABINET

26 September 2012

REPORT

Subject Heading:	Revised Housing Allocations Scheme and New Tenancy Strategy covering the letting and management of housing in Havering borough
Cabinet Member	Councillor Lesley Kelly
CMT Lead:	Cynthia Griffin Group Director Culture and Communities
Report Author and contact details:	Jonathan Geall Housing Needs and Strategy Manager 01708 434606 jonathan.geall@havering.gov.uk
Policy context:	Housing Strategy and Housing Revenue Account (HRA) Business Plan
Financial summary:	The proposals will require a review of all those on the Housing Register, amended literature and other publicity, and an update of the online application form. The financial costs of this work will fall to the HRA. Provision has been made within the 2012/13 HRA budget for the retained Housing Service to deliver this work.
Is this a Key Decision?	Yes
Is this a Strategic Decision?	Yes
When should this matter be reviewed?	April 2014
Reviewing OSC	Towns and Communities

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report proposes to Cabinet a fully revised Allocations Scheme covering the eligibility for, and letting of, council housing in the borough. The revisions take account of the new freedoms and flexibilities afforded local authorities with regard to the letting of council homes brought in by the Localism Act 2011. The revisions have been informed by thorough and detailed consultation with residents likely to be affected and stakeholders both within and outside the Council.

The report also sets out a draft Tenancy Strategy for approval. It is a new requirement of each housing authority, brought in by the Localism Act 2011, that a Tenancy Strategy be published by no later than 15 November 2012 covering the authority's approach to the use of fixed term tenancies, rather than lifetime secure tenancies. Housing associations operating in the borough are required to have regard to the Tenancy Strategy when setting their own tenancy policies. Given this influencing role of the Strategy, it also includes details of the Council's approach to affordable rents, these being rents of up to 80% of local market rents, introduced in 2011. The draft Tenancy Strategy has been produced following thorough and detailed consultation with residents, registered providers (also known as housing associations or registered social landlords) and other stakeholders.

RECOMMENDATIONS

1. That Cabinet approves the draft revised Allocations Scheme attached at Appendix A as the Council's new Allocations Scheme to be implemented with effect from Monday 1 April 2013 and with local lettings policy from 1 October 2012 in accordance with section 7.3 of the Allocations Scheme.
2. That Cabinet approves the draft Tenancy Strategy attached at Appendix B, with publication before 14 January 2013 and to be implemented with effect from Monday 1 April 2013.
3. That Cabinet delegates to the Lead Member for Housing authority to make any minor amendments to the revised Allocations Scheme and/or Tenancy Strategy, necessitated by any future guidance, further legal advice, national government or operational requirements, unless these would have a significant financial impact in which case a further report would be brought to Cabinet.
4. That Cabinet delegates to the Lead Member for Housing authority to approve the necessary policies and procedures for reviewing the circumstances of individual households when their fixed term tenancy comes to an end.
5. That Cabinet delegates to the Head of Housing and Public Protection authority to review the circumstances of every household on the Housing Register to enable a reassessment of their priority for housing prior to implementation of the new Allocations Scheme, and to take measures to protect those households on the Register who have bid for a property within

the last three months prior to the implementation date and their bid was in the top five by affording the Head of Housing and Public Protection the discretion to allow them to continue to bid for a period of three months after the date of the implementation of the new scheme.

6. That in advance of the full implementation of the revised Allocations Scheme on 1 April 2013, Cabinet approves from 1 October 2012 giving notification to households living outside of the borough, except serving and ex-service personnel and other exceptions as included under the revised Scheme of their removal from the Housing Register from 1 April 2013.
7. That Cabinet delegates authority to the Lead Member for Housing to approve any local lettings policies under the new Allocations Scheme, in particular Dreywood Lodge, formerly known as Snowden Court.

REPORT DETAIL

1. ALLOCATIONS SCHEME

1.1 Background

The Localism Act 2011 has afforded housing authorities greater freedom and flexibility about which households are and are not eligible for council accommodation, and thus eligible to join the Housing Register, should authorities wish to maintain one.

While housing authorities must continue to afford those with 'reasonable preference' for housing, as defined by the Housing Act 1996, as amended by the Homelessness Act 2002 and the Localism Act 2011, and the attendant Code of Guidance, a degree of priority over those without these characteristics, and while the equalities legislation should not be breached, housing authorities now have the flexibility to:

- set criteria around who may and may not be given social and affordable homes in the borough, and thus accepted onto the Register of those seeking such housing
- devise and apply different rules regarding the allocation of council housing to existing tenants, that is, transfers and to new applicants
- among those with reasonable preference, afford greater priority to those who contribute to their community, notably by working, volunteering or in other ways contributing.

The Council's current Allocations Scheme has remained largely unchanged since its approval by the Lead Member for Housing on 15 April 2005 acting under authority granted by Cabinet on 27 April 2004. Thus, even without the impetus of the Localism Act 2011, it is arguably timely to thoroughly review the existing Scheme.

The Secretary of State also issues Guidance on Allocations from time to time. The most recent Guidance was issued in June 2012, and these final proposals have taken this into account.

In developing our Allocations Scheme, we must also have regard to our own Housing Strategy, Homelessness Strategy, Tenancy Strategy and the Mayor of London's Housing Strategy. Likewise the development of the Tenancy Strategy must also have regard to the Allocations Scheme and the other documents mentioned. Clearly all these documents are refreshed from time to time, and both the Allocations Scheme and Tenancy Strategy will be amended from time to time in order to ensure that the Council has regard to these documents. The current proposals have had regard to the most recent strategies available from these sources.

1.2 'Reasonable Preference'

In essence, the reasonable preference requirements and definition have not been changed by the Localism Act 2011. Thus, in framing an allocations scheme to determine allocation priorities, housing authorities are required to ensure that reasonable preference is given to the following categories of people (note: the exact wording of the Code of Guidance is simplified here for purposes of clarity):

- people who are homeless within the meaning of Part 7 of the Housing Act 1996
- people who are owed a rehousing duty under the homelessness legislation
- people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- people who need to move on medical or welfare grounds, including relating to a disability, and/or
- people who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or others).

Just as previously, housing authorities are required to have regard to the following considerations:

- the Allocations Scheme must give reasonable preference to applicants with the characteristics listed above, over those who do not
- although there is no requirement to give equal weight to each of the reasonable preference categories, overall, reasonable preference must be given to all of them.

In addition, it was established through case law in 2009 that there is no requirement for housing authorities to give greater priority to applicants who fall within more than one reasonable preference category.

1.3 Consultation on the Allocations Scheme proposals

The Allocations Scheme is, of necessity, a substantial document of some 50 pages or so. From the outset, it was expected that any alteration to the Council's

Scheme that reflected a major policy change would be subject to thorough consultation with members, residents likely to be affected, council services and the Council's housing association and voluntary sector partners and stakeholders.

The following consultation has been completed:

Type of consultation	Stakeholders	Date(s)
Initial consultation event hosted by Havering Council	Registered providers (RPs) operating in the borough	October 2011
Initial consultation	Homes and Communities Agency Registered Providers East London Housing Partnership Havering Citizens Advice Bureau Adult Social Services	November 2011
Online survey and paper questionnaire	Applicants on the Housing Register	January – February 2012
Briefing and consultation	Elected Members	(1) February 2012 (2) May 2012
Briefing	Internal Corporate Management Team	February 2012
Consultation event	RPs, residents associations and third sector organisations	April 2012
Online consultation (and paper survey questionnaire)	(1) and (2) Housing Register applicants, residents, Elected Members, residents and RPs (2) Mayor of London and local solicitors	(1) April – May 2012 (2) July 2012
Two public events	Applicants on the Housing Register, Residents and RPs	May 2012
Follow up forum following 30 April event	RPs, residents associations and third sector organisations	May 2012
Drop-in Q&A session	People on the Housing Register and residents	May 2012
Briefing and consultation	HiH Resident forum, and community forum	June – August 2012

A separate report listing the outcome of various consultation exercises has been compiled and is available as an appendix to this report.

1.4 Key proposed amendments to the Allocations Scheme

The proposed new Allocations Scheme is attached at Appendix A. This section of the report summarises the key proposed policy changes and indicates how the Housing Service has responded to the findings of the various consultation exercises.

Key amendment	Revision (if any) made as a result of feedback during consultation
Introduction of a residency criterion such that to be eligible to join the Housing Register, the household must have been resident in Havering for at least two years	Initial consultation proposed a one year residency requirement. This was extended as a result of internal and resident consultation. A 2 year residency was proposed as this is less than the average private sector lease (PSL) tenancy.
Replacement of the five bands A – E with: <ul style="list-style-type: none"> • a main band, called the Homeseeker band, with priority within this band given to those given Community Contribution Reward by the Council • an Emergency rehousing route for those with the most urgent need to move 	No further amendments to this idea as it was well-supported during consultation
Introduction of a Community Contribution Reward for those in the Homeseeker band who: <ul style="list-style-type: none"> • work at least 16 hours a week • volunteer at least 10 hours a month (or five hours if aged 70+ years) • are Havering Council tenants wishing to downsize • are serving or ex-services personnel • need to move to foster / adopt where this is verified and supported by Children’s and Young Persons’ Services Note: those with a disability such that they could not meet any of these requirements would be given the Community Contribution Reward so as not to be disadvantaged solely because they are disabled	The reduction in the volunteering requirement for older people was added to the proposals in response to residents’ views that older people, though perhaps at least as likely volunteer as younger people, are less able to participate in the same amount of voluntary activity
Retention of choice-based lettings for those in the Homeseeker band (with or without a Community Contribution Reward) Replacement of choice-based lettings for those in need of Emergency rehousing with ‘assisted offers’, that is, direct offers of accommodation taking account, wherever possible, of locational requirements	During the consultation period, the equalities impact of not enabling those with the most urgent need to move was considered. It was felt that this could potentially disadvantage some groups, notably the very ill and disabled who had to move urgently, from exercising choice, therefore, it is proposed to enable such households to use the choice-based lettings system while also receiving assisted offers. It is anticipated that such households will be more likely to receive a suitable assisted offer than one through choice-based lettings as officers will be pro-actively matching need to vacancies as soon as they arise. Furthermore, the Council will

	retain the right not to make an offer through choice-based lettings should it not be feasible to adapt the property concerned
Introduction of a 'tenant move scheme' whereby council or PSL tenants who have held a tenancy for five years but have no housing need, that is essentially that their home is large enough and accessible, will be able to join the Homeseeker band (and apply for a Community Contribution Reward). In this way, it is anticipated that council tenants with children living in a property without a garden will stand a far greater chance than now of moving to a property with a garden. Note: in order to be eligible, tenants will have a good tenancy history, that is they will have no rent arrears or have breached their tenancy in the last 12 months	No further amendments to this proposal were made as although some residents queried why those without need would be able to join the Register, the majority were in favour
Removal of the 'like-for-like' rule for those transferring between council properties for an urgent reason Note: it is envisaged that more properties without gardens will be offered to those moving from properties with gardens in an emergency, rather than vice versa	No further amendments
Removal of 'having no security of tenure' as a definition of 'unsatisfactory housing' under the reasonable preference categories, thus meaning that simply renting privately or living with other family members without any other housing need, such as overcrowding, will not give eligibility to join the Housing Register	No further amendments during consultation although this proposal arguably led to the greater number of concerns from residents, although on closer scrutiny it appears that the proposal was misunderstood to mean barring every private tenant / person living with family from the Housing Register, regardless of housing need. This is not the case

- 1.5 One of the most controversial changes to the Allocations Policy is the introduction of a residential qualification of two years. The reason why we are proposing to introduce this requirement is that we have currently 11,900 people on our Housing Register, and only around 700 units of homes to let each year. We therefore need to find ways of rationing this scarce resource, and letting those people who have no prospect of finding assistance, know what their realistic prospects are. We have chosen to restrict the Housing Register to those households who live in the borough, and who have connections with the borough established through some length of residence. We note that the Mayor's Housing Strategy expresses a desire to improve mobility within London, but we believe that through our participation in the Pan London Mobility Scheme, we will ensure that mobility for work or caring will continue to be supported.
- 1.6 The residential qualification will be generally applied, but there will always be exceptional cases, and ways in which we can assist some households who do

not live in the borough. Some of these are set out in the Allocations Policy, and in addition, officers do assist people who live out of the borough, but who wish to move to Havering with advice on schemes such as the Pan London Mobility Scheme, East London Housing Partnership (ELHP) reciprocal scheme and Reciprocal arrangements directly with other bodies.

- 1.7 The operation of the Homelessness legislation also takes primacy over local policies, and we will continue to comply with the requirements placed on us by the homelessness legislation to households who seek our assistance when they are homeless, whether they live within Havering or not. Local authorities generally have a mutual agreement on what constitutes a local connection, and we will continue to apply these arrangements to cases who seek our assistance in an emergency.
- 1.8 The Allocations Scheme also applies an income test to applicants.(See Appendix 1). In that Appendix we propose that households seeking assistance on the Housing Register can afford to find their own accommodation, where their household income/savings are above a certain threshold. These thresholds have been set by assuming that it would be reasonable for households to spend 30% of their disposable income on housing costs.
- 1.9 We recognise that there will be a significant impact on households currently on the Housing Register, and those who may in the future wish to register for housing. They may experience disappointment, and a feeling of frustration. But we do also feel that they will not be significantly disadvantaged in their chances of obtaining housing. Households living outside the borough for example, who sought housing in Havering were always placed in the lowest bands (Bands D & E) of the current scheme, and therefore their chances of being rehoused were always very low, and for the vast majority, non-existent. There are 2843 households in Bands D & E currently on the Housing Register. Not all of these will automatically be removed from the Register, because until we have written to them, and established whether they have, for example an Armed Services connection, we cannot say whether they have some qualification to remain on the Register. We feel however that those households who will be removed will not have lost an opportunity for rehousing, but merely the illusion that they might be successful in their bids for housing.
- 1.10 To be eligible for the Emergency Rehousing Band, applicants must meet the housing register eligibility criteria including residency criteria and meet one or more of the seven reasons in the Emergency Rehousing Band.
- 1.11 We have considered the impact of those households disadvantaged by the changes in the policy in more detail in the Equality Assessment in Appendix D.

1.12 Timetable for implementation of the revised Allocations Scheme

In order to implement the new Scheme, the following key tasks are required:

- a thorough review of the existing Housing Register to assess whether the household is still eligible and, if so, what their priority is under the revised Scheme

- letters sent to all those on the Housing Register explaining the outcome of the above exercise
- redesign of the online application form
- training of staff in applying the new Scheme
- design of a process to protect those households who bid for a property within the last three months prior to the effective date and their bid was in the top five. This should minimise complaints and challenges from those who feel particularly negatively affected by the changes.

Given the above, it is proposed to spend the six months – October 2012 to March 2013 inclusive – to carry out all the necessary preparations prior to fully implementing the new Scheme on Monday 1 April 2013.

1.6 Implementation of certain elements of the revised Allocations Scheme in advance of full implementation

(a) Proposal to notify those households that will be removed from the Register from 1 April 2013

The revised Allocations Scheme will see those living outside of the borough, except serving and ex-service personnel and certain other exceptions, no longer eligible to join the register. It is proposed that notification is given from 1 October 2012 to these households of their removal from the Register from 1 April 2013.

(b) Proposed implementation, prior to April 2013, of the ability to put in place local letting policies

Local lettings policies are a mechanism for applying different criteria, though still consistent with the relevant legislation, to certain properties. Such policies could apply to certain districts of the borough, certain developments, for example the new build schemes in Harold Hill, or certain 'classes' of properties, for example extra care housing.

In order to use local letting policies, a housing authority must state in its Allocations Scheme that it will use such an approach, and must publish the specific local lettings policies as they are drawn up. The current Allocations Scheme does not include a provision for the use of local lettings policies; the revised Scheme does in section 7.3.

It is anticipated that the letting of the new extra care scheme on the site of the former Snowdon Court sheltered scheme in Gidea Park would be aided by having a local lettings policy in place. As the lettings need to take place before implementation of the new Allocations Scheme in April 2013, it is proposed to introduce the provision to delegate authority to approve any such policies to the Lead Member for Housing.

2. TENANCY STRATEGY

2.1 Background

The Localism Act 2011 introduced a new duty on housing authorities to publish a Tenancy Strategy by no later than 14 January 2013. The legislation dictates that the Strategy should give details of:

- the kinds of tenancies the Council will provide
- the circumstances when the Council will provide a tenancy of a particular kind
- the length of the tenancy
- when the Council will and will not give a further tenancy when it comes to an end.

Housing associations operating in the area are required to have regard to the Tenancy Strategy when setting their own policies.

Given the linkage to housing associations' work, the Housing Service is also taking the opportunity to consolidate into one document advice previously provided to housing associations regarding the letting of properties at affordable rents, that is, a rent level set at up to 80% of the local market rent.

2.2 Guidance to housing associations on affordable rents

The proposed Tenancy Strategy outlines the Council's stance on affordable rents:

- the Council supports 80% Market Rents for new Registered Provider development of 1,2 and 3 bed properties and will consider 80% market rents for 4-bed homes
- an Affordable Rent calculator has been provided on the Choice based lettings website for households to use prior to bidding for Affordable Rent properties
- a symbol has been provided on the Choice based lettings magazine and website to help households identify affordable rent properties
- housing associations should have regard to the Council's Borough Investment Plan and, in future, Tenancy Strategy when framing development proposals in the Borough
- the Council accepts the need for housing associations to convert a proportion of existing housing let at social rents to affordable rent at the re-let stage in order to generate funding for more homes. It is vital that homes remain affordable and, importantly, that the supply of larger family homes at social rents is not unduly diminished. Therefore, the Council's position is that we expect that housing associations will convert more 1 and 2 bed units than 3 and 4 bed units at re-let stage to Affordable Rents but no more than 50% of all re-lets in Havering borough.

- the Council will seek to keep individual housing associations' conversion rates under review through the choice-based lettings / nominations procedures and one-to-one meetings with them.

2.3 Proposed types of tenancy to be used by Havering Council

The Localism Act 2011 has, for the first time, given local authorities and housing associations the freedom to let their properties on secure tenancies with less than a lifetime term. This allows landlords to adopt a tenancy policy that sets out the types of tenancies they will provide, the length and terms of the tenancy, the arrangements in place to review and assess the tenant's circumstances towards the end of the fixed term and the circumstances when tenancies will and will not be renewed.

The Housing Service has consulted widely on its proposals and further details can be found in the table below.

Type of consultation	Stakeholders	Date(s)
Initial consultation event hosted by Havering Council	Registered providers (RPs) operating in the borough	October 2011
Initial consultation	Homes and Communities Agency Registered Providers East London Housing Partnership Havering Citizens Advice Bureau Adult Social Services	November 2011
Consultation event	RPs, residents associations and third sector organisations	April 2012
Online consultation (and paper survey questionnaire)	(1) and (2) Housing Register applicants, residents, Elected Members, residents and RPs (2) Mayor of London and local solicitors	(1) April – May 2012 (2) July 2012
Two public events	People on the Housing Register, Residents and RPs	May 2012
Follow up forum following 30 April event	RPs, residents associations and third sector organisations	May 2012
Briefing and consultation	Elected Members	May 2012
Drop-in Q&A session	People on the Housing Register and residents	May 2012
Briefing and consultation	HiH Resident steering groups and community groups	June – August 2012

The proposed Tenancy Strategy is attached at Appendix B. This section of the report summarises the key proposals regarding tenancy length.

Proposals	
<i>Existing tenants</i>	
	<ul style="list-style-type: none"> • All those holding a secure lifetime tenancy issued by Havering Council on the date on which the Tenancy Strategy comes into effect (recommended as 1 April 2013 in this Cabinet Report) will retain their secure lifetime tenancy. • All those holding a secure lifetime tenancy issued by Havering Council on the date on which the Tenancy Strategy comes into effect (recommended as 1 April 2013 in this Cabinet Report) who transfer to another Havering Council property at some point in the future will be given another secure lifetime tenancy for that new property, and to any property(ies) they subsequently move to within Havering Council's stock. These provisions would also apply to a move to a property owned by a housing association when a request is made by the Council for the transferring tenant to retain their existing tenancy term.
<i>New tenants</i>	
	<p>First time tenants renting from Havering Council will be given a five year fixed term tenancy after successfully completing their Introductory Tenancy (which will not be less than one year), except:</p> <ul style="list-style-type: none"> • where a property specifically designated for those aged 60+ is being let, most typically this refers to supported (also known as sheltered) housing, in which case a secure lifetime tenancy will be provided • where the youngest child in the property is at least 15 years old, in which case a three year fixed term tenancy will be issued after completion of the Introductory Tenancy – this is because as children reach their late teens they become likely to move home and the Council wishes to obtain the opportunity as soon as reasonably possible to move the remaining occupants to a smaller property, if they are under-occupying as a result of a child moving out • where someone has limited leave to remain in the country and so is subject to immigration control – this is because we wish to obtain the opportunity as soon as reasonably possible to review whether the household (or certain household members) are still eligible to council housing.
<i>Tenants with a fixed term tenancy that is coming to an end</i>	
	<ul style="list-style-type: none"> • If the tenant is eligible for council housing (notably, if they do not have sufficient earnings / savings to afford other options) and the property is suitable, another five year tenancy will be issued for the same property, except if the rules for issuing a three tenancy, as outlined above, pertain
	<ul style="list-style-type: none"> • If the tenant is eligible for council housing but the property is not suitable, another five year tenancy will be issued for a different property, except if the rules for issuing a three tenancy, as outline above, pertain – this will most typically apply if the household is now under-occupying or no longer requires the adaptations at the property
	<ul style="list-style-type: none"> • If the tenant is eligible for council housing, a three year tenancy – whether at the same or different property – will be issued if there have been breaches of tenancy, typically rent arrears or anti-social

	behaviour. Note: activity to recover the property through other legal means will not be precluded simply because someone holds a fixed term tenancy
	<ul style="list-style-type: none"> • If the tenant is no longer eligible, no further tenancy will be issued – typically this will apply if the household has sufficient means to rent or buy privately given the options available in Havering at the time the tenancy ends

IMPLICATIONS AND RISKS

3. Financial implications and risks:

Work will be required to review all those on the Housing Register, amended literature and other publicity, and update the online application form. The financial costs of this work will fall to the HRA. Provision has been made within the 2012/13 HRA budget for the retained Housing Service to deliver this work.

4. Legal implications and risks:

The Localism Act 2011 affords housing authorities greater freedom over who they can consider should be eligible for housing in their area, so long as the 'reasonable preference' categories provided for by the Housing Act 1996 and in subsequent guidance are still eligible and have reasonable priority for housing over those outside of these categories.

The requirement under the Housing Act 1996 for housing authorities to publish an Allocations Scheme detailing how and to whom the authority allocates its properties / make nominations to other landlords' properties remains unaffected by the Localism Act 2011.

No obligation has been placed on the Council by the Localism Act 2011, or any other legislation, to amend the current Allocations Scheme. This is being done as a matter of good practice given that the current Scheme has been in place for seven years.

This Cabinet report proposes amending the current Allocations Scheme in a number of significant ways. All the amendments are lawful under the Localism Act. Notably:

- only those with a reasonable preference to housing will be eligible for an allocation, therefore the Council is adhering to the 'reasonable preference' requirement
- serving and ex-services personnel's eligibility is not fettered by the proposed new residency criterion
- affording greater priority for those with a reasonable preference for housing who are contributing the community is encouraged under the latest Code of Guidance, and

- the different prioritisation within the group of applicants with a reasonable preference for housing remains a matter for local discretion.

The Guidance urges Local Authorities to consider how they can use their allocation policies to support those households who want to work, as well as those who- while unable to engage in paid employment- are contributing to their community in other ways, for example through voluntary work. (Para 4.27)

The new provisions in the Housing Act 1996 require the Local Authority when preparing or modifying their allocation scheme, to have regard to—

- (a) their current homelessness strategy under section 1 of the Homelessness Act 2002,
- (b) their current tenancy strategy under section 150 of the Localism Act 2011, and
- (c) in the case of an authority that is a London borough council, the London housing strategy. Cabinet must therefore consider and have regard to these documents. The homelessness strategy and the draft London housing strategy are listed as background papers.

The Localism Act 2011 also placed a new duty on housing authorities to publish a Tenancy Strategy by no later than 14 January 2013. The legislation requires that the Strategy details which types of tenancy the Council will issue in which situations.

The Council's proposed Tenancy Strategy meets this minimum requirement and in addition, the Council is using its discretion to reiterate its position with regard to the use of 'affordable rents' in the borough by other social landlords.

Consultation

Both the Proposed Allocation Scheme and the Tenancy Strategy have been subject to extensive consultation. The requirement of lawful consultation is that the consultees must have been given sufficient time and information to respond meaningfully and that the responses are conscientiously considered by the decision maker before a decision is taken. Accordingly Cabinet must carefully consider all of the consultation responses highlighted within the Report and the background papers before taking its decisions to minimise the risks of a successful legal challenge to the process.

Furthermore, Housing officers have sought external counsel's comments in order to minimise any risk of legal challenge from anyone believing the Council's Scheme is unfair. It is proposed that the Lead Member for Housing is given the authority to make minor amendments in light of counsel's advice.

Equalities

Cabinet Members are reminded that, when considering what decision to make, they are under a personal duty to have due regard to s149 Equality Act 2010 namely that the Local Authority when exercising its functions must

have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Relevant protected characteristics include age, disability, and sex.

Cabinet must pay particular attention to the Equality Analyses which are at Appendix D and E. Within those documents particular attention is drawn to section 5 (Likely Impact).

Having had careful regard to the Equality Analyses, and also the Consultation responses, Cabinet members are under a personal duty to have due (that is, proportionate) regard to the matters set out above and (i) to consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms, (ii) to remove any unlawful discrimination, harassment, victimisation and other prohibited conduct, (iii) to consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics, and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics, (iv) to consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

However, whilst Cabinet Members are under a duty to have serious regard to the need to protect and promote the interests of persons with protected characteristics, in the ways just described, in reaching their decision, they may also take into account other considerations, such as the desirability of providing fair strategies based on local priorities.

5 Human Resources implications and risks:

It is expected that the transition phase (between formal adoption of the policy and the effective date 1 April 2013) will be managed within existing staff resources in the Housing and Public Protection Service, including staff transferring in from Homes in Havering.

It is expected that the Council's fixed-term tenancies policy will impact on staff resources when initial reviews of 3-year fixed term tenancies commence (9 months before the tenancy comes to an end) in July 2016. Provision to carry out these new duties will be taken into account in the service planning of the combined Housing Service following reintegration of Homes in Havering staff and functions.

6 Equalities implications and risks:

Equalities analyses have been carried out and are available as background papers to this report. Of note, both the Housing Allocations Scheme and

Tenancy Strategy have been developed with due regard to Housing legislation, the Localism Act 2011 and CLG Guidance.

The Council's Housing Allocations Scheme will affect both new and existing applicants on the Housing Register for social and affordable housing in Havering Borough and will impact on people across all protected characteristics.

Housing Allocations Scheme

There are criteria in the Scheme that are specifically aimed at supporting:

- low income households that have a housing need with priority to those who contribute to their community
- homeless people
- vulnerable people who have an emergency need to move
- older people, particularly those wanting to downsize to a smaller home
- young people, especially those leaving care
- people with physical disabilities or long-term health conditions
- pregnant and nursing mothers
- people with caring responsibilities for a disabled child or close relative.

People living with parents or in private rented housing who are adequately housed or have no housing need will be negatively affected under the proposals. To mitigate and manage this negative effect, the Council will consider homeless enquiries under Housing Act 1996. In the first instance, people should contact the Council's Housing Advice and Options Team. However, if they have meet the residency criteria and have a housing need under the Homeseeker Band they will be eligible to apply to join the Housing Register.

Tenancy Strategy

Affordable Rents

In developing the Tenancy Strategy, we carried out assessments to determine the affordability of Affordable Rents set at 80% of market rents for local people earning median and on lower incomes. In addition, we do not want to restrict Affordable Rent properties to specific groups and for this reason, have provided an Affordable Rent Calculator on the East London Choice based lettings website so that people can assess whether they can afford the higher rent before bidding for properties.

Fixed-term Tenancy proposals

The Council's fixed-term tenancy proposals will not affect existing Havering Council tenants with secure lifetime tenancies if they remain in the Council's housing stock.

We will continue to provide lifetime tenancies for people who move into accommodation designated for 60 years+ thereby giving stability of tenure to more vulnerable groups.

In addition, the Council expects Registered Providers to continue to grant secure lifetime tenancies to people with severe disabilities or learning

difficulties with support needs living in specialist supported housing or living in general needs housing who receives long-term care and/or support services. However, it is recognised that in some circumstances, offering a lifetime secure tenancy would not be appropriate, for example, for tenant(s) living in move-on accommodation with floating support.

We have included a property suitability assessment as part of our policy so that properties can be provided to those in greatest need, including high priority disabled people who need an adapted property to meet their needs.

Furthermore, we will take account of the following exceptional circumstances when deciding whether to renew a tenancy, on a case by case basis:

- the household contains someone with a disability, when moving to another property will not meet their current needs
- when someone in the household is terminally ill
- where children in the household attend a school and a move would have a significant detrimental impact on the educational development of the children
- when the Council's Adult Social Care or other colleagues believe the tenant is a vulnerable adult
- when the tenant(s) is employed and a move would have a significant impact on their employment.

APPENDICES:

Appendix A – Draft Housing Allocations Scheme

Appendix B – Draft Tenancy Strategy

Appendix C – Consultation event summary

Appendix D – Equalities Analysis: Draft Housing Allocations Scheme

Appendix E – Equalities Analysis: Draft Tenancy Strategy

BACKGROUND PAPERS

Consultation responses

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Draft London Borough of Havering's Housing Allocations Scheme

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1. HAVERING COUNCIL'S POLICY FOR LETTING COUNCIL AND HOUSING ASSOCIATION ACCOMMODATION: INTRODUCTION

Havering borough is an area with a very high demand for social and affordable housing and unfortunately, a limited supply of homes to rent from the Council or housing associations¹ (also known as Registered Providers and Registered Social Landlords). The Council's policy has been designed to give real help to people in housing need. It also aims to reward those households who give something back to their communities through volunteering, working, fostering, adopting or having served in the British armed forces or by choosing to release a large council property and move to a smaller one.

Havering Council's Allocations Scheme explains how we make decisions about who to let vacant properties to. It provides a framework for letting accommodation and assigning priority between those in need.

This document explains how the Allocations Scheme works and how we can help you in other ways if the Council's or housing associations' housing is not available to you.

This Allocations Scheme meets the requirements of the Housing Act 1996, the Homelessness Act 2002 and the Localism Act 2011 and identifies groups who must be given reasonable preference for available housing.

The Allocations Scheme applies to existing tenants wishing to transfer from one tenancy to another and to new applicants, including homeless people. When we refer to 'applicant' in this document, it will refer to new applicants including homeless people and tenants wishing to transfer (unless otherwise stated).

This Allocations Scheme will be applied fairly to everyone who applies to join, or is already on, the Housing Register² (sometimes known as the housing waiting list).

It is our intention to:

- give applicants choice over the housing they are offered
- provide a lettings system which is easy to understand and is as clear and predictable as possible
- create more sustainable communities where people choose to live.

