



Date: 11<sup>th</sup> September 2015

The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

Dear Sir or Madam

You are hereby summoned to attend a meeting of the Customer Service and Transformation Scrutiny Committee of the Bolsover District Council to be held in Chamber Suites 1 and 2, The Arc, Clowne on **Monday 21<sup>st</sup> September 2015** at **1000** hours.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 2.

Yours faithfully

Assistant Director of Governance and Monitoring Officer

To: Chairman and Members of the Customer Service and Transformation Scrutiny Committee

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Chief Executive Officer: Wes Lumley, B.Sc. F.C.C.A.



**CUSTOMER SERVICE AND TRANSFORMATION SCRUTINY  
COMMITTEE AGENDA**

**Monday 21<sup>st</sup> September 2015 at 1000 hours in Chamber Suites 1 and 2,  
The Arc, Clowne**

Item No.		Page No.(s)
	<b><u>PART A – FORMAL</u></b>	
	<b><u>PART 1 OPEN ITEMS</u></b>	
1.	<b><u>Apologies for Absence</u></b>	
2.	<b><u>Urgent Items of Business</u></b>	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972	
3.	<b><u>Declarations of Interest</u></b>	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes of a meeting held on 27 <sup>th</sup> July 2015.	3 to 5
5.	List of Key Decisions & Items to be Considered in Private.	6 to 10
	<i>(Members should contact the officer whose name appears on the List of Key Decisions for any further information).</i>	
6.	Call In of Executive Minute No. 0193 – Choice Based Lettings 2015 Review	11 to 30
7.	Work Plan	31 to 32
	<b><u>PART B – INFORMAL</u></b>	
	The formal meeting of the Improvement Scrutiny Committee ends at this point. Members will meet informally as a working party to carry out their review work. This meeting is closed to the public, so members of the public should leave at this point.	
7.	Review of CAN Ranger Service.	

## **CUSTOMER SERVICE AND TRANSFORMATION SCRUTINY COMMITTEE**

Minutes of a meeting of the Customer Service and Transformation Scrutiny Committee of the Bolsover District Council held in Chamber Suites 1 and 2, The Arc, Clowne on Monday 27<sup>th</sup> July 2015 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor R. Bowler in the Chair

Councillors P.M. Bowmer, C.P. Cooper, M.G. Crane, R. Heffer, A. Joesbury, J.E. Smith, E. Stevenson and R. Turner

Also in attendance with the permission of the Chair was Councillor K. Reid (Portfolio Holder for Community Cohesion, Audit and Legal and Governance)

Officers:-

J. Foley (Assistant Director – Customer Service and Performance), K. Drury (Information, Engagement and Performance Manager), C. Millington (Scrutiny Officer) and A. Brownsword (Governance Officer)

### **0234. APOLOGY**

An apology for absence was received from Councillor D. McGregor.

### **0235. MINUTES SILENCE**

A minutes silence was held for Councillor Eric Hall who had recently passed away.

### **0236. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **0237. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **CUSTOMER SERVICE AND TRANSFORMATION SCRUTINY COMMITTEE**

### **0238. MINUTES – 29<sup>TH</sup> JUNE 2015**

Moved by Councillor J.E. Smith and seconded by Councillor R. Turner

**RESOLVED** that with the inclusion of apologies from Councillor R. Heffer, the minutes of a meeting of the Customer Service and Transformation Scrutiny Committee held on 27<sup>th</sup> July 2015 be approved as a true and correct record.

### **0239. LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE**

It was noted that the next edition of the List of Key Decisions and Items to be Considered in Private would be published on 7<sup>th</sup> August 2015.

### **0240. INTRODUCTION TO CORPORATE PLAN TARGETS**

The Assistant Director – Customer Service and Improvement gave a presentation in respect of the recently approved Corporate Plan targets. The Corporate Plan had been approved in July and had taken 12 months to develop. It was a new four year plan with new aims, priorities and targets which had been developed with the involvement of Members, Officers and public consultation.

The new Corporate Plan was based largely around the Growth Strategy and templates were to be completed regarding the targets to establish base line data. It was important to note that for some targets there would be legitimate time lags where the data was awaited from another source.

Two aims were relevant to the Customer Service and Transformation Scrutiny Committee and a document was circulated which gave Members information regarding the priorities and targets for each of the aims.

The first report would be presented to the November meeting of the Customer Service and Transformation Scrutiny Committee. Cabinet Members would be in attendance to answer any queries.

The targets had been assessed to ensure that they were SMART and updates should be transparent. Good performance should be celebrated and Officers should be honest about under performance. Consistent under performance could generate a scrutiny review.

## **CUSTOMER SERVICE AND TRANSFORMATION SCRUTINY COMMITTEE**

The presentation gave examples of good and bad performance updates and it was noted that Members needed to look at the updates in a strategic manner.

Members asked questions regarding non completion of updates and extension of target dates. The Assistant Director – Customer Service and Improvement noted that Officers had been informed that proper updates should be given. It was also noted that 86% of targets in the previous Corporate Plan had been achieved.

Moved and seconded

**RESOLVED** that the report be noted.

### **0241. WORK PLAN**

The Customer Service and Transformation Scrutiny Committee Workplan was presented for Members information.

