



# CABINET

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**Monday, 4 February 2019**

**10.00 a.m.**

**Council Chamber, Rotherham Town Hall,  
Moorgate Street, Rotherham. S60 2TH**

**Cabinet Members:-**

Leader of the Council  
Deputy Leader of the Council,  
Children's Services and Neighbourhood Working Portfolio  
Adult Social Care and Health Portfolio  
Cleaner, Greener Communities  
Corporate Services and Finance Portfolio  
Housing Portfolio  
Jobs and the Local Economy Portfolio  
Waste, Roads and Community Safety Portfolio

Councillor Chris Read  
Councillor Gordon Watson  
  
Councillor David Roche  
Councillor Sarah Allen  
Councillor Saghir Alam  
Councillor Dominic Beck  
Councillor Denise Lelliott  
Councillor Emma Hoddinott

**Rotherham**  
Metropolitan  
Borough Council 

## **CABINET**

**Venue:** Council Chamber - Rotherham Town Hall, Moorgate Street, Rotherham, South Yorkshire S60 2TH

**Date and Time:** Monday, 4th February, 2019 at 10.00 a.m.

**Agenda Contact** James McLaughlin, Head of Democratic Services  
01709 822477 or james.mclaughlin@rotherham.gov.uk

This meeting will be webcast live and will be available to view via the [Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Democratic Services Officer of their intentions prior to the meeting.

## **A G E N D A**

### **1. Apologies for Absence**

To receive apologies from any Member who is unable to attend the meeting.

### **2. Declarations of Interest**

To invite Councillors to declare any disclosable pecuniary interests or personal interests they may have in any matter which is to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

### **3. Questions from Members of the Public**

To receive questions from members of the public who wish to ask a general question in respect of matters within the Council's area of responsibility or influence.

Subject to the Chair's discretion, members of the public may ask one question and one supplementary question, which should relate to the original question and answered received.

Councillors may also ask questions under this agenda item.

#### **4. Exclusion of the Press and Public**

Agenda Item 7 has exempt appendices. Therefore, if necessary when considering that item, the Chair will move the following resolution:-

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

### **HOUSING**

#### **5. Revision to Housing Allocation Policy (Pages 1 - 24)**

Report of the Strategic Director of Adult Care, Housing and Public Health

Recommendations:-

1. That the five proposed amendments to the Allocation Policy detailed below are approved:-
  - (a) Amend the banding related to homelessness households to award a higher band following a full homelessness assessment as detailed in section 3.2.6 of the report.
  - (b) Amend the downsizing policy to award Band 2 status to Council or Housing Association tenants who are under occupying their home to move to a property with at least 1 less bedroom (a ground floor flat or a bungalow will require a medical assessment).
  - (c) Amend the quota of advertised properties in Band 2 from 50% to 60%, reduce the quota of advertised properties in Band 3 from 40% to 30%, and retain the 10% quota for Transfers.
  - (d) Amend the rule for single people who are Council or Housing Association tenants living in a flat who are expecting their first child to be eligible for family accommodation on the production of the MATB1 form.
  - (e) Amend the local connection rule to give a person a local connection if their close family relative or carer live in Rotherham and have done so for the last three years.

**6. Whinney Hill and Chesterhill Avenue - Sites Disposal (Pages 25 - 33)**  
Report of the Strategic Director of Adult Care, Housing and Public Health

Recommendations:-

1. That disposal on the open market of the Council-owned sites Whinney Hill and Chesterhill Avenue be approved.
2. That the consideration and acceptance of the offer presenting the best consideration be undertaken by the Assistant Director of Housing and the Acting Assistant Director of Planning, Regeneration and Transport, in consultation with the Strategic Director for Finance and Customer Services and the Cabinet Member for Housing.
3. That the Assistant Director of Legal Services be authorised to prepare and execute all necessary contractual documentation.

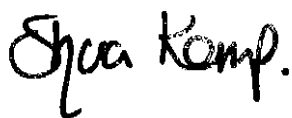
**7. Delivery of bungalows on Housing Revenue Account sites using Modern Methods of Construction (Pages 35 - 47)**  
Report of the Strategic Director of Adult Care, Housing and Public Health

Recommendations:-

1. That approval be given to the use of Housing Revenue Account capital resources up to a maximum of the amount set out in exempt Appendix 2, to deliver 12 bungalows using modern methods of construction on three Council-owned sites in the Hoover and Valley wards.

**8. Recommendations from Overview and Scrutiny Management Board (Pages 49 - 50)**

To receive a report detailing the recommendations of the Overview and Scrutiny Management Board in respect of the items that were subject to pre-decision scrutiny.



**SHARON KEMP,**  
Chief Executive.

## Summary Sheet

### Committee Name and Date of Committee Meeting

Cabinet – 04 February 2019

### Report Title

Amendments to the Housing Allocation Policy – February 2019

### Is this a Key Decision and has it been included on the Forward Plan?

Yes

### Strategic Director Approving Submission of the Report

Anne Marie Lubanski, Strategic Director Adult Care, Housing and Public Health

### Report Author(s)

Name and Job Title: Sandra Tolley, Head of Housing Options

### Ward(s) Affected

All

## Executive Summary

The Council is required to allocate Social Housing according to a published Allocations Policy which has been drawn up according to the Housing Act 1996, Part VI and Part VII as amended by the Homelessness Act 2002, the Homelessness Reduction Act 2017 and the Localism Act 2011.

Rotherham Council's Housing Allocation Policy was last fully reviewed in February 2017. The policy outlines who can seek re-housing through the local authority, the properties they can apply for and how people are prioritised for available homes.

There are certain circumstances when the Allocation Policy needs to be adjusted. These include when there are legislative changes, if there are changes in supply and demand or when equality data informs the Council that should the Council need to change the way properties are allocated. The 5 proposed amendments address some of these issues and will also help to prevent homelessness earlier, reduce waiting time for households with a medical need and apply consistent approaches within the policy for people who wish to move to a smaller home.

## Recommendations:

1. That the five proposed amendments to the Allocation Policy detailed below are approved:

- (a) Amend the banding related to homelessness households to award a higher band following a full homelessness assessment as detailed in section 3.2.6 of the report.
- (b) Amend the downsizing policy to award Band 2 status to Council or Housing Association tenants who are under occupying their home to move to a property with at least 1 less bedroom (a ground floor flat or a bungalow will require a medical assessment).
- (c) Amend the quota of advertised properties in Band 2 from 50% to 60%, reduce the quota of advertised properties in Band 3 from 40% to 30%, and retain the 10% quota for Transfers.
- (d) Amend the rule for single people who are Council or Housing Association tenants living in a flat who are expecting their first child to be eligible for family accommodation on the production of the MATB1 form.
- (e) Amend the local connection rule to give a person a local connection if their close family relative or carer live in Rotherham and have done so for the last three years.

### **List of Appendices**

Appendix 1 Equality Impact Assessment

### **Background Papers**

Housing Allocation Policy (May 2017)

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Improving Places Select Commission – November 2018

Overview and Scrutiny Management Board – 16 January 2019

### **Council Approval Required**

No

### **Exempt from the Press and Public**

No

## Amendments to the Housing Allocation Policy - January 2019

### 1. Background

- 1.1 The Council's Housing Allocation Policy had been in place since 29 October 2014. A significant change was made during 2014 to ensure that only those in housing need were eligible to join the Register, resulting in a reduction of households from over 30,000 to 6,677 applicants by 1 August 2018. There have been various revisions and the latest was on 13th February 2017. Further amendments to the Allocation Policy are set out below in Sections 3.2 to 3.5.

### 2. Key Issues

#### 2.1 The Housing Register

- 2.1.1 As at 1 August 2018 there are 6788 applicants on the housing register and the number of applicants in each band is:

Band	Reason	Numbers in each band
Band 1	Households who require immediate housing and are considered for all vacant Council properties	246
Band 2	People who experience urgent housing need and require moving due to specific circumstances	1,668
Band 3	Applicants who are entitled to reasonable preference on a non-urgent basis	1,783
Band 4	Applicants who have no reasonable preference entitlement/priority need	1,755
Transfer	Council or Housing Association tenants with no housing need	1,336
<b>Total</b>		<b>6,788</b>

- 2.1.2 The reasons and number of applicants in Band 2 are:

Band 2 Reason	Number of applications
Statutory Homeless	19
Medical priority	1,280
Statutory overcrowded	19
Not ready for independent living held in suspension	147
Leaving supported housing ready to live independently	67
Requiring extra care housing	5
Offender, not a high risk to the community	4
Applicants living in private rented who cannot afford the rent, but are employed	24
Victim of domestic violence	96
Looked after child ready to live independently	7
<b>Total in Band 2</b>	<b>1668</b>

## 2.2 Legislative changes which aim to prevent homelessness earlier

### **Recommendation 1 - Amend the banding related to homelessness households to award a higher band following a full homelessness assessment as detailed in section 3.2.6 of the report**

- 2.2.1 On 5 February 2018, the Homelessness Advice and Support Team, from the Ministry of Housing, Communities and Local Government visited the Homelessness Team to hear about the work Rotherham is doing in preparation for the Homelessness Reduction Act 2017.

The feedback was very positive and there was recognition that the team have a preventative approach in operation. The Allocations Policy supports Rotherham's homelessness prevention work but it was recommended that the policy should be reviewed in light of the Homelessness Reduction Act; ensuring reasonable preference is given to those under the prevention and relief duties.

