

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577 Email: governance@rutland.gov.uk

Meeting: CABINET

Date and Time: Tuesday, 13 December 2022 at 10.00 am

Venue: Council Chamber, Catmose, Oakham, LE15 6HP

Governance support Officer to contact: David Ebbage 01572 720972
email: governance@rutland.gov.uk

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A G E N D A

1) APOLOGIES FOR ABSENCE

2) ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

3) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are required to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) MINUTES

To confirm the Minutes and Decisions made at the meeting of the Cabinet held on 15 November 2022
(Pages 5 - 10)

5) ITEMS RAISED BY SCRUTINY

To receive items raised by members of scrutiny which have been submitted to the Leader and Chief Executive.

6) RUTLAND ADULT AND COMMUNITY LEARNING SUB-CONTRACT PROVISION

To receive Report No.196/2022 from the Portfolio Holder for Education and Children's Services.
(Pages 11 - 18)

7) LLR CARERS STRATEGY

To receive Report No.185/2022 from the Portfolio Holder for Health, Wellbeing and Adult Care.
(Pages 19 - 58)

8) HOUSING ALLOCATION POLICY - REVISION DUE TO STATUTORY CHANGES

To receive Report No.188/2022 from the Portfolio Holder for Planning, Highways and Transport & the Portfolio Holder for Health, Wellbeing and Adult Care.

(Pages 59 - 114)

9) INDICITIVE CAPITAL ALLOCATIONS INCLUDING DEVELOPER CONTRIBUTIONS

To receive Report No.196/2022 from the Portfolio Holder for Planning, Highways and Transport.
(Pages 115 - 126)

10) CONTRACT UTILITIES PROCUREMENT

To receive Report No.195/2022 from the Leader of the Council.
(Pages 127 - 138)

11) EXCLUSION OF THE PRESS AND PUBLIC

Cabinet is recommended to determine whether the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure Rule 239, as the following item of business is likely to involve the disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A of the Act.

Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

12) PROPERTY CLEANING SERVICES PROCUREMENT

To receive Report No.194/2022 from the Leader of the Council.

(Pages 139 - 152)

13) ANY ITEMS OF URGENT BUSINESS

To receive items of urgent business which have previously been notified to the person presiding.

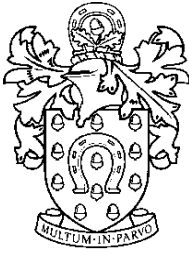
14) DATE OF THE NEXT MEETING

Thursday, 12th January 2023

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MEMBERS OF THE CABINET: Councillor L Stephenson (Chair)
Councillor R Powell (Vice-Chair)
Councillor S Harvey
Councillor M Oxley
Councillor K Payne
Councillor D Wilby

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Rutland County Council

Catmose Oakham Rutland LE15 6HP

Telephone 01572 722577 Email: governance@rutland.gov.uk

Minutes of a **MEETING of the CABINET** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 15th November 2022 at 10:00am

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PRESENT: Councillor L Stephenson (Chair) Councillor R Powell (Vice-Chair)
Councillor S Harvey Councillor M Oxley
Councillor K Payne Councillor D Wilby

OFFICERS PRESENT:	Mark Andrews	Chief Executive
	Saverio Della Rocca	Strategic Director for Resources
	Dawn Godfrey	Strategic Director of Children's Services
	Penny Sharp	Strategic Director for Places
	John Morley	Strategic Director for Adults and Health
	Angela Wakefield	Director of Legal & Governance, (Monitoring Officer)
	David Ebbage	Governance Officer

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

There were no announcements made.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 MINUTES

Consideration was given to the record of decisions made following the meeting of Cabinet on 18 October.

RESOLVED

- a) That the record of decisions made at the meeting of the Cabinet held on 18 October 2022 be **APPROVED**.

5 ITEMS RAISED BY SCRUTINY

No items were received.

6 FUTURE COMMISSIONING OF EARLY YEARS PATHWAY

Report No.178/2022 was introduced by Councillor David Wilby, Portfolio Holder for Education and Children's Services.

Councillor Wilby outlined the Council's vision was to support all children and young people with Special Educational Needs and or Disabilities (SEND) to lead healthy, independent, and safe lives. He also mentioned the work with the Rutland Schools' Forum, that RCC had been in the process of reviewing how children with special educational needs (SEN) could best be supported in an Early Years environment and the proposed next steps were set out in his report.