Moved by Councillor R.J. Bowler and seconded by Councillor R. Heffer

**RESOLVED** that the workplan be noted.

The formal part of the Customer Service and Transformation Scrutiny Committee meeting concluded at 1044 hours and members then met as a working party to continue their review work. The working party concluded at 1140 hours.



The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

## **Key Decisions & Items to be Considered in Private**

**To be made under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

**Published on: 4 September 2015**

## INTRODUCTION

The list attached sets out decisions that are termed as “Key Decisions” at least 28 calendar days before they are due to be taken by the Executive or an officer under delegated powers.

Preparation of the list helps Executive to programme its work. The purpose of the list is to give notice and provide an opportunity for consultation on the issues to be discussed. The list is updated each month with the period of the list being rolled forward by one month and republished. The list is available for public inspection at the The Arc, High Street, Clowne, S43 4JY. Copies of the list can be obtained from Sarah Sternberg, Assistant Director – Governance & Monitoring Officer at this address or by email to [sarah.sternberg@bolsover.gov.uk](mailto:sarah.sternberg@bolsover.gov.uk).

The list can also be accessed from the Council’s website at [www.bolsover.gov.uk](http://www.bolsover.gov.uk). The Executive is allowed to make urgent decisions which do not appear in the list, however, a notice will be published at The Arc and on the Council’s website explaining the reasons for the urgent decisions. Please note that the decision dates are indicative and are subject to change.

The names of Executive members are as follows:

Councillor A M Syrett - Leader  
Councillor M Dooley – Deputy Leader  
Councillor T Connerton  
Councillor B R Murray-Carr  
Councillor K Reid  
Councillor J Ritchie

The Executive agenda and reports are available for inspection by the public five clear days prior to the meeting of the Executive. The papers can be seen at The Arc at the above address. The papers are also available on the Council’s website referred to above. Background papers are listed on each report submitted to the Executive and members of the public are entitled to see these documents unless they contain exempt or confidential information. The report also contains the name and telephone number of a contact officer.

Meetings of the Executive are open to the public and usually take place in the Chamber Suites at The Arc. Occasionally there are items included on the agenda which are exempt and for those items the public will be asked to leave the meeting. This list shows where this is intended and the reason why the reports are exempt or confidential. Members of the public may make representations to the Assistant Director – Governance & Monitoring Officer about any particular item being considered in exempt.

The list does not detail all decisions which have to be taken by the Executive, only “Key Decisions”. In these Rules a “Key Decision” means an executive decision, which is likely:

- (1) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates; or
- (2) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

In determining the meaning of “significant” the Council must have regard to any guidance for the time being issued by the Secretary of State. The Council has decided that income or expenditure of £50,000 or more is significant.

**The dates for meetings of Executive in 2015/2016 are as follows:**

2015	5 October 2 November 30 November
2016	4 January 1 February 29 February 4 April 25 April



The Council hereby gives notice of its intention to make the following Key Decisions and/or decisions to be considered in private:

<b><i>Matter in respect of which a decision will be taken</i></b>	<b><i>Decision-maker</i></b>	<b><i>Date of Decision</i></b>	<b><i>Documents to be considered</i></b>	<b><i>Contact Officer</i></b>	<b><i>Is this decision a Key Decision?</i></b>	<b><i>Is this decision to be heard in public or private session</i></b>
<b>Vehicle Replacements</b>  To approve expenditure in the purchase of vehicle replacements utilised with the housing management and maintenance service.	Executive	Within the next 3 months	Report of Councillor B. Murray- Carr, Portfolio Holder for Environment	Assistant Director - Streetscene	Yes – involves expenditure of £50,000 or more.	Private – relates to financial affairs and contractual arrangements of the authority.
<b>Accessing and Benefitting from Devolved Funding via D2N2 for Employment and Skills Programmes</b>	Executive	September 2015	Report of Councillor A. Syrett, Leader of the Council and Growth Portfolio Holder	Assistant Director – Economic Growth	Yes – could impact on two or more District wards.	Public

<b><i>Matter in respect of which a decision will be taken</i></b>	<b><i>Decision-maker</i></b>	<b><i>Date of Decision</i></b>	<b><i>Documents to be considered</i></b>	<b><i>Contact Officer</i></b>	<b><i>Is this decision a Key Decision?</i></b>	<b><i>Is this decision to be heard in public or private session</i></b>
<b>Medium Term Financial Plan 2015/16 to 2017/18</b>  To update Members regarding the current position and to agree financial savings in respect of this period whilst maintaining service delivery at agreed levels.	Executive	September 2015	Report of Councillor A. Syrett, Leader of the Council and Growth Portfolio Holder	Executive Director - Operations	Yes – involves expenditure of £50,000 or more.	Public
<b>Approval of a tender for wide area network connections</b>	Executive	October 2015	Report of Councillor J Ritchie, Portfolio Holder for Housing and IT	ICT Manager	Yes – involves expenditure of £50,000 or more	Public
<b>Corporate Payment System</b>  Proposal to review and upgrade the corporate payment system to comply with changes in legislation.	Executive	October 2015	Report of Councillor A Syrett, Leader of the Council and Portfolio Holder for Finance	Assistant Director – Finance and Revenues and Benefits	Yes – involves expenditure of £50,000 or more	Private – relates to financial affairs and contractual arrangements of the authority.