- 2.2.2 The Homelessness Reduction Act 2017 is one of the biggest changes to the rights of homeless people in England for 15 years. It effectively combines two new duties onto the original statutory rehousing duty. These are the Homelessness Prevention Duty and the Homelessness Relief Duty.

- 2.2.3 The Allocation Policy must adhere to a legal framework outlined in Part VI and Part VII of the 1996 Housing Act, an element of which mandates that certain groups of applicants must be given 'reasonable' preference in determining who is allocated properties. This already applies to people who are homeless in priority need and some who face losing their accommodation within 28 days, but the 2017 Homelessness Reduction Act, which came into effect from April 2018, means preference needs to be given to all applicants who are threatened with homelessness within 56 days. This report recommends the extension of rehousing preference to applicants meeting this criterion, ensuring legal compliance and offering greater assistance to those at risk of losing accommodation.

- 2.2.4 An applicant who is homeless and has lost their accommodation through no fault of their own and have a priority need for accommodation is currently placed into Band 2. In accordance with legislation the following categories are deemed to have priority need:

- (a) a pregnant woman
- (b) a person with whom dependent children reside or might reasonably be expected to reside
- (c) a person who is vulnerable as a result of old age, mental illness, learning disability or physical disability or other special reason, or with whom such a person resides
- (d) a person aged 16 or 17 who is not a 'relevant child' or a child in need to whom a local authority owes a duty under section 20 of the Children Act 1989
- (e) a person under 21 who was (but is no longer) looked after, accommodated or fostered between the ages of 16 and 18 (except a person who is a 'relevant student')



- (f) a person aged 21 or more who is vulnerable as a result of having been looked after, accommodated or fostered (except a person who is a 'relevant student')
- (g) a person who is vulnerable as a result of having been a member of Her Majesty's regular naval, military or air forces
- (h) a person who is vulnerable as a result of having served a custodial sentence
- (i) a person who is vulnerable as a result of ceasing to occupy accommodation because of violence from another person or threats of violence from another person which are likely to be carried out
- (j) a person who is homeless, or threatened with homelessness, as a result of an emergency such as flood, fire or other disaster.
- (k) a person who is terminally ill who is receiving palliative care

2.2.5 The Council's Allocation Policy is afforded by a Banding approach for different types of need, for homeless households the current policy is as follows:

- Band 2 for households who are unintentionally homeless in priority need (as detailed in section 3.2.4)
- Band 3 for households who are unintentionally homeless but not in priority
- Band 4 for households who are awaiting an assessment.

2.2.6 As the new Homelessness Reduction Act is aimed to intervene at earlier stages to prevent homelessness it is proposed that the current banding related to homelessness households be enhanced to award a higher banding but this would only be applicable following a full assessment. It is therefore proposed that:

- Applicants in priority need who actually become homeless and a relief duty is owed or when a full housing duty is owed are placed into Band 1.
- Applicants in priority need who are faced with homelessness and a prevention duty is owed are placed into Band 2.
- Non-priority homeless applicants, who are owed a prevention or relief duty, be placed into Band 3.
- Applicants awaiting a homelessness assessment are placed into Band 3

2.2.7 The Allocation Policy rules regarding applicants who are excluded from joining the housing register will remain in place. This includes applicants who have previously been evicted from a Council or Housing Association secure tenancy in the last 5 years due to breaches of their tenancy conditions will remain ineligible to join the housing register. However, individual cases for vulnerable homeless applicants will continue be considered by the Housing Assessment Panel or under delegated powers of the Head of Housing Options.

2.2.8 With the introduction of the Homelessness Reduction Act, the number of people who present to the local authority due to being faced with homelessness is rising. In April 2018, the Homelessness team's case load was 132 cases, this increased to 321 on 31<sup>st</sup> August 2018 and 354 cases as at 30 September 2018.

2.2.9 There are currently 577 households who are actually homeless or faced with homelessness on the housing register. These policy changes will help to prevent homelessness sooner as the applicants will receive a higher banding status, which in turn means that there will be less people progressing to actually becoming homeless. The impact would however be monitored on an ongoing basis to ensure the balance is met between assisting those facing homelessness, and not affecting adversely the allocation scheme at the expense of all other types of housing need such as overcrowding or medical and welfare need.

2.2.10 The table below shows the total numbers of applications in each band (excluding the Transfer band) and the number of homeless applicants in each band as at 1<sup>st</sup> August 2018.

Homelessness category	Total number of applications in each Band	Number of homeless applications	Percentage of homelessness applications as a percentage of the total in that Band
<ul style="list-style-type: none"> <li><b>Band 1</b> Homeless households who are both homeless and also have a medical need</li> </ul>	246	61	<b>24.80%</b>
<ul style="list-style-type: none"> <li><b>Band 2</b> Unintentionally homeless households who are in priority need</li> </ul>	1668	19	<b>1.14%</b>
<ul style="list-style-type: none"> <li><b>Band 3</b> Unintentionally homeless but not in priority need</li> </ul>	1783	280	<b>15.70%</b>
<ul style="list-style-type: none"> <li><b>Band 4</b> Threatened with homelessness awaiting assessment</li> </ul>	1755	217	<b>12.36%</b>
<b>TOTAL</b>	<b>5452</b>	<b>577</b>	<b>10.58%</b>

### 2.3 Changes to ensure that there is equality and fairness

**Recommendation 2 - Amend the downsizing policy to award Band 2 status to Council or Housing Association tenants who are under occupying their home to move to a property with at least 1 less bedroom (a ground floor flat or a bungalow will require a medical assessment).**

2.3.1 It is proposed to amend the Downsizing Policy so that all tenants wishing to move to a smaller home are offered the same options. The issue is that the current policy for tenants wishing to downsize offers inconsistent choices. Applicants who are under occupying their home are all currently awarded Band 1 status, but are offered different choices as follows:

- Tenants under occupying a 4 bedroom house can move to a 2 bedroom house.
- Tenants who are affected by the bedroom tax can move to any type of property with 1 less bedroom.
- Tenants who are not affected financially can only move to a flat or a bungalow.

2.3.2 The proposed option is to award Band 2 status to Council or Housing Association tenants who are under occupying their home to move to a property with at least 1 less bedroom, for a flat or a bungalow (a medical assessment will be required for bungalows.) The current policy can be confusing to existing tenants, but, moreover by offering bungalows to under occupied tenants with no medical need via a Band 1 status impacts on the waiting time for applicants who have been assessed for a bungalow due to their health needs. This is because properties are offered to Band 1 applicants ahead of other bands.

2.3.3 If this recommendation is agreed it is proposed that all under occupied housing applications will be reviewed to apply this approach. Existing applicants will retain their banding date and remain in Band 1 but any new applications from the policy implementation date will be placed into Band 2.

## **2.4 Changes to reduce the waiting time for applicants in urgent housing need.**

**Recommendation 3 - Amend the quota of advertised properties in Band 2 from 50% to 60%, reduce the quota of advertised properties in Band 3 from 40% to 30%, and retain the 10% quota for Transfers.**

2.4.1 There are currently 1280 households who have been assessed for Band 2 status due to living in unsuitable housing due to a medical reason. The waiting time is extremely long as outlined below, especially for ground floor accommodation.

2.4.2 The table below shows a sample of lettings and the waiting times for households living in unsuitable housing due to medical reasons.

Property type	Date of the advert	Number of requests made for the property	Date of the application of the successful applicant	Successful applicant reason for the band status
2 bedroom bungalow with a level access shower.	16/03/2018	42	29/11/2016	Band 2 medical reasons
2 Bed Bungalow with ramped access and an over bath shower	11/04/2018	88	04/12/2017	Band 1 terminally ill
1 Bed Bungalow with over bath shower	25/05/2017	45	23/03/2006	Band 2 medical reasons
2 Bed Bungalow with over bath shower	13/12/2017	81	18/05/2007	Band 2 medical reasons
2 bedroom bungalow with over bath shower	15/01/2018	76	12/03/2010	Band 2 medical reasons

2.4.3 It is proposed to increase the quota of advertised properties in Band 2 from 50% to 60%, reduce the quota of advertised properties in Band 3 from 40% to 30% and retain the 10% quota for Transfers.

2.4.4 The proposed change would increase the number of properties that are advertised to people in Band 2 in urgent housing need. The reason why this quota has been increased is that Band 2 contains an extremely high volume of applications in urgent housing need and the waiting times are lengthy.

	Old Quota	Proposed New Quota
Band 2	50 %	60%
Band 3	40%	30%
Transfer	10%	10%

2.4.5 Properties are initially offered to Band 1 applicants, and then to the advertised group, where there are no suitable bidders from the advertised band the next band in the sequence is selected and so on. All applicants can bid for any advertised group but as Band 4 applicants have no housing need they will always be the lowest priority in shortlisting. Properties will be advertised and the shortlist will be sorted as follows:

- **Advertised to Band 2 (60%):** Offered to Band 1, then Band 2, then Band 3, then Transfers, then Band 4
- **Advertised to Band Three (30%):** Offered to Band 1, then Band 3, Transfer Band, Band 2 and Band 4
- **Advertised to Transfer (10%):** Offered to Band 1, then Transfers, Band 2, then Band 3 and then Band 4

2.4.6 The letting results for 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018 detailed below show how many Council properties have been let to each Band. As mentioned above although the advert might prioritise a certain band if they don't make requests another banded applicant maybe successful.