Members welcomed the report as the review would take into the account the whole of Rutland and would look at some of the Council's larger settlements outside of Oakham and Uppingham.

Members were pleased to hear that the intention was to increase opportunities for children with SEND or emerging needs to access Early Years education closer to home and in their own communities.

It was proposed by Councillor D Wilby that the recommendations of report No. 178/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

- a) **AGREED** that Rutland County Council should continue to work with Rutland Schools Forum and Rutland Early Years childcare and learning providers to develop services that best support children in an early year's environment with emerging Special Educational needs.
- b) **ENDORSED** an engagement programme with the Early Years sector and parents to begin to consider what the future Early Years SEN provision in Rutland may be and what steps would need to be taken to best meet children's needs to ensure they thrive in their communities.
- c) **NOTED** that following engagement and planning, there would be a need to consider future Early Years SEN provision in Rutland and any requirement to consult if changes were to be proposed.

7 MID-YEAR REPORT ON TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2022/23

Report No.177/2022 was introduced by Councillor Karen Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation.

This report updated Members with the progress against the Treasury Management Strategy, prudential indicators and highlighted whether any policies require revision.

Councillor Payne updated Members on the £7m which was invested to Thurrock Council. They had been subject to Government intervention due to financial mismanagement, Councillor Payne was pleased to tell Members that £2m had now been repaid and a letter from Thurrock Council was received to confirm that all debts would be repaid as they had received support from PWLB.

It was also highlighted that the Council had outperformed its investment income budget by c£730k due to cash holdings being greater than expected and the increase in base rate allowed the Council to take advantage of higher rates.

The Leader welcomed the update in particular the information on the economics update, it underscored the climate we worked in as the situation was constantly changing.

It was proposed by Councillor K Payne that the recommendations of report No. 177/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

- a) **NOTED** the contents of the report.

8 GREEN WASTE CHARGES FOR 2023/24

Report No.182/2022 was introduced by Councillor Marc Oxley, Portfolio Holder for Communities, Environment and Climate Change.

The report requested approval of revised charges for Green Waste collections in 2023/24 and outlined proposals to set the annual charge per bin at £50 per bin for online subscriptions. An alternative option to retain differential charging to account for the additional support costs if paying by telephone or cheque was also considered.

On comparison with Rutland's Experian Mosaic near neighbours, the current level of charge put Rutland at the lower end of the charging scale with similar local authorities providing the service. The increase in cost was in line with additional inflation costs and no other additional expenditure is anticipated.

Members welcomed the flat rate charge of £50 as stated in the report, it covered the cost of the bins which was beneficial for the Council's financial position.

The Leader was happy to see that we offered a service that was reasonably priced and offered good value and it was useful to see the comparisons with other authorities.

It was proposed by Councillor M Oxley that the recommendations of report No. 182/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

- a) **APPROVED** the proposed annual charge of £50 per bin for the 2023/24 financial year.
- b) **AUTHORISED** the Director for Resources, in consultation with the Cabinet Member with Portfolio for Environment and Climate Change, to revise as necessary the terms and conditions associated with the implemented chargeable service for the kerbside collection of green waste.

9 HIGHWAYS CONTRACT - PROCUREMENT

Report No.184/2022 was introduced by Councillor Rosemary Powell, Portfolio Holder for Planning, Highways and Transport.

The purpose of the report was to obtain approval for the re-procurement of the Highways Term Maintenance Contract (HTMC) and to award the contract following tender evaluation.

It was proposed that the new HTMC would commence on the 1st June 2024 and would run for a period of ten (10) years to 31st May 2034 with a further option of two (2) x five (5) year extendable terms if performance was met to a suite of Key Performance Indicators (KPIs).

Councillor Harvey asked a question on the maintenance of cycleways after hedge cutting had taken place as a number of them are not useable in the out of town areas of Rutland. Strategic Director for Places informed Councillor Harvey that street cleansing sat in the Council's Waste Contract. That contract who would be responsible for maintaining the pavements and cycle paths. Work was being done for an alignment between the two contracts and timelines for the Waste Contract does not have a knock-on impact on the Highways Maintenance Contract so any issues around the cleaning of footpaths and cycle paths could be resolved.