**Bolsover District Council**

**Customer Service and Transformation Scrutiny Committee**

**21<sup>st</sup> September 2015**

**Call In of Minute 0193 – Choice Based Lettings – 2015 Review**

**Report of the Governance Manager**

This report is public

**Purpose of the Report**

- To consider a call in relating to changes to the Council's Choice Based Lettings (CBL) System

**1 Report Details**

Executive considered a report at its meeting on 13<sup>th</sup> July 2015 in relation to changes to the Council's Choice Based Lettings (CBL) System. Executive resolved, in line with officer recommendation, that:

- (1) The Council withdraw from the sub-regional choice based letting system. The time-frame for this to be determined by the Assistant Director of Community Safety and Head of Housing following consultation with the Portfolio Holder for Housing.
- (2) A number of minor changes to the Allocations Scheme be made to have the following impacts:
  - a. The quota system for properties be replaced by a simplified set of rules.
  - b. High level medical points be only offered to residents of the District.
  - c. Applicants who have been re-housed by the Council not be considered for alternative accommodation for a period of at least three years.
  - d. An applicant who has given up a tenancy be excluded from the waiting list for a period of at least three years.
  - e. Households may be suspended from the waiting list if any member of the household has a housing related debt.
  - f. People may be excluded from the waiting list if the Council consider their behaviour makes them unsuitable to hold a tenancy.

- g. People from outside the District be treated as if they reside in the District if they have a job within the district that has lasted for more than 12 months and was for more than 12 hours per week.
- h. New financial check will be introduced for applicants who may be unable to afford their accommodation.
- i. People only to be able to appear as part of one application.

(3) The Housing Application form be simplified. Additional questions be used including questions about a connection to the armed forces.

(4) Members note that the Assistant Director of Community Safety and Head of Housing has used delegated powers to stop using some types of bidding as they did not offer value for money.

(5) The Assistant Director of Community Safety and Head of Housing be given delegated authority, following consultation with the Portfolio Holder for Housing, to introduce an alternative CBL system if this provided better value than the existing system.

(6) Members ask the Housing Working Group to consider the following questions, and report back to a future meeting of Executive.

- a. Should applicants be asked about their level of income?, and
- b. What level of income should exclude people from the waiting list?
- c. Should applicants be asked about their level of savings and equity in their current home? And
- d. What level of savings or equity should exclude people from the waiting list?
- e. Should applicants be asked if they own any other property (in any part of the world), and
- f. Should this exclude people from the waiting list

1.1 The decision was published on 20<sup>th</sup> July 2015 and Members were informed that they had until the end of 27<sup>th</sup> July 2015 to call the decision in. The decision was called in on 27<sup>th</sup> July 2015 by Councillors M.G. Crane and R. Turner.

1.2 The reason given for the call in was: To allow scrutiny of alterations to the Allocations Policy.

1.3 In line with the Council's Constitution, the Portfolio Holder for Housing and IT has been asked to attend the call in together with the Assistant Director – Community Safety and Head of Housing.

1.4 The process for considering the call in is for the Chair and Committee to decide however a proposed process is set out below:

- (a) The two signatories to the call in are asked to set out their reasons for calling in the item and may be asked questions by the Portfolio Holder for Housing and IT and the Committee.
- (b) The Portfolio Holder for Housing and IT, supported by the Assistant Director – Community Safety and Head of Housing, will respond to the call in and may be asked questions by the call in signatories and the Committee.
- (c) The Committee will then deliberate and decide what to do. The options available are set out in section 6 of this report. The call in signatories, Portfolio Holder and officers may remain in the room while this happens.

1.5 If the Committee decides to take no further action and endorses the decision by the Executive then the decision may be implemented immediately after this meeting.

1.6 If the Committee decides to refer the matter back to the Executive then it will be reconsidered at the meeting of the Executive on 5<sup>th</sup> October 2015. Having reconsidered the original decision, Executive may decide to affirm their original decision or to take a different decision.

1.7 The Committee may refer the matter to Council at this juncture but only if it is deemed to be outside the Policy or Budget Framework.

## **2 Conclusions and Reasons for Recommendation**

2.1 To enable the Committee to consider a call in requested by two Scrutiny members.

## **3 Consultation and Equality Impact**

3.1 As set out in the report.

## **4 Alternative Options and Reasons for Rejection**

4.1 This report sets out the options and it is for the Committee to decide, by a positive resolution, which option to choose.

## **5 Implications (financial, legal, HR)**

As set out in the report.

## **6 Recommendations**

6.1 There is no officer recommendation in respect of this report. Instead, the Committee has three options:

- (a) To take no further action and endorse the decision taken by the Executive. The decision may be implemented immediately after this meeting.
- (b) To refer the matter back to the Executive for reconsideration. The Committee should state its concerns and reasons for referring back. The decision may not be implemented until the matter has been considered.