Band 1	Band 2	Band 3	Band 4	Transfer Band
267	570	479	108	90

2.4.7 The table below shows all properties which were let between 1<sup>st</sup> April 2017 and 31<sup>st</sup> March 2018. All of these properties were advertised in the Key Choices letting scheme.

Council Houses	Council Bungalows	Council Flats	Council Bedsits
531	355	616	12

## 2.5 Changes to ensure that there is equality and fairness

**Recommendation 4 - Amend the rule for single people who are Council or Housing Association tenants living in a flat who are expecting their first child to be eligible for family accommodation on the production of the MATB1 form.**

2.5.1 The current policy is that Council or Housing Association single tenants living in a flat who are expecting their first child will become eligible for family housing when their baby is born. An applicant who is in the same situation living with parents or in private rented accommodation becomes eligible for family accommodation whilst they are pregnant when a MATB1 form has been provided. It is proposed that all single applicants become eligible for family accommodation when the MATB1 form has been produced. This will reduce the waiting time for Council tenants wanting to move into more suitable family accommodation.

## **Changes to ensure that there is equality and fairness**

**Recommendation 5 - Amend the local connection rule to give a person a local connection if their close family relative or Carer live in Rotherham and have done so for the last 3 years.**

2.6.1 A revised Allocation Policy was adopted in December 2013 which incorporated a Local Connection Criteria so that a person qualifies to go on the Housing Register if they have a local connection to Rotherham for a minimum of 3 years. A person has a local connection where:

- They have lived for the last 3 years in Rotherham through their own choice.
- They are currently employed in Rotherham and have been for the last 3 years.
- They have direct family who live in Rotherham and they have done so for the last three years. Direct family members include spouses, civil partners, parents, sons, daughters, brother and sisters.

2.6.2 There are applicants who have been brought up by other close relatives such as their grandparents or carers. It is therefore proposed that the wording of the policy is changed so that a person is given a local connection if close family relatives or Carers have lived in Rotherham and have done so for the last 3 years. There will be a validation process asking the applicant to provide proof of the close family member's address and written confirmation that they are in contact with them.

## **3. Summary of options considered and recommended proposals**

3.1 There are no alternative options being considered and the recommendation is that the proposed changes to the Allocation Policy are implemented to meet the statutory requirements of the Housing Act 1996 Part VI and VII.

## **4. Consultation**

4.1 Extensive consultation has taken place via an online survey, at the Tenant Conference, at the Tenant Involvement Panel, with Rotherham Federation, the Quality Standards and Challenge Group and at the Rotherham Show.

4.2 Members were consulted via the Improving Places Select Commission who received the report on 1 November 2018. Overview and Scrutiny Management Board will formally receive the report in December 2018.

4.3 Improving Places Select Commission supported all five recommendations, but also requested that recommendation 5 be extended to also include primary carers.

4.4 On 16 January 2019, the report was also considered by Overview and Scrutiny Management Board who supported all five recommendations but also requested that recommendation 5 be amended from grandparents to close family relatives.

- 4.5 If the proposals are agreed, the Housing Allocation Policy and Summary Guide will be updated to reflect the changes.

The cost of printing is a minimum as all policy documents are available electronically. Any postage costs for the housing register reviews will be contained within existing budgets.

- 4.6 If the recommendations are approved, existing tenants will also be informed of the policy changes through articles published in “Home Matters” which is the Council’s Tenants’ Newsletter.

## **5. Timetable and Accountability for Implementing this Decision**

- |     |  |                 |
|-----|--|-----------------|
| 5.1 | Improving Places Select Commission     | November 2018   |
|     | Overview and Scrutiny Management Board | 16 January 2019 |
|     | Cabinet                                | 4 February 2019 |

- 5.2 If Cabinet approves these recommendations the policy will be implemented from the 1st day of the following month. The Council’s Housing Allocation Policy will be formally amended to reflect the changes, the new version published on the website.

- 5.3 There will be a timetable of staff training and briefing sessions for Members.

- 5.4 A progress report to monitor the impact of the policy changes will be presented back to Cabinet in 12 months’ time.

## **6. Financial and Procurement Implications**

- 6.1 Implementation of the changes proposed in this report will help the Council to house homeless people more expediently and therefore reduce the cost by reducing the usage of temporary accommodation.

- 6.2 Following the completion of the revised Allocation Policy, a summary booklet will be amended and issued to existing and new applicants. This will incur no printing or postage costs as the document is electronic.

- 6.3 Most of the changes needed to the ICT system can be undertaken in-house at no extra cost, however there may be some more complex changes required which will incur a cost of £140 per day. There is a budget in place to cover this cost and the work is envisaged to take no more than 5 days. The costs will cover amendments to the Housing Register and choice based letting module rules which ensure applicants are placed in the correct bidding queue position.

- 6.4 Changes to the Allocations Policy will need to be effectively communicated to staff. This training will be undertaken in-house by the Housing Options Manager.

## **7. Legal Implications**

- 7.1 The proposed changes to the Allocations Policy covered by this report are in keeping with the overall aims and purpose of housing allocation policies and are lawful. Further the proposed amendments to the Allocation Policy implement the two new duties imposed on the Council by the Homelessness Reduction Act 2017, namely the duty to prevent homelessness and the duty to relieve homelessness.

## **8. Human Resources Implications**

- 8.1 If the recommendations are agreed the policy will be delivered within existing resources.

## **9. Implications for Children, Young People and Vulnerable Adults**

- 9.1 The recommendation will help to prevent homelessness and will help people to secure and sustain a home. This is of paramount importance to ensuring a stable home for families, the best start in life for children, and vulnerable adults. Good quality, stable homes also help people to avoid financial hardship and can have a significant impact on people's health and wellbeing.

## **10. Equalities and Human Rights Implications**

- 10.1 The policy will ensure that as far as possible tenants are able to sustain independent living in their homes. The Allocation Policy helps to prevent homelessness across the borough, but especially helps those households on low incomes. An initial equalities screening has been carried out to assess the impact of the proposed amendments. Due to the nature of the Council Housing Allocation Policy and its impact on some of our most vulnerable households gaining access to social housing **an Equality Impact Assessment has been completed.**

## **11. Implications for Partners and Other Directorates**

- 11.1 The proposals in the report have been produced in conjunction with officers engaged in Allocations, Housing Management and Tenancy Support. The Council is working with partner agencies, specifically around homelessness prevention, and proposals have been developed in conjunction with these organisations.
- 11.2 The proposals are likely to bring indirect benefits for other directorates and partners, particularly in reducing homelessness for families with children and contributing to local targets on homelessness prevention and financial inclusion / capability.



## 12. Risks and Mitigation

12.1 There are no anticipated risks associated with approving the recommendations in this report.

12.2 The main risks associated with not approving the report are that:

- New vulnerable applicants will be waiting for a property longer.
- Homeless households will remain living longer in temporary accommodation

## 13. Accountable Officers

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

Tom Bell, Assistant Director of Housing

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Mark Scarrott Kath Andrews	17 September 2018
Assistant Director of Legal Services	Neil Concannon	17 September 2018 25 September 2018
Head of Procurement (if appropriate)	Not applicable	N/A
Head of Human Resources (if appropriate)	Not applicable	N/A

Report Author: *Sandra Tolley, Head of Housing Options*  
01709 522619 or [sandra.tolley@rotherham.gov.uk](mailto:sandra.tolley@rotherham.gov.uk)

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**RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)**

<p><b>Under the Equality Act 2010 Protected characteristics</b> are Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity. Page 6 of guidance. Other areas to note see guidance appendix 1</p>	
<p><b>Name of policy, service or function. If a policy, list any associated policies:</b></p>	<p>Housing Allocation Policy</p>
<p><b>Name of service and Directorate</b></p>	<p>Housing Options, Adult Social Care, Housing and Public Health Directorate</p>
<p><b>Lead manager</b></p>	<p>Sandra Tolley, Head of Housing Options and Sandra Wardle Housing Advice and Assessment Manager</p>
<p><b>Date of Equality Analysis (EA)</b></p>	<p>17 January 2019</p>
<p><b>Names of those involved in the EA (Should include at least two other people)</b></p>	<p>Sandra Tolley, Head of Housing Options Sandra Wardle Housing Advice and Assessment Manager Carol Wordsworth, Housing register Coordinator Phil Syrat, Housing Options Information Coordinator Zaidah Ahmed, Corporate Equalities and Diversity Officer</p>
<p><b>Aim/Scope</b> (who the Policy /Service affects and intended outcomes if known) See page 7 of guidance step 1</p> <p>The Council is required to allocate Social Housing according to a published Allocations Policy which has been drawn up according to the Housing Act 1996, Part VI and Part VII as amended by the Homelessness Act 2002, the Homelessness Reduction Act 2017 and the Localism Act 2011.</p> <p>Rotherham Council's Housing Allocation Policy was last fully reviewed in February 2017. The policy outlines who can seek re-housing through the local authority, the properties they can apply for and how people are prioritised for available homes.</p> <p>There are certain circumstances when the Allocation Policy needs to be adjusted. These include when there are legislative changes, if there are changes in supply and demand or when equality data informs the Council that should the Council need to change the way properties are allocated.</p> <p>January 2019 – report to Cabinet proposing a further 5 changes, which aim to address some of these issues and will also help to prevent homelessness earlier, reduce waiting time for households with a medical need and apply consistent approaches within the policy for people who wish to move to a smaller home.</p> <p>The five changes ensure compliance with the Homelessness Reduction Act which amends the Housing Act 1996 to make provision about measures for reducing homelessness.</p> <p>The aim of the policy is to:</p> <ul style="list-style-type: none"> <li>• Help people move quickly to alternative suitable housing</li> </ul>	