This policy will be effective from 1 April 2013. It will be reviewed in April 2014 and annually thereafter.

1.1 Equalities statement

Havering is home to a number of different communities. We are committed to delivering quality services to all by responding positively to the needs and expectations of all service users.

The Council operates an equal opportunities policy and is committed to making sure that all people are treated fairly. We are committed to eliminating discrimination on any grounds including race, gender, disability, age, sexuality, religion or belief, gender reassignment, marriage or civil partnership, pregnancy and maternity. This commitment is based on our respect for every individual.

An Equalities Analysis has been carried out on this will be kept under review.

¹ Housing Associations are also known as registered providers or registered social landlords. We will use the term housing associations in this document.

² Housing Register is sometimes known as the housing waiting list. The term Housing Register will be used in this document.

2. ELIGIBILITY AND PRIORITY

The Localism Act 2011 has given local authorities greater freedom to set their own policies about who is eligible for social housing, and thus who can join the Housing Register for social and affordable housing in their area. This means that Havering Council has more freedom over how it operates its Allocations Scheme. All local authorities must ensure that social and affordable housing is allocated in line with the relevant legislation and guidance.

Havering Council has consulted housing applicants, tenants and organisations representing and/or working with these groups, and has developed this Allocations Scheme with two entry routes. The first is referred to as Homeseeker Band with additional priority being given to those who qualify for a Community Contribution Reward. The second is the Emergency rehousing route, through which applicants in urgent need of rehousing will be supported with assisted offers, that is the Council makes a direct offer taking into account the needs of the applicant(s).

The information provided on the housing application, along with other supporting evidence we may ask for, will enable us to correctly assess your application. There are eligibility criteria for the Housing Register which will allow us to ensure that those applicants in greatest need are assisted.

2.1 Eligibility criteria

2.1.1 Eligibility for being placed on the Housing Register

To be placed on Havering Council's Housing Register you must qualify to join under **each** of the four eligibility criteria listed below.

1. Age: You must be 16 years or over to apply to join the Housing Register as a sole or joint applicant. Normally we will not offer a tenancy to a sole applicant under the age of 18 years – we may choose to agree to someone holding or guaranteeing a tenancy for someone aged under 18 years. Also, we may offer accommodation to 16 and 17 year olds owed a duty under homeless law.

2. Tenure: Owner-Occupiers: You will not be eligible if you own a home or part of a home. There are two exceptions:

- homeowners may be allowed to join the housing register in exceptional circumstances at the Council's discretion, such as where they have a serious medical condition AND they are no longer able to remain in the property AND are unable to afford suitable accommodation in the private market
- when the applicant(s) owns a property in another country which it may not be reasonable to expect the applicant to occupy.

A decision on whether a property, in this country or abroad, is suitable and available to occupy will be made by a senior officer in the Housing Needs and Service Development Team. You may ask for this decision to be reviewed if you disagree with it.

3. Residency: To join the housing register you must have lived in the Havering Borough for at least the last 2 years. If at some time you move out of the borough and decide you want to apply for a social or affordable home in the borough you will need to move back in and live here for a further 2 years before you are eligible to apply for the Housing Register (with exception of housing transfers and in exceptional circumstances).

Only in extremely exceptional circumstances when someone has an emergency need for accommodation will we consider a shorter residency period. In these cases, other professional services, for example, Adult Social Care will be consulted.

The prior residency requirement will **not** apply to:

- persons who are serving in the regular forces or have done so in the five years preceding their application for an allocation of housing accommodation
- bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases
- seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.

4. Housing Need: You must have a reasonable preference for housing and/or another emergency housing need covered by one of the housing need categories defined under the Homeseeker or Emergency routes below.

If your circumstances do not meet the Age, Tenure, Residency and Housing Need criteria you will not be eligible to join the Housing Register. The Council can however provide housing advice whether or not you are eligible for the Housing Register.

2.2 Homeseeker Band

So long as you meet the Age, Tenure and Residency criteria above, you will be able to apply for and be placed in the Homeseeker Band if at least one of the reasons listed below applies to you.

Reason 1: Moderate medical or welfare requirements

Your health or quality of life, or that of someone you care for, is being affected by the place you live in now. For example:

- you need to move closer to someone to provide care to that person or receive care from them and can evidence this by providing proof of relevant Carer's Allowances or a care or support plan that has been approved by Havering Council
- your health problems are making it increasingly difficult to use your property and it cannot be adapted to meet your needs.

In order to be eligible for Homeseeker Band because of welfare needs, you will need to provide evidence that:

- you are receiving social care support from the London Borough of Havering, or
- your wellbeing is being substantially affected by your current housing situation – we will confirm this by asking medical advisor and/or other professionals to consider circumstances, or
- you are a vulnerable person at risk of losing your accommodation³

³ Vulnerable Persons Joint protocol between Havering Council's Adult Social Care, Children's Service and Housing Service, Homes in Havering and the North East London Foundation Trust (Revised 2012).

Reason 2: Overcrowding

- You have a need for one or more extra bedrooms. Please refer to section 7.6 for how we work out how many bedrooms your household needs
or
- you are aged 25+ years and you are sharing with a same sex sibling in a property with three or more bedrooms. Please note: only you, rather than the whole household, can register for a move if this form of overcrowding applies to you.

NOTE: The overcrowding criterion does not apply to you if you have been accepted as homeless and Havering Council has accepted a duty to secure accommodation for you and you have been placed in a Private Sector Leased (PSL) property by Havering Council. If this applies to you and you feel you are overcrowded, please contact the PSL team.

Reason 3: Insanitary conditions

You are an owner occupier or private tenant and a hazard awareness notice has been served by Havering Council's Environmental Health Team, in relation to a Category 1 or 2 hazard at the applicant's dwelling and:

- the remedies that are needed to reduce the hazard will require the property to be vacated for a significant period of time, and the cost of the remedies are beyond your means, where you are responsible to pay for the works
or
- a suspended improvement notice or prohibition order exists but a foreseeable change in the applicant's circumstances will cause it to become active and result in a high priority situation.

Reason 4: Lacking facilities

You are living in a property that does not provide you with reasonable access to one or more of the following:

- kitchen facilities
- bathroom
- inside toilet.

This will need to be confirmed by Havering Council's Environmental Health Team.

Reason 5: Havering Council Tenant Move Scheme

You are:

- a secure tenant of Havering Council but have no housing need, or a Private Sector Lease tenant (placed in Private Sector Leased (PSL) accommodation by Havering Council) where you would be eligible to join the Housing Register based on your housing circumstances at the time you moved in the PSL accommodation
and
- you have been a tenant at the same property for at least 5 years (If you have moved under a special management transfer we will count your time at both properties)
and
- you have no rent arrears
and
- you have not breached your tenancy within the last 12 months.

If you move through this scheme, you will not be able to re-apply to join the housing register under the Tenant Transfer Scheme for another 5 years unless your housing need change during this period.

NOTE: You will have a 2 year period to bid for properties, so you should place regular bids. If after 2 years you have not secured accommodation, you can stay on the Housing Register but you will not be able to bid for accommodation for another 12 months.

Reason 6: Homeless household placed in a Private Sector Leased⁴ (PSL) property by Havering Council

- You have been accepted as homeless by Havering Council and it has accepted a full homelessness duty to secure accommodation for you, or
- you have been accepted as homeless by Havering Council but you are not in priority need and so while the Council does not owe you a full homelessness duty it has used its discretion to provide PSL accommodation.

Reason 7: Homeless

You have been deemed as homeless by Havering Council within the meaning of Part 7 of the Housing Act 1996.

Reason 8: Council tenants with a fixed-term tenancy coming to an end when the Council does not intend to grant a new tenancy of their current property but has decided to grant a tenancy of an alternative property

NOTE: you place on the Housing Register is time limited. You will be able to bid through choice-based lettings – see section 7 – for six weeks. If you are unsuccessful during this period, you will receive up to two suitable assisted offers – see section 3.5.5.

Reason 9: You wish to move to a certain locality in the borough where not doing so would cause hardship to yourself or others

You wish to move to another part of Havering to alleviate your or someone else's hardship and you live more than half a mile from a bus stop, London Underground station or rail station.

There are some circumstances when, even if you meet these eligibility criteria we could not accept an application – please refer to section 2.5.

People in Homeseeker Band may also want to apply for the Community Contribution Reward and this is set out in the following section.

2.3 Community Contribution Reward

You can apply for a Community Contribution Reward at the point of application or at any time once you are on the Housing Register. It will be your responsibility to apply for the reward and to provide proof to demonstrate that you meet the eligibility criteria. Please refer to Table 1 below.

You will be given the Community Contribution Reward and be rewarded with priority over applicants in the Homeseeker Band without this Reward if:

⁴ Private sector leased (PSL) properties are leased by the Council from a private landlord.

- you are eligible to join Havering Council's Homeseeker Band (NOTE: reason 6 – downsizing is an exception to this – see below)
and
- one or more of the reasons listed below apply to you (the sole applicant or both joint applicants). These reasons do not apply to others on the application.

A Community Contribution Reward will give you a priority over those in the Homeseeker Band without the Community Contribution Reward when you come to bid for a property. You will be rewarded with the Community Contribution Reward for 12 months. After 12 months, you will automatically reduce to Homeseeker only and will need to re-apply for Community Contribution Reward if you meet one of the reasons.

To achieve the Community Contribution Reward, you need to meet *at least one* of the six criteria below:

Reason 1: Working

The sole or one of the joint applicants is currently working for at least 16 hours per week and has been doing so for the last 12 months. You will need to have been working 12 months ago and have had no more than a 3 month break in employment during the last 12 months or no longer than a 6 month break if you have been pregnant. More details are set out in Table 1 below.

Reason 2: Volunteering

The sole or one of the joint applicants is currently volunteering within Havering for a minimum of 10 hours a month for a not-for-profit organisation or group/organisation recognised by Havering Council and has been doing so for the last 12 months.

If the sole or one of the joint applicants is aged 70 years or above the time requirement is 5 hours a month rather than ten.

Reason 3: Ex-Services personnel

Those who have recently left, or are close to leaving the Armed Forces.

Reason 4: Disabled Households

A sole applicant has a disability or is very infirm and this prevents them being able to work at least 16 hours a week or volunteer for at least 10 hours a month or at least 5 hours a month if they are aged 70 years or above, we will automatically give the Community Contribution Reward.

In the case of joint applicants, both applicants will need to be disabled or very infirm such that both are prevented from working or volunteering for hours listed above to automatically receive the Community Contribution Reward.

In these situations we will consider the level and type of benefits they receive when assessing whether or not to give you a Community Contribution Reward. Please refer to Table 1 for more information.

Reason 5: Fostering or Adopting

You are a sole applicant or joint applicant and you are seeking approval to foster or adopt and your current accommodation is preventing this. Your application is supported by Havering Council's Children Service and/or Havering Council's Young Adult Service and these services confirm that you need another home in order to foster or adopt a child or more children.

Reason 6: Downsizing

- You are a secure Havering Council tenant who wishes to move to a property with fewer bedrooms. NOTE: this does not apply to Private Sector Leased (PSL) tenants.
or
- you are a housing association tenant living in Havering who wishes to move to a property with fewer bedrooms
or
- you are a housing association tenant not living in Havering who wishes to move to a property with fewer bedrooms and Havering Council can nominate someone to your current property if you move.

More details on the Community Contribution Reward, including the evidence we need to receive from you is contained in Table 1 below.

Table 1 – Community Contribution Reward

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
Working applicants	<p>The sole or one of the joint applicants:</p> <ul style="list-style-type: none"> • works at least 16 hours per week and • has a permanent contract, temporary contract, or is self-employed • has been doing so during the last 12 months. A 3 month break does not count if you lose your job through no fault of your own. <p>Breaks in employment We recognise that in the current economic climate, people can lose their job from time-to-time, for example, the shop you work at closes down and you are made redundant. If this happens, will allow a 3 month period during which to secure employment (see explanation below).</p> <p>Pregnancy and maternity We will allow a 6 month break in employment during the 12 month period.</p> <p>Explanation of breaks in employment While we will allow a break in employment, it is important that you collect the evidence we need (refer to the right hand column) otherwise we cannot process your application. It is important that at the beginning and end of the 12 month period that you are either working or meet another one of the criteria, for example, volunteering. Example – should your application for Community Contribution Reward come up for renewal after 12 months and you lost your job in the after 11 months, we will assess that you have already had a one month break and so give you another two months to find another job or start volunteering (refer to the volunteering criterion). If you start working or volunteering again within these two months beyond the date of the Community Contribution Reward renewal, we will renew the Reward, otherwise, we will remove the Reward.</p>	<p>Original payslips, P60, bank statements or a verifying letter on headed paper, or can prove that you are registered at Company House in order to qualify. If you are self-employed, we will need to see your last set of accounts.</p> <p>In the case of pregnancy and maternity, we will need written evidence of statutory maternity pay. Please ensure that you also keep evidence that the employment break, of up to a maximum of six months, was pregnancy-related. NOTE: we will not count you taking maternity leave from your job, of up to six months, as a break in employment.</p> <p>If you have any queries or in any doubt, please contact the Housing Needs and Service Development Team.</p>

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
Volunteering	<p>The sole applicant or one of the joint applicants volunteers:</p> <ul style="list-style-type: none"> • for a minimum of 10 hours a month – different hours apply for those aged 70+ years – see below • for a not for profit organisation or group, including a charity, or community or faith group) recognised by Havering Council or registered as a charity or with Havering Volunteer Centre (Havco). Volunteering recognised by the Council includes volunteering for the emergency services (for example, being a Special Constable) or British Reserve Forces and on-the-job training schemes for people with disabilities (for example, with the Camden Society) • for a continuous period of at least 12 months up to the point of application, with breaks allowed – see below • within the London Borough of Havering. <p>Breaks in volunteering We will allow a 3 month break in volunteering during the 12 month period.</p> <p>Pregnancy and maternity We will allow a 6 month break in volunteering during the 12 month period.</p> <p>People aged 70 years and above The rules above apply except that the sole applicant or one of the joint applicants need only volunteer for a minimum of 5 hours a month rather than ten.</p>	<p>An original letter on the organisation’s headed paper from the manager responsible for volunteers confirming the applicant’s involvement in the minimum hours per month of voluntary work for the past 12 months. This person must not be related to the applicant in any way.</p>
Ex-services personnel	<p>Those who have recently left, or are close to leaving the Armed Forces.</p>	<p>Original Certificate of Cessation of Entitlement to Occupy Service Living Accommodation will need to be provided.</p>

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
Fostering or Adopting	Applicants living in Havering Borough who would like to foster or adopt a child (and or more children) but are unable to as they currently live in an inappropriate property. The property must be considered inappropriate either due to the property size or the tenure type. The applicant must have the support of Havering Council's Children and Young Adult Service and they must confirm that your current home is barring you from adopting or fostering a child (and or more children).	A letter from Havering Council's Children and Young Adult Service stating that the applicant(s) will be accepted as a foster carer(s) or adoptive parent(s) and will only be able to adopt or foster a child (and or children) if they move to another property, for example a ground floor flat.
People with disabilities in receipt of adult social care and Disability Living Allowance (DLA), Attendance allowance or Carers Allowance, or equivalent benefit	Whilst many people with disabilities work or volunteer, there may be circumstances in which frailty or a disability prevents this or means that the full eligibility criteria set out above can not be met. An applicant or in the case of joint applicants, both applicants, will need to be claiming the high rate of Disability Living Allowance (or equivalent) in order to be eligible. If the joint applicant does not have a disability, then that applicant would need to act as a full time carer for the lead applicant in order to be eligible. Another situation that will be eligible is when one of the joint applicants is unable to work or volunteer and their partner cares for an ill or disabled child or relative (and they receive Carer's Allowance or equivalent).	Automatic granting of the Community Contribution Reward to disabled applicants/carers will be based on advice from Adult Social Care services, relevant medical practitioners and the level of Disability Living Allowance, Carers Allowance or Attendance Allowance (or equivalent) received.

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
<p>Downsizing</p>	<ul style="list-style-type: none"> • You are a secure Havering Council tenant who wishes to move to a property with fewer bedrooms. NOTE: this does not apply to Private Sector Leased (PSL) tenants. <i>or</i> • you are a housing association tenant living in Havering who wishes to move to a property with fewer bedrooms <i>or</i> • you are a housing association tenant not living in Havering who wishes to move to a property with fewer bedrooms and Havering Council can nominate someone to your current property if you move. <p>If you want to downsize you must move to a property with fewer bedrooms. If your property has a garden and you want to have one at your next property when you downsize, please make this clear in your Community Contribution Reward application.</p>	<p>A reference from the landlord (either the Council or a housing association) confirming that the applicant is living in a property that is too large for their needs.</p> <p>If you are a housing association tenant not living in Havering, we must have the association's agreement that we can nominate to your property if you move.</p>

2.4 Emergency rehousing

You will be eligible for Emergency rehousing if:

- you are eligible to join the London Borough of Havering Council's Housing Register and
- one or more of the seven reasons listed below apply to you.

The Council will only place you in the Emergency Band if we believe your circumstances are so serious that you must be moved.

NOTE: You do not need to be in the Homeseeker Band or have achieved a Community Contribution Reward already to be placed in the Emergency Band. This is because your circumstances are so urgent that we want to find you accommodation as soon as possible.

Reason 1: Statutory Overcrowding

You are statutorily overcrowded according to the relevant legislation. More details are available in section 7.

Reason 2: Substantial medical or welfare needs

Your medical or welfare conditions are being made worse by your housing and therefore you have a need to move. One or more of the following conditions must apply to you:

- you or someone included in your application for housing is in hospital or residential care and cannot return home due to the unsuitability of the property and the Council's Occupational Therapy team have confirmed that the property cannot be adapted to your needs
- you are a home owner and you or someone included in your application for housing has a disability or serious medical needs and (a) your home is unsuitable for this person's needs and (b) the Council's Occupational Therapy Team has confirmed that it cannot be adapted to meet these needs, and (c) you cannot afford to buy a suitable property in Havering
- you are a victim of domestic violence and the Council is satisfied there is a need for a move and that this is supported by a senior Police Officer (Inspector rank or higher)
- you are a Havering Council tenant and you need to move in an emergency situation as agreed by both a Housing Officer and senior Police Officer (Inspector rank or higher)
- staying in your current accommodation poses an immediate risk to life
- there are other circumstances or a combination of circumstances considered exceptional and your need to move is supported by health professionals, the Council's Housing and Social Services and/or a senior Police Officer (Inspector rank or higher) or MARAC⁵
- The following Armed Forces personnel who have urgent housing needs:
 - former members of the Armed Forces
 - serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
 - bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
 - serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

⁵ Multi-Agency Risk Assessment Conference (MARAC)

Reason 3: Decants

You are a Havering Council tenant required to move because the property is due to be (a) sold, and/or (b) demolished, or (c) have extensive works completed or (d) refurbishment or conversion work which mean you need to move out either permanently or temporarily whilst the works are completed.

Reason 4: Leaving Care

You have been accommodated by Havering Council's Children and Young Adults Services and are now ready to move into independent or supported accommodation, as confirmed by Havering Council's Children and Young Adults Services.

Reason 5: Move on from specialist accommodation

You are moving on from specialist accommodation provided by a Havering Council's Social Services Team, North East London Foundation Trust (NELFT) or another registered supported housing provider in line with an agreement with Havering Council's Housing Service.

Reason 6: Discharge by Havering Council of the full homelessness duty (under section 193 of the Housing Act 1996, as amended)

At the Council's discretion, we may discharge our full homelessness duty by an offer of council or housing association accommodation, although this is not our standard practice. The Council may consider this approach to discharging its duty where:

- you have been accepted as homeless and Havering Council has accepted a duty to secure accommodation for you
and
- you are living in a private sector leased (PSL) property or other temporary accommodation and were placed there by Havering Council or with the Council's consent
and
- Havering Council needs you to vacate your PSL property or other temporary accommodation and we have decided not to provide an alternative PSL property or temporary accommodation, or you are due to begin full time education in less than 12 weeks and are not eligible to claim full Local Housing Allowance.

Note: Under the relevant legislation, the Council is not obligated to discharge the full homelessness duty by means of an offer of council or housing association accommodation and this Scheme should not be read as implying this is the standard or expected means of discharging the duty.

Reason 7: Move on from tied accommodation provided by Havering Council

You are a Havering Council employee who has been living in tied accommodation provided to you as part of your work but need to move out due to retirement or redundancy or the Council is changing the terms of your employment or because the property is due to be (a) sold, and/or (b) demolished, or (c) have extensive works completed or (d) refurbishment or conversion work which means you need to move out either permanently or temporarily whilst the works are completed.

Reason 8: Council tenants with a fixed-term tenancy coming to an end when the Council does not intend to grant a new tenancy of their current property but has decided to grant a tenancy of an alternative property

You have been unsuccessful in bidding for properties within 6 weeks of notice.

2.5 Circumstances that mean you cannot join the Housing Register

If your circumstances come under any of the following categories, then you will not be able to join the Housing Register, unless there are exceptional circumstances, that is, you are deemed to have an emergency need for rehousing. Exceptions will be taken into account on a case by case basis.

Accommodated in Havering by another Local Authority: You will not be accepted on to the Housing Register if you have been placed or been accommodated in the borough by another local authority which has an enduring duty to assist you with housing.

This includes people living in:

- temporary accommodation or
- Private Sector Leased (PSL) accommodation.

Financial Assessment: You will not be able to join the Housing Register if you have sufficient income, savings and/or other assets to be able to afford private rented housing in the borough. We will ask you about your income and savings and other assets, such as a second property, when you apply to join the Housing Register to assess whether you can afford to privately rent in the borough. We assume that if you can afford to buy you can afford to rent a property, which is why we use private rental as the threshold.

Because of the severe shortage of social and affordable rented properties in the borough, if you have sufficient money to afford to rent privately in the borough, you will not be accepted on to the housing register. The incomes needed to afford private properties with average rents in the borough are provided in Appendix 1 and this will be reviewed annually on 1 April every year.

You should bear in mind that if you choose not to complete the savings and income questions on the application form, we will assume that you have sufficient resources and will assess your application accordingly.

3. MAKING AN APPLICATION TO JOIN HAVERING COUNCIL'S HOUSING REGISTER

3.1 How do I join the housing register?

To join the housing register you must first meet our Eligibility Criteria.

Everyone who is eligible to join the Housing Register has to complete an online application, available on Havering Council's website at www.havering.gov.uk under "Apply" (top right side of the website), then select "Housing application form". If for any reason you are unable to access the online form and do not have anyone who could assist you, please contact our Housing Needs and Service Development Team via lettings@havering.gov.uk or call 01708 434130 and they will be able to make alternative arrangements.

Every application will be assessed in accordance with this Housing Allocations Scheme.

3.2 Who can be on my application?

In line with current case law⁶, such as *R (Ariemuguvbe) v Islington LBC (2009)*, it is at the Council's discretion to decide who should be part of your household for the purposes of your housing application. If, for any reason, any person you include in your application is not considered to form part of your household, you will be notified of the reasons for this and you will have the right to appeal this decision (see section 10.1 for the appeals process).

This best fit will be decided by comparing the size of the property and the number of people in your household – see section 7.6 for how we decide the number of bedrooms you need.

If you share custody of a child or children with someone else, we will make a decision on who is the main care provider by looking at a number of factors including, who is paid child benefit or tax credits and who the children stay with for the most nights each week.

3.2.1 People subject to Immigration Control or who fail the Habitual Residence Test

We cannot accept on to the Housing Register:

- people subject to immigration control within the meaning of the Immigration and Asylum Act 1996, unless of a class prescribed by the Secretary of State
- certain people from abroad who fail the habitual residence test or are in breach of the Rights of Residence directive, or
- other classes of persons prohibited by legislation.

3.2.2 Joint tenants who want to be rehoused separately

If you are a joint tenant of the Council or a housing association we will usually only consider you for re-housing with all other joint tenants. This is unless there are special reasons why you cannot be re-housed together such as your safety is threatened. If you do not wish to be re-housed with your joint tenant(s) then you should seek independent advice on your rights and obligations. If we agree that you can register for re-housing without your joint tenant(s) then we will normally need a written guarantee from you that:

- you will remain a joint tenant until you accept an offer of re-housing, and
- when you accept and sign for a new tenancy, you will sign a tenant's notice to quit in respect of your existing tenancy.

⁶ Current case law (June 2012)

3.2.3 Families living separately that want to move into a home and live as one family

If you are a couple, whether with or without children, that currently lives separately but intend to move into one property and live as a family, then you will need to make one application. When completing your application, you need to include the name of everyone who wants to move into the new home and those who currently live with you. If you have any queries, please contact the Housing Needs and Service Development Team on 01708 434130.

3.3 Important things to remember when completing an application

3.3.1 Obligation to be truthful

It is an offence to withhold information that we reasonably need to assess your application, or to provide false information that leads to your gaining a tenancy. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may mean you lose your home.

We will check if you, or anyone in your household, are already registered on the Housing Register. You can only be on one application at any one time.

3.3.2 What happens if I owe rent?

It is very important that you pay your rent. If you do not then your home may be at risk. If you are having difficulties then you should speak to your housing officer as soon as possible and we will give you advice and support.

It may be the case that you owe housing-related debts to the London Borough of Havering at the time you apply to join the Housing Register. This will not stop you joining the Register. Alternatively, you may have no housing-related debts to the London Borough of Havering when you first join the Register.

Either way, if at the time we would like to offer you a property you have housing-related debts totalling in excess of the limit set out in Appendix 2 this could mean that we will not be able to make you that offer – see section 2.5.

3.3.3 Verification and evidence required

We will verify your situation at any point up to and including making an offer. This means that if you are on the Housing Register for some time we could make more than one check.

At the point of verification we will ask **all** applicants to provide independent documentary proof of the following:

- their identity
- their relationship to and between all those named on the application
- their immigration status
- the property they currently live in
- that they have met the residency criteria.

For every person on the application whatever their age, we must normally see at least one of the following forms of proof of identity:

- full birth certificate
- marriage certificate
- full driving licence

- National Insurance card
- passport
- confirmation of receipt of benefit.

In addition, for each household we will need at least one of the following forms of proof of address:

- utility bills
- credit card statements
- current tenancy agreement.

If it is found that false information was given at the time of application, then we will do one of two things:

- cancel your application and remove your application from the Housing Register if you are not eligible,
or
- cancel our offer of accommodation and require the correct application to be made. This could mean your effective date back to when your circumstances changed.

See section 3.3.1 for more details.

If you are applying for the Community Contribution Reward, we will also need you to provide evidence to verify details in your application (see Table 1).

3.4 I've submitted my application, what happens next?

3.4.1 What happens when we receive the completed online application

When we receive your application the online application system will inform you of one of the following:

- tell you are not eligible but that housing advice can be provided
- confirm when you have successfully completed the online application form but we require some additional information
- confirm when you have successfully completed the online application form and inform that you are in Homeseeker Band and which type of property you are eligible for and the number of bedrooms.

The outcome will be based on the information provided in your application. Please remember, your details can be verified at any time and this could result in a change to the original assessment.

If we need to visit you to talk about your registration we will contact you to arrange a home visit. After the visit, we will assess your application and write to you about the outcome.

If we later find out new information which affects your initial assessment, bedroom eligibility or eligibility to be included on the Register, we will re-assess your case and if you are found to be ineligible for the Housing Register your application will be cancelled and you will not be able to re-apply until you meet the Eligibility Criteria.

3.4.2 What is the 'effective date'

Your 'effective date' is the date we will use when ranking your priority for housing. This will be used to compare your bid through Havering Council's Choice Homes choice-based lettings scheme against other bids.

The 'effective date' is the date that you joined the Housing Register's Homeseeker Band or you were approved for Emergency rehousing if not already on the Register. If your application is re-assessed and you achieve the Community Contribution Reward you will be given a new effective date to reflect the date you were given the Community Contribution Reward. This date will continue if you successfully reapply for a Community Contribution Reward. However, should your application be re-assessed and you are eligible for Homeseeker only, the date will revert back to your original application date (the date we received your housing register application).

3.5 What happens if my circumstances change?

3.5.1 What should I do if my housing circumstances change while I'm on the Housing Register?

If there is a change in your circumstances that you think could affect your eligibility and/or priority for re-housing, you should act immediately and contact the Housing Needs and Service Development Team via e-mail lettings@havering.gov.uk

You need to tell us of any change in your circumstances. We will reassess your eligibility and/or priority based on your new circumstances. A change in circumstance could be the type of property you are eligible and/or your 'effective date'.

3.5.2 What if I think I have become eligible for a Community Contribution Reward

You could be eligible for a Community Contribution Reward when one of more of the relevant criteria in section 2.3 applies. More information can also be found in Table 1.

You can apply for a Community Contribution Reward at any time you believe you have become eligible. Please use the online application at www.havering.gov.uk

3.5.3 Circumstances that could mean you are removed you from the Housing Register

You could be removed from the Housing Register if:

- you, or a member of your household, have behaved in an unacceptable way – see section 2.5 for a definition of this
- you told us you no longer wish to be on the Housing Register
- you have been re-housed by the London Borough of Havering, another authority or a housing association
- you have moved and not told us your new address and we cannot contact you
- we have written to you or visited you and have not been able to contact you
- you have given false or misleading information on your housing application
- you have not given us information we asked for to verify your application and you have repeatedly not given this information to us
- your circumstances have changed and so you are no longer eligible to be on the Housing Register.

If we plan to remove someone from the Housing Register but the Council's Housing Service or other colleagues believe the applicant is a vulnerable adult, information may be shared with the Council's Adult Social Care service to see whether additional support can be provided and whether removal from the Register is appropriate.

3.5.4 Keeping you on the Housing Register but removing your ability to bid

We can decide to keep you on the Housing Register but remove your ability to bid when:

- we are assisting you through the Emergency Band and there are other circumstances or a combination of circumstances considered exceptional and your need to move is supported by health professionals, the Council's Housing and Social Services and/or a senior Police Officer (Inspector rank or higher) or MARAC⁷ - your ability to bid will be removed until we've made you an assisted offer
- you require housing with support and are refusing a support package to help you to sustain your tenancy – your ability will be removed for six months or until we've made you an assisted offer
- we are ready to make you an offer but you owe the Council housing-related debts above the prescribed levels – see section 2.5 – you will not be able to bid until you have cleared your debts to below the prescribed level
- you refuse two reasonable offers – you will not be able to bid for six months.

3.5.5 Review of a decision to remove your place from the Housing Register or remove your ability to bid

If we believe your application should be removed or we remove your ability to bid, we will tell you in writing with our reasons for this decision. You will have the right to request a review of this decision within 21 calendar days of being told the decision. If you ask us for a review, a more senior officer who did not make the original decision will carry out a review. This will be the Council's final decision.

A fresh application will not be considered positively unless you can show a change of circumstances.

If our decision is not upheld, you will be registered.

Note for Havering Council tenants with a fixed-term tenancy

If we do not intend to give you a new tenancy for your existing property, we will give you 6 weeks to bid for other properties. If unsuccessful, we will assist you through the Emergency rehousing route and give you up to two suitable offers. Should you decline both offers, we will remove your ability to bid. The Council can continue to seek possession of the property and the Housing Advice Team will provide advice and support in partnership with other relevant agencies to find alternative accommodation in accordance with our Tenancy Policy. Please refer to Appendix 4.