- (c) To refer the matter to Council. This would only be where the Committee felt the decision was outside the Council's Budget Policy and Framework.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	Providing Our Customers With Excellent Service

## 8 Document Information

Appendix No	Title
A	Call In Notice
B	Minute extract from Executive, 13 <sup>th</sup> July 2015
C	Report from Executive, 13 <sup>th</sup> July 2015
D	Call in Procedures
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None.	
<b>Covering Report Author</b>	
Matthew Kane, Governance Manager	<b>Contact Number</b> 01246 242505

Report Reference –

## Executive – 13<sup>th</sup> July 2015

### 0193. CHOICE BASED LETTINGS – 2015 REVIEW

Executive considered a report of the Portfolio Holder for Housing and IT which proposed a number of changes to the Council's Choice Based Lettings (CBL) System.

The CBL system was introduced in 2012. It offered applicants more choice over where they lived by bidding for properties. This differed from the previous system that allocated properties to people. Since then over 1,400 properties had been let through the system and there were currently 1,900 applicants on the register.

The report proposed a number of changes to the current system, some of which had been proposed by a scrutiny review. The changes concerned the Allocations Policy and in particular the sub regional scheme, quotas, medical points, eligibility, applicants with Housing Related Debt, exclusions, connections with the District, under occupation, the housing application form, multiple applications, forces personnel, vetting of tenants as well as bidding for properties.

Moved by Councillor J Ritchie and seconded by Councillor B R Murray-Carr.

**RESOLVED** that:

- (1) The Council withdraw from the sub-regional choice based letting system. The time-frame for this to be determined by the Assistant Director of Community Safety and Head of Housing following consultation with the Portfolio Holder for Housing.
- (2) A number of minor changes to the Allocations Scheme be made to have the following impacts:
  - a. The quota system for properties be replaced by a simplified set of rules.
  - b. High level medical points be only offered to residents of the District.
  - c. Applicants who have been re-housed by the Council not be considered for alternative accommodation for a period of at least three years.
  - d. An applicant who has given up a tenancy be excluded from the waiting list for a period of at least three years.
  - e. Households may be suspended from the waiting list if any member of the household has a housing related debt.
  - f. People may be excluded from the waiting list if the Council consider their behaviour makes them unsuitable to hold a tenancy.
  - g. People from outside the District be treated as if they reside in the District if they have a job within the district that has lasted for more than 12 months and was for more than 12 hours per week.

- h. New financial check will be introduced for applicants who may be unable to afford their accommodation.
  - i. People only to be able to appear as part of one application.
- (3) The Housing Application form be simplified. Additional questions be used including questions about a connection to the armed forces.
  - (4) Members note that the Assistant Director of Community Safety and Head of Housing has used delegated powers to stop using some types of bidding as they did not offer value for money.
  - (5) The Assistant Director of Community Safety and Head of Housing be given delegated authority, following consultation with the Portfolio Holder for Housing, to introduce an alternative CBL system if this provided better value than the existing system.
  - (6) Members ask the Housing Working Group to consider the following questions, and report back to a future meeting of Executive.
    - a. Should applicants be asked about their level of income?, and
    - b. What level of income should exclude people from the waiting list?
    - c. Should applicants be asked about their level of savings and equity in their current home? And
    - d. What level of savings or equity should exclude people from the waiting list?
    - e. Should applicants be asked if they own any other property (in any part of the world), and
    - f. Should this exclude people from the waiting list

**REASON FOR DECISION:** To introduce a number of changes to the system.

**OTHER OPTIONS CONSIDERED:** To do nothing which was rejected as a series of minor changes should improve the system for all users and satisfy the issues previously identified by Scrutiny.

(Assistant Director – Community Safety and Head of Housing)



**Bolsover District Council**

**Executive**

**13 July 2015**

**Choice Based Lettings – 2015 Review**

**Report of the Portfolio Holder for Housing**

This report is public

**Purpose of the Report**

- To update member on the Choice based letting system
- To introduce a number of minor changes to the CBL system and application form
- To consider making changes to IT systems used by CBL

**1 Report Details**

The Council introduced a Choice Based Lettings (CBL) system in January 2012. Since this time over 1400 properties have been let through the system and there are currently around 1900 applicants on the register.

The idea behind CBL is that it offers applicants more choice over where they would live (subject to property size) by 'bidding' for properties. This differs from traditional system where the council allocates properties to people. The CBL system is more transparent and involves people in making choices over where they want to live.

There is an opportunity to make some changes to the system with a number of minor changes that have been driven by:

- Experiences of applicants, staff and councillors
- Feedback from Scrutiny reviews
- Recommendations made by audit reports
- Changes to legislation.
- Changes in the relationships with others, and
- General clarification of the existing system.

This will result in changes being made to the allocations policy, and the way people bid for properties.

**Section 1 – Allocations Policy**

- a. Sub Regional Scheme

In 2012 when the scheme was introduced the council, along with partners in north East Derbyshire, Chesterfield and Bassetlaw agreed that a small percentage of properties would be allocated using a system that was common across the sub-region, with the aim of increasing mobility to allow people to live closer to relatives or work. Although a percentage of properties were advertised this way, even these were usually let to local people, and the scheme had only limited success. More recently Chesterfield and Bassetlaw have announced their withdrawal from the scheme. It is therefore proposed to end the scheme once others withdraw from the scheme.

## **Quotas**

The 2012 scheme contained an appendix that determined how many properties would be placed into which band. This suggested

Band A – 20% - Urgent housing needs

Band B – 15% - High Housing Needs

Band C – 50% - Some housing needs

Band D – 5% - Low Housing Needs

Sub regional 10% - Let through sub-regional scheme.