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- Ensure homeless households are given a high priority to move
- Make the Allocation Policy rules simpler to understand
- Support people from different backgrounds to move home
- Help vulnerable people sustain a tenancy
- Ensure people can afford a tenancy before they take it on

There are a number of reasons for the changes to the Allocation Policy:

- To ensure the policy applies equality and fairness throughout
- To support Rotherham's homelessness prevention work
- To be compliant with the Homelessness Reduction Act; ensuring a higher banding is given to those homeless households under the homeless prevention and relief duties.
- To ensure tenants wishing to downsize receive consistent choices.
- To ensure bungalows are offered to those people with an assessed need for a bungalow due to their health needs.
- To reduce the waiting time for the 1280 households who had been assessed for Band 2 status due to living in unsuitable housing due to a medical reason. The waiting time is extremely long, especially for ground floor accommodation.
- To reduce the waiting time for Council or Housing Association single tenants living in a flat who are expecting their first child wishing to move to family housing
- To ensure applicants who have been brought up by close relatives such as their grandparents or primary carers are given a local connection to Rotherham

The changes to the Allocation Policy in January 2017:

- As the new Homelessness Reduction Act is aimed to intervene at earlier stages to prevent homelessness the current banding related to homelessness households will be enhanced to award a higher banding but this would only be applicable following a full assessment. It is therefore proposed that:
- The downsizing policy will be amended to award Band 2 status to Council or Housing Association tenants who are under occupying their home to help them move to a property with at least 1 less bedroom (a ground floor flat or a bungalow will require a medical assessment)
- The quota of advertised properties will be amended in Band 2 from 50% to 60%, reduce the quota of advertised properties in Band 3 from 40% to 30%, and retain the 10% quota for Transfers
- The policy for single people who are Council or Housing Association tenants living in a flat who are expecting their first child will be amended so that they will be eligible for family accommodation on the production of the MATB1 form.
- The local connection rule will give a person a local connection if their close family relative or their Primary Carer has lived in Rotherham and have done so for the last 3 years.

A successful policy would see:

- Families having a stable home which give the best start in life for children, and vulnerable adults.

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- A reduction in the number of households on the housing register with a medical need to move
- A reducing in the time spent living in temporary accommodation
- A reduction in the usage of temporary accommodation by homeless households will therefore reduce expenditure
- Families with children prevented from becoming homeless
- An increase in the number of homeless households prevented from becoming homeless
- An increase in the number of homeless relief cases
- Households on low incomes being helped to affordable housing.
- Good quality, stable homes help people to avoid financial hardship and can have a significant impact on people's health and wellbeing
- People are happy with the waiting time to move home

The Allocation Policy impacts on all wards

**What equality information is available? Include any engagement undertaken and identify any information gaps you are aware of. What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?** See page 7 of guidance step 2

**Key facts and statistics**

- 263,400 people live in Rotherham Borough, about half living in and around the main urban area of Rotherham. The remainder live in smaller towns such as Wath, Dinnington and Maltby, and in numerous large villages and rural communities, all of which have their own distinct identities.
- 120,600 Rotherham residents are in employment whilst 106,000 people have workplaces in the Borough, giving a net outflow of 14,700 workers. One in five workers who live in Rotherham are employed in Sheffield and another one in five work elsewhere outside Rotherham.
- 45,259 children attend 117 Rotherham schools.
- One in four residents (25.2%) are aged 60 years or over and 22,500 people (8.5%) are aged 75 years or over. Rotherham has 56,900 children aged 0-17 (21.6% of the population).
- Rotherham's Black and minority ethnic (BME) population was 8.1% in 2011 and is now estimated at around 11%. The central area of Rotherham is far more ethnically diverse than the rest of the Borough. The largest minority ethnic group is Pakistani & Kashmiri (4% of the population), followed by the Slovak & Czech Roma (1.5% of the population). Rotherham also has smaller Black African, Indian, Chinese, Irish and Arab communities, all with between 500 and 2,000 people.
- The 2011 Census showed that 56,588 (22%) of Rotherham's population had a long term health problem or disability and 11.3% said their day-to-day activities were limited a lot by long term conditions (8.3% nationally). In November 2016, 30,306 Rotherham residents (11.6%) claimed Disability Living Allowance (16,680),

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Personal Independence Payment (6,100) or Attendance Allowance (7,516).

- One in six homes is rented from the council and although house prices have risen over the years, they are about half the national average.
- As at 1 August 2018 there are 6788 applicants on the housing register and the number of applicants in each band is:
  - Band 1 - households who require immediate housing and are considered for all vacant Council properties = 246
  - Band 2 - People who experience urgent housing need and require moving due to specific circumstances = 1,668
  - Band 3 - Applicants who are entitled to reasonable preference on a non-urgent basis = 1,783
  - Band 4 - Applicants who have no priority need = 1,755
  - Transfers – Council/Housing Association tenants = 1,336
- As at 1 August 2018 there are 1668 households on the housing register in Band 2 and have been assessed as:
  - Statutory Homeless = 19
  - Medical priority = 1,280
  - Statutory overcrowded = 19
  - Not ready for independent living held in suspension = 147
  - Leaving supported housing ready to live independently = 67
  - Requiring extra care housing = 5
  - Offender, not a high risk to the community = 4
  - Applicants living in private rented who cannot afford the rent, but are employed = 24
  - Victim of domestic violence = 96
  - Looked after child ready to live independently = 7
- In April 2018, the Homelessness team's case load was 132 cases, this increased to 321 on 31st August 2018 and 354 cases as at 30 September 2018.
- As at 1 August 2018, there are 577 households who are actually homeless or faced with homelessness on the housing register
- As at 1 August there are 1280 households who have been assessed for Band 2 status due to living in unsuitable housing due to a medical reason

The review of the Allocation Policy involved detailed consultation with a number of key stakeholders including the Council, Councillors, staff, partners, residents and voluntary groups.

The policy review took into account demographic information, supply and demand for properties. An assessment of waiting time to be rehoused was undertaken especially for those households with a medical need and for those who are homeless.

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<p><b>Engagement undertaken with customers. (date and group(s) consulted and key findings)</b> See page 7 of guidance step 3</p>	<p><b>The new Allocation Policy</b></p> <p>The changes to the Allocation Policy has been well received, with elected members at:</p> <p>1 November 2018 – Improving Places Select Commission. Elected Members supported all five recommendations, but also requested that primary carers are included in the local connection rules</p> <p>16 January 2019 - Elected Members supported all five recommendations but also requested that direct family members which includes grandparents be amended to close family relatives</p> <p>Members welcomed the changes as it will help residents who often contact them about rehousing issues at their local surgeries</p> <p>September 2018 - Other engagement/consultation has been undertaken at the Rotherham Show</p> <p>September 2018 - The Side by Side Partnership who are predominantly providers who work with homeless households have been consulted. They were supportive of the changes and the group highlighted further work will be required to prevent homelessness in the development of the Homelessness Prevention and Rough Sleeper Strategy 2019 - 2022</p> <p>October 2018 - Rotherfed who lead on Tenant Involvement have been consulted and also the Quality Challenge Group. Both groups were supportive of the changes especially for single parents who are tenants living in flats wanting to move to a house.</p> <p>December 2018 - Strategic Housing Partnership were consulted. A presentation was made highlighting the changes and the benefits for Rotherham people.</p> <p>Staff across both Children' and Adult Services have been provided with briefing papers relating to homeless households in Rotherham.</p> <p>The policy changes:</p> <p>a) Bring benefits for other directorates and partners, particularly in reducing homelessness for families with children and contributing to local targets on homelessness prevention and financial inclusion / capability.</p>
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	<p>b) Ensure that members, Council officers, partners and local people can be confident that changes to the policy will help local people access affordable housing quicker.</p> <p><b>Further actions required</b> - In addition to implementing the amendments Cabinet will be provided with an update of progress in 12 months</p>
<p><b>Engagement undertaken with staff about the implications on service users (date and group(s) consulted and key findings)</b> See page 7 of guidance step 3</p>	<p><b>New Allocation Policy</b></p> <p>The policy has been developed with support from Council Officers and input from the Strategic Leadership Team.</p> <p>Councillors, staff and partners play a vital role in the review of the Allocation Policy.</p> <p>Following approval the changes to the Allocations Policy will be effectively communicated to staff and members and training will be undertaken in-house by the Housing Advice and Assessment Manager</p>
<b>The Analysis</b>	
<p><b>How do you think the Policy/Service meets the needs of different communities and groups?</b> Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity. Rotherham also includes Carers as a specific group. Other areas to note are Financial Inclusion, Fuel Poverty, and other social economic factors. This list is not exhaustive - see guidance appendix 1 <b>and</b> page 8 of guidance step 4</p> <p>The changes made to the Allocation Policy should have a positive impact on all communities. However the impact will need to be reviewed based on specific need.</p> <p>The changes should improve the Council's ability to respond to the demand for accommodation from homeless households and for those people with a medical need.</p> <p>Single people who are pregnant will be able to apply for family housing will be able to apply whilst they are pregnant as opposed to having to wait until their baby is born.</p> <p>By reducing the banding status from Band 1 to Band 2 for people who wish to downsize will reduce the volume of cases in Band 1. This will help those in Band 1 in urgent housing need move quicker and includes homeless people living in temporary accommodation, safeguarding cases and people waiting to be discharged from hospital move to a more suitable home quicker</p>	
<p><b>Analysis of the actual or likely effect of the Policy or Service:</b> See page 8 of guidance step 4 and 5</p> <p><b>Does your Policy/Service present any problems or barriers to communities or</b></p>	



**RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)**

**Group?** Identify by protected characteristics **Does the Service/Policy provide any improvements/remove barriers?** Identify by protected characteristics

**What affect will the Policy/Service have on community relations?** Identify by protected characteristics

The Allocation Policy changes should remove barriers to Social Housing as the amendments will give more priority to people in urgent need. For example by increasing the quota of properties advertised in Band 2 from 50% to 60% will mean that people in need of urgent rehousing will be able to move more quickly away from unsuitable living conditions.