It was proposed by Councillor R Powell that the recommendations of report No. 184/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

- 1) **APPROVED** the re- procurement of the Highways Term Maintenance Contract (HTMC).
- 2) **DELEGATED** authority to the Director – Places in consultation with the Portfolio for Planning, Highways and Transport to award the contract to the highest scoring bidder following evaluation of tenders.

10 EXCLUSION OF THE PRESS AND PUBLIC

It was agreed by Cabinet to remain in public session for the discussion of Report No.183/2022.

11 CORPORATE ASSET REVIEW AND STRATEGY

Report No.183/2022 was introduced by the Leader and Portfolio Holder for Policy, Strategy and Economy.

This report set out information about the Council's property assets and sought approval of the Property Asset Strategy.

The report also recommended that Cabinet approved a budget of £716k to support the next phase of the corporate asset review and the preparation of business cases and essential repair and compliance work needed to assets.

Cabinet approval was also being sought for the Corporate Asset Programme project documents including the Project Initiation Document, Terms of Reference and Risk Log. The Corporate Asset Programme had been identified as a Corporate Project following the Council's Corporate Project Management framework.

Members welcomed the report, Councillor Oxley was happy to see the cultural offer to the Council's assets as he felt it was important for the wider community to see what Rutland was all about.

Members agreed that services have to fit the assets and maximise every part of each building and make good use of them.

Members felt this report was a critical input into the Council's overall transformation to making it leaner and fitter to be able to move forward in an economic way.

It was proposed by the Chair that the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 as the following item of business was likely to lead to disclosure of information relating to the financial or business affairs of any particular person. This was seconded and upon being put to the vote the motion was unanimously carried.

RESOLVED

- a) That the press and public be excluded from the meeting.

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At 11.21am the Chair returned the meeting to a public session

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It was proposed by Councillor L Stephenson that the recommendations of report No. 183/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

- a) **APPROVED** the Property Asset Strategy and guiding principles for the future management of the Council's assets.
- b) **APPROVED** the recommended future approach for primary key assets, and prioritised programme, for the development of business cases.
- c) **APPROVED** the establishment of a Corporate Asset Programme Project Board and associated project documents including the Project Initiation Document, Terms of Reference and Risk Log.
- d) **DELEGATED** authority to Strategic Director Places, in consultation with the Portfolio Holder for Property, to commission further technical advice as necessary within the project budget.
- e) **APPROVED** budget creating a capital programme of £565k as per appendix D funded from Capital Receipts for major works, Revenue Budget of £31k to fund the repairs required and £120k to support the business case development programme.
- f) **NOTED** the need to consider future delivery models for the Council's asset and estate management as the corporate asset programme developed.

12 ANY ITEMS OF URGENT BUSINESS

There were no items of urgent business.

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The Chairman declared the meeting closed at 11.23am.

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CABINET

13 December 2022

Rutland Adult and Community Learning Sub-Contract Provision

Report of the Portfolio Holder for Education and Children's Services

Strategic Aim:	A county for everyone	
Key Decision: No	Forward Plan Reference: FP/240622	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr D Wilby, Portfolio Holder for Education and Children's Services	
Contact Officer(s):	Elizabeth Papworth, Service Manager-Learning and Skills	07979 747094 EPapworth@rutland.gov.uk
	Atessa Bradberry , Adult and Community Education Lead	01572 720904 abradberry@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the procurement model and award criteria for Adult and Community Learning.
2. Authorises the Strategic Director Children and Families, in consultation with the Cabinet Member with responsibility for Education and Children's Services, to award the contract(s) resulting from this procurement in line with the Award Criteria.

1. PURPOSE OF THE REPORT

- 1.1 This report sets out the process and proposed award criteria for the procurement of a sub-contractor to deliver the adult education skills provision.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Adult Learning is a service provided by Rutland County Council (RCC) utilising funding from the Education and Skills Funding Agency to meet statutory duties to influence and shape the adult learning provision on offer in the local area. RCC

offers a range of learning opportunities aiming to upskill and boost productivity, pay, jobs and living standards of learners, delivered through our well-equipped building on the outskirts of Oakham.