The wording around this was unclear and did not make it clear that this applied to general needs housing only. Although this was later clarified with Scrutiny, the policy was not amended.

An analysis of the current banding for people on the waiting list gives the following result

Band A – 0.5% people in urgent housing need

Band B – 3.7% people in high housing need

Band C – 73.3% people with some housing need

Band D – 23.4% people with low housing need

Of these, many people in Band A and B are people with medical needs or a disability who need properties with specific adaptations to suit their needs, or need other accommodation that is in short supply. This Band also includes people to whom the council has a legal responsibility to rehouse, this includes people who are homeless.

It is therefore recommended that the quota system is simplified and a set of rules will be adopted

1. People in band A who have a need for specialist accommodation will be matched directly to properties, and these will not be advertised. Very specialist accommodation, such as a fully adapted house or a paraplegic bungalow will be allocated through the Housing Allocations and Review Panel (HARP) to ensure they are allocated to the people whose needs would be best met.

To clarify this change only applies to properties that are very specialised. Other properties may still be advertised in Band A for applicants who are placed in this band for other reasons, for example homeless or in accommodation that is unfit.

2. All properties that have an adaptation (excluding minor adaptations such as handrails or a shower over a bath) will be placed in Band B. In addition a random 10% of all properties of two bedrooms or less will be placed into Band B and if unfilled after one round of bidding, these will be advertised as Band C.

If a person wants to downsize from a property that is 4 bedrooms or above into a 3 bed property, this will be considered by the HARP panel.

3. All general needs and bungalow properties will be initially advertised as Band C. If these are not let they will be advertised as Band D. However, if there have been similar properties in a locality that have been difficult to let within the last 8 weeks, properties may be advertised as Band D immediately.

## **Medical Points**

The system of medical points currently works well with additional priority being offered where rehousing will lead to an improvement to the life of an applicant. The system does this by considering the current accommodation as well as the medical need.

The system could however offer very high priority to people from outside the district with medical needs. It is therefore recommended that the policy is altered to ensure that urgent medical priority and urgent medical priority can only be offered to people who are currently living within the district. Exceptions can be agreed by the HARP panel.

## **Eligibility**

The current allocations policy contains the following statement “Any applicant who has been rehoused by the council into a secure tenancy will not be able to reapply for housing for a period of 12 months after the starting date of their tenancy. Exceptions can be agreed by the HARP panel”

The process of reletting a property has a cost to the council, even if a property is in immaculate condition there is the need to carry out safety checks to the gas and electricity, and often there is additional cost in carrying out repairs and a rent loss whilst the property is empty.

It is therefore proposed to increase the 12 month period to a 3 year period, with exceptions being agreed by the HARP panel.

The Council will instead promote Mutual Exchanges where tenants can swap homes, with this system the incoming tenants takes all responsibility for the condition of the property, which minimises the risk to the council.

It is also proposed to include an additional clause that would prevent people who have voluntarily given up their tenancy from applying for a property for a period of at least three years. The current policy allows the Council to exclude people who have acted in a way to worsen their own housing situation, or failed to take action that would have prevented their

housing situation from worsening. It is proposed to make this clearer by introducing an additional clause.

“Tenants who have voluntarily given up a tenancy, including assignment, will be unable to apply for housing for a period of at least three years starting from the final day of their tenancy. Exceptions can be agreed by the HARP panel.”

### **Applicants with Housing Related Debt**

Under the current system an applicant with a housing related debt can be suspended from the waiting list. This is not a blanket rule, and we will look at the circumstances of the debt. However, some applicants have been trying to work around this by including a person with debt as a person to be rehoused with the applicant rather than a joint applicant.

It is proposed to address this by amending the reason from suspension for debt to include any member of the household. This will involve changes to both the policy and the application form. Again, this will not be a blanket exclusion and exceptions can be agreed by the HARP panel.

### **Exclusions**

The Council is committed to tackling anti-social behaviour and ensuring that our properties remain places where people chose to live.

The current allocations policy allows people to be excluded from the waiting list where there have been serious cases of anti-social behaviour and the actions of the tenant were so serious that the council could have gained an outright possession order against the tenant. This is a high level of proof.

It is proposed to make this a more general statement that the Council may exclude applicants from the Housing Register if we have evidence they have behaved in an unacceptable way and we consider this makes them unsuitable to have a Council tenancy

This means the following will be excluded.

- a. People who are current tenants of the Council (or other Council's or Housing Associations) who fail to pay their rent or other charges
- b. People who are current tenants of the Council (or other Councils or Housing Associations) who have (either themselves or a member of their household) broken the condition of their tenancy and this breach is so serious that the Council or (Housing Association) have been granted a suspended possession order. In this case the Council will not consider the applicant until the breach is rectified and the applicant has successfully applied to the court to have the conditions revoked.
- c. Former tenants of the Council (or other Council or Housing Association) who have lost a previous home as a result of a breach of tenancy.
- d. Tenants within the private sector who have breached the terms of their tenancy and the landlord has gained a possession order. This excludes the mandatory

possession under ground 8 where the court must grant possession if the tenant has rent arrears of over 8 weeks.