3.5.6 Keeping you informed through regular updates

We will make every effort to regularly provide information on:

- the Allocations scheme itself and any amendments to it
- how long applicants with different priorities are likely to have to wait for different sizes and types of properties.

We will publicise this information:

- on the Council's website at www.havering.gov.uk
- on the Choice Homes website and in the weekly magazine
- through other leaflets and posters produced from time-to-time by the Housing Needs and Service Development Team.

3.5.7 Getting answers to general queries or questions

You have the right to ask us about any decisions we have taken about the facts of your case which have or will have an impact on whether or not to offer you accommodation. Please contact

⁷ Multi-Agency Risk Assessment Conferences (MARAC)

the Housing Needs and Service Development Team, Housing and Public Protection, 5th floor Mercury House, Mercury Gardens, Romford, RM1 3SL, or e-mail lettings@havering.gov.uk for more information.

3.6 Use of the information you give us

When we receive your application to join the Housing Register, your details will be registered on Havering Council's computerised system.

We have a duty to protect public funds. The information you give on your form will be stored on a computer and may be shared with other public agencies, such as the Department for Work and Pensions, other council departments, such as Housing Benefits and Council Tax and housing associations or other housing authorities. This is only to detect and prevent fraud and other criminal activities. We will also share the information you give us with housing associations and other housing authorities for the purposes of housing nominations. By completing your application you will be agreeing to this data sharing approach.

4. HELPING YOU WHEN YOU NEED TO MOVE BECAUSE OF A MEDICAL OR WELFARE NEED

4.1 Moving because of a welfare need

We will work with our colleagues to consider whether particular applicants have a welfare need. Welfare need is explained in section 2.2.

4.2 Moving because of your medical needs

There are times when people need to move because of their health. Our Allocations Scheme recognises this. Details can be found in section 2 (Homeseeker and Emergency) and our application includes an online medical form on which to tell us your circumstances.

4.3 Who makes the assessment of medical needs?

Housing Officers are trained to deal with routine medical assessments and for those cases involving serious medical needs we engage the services of medical advisors to assist us. Our medical advisors are independent health professionals. We seek their advice on particular cases so that we can determine the most appropriate assessment for your particular circumstances. We may also need to take advice from other professional services, including Social Services. Unfortunately, we cannot rely solely on letters from your GP.

Please note that the assessment is made on the basis of documents supplied only and does not involve a physical examination.

The medical reason for joining the Homeseeker Band can apply to you or anyone else on your housing application (see section 2.2). The medical assessment looks at how the health problem impacts on your housing needs. This includes how it affects your household on a daily basis and then how your household's current housing affects your health or quality of life. It does not assess how ill you, or the other person(s) or your housing application is.

Everyone's health conditions and circumstances are unique so it is not possible to list all the circumstances under which we will make a decision to give priority on health grounds to an application. The medical advisors have discretion to make recommendations about any application.

Given the severity of your circumstances, in consultation with our medical advisor and other professionals, we will determine whether or not you require Emergency rehousing or placement in the Homeseeker band.

4.4 Eligibility for a garden on medical or welfare grounds

While ordinarily only households with children under 16 years of age are prioritised for a property with a garden, in consultation with a medical advisor we could prioritise a household without children for a garden given their medical requirements.

A garden may be recommended for an adult in the following circumstances:

- if they have a severe cognitive impairment that means they do not sense danger, or are at risk of wandering and so need constant supervision, or
- if they have a sensory impairment and/or a guide dog and they live alone or only with others with disabilities.

4.5 Eligibility for extra space on medical or welfare grounds

The medical advisors may recommend that you need extra space on health or welfare grounds if:

- you, or someone in your household, has either a permanent and substantial disability, or a severe long-term limiting illness, or the severest form of learning disabilities, or the severest forms of behaviour problems and it is unreasonable for you to share a bedroom as it would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health
- you have a permanent and substantial disability, long term limiting illness or severe learning disability or you are having health treatment at home that needs large machinery or a stock of health supplies to be stored, for example you are having renal dialysis at home
- you need a full time live-in carer to provide support night and day.

4.6 Eligibility for ground floor and lower floor levels in blocks with a lift on medical or welfare

The medical advisors may recommend that you need ground floor accommodation if you have a permanent and substantial disability or severe long-term limiting illness that means that your mobility or exercise tolerance is so severely restricted you cannot safely manage any stairs. The medical advisors may recommend that you need lower floor levels in blocks with lifts if your mobility or exercise tolerance is highly restricted but you can safely manage a limited number of stairs.

4.7 Supporting people with mental health problems

If you require support with taking up and maintaining a tenancy because you have or have had mental health problems, the Housing Service will work closely with Adult Social Care and the North East London Foundation Trust (NELFT) and will use to the special protocol agreed between these agencies.

These working arrangements will include, where necessary, seeking the advice of Adult Social Care and/or the Community Mental Health Team, on what level of priority your mental health problems should give you.

Working with these agencies will also make sure that you have the necessary support to successfully take up a tenancy, whether in supported housing or if you are going to live independently in a property.

The section above has discussed how we can help if you need to move for medical or welfare reasons. The section covers other emergencies. These are so individual they cannot easily be defined. It is not possible to list all the emergency circumstances under which a move may be agreed. If we agree that you have an emergency need to move – see below for how we decide this – we will provide you with an assisted offer. An assisted offer is when we give you an offer which means that you do not have to bid.

An assisted offer will ensure you move as quickly as possible if you need to move in an emergency situation. A Housing Needs Assessment Officer will work closely with you to determine your needs in terms of location and property type. You will then be offered a property that is suitable and meets your needs. Where possible, your preferences will be taken into consideration but the Council's priority will always be to move you from your emergency situation as quickly as possible.

The demand for housing stock in Havering is such that even if you have a high priority for re-housing, you will have to be flexible about where you move to and the type of property you would be willing to live in. As we are moving you for an urgent reason, we cannot guarantee that we can move you to a similar property, for example to remove you from a position of risk you may be moved from a house to a flat or from a property with a garden to a flat with no garden. When moving you for an urgent reason, we may move you to a property with the same number of bedrooms even if you are overcrowded (but not statutorily overcrowded) or to a smaller property if you are under-occupying. It may not be possible to offer you the type of property that you would like, in the area that you would like. So, re-housing should be considered by everyone involved as a last resort when **all** other options have been explored but have proven unsuccessful. If you are a council or housing association tenant then we will first try to find you a mutual exchange partner.

5.1 I think I have an emergency need to move, what should I do?

If you are a Havering Council tenant you should contact your Tenancy and Neighbourhood Services Manager on 01708 434000 as soon as possible if you think there are special reasons why you need to move.

If you are a housing association tenant, you should contact your landlord.

It is very important that you co-operate with the investigation, whoever is carrying it out. If you do not, all the relevant information may not be available for us to use when making a decision about your re-housing priority.

You may ask someone else to make a request on your behalf. This may be a solicitor, a social worker, or other advocate. If a third party makes a request, it will usually be referred to the Tenancy and Neighbourhood Services Manager to investigate.

We will assess your circumstances to see whether you need to be considered for re-housing before other applicants on the Housing Register. We will consider the reasons why you feel you cannot continue to live there. We will also consider whether it is reasonable for you to live there, the support you have there and if there are actions that can reasonably be taken to help you to continue to live there. Remember, re-housing is the last resort when **all** other options have been explored but have proven unsuccessful.

6. HELPING YOU WHEN YOU NEED TO MOVE BECAUSE OF OVERCROWDING OR UNSATISFACTORY HOUSING CONDITIONS

If you apply to join the Housing Register because you think you are overcrowded or living in unsatisfactory housing, we will assess your current housing circumstances and this assessment will contribute to which band you are placed in.

Please note that if you advise in your application or any amendment to your application that your property is overcrowded and it is found that it has been intentionally made overcrowded, then the applicant(s) will not be allowed to bid for one year.

6.1 Statutory overcrowding

If an inspection by Havering Council's Environmental Health Team has determined that you are statutorily overcrowded under Part 10 Housing Act 1985 or there is a Category 1 hazard under Crowding and Space category (HHSRS) at the dwelling you will be placed in the Emergency Band.

6.2 Overcrowding: the level applicable to the Homeseeker Band

We will consider that you are lacking bedrooms if:

- your household or all the people you are currently living with have fewer bedrooms than we think you need – see section 7.6

or

- you are aged 25+ years and you are sharing with a same sex sibling in a property with three or more bedrooms. Please note: only you, rather than the whole household, can register for a move if this form of overcrowding applies to you.

6.3 Insanitary housing

We will give you priority for an assisted move if the Council's Environmental Health Team has determined that you are living in insanitary housing, there is an urgent need for you to move and this cannot be put right by yourself or your landlord through advice and/or investment by yourself or your landlord.

7. CHOICE HOMES AND OFFERING YOU A HOME

7.1 Havering Council's Choice Homes choice-based lettings scheme – our statement of choice for applicants

We aim to maximise the choice of accommodation open to those wishing to rent a social or affordable home in Havering by operating a choice-based lettings system called Havering Council's Choice Homes.

All those who are registered in the Homeseeker Band, with or without Community Contribution Reward will be eligible to 'bid' for the home they are interested in.

7.2 How will we decide who is offered each property?

When a property becomes vacant we will do the following:

1. check whether the property is suitable for someone who needs an assisted offer. If it is, we will offer on this basis and will not advertise it through Choice Homes
2. if we do not need to give anyone an assisted offer of the property, we will advertise it through Havering Council's Choice Homes choice-based lettings system.

Properties will be advertised on the internet at www.ellcchoicehomes.org.uk and in the weekly Choice Homes magazine. The means of advertising properties may change from time-to-time.

When we consider to whom we will offer a property through Havering Council's Choice Homes scheme, we will:

- look at all applicants who have bid for the property
- list all the bids in the following order, (a) bids from applicants with the Community Contribution Reward in descending order of effective date, that is, the bid with the oldest effective date is listed first, then (b) bids from other applicants in the Homeseeker Band in descending order of effective date – see section X3.4.2 for more details of the effective date
- offer the property to the bidder at the top of the list – so long as they are eligible for the size and type of property.

To be absolutely clear, for each property advertised applicants with the Community Contribution Reward will always have a priority for housing over others in the Homeseeker Band without Community Contribution Reward unless no households with a Community Contribution Reward have bid for that property.

7.3 Local Lettings Plans

We may publish Local Lettings Plans if we believe it would be fairer to set aside a certain number of lettings for specific types of applicants. If we do this, we will publicise the plans widely.

Local lettings plans could cover a small area of the borough, a specific area of new homes and/or a certain type of housing, for example extra care housing for older people.

7.4 When will I be offered a property?

As soon as you are on the Housing Register, you will be given a bidding number and can start bidding for available properties through Havering Council's Choice Homes choice-based lettings system.

How long you will be on the Housing Register before you are successful through Choice Homes is a very difficult question for us to answer. It depends on how many properties become available, how your application has been assessed and how many other people bid for the properties in which you are interested.

Some properties are in higher demand than others. This means that more people are likely to bid for them. Whether you choose to wait longer for a high demand property, or are willing to bid for a property that comes up more quickly in an area that is in lower demand, is your decision. You should be aware that there are implications for you if make a bid, are offered a property and then refuse it. Please read sections 7.11 and 7.12 very carefully.

When you see a property that you are interested in, we strongly recommend that you visit the road, neighbourhood and consider local schools, shops, parks and other amenities (as appropriate) before placing your bid by the deadline. This will help you decide whether you want to bid for the property. As with any decision about moving home, sometimes a compromise needs to be reached.

7.5 Helping you to make successful bids

We want to give you as much information as possible about the properties available, the number of people bidding and the assessment of previously successful bidders.

To help you:

- we will print details in the Choice Homes magazine of the number of bids received for the properties we advertise, along with details on the assessment of the top priority bidder and how long they have been on the list. This information is also available on the Choice Homes website
- the Choice Homes website – www.ellcchoicetohomes.org.uk – will show you where you will be on the list for a property if you choose to bid for it.

7.6 What size and type of property am I eligible for?

The size and type of property which you are eligible for will depend on the size of your household. There will be no difference between existing Havering Council tenants and new applicants.

Here are the households that are eligible for the different size of properties available.

1 bedroom property or studio

- Single person / couple with no children

2 bedroom property

- Single person / couple with:
 - one child of any age
 - two children of different sexes where both are under 10 years
 - two children of different sexes where both are under 16 years
 - one other person (not the lead tenant's partner or child) or couple

3 bedroom property

<ul style="list-style-type: none"> • Single person / couple with: <ul style="list-style-type: none"> • two children of different sexes, at least one is 10 years or over • three children of any sex or age • four children of the same sex • four children with 2 girls of any age and 2 boys of any age • four with 3 of the same sex and one of the opposite sex, where one girl and one boy are both under 10 years • one person (not the lead tenant's partner or child), with or without a partner + one child, or two children of different sexes who are both under ten, or two children of the same sex regardless of age
<p>4 bedroom property</p> <ul style="list-style-type: none"> • Single / couple with: <ul style="list-style-type: none"> • four children where the need for a 3 bedroom property does not apply • five children of any sex or age • six children of the same sex regardless of their age • six children with five of the same sex and one of the opposite sex where there is one girl and one boy both aged under 10 years • six children with four of the same sex, two of the opposite sex regardless of the age of the children • six children with three girls and three boys where all the bedrooms available to the children can be shared by either a girl and boy under 10 years or the same sex children of any age can share • one of the reasons for being eligible for a three bedroom property plus one person (not the lead tenant's partner or child), with or without a partner
<p>5 bedroom property</p> <ul style="list-style-type: none"> • Single / couple with: <ul style="list-style-type: none"> • six children where the rules for a 4 bedroom home do not apply • seven children of any sex or age • eight children all of the same sex • seven of the same sex and one of the opposite sex where one girl and one boy are both under 10 years • eight children with five of the same sex and three of the opposite sex, where all four bedrooms available for the children can be shared by either a girl and boy who are both under 10 years or two children of the same sex regardless of age • eight children with four girls and four boys • one of the reasons for being eligible for a four bedroom property plus one person (not the lead tenant's partner or child), with or without a partner

7.7 Would I be eligible for a property with a garden?

We do not have many properties with gardens, whether houses or flats, therefore we prioritise certain households for properties with gardens. The following households are eligible for properties with gardens:

- a household with at least one child under 16 years of age
- a household where the Council accepts that there is a medical or welfare need for a garden
- a household who has a need to move for emergency reasons and the only type and size of property suitable happens to have a garden
- a household which is downsizing from a larger property.

Please note that if the Council is making you an assisted offer as a 'management transfer', that is, under the Emergency rehousing route we have accepted that you need to transfer from your

current council property to another one, you will **not** automatically be offered a property with a garden even if you are moving from a property with a garden.

7.8 Can I bid for a home that is smaller than I need?

Sometimes people are so keen to move that they say they will accept a property with fewer bedrooms than they are eligible for. We urge you to think very carefully about this.

If you bid for a property that is smaller than you need, we will normally offer that property unless one of the following applies:

- you would become statutorily overcrowded in the new property – this is because this is against the law
- the only reason we have accepted you on the Housing Register is that your current home is too small and you bid for a property that is the same size as that you are currently living in.

7.9 Making you an Offer

If you have bid for the property through Havering Council's Choice Homes choice-based lettings system

If you have been successful through Havering Council's Choice Homes and we wish to make you an offer, we will contact you by telephone to arrange for you to view the property. You must let us know whether you are going to accept the offer on the day of viewing or by no later than 10.00am the following day.

If we are making an assisted offer to you because of an Emergency rehousing need

In these circumstances, we will contact you by telephone or letter giving you the details of the property that is being offered to you and making an arrangement for you to view it. You must let us know whether you are going to accept the offer on the day of the viewing or by no later than 10.00am the following day.

Note for Havering Council tenants with a fixed-term tenancy

If you are a Havering Council tenant and we do not intend to grant a new tenancy for the current property, you will be given 6 weeks to bid for other properties. If you are not successful during this period, we will deal with your case as an Emergency need for moving and you will be given up to two alternative suitable offers. These offers may be of council or housing association properties.

7.10 Situations where we may withdraw an offer

7.10.1 Unacceptable Behaviour

We may withdraw an offer if at the point of offer we discover that:

- you or others on your housing application are, or have been, guilty of unacceptable behaviour, *and*
- the unacceptable behaviour is of a type and severity that would have entitled the Council to have obtained a possession order had we been the landlord.

7.10.2 Breaches of tenancy

We may withdraw an offer if at the point of offer we discover that you have breached a tenancy with the Council or another landlord owing through:

- fraudulent behaviour
- causing serious damage to property.

7.10.3 Fraudulently Obtained Tenancies

We may withdraw an offer if at the point of offer we discover that you have previously gained a tenancy, or attempted to do so, by means of:

- knowingly or recklessly giving false information in respect of any matter relating to your application
- withholding information or failing to notify us of any changes in your circumstances may affect your eligibility and/or priority for housing.

7.11 What happens if you offer me a property and I do not accept it, or I do not turn up to view it?

There is very high demand for council and housing association properties in Havering. If you do not turn up to view a property without telling us beforehand, we will assume that you have refused the property.

We recognise that when you are offered a property, whether as a result of bidding through Choice Homes (the Council's choice based lettings system) or as an assisted offer directly from the Council, you may wish to refuse it, even if it is the right size and in one of your preferred areas. We suggest you think carefully about whether to accept or refuse an offer as this could have a big impact on when we will make your next offer. The impact of refusing an offer will depend on your current circumstances. This is shown in table 5 below.

If the choice based lettings software states that you are eligible for the accommodation as a priority bidder and we then confirm you are not, we will confirm in writing the reasons why this is the case.

Table 5 – Housing circumstances and offers

Housing circumstances	The offers we will make
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Emergency rehousing	We will give you up to two assisted offers. Should you refuse both offers, we will lower your priority to the Homeseeker Band or remove you from the Housing Register if you are no longer eligible.
Homeseeker band with or without Community Contribution Reward – excluding the housing circumstances listed below	<p>You can receive up to two suitable offers from us without penalty. Refusing two suitable offers from us will lead to a penalty for you.</p> <p>This is how it works.</p> <p>Each time a new Choice Homes list is published, you will be able to bid for up to two properties in which you are interested.</p> <p>If one of your bids is successful, we will offer the property to you.</p> <p>You can:</p> <ul style="list-style-type: none"> • accept the offer and become the tenant • refuse the offer. <p><i>What happens when you refuse an offer</i></p> <p>We will assess whether the property is suitable for you.</p> <p>If we believe the property is suitable, it will count as one of the two offers you can have without penalty.</p> <p>If we believe the property is not suitable, the offer will not count towards the two offers you can have without penalty.</p> <p><i>What happen when you refuse a second offer</i></p> <p>We will assess whether the property is suitable for you.</p> <p>If we believe the property is suitable, you will not be able to bid again for six months.</p> <p>If we believe the property is not suitable, the offer will not count towards the two offers you can have without penalty.</p>
Other transfers: Pan-London mobility scheme <i>housingmoves</i>	This is a London-wide scheme helping existing social tenants to transfer to other parts of London. All London boroughs have adopted this scheme and it operates separately to our choice based lettings scheme. Details on the scheme, including adverts and how to bid for a property can be found at www.housingmoves.org
Other transfers: Seaside and Country Homes - <i>housingmoves</i>	housingmoves helps existing social housing tenants living in London to find alternative accommodation. In addition to the cross-London scheme there is also a <u>Seaside & Country Homes scheme</u> (for households where the eldest member is 60 years of age or older). A link to the Seaside & Country Homes Scheme can be found at www.housingmoves.org Alternatively, please contact the Council's Lettings Team on 01708 434130.

7.12 What happens if I refuse a housing association property the Council has nominated me for?

You may have bid for housing association through Choice Homes, or we may have made you an assisted offer of a housing association property.

We consider council and housing association properties in the same way, so we will assess a refusal of an offer of housing association accommodation to which we have nominated you in the same way as refusal of a council property.

We will always consider refusals of offers on a case-by-case basis. We recognise that housing associations may offer different lengths of tenancies and/or different types of rent than the Council. We will take these factors into account when assessing a refusal. But please remember, simply refusing an offer of housing association accommodation just because you would prefer a council property will not be considered a suitable reason for refusal.

7.13 What happens if the housing association does not accept me?

If a housing association turns you down because although under the Council's Allocations Scheme you would be eligible for the property, but you would not be eligible for property under the housing associations' scheme, we will not hold this against you. The only exception would be if as part of the allocations process the housing association found something about your application, for example that you have given false information, that we did not already know.

7.14 What if a Council tenant is offered a transfer, but someone else in the household is separately on the housing register?

If you are a Havering Council tenant and we offer you a transfer to another property, everyone in the household must move out and you must hand back your home without anyone still living there.

That means that even if a member of your household is separately registered with us, they must move out when you do and continue to wait for their own offer. They can, of course, transfer with you or make their own arrangement to move somewhere else when you move. Unfortunately, they cannot stay in the property you are transferring from.

7.15 What happens when I accept a council or housing association property

7.15.1 Existing tenants moving within Havering Council's housing stock

If you have a secure lifetime tenancy, you will retain this tenancy and your existing rights. More details can be found in our Tenancy Policy at Appendix 4.

7.15.2 New tenants moving in to a council or housing association property

You will be given an Introductory Tenancy if you do not already hold a Secure Lifetime Tenancy with Havering Council, or another council, or an Assured Tenancy with a housing association.

When we give you an Introductory Tenancy we will explain that when this tenancy comes to an end, it will transfer to a Fixed-term tenancy and we will set out the length of the fixed-term tenancy and terms. Details of our fixed-term tenancy policy can be found at Appendix 4.

There is one exception to this; we will give you a Secure Lifetime Tenancy when you are moving to a home for people aged 60+ (sheltered or supported housing or a property in general needs housing designated for people aged 60+).

Please note that housing associations and councils have adopted individual Tenancy Policies that set out the type and length of fixed-term tenancies they provide. Housing Associations can also charge an Affordable Rent for some of their properties. Affordable Rents can be up to 80% of the market rent (including service charges).

In addition, should you move out of Havering Borough, for example through a housing transfer scheme, and then decide to move back into the borough, you will need to do so through a transfer or alternatively meet the residency criteria and have a housing need to be eligible for the Council's Housing Register.

7.16 Offers to homeless households

If our Housing Advice and Homelessness team has found that the Council owes you a full housing duty because you are homeless, we will:

- offer you a property leased by the Council from a private landlord. These properties are referred to as private sector leased (PSL) properties. The rents charged are full private sector rents. You may be eligible for full or partial Housing Benefit (Local Housing Allowance) to assist you with meeting these costs. You will have a non-secure tenancy with the Council
- assess your housing application in accordance with this Allocations Scheme.

We will make every effort to offer accommodation that best meets the size of the household. However, accommodation offered to a homeless applicant under a full homelessness duty, whether in the council, housing association or private sector property, will be deemed to be suitable in terms of size so long as the household is not statutorily overcrowded.

You have a right to review the suitability of the PSL property offered. Refer to our leaflet – 'Homeless Decisions – Your Right to Request a Review' for more details.

In the interests of sustainable communities, in very exceptional circumstances, we may make an offer of a council or housing association property to a homeless household. These exceptional circumstances include, but are not limited to, you having very specific medical or welfare needs and only a council or housing association property is available that meets these needs.

Please note that based on the pattern of homeless households' needs to date, it is anticipated that the vast majority of homeless households will initially be offered a private sector leased (PSL) property or another form of private rented housing.

If our Housing Advice and Homelessness Team has found that the Council owes you a full housing duty because you are homeless but you are in full-time education or you have a confirmed placement in:

- full-time education and are not eligible to claim housing benefit
- someone with a need for sheltered housing, or
- a disabled person with specific housing needs,

we will make you one assisted offer of Council, Housing Association or privately rented accommodation.

7.16.1 What happens if my housing circumstances change whilst I am living in a private sector leased (PSL) property?

Sometimes the property that you are living in will no longer meet the needs of your family. For example, your family size may increase and you become overcrowded or family members may leave the household and you find that the property is too large for you. In these situations we may make you an offer of an alternative PSL property which better suits your needs. Your priority on the Housing Register will not change.

8. OTHER REHOUSING OPPORTUNITIES

If you are not eligible to join the Housing Register or if you are on the Register but you feel that you are not receiving offers of accommodation quickly enough through Havering Council's Choice Homes choice-based lettings system, you may want to consider other housing options such as shared ownership, home swap, exchange schemes or private renting. These options are discussed below.

8.1 Mutual Exchange Scheme

A mutual exchange is when two or more tenants swap homes once they have the permission of all landlords involved, whether Havering Council, a housing association or another council. Given the demand for and the shortage of social housing in Havering, the waiting time for a transfer can be lengthy and therefore, for many tenants a mutual exchange is their best prospect for moving.

As a Havering Council tenant there are free ways to register for a mutual exchange. You can advertise your property and search for prospective exchange partners. Full details will be displayed of matches found. Please contact us for details of schemes that are available.

We will only say no to your request to exchange for a limited number of reasons, which are defined by law (The Housing Act 1985 and the Housing Act 2004) these include, but are not limited to that:

- either tenant is moving to a home that is inadequate for their needs, for example on health grounds, or that it would be too small
- either tenant is moving to a home that is substantially too large for their requirements
- there is a current order for possession made by the Court in respect of any of the tenancies involved
- any of the properties are adapted, sheltered, warden-controlled or other special needs unit and the tenant moving in to the property is not eligible for or does not need it
- the accommodation is tied, that is it is given to the tenant as a consequence of his/her employment and the right to occupy the accommodation ceases upon the employment coming to an end
- any of the tenants has been issued with a Notice of Seeking Possession.

A full list of reasons for not giving consent for a mutual exchange is available from the Under occupation and Mobility Officer. If we are unable to give consent for your mutual exchange, we will give the full reasons for this.

Due to the shortage of social housing we are unable to allow exchanges that would result in under occupation of accommodation. Therefore please refer to the table 2 listing the eligibility for the Allocations of accommodation. This will assist you in identifying your eligibility before you submit your request for an exchange. However, if you are a Havering tenant who has registered to downsize to smaller accommodation, you will be permitted to exchange to accommodation that has one room in excess of your requirements.

You may not be able to swap tenancies straight away if, for example, you owe rent, or there are repairs needed to the property that you have to carry out. However, once these matters have been sorted out, you should be able to move, so long as the factors listed above do not apply.

If we say no to the mutual exchange request, we will tell you in writing the reasons for this. You have the right to appeal this decision and should put your appeal to the Housing Needs and Service Development Manager in the first instance. However you have a right to refer the decision to the County Court if you disagree with it.

8.2 Shared ownership schemes

If you are interested in buying a home but are on a low income, we may be able to help you. These schemes are available through housing associations.

Shared ownership is where you can buy a share of a property, paying a mortgage on that share and rent on the remaining share. If you are on a low income, this can give you the chance to own your own home in stages. When your income increases, you can buy further shares in the property until you own all of it. Contact the Housing Needs and Service Development Team for more information or for more online information, please use the following link to access the First Steps website <http://www.firststepslondon.org/>

8.3 Downsizing Incentive Scheme

The Council has introduced a 'Downsizing Incentive Scheme' to enable council tenants to move to smaller accommodation that meets their needs. This will help meet the increasing demand from people living in overcrowded conditions who are on the housing register. This scheme is subject to change from time to time. Please contact the Lettings Team for a copy of the scheme details on 01708 434130.

8.4 Private renting options

To help us keep up with the increasing demand for housing, we can now help some people move into a home in the private sector. In recent years, we have been offering local landlords more-and-more incentives through a range of different schemes to rent or lease their properties to us which we can use to accommodate people who are in housing need or just struggling to find a home. All of these options are operated by the Council's Private Housing Solutions Team who can be contacted on 01708 431010. They can help you look at options of a properties in the private sector including Private sector leased (PSL) accommodation and private tenancies managed by the Council.

9.1 What happens if I make my housing circumstances worse?

If you have made your own housing circumstances worse, we may refuse your application until such time that there has been a change in your circumstances. An example of making your situation worse would be if you have abandoned a tenancy without good reason.

9.2 Community safety

The Council works in partnership with the Police, the Probation Service and other housing providers to manage risk to the community when, for instance, re-housing offenders. If you are an ex-offender and it is likely to have implications for community safety, you may be refused housing in certain areas and may only be offered accommodation in specific areas or have your registration suspended.

Suspending your registration would be temporary only and would be subject to ongoing review.

9.3 Prisoners

If you receive a prison sentence of over 12 months and are a Council or housing association tenant without other family, you will be unlikely to receive Housing Benefit. You may need to give up your tenancy and apply to go on the Housing Register. This means we can consider you for re-housing when you are released.

Special rules apply to some ex-offenders, applicants leaving prison or people living in bail hostels. Sometimes, we may need to exclude people from our Housing Register.

9.4 The options if you need some support to live in your own home

We work closely with Social Care and health services to try to provide the most appropriate housing to people with particular needs.

The Council and some of our partner housing associations have developed housing with support schemes. These schemes are designed to help you maintain your tenancy. There are a lot of different support packages available. Please ask the Housing Needs and Service Development Team if you would like more information.

9.5 Telecare Service

Havering Council's Telecare Centre provides a range of careline and telecare services including installation of equipment and 24/7 call monitoring with an emergency response service which is available to everybody including vulnerable residents to aid independent living. There is a weekly charge for the service but clients assessed by Social Services as having a substantial need may receive the service free of charge. For further information contact the Telecare Team on 01708 756047 or email rjc@havering.gov.uk

9.6 People with physical disabilities

If you, or a member of your family, has a physical disability then there are a number of ways we can help you.

For example, if you are a Council tenant and you live in a house but can no longer manage the stairs, then we may be able to help with the necessary adaptations to your home.

If you are an owner-occupier and are unable to manage the stairs or require an adaptation to allow access around the house, we may be able to help you with a Disabled Facilities Grant. For more information, please call the Grants Team on 01708 434070.

If you require a move, we may be able to offer you a specially adapted Council or housing association property.

You may be awarded a higher priority on the Housing Register because of the unsuitability of your current property or because you may need to move near to relatives for support.

9.7 People with mental health problems or a learning disability

If you have always lived with parents or carers but are now looking to move into your own accommodation, then we may be able to help you. We may give you additional priority on our register and make sure that any support you need is in place before you move into your new home. It may be that you will need to move into more supported accommodation before you can move into your own flat. We will always work with Social Services to make sure that you eventually have the home that best suits your needs.

If you need housing with support, we will need to work with Social Services and other relevant agencies to make sure you are allocated appropriate accommodation and an appropriate support package.

9.8 Older People

If you are over retirement age, we may be able to help you with a flat or bungalow in one of the Council's or a housing association's supported housing schemes. You have your own flat and can be as independent as you like. Many of these schemes have a common room, which means you can socialise with your neighbours if you wish. Supported housing is not a nursing or a residential home so it will not be suitable if you need a high level of care. All our supported accommodation has access to our 24- hour Telecare Service to make sure help is always at hand.