The changes will help homeless households with children move to more suitable housing quicker by awarding a higher Banding status, from Band 2 to the highest Band 1.

All new Council tenants are visited by their Area Housing Officer who provides information about the local area.

Vulnerable people are offered and provided with tenancy support which is tailored to individual needs to help them sustain their tenancy and live in the community.

The effect of changes of the policy will be closely monitored on areas such as:

- The number of households on the Housing Register
- The numbers of people prevented from becoming homeless
- An analysis of tenancy termination reasons
- The number of empty homes
- Void turnaround times
- Void Rent Loss
- Expenditure on temporary accommodation and hotels
- Ethnic origin and Nationality of households on the register
- The number of Council tenancy evictions

Please list any **actions and targets** by Protected Characteristic that need to be taken as a consequence of this assessment and ensure that they are added into your service plan.

**Website Key Findings Summary:** To meet legislative requirements a summary of the Equality Analysis needs to be completed and published.

**RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)**

**Equality Analysis Action Plan** - See page 9 of guidance step 6 and 7

**Time Period .....**

Manager: Sandra Tolley, Head of Housing Options

Service Area: Housing Options, Adult Social Care Housing and Public Health Directorate Tel: 01709 255619

**Title of Equality Analysis:**

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic.

List all the Actions and Equality Targets identified

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
Monitor the number of households on the housing register in each Band including the protected characteristics	All	<b>Annual on 31/3/2019 and 31/3/2020</b>
Consider homelessness statistics relating to the protected characteristics	All	<b>Annual on 31/3/2019 and 31/3/2020</b>
Develop a Homelessness Prevention and Rough Sleeper Strategy which will support the delivery of the Allocation Policy  (This strategy will include details of those to be consulted, to demonstrate that different people's views have been taken into consideration)	All	<b>31/3/2019</b>
Monitor the impact of the policy change by analysis the number of lettings in each Band according to their protected characteristic.	All	<b>Annual on 31/3/2019 and 31/3/2020</b>

**RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)**

Complete further EA's in the future should there be further changes to the policy		All	
Name Of Director who approved Plan	Tom Bell, Assistant Director of Housing	Date	18 January 2019

\*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups

**Website Summary – Please complete for publishing on our website and append to any reports to Elected Members SLT or Directorate Management Teams**

Completed equality analysis	Key findings	Future actions
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**RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)**

Completed equality analysis	Key findings	Future actions
<p>Directorate: Adult Social Care Housing and Public Health Directorate</p> <p>Function, policy or proposal name: Allocation Policy</p> <p>Function or policy status: Changing (new, changing or existing)</p> <p>Name of lead officer completing the assessment:</p> <p>Sandra Tolley Sandra Wardle</p> <p>Date of assessment: 17 January 2019</p>	<p>The policy itself will not have a negative or adversely affect any communities or individuals.</p> <p>January 2019 – report to Cabinet proposing 5 changes, which aim to help to prevent homelessness earlier, reduce waiting time for households with a medical need and apply consistent approaches within the policy for people who wish to move to a smaller home.</p> <p>The five changes ensure compliance with the Homelessness Reduction Act which amends the Housing Act 1996 to make provision about measures for reducing homelessness.</p> <p>The changes make the Allocation Policy rules simpler to understand and improve access to accommodation for people who are on low incomes.</p>	<p>Any future policy changes will be subject to an EA's</p> <p>We will be monitoring the effect of the changes of the policy on areas such as:</p> <ul style="list-style-type: none"> <li>• The number of households on the Housing Register</li> <li>• The numbers of people prevented from becoming homeless</li> <li>• An analysis of tenancy termination reasons</li> <li>• The number of empty homes</li> <li>• Void turnaround times</li> <li>• Void Rent Loss</li> <li>• Expenditure on temporary accommodation and hotels</li> <li>• Ethnic origin and Nationality of households on the register</li> <li>• The number of Council tenancy evictions</li> </ul>

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## Summary Sheet

### Committee Name and Date of Committee Meeting

Cabinet – 4 February 2019

### Report Title

Whinney Hill and Chesterhill Avenue – Sites Disposal

### Is this a Key Decision and has it been included on the Forward Plan?

Yes

### Strategic Director Approving Submission of the Report

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

### Report Author(s)

Kalpana Desai, Housing Development Co-ordinator  
01709 255049 or [kalpana.desai@rotherham.gov.uk](mailto:kalpana.desai@rotherham.gov.uk)

### Ward(s) Affected

Valley

## Summary

Chesterhill Avenue and Whinney Hill are brownfield sites owned by the Council, located close to each other and capable of delivering around 240 homes altogether. Following a procurement exercise through Homes England's Developer Partner Panel, Cabinet approved a recommendation to select Keepmoat as the preferred partner (Dalton Cluster Invitation to Tender, 20<sup>th</sup> February 2013). The report included the release of Whinney Hill, reserving the Council's right to retain Chesterhill Avenue until physical start on site was achieved on Whinney Hill.

The development agreement with Keepmoat commenced in May 2014, and stated a longstop date of 36 months from the agreement date. The longstop date was not achieved and the agreement expired in 2017.

It is essential that a start on site is achieved as soon as possible due to historic delays. Delivery of these sites will make a significant contribution to housing growth targets. A number of options have been considered in bringing these sites to delivery, including the Council building out the sites and / or another joint venture arrangement, and it is recommended that the most straightforward route to delivery will be putting the sites out to the market, separately, for disposal.

## **Recommendations**

1. That disposal on the open market of the Council-owned sites Whinney Hill and Chesterhill Avenue be approved.
2. That the consideration and acceptance of the offer presenting the best consideration be undertaken by the Assistant Director of Housing and the Acting Assistant Director of Planning, Regeneration and Transport, in consultation with the Strategic Director for Finance and Customer Services and the Cabinet Member for Housing.
3. That the Assistant Director of Legal Services be authorised to prepare and execute all necessary contractual documentation.

## **List of Appendices Included**

Appendix 1 Location plan and site plans

## **Background Papers**

20<sup>th</sup> February 2013 - Dalton Cluster Invitation to Tender Cabinet Report (approval to appoint Keepmoat as the preferred developer Partner for the Dalton Clusters)

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

## **Whinney Hill and Chesterhill Avenue – Sites Disposal**

### **1. Background**

- 1.1 The Council undertook a procurement process in 2013 to identify a developer partner to build homes on Whinney Hill and Chesterhill Avenue. Keepmoat was the successful applicant, and a development agreement was signed by both parties in 2014. This required a start on site on Whinney Hill before Chesterhill Avenue would be released. A start on site was not achieved within the agreed period and the legal agreement ended in 2017.
- 1.2 The most straightforward route to delivery of these sites is considered to be selling them on the open market, with conditions built in to the sale agreement to ensure an early start on site. It is likely that any purchaser will require their purchase to be conditional upon the grant of planning permission. Chesterhill Avenue will be marketed separately from Whinney Hill. The Asset Management Service will market the sites for eight weeks and offers received will be reviewed by the Assistant Director of Housing and the Acting Assistant Director of Planning, Regeneration and Transport, in liaison with the Section 151 officer and Cabinet Member for Housing, who will jointly determine which offer presents best consideration and accept accordingly, subject to Cabinet approval of this report.

### **2. Key Issues**

- 2.1 These sites can together deliver approximately 240 homes which would make a significant contribution to Rotherham's housing growth target. It is essential that work starts as soon as possible as local communities are understandably frustrated at the lack of visible progress over the past five years, and the antisocial behaviour that has been attracted by these large, vacant sites.
- 2.2 The development of the sites will help to regenerate the area, providing a range of tenures to meet various housing needs and high quality new homes.

### **3. Options considered and recommended proposal**

- 3.1 Option 1 – the Council could develop the sites using HRA funding. The HRA is currently delivering over £60m of investment into housing growth projects and without borrowing, would not be able to fund a programme of this scale, at least within the next five years. Due to the urgency of securing a start on site, this option is not recommended.
- 3.2 Option 2 – procure a developer partner through a procurement procedure compliant with the Public Contract Regulations 2015. This option is not recommended due to the lengthy process involved and potential further significant delays with starting on site.
- 3.3 Option 3 – sell the sites by Informal Tender – which allows increased flexibility over the terms of the offer and can include the opportunity to share uplifts in the development value through overage and clawback mechanisms. This is considered to be the most expedient route to delivery and is therefore the recommended approach.