- e. People who cause or are likely to cause a nuisance or annoyance to people who live, visit or work in the locality of the home; or to the Council (as landlord) or any person employed in connection with the exercise of the Council's housing management functions, and that conduct affect these functions.
- f. People who are or have been subject to an Anti Social Behaviour Injunction, an Anti Social Behaviour Order, a Criminal Behaviour Order, a Community Protection Notice, a Closure of Premises Order.
- g. People who allow their home to be used for immoral or illegal purposes.
- h. People who make false statements about their housing situation .
- i. People who have been convicted of an offence (which carries with it a custodial sentence, whether or not custody was imposed) which was committed in, or in the locality, of their home, or committed elsewhere against a person with a right to reside, in or occupy housing accommodation in the locality, or was committed elsewhere against the landlord of the home, or a person employed in connection with the exercise of the Council's housing management functions, and that the conduct affects these function.
- j. People who let the condition of their existing property to deteriorate by a deliberate act, or by neglect.

We will act reasonable when we decide to exclude an applicant and we will consider all the relevant information before we make any decisions. In all cases applicants will be informed of the Council's decision in writing, and this will include a right to appeal.

In determining the issue it is not necessary for the applicant to have been a tenant of the Council when the poor behaviour occurred – for example an applicant who previously had a tenancy with a private landlord and was in arrears of rent or had been guilty of anti social behaviour will be subject to this part of the Policy. Also, the poor behaviour is not limited to the applicant – it extends to behaviour caused by a member of the applicant's household and visitors to the applicant's home.

An applicant can be excluded at the start of the application process, immediately prior to offer when officers are carrying out intensive checks (also see section on vetting). Or at any time when the Council becomes aware of information about the applicant that suggest they should be excluded.

### **Connection with the District.**

The current policy allows an applicant to establish a local connection if they have permanent employment within the District and this has lasted more than 12 months. It is proposed to alter this to say "People who have permanent employment within the District, working more than 12 hours per week, and this has lasted more than 12 months"

It is also proposed to add an additional section that makes it easier for key workers to establish a local connection.

Any Key Worker who has permanent employment of over 12 hours per week, or an offer of permanent employment of over 12 hours per week will be regarded as having a connection with the District. Key workers are regarded as Teachers, Teaching Assistants, Nurses, Polices Officers and Fire Fighters. In addition Executive may, from time to time, add to this list and include employees of certain companies if access to accommodation is viewed as a barrier to growth or relocation to the District.;

### **Under occupation**

As there is a shortage of one bedroom general needs properties within the District, it is possible for a single person or a couple to be allocated a two bed flat, where the tenants will be subject to the bedroom tax. It is not proposed to change this, but to introduce an additional step of a financial assessment prior to offer. Where officers will interview applicants to explain the costs associated with living in a property, and makes a financial assessment on their ability to meet this commitment.

If this assessment suggests that that the accommodation would be unaffordable the offer will be withdrawn and the applicant awarded financial needs points for a one bed property only, unless these have already been awarded.

An alternative to this would be to only allow single people and couples to apply for one bed properties. However, given the shortage of one bed properties this would mean that many people had no realistic chance of being rehoused for several years. It is felt the additional financial assessment offers more flexibility.

### **Housing Application Form.**

The current housing application form included, at the request of the previous Housing Strategy Officer, a number of additional pages with questions about the applicants preferences which was intended to inform future housing development. However, no analysis has been carried out on the data collected.

A scrutiny review of Choice Based Lettings suggested that this information is removed from the application form once current stocks run out. This is now the case, and it is suggested that the from is redesigned – with the final form being agreed by the Head of Housing in consultation with the Improvement Scrutiny Panel.

The same review of CBL also suggested incorporating other changes to the CBL system, in particular excluding people with either equity / savings over a particular level or with income over a certain level. Applicants would be excluded from the applying for housing if they had high level or savings and/or income. Previously members have not wanted to ask these questions to applicants.

It is proposed that the Housing Working Group that was established at Junes Executive to consider sheltered housing provision is also asked to consider if the allocation policy should be altered to consider the following issues.

- a. Should applicants to be asked about their level of income?, and

- b. What level of income should exclude people from the waiting list?
- c. Should applicants be asked about their level of savings and equity in their current home? And
- d. What level of savings or equity should exclude people from the waiting list?
- e. Should applicants be asked if they own any other property (in any part of the world), and
- f. Should this exclude people from the waiting list

The group will report back to Executive after a period of no greater than 6 months, with their findings.

### **Multiple Applications**

Under the current system a person may appear on more than one application. For example, an adult child living with parents may appear as part of their parent's application (as someone you want to be rehoused with the main applicant) and also make an application in their own right. In some cases it may appear that two households are overcrowded.

It is proposed to amend the eligibility rules to make it clear that a person may only be on one application form, and that an application made by a person in their own name would take precedence.

Similarly, especially in cases of couples living apart, Partner A may make an application with Partner B as either a joint applicant or a member of the household whilst Partner B may make an application with Partner A as either a joint applicant or a member of the household. In such cases it is recommended that only the higher scoring form is considered, and the other application cancelled.

### **Forces personnel.**

The allocations scheme aims to ensure that people who have served in the forces are not penalised because of this. It allows this by ensuring that people with a connection to the district who live elsewhere (for example on camp) during service are treated as if they were living within the district for this period. This applies to people currently serving and for up to 2 years after leaving.