For details on the Council's Supported housing schemes, please call the Housing Needs and Service Development Team for more information on 01708 434130 or e-mail lettings@havering.gov.uk

9.9 Access to personal information

You have a legal right to inspect or receive a copy of your Housing Register file under the Data Protection Act 1998. Please contact the Complaints and Compliance Officer, Housing Needs and Strategy Housing Team, should you wish to arrange this.

You have a legal right to inspect our computer records about yourself. We can only withhold information if it would cause harm to another person if such information were shown to you.

We believe our Allocations Scheme is fair and transparent. We aim to make decisions about your housing application that are clear for you to understand.

10.1 Appealing a decision about your housing register application

If you believe we have made an incorrect or unfair decision about any aspect of your housing application, please put this in writing to us either by post or e-mail.

We need you or your representative to write to us so that we have a written record from you that can be logged and investigated. Your appeal will be considered by an officer who was not involved in the original decision.

Please send your letter to: Housing Needs and Service Development Manager
Housing and Public Protection

5th floor Mercury House
Mercury Gardens
Romford
RM1 3DT

Please send your e-mail to: lettings@havering.gov.uk

10.2 Refusing an offer of a property

If you wish to refuse a property we have offered you, please complete the refusal form that we give you at the time of viewing. Either hand it to the officer showing you round the property, or send it to:

Lettings Team
Housing and Public Protection
5th floor Mercury House
Mercury Gardens
Romford
RM1 3SL

Please send your e-mail to: lettings@havering.gov.uk

10.3 Council's complaints procedure

You can, of course, use the Council's formal complaints procedures if you are unhappy with the way we have treated you. 'Comments, compliments, complaints' leaflets are available from all council offices or on request, or via the Council's website at www.havering.gov.uk/complaints

11 EXPLANATION OF TERMS USED IN THIS DOCUMENT

Affordable homes	Housing associations are now allowed to set affordable rents for new build homes and a proportion of their existing homes when they become available and are re-let. These rents can be up to 80% of the private market value (and includes the service charge. There is a symbol showing which homes will be let at an Affordable rent on the Choice Homes website and magazine – the symbol will be shown with each property that has this type of rent. An affordability calculator is available on the website so that prospective tenants can see whether they are likely to afford the rent before they bid for the property.
Assisted offer	An assisted offer is when the council makes a direct offer taking into account the needs of the applicant or someone else in their household.
Choice Homes	This is the name of the Council's choice based letting system. The website allows you to bid for social and affordable homes when they become available. The website contains adverts, including property photographs, details about accessibility, the rents and service charge. It also highlights properties that will be rented at an Affordable Rent (up to 80% of market rents) as well as those at a social rent.
Domestic violence	<p>Defining domestic violence can be difficult and contentious, with different individuals and agencies wanting to stress one aspect of domestic violence over another. The Havering Domestic Violence Forum has an agreed core, common definition that all member agencies use. This is based on that used by the Association of Chief Police Officers. For clarity and consistency Homes in Havering adopts the Havering Domestic Violence Forum's definition of domestic violence abuse.</p> <p>Domestic Violence is: Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults⁸ who are or have been intimate partners or family members regardless of gender or sexuality⁹.</p>
Fixed-term tenancy	Council and housing associations are able to provide fixed term tenancies (introduced by Government legislation in 2011). Havering Council will be keeping secure lifetime tenancies for some tenants. We will normally provide 5-year fixed-term tenancies for most tenants and 3-year tenancies in exceptional circumstances. A copy of the Council's Tenancy Policy can be found at Appendix 3.
Former tenant arrears	Someone has former tenant arrears when they have rented a home previously and have not paid their full rent. They then have rent arrears when they leave the property.
HHSRS	Housing Health and Safety Rating System

⁸An adult is defined as any person aged 18 years or over. Violence involving people under 18 years of age is classified as child abuse and is dealt with by separate policies and legislation. Nevertheless, children and young people are affected by domestic violence. Not only are many traumatised by what they witness or overhear, but this is frequently direct child abuse occurring with domestic violence.

⁹ Family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or step-family.

Housing register	This is sometimes known as the housing waiting list.
Local Housing Allowance	If you are renting a property or room from a private landlord, the Local Housing Allowance is used to work out how much Housing Benefit you get.
MARAC	Multi-Agency Risk Assessment Conferences (MARACs) are meetings where information about high risk domestic abuse victims (those at risk of murder or serious harm) is shared between local agencies. By bringing all agencies together at a MARAC, a risk focused, coordinated safety plan can be drawn up to support the victim.
Nominate	A council has the right to nominate an applicant to be the tenant of a housing association property when a nomination agreement is in place.
Overcrowding	This is when a home is found to be too small for the household living there. There are two legal standards that the Housing Needs and Service Development Team uses called the 'room standard' and 'space standard'. Refer to section 7. If you think you are overcrowded, call the team for an assessment.
Private sector leased properties (PSL)	Private sector leased properties – these are leased by the Council from a private landlord and tenants have a non-secure tenancy with the council.
Registered Providers	These are also known as housing associations or registered social landlords.
Regular forces	Meaning given by s. 374 Armed Forces Act 2006(b) "the regular forces" means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force, and references to "a regular force" are to be read accordingly.
Reserved forces	Meaning given by s. 374 Armed Forces Act 2006(b) "the reserve forces" means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force, and references to "a reserve force" are to be read accordingly.
Secure tenancy	This is a 'lifetime' tenancy. Until 31 March 2013, all Havering Council tenants were given these types of tenancies. From 1 April 2013 the Council will continue to provide secure tenancies to people who move to a home for people aged 60+ (sheltered or supported housing or a property in general needs housing designated for people aged 60+, or if someone if transferring from a Havering Council property to another Council's property and they already have a secure tenancy, or from a housing association property if they have an assured tenancy.
Social home / rent	The rent for these homes is below the private market value and the Government sets the maximum limit. Social rents are lower than Affordable Rents. Havering Council tenants pay social rents.

APPENDIX 1 – FINANCIAL ASSESSMENT

Please also refer to section 2.1.2 “Circumstances that mean you cannot join the Housing Register”.

You will not be able to join the Housing Register if you have sufficient income to be able to afford private rented housing in the borough. We will ask you about your income and savings on your housing register application form to assess whether you can afford to privately rent in the Borough.

Because of the severe shortage of social and affordable rented properties in the borough, if you have sufficient money to afford to rent privately in the borough, you will not be accepted on to the housing register. You will be deemed to be able to rent privately in the borough if you:

Need a 1 bed property

An average rent of £713pcm (£8,556 a year)

You would need to earn at least £24,446 per year (gross)

Need a 2 bed property

An average rent of £929pcm (£11,148 a year)

You would need to earn at least £31,852 a year (gross)

Need a 3 bed property

An average rent of £1,108pcm (£13,296 a year)

A household would need to earn at least £37,989 a year (gross)

Needs a 4 bed property

An average rent of £1,643pcm

A household would need to earn at least £56,332 a year (gross)

Savings of more than £16,000 will be taken into account.

Income and savings will be reviewed on the 1st April each year.

Housing Related Debt: You will not be eligible to join the Housing Register if you have housing-related debts totalling more than £400 owed to the London Borough of Havering. This includes rent arrears and debts to Council Tax, Housing Benefit or Council Tax Benefit. Debts to other Local Authorities or Registered Providers will also be taken into consideration.

This figure will be reviewed annually on 1st April every year.

APPENDIX 3 – ELIGIBILITY AND QUALIFICATION

(Chapter 3, *Allocation of accommodation: guidance for local housing authorities in England*, CLG (June 2012))

Eligibility and qualification

Housing authorities must consider all applications made in accordance with the procedural requirements of the authority's allocation scheme (s.166(3)). In considering applications, authorities must ascertain:

- if an applicant is eligible for an allocation of accommodation, and
- if he or she qualifies for an allocation of accommodation

Eligibility

3.2 An applicant may be ineligible for an allocation of accommodation under s.160ZA(2) or (4). Authorities are advised to consider applicants' eligibility at the time of the initial application and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the original application.

Joint Tenancies

Under s.160ZA(1)(b), a housing authority must not grant a joint tenancy to two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people apply and one of them is eligible, the authority may grant a tenancy to the person who is eligible. In addition, while ineligible family members must not be granted a tenancy, they may be taken into account in determining the size of accommodation which is to be allocated.

Existing Tenants

The eligibility provisions do not apply to applicants who are already secure or introductory tenants or assured tenants of a Private Registered Provider. Most transferring tenants fall outside the scope of the allocation legislation (s.159(4A)); while those who are considered to have reasonable preference for an allocation are specifically exempted from the eligibility provisions by virtue of s.160ZA(5).

Persons from abroad

3.5 A person may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

- (i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)), and
- (ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

3.6 The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations').

Persons subject to immigration control

3.7 The term 'person subject to immigration control' is defined in s.13(2) of the Asylum and Immigration Act 1996 as a person who under the Immigration Act 1971 requires leave to enter or remain in the United Kingdom (whether or not such leave has been given).

3.8 The following categories of persons do not require leave to enter or remain in the UK:

- (i) British citizens
- (ii) certain Commonwealth citizens with a right of abode in the UK
- (iii) Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area (see paragraph 3.11 (iii) below) with the UK which allows free movement
- (iv) EEA nationals¹⁰, and their family members, who have a right to reside in the UK that derives from EU law. Whether an EEA national (or family member) has a particular right to reside in the UK (or another Member State) will depend on the circumstances, particularly their economic status (e.g. whether he or she is a worker, self-employed, a student, or economically inactive)
- (v) persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK, and some military personnel.

Any person who does not fall within one of the four categories in paragraph 3.11 will be a person subject to immigration control and will be ineligible for an allocation of accommodation unless they fall within a class of persons prescribed by regulation 3 of the Eligibility Regulations (see further below).

3.10 If there is any uncertainty about an applicant's immigration status, housing authorities are recommended to contact the UK Border Agency (UKBA). UKBA provides a service to housing authorities to confirm the immigration status of an applicant from abroad (non asylum seekers) by email at LA@UKBA.gsi.gov.uk. Where UKBA indicates the applicant may be an asylum seeker, enquiries of their status can be made to the Immigration Enquiry Bureau helpline on 0870 606 7766.

3.11 Regulation 3 of the Eligibility Regulations provides that the following classes of persons subject to immigration control are eligible for an allocation of accommodation:

- i) *a person granted refugee status*: granted 5 years' limited leave to remain in the UK
- ii) *a person granted exceptional leave to enter or remain in the UK without condition that they and any dependants should make no recourse to public funds*: granted for a limited period where there are compelling humanitarian or compassionate circumstances for allowing them to stay. However, if leave is granted on condition that the applicant and any dependants are not a charge on public funds, the applicant will not be eligible for an allocation of accommodation. Exceptional leave to remain (granted at the Secretary of State's discretion outside the Immigration Rules) now takes the form of 'discretionary leave'.
- iii) *a person with current leave to enter or remain in the UK with no condition or limitation, and who is habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland (the Common Travel Area)*: such a person will have indefinite leave to enter (ILE) or remain (ILR) and is regarded as having settled status. However, where ILE or ILR status is granted as a result of an undertaking that a sponsor will be responsible for the applicant's maintenance and accommodation, the person must have been resident in the Common Travel Area for five years since the date of entry - or the date of the sponsorship undertaking, whichever is later - to be eligible. Where all sponsors have died within the first five years, the applicant will be eligible for an allocation of accommodation.

¹⁰ European Economic Area nationals are nationals of any EU member state (except the UK), and nationals of Iceland, Norway, Liechtenstein and Switzerland.

- iv) *a person who has humanitarian protection granted under the Immigration Rules*⁶: a form of leave granted to persons who do not qualify for refugee status but would face a real risk of suffering serious harm if returned to their state of origin (see paragraphs 339C-344C of the Immigration Rules (HC 395))

Other persons from abroad who may be ineligible for an allocation

3.12 By virtue of regulation 4 of the Eligibility Regulations, a person who is not subject to immigration control and who falls within one of the following descriptions is to be treated as a person from abroad who is ineligible for an allocation of accommodation:

- (i) a person who is not habitually resident in the Common Travel Area (subject to certain exceptions - see paragraph 3.14 below)

- (ii) a person whose only right to reside in the UK is derived from his status as a jobseeker (or his status as the family member of a jobseeker). 'Jobseeker' has 13

As of 1 May 2011, nationals of the 8 Eastern European countries (A8 nationals) which acceded to the EU in 2004 are no longer required to register with the Workers Registration Scheme in order to work in the UK. Regulation 4(2)(c) of the Eligibility Regulations no longer applies to applications from A8 workers as of that date. Rather applications from A8 workers should be considered on the same basis as those from other EU workers under regulation 4(2)(a).

- (iii) a person whose only right to reside in the UK is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations

- (iv) a person whose only right to reside in the Common Travel Area is a right equivalent to one of the rights mentioned in (ii) or (iii) above and which is derived from EU Treaty rights

3.13 See annex 2 for guidance on rights to reside in the UK derived from EU law.

3.14 The following persons from abroad are eligible for an allocation of accommodation even if they are not habitually resident in the Common Travel Area:

- a) an EEA national who is in the UK as a worker (which has the same meaning as in regulation 6(1) of the EEA Regulations)

- b) an EEA national who is in the UK as a self-employed person (which has the same meaning as in regulation 6(1) of the EEA Regulations)

- c) a person who is treated as a worker for the purposes of regulation 6(1) of the EEA Regulations, pursuant to the Accession (Immigration and Worker Authorisation) Regulations 2006 (ie nationals of Bulgaria and Romania required to be authorised by the Home Office to work until they have accrued 12 months uninterrupted authorised work)⁷

- d) a person who is a family member of a person referred to in (a) to (c) above

- e) a person with a right to reside permanently in the UK by virtue of regulation 15(c), (d) or (e) of the EEA Regulations f) a person who left Montserrat after 1 November 1995 because of the effect of volcanic activity there

- g) a person who is in the UK as a result of his deportation, expulsion or other removal by compulsion of law from another country to the UK. This could include EEA nationals, if the person was settled in the UK and exercising EU Treaty rights prior to deportation from the third country. Where deportation occurs, most countries will signal this in the person's passport.

3.15 A person who is no longer working or no longer in self-employment will retain his or her status as a worker or self-employed person in certain circumstances. However, accession state workers requiring authorisation will generally only be treated as a worker when they are actually working as authorised and will not retain 'worker' status between jobs until they have accrued 12 months continuous authorised employment. 'Family member' does not include a person who is an extended family member who is treated as a family member by virtue of regulation 7(3) of the EEA Regulations (see 14 annexes 2 and 3 for further guidance).

3.16 The term 'habitual residence' is intended to convey a degree of permanence in the person's residence in the Common Travel Area; it implies an association between the individual and the place of residence and relies substantially on fact.

3.17 Applicants who have been resident in the Common Travel Area continuously during the two year period prior to their housing application are likely to be habitually resident (periods of temporary absence, e.g. visits abroad for holidays or to visit relatives may be disregarded). Where two years' continuous residency has not been established, housing authorities will need to conduct further enquiries to determine whether the applicant is habitually resident (see annex 4 for further guidance).

Qualification

3.18 Housing authorities may only allocate accommodation to people who are defined as 'qualifying persons' (s.160ZA(6)(a)). Subject to the requirement not to allocate to persons from abroad who are ineligible and the exception for members of the Armed and Reserve Forces in paragraph 3.27 below, a housing authority may decide the classes of people who are, or are not, qualifying persons.

3.19 Housing authorities are encouraged to adopt a housing options approach as part of a move to a managed waiting list. A strong and pro-active housing options approach brings several benefits: people are offered support to access the housing solution which best meets their needs (which might be private rented housing, low cost home ownership or help to stay put); expectations about accessing social housing are properly managed; and social housing is focused on those who need it most. A lower waiting list can also be a by-product.

3.20 In framing their qualification criteria, authorities will need to have regard to their duties under the equalities legislation, as well as the requirement in s.166A(3) to give overall priority for an allocation to people in the reasonable preference categories.

3.21 Housing authorities should avoid setting criteria which disqualify groups of people whose members are likely to be accorded reasonable preference for social housing, for example on medical or welfare grounds. However, authorities may wish to adopt criteria which would disqualify individuals who satisfy the reasonable preference requirements. This could be the case, for example, if applicants are disqualified on a ground of anti-social behaviour.

3.22 When deciding what classes of people do not qualify for an allocation, authorities should consider the implications of excluding all members of such groups. For instance, when framing residency criteria, authorities may wish to consider the position of people.

3.23 The Government believes that authorities should avoid allocating social housing to people who already own their own homes. Where they do so, this should only be in exceptional circumstances; for example, for elderly owner occupiers who cannot stay in their own home and need to move into sheltered accommodation.

3.24 There may be sound policy reasons for applying different qualification criteria in relation to existing tenants from those which apply to new applicants. For example, where residency requirements are imposed, authorities may wish to ensure they do not restrict the ability of existing social tenants to move to take up work or to downsize to a smaller home. Authorities may decide to apply different qualification criteria in relation to particular types of stock, for example properties which might otherwise be hard to let.

3.25 Whatever general criteria housing authorities use to define the classes of persons who do not qualify for social housing, there may be exceptional circumstances where it is necessary to disapply these criteria in the case of individual applicants. An example might be an intimidated witness⁸ who needs to move quickly to another local authority district. Authorities are encouraged to make explicit provision for dealing with exceptional cases within their qualification rules.

3.26 As with eligibility, authorities are advised to consider whether an applicant qualifies for an allocation at the time of the initial application and when considering making an allocation, particularly where a long time has elapsed since the original application.

Members of the Armed Forces and the Reserve Forces

3.27 Subject to Parliamentary scrutiny, we will regulate to provide that authorities must not disqualify the following applicants on the grounds that they do not have a local connection⁹ with the authority's district:

- (a) members of the Armed Forces and former Service personnel, where the application is made within five¹⁰ years of discharge
- (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- (c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

3.28 These provisions recognise the special position of members of the Armed Forces (and their families) whose employment requires them to be mobile and who are likely therefore to be particularly disadvantaged by local connection requirements; as well as those injured reservists who may need to move to another local authority district to access treatment, care or support.

Joint tenants

3.29 In the case of an allocation to two or more persons jointly, at least one of the persons must be a qualifying person (s.160ZA(6)(b)) and all of them must be eligible.

Fresh applications

3.30 Applicants who have previously been deemed not to qualify may make a fresh application if they consider they should now be treated as qualifying, but it will be for the applicant to show that his or her circumstances have changed (s.160ZA(11)).

APPENDIX 4 – TENANCY POLICY – TO FOLLOW

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London Borough of Havering – Draft Tenancy Strategy

1. Introduction

The Localism Act 2011 introduces a number of housing reforms. These changes include giving local authorities and Registered Providers¹ (RPs) the freedom to introduce flexible fixed-term tenancies from April which have a limited security of tenure. In addition to these, the Act also gives freedom to councils to review their allocation schemes (the subject of a separate consultation), changes to homelessness legislation and the reform of council housing finance.

The Act also requires local authorities to produce a Tenancy Strategy. As the strategic housing authority, Havering Council has been working in partnership with East London authorities and RPs to shape this draft strategy. We have also had regard to our Allocation Scheme review, Homelessness strategy and the Revised Draft London Housing strategy.

This Strategy sets out our performance to date, local information and provides guidance to RPs on the following issues:

- making best use of housing stock in the borough
- increasing housing mobility
- meeting the needs of those in priority need
- assessing affordability of 80% market rent to local people
- flexible fixed-term tenancies

As the Council owns social housing stock we set out our proposals for introducing flexible fixed-term tenancies in chapter 7 and in particular the following:

The kinds of tenancies we grant

- The circumstances in which we will provide a tenancy of a particular kind
- Where we grant tenancies for a certain term, the length of the terms, and
- The circumstances in which we will and would not grant a further tenancy when it comes to an end of an existing tenancy.

As a requirement of the Localism Act 2011, Registered Providers (RPs) need to have regard to the information contained in this Strategy when formulating their own policies.

2. Aim of the Strategy

This Draft Tenancy Strategy intends to give guidance to RPs operating in the borough so that they develop letting and tenancy policies that take account of local needs and the housing market. We want to ensure that social housing in the borough is used as effectively as possible, in order to meet those in greatest need.

This Strategy may evolve over time to take account of changing housing needs in the borough and conditions in local housing markets. The Council will keep the document under review and may modify or replace it from time to time in consultation with RPs.

¹ Registered Providers – sometimes called Registered Social Landlords or Housing Associations

3. The Policy Framework

The Council is a key partner in delivering housing change at both regional and sub-regional level. Our key strategic responsibility is to set and deliver housing-related services that meet local people's priority needs in partnership with RPs and agencies across Havering borough.

In developing this Draft Tenancy Strategy the Council has had to consider the policies of its national, regional and local partners. This section identifies the key housing policies and drivers that have informed the document.

National level

Government housing strategy

The Government's recently published housing strategy² aims to deliver homes and strengthen the economy. The strategy sets out the Government's ambitions to deliver the following 6 key priorities:

1. Increasing supply: more homes, stable growth
2. Social and affordable housing reform
3. A thriving private rented sector
4. Our strategy for empty homes
5. Quality of housing experience and support
6. Quality, sustainability and design

Priority 2 focuses on social and affordable housing reform.

This chapter recognises the importance that social and affordable housing makes to improving people's life chances at a time when they need it, for as long as they need it and its contribution to supporting mixed sustainable communities and local economies. It highlights key issues including excessively long waiting lists, the need to make best use of social housing and providing tenants with support into work and sets out key actions for future delivery. Our Tenancy Strategy sets out our commitment to deliver these aims at a local level which we can directly influence.

Localism Act 2011

The Localism Act introduces changes to the way in which social housing is provided, allowing local authorities (that own housing stock) and other social landlords to offer homes to tenants on fixed-term tenancies, normally with a minimum length of five years (and between two and five years in exceptional circumstances) with the aim of increasing mobility (for example, supporting people to move for work) and encouraging tenants and landlords to decide what type of housing is suitable at different stages in life.

The legislation requires this Strategy to include the following guidance for RPs:

- a) the kinds of tenancies they grant,
- b) the circumstances in which they will grant a tenancy of a particular kind,
- c) where they grant tenancies for a term, the length of the terms, and
- d) the circumstances in which they can grant a further tenancy on the coming to an end of an existing tenancy.

² "Laying the Foundations: A Housing Strategy for England", (Nov 2011), Communities and Local Government Department (CLG). Available to download at <http://www.communities.gov.uk/publications/housing/housingstrategy2011>

Havering Council's Draft Tenancy Policy in chapter 7 sets out how we propose to provide fixed-term tenancies and other RPs need to have regard to our proposals when developing their policies.

National Affordable Homes Programme

Delivery of new affordable housing and introduction of Affordable Rents

Alongside the Localism Act, the Government has introduced a framework for delivering new affordable housing. The Homes and Communities Agency has agreed a new Affordable Homes Programme to deliver new housing over Comprehensive Spending Review period, ending in 2015. This scheme encourages registered housing providers to apply for affordable housing funding. They have flexibility to charge Affordable Rents, up to 80% of local market levels on both new properties together with a proportion of re-let properties, in an agreement to develop new homes under the programme. The Government is also encouraging landlords to develop more efficient and innovative ways of making the best use of their housing stock.

Affordable Rent

Affordable rents are not included within the Localism Act. However, Havering Council wants to provide information on local people's earning levels together with an assessment of affordability. For this reason, we have included guidance on affordable rent levels for registered providers as part of our Strategy and RPs need to have regard to this guidance when developing their policies.

Equality Act 2010

Councils and Registered Providers need to have regard to the Equality Act 2010³ that came into effect on 5 April 2011. We need to ensure that we consider how different people will be affected by our activities and deliver policies and services that are efficient and effective, accessible to all and that meet different people's needs. In meeting the requirements of the Equality Act, we have taken account of different groups and outline our priorities that Registered Providers must take into account when developing their tenancy policies. An Equality Analysis is being undertaken in relation to this Strategy and the Council expects RPs to carry out their own Equality Analyses in respect of their policies.

Regional context

Revised Draft London Housing Strategy 2011

A Draft Revised London Housing Strategy⁴ was recently out to public consultation. From April 2012, the Mayor will be directly responsible for strategic housing, economic development and regeneration in London. The Draft Strategy reinforces the Mayor's commitment to working with London boroughs to deliver the vision - more affordable housing and housing is of higher quality, enabling improved opportunities for social and economic mobility.

³ The Equality Act 2010 extended statutory equality duties and now includes duties to cover Race, Disability, Gender, Religion and Belief, Sexual Orientation, Age, Gender reassignment, Pregnancy and Maternity, Marriage and Civil Partnerships.

⁴ 'Draft London Housing Strategy 2011', Mayor of London, 2011, www.london.gov.uk/consultation/revised-london-housing-strategy

Havering Council remains committed to working with regional partners and our Draft Tenancy Strategy sets out our commitment to delivering this vision at a local level which we can directly influence.

Sub-regional context

East London Housing Partnership (ELHP) Action Plan

In April, the East London Housing Partnership published the East London Housing Partnership Action Plan 2011-15. It analysed the key housing issues and developed priority issues that will be tackled collectively between the eight East London local authorities: Barking and Dagenham, City of London, Hackney, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest. The key priorities are:

- Increasing the supply of housing to reduce needs and support economic growth
- Improving the affordability of homes
- Improving the quality and sustainability of homes
- Enabling mobility across the sub-region and other parts of the UK, and between tenures
- Ensuring that East London's housing offer is inclusive and supports the needs of all

Havering Council continues to play an important role in the sub-regional approach to meeting the housing needs of people living or aspiring to live in East London. Table 1 below summarises the work that has been carried out to date to boost the supply of housing, meet housing needs and to promote mobility across East London boroughs.

Table 1 - Links between the Tenancy Strategy and the ELHP action plan

East London Housing Partnership objectives	Actions	Target	Performance to date
Boost supply and alleviate housing need	Investigate how the partnership can explore scope for shared benefits from Devolved Delivery, New Homes Bonus and new Affordable Rents <ul style="list-style-type: none"> - Share data and experience - Coordinated approach for Affordable Rents 	April 2011	The ELHP commissioned an Affordability Analysis in February 2011 to inform RPs' Affordable Rents policies. This information is provided in chapter 5. The ELHP has provided an Affordable Rent calculator on the choice based lettings website to help prospective bidders.
	Manage nominations protocol effectively <ul style="list-style-type: none"> - Learn from experience of protocol to date - Improve data monitoring and recording - East London's contribution to pan-London protocol - Revised the protocol in light of the new Affordable Rent produced by December 2011 	Ongoing	Havering Council has signed up to the pan-London protocol <i>housing moves</i> , providing up to 5% of council housing stock in the borough from May 2012 to support social housing tenants' ability to move across

			London. The nominations protocol has been produced and circulated to ELHP partners.
	Strengthen and expand joint working on overcrowding and under-occupation <ul style="list-style-type: none"> - Deliver current project on time and to target - Continue to develop new ways of reducing overcrowding and under-occupation - Pursue joint working options with RSLs 	Ongoing	<u>Under-occupation</u> We are reviewing our Allocations Scheme. Our Draft proposals support tenants who want to down size, thereby releasing a larger family size property. <u>Overcrowding</u> Under the Allocation Scheme Review we propose to directly offer a property to households that are statutorily overcrowded into suitable accommodation. <u>Joint working options</u> Havering Council encourages RSLs to develop policies that recognise and support tenants who want to down size in addition to supporting overcrowded families.
Aid and promote mobility	Develop reciprocal agreement for urgent move Build on domestic violence protocol Encompass gang violence, care and support needs, access to work etc.	June 2011	A reciprocal agreement has been adopted by all social landlords in the borough. An agreement has been adopted as part of management transfer processes by social landlords operating in the borough.
	Begin moves towards a common lettings approach <ul style="list-style-type: none"> • Map lettings policies currently in operation • Working group to present options for overcoming significant differences 	April 2011	Given the different housing challenges across the ELHP area, this is not being pursued at present.
	Work towards establishing an East London RSL protocol, in the context of choice based letting scheme. Formalise the relationships between RSLs and local authorities in nominations, allocations, homelessness prevention etc.	April 2012	A feasibility study is expected to be undertaken in 2012.

Local strategic context

Corporate Plan

Havering Council's purpose is as follows:

"We're here to serve local people and make Havering a place where our residents are proud to live"

In 2011, the Council adopted the following vision and corporate aims:

Everything we do is aimed at delivering **a better quality of life for local people.**

The Living Ambition is based on five Goals:

- Goal for the Environment to ensure a clean, safe and green borough
- Goal for Learning to champion education and learning for all
- Goal for Towns & Communities to provide economic, social and cultural opportunities in thriving towns and villages
- Goal for Individuals to value and enhance the lives of our residents
- Goal for Value to deliver high customer satisfaction and a stable Council Tax.

All of the Council's strategies are developed and aligned to achieving these objectives and these values remain a constant at the heart of everything we do:

- We will strive to act as One Council
- We will Learn from our Experiences
- We will act with Integrity at every step of the way
- We will show each other – and our customers – that You Matter
- We will display a Can Do attitude
- We will continue to be Fair To All.

Housing strategy

This Tenancy Strategy will be a sub-strategy of the Council's Housing Strategy and sit alongside related strategies including Homelessness Strategy. These documents are outlined in Appendix 1.

4. Our local context and housing market

As the strategic housing authority, Havering Council has a critical role to play in understanding and shaping housing markets for the future so that housing supply meets needs and demands over both the short and longer term, that we make the best use of all resources and contribute to achieving wider community objectives.

To achieve this, we aim to improve the level of information we keep and maintain a detailed understanding of the drivers that affect local housing markets

Local context

Havering has a key strategic location within London, the Thames Gateway and the South East and is in close proximity to the heart of the 2012 Olympic Games sites. Demand for housing is strong and attracts both older and younger people with dependent children, due to its good transport links into central London and the rest of the country, good public transport, parks and open spaces, schools and health centres.

At the time of the Census 2001, out of a total of 93,792 homes⁵, a high proportion (78.77%) were owner-occupied, 12.41% (10,195) of homes were rented from the Council, 1.78% rented from a housing association, 0.38% in shared ownership, 4.91% privately rented and 1.73% were rented from another source. Although more social housing has been delivered in the borough since 2001, the supply of social housing, compared to those in home ownership is relatively low and so it is important the Council and Registered Providers make the best use of the existing housing stock for local people with priority needs.

Future demand for housing in the borough

In 2001, Havering's population was 224,000. Although the borough's population fell by 3% between 1991 and 2001 it is forecast to grow by 3% by 2021. More significantly, the number of newly forming households is expected to increase by 7.5% over the same period. The Strategic Market Assessment carried out in 2010, indicated that newly forming households may consist of couples with dependent children, increasing the pressure on the supply of existing family-size housing in the borough.

The research indicated that whilst the older population aged 65+ was expected to decrease between 2001-2012, due to the number of new forming households we can expect an increase in the elderly aged 85+ (a 30% increase between 2001-2011).

Focus on Social housing

Social housing stock owned by Havering Council

As at 1 April 2011 the Council owned 10,017 social rented homes. The stock consists of a range of housing types, the highest proportion (58.1%) of which are flats, 37.6% are houses, 3.9% are bungalows and 0.4% are traditional multi-occupied properties. While the Council owns sheltered, it does not own any supported housing or extra-care schemes at present.