#### **4. Consultation**

- 4.1 A meeting was held with Ward Members on 17<sup>th</sup> July 2018, informing them of the position with Keepmoat, and the different routes to disposal. Subject to Cabinet approval of this report, an open meeting will be arranged to inform local residents of the marketing underway and answer any questions.
- 4.2 Strategic Housing have been consulted on the housing needs for the area, this will be incorporated into the assessment criteria.
- 4.3 Details of the sites were presented at the Council's Housing Developer Summit in November 2018 and this generated significant levels of interest amongst private developers and housing associations.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Advertising will commence immediately upon Cabinet approval.
- 5.2 The Asset Management Team will be responsible for managing the disposal process.
- 5.3 The Assistant Director for Housing will be accountable for implementing this decision and determining which offer represents the best deal for Rotherham, in conjunction with the Acting Assistant Director of Planning, Regeneration and Transport, the Council's Section 151 officer and Cabinet Member for Housing.
- 5.4 Progress on disposal will be reported to and overseen by the Housing and Regeneration Programme Delivery Board.

#### **6. Financial and Procurement Implications**

- 6.1 If it is proposed to dispose of any site at less than the best consideration that can be reasonably obtained the Property Officer shall prepare a report to Cabinet, requesting approval to proceed with the disposal in accordance with the relevant legislation (Local Government Act 1972 General Disposal Consent (England) 2003).
- 6.2 The development of 240 homes on these sites will generate New Homes Bonus and council tax income to the General Fund.
- 6.3 As the recommendation is to dispose of the site, there are no direct procurement implications.
- 6.4 While the Whinney Hill site is held in the HRA, part of the Chesterhill Avenue site is owned by the General Fund. Therefore any receipts will be apportioned between the HRA and General Fund in accordance with the land percentage split.



## **7. Legal Implications**

- 7.1 When selling any property by informal tender it is not possible to contractually oblige any buyer to carry out development of specific outcomes (i.e. development of a specific number of houses). In order to do this it would be necessary to follow Option 3 in paragraph 4.3 above and comply with procurement regulations. However, the risk that a developer will purchase land for residential development and obtain planning permission with the costs involved with that, and then not develop, is low. Officers will also seek to impose contractual milestones for start on site and practical completion to further minimise the possibility of delay.

## **8. Human Resources Implications**

- 8.1 None identified

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The sales brief will indicate the need for high quality homes for families and older people on these sites.

## **10. Equalities and Human Rights Implications**

- 10.1 None identified

## **11. Implications for Partners and Other Directorates**

- 11.1 While the sites remain vacant they attract fly-tipping and other neighbourhood problems, and once development commences there will be associated budget savings for the Council.

## **12. Risks and Mitigation**

- 12.1 If the sites remain vacant, the Council will continue to incur costs associated with maintaining them and the community will lose confidence in the Council's ability to deliver housing growth on key sites in its ownership. This will be mitigated by selling the sites without further delay.
- 12.2 The risk of developers not being interested in the sites is low as a number of organisations have informally approached the Council. The Asset Management Team will proactively market the sites through a range of media channels.
- 12.3 Contracts will contain a buy-back clause and be conditional upon planning permission, to mitigate the risk of developers 'land-banking' the sites.
- 12.4 The Government have indicated that they are minded to revise the New Homes Bonus Scheme in future years. Therefore, there is a risk that grant income from the Scheme may not achieve the levels of income to the Council seen in recent years.

- 12.5 The risk of the sites being purchased for the development of accommodation that would fail to meet strategic housing need or high quality design standards will be mitigated by a robust Planning pre-application process.

**13. Accountable Officer(s)**

Tom Bell – Assistant Director of Housing

Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	07/01/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Paul Stone	06/12/18
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	21/12/18
Assistant Director of Human Resources (if appropriate)	N/A	N/A
Head of Procurement (if appropriate)	Karen Middlebrook	06/12/18

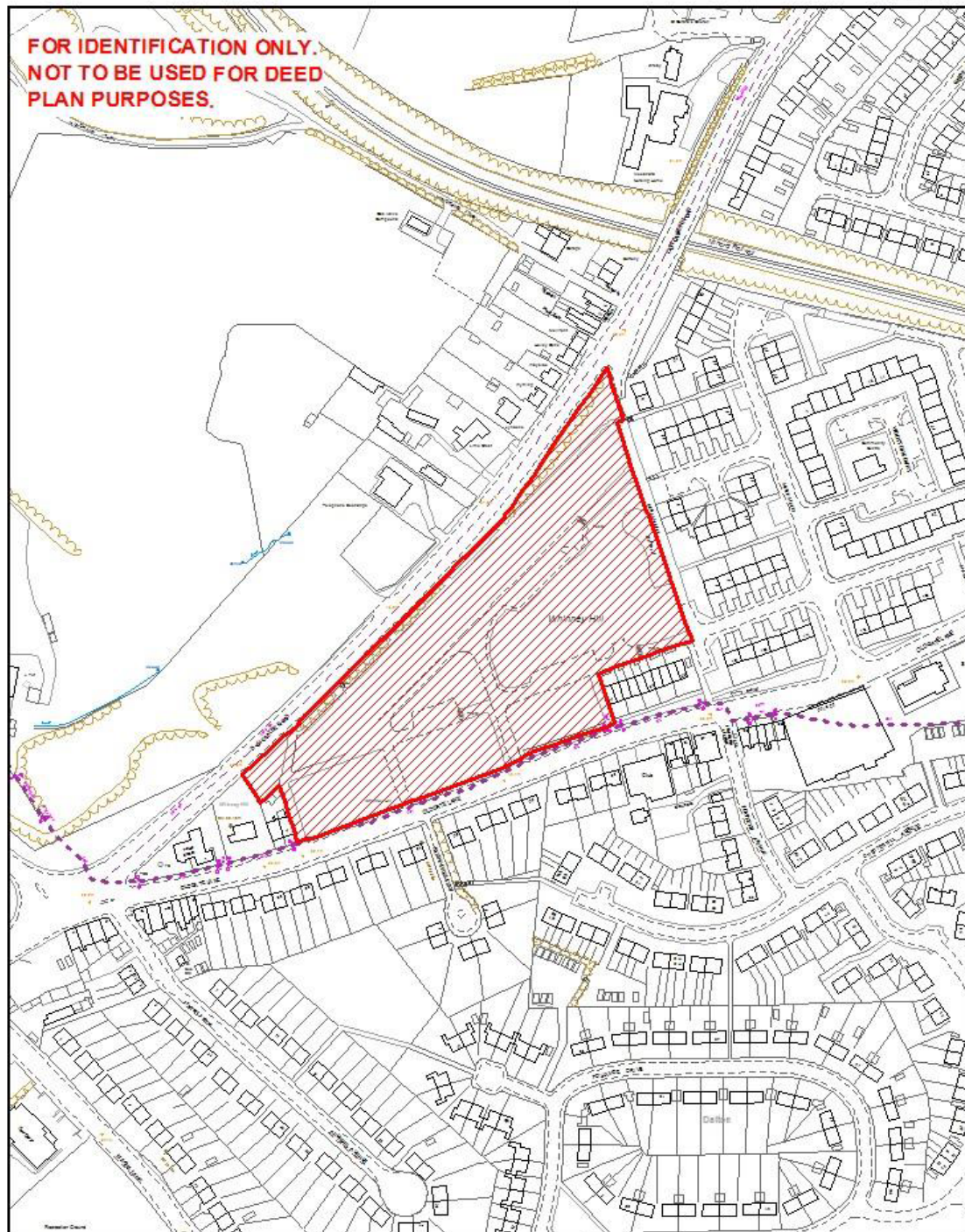
*Report Author: Kalpana Desai, Housing Development Co-ordinator  
01709 255049 or [kalpana.desai@rotherham.gov.uk](mailto:kalpana.desai@rotherham.gov.uk)*