To ensure that this is not overlooked it is proposed to add an additional question onto the applications form to ask "Have you or any member of the household spent any time in the armed forces" with an additional section to provide dates and details.

### **Vetting Tenants**

The original CBL policy suggested that references are taken for all applicants prior to an offer of accommodation. However, in practice this has proven difficult with some landlords reluctant to provide references, or not providing them in a reasonable time. This may lead

to delays in letting properties. Note, that current tenants of Bolsover Council are not asked to provide references.

It is therefore proposed to change this process, to allow it to operate more efficiently.

Firstly, applicants will be required to provide references at time of application. A failure to provide an appropriate reference will mean the application is not considered.

For existing applicants, who have not provided a reference they will be required to provide a reference at the time of their next annual review. Their application will not be considered until a reference is provided.

Secondly. At the time of allocation an additional up to date reference will be requested. This will always be required for applicants who are either tenants of another local authority or Housing Association.

If a private landlord does not provide a reference within 7 days the applicant will be asked to attend a further interview with a member for the Housing Needs team. This will involve asking a series of questions about their history of behaviour and their ability to conduct a tenancy (this is in addition to any financial assessment that is carried out). This information will be recorded on a 'Declaration of Truth' form (see appendix). The information from this form will be used to complete a risk assessment of the applicant before any firm offer of accommodation is made. The tenant will be made aware that if a tenancy is granted, and the information is incorrect, the council may take action to evict the tenant.

Copies of all paperwork (including the references request, the statement of truth and any risk assessment) will be kept and form part of the tenancy file if a tenancy is granted and be recorded on the Academy system.

## **Section 2 – Bidding for Properties.**

When the CBL system was introduced it introduced a number of ways for bidding for properties. The usage is shown on the following table

Autobid	Automated Telephone System	Text Message	Contact Centre/Housing Staff	Website	Total
3955	26	33	1699	15102	20815

As can be seen, some of these methods have proven to be less popular than originally envisaged. The JAD Community Safety and Head of Housing has used their delegated power to remove the following options

Telephone Bidding – saving around £2,500 per year. This has only been used for 26 bid since CBL was introduced, and not at all since August 2014



SMS bidding – saving around £3,500 per year. This has only been used for 33 bids, by 11 people and not used at all since August 2014.

This will generate a saving of around £6,000 per year with no noticeable change in service.

The CBL system was procured sub regionally using external funding and in effect at zero cost to the authority other than a cost of an interface. However, the annual licence fees do lie with the council and are paid from within the HRA. With the demise of the sub-regional scheme the choice of provider is less constrained. It is therefore proposed that the Head of Housing looks at alternative provision through Academy the main supplier of the Housing Management System.

If a business analysis of a period of 5 years suggests that this will provide a cheaper option with similar functionality then the Academy option can be procured. This should be a decision delegated to the Head of Housing and agreed in consultation with the Executive Director of Operations and the Portfolio Holder for Housing

## **2 Conclusions and Reasons for Recommendation**

- 2.1 The CBL system has, in general, worked well and is understood by the majority of applicants. However, there is an opportunity to make some minor changes to the system.
- 2.2 Some changes to the application form were identified by a Scrutiny review. It is proposed to make changes to the form to make it easier to complete and to reflect minor changes to policy.
- 2.3 The withdrawal of 2 councils from the sub regional CBL scheme allows the Council to consider if other IT systems offer better value to the council.
- 2.4 Members will ask the Housing Working group to consider if they wish to include assessments of savings/equity or income as part of the assessment of eligibility, and if so what is the appropriate level, and to report back to a future meeting of Executive.

## **3 Consultation and Equality Impact**

- 3.1 None directly. The original CBL scheme was subject to intensive consultation with a range of stakeholders. The changes proposed in this report are considered as minor and no further consultation has taken place.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 Do nothing. Not considered as a series of relatively minor changes should improve the system for all users and meet the demands previously identified by Scrutiny.

## **5 Implications**

### **5.1 Finance and Risk Implications**

There have been savings of around £6,000 per year from the withdrawal of SMS and telephone bidding.

There may be additional savings from switching to a different CBL system but this has not been quantified.

### **5.2 Legal Implications including Data Protection**

Not directly from this report.

### **5.3 Human Resources Implications**

Not directly from this report

## **6 Recommendations**

6.1 That the Council withdraw from the sub-regional choice based letting system. The time-frame for this to be determined by the JAD of Community Safety and Head of Housing in consultation with the Portfolio Holder for Housing.

6.2 That a number of minor changes to the Allocations scheme are made to have the following impacts

- a. The quota system for properties is replaced by a simplified set of rules
- b. High level medical points are only offered to residents of the District
- c. Applicants who have been rehoused by the Council will not be considered for alternative accommodation for a period of at least three years
- d. An applicant who have given up a tenancy will be excluded form the waiting list for a period of at least three years
- e. Households may be suspended from the waiting list if any member of the household has a housing related debt.
- f. People may be excluded from the waiting list is the Council consider their behaviour makes them unsuitable to hold a tenancy.
- g. People from outside the District will be treated as if they reside in the District if they have a job within the district that has lasted for more than 12 months and is for more that 12 hours per week.
- h. New financial check will be introduced for applicants who may be unable to afford their accommodation
- i. People will only be able to appear as part of one application.