Void properties are usually re-let well within 30 days across all housing types with one exception - sheltered housing. There are been difficulties in letting a number of the sheltered properties, due to an over-supply of this type of property. Schemes are being remodelled or improved to ensure we increase the number of homes for those in greatest need.

Social housing stock owned by other social housing providers

There are 21 RPs operating within the borough which own a total of 2,861⁶ social rented units. Of these, 61.1% are flats, 32.4% are houses, 1.85% are maisonettes, 1.71% are sheltered and 2.06% extra-care units. There are low levels of bedsits and bungalows.

Demand for social housing – housing needs information

In November 2011, a total of 10,465 households were on the Council's Housing Register. As social housing is in high demand and priority is given to those in most need of housing, a majority of applicants on the register with a low or no housing need have had no realistic prospect of accessing social housing. As mentioned in the introduction of this Strategy, a review of the Allocations Scheme is being undertaken.

People wanting to downsize in to a home with fewer bedrooms

We believe there is a higher latent demand to downsize which is to some extent constrained by the lack of high quality alternative properties. We are currently seeking to convert our own resources and influence National Affordable Housing Programme (NAHP) resources to

⁵ Source - Census 2001

⁶ Housing Strategy Statistical Appendix (HSSA) 2009/10 data return

deliver attractive smaller properties. We are also seeking to maximise and prioritise downsizing through our Allocation Scheme.

Neighbourhood-specific information

We acknowledge that some of our neighbourhoods have specific needs and will produce local lettings schemes in consultation with registered providers to ensure that new housing units are allocated and sustainable communities are achieved. These development project areas are located in:

- Harold Hill Ambitions Programme, including Hill Dene and Briar Road Estate Renewal
- Rainham Compass, including the Orchard Village area

Tenure-specific information

MOSAIC⁷ data indicate that the group most likely to live in public rented properties are benefit dependent young families and single person households in social housing who often have high levels of debt, low levels of savings and poor health.

While a majority of social housing in the borough (typically Council housing stock) will continue to be let at a social rent, RPs are introducing Affordable Rents for new build homes together with a proportion of re-lets and we look at this in more detail in Chapter 5.

Guidance for Registered Providers

5. Affordable rents

Havering Council recognises that RPs will set Affordable Rents of up to 80% market rent (including service charges) based on the value of individual properties and not the borough average. This means that there may be some variation in rents sets across different parts of the borough. However, we need to establish whether people earning an average salaries in the borough are able to afford up to 80% of the market rental value. The assessment is discussed below.

A study in March 2011 found that in Havering, housing market rent levels are not exceptionally high when compared with other areas in East London. Based on selected postcodes covering Harold Hill, Central Romford and Rainham average private sector markets are, together with Barking and Dagenham, the lowest in East London. Table 2 below sets out in simple terms affordability of 80% market rents to residents across East London on median incomes in that Borough.

⁷ Experian and London Borough of Havering, 2010

Table 2 – an East London study of affordability of 80% market rents for those on median incomes

PERCENTAGE OF GROSS INCOME COMPARED TO 80% MARKET RENTS					
	Gross Household Income	1 Bed 80% Mkt Rent	2 Bed 80% Mkt Rent	3 Bed 80% Mkt Rent	4 Bed 80% Mkt Rent
B&D	£ 23,954	27%	34%	39%	57%
Hackney	£ 26,788	37%	50%	63%	83%
Havering	£ 29,002	21%	28%	33%	42%
Newham	£ 23,265	37%	45%	57%	57%
Redbridge	£ 29,534	23%	31%	35%	46%
LBTH	£ 28,199	41%	55%	69%	77%
Waltham Forest	£ 27,637	25%	33%	38%	50%
ELHP AVERAGE	£ 26,911	30%	40%	48%	59%

Source: Affordable Rent Programme 2011-2015 – an analysis for the East London Partnership Stage 2-Havering, March 2011, POD.

Using a standard definition of affordability, that is, that the occupier should not have to spend more than 33% of their gross income on rent, it can be seen that for Havering residents on average gross household incomes for the borough, 1, 2 and 3 bed units are affordable, whilst 4 bed accommodation is the most affordable in the sub-region.

Even on incomes of £20,000, local residents would not need to spend more than around a third of their income on rent if moving to a 1, 2 or 3 bed property with a rent at 80% of market rents. Ideally, however, 4 bed properties would have rents set at no more than 63% of market rents to ensure that a household earning £20,000 spent no more than a third of their income on rent. That said, given the very limited supply of 4 bed units in Havering borough, the Council will consider 4 bedroom properties let at 80% market rents.

Can larger households earning median incomes afford Affordable Rents?

Although we have incomplete data on the Housing Register, we can see from Table 3 below that for applicants waiting for larger accommodation there is a high proportion of unemployed applicants. We have only recently started to capture income data at application and do not differentiate between earned income and benefits however it is likely that many applicants in employment will also be on lower incomes.

Table 3 – A study of applicants on the Housing Register waiting for larger housing

Status	3 Bed	4 bed
Employed in Borough	30%	25%
Employed out of Borough	13%	10%
Student	3%	2%
Unemployed	54%	64%
retired	1%	0%

The research in this section suggests that considerable numbers of households in Havering could meet the costs of an affordable rent, as opposed to a social rent. It is noted these rents are below the housing benefit cap and, indeed, that access to private renting in the borough is often constrained by access to deposits and rent in advance rather than the rent levels alone. This indicates that new supply from the 2011/12 – 2014/15 National Affordable Housing Programme, along with a number of RSL re-lets at affordable rents, when taken together with the ongoing supply of council and RSL social rent lets, will provide an additional supply of affordable housing options in the borough for those in need.

On this basis:

- Havering Council supports 80% Market Rents for new RP development of 1,2 and 3 bed properties and will consider 80% market rents for 4-bed homes.
- An Affordable Rent calculator has been provided⁸ on the Choice based lettings website for households to use prior to bidding for Affordable Rent properties
- A symbol has been provided on the Choice based lettings magazine and website to help households identify affordable rent properties
- RPs should have regard to the Council's Borough Investment Plan and, in future, Tenancy Strategy when framing development proposals in the Borough

Conversion to Affordable Rents at re-let stage

Havering Council accepts the need for RPs to convert a proportion of existing housing let at social rents to affordable rent at the re-let stage in order to generate funding for more homes. It is vital that homes remain affordable and, importantly, that the supply of larger family homes at social rents is not unduly diminished.

Therefore, the Council's position is that:

- Given the higher number of 1 and 2 bed units in the local housing stock and Affordable Rents for 3 and 4 bed units are more expensive, we expect that RPs will convert more 1 and 2 bed units than 3 and 4 bed units at re-let stage to Affordable Rents (at 80% market rents) but no more than 50% of all re-lets in Havering borough

We will seek to keep individual RPs' conversion rates under review through the choice-based lettings / nominations procedures and one-to-one meetings with RPs.

Limiting Affordable Rents to a maximum of 80% market rental value

It is normal practice for social housing providers to increase rents annually, at a rate of inflation plus 0.5% (RPI plus 0.5%). RPs will need to monitor total Affordable Rent (including service charge) increases to ensure that rents for individual properties do not exceed 80% of their market rental value, and would be particularly important should the private rental market fluctuate in the future.

6. Local lettings plans for larger developments

The Council is supporting new RP build in a number of key regeneration areas most notably in Harold Hill at the current time, but potentially in other parts of the borough over the lifetime of the 2011/12 to 2014/15 affordable housing programme. Therefore, while reviewing our Allocations Scheme, we will make provision for the application of local lettings policies from time-to-time.

Local lettings policies could potentially set criteria around:

- where tenants taking up initial LB Havering nominations are moving from within the borough. This is so as to ensure that local residents see the benefit of significant new development in their area
- the balance of new tenants with different employment statuses.

⁸ in partnership with other East London boroughs

The Council will be open to working with the partners on any local lettings policies that it may wish to apply, although as the strategic housing authority, we see the Council as the final decision-maker regarding such policies.

7. Flexible fixed-term tenancies – guidance for Registered Providers

Havering Council's Draft Tenancy proposals

The Council owns housing stock in the borough. Our housing management service will apply this fixed-term tenancy strategy, and Registered Providers must also have regard to it in formulating their tenancy policies.

We are committed to making the best use of housing in the borough to meet the needs of those in greatest priority need. In order to meet this objective, the Council needs to support those in priority need in to suitable accommodation and support those who want to downsize. We aim to apply this strategy in a way that is transparent and clear to tenants and staff delivering the Council's housing management service.

This section outlines our policy proposals in relation to:

- 7.1 The kinds of tenancies we grant
- 7.2 The circumstances in which we will provide a tenancy of a particular kind
- 7.3 Where we grant tenancies for a certain term, the length of the terms, and
- 7.4 The circumstances in which we will and will not grant a further tenancy when it comes to an end of an existing tenancy.

7.1 The kinds of tenancies we grant to Council tenants

Some people will continue to be granted a secure lifetime tenancy however the majority of new tenancies will be granted on a fixed-term basis. This is explained further in the section below.

7.2 The circumstances in which we will provide a tenancy of a particular kind

7.2.1 Secure lifetime tenancies

The following households will be provided with secure lifetime tenancies by Havering Council:

- Tenants who already have a secure lifetime tenancy, where they decide to transfer to another home within the Council's housing stock
- People who move to properties designated for tenants aged 60+. These are sheltered and extra-care schemes and flats in general needs schemes designated for 60+.

The Council wants to reduce where possible the potential barriers that existing tenants may face when wanting to move to another home. We will endeavour to work with other providers to honour existing tenants' security of tenure and the length of that tenancy over and above the minimum regulatory duty.

If Havering Council undertakes a large/small scale voluntary transfer of housing stock to another provider, we will ensure that existing secure lifetime tenants' rights are preserved. If

legislation is unclear on this matter at the time of transfer, we will adopt local policy to ensure existing secure lifetime tenants are provided with an assured tenancy.

7.2.2 Flexible fixed-term tenancies

Please note that when we provide fixed-term tenancies, we expect these will be renewed but tenants will still go through a tenancy review and renewal process every 3 or 5 years in accordance with this policy.

All new tenants will be given an Introductory Tenancy. A fixed-term tenancy will be offered following successful completion of the initial Introductory Tenancy, with the exception of those households in section 7.2.1 above and tenants who have already been granted an Introductory Tenancy.

Before entering into an Introductory Tenancy, the Council will notify the prospective tenant that at the end of this initial tenancy agreement, it will become a fixed-term tenancy and we will set out the length and express terms. The prospective tenant will have up to 21 days from the notification to request a review of the length of the tenancy. If a request is received, the Council will undertake a review and advise the new tenant of its decision in writing.

Sometimes during a tenancy, we seek an alternative to seeking possession of a tenant's home. In these cases, we ask the court to demote a tenancy to a non-secure one for 12 months. This is called a Demoted Tenancy. This will mean that a tenant will not have all the rights of a secure tenant like the Right to Buy. It will also mean that the Council could end your tenancy more easily while your tenancy is 'demoted'. Before a Demoted Tenancy comes to an end, we will write to the tenant to explain that when the tenancy comes to an end, it will transfer to a secure fixed-term tenancy. Our written notice will set out what balance of the tenancy remains. The tenant will be able to request a review.

In cases where a fixed-term tenant(s) wishes to move, we will endeavour to work with other providers to honour the tenant's security of tenure and length of tenure over and above the minimum regulatory duty.

A fixed-term tenancy gives tenants similar rights as those with secure lifetime tenancy agreement. The main difference is the length of the tenancy period. These differences are outlined in table 5 below.

Table 5 shows the similarities and differences between lifetime secure and flexible fixed-term tenancies

	Council housing - Secure lifetime tenancies	Council housing - Flexible fixed-term tenancies
Initial introductory tenancy	Introductory tenancy for 12 months. On successful completion, a lifetime secure tenancy is granted.	Introductory tenancy for 12 months and the tenancy becomes a flexible tenancy at the end of the introductory period. For example, normally it would become a fixed-term tenancy for 5 years, making a total of 6 years.
Length of tenancy	Tenancy is granted for the life of the tenant, that is, until the named tenant, or both named tenants in the case of joint tenants, gives up the tenancy or passes away.	A secure tenancy that is set for a fixed-term. This will normally be for 5 years, or 3 years in certain situations, see 7.3 below.
Succession	One succession of tenancy to a spouse or close relative (including co-habiting	A right to one succession to a spouse or civil partner of the tenant if they lived at

	partner, children, parents, brother, sister and other close relatives) if they lived with the tenant at least one year before their death for all tenancies. The surviving spouse or civil partner needed to have been living with their partner at the time of their death.	the property as their only or principal home at the time of the tenant's death. A person who was living with the tenant as the tenant's wife or husband will be treated as the tenant's spouse. A person who was living with the tenant as if they were civil partners will be treated as the tenant's civil partner. Succession rights relate to the remainder of the fixed-term tenancy (rather than the property).
Assignment	A secure tenancy can be assigned to the person who would have succeeded on death. (This is the current position but may be changed in the future)	The tenancy can be assigned to the person who would have succeeded on death. (This is the current position but may be changed in the future)
Mutual exchange, transfer of tenancy	Secure and assured tenancies If an existing secure (or assured tenant) whose tenancy began before 1 April 2012 wants to exchange with a tenant on a fixed-term tenancy exchanges need to be done by surrender and then new tenancies will be granted. A landlord can refuse an exchange under Schedule 14 of the Localism Act) and has 42 days following receipt of the tenants' requests to make that decision.	Same as opposite but the tenant needs to exchange with a secure tenant.
Rents charged	Let at a social rent. Government applies a cap limit which rents cannot exceed.	Same rights as secure lifetime tenants
Right to buy	Tenants have the right to buy after a qualifying period of 5 years (this qualifying period is only 2 years if your first council tenancy began before 18 January 2005). The qualifying period includes all the time you have been a council tenant at a property not just the current one.	Same rights as secure lifetime tenants
Repair of the property	The Council as landlord deals with repairs within a reasonable timescale and the tenant have a right to compensation (in certain circumstances)	Same rights as secure lifetime tenants
Right to improve the property	Tenants can improve the property with express permission by the Council.	Tenants do not have a statutory right to improve the property and do not have a right to be compensated for improvements made.

7.3 Where we grant tenancies for a certain term, the length of the terms

We will continue to grant an Introductory Tenancy for the first 12 months, which can be extended for further 6 months. On successful completion of this tenancy, a 5-year fixed term tenancy will be granted in order to provide households with some stability and security of

tenure. We will provide clear information to tenants at sign up before entering into the Introductory Tenancy on the terms of the flexible tenancy and other express terms together with details of the review process.

The Council wants to retain stability in its communities. For this reason it expects following review, that unless there has been a change in circumstances most tenancies will be renewed on a 5-year basis, except in the following circumstances:

1. **Breaches in tenancy** - Breaches in tenancy including rent arrears and anti-social behaviour in cases where the tenant(s) has not adhered to an agreement between them and the Council to resolve them e.g. repay outstanding rent arrears. Following review, the tenancy will be renewed on a 3-year basis, with a condition that the tenant(s) works with the Council to resolve the issues. If the tenant does not work proactively with the Council, the usual eviction procedure will be taken forward.

The Council will still retain the right to use other powers, including Demoted tenancy and Family intervention tenancy and at the end of these tenancies they will become a flexible tenancy for a fixed term.

2. **A household in which the youngest child has reached 15 years old** – if the youngest child in the household has reached 15 years, the tenant(s) would be given a 3-year fixed term tenancy. These tenancies will then be reviewed on a 3-yearly basis. These reviews are more regular and this may mean offering a smaller property to the tenant(s) when children have left home and a larger family home is no longer needed.
3. **People with limited leave to remain in the country** – a 3-year fixed-term tenancy will be provided to enable the Council to keep the tenant's eligibility for housing under close review.

7.4 The circumstances in which we will and will not grant a further tenancy when it comes to an end

We will normally award 5-year tenancy agreements which will be renewed every five years.

Flexible fixed-term tenancies will primarily provide a means of regularly checking that the household still requires the size and/or type of property they are occupying rather than whether they require social/affordable housing at all.

We are under a legal duty to review all fixed-term tenancies at least 6 months before the tenancy comes to an end. We will normally start the review 9 months before the tenancy comes to an end.

The review will take account of the tenant and their household's circumstances and a decision will be made to -

- renew the tenancy for the same property
- grant a new flexible tenancy for a different property, or
- not renew the tenancy and provide advice regarding other housing options.

Reasons why we will grant a further tenancy

We **will** grant a further fixed-term tenancy in the following cases:

- The size of the Tenant(s) family and their circumstances remain unchanged
- The size of the household has increased although other circumstances remain unchanged, the household will be able to continue to live at the property or apply to go on the Housing Register if they have not already done so
- Households which contain a disabled person, where the property has been adapted and is still required to meet their needs

Why we will not renew the tenancy for a further period

We **will not** renew the tenancy in the circumstances outlined in table 6 below.

If the Council decides not to renew the fixed-term tenancy, we will set out the reasons for not providing another tenancy at least 6 months before the end of the tenancy term, we will inform the tenant(s) of their right to request a review of this proposal and set out the timescales involved.

Table 6 – Review criteria where tenancies will not be renewed:

Criteria		Explanatory notes
a)	<p>The property is under-occupied</p> <p><i>It is under-occupied by one or more bedroom(s)</i></p> <p><i>Exceptions –</i></p> <p><i>1. This does not include tenant(s) living in extra-care housing, or</i></p> <p><i>2. Any tenant(s) that has downsized under the Council's Allocations Scheme.</i></p> <p>If the occupant(s) has housing need they may be offered a fixed-term tenancy for another property.</p>	<p>Larger family-sized homes are in short supply in Havering, so the Council is keen to use flexible tenancies to provide smaller accommodation as family sizes reduce.</p>
b)	<p>The suitability of the property</p> <p><i>The home has been adapted for someone who no longer lives at the property.</i></p> <p>If the occupants have a housing need, then they may be offered a fixed term tenancy for another property.</p>	<p>Larger ground floor properties in Havering are in demand. A tenancy may not be renewed when it could better suit the needs of another potential occupier in greater need – for example a bungalow being made available for an elderly tenant. Similarly, an adapted house could be made available to someone with care needs.</p>
c)	<p>A change in the tenant(s)' circumstances</p> <p><i>We will assess the tenant(s) income and savings and their ability to afford different housing</i></p>	<p>For example when a tenant(s) has a demonstrably high enough gross income to comfortably afford (for example purchase) market or alternative housing and arguably the affordable house would be better used by somebody in greater need.</p>

	<i>options in the borough.</i>	
d)	Damage to property and unauthorised alterations	Poor property condition and carrying out work to the property without authorisation are breaches of terms in the tenancy agreement.

Exceptionally there may be other circumstances linked to the table above that will need to be taken into account on a case by case basis.

These may include, by way of example:

- The household contains someone with a disability, when moving to another property will not meet their current needs
- When someone in the household is terminally ill
- Where children in the household attend a school and a move would have a significant detrimental impact on the educational development of the children
- When the Council's Adult Social Care or other colleagues believe the tenant is a vulnerable adult
- When the tenant(s) is employed and a move would have a significant impact on their employment.

Advice and assistance should a fixed-term tenancy come to an end

Should we decide not to renew the fixed-term tenancy we can take one of two options:

1. Offer a new fixed term tenancy for another property

Where the tenant(s) continue(s) to have a housing need, the Council will serve a notice indicating that it does not intend to grant a new tenancy of the current property, for which there are rights to request a review, and in parallel a notice offering a new flexible tenancy of a separate property for which it will provide an assisted move. The tenant(s) will be given 6 weeks to bid for other properties and if this is unsuccessful, we will give two alternative suitable offers within the last two months of the tenancy end date. If the tenant(s) declines both offers, the Council can continue to seek possession of the property and the Housing Advice Team will provide advice and support in partnership with other relevant agencies to find alternative accommodation.

2. Provide advice and assistance to find suitable housing

In cases where the applicant(s) no longer has a housing need, our Housing Advice Team will offer advice on intermediate and market-rental options, and assistance to support the tenant and their household to find alternative accommodation, in conjunction with other housing-related services and agencies.

Ending a fixed-term tenancy

The Council as landlord can end the tenancy during the fixed-term

The Council may apply for a court order if grounds for possession can be proved in order to end the tenancy. Grounds for possession are the same as secure lifetime tenancies.

A tenant's right to terminate a flexible fixed-term tenancy

A tenant can bring their fixed-term tenancy to an end by serving a written notice, stating that the tenancy will be terminated on the date specified in their notice and that date must be after the end of 4 weeks beginning with the date on which their notice is served. The Council may agree with the tenant to dispense with this requirement.

The tenancy will come to an end on the date detailed in the tenant's notice, or (as the case may be) determined in accordance with arrangement made with the Council, to dispense with the notice period if on that date there are no rent arrears outstanding under the tenancy and the tenant is not in breach of other terms in their tenancy agreement.

Recovering possession should a flexible fixed term tenancy come to an end

On or after a fixed-term tenancy comes to an end the Council may apply for a court order for possession of the property. The following 3 conditions need to be satisfied for the Council to get a court order.

Condition 1 – that the flexible fixed-tenancy has come to an end and no further secure tenancy (whether or not a flexible tenancy) exists for the time, other than a secure tenancy that is a periodic tenancy.

Condition 2 – that the Council has given the tenant 6 months' or more notice in writing –

- a) stating that the Council does not propose to grant another tenancy when the flexible tenancy comes to an end,
- b) setting out the Council's reasons for not proposing to grant another tenancy, and
- c) informing the tenant of the tenant's right to request a review of the Council's proposal and of the time within which the request must be made.

Condition 3 – that the Council has given the tenant two months' notice or more in writing stating that the Council requires possession of the property.

A notice in respect of Condition 3 may be given before or on the day on which the tenancy comes to an end.

If the Council obtains a court order requiring possession and the tenant refuses to vacate the property, then the possession order will be enforced.

The only statutory grounds for the court to refuse an order for possession of the property is if the tenant has requested a statutory review and the court is satisfied that the correct procedure has not been followed and or reviewed decision 'is otherwise wrong in law'. The court may give directions as to the holding of a review.

In cases where the tenant is not being given another tenancy, we will offer advice and assistance in partnership with relevant service providers to support the tenant to find alternative housing accommodation.

Enforcing the possession order

The Council will normally apply for a warrant of possession if the tenant does not leave the property within 14 days of the date for giving possession. In these cases there is no right to stay or suspend the warrant.

Review of decision to seek possession of the property

A request for a review in writing of the Council's decision that it does not intend to grant another tenancy on the expiry of the flexible tenancy must be made within 21 days beginning with the day on which the Council's notice is served.

If a request is made, then the Council will review its decision and will notify the tenants in writing of the decision following the review, giving reasons for the decision. This review will be carried out before possession proceedings are commenced.

Other ways in which a tenancy can be brought to an end, include:

- If the tenancy ceases to be a secure tenancy, before expiry, for example the property is no longer used as the principal home, a notice to quit could be served.
- Mutual agreement that the tenancy will be surrendered

Review period

We will keep the tenancy strategy under review, and may modify or replace it from time to time. If we need to make a modification to reflect a major change in policy, we will send a copy of the draft strategy or proposed change to the Mayor of London and every RP of social housing in the borough and give them a reasonable time to provide comments, and with other persons as prescribed by the Secretary of State.

Complaints

The Council operates a complaints procedure which customers can use to complain if they are dissatisfied with the level of service. This could include a delay, lack of response or the standard of service they received.

8. Equality and diversity

It is important that the Council and RPs take account of and assess the effects of their policies on people in specific groups. We are carrying out an Equality Analysis alongside the development of this Draft Strategy.

Affordable Rents

In developing this Strategy, we have carried out assessments to determine the affordability of Affordable Rents set at 80% of market rents for local people earning median and on lower incomes. In addition, we do not want to restrict Affordable Rent properties to specific groups and for this reason, have provided an Affordable Rent Calculator on the East London Choice based lettings website so that people can assess whether they can afford the higher rent before bidding for properties.

Draft Tenancy proposals

We will continue to provide lifetime tenancies for people who move into accommodation designated for 60 years+.

The Council expects Registered Providers to continue to grant secure lifetime tenancies to people with severe disabilities or learning difficulties with support needs living in specialist

supported housing or living in general needs housing who receives long-term care and/or support services. However, it is recognised that in some circumstances, offering a lifetime secure tenancy would not be appropriate e.g. for tenant(s) living in move-on accommodation with floating support.

We have included a property suitability assessment as part of our policy so that properties can be provided to those in greatest need, including high priority disabled people who need an adapted property to meet their needs.

9. Governance and monitoring delivery of the Strategy

Havering Council has established links with Registered Providers operating in the borough and they have welcomed dialogue and guidance on delivering the Government's housing reforms under the Localism Act. Following initial consultation, we plan to hold regular forums or provide briefings as appropriate in order to keep RPs up to date on changes in the local housing market.

10. Consultation timetable

Havering Council is consulting stakeholders through a forum, one-to-one meetings and formal consultation mechanisms. Our consultation plan is outlined in table 6 below.

Table 6 – Consultation timetable

Type of consultation	Stakeholders	Date(s)
Event hosted by Havering Council	Registered providers operating in the borough	17 October 2011
Initial consultation	<ul style="list-style-type: none"> - Homes & Communities Agency - Registered providers - East London Housing Partnership - Havering Citizens Advice Bureaux - Adult Social Services 	4 – 25 November 2011
Results of initial consultation	<ul style="list-style-type: none"> - Registered Providers broadly agreed with the Council's Tenancy Strategy initial consultation. - One-to-one meetings have been held to discuss specific enquiries. 	n/a
Formal consultation 1	<ul style="list-style-type: none"> - Homes & Communities Agency - Mayor of London - Registered providers - Residents - Housing Register applicants - Citizens Advice Bureaux - Adult Social Services - Community groups 	Between 23 April and 20 May 2012
Formal consultation 2	<ul style="list-style-type: none"> - Mayor of London (GLA) - Registered Providers - Housing Register applicants 	June-July 2012

11. Related documents and further information

Additional reading:

Laying the Foundations: A Housing Strategy for England, CLG (November 2011)

Managing the impact of housing reforms in your area: Working towards the tenancy strategy, Chartered Institute of Housing (June 2011)

The local authority role in housing markets, Chartered Institute of Housing (April 2011)

Related Housing strategies and policies:

Laying the Foundations: A Housing Strategy for England, CLG (Nov 2011)

Draft Revised London Housing Strategy

East London Housing Partnership Action Plan 2011-15, ELHP (April 2011)

Havering Council Corporate Housing Strategy

Housing sub-strategies and policies

- Homelessness Strategy
- Private Sector Strategy
- Allocations Scheme

12. Glossary of abbreviations and housing terms

ALMO – Arm’s Length Management Organisation – Homes in Havering manages housing stock owned by the Council.

ELHP – East London Housing Partnership

RPs - Registered Providers – these are also known as housing associations or Registered Social Landlords. RPs that have an agreement with the Homes and Communities Agency to deliver new housing under the National Affordable Homes Programme are able to introduce Affordable Rents for new build homes plus conversion of a proportion of existing housing to Affordable Rent at re-let stage.

13. Acknowledgements

We recognise the importance of continued and ongoing partnership working with Registered Providers and other agencies and this will be essential in helping us meet local people’s housing needs and maintaining a buoyant housing market in the future.

We acknowledge national best practice in respect of the Strategy framework developed by St. Edmondsbury Borough Council.

14. Further information

For further information on the Draft Tenancy Strategy, please contact:

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Appendix 1

Related Strategies and policies

When the final Tenancy Strategy has been adopted by the Council, it will be a sub-strategy of the Council's Housing Strategy, and sit alongside other sub-strategies and policies including the Homelessness Strategy and Allocation Scheme. These are outlined below:

Housing Strategy

Havering Council adopted a Housing Strategy for the period 2009-12 in consultation with residents and relevant partners in the borough. The strategy sets out delivery plans to achieve the following four key strategic objectives:

Objective 1 – provide more new affordable housing

Objective 2 – improve existing housing

Objective 3 – regenerate unsustainable / unpopular areas and estates

Objective 4 – provide high quality housing information, advice and support

The Tenancy Strategy will contribute to the achievement of these objectives.

Homelessness Strategy

In October 2008, the Council adopted a Homelessness Strategy over the period 2008-13 and took into account the views and priorities of a wide range of statutory and voluntary organisations and service users. The strategy sets out the council's ambition for delivering the following 5 key action areas:

Homelessness Action Area 1 – homelessness prevention

Objectives:

- Reduce the levels of homelessness as a result of parental evictions
- Improve links with landlords in the private rented sector
- Become prepared for an increase in the number of potential mortgage repossessions
- Establish a programme of homelessness outreach work
- Tackling rent arrears to prevent homelessness

Homelessness Action Area 2 – Support for vulnerable homeless people

Objectives:

- Reducing the levels of homelessness among 16 and 17 year olds
- Meeting the increasing housing demand from young people
- Tackling the need for housing support and accommodation for people with mental health needs
- Increase our knowledge about the need for support among other groups
- Provision of additional move-on accommodation for women fleeing domestic violence

Homelessness Action Area 3 – Temporary accommodation

Objectives:

- Achieve the temporary accommodation reduction target by 2010
- Promote the use of 'qualifying offers' to tenants and landlords
- Tackle worklessness among people living in temporary accommodation
- Improve the conditions of the Council's homelessness hostels

Homelessness Action Area 4 – Customer care

Objectives:

- Continue to provide a recognised high standard of housing advice services and homelessness casework
- Clearer understanding of service provision between us and our partners
- Explore the benefits of introducing specialist housing advice
- Extending housing advice interviews
- Customer consultation

Homelessness Action Area 5 – Strategic partnership working

Objectives:

- Use the Homelessness Strategy Delivery Group to promote the profile and development of services
- Use the East London Housing Partnership, ELHP, to take a strategic partnership approach to preventing and tackling homelessness
- Defining the role of housing associations in preventing and tackling homelessness
- Measuring the impact of homelessness on children
- Establish and maintain better links with the Health Service
- Work cross-borough to support and assist people who are homeless or potentially homeless due to domestic violence

Draft Housing Allocations Scheme

This Council has undertaken a review of its Allocation Scheme and this is due to be approved by the Council on 26 September 2012.