(b) Whinney Hill site

APPENDIX 1



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Scale 1:2500

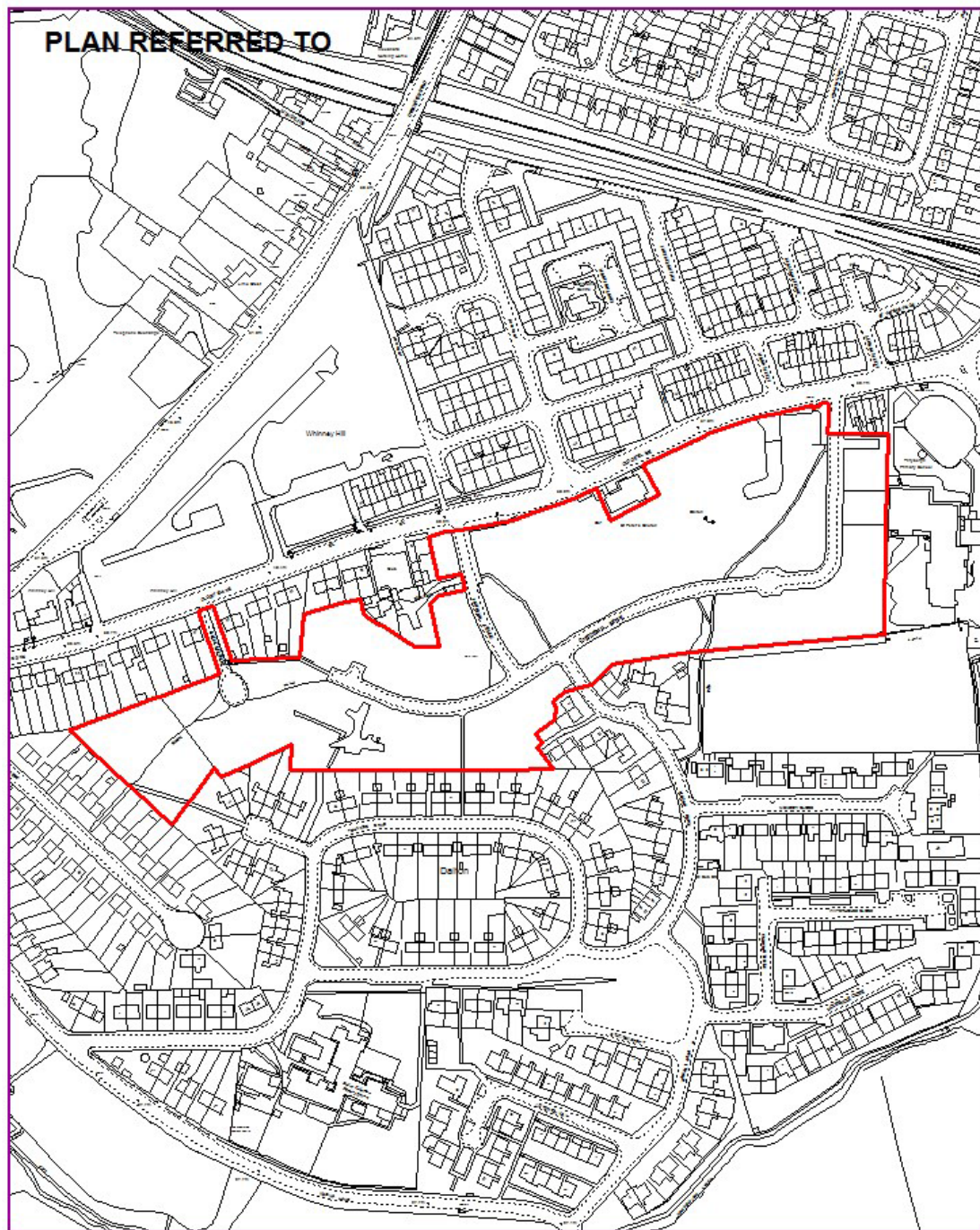
**LAND AT WHINNEY HILL  
THYBERGH  
TXN 166**

Rotherham MBC  
Executive Director: Adam Wilkinson  
Land Terrier, Facilities Management Section  
Economic & Development Service  
Bailey House, Rawmarsh Road  
ROTHERHAM S60 1TD

**Rotherham**  
Metropolitan  
Borough Council



(c) Chesterhill Avenue site



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Scale 1:3000

Land at Chesterhill Avenue  
Thrybergh  
Rotherham

FOR IDENTIFICATION ONLY

Rotherham  
Metropolitan  
Borough Council



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## **Summary Sheet**

### **Name of Committee and Date of Committee Meeting**

Cabinet – 4 February 2019

### **Report Title**

Delivery of 12 bungalows using modern methods of construction

### **Is this a Key Decision and has it been included on the Forward Plan?**

Yes

### **Strategic Director Approving Submission of the Report**

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

### **Report Author(s)**

Jane Davies, Head of Strategic Housing and Development  
01709 334970 or jane.davies@rotherham.gov.uk

### **Ward(s) Affected**

Hoover and Valley

## **Summary**

This report requests the use of Housing Revenue Account (HRA) capital resources to fund the delivery of 12 bungalows for older people and people with support needs, as part of a project to trial modern methods of construction (MMC). Funding contributions will also be made from Homes England's Shared Ownership and Affordable Homes Programme and the Sheffield City Region Housing Fund.

This follows an earlier report to Cabinet and Commissioners in July 2018, that set out the reasons for exploring MMC, primarily that it can provide an efficient alternative to traditional construction methods due to an increased pace of delivery and high standards of quality and energy efficiency.

Another key benefit of the project is that if successful, this could provide an efficient delivery route for building more bungalows on HRA owned small sites, thus contributing to the borough's housing growth target and meeting the demand for more Council housing that is suitable for older people and people with support needs.

This project is aligned with the aims of the Improving Places Select Commission review of modern methods of construction.

## **Recommendations**

1. That approval be given to the use of Housing Revenue Account capital resources up to a maximum of the amount set out in exempt Appendix 2, to deliver 12 bungalows using modern methods of construction on three Council-owned sites in the Hooper and Valley wards.

## **Background Papers**

Cabinet report 9<sup>th</sup> July 2018: Modern methods of construction pilot to build affordable homes

Appendix 1: Location Plans

Exempt Appendix 2: Exempt financial information

Exempt Appendix 3: The Winning Bid

Background papers: Tender documentation and detailed specification

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

The Improving Places Select Commission review of modern methods of construction was reported to Overview and Scrutiny Management Board on 12<sup>th</sup> December 2018.

## **Council Approval Required:**

No.

## **Exempt from the Press and Public**

While the main report is an open item, exemption for Appendices 2 and 3 is requested under paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act, as it contains sensitive commercial information with regards to the Council's contracts.



## **Delivery of 12 bungalows using modern methods of construction**

### **1. Background**

- 1.1 A report was presented to Cabinet in July that recommended the use of Council-owned sites to deliver 12 bungalows as part of a modern methods of construction (MMC) pilot, with a further Cabinet report to follow the procurement exercise, setting out the detailed funding requirements.
- 1.2 The procurement exercise has now been completed and preferred contractors identified to build 12 bungalows on the following Housing Revenue Account (HRA) sites:
  - Symonds Avenue, Rawmarsh – eight bungalows
  - Hounsfield Crescent, East Herringthorpe – two bungalows
  - Hounsfield Road, East Herringthorpe – two bungalowsLocation plans are included as Appendix 1.
- 1.3 Details of the total scheme costs are set out in Exempt Appendix 2.
- 1.4 The project will be funded primarily through the HRA and delivered on HRA land. A grant contribution from Homes England's Shared Ownership and Affordable Housing Programme and a contribution from the Sheffield City Region's Housing Capital Fund have also been agreed in principle.
- 1.5 The new bungalows will be added to the Council's stock and allocated via Key Choices to people aged over fifty or with an assessed medical need.
- 1.6 As part of the pilot, the Council has also identified potential partners to deliver ten modular homes or pods, and this will be the subject of a separate Cabinet report early in 2019.
- 1.7 The Improving Places Select Commission is conducting a review of modern construction methods and this has helped to shape the pilot and ensure its alignment with the review's aims and objectives.

### **2. Key Issues**

- 2.1 The key advantages of this pilot are as follows:
  - Speed of construction – the construction methods to be used are 50% faster than traditional build. Site works happen simultaneously with the manufacture of the units (which can operate 24 hours a day if necessary) and less time is lost due to inclement weather.
  - Health and safety – risks associated with working at heights are reduced.
  - Reduced labour and construction costs
  - Reduced waste generation – the precise nature of manufacturing means less waste during the process.

- Consistency in construction – due to the precision manufacturing, use of high performance materials and inspection at every stage of the build process to ensure that the highest standards are maintained, the risk of imperfections is significantly reduced.
- Minimal impact and disruption on construction site and the surrounding area – typically 80% of the construction work is off-site, which keeps disruptive noise/activity/dust/ movements and deliveries to site to a minimum.
- More suitable for use on small sites than traditional construction – groundworks are undertaken using light weight machinery and there is no need to store materials on site.
- Cost programme certainty.
- End user quality – the bungalows will adhere to the size standards of the South Yorkshire Residential Design Guide with attractive but modern design.
- Energy efficiency – customers' energy bills will be significantly lower due to thermal efficiency insulation, installation of LED lights, flue gas heat recovery unit to warm the water going into the boiler – overall EPC rating of B.
- Local benefits - local supply chains will be used where possible and apprenticeship opportunities will be offered.

2.2 The piloting of MMC for bungalows will enable the Council to determine whether this is a viable delivery route for additional HRA owned small sites, therefore making a more significant contribution to Rotherham's overall housing growth targets and demand for Council homes that are suitable for older people and people with support needs.

2.3 The MMC project will provide the opportunity for small and medium specialist companies to work in partnership with the Council, which will help to diversify the local construction industry.

### **3. Options considered and recommended proposal**

3.1 Delivering these sites via traditional construction: At the present time manufacturing off-site is not proven to be less expensive than traditional construction, but the requirement to accelerate housing delivery along with the increasing shortage of skills have forced the housebuilding industry to look at change. Product information suggests that as the manufacturing process evolves, MMC products should be cheaper to build than traditional properties in the long term. This is an ideal time to pilot these methods in Rotherham. Traditional construction is therefore not recommended on these sites to allow MMC to be trialled

3.2 Sell the sites for development: The Council could opt to sell these sites on the open market to encourage small builders or self-builders to develop the sites. Selling the sites on the open market would not generate a significant income to the HRA nor would it secure the delivery of much needed bungalows or enable the Council to trial new construction methods. This approach is therefore not recommended.

- 3.3 The recommended approach is to undertake the MMC pilot to allow these methods and the delivery route to be tested, for the longer term strategic benefits this would deliver.

#### **4. Consultation**

- 4.1 Ward Members have been briefed on the proposals and will be kept up to date as the projects develop.
- 4.2 These are small sites and public consultation will be carried out via the planning application process, which has nationally prescribed regulations regarding informing local residents and the wider public. The Strategic Housing and Development Service will also work with RotherFed and the neighbourhood teams to ensure local communities are kept well informed.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Subject to Cabinet approval, construction will commence in July 2019 and the homes will be available for allocation in November 2019.
- 5.2 The project will be overseen by the Affordable Housing Co-ordinator who will work closely with Asset Management and other council services.
- 5.3 Overarching progress will be overseen by the Housing and Regeneration Programme Delivery Board and the overall accountable officer will be the Assistant Director of Housing.