6.3 The Housing Application form will be simplified. Additional questions will be used including questions about a connection to the armed forces.

6.4 That members note that the Assistant Director of Community Safety and Head of Housing has used delegated powers to stop using some types of bidding as they did not offer value for money.

6.5 The Assistant Director of Community Safety and Head of Housing is given delegated authority, following consultation with the portfolio holder for housing, to introduce an alternative CBL system if this provides better value than the existing system.

6.6 Members will ask the Housing Working Group to consider the following questions, and report back to a future meeting of Executive.

- a. Should applicants be asked about their level of income?, and
- b. What level of income should exclude people from the waiting list?
- c. Should applicants be asked about their level of savings and equity in their current home? And
- d. What level of savings or equity should exclude people from the waiting list?
- e. Should applicants be asked if they own any other property (in any part of the world), and
- f. Should this exclude people from the waiting list

## 7 Decision Information

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	
<b>Links to Corporate Plan priorities or Policy Framework</b>	

## 8 Document Information

Appendix No	Title
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
<b>Report Author</b>	<b>Contact Number</b>

**Call In****4.5.14**

When a decision is made by the Executive or a committee of the Executive, or a key decision is made by an officer with delegated authority from the Executive or an area committee or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council. All Members of the Council will be sent copies of the records of all such decisions, by the person responsible for publishing the decision.

The notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 clear working days after the publication of the decision, unless two members call in the decision. Members shall call in a decision of the Executive in accordance with the procedure appended to these rules. The called in item will be considered by the relevant Scrutiny Committee at its next ordinary meeting.

In the event of a called in item being within the terms of reference of more than one Scrutiny Committee, it will be for the Scrutiny Management Board to determine which Scrutiny Committee the item will go to.

The relevant Portfolio Holder shall be informed of the call-in of the relevant item and informed of the date at which the relevant Scrutiny Committee will consider the item, so that the Portfolio Member may attend that meeting of the relevant Scrutiny Committee to answer the call in.

The members calling in the item shall be informed of the date at which the relevant Scrutiny committee will consider the item.

If, having considered the decision, the Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or (if the decision appears to be outside the Policy Framework) refer the matter to the Council Meeting. If referred to the decision maker that person or body shall then consider amending the decision or not, before adopting a final decision.

If the Scrutiny Committee does not consider it at its next ordinary meeting or does consider it but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Scrutiny Committee meeting.

If the matter was referred to the Council Meeting and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective. However, if the Council Meeting does object, it has no right to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council Meeting will refer any decision to which it objects back to the decision-making person or body, together with the Council Meeting's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it.

If the Council Meeting does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

**Customer Service and Transformation Scrutiny Committee**

**Work Programme – 2015-16**

<b>Date of Meeting</b>	<b>Items</b>	<b>Lead Officer</b>	<b>Notes</b>
<b>3<sup>rd</sup> June 2015</b>	<ul style="list-style-type: none"> <li>• Managing a Scrutiny Review – CfPS skills briefing</li> <li>• Selection of Scrutiny Review subject</li> <li>• Scoping Scrutiny Review</li> </ul>	Claire Millington Claire Millington Claire Millington	
<b>29<sup>th</sup> June 2015, 10.00am</b>	<ul style="list-style-type: none"> <li>• Impacts of Welfare Reforms Scrutiny review update</li> <li>• Hard to Let Scrutiny review update on recommendations</li> <li>• Review work</li> </ul>	Councillor John Ritchie	
<b>27<sup>th</sup> July 2015</b>	<ul style="list-style-type: none"> <li>• Introduction to Corporate Plan Targets.</li> <li>• Work Plan</li> </ul>	Jane Foley	
<b>21<sup>st</sup> September 2015</b>	<ul style="list-style-type: none"> <li>• Call in of Executive minute no. 0193 – Choice Based Lettings 2015 Review</li> </ul>		
<b>19<sup>th</sup> October 2015</b>	<ul style="list-style-type: none"> <li>• Review work</li> </ul>		
<b>16<sup>th</sup> November 2015</b>	<ul style="list-style-type: none"> <li>• Half year Performance Update</li> </ul>	Kath Drury/Jane Foley	Half year update as the Corporate Plan was only agreed in July 2015.

<b>14<sup>th</sup> December 2015</b>	<ul style="list-style-type: none"> <li>Review Work</li> </ul>		
<b>18<sup>th</sup> January 2016</b>	<ul style="list-style-type: none"> <li>Review work</li> </ul>		
<b>15<sup>th</sup> February 2016</b>	<ul style="list-style-type: none"> <li>Quarter 3 Performance Update</li> </ul>	Kath Drury/Jane Foley	
<b>14<sup>th</sup> March 2016</b>	<ul style="list-style-type: none"> <li></li> </ul>		
<b>18<sup>th</sup> April 2016</b>	<ul style="list-style-type: none"> <li></li> </ul>		
<b>23<sup>rd</sup> May 2016</b>	<ul style="list-style-type: none"> <li>Quarter 4 Performance Update</li> </ul>	Kath Drury/Jane Foley	