The main changes we are proposing are:

- Introducing a residency criterion
- A financial assessment. If you can afford to rent privately in the borough you will not be accepted on to the housing register
- Reducing the number of bands on the Housing Register
- Reward applicants with priority over others when they contribute to their local community by, for example, working, volunteering, having been in the armed forces, needing to move to foster, or if they are a council or housing association tenant who would release a larger property by moving to one with fewer bedrooms
- Giving council tenants waiting to transfer a better chance of moving
- Making direct offers to people who have an emergency need to move
- No longer accepting people on to the Housing Register just because they are renting privately or living with parents

Consultation event summary

Online surveys reports and related responses are background papers to the Report

Consultation event – 30 April 2012 - Registered providers and community stakeholders Notes from workshops

Housing Allocations scheme

Question1

	i) How do you think your tenants or service users will be affected by the Housing Allocations Scheme proposals? Comments received	ii) What would your tenants or service users want you to ask us to do? Comments received	Our response	Actionable?
1	Public perception of housing need & 2 years residency	Why not consider 18 months if in housing need?	We have discussed the different residency options and reasons with Members. We want to retain 2 years prior residency. Where there are exceptional circumstances and someone needs to move home as a matter of urgency, we would consider a period less than 2 years. These would be considered on a case by case basis.	No
2	Community contribution	What is the definition of disabled?	The definition under the DDA – defines a disabled person as someone who has a physical (including sensory) impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day to day activities. In terms of verification, we plan to use DLA. Disability Living Allowance (DLA) is a benefit you can get if you need help getting around and/or looking after yourself because you are ill, disabled or terminally ill. You can also claim Disability Living Allowance for an ill or disabled child. DLA has a care and mobility component.	No
3	Consultation / information		Results of the initial consultation with people on the housing register and other stakeholders informed revised proposals. A second round of consultation is carried out and comments will inform the final Scheme.	No
4	Concern regards current tenancies		It is important that existing tenants understand their tenancies will not change when they continue to live in a Havering council owned home	Inform Communications Strategy
5	Demoralize people to be community-minded		The Community Contribution Reward will encourage people to be more community-minded.	No
6	Lack of up keep regards short timestay		The Council wants to maintain stable communities. Key message –	Inform

			tenants will not normally have to move at the end of their fixed-term tenancy.	Communications Strategy
7	Less consistent communities		As above	Inform Communications Strategy
8	Negative impact on self progression/back to work		Disagree – applicants will receive Community Contribution Reward if they work, volunteer, foster or adopt, or have been armed services personnel.	No
9	Impact on adult children / under-occupancy may be less		Acknowledged – it is recognized that some adult children may continue to live with their parents.	No
10	May increase homelessness		Disagree	
11	Resource impact – communicating the changes		Noted. Havering Council wants to take a joined up approach to communicating the changes.	Inform Communications Strategy
12	Transition from area where links have been made – vulnerable adults		If a vulnerable person's housing, care and support needs are being met in another borough, they will be suitably housed. If a vulnerable adult is under-occupying, this will be considered under exceptional circumstances.	This item will be added to the Tenancy Strategy.
13	Process for judgement on specific cases – clear steps		A detailed Scheme is currently being produced.	No
14	Right to buy increase? – less social housing?		Acknowledged. The Government has introduced Right to Buy discounts to encourage social tenants to purchase their property.	No
15	Mutual exchange?		Noted.	The Service is seeking legal advice
16	Transfer list?		Noted – Existing Council housing tenants will retain their security of tenure when they move within the Council housing stock. If tenants with a secure lifetime tenancy decide to move to a home outside the Council's housing stock their security of tenure may be affected.	
17	Downsizing concerns – advertisement/criteria, financial incentives may not be sufficient		Outside of the Allocation Scheme.	No
18	Training of staff to implement new scheme e.g. other professional frontline staff		Noted. The Council is keen to work with other partners to communicate the Scheme.	Inform Communications Strategy
19	Verification of criterias i.e. voluntary work		Noted – applicants will need to provide evidence. Clarify volunteering.	Inform Application form, Detailed Scheme.
20	Positive impact: - realistic expectations - community contribution	Tenants would be happy	Noted.	No

21	Emergency banding definition should include multiple needs	-	There is no requirement to take account of multiple need in housing preference.	No
22	Housing association tenants treated the same as Council tenants	Important to get the message out that all tenants will be treated the same.	To be discussed further by the project team. 22/05/12 – The project team considered this item. It was agreed that HA tenants will be treated the same as council tenants.	Yes No
23	Reciprocal nominations with Housing associations under tenant transfer – how would this work? Only transfer if we get the nomination to the tenant.	-	To be discussed further by the project team 22/05/12 – The project team considered this item. It was agreed that HA tenants will be treated in the same way as council tenants on our Housing Register and the vacancy will be needed in return.	Yes No
24	Fostering – HB does not recognize fostering Think about cost implications and under-occupation	Concern about children's ability to move on given the economic situation.	Foster carers would need to make this decision. Under-occupation – to be discussed further by project team as each foster child has to have their own bedroom (this is outside the Council's policy). 22/05/12 the project team considered this item. It was noted that children who are not from the same blood line do not need to share the same bedroom at the moment. The scheme will align to Housing Benefit policy.	Yes No
25	Disability and community contribution – consider all the household contribution – to include children etc.	Use benefit definition – only need 1 disabled household member	This has been considered. Both applicants would need to have a disability, unless one partner is caring for a disabled child.	No
26	Clear definitions of disability	Consider long-term impacts.	Definition for disability – Disability Discrimination Act. Evidence of DLA or equivalent.	No
27	Volunteering – charities want good quality people, not just those looking for housing. Need strong definitions – there is a risk that pushing people.	Need to think of long-term involvement and too little criteria. What about tenancy involvement groups – they should be involved – you could look at involvement when renewing fixed term tenancies.	Community contribution reward encourages applicants to volunteer and achieves positive outcomes for themselves and others over at least a 12 month period.	No
28	Older people – may want to move within the existing scheme (e.g. from first to ground floor) and may need to compete with someone else in priority need wanting to access the scheme.	The tenant already living in the scheme should be given priority as they -have support and friends locally - have contributed to the immediate community - need support	To be discussed further by project team. 22/05/12 – the project team considered this item. The following was agreed - if the property is needed for an assisted bid (preference will be given to a person already living in the scheme) and this applicant will have priority. If it is not required for an assisted offer, then everyone can bid for the property.	Yes No
29	People in other social housing – understanding the different allocation schemes	Communication will be key to help people recognize balanced need. Do this in partnership with RPs through	Acknowledged	Inform Communications Strategy

		day-to-day correspondence, groups and committees		
30	Consider people living outside the borough who work in Havering e.g. firefighters	If these people cannot be included, communicate clearly with people	Noted.	Inform Communications Strategy
31	Consider people wanting to move into the borough -to care for someone/relative -to be cared for	If these households cannot be included, communicate clearly with people	Noted.	Inform Communications Strategy
32	Young people living at home and in the private rented sector	Communicate clearly that these groups must have a housing need to go on the housing register.	Noted.	Inform Communications Strategy
33	Disability Definitions of different levels of 'disability'	Who defines which 'band' they go in to?	Housing Officers will use criteria to decide which band applicants are placed in to.	No
		What are the criteria?	DLA Carer's Allowance Attendance allowance	No
		Appeals procedure	Noted – appeals procedure to be outlined in Allocations Scheme. 22/05/12 – considered by the project team. Appeals procedure is outlined in the Allocations Scheme. It was agreed that the appeals officer will have regard to related services when making a decision.	Yes No
34	Joint applicants	Do they both have to have a disability to qualify for Community Contribution? What if their child is disabled?	Noted - both applicants would have a disability unless one partner receives benefit to care for a disabled child.	No
35	Elderly people wishing to move another borough to live near to family		Noted. Options are available, including national transfer scheme, Pan-London <i>housingmoves</i> and the seaside and country scheme.	No
36	Fostering/Adoption criteria		Noted - we will consult Havering Social Services.	No
37	Those with drug / alcohol dependency		Noted – this group will be considered by project team and as part of the Equality Analysis. 22/05/12 – considered by the project team. It was noted that if people have a medical need due to drug/alcohol dependency and need to move, this will be taken into account following completion of a medical form etc.	Yes No

Draft Tenancy Strategy**Question 1 - Do you want us to take account of anything else in the Tenancy Strategy?**

	Comments received	Our response	Actionable?
1	Existing social tenants will not be eligible for Affordable Rent – local RP's HA policy.	Noted – the Council's choice based lettings scheme will include different RP policies for reference.	Inform Communications Strategy
2	Resources – additional training	Noted – the Council cannot deliver this Strategy alone. The Service is keen to work with partners to communicate the changes i) reassure existing tenants where applicable and ii) to give clear advice to new applicants and tenants.	Inform Communications Strategy
3	Due regard only to elements defined in the Localism Act – rent levels not in this.	Noted – the Tenancy Strategy provides guidance to RPs. It is not possible to include specific rent levels, this is set following valuation of each individual property.	No
4	Make sure that clear current tenants retain security.	Noted – the Tenancy Strategy states that existing tenants with secure lifetime tenants will not be affected by the changes when they live in Havering council property.	Inform Communications Strategy
5	Over 60s should be offered lifetime tenancies regardless of property type	Disagree. The strategy refers to the property type – sheltered housing and property designated for 60+. One reason - to allow younger people aged 55+ with a support need to access sheltered housing, otherwise this group would be disadvantaged. The Council wants to retain current proposals but will consider this scenario as part of the Equality Analysis.	Yes No
6	3 years when youngest is 18 – why? Move on options are reduced if they are not allowed on register and age of people moving out and Shared Accommodation Rate (SAR) Local Housing Allowance (LHA) changes	Noted – under the Draft Strategy the Council proposes to give a fixed term 3-year tenancy when the youngest child has reached 15 years. The young person will be suitably housed and not require additional services.	No
7	Adapted properties can be hard to let – usually specific to person – consider adding level access / bungalow properties to this definition	Disagree – there is demand for adapted properties and a shortage of suitable homes locally. There are a number of ground floor flats and bungalows designated for people 60+.	No
8	Need appropriate safeguards for vulnerable households	Acknowledged. The impact of the Draft Strategy is being assessed. Safeguards have been put in place to minimize the impact on older and disabled people. In addition, research undertaken last year indicated that setting ARs at up to 80% market rents are below the HB cap. To form part of Equality Analysis. 22/05/12 – considered by the project team. Details will be added under exceptional circumstances in the Tenancy Strategy.	Yes Equality analysis – vulnerable groups No
9	Clear communication on impact for fixed-term for those with disabilities and under-occupation e.g. if they have part-time carer	Noted - Tenants who employ waking carer or part-time carers do not need an extra bedroom.	Inform Communications Strategy
10	Different focus groups	Unclear as to what this comment means.	No

11	Make use of under-occupation – support people into suitable accommodation (good management will be key). Be clear with tenants at the start of a tenancy – possible decisions that may be made a review stage. Provide information at the beginning of the tenancy, during (people are likely to forget what the terms of the policy are at the beginning of the tenancy) and at renewal.	Noted – to be actioned through Communications Strategy	Inform Communications Strategy
12	Under-occupation – the number of people receiving care at home has reduced the ability to deliver policy on under-occupation (liaise with Age Concern).	Noted.	No
13	Sheltered accommodation – make it clear to people what support services need to be paid for.	Noted – support services are highlighted and communicated to tenants as part of the rent and service charge review and setting process.	No
14	Change in circumstances – undertake a full assessment.	Noted – chapter 7 of the Tenancy Strategy states that circumstances will be reviewed at least 6 months before the tenancy comes to an end.	No
15	Stock mapping – include those moving within the same ward area – are the right types of properties available? (Particularly in relation to those wanting to downsize within the same area).	Acknowledged – this project is currently being taken forward. 22/05/12 – considered by the project team. Stock mapping is being progressed and will provide a useful tool in identifying the number of different size properties in any area. This information will be used to support people to downsize to another property in their local area where possible.	Yes No
16	Communicate the key messages.	Noted.	Inform Communications Strategy
17	Clarity over who is affected by the changes – deal with negative assumptions regarding eviction after review / established tenancies being converted.	Noted - need to reinforce that unless there has been a change in circumstances, tenants will not normally have to move at the end of their fixed term tenancy.	Inform Communications Strategy
18	As long as the appeals/reviews procedures are stringent, 5 years seems good and policy appears sound.	Noted.	No

Draft Tenancy Strategy - Question 2

	i) How do you think your tenants or service users will be affected by the Housing Allocations Scheme proposals?	ii) What would your tenants or service users want you to ask us to do?	Our response	Actionable?
1	More information required by applicants could lead to larger housing teams.	Link on website direct to RPs' policies – on fixed term tenancies.	Noted – project team will provide links to RPs' policies via ELLC Choice homes (choice based lettings scheme)	Inform Communications Strategy Consider how people without use of the internet will access different policies.
2	Different tenancies provided by individual RPs – difficult to manage		Noted – transparency and access to is important.	Inform Communications Strategy
3	More transparent / no jargon	(HiH) Use examples of cases (HiH) Outreach work – mobile events	Unclear which part of the Draft Strategy this comment relates to. Staff training will involve examples and used in explaining the Strategy to customers.	Inform Communication Strategy
4	A RP shared their experience – people were reasonably happy with the introduction of 5 year fixed-term tenancies.		Noted.	No
5	Older people – will need advocacy and support. It was suggested that emerging housing options are discussed with older people e.g. as extra-care and other housing options are developed in the borough.		Noted– the Council is investing in and working with RPs to deliver its Extra-care Housing strategy. It is important that customers are aware of other housing options.	Yes Inform Communications Strategy
6	Perception that 5 years fixed term tenancies will lead to an automatic move after 5 years	Needs to be managed.	Noted – will ensure that tenants understand that their tenancy will normally be renewed.	Inform Communication Strategy
7	3 years fixed term tenancies with regards to a child aged 15 or over – if the child is still living there after 3 years, what term will be the next tenancy be?		Noted – the tenancy will be renewed on a 3 year fixed-term.	No
8	Succession rights. What happens to the tenancy after a succession?		Tenants on a fixed-term tenancy – succession to spouse or civil partner. They will keep the same tenancy.	No

Draft Tenancy Strategy - Question 3

	i) What do you think are the main issues and challenges that may arise in Registered Providers' different tenancy policies?	ii) How do you think we can manage these issues and challenges?	Our response	Actionable?
1	Different expectations – different tenures		Noted – RPs' policies will be made available through the Council's website and ELLC Choice homes choice based lettings scheme website.	Inform Communications Strategy
2	Cross boundaries Registered Providers (RPs) – trying to work with as many councils and have a consistent company policy	Consistency in policies – regarding who gets renewed, who gets properties. Need a corporate approach – need a corporate approach but with council.	Noted – Havering Council acknowledges that RPs operate across different local authority areas. RPs do need to have regard to Havering Council's Tenancy Strategy. The Service is working with RPs to discuss the number of properties that will be let at Affordable Rents through new development and conversion at re-let stage.	Ongoing
3	Confusing for customers	Though there are currently differences between Council and RP.	Noted – details of different RPs' policies will be made available via website links.	As above
		Checklists for allocation officers to go through to explain their tenancy type.	Noted	To be taken forward by Lettings team.
		Have a feel to see if property let at Affordable or target. Not advertise 2 prices and determine on who bids i.e. tenant or new person. Controlled and helps you to meet targets.	This is not done - properties are advertised at either an Affordable Rent or Social Rent. A specific symbol is used by ELLC Choice Homes Scheme to highlight that a property will be rented at the higher Affordable Rent.	No
		Balance customers' needs as well as anticipated influx of tenants downsizing.	Acknowledged.	No
4	A Registered Provider confirmed that the Affordable Rents in LB Havering's Tenancy Strategy are similar to those in their tenancy policy.		Noted.	No
5	Some RPs will retain social rent for families.		Acknowledged.	No
6	The differences around rent costs between RPs and		Noted – correct advertising is key.	Inform Communications

	Council as well as tenancy terms.		The choice based letting scheme highlights properties that are let at an Affordable Rent.	Strategy
7	Real difficulties around communication and negotiations on changes to tenancy strategies.		Noted - the Service is keen to work with RPs to identify and proactively manage risks.	Yes
8	How do you align the different tenancy types between RSLs and the Council?		Noted – RPs need to have regard to Havering’s Tenancy Strategy.	Yes – regular meetings with RPs
9	Should raise age for secure tenancies to 70/65 to rise in line with regards to retirement age?	Carry out an assessment (of needs to make sure their move is their last?)	Noted – the policy relates to accessing the type of property as opposed to the age of the person.	No

Draft Tenancy Strategy - Question 4

What do you think are the best ways to communicate the changes to your tenants and service users, and other people who need to move in to social and affordable housing?

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Comments and suggestions received	Comments / Actions
<ul style="list-style-type: none"> • Outreach / mobile / literature, use examples • Door knocking • 2013 tenancies • 55+supported housing • Current tenants • Benefits calculation / debt resistance • Resident conference – 2012 on housing changes • Communicate clearly that there will be a reduction in the number of applicants on the housing register. • Work with partners • Media releases • Residents groups • Engage existing tenants to ensure information is user-friendly. <p>Additional item – A risk of an imbalance in housing – the number of people on the housing register with the number of properties available to re-let. Property mapping needed.</p>	<p>The comments in the left hand column will inform the Communications Strategy.</p>

Public consultation sessions – 3 May 2012 (1.30pm and 5.30pm Hornchurch Library)

	Q1.What do you think of the reasons for changing the Allocations Scheme?	Our response	Actionable?
1	<ul style="list-style-type: none"> - Pretty good - Something has to be done - Positive – rewarding community contribution encourages people - 2 years prior residency is good - Very good, now that it has been explained 	Noted.	No
2	<p>Concerns:</p> <ul style="list-style-type: none"> i) some were unsure about the Community Contribution Reward –Volunteering - as there was a concern that older people cannot always volunteer. However, it was recognized that some older people do volunteer in charity shops etc. ii) Review the volunteering aspect of the Community Contribution Reward iii) Will older people be disadvantaged iii) Older people – very unfair on us 	<p>Noted.</p> <ul style="list-style-type: none"> i) Those who volunteer in charity shops in the borough would be eligible to apply for the Community Contribution Reward. ii) To be discussed further by the project team. iii) As most people with be in Homeseeker Band, older people are unlikely to be disadvantaged as opposed to other groups. iv) LB Havering does not have a problem letting sheltered housing or other homes designated for people 60+ and so older people are not likely to be disadvantaged. 	<p>Yes</p> <p>(ii) Review volunteering aspect (for older people). An amendment has been made to the Housing Allocations Scheme under Community Contribution Reward, as follows: The sole or one of the joint applicants is aged 70 years+ and is currently volunteering in Havering for a minimum of 5 hours a month for a not-for-profit organisation or group/organisation recognised by Havering Council and has been doing so for last 12 months.</p>
3	<p>Other comments:</p> <ul style="list-style-type: none"> i) LB Havering needs to include photographs of all properties it advertises in the Choice Homes magazine and on the website. ii) Sometimes older people need a spare room so that a relative etc. can care for them at home. iii) Removal of wardens at sheltered housing schemes has been detrimental iv) Have heard that councils give housing to people from overseas v) Will the rules still apply to Tenant Management Organisations (TMOs)? 	<ul style="list-style-type: none"> i) Noted – to be actioned ii) Noted. iii) Noted – an review of warden supported housing was undertaken. Following the review and consultation, the service was replaced with Mobile Support services. iv) Councils do not provide housing to new arrivals from overseas and allocate housing within legislative requirements. Housing for refugees is provided by the Government under a separate scheme. v) Allocations will be adhered to by 	<p>Yes</p> <p>i) to be actioned by Lettings Team</p>

		TMOs that work on behalf of the Council.	
	Q2 What are your views on the draft Tenancy Strategy?		
1	<ul style="list-style-type: none"> - Something has to be done - 5 years tenancy is a good idea – and renewed unless the situation has changed - Makes sense - It's fair 	Noted.	No
2	<p>Concerns:</p> <p>If tenants think they will only have a 5 years tenancy, they may feel more transient. Secure lifetime tenants invested in their properties – concern whether those with fixed-term tenancies do the same.</p>	Noted – tenants will not normally have to move at the end of their fixed term tenancy.	Inform Communication Strategy
3	<p>Other comments:</p> <p>i) Will people be given a fixed term tenancy straightaway?</p> <p>ii) Have Succession rights changed?</p>	<p>i) People will be given an Introductory Tenancy when they first move in. Once successfully completed, a fixed term tenancy will be provided.</p> <p>ii) Succession rights have tightened – Havering Council tenants with a fixed-term tenancy will have right to one succession, to either a spouse or civil partner.</p>	No

Notes from follow up meeting on 14 May 2012 - with Registered Providers and Stakeholder groups

	Questions and comments raised at the meeting	Our response	Actionable?
Housing Allocations Scheme proposals			
1	Residency criteria How will people with learning disabilities placed and living outside Havering borough be treated under the criteria.	Noted - Havering Council has an enduring duty to support these people and they will be treated as LB Havering Council tenants.	No
2	Residency criteria How will disabled owner occupiers be treated if they are being treated in hospital?	Noted - If their home has become unsuitable and cannot be adapted to meet their needs, they will have an urgent need to move under the scheme. This is part of the Housing Allocations Scheme.	No
3	Housing Allocations Scheme – residency criteria Owner occupiers may want to move into extra-care housing. It was recommended that the Council introduces a local lettings policy for extra-care housing schemes.	Noted – a local lettings policy will be developed and a separate list maintained for people wanting to move into extra-care homes.	Yes

4	People aged 55+ can apply for sheltered housing whether or not they have a support need at the moment. These people do not always realize that they need to pay for a mobile support service charge.	Noted – a breakdown of service charges is given at the start of the tenancy and every year thereafter. The Service will ensure that this is clarified with people at the start of their tenancy.	Yes – to be actioned by Housing Management team
5	Equality analysis Rough sleepers, migrants and Eastern European residents These people may not be able to provide documents to demonstrate that they have lived in the borough for the last 2 years. Rough sleepers may have had their identification documents stolen. GPs have been issued guidance on identification documentation.	Noted – a copy of the guidance will be forwarded to the council.	Yes
6	Asylum seekers There was concern that this group will not be supported.	Noted – asylum seekers are not eligible for secure tenancy.	No
7	Men/women fleeing domestic violence	Noted – people fleeing domestic violence access housing through services, e.g. Women's aid.	No
8	Romanian and Bulgarians The 7 year rule restrictions are due to be lifted – need to communicate details of the allocations scheme.	Noted	Inform Communications Strategy
9	Faith groups and community volunteering Will people who volunteer through local faith groups be eligible for the Community Contribution Reward.	Noted – People who volunteer for a group recognized by Havco, that includes faith and community groups, and LB Havering will be eligible to apply for CCR. Evidence will need to be provided as part of the application.	No
Draft Tenancy Strategy			
5	Fixed term tenancies There was concern that moving from secure lifetime tenancies to fixed term tenancies may mean that people will not look after their property.	Noted – this has been considered. A tenancy will not be renewed if there is substantial disrepair and damage to the property. Tenants will need to keep their property in good condition.	No
6	Fixed-term tenancies – introduction of 3-year tenancies when the youngest child reaches 15 years of age There was concern that this age was fairly young, as people are staying with their parents into adulthood.	Acknowledged – a 3 year tenancy means that circumstances can be reviewed more frequently. If the young person chooses to move out, the tenants could be under occupying and can downsize. The Council will try to keep people in the same area if they need to move to another property.	No
7	Scenario – what happens if 3 generations occupy a home? Those occupying would be parent(s), their child and their grandchild.	Noted – reviews will be based on the original family, i.e. the parent(s) and their child.	Yes – the definition of household will be included in the Tenancy Strategy.
8	Scenario – a tenant uses a spare room at their home when their grandchildren	Noted – the grandchildren are not part	No

stay over – they want a spare room for this reason.	of the household.	
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Comment received following consultation workshops in April - May

	Comments raised	Our response	Actionable?
	Individual response made on behalf of a residents association Housing Allocations Scheme The new Scheme should only apply to new applicants.	Noted – the highest priority applicants will have a protected period of time within which they can bid for housing under the new Scheme when it is implemented.	No

Consultation with Havering Association for People with Disabilities (HAD) - 7 June 2012

HAD members were briefed on the key headline proposals – Draft Tenancy Strategy and Housing Allocations Scheme

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	Questions and comments raised at the meeting	Our response	Actionable?
1	Draft Tenancy Strategy Disabled people	The Council expects Registered Providers of social housing to continue to give secure lifetime tenancies to people with severe disabilities or learning difficulties with support needs living in specialist supported housing or living in general needs housing who receives long-term care and/or support services. We recognize that in some circumstances, offering a lifetime secure tenancy would not be appropriate e.g. for tenants living in move-on accommodation with floating support.	No
2	Housing Allocations Scheme Disabled people – how will housing be allocated?	If an applicant has lived in the borough for the last 2 years and has a housing need they will be eligible for the Homeseeker band. An example, if a single disabled applicant is unable to work or volunteer and is receiving DLA they can apply for Community contribution reward and this will give them priority over those in the Homeseeker band.	No
3	General Is the Council going to build any more homes?	Havering Council works with Registered Providers of social housing to develop new affordable housing in the borough. It does not have any current plans to develop new council owned stock.	No

Homes in Havering's Housing Services Operational Team Meeting – 20 June 2012

	Comments raised	Our response	Actionable?
1	The downsizing incentive payment was considered to be low	The levels of payment are not directly linked to the	No

		Allocations Scheme or Tenancy Strategy; they can be varied from time-to-time	
2	What access will the Council have to obtain residents' financial information?	A form will be sent to residents and the Government is currently looking at what financial information Local Authorities are permitted to access	No
3	What if a tenant refused to move at the end of a fixed term tenancy?	A Court Order would be required	No
4	The term 'exceptional circumstances' regarding what other factors will be taken into account when deciding whether or not to renew a fixed term at the existing property needs clarification	This will be considered	Add a reference to proximity of place of employment
5	Further discussion is needed around ASB issues	The wording in the Allocations Scheme will be reviewed	Wording clarified
6	Concern re: resourcing and IT issues around reviewing tenancies	Noted	Resourcing issues to be kept under review on an annual basis

HiH Customer care steering group – 10 July 2012

	Questions and comments raised at the meeting	Our response	Actionable?
1	Affordable rents A comment was made that the research did not give a true picture of earnings as it compared gross income and not net and that private rents in Havering have not been capped.	The research company used a standard approach to assess affordability based on median gross incomes earned in the borough.	No
2	Members of the group were concerned about how the proposed fixed-term tenancies will affect elderly people.	Existing Havering council tenants will not be affected when they transfer to another home in the council's housing stock. New tenants who move into housing designated for people aged over 60 years will receive a secure lifetime tenancy.	No
3	Concern was raised regarding what would happen if a fixed-term tenancy comes to an end and the tenants refuse to leave.	The Council's housing service will work closely with tenants throughout their fixed-term tenancy. In most cases, it is expected that tenancies will be renewed. In some cases when there has been a change in circumstances, the service may decide to not to renew the tenancy for a further period. In these cases, should a tenant not want to move out of the property, the council can take a number of options including seeking repossession of the property. The decision will be dependent on the change in tenant(s)' circumstances.	No
4	There was concern that it would be unfair to give a household with a youngest child of 15 years a 3 year fixed-term tenancy.	It is proposed that the 3 year fixed term tenancy will be normally renewed for another 3 years, unless there had been a change in circumstances	No
5	Downsizing – a member of the group enquired whether people who are downsize to another property when their tenancy comes to an end will have a choice in where they move to.	This will depend on the availability of housing in the stock.	No
6	University students – a query was raised about how students will be assessed.	Students deemed to be staying away from home in order	No

		to study in higher education during term-time will not affect the household's circumstances.	
7	The group asked whether foreign students will be given fixed-term tenancies.	Foreign students will not be given fixed-term tenancies.	No
8	Members of the group enquired how many asylum seekers are allocated housing in the borough.	It is unlawful to allocate council housing to asylum seekers. Havering Council has not allocated properties under the National Asylum Seekers Scheme (NASS).	No
9	Succession rights – what happens to the remaining occupant if the main tenant dies?	If a couple has a tenancy agreement and one partner dies, the surviving partner will be able to succeed a secure tenancy. Under current legislation there can only be one succession to a secure tenancy.	No
10	There was concern that the new policy will be more intrusive as personal details will be checked.	The council will need to work more closely with tenants under the new policy, particularly at the time a tenancy is reviewed.	No
11	Group members enquired what level of earnings a tenant would need to earn before having to move from council housing.	A tenant(s)' income and savings will be reviewed and a decision made based on the range of housing options available at the time of review.	No
12	A comment was made that there was nothing wrong with the policy proposals.	Noted.	No

Other comments received following consultation on Draft Tenancy Strategy – July 2012

	Questions and comments raised	Our response	Actionable?
1	6 June 2012 - Neighbourhood steering group Members of the group received details on the Draft Tenancy policy proposals. No comments were made.	Noted.	No
2	17 July – Umbrella Sheltered Housing Group (SHOUT) Members of the group received details on the Housing Allocations Scheme and Tenancy Strategy proposals. Housing Allocations Scheme - SHOUT members were keen on the proposal to prioritise those in sheltered schemes with a need to move downstairs (after those with an emergency need). No other comments were made.	Noted.	Yes The Housing Allocations Scheme has been amended. If a void property in a sheltered housing scheme is not needed for someone with an Emergency need, it will be offered to someone who already lives at the scheme if they have a housing need to move.
3	Response from Mayor of London, Greater London Authority, 19 July The GLA is satisfied that the proposals in the draft tenancy strategy would give registered providers the flexibility they need in order to meet their contractual commitments. The borough could seek to give some additional priority to people who make an active and positive contribution to their community e.g. through employment or	Noted. Noted.	No Yes. An additional reference has been

	<p>volunteering and who may also face barriers to accessing suitable housing in other tenures. It might be appropriate to take this in account when determining where a tenancy is renewed or not, as well as the factors already set out in the draft strategy.</p> <p><i>Taking account of a household's income at fixed-term tenancy review</i> We anticipate that this will need to be kept under constant review so that the income threshold takes account of the relative affordability of the housing options in Havering, particularly the Mayor's FIRST STEPS programme. It would also have been useful to know what the income and savings thresholds are.</p> <p>Borough councils should ensure that those who clearly need longer term tenancies are not made to feel anxious about whether a tenancy will be renewed or not. Steps need to be taken to reassure households whose tenancies are likely to be renewed but who must still go through a tenancy renewal process every five years.</p> <p>The Council's commitment to reducing the levels of under occupation in the social rented sector This commitment is welcomed and shared by the Mayor.</p> <p>Enhancing mobility While the legislative and regulatory framework governing tenant mobility is fixed, the Mayor would be supportive of additional measures, set out in a tenancy strategy that seek to reduce as far as possible the potential barriers facing existing tenants who may need or want to move to a different home.</p>	<p>Noted. This point has been considered. Housing options will change over time and will be kept under review and income and savings thresholds set accordingly.</p> <p>Noted. The Council expects that fixed-term tenancies will normally be renewed.</p> <p>Noted.</p> <p>Noted. The Council will work with and encourage RPs to honour existing secure lifetime tenancies.</p>	<p>included under exceptional circumstances.</p> <p>No</p> <p>Yes. The Strategy has been amended to reinforce that fixed-term tenancies will normally be renewed.</p> <p>No</p> <p>Yes. An amendment has been made to section 7.2.1 of the strategy.</p>
4	<p>E-mail from local Solicitors office, 3 August (Summary of issues)</p> <p>There were grave concerns that removing the stability of long-term secure tenancies will not be conducive to creating settled communities: children's schooling may be disrupted; long-term employment may be prevented; families may be spilt up.</p> <p>Rights of current secure lifetime tenants What is the position regarding tenancies where there has been a mutual exchange, stock transfer, nomination, out of borough transfer or transfer to a registered provider?</p>	<p>Noted. The Council expects that fixed-term tenancies will normally be renewed, unless there has been a change in circumstances. Exceptional circumstances will also be taken into account as part of each review.</p> <p>Noted. This will be considered.</p>	<p>No</p> <p>Yes. The council will work with RPs to protect lifetime tenants. Chapter 7 of the strategy has been amended.</p>

	<p>Succession / assignment rights. The provision for close relatives to succeed to, or be assigned a tenancy, has been removed.</p> <p>Clarification is needed as to whether a total tenancy following an extended Introductory Tenancy will 6.5 years (1.5 years introductory and 5 years secure fixed-term tenancy).</p> <p>Procedures in relation to:</p> <ul style="list-style-type: none"> - Reasons why the secure fixed-term tenancy would not be renewed for a 5 year period - Circumstances in which a tenancy will not be renewed 	<p>Noted. Localism Act 2011. There will be one succession to a spouse or civil partner of the tenant.</p> <p>This is correct.</p> <p>Noted. The strategy sets out the Council's strategic commitment in relation to fixed-term tenancies.</p>	<p>No</p> <p>No</p> <p>Yes. Procedures relating to fixed-term tenancies to be developed.</p>
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LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

PROPOSED ACTIVITY:

Cabinet Report (26 September 2012) – Draft Housing Allocations Scheme

SCOPE OF PROPOSAL

1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?