#### **6. Financial and Procurement Implications**

##### Financial

- 6.1 The project costs are set out in exempt Appendix 2.
- 6.2 The new HRA Business Plan will be reported to Cabinet in January and will include the revised HRA contribution of £1.08m.
- 6.3 Homes England has indicated that a grant contribution is available from the Shared Ownership and Affordable Homes Programme and this is set out in exempt Appendix 2.
- 6.4 Sheffield City Region colleagues have supported a bid for grant funding to contribute to the costs of this project and the wider pilot, including ten modular homes or 'pods'. This is also set out in exempt Appendix 2.
- 6.5 The properties will generate New Homes Bonus and council tax income which will contribute to the achievement of financial planning assumptions within the Council's Medium Term Financial Strategy.

## Procurement

- 6.6 In order to have the greatest scope and attract a maximum number of tender returns the procurement process was run as an open tender via YorTender, with an advertisement placed in Contracts Finder and OJEU (Official Journal of the European Union) to allow all possible contractors to submit tender bids. The procurement was carried out in accordance with Rotherham Council's Contract Procedural Rules and Domestic and European Procurement Law.
- 6.7 The Strategic Housing and Development Service enlisted the support of industry expert Build Offsite to advise on the procurement criteria market the opportunity, which resulted in a successful 'Meet the Buyer' event in August. This attracted approximately 70 businesses to Rotherham and generated extremely positive feedback for the Council's forward-thinking approach to MMC and innovative partnership working.
- 6.8 Colleagues from Planning, Asset Management, Finance and Contracts, Investment and Compliance were involved in evaluating the bids. The scores were split on a ratio of 70% quality / 30% cost. Details of the Winning Bid are set out in Exempt Appendix 3.

## **7. Legal Implications**

- 7.1 All contracts in respect of this project will be managed by the Council's Asset Management Team, and will follow industry standard form. The Council will retain 'step in' rights to complete the works should any contractor fail to finish the project. Further contractors will only be paid in staged payments following the completion of works, therefore the Council will never pay for works that have not been completed.

## **8. Human Resources Implications**

- 8.1 None identified.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The main groups to benefit from the new homes will be older people requiring level access accommodation, which will help people to live independently for as long as possible.

## **10. Equalities and Human Rights Implications**

- 10.1 None identified.

## **11. Implications for Partners and Other Directorates**

- 11.1 The programme will be delivered by the Strategic Housing and Development Service, but essential roles will also be played by officers in Asset Management and Planning services within the Regeneration and Environment directorate.

## **12. Risks and Mitigation**

- 12.1 Inspection of the ongoing project will be carried out by the Council's Clerk of Works, who will only authorise payments once he / she is satisfied that all the works have been completed to the correct standards. This system reduces the Council's exposure to financial risk.
- 12.2 All new homes built by the Council that are not exempt from the Right to Buy (RTB), bear the risk that the full build costs incurred by the Council may not be recovered, if the market valuation at the point of RTB application is lower than the amount spent by the Council on building and maintain the property. This is a relatively low risk and has been factored into the viability modelling conducted by Strategic Housing and Development and Finance officers.
- 12.3 The risks associated with the scheme largely relate to the sites and ground conditions. Desktop site investigation works and topographical surveys have been undertaken to ensure that the sites can be built on. However, connection to the existing utility services can be time consuming and expensive which may add costs and possibly delay the completion of the project.
- 12.4 On the two garage sites and Hounsfield Close and Hounsfield Road the Council owned garages have to be demolished. The preferred bidder has included an industry standard cost for this work. However, the Council did not undertake asbestos surveys on the garages, and no information regarding this was made available to the bidders as part of the procurement documents. Therefore there is a risk that asbestos could be present and any additional cost for removal will be the responsibility of the Council as limited information was given at the time of procurement.
- 12.5 Overall the risk of not undertaking this pilot is that the Council will not have a clear understanding of the benefits of MMC and the opportunity to deliver a major housebuilding programme on other key sites, at a faster pace than through traditional methods.
- 12.6 The Government have indicated that they are minded to revise the New Homes Bonus Scheme in future years. Therefore, there is a risk that grant income from the Scheme may not achieve the levels of income to the Council seen in recent years.

## **13. Accountable Officer(s)**

Tom Bell - Assistant Director of Housing.

Jane Davies, Head of Service for Strategic Housing and Development

Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	07/01/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Paul Stone	04/12/18
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	21/12/18
Assistant Director of Human Resources (if appropriate)	N/A	N/A
Head of Procurement (if appropriate)	Karen Middlebrook	06/12/18

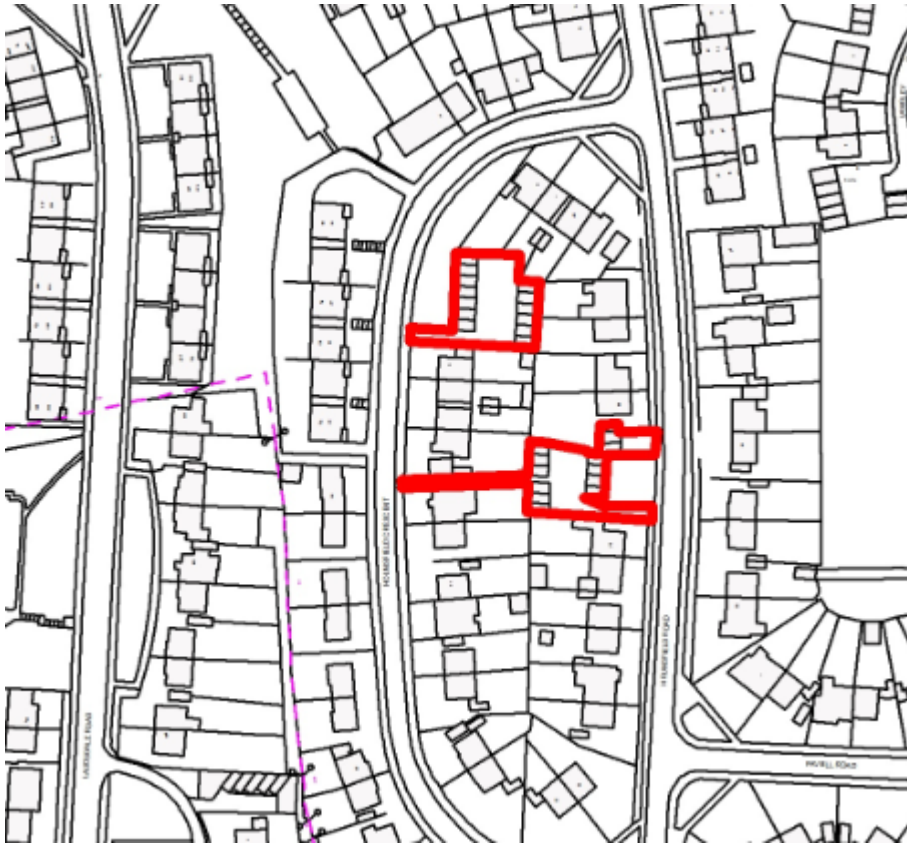
*Report Author:*            *Jane Davies, Head of Strategic Housing & Development*  
                                       *01709 334970 or jane.davies@rotherham.gov.uk*

This report is published on the Council's [website](#).

## Appendix 1 – Site Layout

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Hounsfield Road / Hounsfield Crescent, East Herringthorpe



Symonds Avenue, Rawmarsh



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of the Local Government Act 1972.

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## Summary Sheet

### **Name of Committee and Date of Committee Meeting**

Cabinet – 4 February 2019

### **Report Title**

Recommendations from Overview and Scrutiny Management Board

### **Is this a Key Decision and has it been included on the Forward Plan?**

No

### **Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

### **Report Author(s)**

James McLaughlin, Head of Democratic Services and Statutory Scrutiny Officer  
01709 822477 or james.mclaughlin@rotherham.gov.uk

### **Ward(s) Affected**

All wards

## Summary

- 1.1 Following the Governance Review in 2015, the Council has adopted a system of pre-decision scrutiny for non-executive members to review and influence recommendations being made to the Cabinet and Commissioners in the exercise of their executive functions.
- 1.2 Overview and Scrutiny Management Board met on 16 January 2019 to scrutinise the following report which will be considered at the Cabinet meeting on 4 February 2019:-
  - Amendments to the Housing Allocation Policy
- 1.3 Having reviewed the papers and the recommendations, the Board resolved as follows in respect of each item:-

Item	Resolutions/Recommendations
Amendments to the Housing Allocation Policy	<p><b>Resolved:-</b></p> <ol style="list-style-type: none"> <li>1. That Cabinet be advised that the recommendations be supported, subject to the following amendment to recommendation (e) being made, “a close family connection” to replace “Grandparents or Primary Carer”.</li> <li>2. That Cabinet require Strategic Directors to ensure that equality analyses (where required) are attached to reports submitted for pre-decision scrutiny and determination by Cabinet.</li> </ol>

### **Recommendation**

That Cabinet has regard to the views of the Overview and Scrutiny Management Board when making decisions in respect of the above matters.

### **List of Appendices Included**

None

### **Background Papers**

Minutes of Overview and Scrutiny Management Board – 16 January 2019.