This Equality Analysis concerns the review and development of Havering Council's Housing Allocations Scheme. The Scheme will be different from previous schemes following changes introduced under the Government's Housing Strategy 2011 and the Localism Act 2011. New provisions remove the requirement for councils to keep 'open' housing waiting lists. We have also taken account of CLG Draft Guidance on Housing Allocations, and two Draft Statutory Instruments that remove the residency criteria for people leaving or who have left the armed forces within 5 years of application and give additional priority to ex-armed forces personnel who have an emergency need for housing.

It is proposed that the new Housing Allocations Scheme will come into effect from 1st April 2013 and will affect existing applicants on the Housing Register as well as new applicants.

Current allocations scheme

The current scheme consists of 5 bands – A to E, with Band A reserved for people needing to move in urgent circumstances. As at 31 March 2012, there were 11,212 households on the Housing Register. In the last financial year, the Council advertised 901 properties, so the number of households far outweighs the number of properties that become available to let. In addition, some households have been on the Housing Register for many years, with no reasonable expectation of being re-housed.

Proposed Scheme

The Council has reviewed its current allocations scheme and in consultation with wide ranging stakeholders has developed a scheme with the aim of being simpler, supporting local people in most need of housing and rewarding those who contribute to their local community.

The main changes we are proposing intend to deliver the following outcomes:

Intended outcome	Policy criteria
To provide housing to those in housing need who live in the borough (with the exception of ex-armed forces personnel)	Those with 2 years' prior residency and a housing need will be eligible to join the Housing Register (and initially be placed in the Homeseeker Band). In exceptional circumstances we will consider a shorter residency period if someone has an emergency need to move and their home is unsuitable.
To reward people who contribute to their community with a higher priority for housing	Community contribution reward for those in Homeseeker Band who work, volunteer, need to move to foster or adopt, or downsize to a smaller property

To support people with an emergency need to move	Provision of assisted offers as well as choice based lettings bids (dependent on individual circumstances) for people with an urgent need to move, for example, people fleeing domestic violence, and disabled people who need to move urgently when their home is unsuitable.
To support existing council tenants to transfer more easily than currently when they want to	Existing council tenants and private sector lease tenants will be eligible to apply to join the Housing Register after 5 years of holding a Havering Council or PSL tenancy
Unsuitable tenants	People will not be eligible if they are unsuitable tenants, for example, they have housing-related debts, have been responsible for anti-social behaviour, or breaches in tenancy agreement
Financial income	An assessment of income will form part of the application to see if applicants have the means to afford to rent privately

1 (a) Organisation and Staffing

No additional staff will be required to manage the Housing Allocations Scheme once it becomes effective. However, it should be noted that a six months transitions phase between Cabinet approval and the effective date is required to enable staff to review existing applications in line with the new Scheme. This does mean that any emerging priorities during this phase will need to be carefully managed so that they do not negatively impact on the project and staff time. Should this identified risk become a reality, a review of staffing levels would need to be undertaken.

1 (b) Services to the Community

The housing allocations scheme has been reviewed in light of the Localism Act 2011. The National Housing Strategy and Act remove the need for councils to provide 'open' housing waiting lists. It empowers the Council to use local priorities to decide who is eligible to join the housing register and help existing Council tenants to move so long as those with a 'reasonable preference' for housing under the Housing Act 1996 and ancillary guidance continue to receive this preference. Havering Council's review of the housing allocations scheme aims to create a system for allocating properties that is easy to understand and affords priority between those with a reasonable preference for housing based upon locally defined priorities. The new Scheme will give those wishing to join the Council's Housing Register a realistic view of whether and when they could be allocated social or affordable housing. This in turn will enable those approaching the Council to make informed decisions about their housing and, in turn, is likely to reduce the waiting time for those in the most housing need.

PEOPLE AFFECTED

2. Which individuals and groups are likely to be affected by the activity?

2 (a) Staff Individuals and Groups

Staff

London Borough of Havering:

- Housing Options Service - Housing Needs & Service Development Team, Housing Advice Team
- Adult Social Care Services – Occupational Therapy, Strategic Commissioning, Leaving Care Team
- Tenancy Management Officers (currently employed by Homes in Havering, but likely to have TUPE transferred to the Council by the implementation date of the revised Scheme)
- Resident Involvement Team (currently employed by Homes in Havering, but likely to have TUPE transferred to the Council by the implementation date of the revised Scheme)

It is expected that the Housing Allocations Scheme will continue to be managed and delivered by existing staff in the Housing Needs & Service Development Team

2 (b) Community Individuals and Groups *(including voluntary organisations)*

The Council's Housing Allocations Scheme will affect both new and existing applicants on the Housing Register for social and affordable housing in Havering Borough and will impact on people across all protected characteristics.

There are criteria in the Scheme that are specifically aimed at supporting:

- low income households that have a housing need with priority to those who contribute to their community
- homeless people
- vulnerable people who have an emergency need to move
- older people, particularly those wanting to downsize to a smaller home
- young people, especially those leaving care
- people with physical disabilities or long-term health conditions
- pregnant and nursing mothers
- people with caring responsibilities for a disabled child or close relative.

DATA AND INFORMATION

3. What data/information do you have about the people with 'protected characteristics' (*age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation*) or **other socio-economic disadvantage** (*e.g. disabled and part-time workers, low income households, looked-after children, vulnerable adults*) among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?

3 (a) Staff

Delivery of the Housing Allocations Scheme from 1 April 2013 will directly replace the current allocations scheme and will have little or no effect on the Council's or current Homes in Havering's (HiH) staffing level.

3 (b) Community

The Housing Allocations Scheme will affect existing Housing Register applicants and those applying for social or affordable housing in the future. Interrogation of the Housing Register provides us with some information about those who are currently registered with the Council for social or affordable housing in the borough. We have also used Census 2001 and Office of National Statistics data to inform this assessment.

Age

Older people

Havering Council has the highest proportion of older people of any London Borough. Out of 10,955 council tenants for which information is available, 1,347 (12.35) of them are aged 65 - 74 years and 1,077 (9.8%) are aged 75 - 84 years.

Housing Register data (as at 21 August 2012) indicated that out of 11,688 applicants, 644 were aged 55-64 years, 400 were aged 65-74 years, 226 were aged 75-84 and 119 were aged 84+ years. Of these, 835 applicants currently in bands D and E (with low or no housing need) are more likely to be affected by the proposed scheme.

Under the proposed Housing Allocations Scheme, under-occupying Havering Council tenants (and in most cases under-occupying housing association tenants in the borough), who are likely to be older residents, will be given priority (under the Community Contribution Reward) if they want to move to a smaller home. The Council owns some well laid out sheltered housing, but we recognise that some bedsit flats have not been fit for purpose and we are implementing a refurbishment plan to ensure schemes meet older people's future housing needs.

The older population (men aged 65+ and women aged 60+) is estimated to grow by 3.9% by 2016 and by 15.4% by 2026. This means there will be 1,800 more older residents by 2016 (increasing from 45,300 in 2011 to 47,100 in 2016).

Older people with a housing need will be positively affected by the proposed Scheme. Older people who have a housing need and meet the criteria will be placed in Homeseeker Band. If they have worked or volunteered for the past 12 months, they may be eligible for Community Contribution Rewards (refer to Table 1 in the Scheme) which will give them priority for housing over those in Homeseeker Band. We acknowledge that those applicants aged 70 years and above may not be able to volunteer for 10 hours per month, so in order to apply for Community Contribution Reward this group would need to volunteer for at least 5 hours a month.

We also know that 15% (7,445) of older people in the borough are claiming Attendance Allowance, 51% (3,830) of whom receive the higher rate award. Under the proposed scheme, should an older sole applicant or both joint applicant be unable to volunteer due to a disability or are very frail, they will be eligible for Community Contribution Rewards under the disability criterion. Similarly, older people who are full time carers for a partner or relative will be eligible under the disability criterion of the Community Contribution Reward. Please refer to section 2.1.1 and Table 1 in the draft Scheme.

People of working age (16 - 65 years)

People in employment

74% (112,400) people in Havering borough are economically active people of working age and 70% (105,300) are employed.

Appendix D

People of working age will be affected by the proposed Scheme and the impact will depend on their circumstances. For example,

- a low income household with housing need living with parents or in the private rented sector will be eligible under the Scheme just as at present so long as their earnings/savings do not render them able to remedy their housing need in the private sector)
- a low income household that is adequately housed (that is, they have no housing need) will no longer be eligible under the Scheme. If they are on the Register at 1 April 2013, they will be removed (unless there are protected by the Council's proposed transitional arrangements). All such households whether on the Register or not on 1 April 2013 will however, continue to have access to housing advice and other support under the Housing Act 1996, as amended by subsequent legislation, should they experience or be threatened with homelessness
- a low income household who have a housing need and work, volunteer, want to foster/adopt or are disabled, will be eligible to apply for the Community Contribution Reward (CCR) and have priority above those in the Homeseeker Band for housing
- people who are working and can afford to rent privately will no longer be eligible to join the Register. If they are on the Register at 1 April 2013, they will be removed (unless there are protected by the Council's proposed transitional arrangements). All such households whether on the Register or not on 1 April 2013 will however, continue to have access to housing advice and other support under the Housing Act 1996, as amended by subsequent legislation, should they experience or be threatened with homelessness .

Children

The number of children and young people aged between birth and 15 years is expected to grow by 8.2% (3,500) by 2016 and 21.1% by 2026. Just as at present, households with a housing need containing children will continue to be able to join the Housing Register. It is important to note, however, that having children does not in itself denote a housing need, therefore, it is anticipated that some (JG comment: do we have an estimate?) households containing children but without any housing needs will either be removed from the Register on 1 April 2013 or not be eligible should they apply after this date. All such households whether on the Register or not on 1 April 2013 will however, continue to have access to housing advice and other support under the Housing Act 1996, as amended by subsequent legislation, should they experience or be threatened with homelessness .

It is likely that an increase in young children will correlate with an increase in those accommodated by the Council's Children and Young Adults Services. Care leavers will positively benefit from the revised Allocations Scheme as their needs are considered to merit an assisted offer under the Emergency band.

Children in households renting from Havering Council with a secure tenancy or a PSL tenancy will positively benefit from the revised Allocations Scheme in that once a household has held a tenancy with Havering Council for five years, they are eligible to join the Housing Register even if they have no housing need. It is believed this will increase the ability of council tenants to move between property types, say from a flat to a house, or from area to area within the borough as currently such households are in the lowest band, Band E, with minimal chances of receiving an offer or alternative accommodation.

Young people

People aged 18-25 years

As at 21 August 2012 there were 2,703 applicants¹ aged 18-24 years on the Housing Register. Of these, 139 applicants were in Band E and this group is more likely to be affected by the proposed scheme as they are unlikely to be eligible to join the Housing Register.

Young adults living with parents or in private rented housing

Under the proposed scheme young adults living with their parents or in private rented housing who are adequately housed may perceive themselves as negatively affected by the implementation of the proposed scheme. However, if they meet the prior residency criterion and have a housing need (reasonable preference under the Homeseeker Band) they will be eligible to apply to join the Housing Register.

Care leavers

Residents leaving the care of Havering Council's Children and Young Adults Services aged 18-21 will benefit from the proposed changes to the housing allocations scheme. They will be placed in the Emergency Band and will be given assisted offers Council accommodation in addition to the ability to bid for properties through the choice based lettings system. This should mean that they are quickly provided with accommodation and valuable social services resources released to support other young people.

Disability

Borough-wide information - Joint Strategic Needs Assessment (JSNA) refresh - 2010 report

The key headlines include:

- It is estimated that more than 14,000 adults of working age in Havering have a disability and more than 6,000 are unable to work because of a disability
- Overall, adults in Havering are less likely to have a disability or a long term limiting illness than the national average and are likely to live for a greater number of years without a disability than is the case nationally
- It is less common for people in Havering to claim incapacity benefit (given to people who cannot work due to illness or disability) than is the average in England and London
- 43% of those claiming incapacity benefit in Havering have a mental health issue

Physical disabilities

It is estimated that more than 14,000 adults (of working age) in Havering have a moderate or severe disability. The number of those with moderate or severe disabilities is expected to rise by around 7% in the next 10 years, with more than 15,000 adults in Havering having a physical disability at this time.

Learning disability

Over 700 Havering adults are recorded on GP registers as having a learning disability. This represents around 0.4% of the population, which is in line with the national average of 0.4% and slightly above the London average of 0.3%. Overall, the number of adults in Havering with a learning disability is expected to increase by around 7% over the next 10 years and it is expected that need for local services will rise commensurately.

¹ This study was based on the age of the sole or main applicant.

Single Housing list data – people with physical, sensory and learning disabilities (July 2012)

Following a recent joint study between Adult Social Care services and Housing Services, a single disability and housing list (as at July 2012) indicate that:

- there are 578 people with disabilities who require housing, of which 48 are clients of Children and Young People and 530 are clients of Adult Social Care
- 490 of these have a Learning Disability (LD) (85%); 56 have a Physical Disability (PD) (10%); and 32 have both multiple disabilities (LD and PD) (5%)
- 60% are male and 40% are female
- approximately two thirds of clients are 30 years old or younger
- 243 are known to have full time or occasional wheelchair use (42%) and a further 10 people have other mobility issues.

Applicants on the Housing Register who have expressed an interest in extra-care or supported housing

As at 18 August 2012, a total of 138 applicants aged 55 years were interested in either extra-care or supported housing in the borough. Of these, 46 applicants were in band E and this group is unlikely to be eligible to apply for the Housing Register under the proposed scheme.

Eligibility

Disabled people will be positively affected by the proposed Scheme. Disabled people who have lived in the borough for at least the previous 2 years will meet the medical and welfare housing preference and be placed in Homeseeker band.

Once they are in the Homeseeker Band, they may be eligible to apply under a number of options for Community Contribution Reward to gain greater priority for housing. Community Contribution Reward will be awarded for working, volunteering, needing to move to foster/adopt, and downsizing. It is recognised that a single disabled applicant or joint applicants where both are disabled or one is a registered carer of the other may not be able to benefit from this reward, thus, if a single applicant is in receipt of the high rate of Disability Living Allowance or equivalent, or both joint applicants are in receipt of this benefit or equivalent, or if one of the joint applicants is in receipt of this and the other is their full time carer and in receipt of Carers Allowance or Attendance Allowance (or equivalent) they will be eligible to apply for Community Contribution Reward under the Disability criterion, without working, volunteering, needing to move to foster/adopt or downsizing.

Emergency need to move

Disabled people with an urgent need to move when their home is unsuitable will be placed in the Emergency band and supported with assisted offers as well as being able to bid for properties through the choice based lettings system.

In addition, disabled people moving from specialist accommodation provided by the London Borough of Havering's Social Services Team, North East London Foundation Trust (NELFT) or another registered supported housing provider will be supported into housing under the Emergency band.

Older disabled or very infirm people – please refer to the section on Older People.

Gender

Of the 236,100 borough population, 52% are female and 48% are male². This may in part be due to women's longer life expectancy. In the last financial year (2011-12), women made up over 70% of tenants taking up an offer of accommodation from the Housing Register. The reason for this may be that women's circumstances are more likely than men's to come under a reasonable preference category, particularly given the pattern of child care. It is predicted that this preference to women will continue as the Reasonable Preference categories will remain in place.

In addition, to this assessment we have considered the impact the proposed scheme will have on each gender during different stages of life. In particular, we have taken account of pregnancy and maternity and periods when both men and women may have breaks in employment (through no fault of their own, notably through redundancy).

Gender reassignment/identity

No data are available locally about people who are and have undergone gender reassignment or have changed their identity. People applying for the Housing Register need to provide two forms of proof of identity/address. As these documents are issued by a statutory agency this should not impact on a person's ability to supply evidence as part of their application.

Marriage and Civil Partnership

Approximately 0.1% (170) of Havering residents who disclosed their marital status live in same-sex couples. Housing legislation, the Localism Act 2011 and proposed allocations scheme treat same-sex couples the same as co-habiting and married couples. We have considered couples as part of developing the proposed scheme to ensure that it gives couples equal eligibility with single applicants.

Pregnancy and Maternity

Between 2005 and 2010, the number of live births in Havering had increased by 14%. Women who have taken statutory maternity leave will be positively affected by the proposed scheme, as this group will be allowed a 6-month break in employment in a 12-month period and still be eligible to apply for Community Contribution Reward. This policy will give pregnant and nursing mothers equal opportunities alongside their male employees.

Carers

There are few data available locally on carers. Women comprise 79% of Carers Allowance Claimants. This may be in respect of their main care responsibilities for a dependent child or close relative.

We have considered how carers can be treated fairly under the proposed Housing Allocations Scheme. If a single applicant is a full time carer for an ill or disabled child or relative and they receive Carers Allowance, they would be eligible to apply for Community Contribution Reward (CCR).

² Office of National Statistics 2010 mid-year population estimates, Office of National Statistics, 2011

Appendix D

Likewise, if the joint applicant does not have disabilities and they are the full-time carer for their partner (joint applicant) they will also be eligible to apply under CCR.

Race/ethnicity

Borough-wide data

BME groups	Percentage
People with a BME heritage living in Havering Borough	8.5%
People with BME heritage on the Housing Register (Dec 2011)	17.64%
No. of properties let to people with a BME heritage (April 2008- Jan 2011)	12.34%

The table above shows that people with a BME heritage make up 17.64% of those households on the current housing register, whilst representing 8.5% of Havering's population. The higher number of BME households correlates with our homeless strategy research that identified that these households are more likely to live in overcrowded living conditions or homeless than other households in the borough. Overcrowded households are likely to be registered for large family homes, which mean that they tend to wait longer to be re-housing due to the relatively small number of family-sized social or affordable homes in the borough.

This over representation of BME households is also reflected in the number of lets from the housing register. Between April 2008 and January 2011 12.34% of lets were to BME groups. Given the relatively small number of family-sized social and affordable homes, existing tenants from may have a limited number of suitable homes to transfer to under the Tenancy Transfer proposals. This will need to be closely monitored.

Religion or belief

Data held on the Housing Register does not record people with different religions or beliefs.

At the time of the Census 2001, 76% of Havering's population stated that they were Christian, followed by 13% with no religion and just below 8% who preferred not to state their religion.

Other religions in the borough include Hindu (0.77%), Sikh (0.52%), Buddhist (0.18%), Muslim (0.8%) and Jewish (0.5%).

The research above makes it difficult to establish those with a specific religious that could be affected to a greater extent under the new Housing Allocations Scheme.

Sexual orientation

No data are held on the Housing Register.

The Census 2001 identified that only 0.1% (170) of people in Havering reported that they lived in same-sex couples. Same-sex couples who are co-habiting or who want to make one application for the Housing Register will be treated the same as a married or civil partnership.

Socio-economic groups

Analysis of the Council's Housing Benefit and housing management systems show a high level of benefit claimants. Records show that 71.71% of Homes in Havering tenants are in receipt of either

full or partial housing benefit. The number of private tenants (including housing association tenants) claiming housing benefit has also seen a dramatic increase in claimants since 2007 and totalled over 6000 claimants in 2011.

Impact on specific socio-economic groups

Households that have lived in the borough for at least the last 2 years, have a low income and are in housing need will be eligible for the Homeseeker band. In addition, applicants in this group should be eligible for the Community Contribution Reward (CCR) if they give something back to the community. If they are not working (16 hours a week) and are in receipt of welfare benefits, they will still be eligible to apply for CCR if they volunteer at least 10 hours a month, are ex-armed forces personnel who have recently left or are close to leaving the service, want to foster or adopt, are willing to downsize to a smaller property, or are disabled (refer to section 2.1.1 and Table 1 in the Scheme).

Other groups – people directly affected by the new allocations Scheme

Impact analysis on applicants currently on the Housing Register

Applicants currently in Bands A and B

Modelling has been done to assess the impact of the proposals on the current housing register to assess the impact of the proposed changes in the housing allocations review. This showed that anyone currently in high priority bands, Bands A and B, will remain on the housing register.

Applicants who live outside the borough

Approximately 2500 households that are currently on the housing register but live outside the borough would no longer be eligible under the proposed Scheme. The vast majority of this group are aged under 55 years with only 333 applicants aged 55 and over. The housing register does not record the reason that households are seeking housing in Havering borough so anticipating the needs of this group has proved challenging.

CONSULTATION

4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?

4 (a) Staff

Staff who will be responsible for managing the Scheme, namely from the Strategic Housing Team, Housing Needs & Service Development, Housing Options Service and Homes in Havering (HiH) have been members of the Housing Allocation Scheme Project Team.

One-to-one meetings have been held with key internal partners such as the Social Services' Learning Disabilities Team and Corporate Equalities Team to ensure that the needs of customers have been incorporated in the Housing Allocations Scheme review.

21st March – Briefing to Corporate Management Team

In addition, as part of the consultation internal services were invited to complete an online survey and attend both a formal and follow-up consultation session held on 30 April and 14 May respectively. This consultation was particularly relevant given the matrix approach needed in order to successfully deliver the allocations scheme, for example working with Children's Services to support care leavers. Consultation notes are a background paper to the report and are available on request.

4 (b) Community

The Council has consulted extensively with wide ranging stakeholders, including applicants on the Housing Register and local communities. Consultation notes are a background paper to the report and are available on request.

Consultation includes the following:

Round 1

6th January-10th February 2012 - Letters were sent to everyone on the Housing Register, setting out the key proposals and inviting them to complete an online or paper survey questionnaire (6 weeks consultation).

6th February – Briefing and consultation with Elected Members

Round 2

April – May 2012

30th April – Formal consultation event. Invitations were sent to Registered Providers (also known as Housing Associations or Registered Social Landlords) and stakeholder groups (including residents associations and third sector organisations).

3rd May – Public consultation at Hornchurch Library

14th May – Follow up consultation workshop for Registered providers and stakeholder groups

14th May – Briefing and consultation with Elected Members

15th May – public question and answers drop-in session at Briar Road Information Shop, Harold Hill

22nd August – final consultation with Registered Providers with which Havering Council has nominations arrangements.

Appendix D

5. The impact of the proposed Housing Allocations Scheme on staff and communities has been considered, and the impact on each group is detailed in the table below.				
a. Staff	Positive impact	Negative impact	Neutral ✓	The impact of the proposed Housing Allocations Scheme on staff has been considered. The transition phase (between Council adoption and effective date) will require a full complement of staff in the Housing Needs and Service Development Team in order to review existing applications, support new applicants and manage communications.
b. Communities				
Protected category	Positive Impact	Negative Impact	Neutral	Impact on protected characteristic group, mitigating measures and reasons
Age	✓ ✓			<p><i>Older people- wanting to downsize</i> The <i>current</i> housing allocations scheme gives preference to existing council housing applicants who are willing to downsize to a smaller property. There are currently 51 applicants who are registered to downsize, of which 39 are aged 55 and over. Our <i>proposed</i> scheme continues this policy and will better support people who have been council tenants for at least 5 years to transfer to another home and will give priority (under the Community Contribution Reward) to those wanting to downsize to a smaller home. The proposed change should reduce the waiting time and rent of those wishing to move to a smaller property.</p> <p><i>Older people- volunteering</i> Older volunteers who contribute to their community will be eligible to apply for Community Contribution Reward (CCR) and have priority over those in Homeseeker Band for housing. To ensure that older disabled older households who cannot volunteer are treated equally, they will be able to apply for CCR under the disabled criterion (see below).</p>

	✓		✓	<p><i>Older people – very infirm or disabled</i> Community contribution reward - If the applicant(s) is frail or disabled and this means that the full eligibility criteria can not be met, Community Contribution Reward will still be granted based on advice from Adult Social Care services, relevant practitioners and if Attendance Allowance (or equivalent) is received. In cases where an applicant(s) has an urgent need to move and their current cannot be adapted to meet their needs, they will be supported through assisted offers under the Emergency Band.</p>
	✓		✓	<p><i>Older people – who are not disabled, and do not work or volunteer</i> Older people who meet the prior residency criterion and have a housing need, will be eligible to apply to join the Housing Register and could be placed in Homeseeker Band.</p>
	✓		✓	<p><i>Young adults – care leavers</i> Residents leaving the care of Havering Council’s Children and Young Adults Services aged 18-21 should also benefit from the proposed changes to the housing allocations scheme. They will be placed in the Emergency Band and will be given assisted offers of Council accommodation in addition to the ability to bid for properties through the choice based lettings system. This should mean that they are quickly provided with accommodation and valuable social services resources released to support other young people.</p>
			✓	<p><i>Young adults living with parents or in private rented housing – adequately housed or have no housing need</i> People living with parents or in private rented housing who are adequately housed or have no housing need will be negatively affected under the proposals. To mitigate and manage this negative effect, the Council will consider homeless enquiries under Housing Act 1996. In the first instance, people should contact the Council’s Housing Advice and Options Team. However, if they have meet the residency criteria and have a housing need under the Homeseeker Band they will be eligible to apply to join the Housing Register.</p>

	✓		✓	<p><i>Young adults living with parents or in private rented housing – with housing need(s)</i> Young adults who meet the eligibility criteria and have a housing need(s) will be positively affected by the proposals and will be eligible to join Homeseeker Band, and if eligible apply for Community Contribution. Young people who have an urgent housing need will be supported through assisted offers under the Emergency Band.</p>
	✓			<p><i>Children</i> Local children in care on fostering or adoption lists will be positively affected by the proposals as applicants that want to adopt or foster will be eligible to apply for Community Contribution Reward, giving them priority for housing over those in Homeseeker Band.</p>
	✓			<p>Children in households that are seeking to transfer to another home will be positively affected as homes with gardens will be prioritised for households with children under 16 years of age. This could enable families with young children to move from a flat to a house with garden.</p>
		✓		<p><i>People of working age - currently on the Housing Register (see also Other Groups)</i> <i>Applicants who live outside the Borough</i> Under the proposals, anyone who lives outside of Havering will not be eligible to join the housing register. This is likely to have a negative impact on younger households who may have had to move outside of the borough due to work or in order to find cheaper rents. The reason why the applicant is looking to move into Havering is not formally recorded, but given the age of this group it seems likely that they would be looking to receive support from family members in the borough.</p>
			✓	<p>Other options are available if households living outside the borough are social housing tenants, as they can apply for a transfer through the Pan-London <i>housingmoves</i> scheme, national scheme or apply for a mutual exchange.</p>

	✓		✓	<p><i>Families</i> If families meet the residency criterion and have a housing need, for example they live in overcrowded accommodation, they will be eligible to apply for the Housing Register and will be placed in Homeseeker Band. They can then also apply for Community Contribution Reward if they meet one of the criteria.</p>
Disability	✓			<p><i>Homeseeker Band</i> Anyone with a disability (learning, physical, and/or sensory) may apply for priority on the housing register on the basis of their specific needs under the medical/welfare banding reason. Furthermore, to ensure that disabled people in general needs housing are treated equally, if a single applicant or both partners in a couple are unable to work or volunteer, they will be able to apply for Community Contribution Reward (evidence of high rate Disability Living Allowance (or equivalent) needed).</p> <p><i>Emergency Band</i> People moving from specialist accommodation provided by the London Borough of Havering’s Social Services Team, North East London Foundation Trust (NELFT) or another registered supported housing provider will be supported into housing under the Emergency band.</p> <p>Any applicant with a severe disability who urgently needs to move (and their current home is unsuitable) will be eligible for the Emergency band. To expedite a direct offer of accommodation. A similar scheme is already in operation through the Special Needs procedure under the current allocation scheme. Disabled applicants will be supported through assisted offers of accommodation as well as having the ability to bid through the choice based letting system in order to support vulnerable people into suitable housing as quickly as possible.</p>
Gender			✓	<p>Under the current housing allocation scheme women make up over 70% of lets through the housing register last year. This may be because women are more likely to fall into a reasonable preference category. It is predicted that this preference to women will continue as the Reasonable Preference categories will remain in place.</p>

Gender reassignment/identity			✓	This group has been considered. It is expected that the proposed allocations scheme will neither significantly advantage or prejudice this group.
Marriage and Civil Partnership			✓	If couples meet the residency criterion and have a housing need, they will be able to apply for the Housing Register. If one or both of them works, volunteers, needs to foster or adopt then they will be eligible to apply for the Community Contribution Reward (CCR). This gives a couple equal eligibility with single applicants.
			✓	We recognise that if one partner in a couple is disabled, they and/or their partner may still be able to work or volunteer. If their partner is their main carer and this means that neither are able to work/volunteer they will be able to apply for CCR if the disabled partner claims the high rate of Disability Living Allowance (or equivalent).
Pregnancy & Maternity			✓	<i>Equal opportunity to apply for Community Contribution Reward</i> To ensure that women who work or volunteer and are pregnant or nursing are treated fairly, we will take into account these breaks in employment and allow a 6-month break in employment during the 12 months period to enable these women to apply for Community Contribution Reward. We will need written evidence of statutory maternity pay and part of the application.
Carers	✓			<i>A full time carer for an ill or disabled child or relative</i> We have considered how carers can be treated fairly under the proposed Housing Allocations Scheme. If a single applicant is a full time carer for an ill or disabled child or relative and they receive Carers Allowance, they would be eligible to apply for Community Contribution Reward. Likewise, if the joint applicant does not have disabilities and they are the full time carer for their partner (joint applicant) they will also be eligible to apply under CCR.
Race/ethnicity	✓			Under the proposed Scheme, people wanting to downsize will be given priority under Community Contribution Reward to move. This should free up large, family homes. This should

			<p>✓</p> <p>be an advantage to BME households who show a high rate of overcrowding.</p> <p>✓</p> <p>In the last 3 years BME households were over represented in the number of lets made from the housing register, with 12.34% of lets having been made to BME groups. As such, it is predicted that the proposal to include a tenant transfer scheme will not unfairly disadvantage BME households. However, this will have to be closely monitored.</p> <p><i>People with indefinite or limited leave to remain in the country</i></p> <p>People who have sought asylum and have been granted indefinite or limited leave to remain in the country and have a right to social and affordable housing will be eligible to apply for the Housing Register if they meet the prior residency criterion and have a housing need (under Homeseeker Band). They can then apply for Community Contribution Reward if they meet the criteria.</p> <p>If people in this group are not eligible for to join the Housing Register, they will still be eligible for housing advice under the Housing Act.</p>
Religion or belief			<p>✓</p> <p>These groups have been considered. It is not expected that the proposed Allocations Scheme will have a significant advantageous or detrimental impact on this group.</p>
Sexual Orientation			<p>✓</p> <p>Following consideration, it is expected that the proposed Housing Allocations Scheme will have no significant advantageous or detrimental impact on this group.</p> <p>✓</p> <p>Young gay, lesbian and bi-sexual homeless people Housing advice and support will be given as part of the Council's homelessness duties under part 7 of the Housing Act 1996.</p>
Socio-economic	✓		<p>✓</p> <p><i>People of working age, living with parents or private rented housing</i></p> <p>People who are living at home with family or in the private rented sector and have a housing</p>

<p>Groups</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>need as defined by the proposed banding scheme will be eligible to join the housing register as long as they meet the other eligibility requirements.</p> <p>✓ People on a low income who are adequately housed and living at home with parents or in the private sector may perceive themselves are being negatively affected by the proposals. However, the negative impact is mitigated for those who meet the residency criterion and have a housing need as they will be eligible to join the Housing Register. It is proposed that anyone with a housing need, for example living in overcrowded housing with insufficient income to rent privately (see Appendix 1 of the Scheme) will be eligible to apply to join the housing register.</p> <p>✓ <i>Low income households, particularly lone parent families, disabled people and part-time workers</i></p> <p>Households that meet the residency criterion, have a low income and are in housing need will be eligible for the Homeseeker band. In addition, applicants in this group should be eligible for the Community Contribution Reward (CCR) if they give something back to the community. If they are not working (16 hours a week) and are in receipt of welfare benefits, they will still be eligible to apply for CCR if they volunteer at least 10 hours a month, are ex-armed forces personnel, want to foster or adopt, are willing to downsize to a smaller property, or are disabled (see section 2.1.1 and table 1 in the Scheme).</p> <p>The Community Contribution Reward (CCR) scheme recognises people who contribute to their community. It has been developed to ensure that part-time workers and that not in employment have opportunities to apply. The options include: volunteering, working, fostering or adopting, ex-armed forces personnel or wanting to downsize to a smaller home. If the main and joint applicant are disabled and unable to work/volunteer or they are main carers for a disabled child or relative they can also apply for CCR. The range of options offered to applicants to increase their priority on the housing register gives all protected characteristic groups, including lone parent families, low income households and disabled people an opportunity to achieve the Community Contribution Reward (CCR).</p>
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	<p>✓</p> <p>✓</p>		<p>✓</p>	<p>To ensure that working applicants who lose their job through no fault of their own are given an equal opportunity to apply for CCR, they are allowed to have a 3-month break over the previous 12-month period (they will need to be working or volunteering at both the beginning and end of the 12 months period).</p> <p><i>Low income households in the private rented sector or living with parents and have a housing need will be eligible to apply for the Housing Register</i></p> <p>If low income households in private rented housing are adequately housed (i.e. they have no housing needs) they may perceive themselves to be disadvantaged by the proposals. Under the <i>current</i> allocations scheme low income households who do not have a housing need are eligible to join the housing register but face many years on the waiting list due to their low priority. If the proposed scheme is adopted, then they would no longer be eligible to join the housing register. <i>Although these households are not eligible under the proposed Scheme, it should be noted that these they will still be able to seek housing assistance as homeless legislation takes affordability issues into account.</i></p>
<p><i>Other groups applicants - currently on the Housing Register</i></p>		<p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p>	<p><i>Younger people who live outside the Borough</i></p> <p>Under the proposals, anyone who lives outside of Havering will not be eligible to join the housing register. This is likely to have a negative impact on (i) younger households who may have had to move outside of the borough due to work or in order to find cheaper rents. People living outside the borough who are social housing tenants could transfer or enter a mutual exchange through the national or pan-London <i>housingmoves</i> scheme.</p> <p><i>Older people who live outside the Borough</i></p> <p>Data shows that 333 out of borough residents who are looking to move into the area are aged over 55. The proposals are likely to have a negative impact on these people. The reason why the applicant is looking to move into Havering is not formally recorded, but given the age of this group it seems likely that they would be looking to receive support from family members in the borough. People living outside the borough who are social housing tenants could transfer or enter a mutual exchange through the national or pan-London <i>housingmoves</i> scheme.</p>

6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?

6 (a) Vulnerable children & Vulnerable adults

The proposed changes will continue the work of the Housing Needs Assessment Team in safeguarding of vulnerable children and adults and have an overall positive impact. Under the proposals an emergency band has been created for households that need to move urgently, for example those fleeing domestic abuse. Anyone placed in the emergency banding will be given an assisted offer of accommodation in addition to being able to bid through the choice based letting system. It should be noted that in exceptional emergency situations, an assisted offer will be the quickest route to re-housing. This should mean that vulnerable children and/or adults will be re-housed quickly and removed from any dangerous situation.

Furthermore, the proposed Scheme will support applicant(s) who need to move to adopt or foster children, thereby continuing the care of vulnerable children, in partnership with the Council's Children and Young Adult Service. Applicants who want to foster or adopt (and meet the eligibility criteria for Homeseeker band) can apply for Community Contribution Reward and have priority over those in Homeseeker band.

PREVENTING DISCRIMINATION

7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?

7 (a) Staff

The transition phase will need to be managed to ensure the project is successfully delivered but it is not expected that the proposed scheme will have a negative impact on staff.

7 (b) Community

It is predicted that the proposed changes will have a negative impact on out of borough applicants who will no longer be eligible to join the housing register. This will particularly affect young households who have left the borough in search of employment or cheaper accommodation and elderly applicants wishing to move into the borough to live nearer to family. This decision can be justified as the Localism Act 2011 gives the Council greater power to decide who is eligible to join the housing register and there is political support for only allowing local residents to access council housing. Some of this impact will be mitigated by existing schemes designed to aid cross-borough movement. Social tenants will be able to complete a mutual exchange and Havering is currently considering joining the Pan London Mobility Scheme. In addition to this, private tenants from outside the borough will still be able to access homelessness services if required.

PROMOTING EQUALITY

8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?

8 (a) Staff

The proposed changes will have no impact on the Council's staff.

8 (b) Community

The proposed changes to the housing allocations scheme should make the housing register easier to understand by reducing the number of bands from five to two. Reducing the number of bands on the housing register will also ensure that those who are most vulnerable and who have the most housing needs are prioritised. This includes those with disabilities and BME households.

We have considered the impact of our proposals on each of the protected characteristics groups and details can be found in Section 5.

SPECIFIC NEEDS

9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?

9 (a) Staff

During the transition phase (6 months) a communications strategy and applications review will be implemented and will increase partnership working in order to communicate the policy to vulnerable clients and the wider community. Once the proposed scheme becomes effective from April 2012 it is not expected to have an impact on the Council's housing staff or existing internal partnership working relationships.

9 (b) Community

Consultation has been undertaken with wide ranging stakeholders, including Housing Register applicants, members of the public and key partner organisations such as Age Concern has been undertaken. This has allowed changes to be made to the proposals in light of residents' and partner organisations' opinions.

If the proposed scheme is adopted by the Council then a transition phase will be undertaken in order to (i) to fully explain the scheme to those directly affected who will no longer be eligible, (ii) protect the top priority bidding applicants under the current allocations scheme for a certain period and (iii) review existing applications.

- Writing to everyone on the housing register providing them with a copy of the changes that will be made to the housing register as part of the housing allocation review and how this may affect them.
- Utilise a multi-platform approach to communicate with applicants to highlight the advantages of the housing allocations review including information on the Council's internet pages. This will

promote the fact that review will simplify the housing register and allow greater focus on those in housing need.

- Team briefings with social services will also be held to ensure that their service users, including elderly and disabled people are aware of the changes and the impact they may have on them.

MONITORING AND REVIEW

10. Once implemented, how often do you intend to monitor the actual impact of the activity?

10 (a) Staff

The scheme will be review and managed through regular Project Team and frontline team meetings. The teams will share learning in order to support frontline staff and assess any impact on staff resources.

In addition, the Housing Allocations Scheme will be formally reviewed by the Project Team in April 2014 and annually thereafter.

10 (b) Community

The actual impact of the Housing Allocations Scheme on the community will be monitored using a number of different methods, including:

- Regular housing register reports to ensure that:
 - A proportionate number of BME households are being taken into account, including the monitoring the length of time larger families wait for housing under the new scheme
 - A proportionate number of households who fall into the protected groups categories are applying for the Community Contribution Reward
 - Havering Council Tenant Transfer Scheme applicants are not unfairly advantaged and being housed before those in the reasonable preference categories.
- A full review of the housing allocations scheme after it has been in operation for one year and annually thereafter, in consultation with key stakeholders
- Focus groups will be undertaken with key stakeholders on a quarterly basis, such as Adult Social Services to ensure that vulnerable households have their needs taken into consideration.

SIGN OFF AND PUBLICATION

11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the Council's website.

HEAD OF SERVICE

Name:

Date:

Signature

LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

Cabinet 26th September 2012 – Draft Tenancy Strategy

SCOPE OF PROPOSAL

1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?

Background and scope of the Tenancy Strategy

The Localism Act 2011 introduced a number of housing reforms. These changes include giving local authorities and Registered Providers (RPs) the freedom to introduce flexible fixed-term tenancies from April which have a limited security of tenure. Under the Act, the Council has a duty to adopt and publish a Tenancy Strategy that sets our guidance that registered providers of social housing must have regard to in formulating policies relating to—

- (a) the kinds of tenancies they grant,
- (b) the circumstances in which they will grant a tenancy of a particular kind,
- (c) where they grant tenancies for a term certain, the lengths of the terms, and
- (d) the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

These specific matters are set out in Chapter 7 of the Strategy.

In addition, registered providers operating in the borough must take account of other aspects of housing and welfare policy in setting Affordable Rents (which have been worked up alongside the Localism Act) and the Tenancy Strategy includes details on the Council's approach to affordable rents in the borough and sets out guidance for those providers with housing stock in the borough.

Aims of the Strategy:

- to make best use of housing stock in the borough
- to increase housing mobility
- to meet the needs of those in priority need at a time in their lives when they need social housing

The Council's Fixed-term tenancy proposals are set out in Chapter 7 of the Draft Tenancy Strategy. We propose to introduce flexible fixed-term tenancies as there are significant number of under-occupiers in our stock and similarly, large number of overcrowded households on the Housing Register. In addition, adapted properties for disabled people are in short supply. The Council's housing management service will deliver the new regime and Registered Providers must have regard to our proposals when developing their own tenancy policies.

How are these aims going to be achieved?

In developing the proposals, we have consulted and taken account of the views of applicants on the Council's Housing Register, residents and local housing steering groups.

The Council has established working partnerships with Registered Providers and held consultation events in order to fully inform development of the strategy proposals and will use these partnerships to communicate the proposals if the draft tenancy strategy is adopted.

1 (a) Organisation and Staffing

The Council's fixed-term tenancies policy proposals affect existing staff in the Council's Housing Services, other internal services such as Adult Social Care, and Homes in Havering's Housing Management Service which is being transferred to the Council.

1 (b) Services to the Community

The guidance and proposals in the Council's Tenancy Strategy will inform Registered Providers' own tenancy policies and ensure that from 1 April 2013 new tenants are provided with at least the minimum tenancy term and that the proportion of properties let by Register Providers at an Affordable Rent are in line the Council's expectations.

PEOPLE AFFECTED

2. Which individuals and groups are likely to be affected by the activity?

2 (a) Staff Individuals and Groups

Staff

London Borough of Havering

- Havering Council's Housing Needs and Strategy service
- Homes in Havering's Housing Management Services (tenancy management, rent management, ASB teams) following service transfer to the Council
- Other internal partner such as Havering Council's Adult Social Care Service

External organisations (in partnership)

- Registered providers will have due regard to the Council's Tenancy Strategy when developing their own tenancy and lettings policies
- East London Lettings Company (ELLC) which operates Havering Council's choice based lettings scheme
- Community organisations including Age Concern

2 (b) Community Individuals and Groups (including voluntary organisations)

Fixed-term tenancies

Existing Havering Council tenants

Existing Havering Council tenants with secure lifetime tenancies will not be affected by the proposals, even if they transfer within the Council's housing stock. In cases where a secure lifetime tenant wants to enter into a mutual exchange with a fixed-term tenant, they will need to make a request of the landlord to agree to surrender and sign a new tenancy in order to retain a lifetime tenancy. We will work with Registered Providers to honour existing tenants' tenancies. For example, should the Council undertake a small or large scale voluntary transfer to a RP in the future, it will ensure existing tenants with secure lifetime tenancies are provided with assured tenancies.

New Council tenants

The policy will affect new Council tenants from 1 April 2013, with the exception of people who move to properties designated for tenants aged 60 years and above. These are sheltered and extra-care schemes and flats in general needs schemes designated for 60+ (or 55 years+ with a support need).

New tenants of Registered Providers

These tenants will be affected because some RPs have entered into agreement with the Homes and Communities Agency to new build new properties let at an Affordable Rent (up to 80% of market rents) and to convert a proportion of other homes to an Affordable Rent when they are re-let. Havering Council currently plans to continue to let its properties at a social rent.

Applicants on the Housing Register have access to details of properties let at a social or affordable rent and therefore need to decide whether they can afford to pay the higher Affordable Rent for a property. To help them make this decision, an Affordable Rent calculator is available on the council's choice based lettings website. In addition, some RPs may carry out a follow up financial assessment for tenants.

Focus on specific groups

The new fixed-term tenancy proposals will affect most new tenants; however there are particular groups that fixed-term tenancies will impact on to a greater extent. These include those with a protected characteristic, particularly older people, young families, employed people, low income families and households that contain someone with a disability.

DATA AND INFORMATION

3. What data/information do you have about the people with 'protected characteristics'

3 (a) Staff

Havering Council staff

It is expected that the preparation phase (between formal adoption of the policy and the effective date 1 April 2013) that includes training, procedure development, administration and publicity will require a full complement of staff in both Housing & Public Protection and Housing Management Services. The implementation of fixed-term tenancies from April 2013 will require an increase in staff training and more regular review visits or meetings with tenants in the borough.

It is expected that the Council's fixed-term tenancies policy will impact on staff resources when initial reviews of 3-year fixed term tenancies commence (9 months before the initial tenancies come to an end) in July 2016.

3 (b) Community

If the Tenancy Strategy proposals are approved, the Council's fixed-term tenancies policy will affect all new council housing tenants from 1 April 2013 with the exception of tenants that move into housing designated for people aged 60+ years. This will include people aged 55+ years if they have a support need). The Council also expects Registered Providers to continue to provide lifetime tenancies to people with severe disabilities or learning disabilities with support needs living in specialist supported housing or living in general needs housing who received long-term care and/or support services. However, we recognise that in some circumstances, offering a lifetime secure tenancy would not be appropriate for example for tenant(s) living in move on accommodation with floating support.

Age

Older people

People aged 65 to 85 years

Havering has the highest proportion of older people of any London Borough.

The Council's fixed-term tenancy policy will not impact on older people who move into housing designated for people aged 60 years+ (or 55+ with a support need) as they will be provided with a secure lifetime tenancy.

However, the proposals will impact on other older households in the following ways:

Older people who move into general needs housing

Under the proposals, these households will be given a 5-year fixed-term tenancy that will normally be renewed on a 5-year basis, unless there has been a change in circumstances.

Older people who are under-occupying their home

This includes cases where adult children have moved out and parents are now under-occupying their property. When the fixed-term tenancy is reviewed, the Council may decide to provide a fixed-term tenancy for another property so that the large family size home can be freed up for families on the Housing Register (also known as housing waiting list).

People aged 85 years+

The Tenancy Strategy highlights that while the older population age group 65+ years is expected to decrease between 2011-12, we can expect an increase (of 30% between 2001-11) in the elderly population aged 85+.

New elderly council tenants who move in to the Council's supported (also known as sheltered) or extra-care housing will be positively affected as the Council proposes to continue to provide these tenants with secure lifetime tenancies.

Young families

There are currently a large number of families with a housing need on the Housing Register. Research¹ indicates that the number of newly forming family households is likely to continue to grow, increasing the pressure on the supply of existing family-size housing in the borough.

The Council's fixed-term tenancy proposals will positively impact and better support these families in to family homes.

Disability

Disabled households on the Housing Register who need an adapted home

A recent study (July 2012) to determine the number of people with disabilities who require housing has indicated that:

- there are 578 people with disabilities who require housing, of which 48 are clients of Children and Young People and 530 are clients of Adult Social Care
- 490 of these have a Learning Disabilities (LD) (85%); 56 have Physical disabilities

¹ Strategic Housing Market Assessment 2010

(PD) (10%); and 32 have both Learning and Physical disabilities (LD and PD) (5%)

- 60% are male and 40% are female
- approximately two thirds of clients are 30 years old or younger
- 243 are known to have full time or occasional wheelchair use (42%) and a further 10 people have other mobility issues
- of the 241 clients that we know the costs of their day care and home care package, costs go up to £242,474 per annum but the average cost is £22,897 per annum.

The Council's fixed-term tenancy proposals will positively affect disabled people on the Housing Register by making more adapted homes available to meet those in greatest need.

Existing tenants with a disability

The Council's adaptations data indicates that 2011/12 and 2010/11 the Council completed major adaptations² in 89 and 95 in council homes respectively. Given this current rate of adaptations and lack of suitable ground floor flats and houses, we can see from the Housing Register data above that demand far outstrips the supply of adapted properties. Under our current tenancy policy, existing households that contain a disabled person have secure lifetime tenancies and continue to live in the property even if the adaptations are no longer needed by the household. This restricts the number of adapted properties that become available to let to families that contain a disabled person.

Existing disabled tenants with a secure lifetime tenancy will not be affected by the Council's fixed-term tenancy proposals. However, new disabled tenants *will* be affected by the proposals. The Council's fixed-term tenancy proposals set out when it will not be appropriate to renew a fixed-term tenancy. This includes when a property has been adapted to meet a disabled person's needs and they no longer require it. In these cases the Council would not renew the tenancy for the same property when it comes to an end. The household will normally be supported to move through an assisted offer and a tenancy provided for another property, unless there has been a change in circumstances or exceptional circumstances that we need to take into account. This approach will free up an adapted property that is no longer required by a household and it can be used to meet the housing needs of a disabled person(s) on the Housing Register.

Gender

Of the 236,100 borough population, 52% are female and 48% are male³. This may in part be due to women's longer life expectancy.

Housing Register data

In the last financial year (2011-12), women made up over 70% of tenants taking up an offer of accommodation from the Housing Register. The reason for this may be that women's circumstances are more likely than men's to come under a reasonable preference category, particularly given the pattern of child care. It is predicted that this

² For the purposes of the desktop study, major adaptations includes works that materially affect the property structure and comprise level access showers, extensions, door widening, bathroom/kitchen works and ramps.

³ Office of National Statistics 2010 mid-year population estimates, Office of National Statistics, 2011

preference to women will continue as the Reasonable Preference categories will remain in place.

Socio-economic groups

Households whose circumstances have improved financially

Nine months before a fixed-term tenancy comes to an end, we will review a household's income and savings to see whether the tenant(s) has a high enough income to afford different housing options or whether the affordable home could be better used by someone in greater need. In these circumstances, the Council would not renew a fixed-term tenancy and the tenant(s) would be given advice and support to find alternative housing. For these reasons, a household whose income has increased may perceive themselves as adversely affected.

CONSULTATION

4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?

4 (a) Staff

Staff who will be responsible for managing delivery of the Tenancy Strategy and fixed-term tenancies, namely officers in the Housing Needs & Service Development Team, Housing Strategy and Housing Management Service, have been members of the Tenancy Strategy Project Team.

Internal partners including Adult Social Services have been key stakeholders and engaged through consultation events, and the needs of their customers have been incorporated in to the Tenancy Strategy proposals. Consultation with other services includes Corporate Management Team briefing on 21 March, a cross organisation partnership event on 30 April and follow up event on 14 May 2012.

4 (b) Community

The Council has consulted with wide ranging stakeholders, including Housing Register applicants and local communities on the Tenancy Strategy and fixed-term tenancy proposals.

The initial consultation was undertaken with residents, Registered Providers and stakeholder groups in April-May 2012. Consultation included the following:

21 April – 20 May - Online and paper survey questionnaire

30 April – consultation event for Registered Providers and stakeholder groups

3 May – two consultation sessions at Hornchurch Library

5 May – questions and answers drop-in session at Briar Road Information Shop, Harold Hill

June - July – letters were sent to applicants on the Housing Register, setting out the key proposals and inviting them to complete a paper or online survey questionnaire

July-August – Consultation with Mayor of London and local solicitors

The results of these consultations and the Council's response are appendices to the Cabinet report.

Section 5. The impact of the proposed Housing Allocations Scheme on staff and communities has been considered, and the impact on each group is detailed in the table below.				
a. Staff	Positive impact	Negative impact	Neutral	
			✓	<p>The impact of the proposed Housing Allocations Scheme on staff has been considered. The transition phase (between Council adoption and effective date) will require a full complement of staff in the Housing Strategy Team and Housing Management Service in order to produce procedures and manage communications.</p> <p>Housing Management officers' sign-up responsibilities are not expected to change in relation to providing an Introductory Tenancy and initial fixed-term tenancy. The main impact of the proposed policy will be additional staff time spent reviewing and renewing fixed-term tenancies, and possibly orders cases. Staff from the housing management service have been part of the Project Team and fully input into the development of the Council's Tenancy Policy.</p> <p>In order to manage the future impact on the housing management service, the earliest review start has been considered in the example below:</p> <p>April 2013 – Commence 12-months Introductory Tenancy April 2014 – Commence a 3-year fixed-term tenancy July 2016 – commence review (9 months before the tenancy comes to an end)</p> <p>At this stage, it is difficult to determine the number of tenancies that will need to be reviewed from 2016 onwards because data cannot be modelled on the expected number of households requiring a 12-month or 3-year tenancy (i.e. have a breach in tenancy, households that contain children over 15 years of age, or a high number of people with limited leave to remain in the country).</p> <p>Modelling analyses will be undertaken as part of the initial review in April 2014 and these will inform the Council's housing management service staff strategy.</p>

b. Communities				
Protected category	Positive Impact	Negative Impact	Neutral	Impact on protected characteristic group, mitigating measures and reasons
Existing Council tenants			<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ 	<p>There will no change to existing Havering Council tenants. They will keep their secure lifetime tenancy when the proposals are introduced.</p> <p><i>Tenant transfer to another Havering Council property</i> If an existing Havering Council tenant transfers to another Havering Council property, they will be given another lifetime tenancy for their new home.</p> <p><i>Other people in the household who move in to a Havering Council property</i> However, if people other than the tenant(s) lives in the property, such as a son and/or daughter and they move in to their own council property, they would be given a fixed term tenancy.</p> <p><i>Mutual exchange with a fixed-term tenant</i> If an existing Havering Council tenant whose secure lifetime tenancy started before 1 April 2012 wants to enter a mutual exchange with a fixed-term tenant, both parties need to make a request to the landlord for the tenancies to be surrendered and new tenancies provided. By doing so, a secure lifetime tenant can protect their existing rights. This will not have an adverse impact on their tenancy rights, if they exchange with a property let at an Affordable Rent they will need to pay the increased level of rent.</p>

Age	✓		<p><i>People aged 60+ years (or 55+ years with a support need)</i> These people will be positively affected under the proposals as the Council will continue to provide secure lifetime tenancies for older people who move into Council housing designated for over 60+ years.</p> <p>✓ <i>Supported (sheltered housing) tenants – a couple with different ages</i> Under the Localism Act 2011 there is one succession right to the remaining spouse of civil partner on the death of the tenant. In cases where a much younger partner, for example a 45 year old succeeds a tenancy in supported (sheltered) housing, an adjustment period of 6 months will be provided before a fixed-term tenancy will be provided for another property in general needs housing. We will take account of the welfare needs of this partner when making an assisted offer to ensure the property meets their needs.</p> <p>✓ <i>Older people – whose children have moved out of the family home</i> Under the proposals under-occupiers will be given a new tenancy for another property (unless there are exceptional circumstances) through an assisted offer. The Council will take account of the downsizer’s circumstances and any exceptional circumstances, for example welfare and social needs of a vulnerable client and terminal illness when making a decision.</p> <p>✓ <i>Young families on the Housing Register</i> Under the proposals the Council will provide under-occupiers with a tenancy for a smaller property and this will free up family size homes for young families.</p> <p><i>Care leavers</i> The Council provides services to care leavers to support them through the transition to fixed-term tenancies, in partnership with a RP operating in the Borough. This is a separate project.</p>
Disability	✓		<p><i>Disabled people on the Housing Register</i> The Strategy aims to make the best use of housing stock, including adapted housing in the</p>

	✓		✓	<p>borough for those in priority need.</p> <p><i>Disabled people with severe disabilities and learning disabilities on the Housing Register</i> The Council expects Registered Providers to continue to provide lifetime tenancies for people with severe disabilities who have a long-term care and/or support plan in place. Exceptions to this proposal include move on accommodation where floating support is provided.</p> <p><i>Existing disabled tenants – Affordable and social rents</i> It is recognised that some people with disabilities may be negatively affected by the introduction of welfare reform, that is their benefit and/or income may reduce, and this may affect their ability to afford a property at an Affordable Rent. While housing at a social rent will continue to be provided by the Council and RPs, the Council is working in partnership with Adult Social Services to develop support packages that can help people to maintain their tenancies or support them to transfer where necessary. In addition, the Council and Homes in Havering will work proactively with households to and raise awareness of Housing benefits discretionary payments when households are under-occupying a property. Registered Providers also provide financial advice and support to their tenants.</p>
Gender	✓		✓	<p><i>Older women</i></p> <p>In the last financial year (2011-12), women made up over 70% of tenants taking up an offer of accommodation from the Housing Register and this trend is expected to continue. Given the higher proportion of lettings to women and their longer life expectancy, a higher proportion of older women (compared to older men) are likely to be given lifetime tenancies in supported (sheltered) housing. Similarly, there are likely to be a higher number of women re likely to be affected by the introduction of fixed-term tenancies.</p>
Gender reassignment/identity			✓	<p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group.</p>

Marriage, Civil Partnership and cohabiting couples	✓	✓	<p><i>Spouse or partner of a disabled person who has moved in to <u>permanent</u> residential care or who has died</i></p> <p>If a property has been adapted to meet the needs of a disabled person who no longer lives there, the tenancy will not be renewed at that particular property under the proposals. In these situations, the Council will check whether any exceptional circumstances need to be taken in to account. It will also take account of the remaining partner's needs and support them through an assisted offer with a new tenancy for another property. Should the disabled partner move into permanent residential care at the end of the tenancy term, the remaining partner will be given a 6 months adjustment period before the Council provides a new tenancy for another property.</p> <p>Under the proposals, the Council will take account of the remaining household and any exceptional circumstances such as the impact of moving a child away from a school when the move would have a significant detrimental impact on their educational development, or local employment when a move to another part of the borough would have a significant impact on their employment.</p> <p>There may also scenarios when a succeeding partner is very frail or disabled and the adaptations at the property meet their needs and moving to another property will not meet their need. In these cases the tenancy will normally be renewed (unless there are other changes in their circumstances).</p>
Pregnancy & Maternity			<p>✓</p> <p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group.</p>
Race/ethnicity	✓		<p><i>Families with a BME heritage</i></p> <p>Under the proposals people who want to downsize, or who are under-occupying a property when the tenancy is renewed will normally be supported through assisted offers and new tenancy for a smaller property. This should free up large, family homes and should be an advantage for BME households who show a high rate of overcrowding.</p>

People with limited leave to remain in the country			✓	<p><i>People with limited leave to remain in the country</i> Under the proposals people with a limited leave to remain in the country will be given a 3 year tenancy after successfully completing an introductory tenancy. This is aligned to the five years limited leave to remain period after which they would not normally be eligible for council housing. This does not significantly advantage or negatively impact on this group.</p>
Religion or belief			✓	<p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group.</p>
Sexual Orientation			✓	<p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group as same sex couples are treated the same as heterosexual married, civil partners and co-habiting partners.</p>
Socio-economic Groups	✓			<p><i>People of working age with housing need and on a low income</i> The proposals will positively affect and meet the needs of those in priority need at a time in their lives when they need social or affordable housing the most.</p>
	✓	✓		<p><i>People of working age whose circumstances have changed – their income has increased between tenancies</i> Under the proposals, if a tenant(s) circumstances have changed when the tenancy is reviewed, they may be able to afford other housing options and in these circumstances the Council would not provide a further tenancy. As a result this group may perceive themselves to be disadvantaged. Although the Council would not renew the tenancy, the tenant(s) would still receive housing advice in order to seek other housing, for example a shared ownership or rented private property.</p>
			✓	<p>People on low incomes – having difficulty to pay social or affordable rents The Council's Housing Management Service provides debt counselling service to support people with financial difficulties. RPs or their partners also normally provide a similar service.</p>

6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?

6 (a) Vulnerable children

We have considered the impact of the Council's tenancy policy on safeguarding vulnerable children. For example, fixed-term tenancy reviews may assist in early identification of vulnerable children. We also recognise that having a stable family home improves children's educational achievement. For this reason, we will normally renew a fixed-term tenancy unless there has been a change in the household's circumstances. Furthermore, there are exceptional circumstances when children must be taken into account. For example:

- When a child in the household attends school and a move would have a significant detrimental impact on their educational development

6 (b) Vulnerable adults

We have considered the impact of the Council's fixed-term tenancy proposals on vulnerable adults. There are exceptional circumstances when the Council would renew a fixed-term tenancy, even when the household's circumstances have changed. These include:

- when the Council's Adult Social Care or other colleagues believe the tenant is a vulnerable adult
- The household contains someone with a disability, and moving to another property will not meet their current needs, or
- someone in the household is terminally ill
- when the tenant(s) is employed and a move would have a significant impact on their employment.

PREVENTING DISCRIMINATION

7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?

7 (a) Staff

The impact of proposals on staff have been considered, please refer to section 5 above.

7 (b) Community

The impact of the proposals has been considered and is detailed in section 5 above.

PROMOTING EQUALITY

8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?

8 (a) Staff

The proposals will have no impact on the Council's current staff.

8 (b) Community

A Communications Strategy is being developed in order to explain the introduction of fixed-term tenancies across all groups in our local communities.

SPECIFIC NEEDS

9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?

9 (a) Staff

The specific needs of staff have been considered and are detailed in section 5.

9 (b) Community

Please refer to section 5 above.

MONITORING AND REVIEW

10. Once implemented, how often do you intend to monitor the actual impact of the activity?

10 (a) Staff

We will monitor the impact on the implementation of fixed-term tenancies through monthly team meetings and 121s and more formally through quarterly review meetings. A formal review will be undertaken in April 2014.

10 (b) Community

Affordable rent levels will be monitored through the nomination arrangements.

The impact of fixed-term tenancies on the community will be monitored and reviewed through monthly performance monitoring operated by the Council's housing management service.

SIGN OFF AND PUBLICATION

- 11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the council's website.**

HEAD OF SERVICE

Name:

Date:

Signature:

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