- 2.2 As a result of internal and external influences, including changes to subcontracting rules, our current provider can no longer offer the same level of provision as originally planned. As we were not then able to extend the existing contract for its final year we must secure a new provider. The new provider will need to offer experience of engaging with stakeholders and effective promotion of an offer that meets the needs of both our local community and ESFA and other external funding requirements.
- 2.3 The new sub-contracting partner will need to establish and deliver a high quality, inclusive learning and skills offer for the County, which takes into account the requirements of our rural location and training requirements.

3. CURRENT PROVISION OF ADULT AND COMMUNITY LEARNING

- 3.1 Rutland County Council commissions a single contract with Inspire Education Group (IEG), who are contracted until 31st July 2023.
- 3.2 The current curriculum offer is reviewed annually and is designed to meet specifically the needs of the communities that Rutland County Council serves. In particular, links with the MOD barracks, Rutland schools and small and medium sized employers have resulted in a clearly defined curriculum that meets the learning and training needs of Service families and employees. Recent reviews of the current offer have shown that changes to delivery requirements are required to reflect identified customer needs. It is therefore essential that the Council procures a provider that can demonstrate the necessary flexibility to adjust provision to meet community needs.
- 3.3 Future contracting arrangements will need to build on these strengths and deliver an offer that reflects the local authority's statutory functions and employer and student expectations.
- 3.4 To ensure the new provider has the capacity and expertise to deliver high quality provision for the local authority, robust key performance indicators will be established within the contract. These will reflect current education expectations and be explicit about expected performance targets. These will be monitored regularly through the Rutland Adult Learning and Skills Service Performance Board.

4. PROCUREMENT MODEL

- 4.1 The proposed contract length is 3 years, with the option to extend annually for a further 2 years. Due to changes in sub-contracting funding rules each year, the contract may need to be varied on an annual basis to reflect these changes. The Commissioning Team will support this where required.
- 4.2 To ensure a suitable contract is in place for the commencement of the academic year, autumn 2023, Rutland County Council is undertaking a procurement exercise to seek a sub-contracting partner to establish and deliver a high quality and inclusive learning and skills offer for the County.
- 4.3 We are seeking a provider who can offer experience of engaging with stakeholders

and effective promotion of an offer that is meeting the needs of both our local community and ESFA and other external funding requirements.

- 4.4 The contract value will be set at up to £99,000 per year, potentially totalling £495,000 over its lifetime. Since the previous report to Cabinet, a new sub-contracting standard has been introduced by the ESFA. This requires every subcontract over £100,000 to be externally audited before being granted a three-year subcontracting licence. As the service is already extensively audited, we have decided the most efficient and effective approach for the Council will be to retain £20,000 of our £119,000 funding allocation and deliver this in-house. This will enable us to focus resources on delivering services to learners. Our in-house Rutland Adult Learning and Skills tutors (who can be employed on a casual basis) will provide entry-level qualifications to those furthest from education and training. This will provide a progression route from entry level onto level 1 and above qualifications which our subcontractors will deliver.

4.5 Procurement Process

- 4.5.1 The procurement process will follow a single stage open tender process in line with the Council's Contract Procedure Rules.
- 4.5.2 The value of the contract is below 'Find a Tender' thresholds.
- 4.5.3 The timetable for the process is set out in Appendix A and the award criteria are set out in Appendix B.

5. CONSULTATION

- 5.1 In September 2022, a soft market testing exercise was undertaken to provide feedback on the proposed model. This concluded on the 17th of October.
- 5.2 Feedback from the questionnaires has shown that there is interest in delivering Adult Education programmes in Rutland and already work with our bordering counties of Northamptonshire and Leicestershire. These providers also engage with stakeholders such as Jobcentre Plus. Of the three responses, from current information only one is suitably qualified to fulfil the contract. This may change when the tender is published.

6. ALTERNATIVE OPTIONS

- 6.1 Under the Public Contract Regulations 2015, Award Criteria must be set prior to procurement starting. There is no alternative to setting these in advance.
- 6.2 The approval of award of the contracts could be brought back to Cabinet for approval rather than delegated to the Portfolio Holder and Strategic Director Children and Families, however the award will be made in line with the award criteria Cabinet approve and therefore the only alternative to not approving the award would be if there was reasonable grounds to not award at all.

7. FINANCIAL IMPLICATIONS

- 7.1 The contract value will be set at £99,000 per year, £495,000 over the lifetime of the contract. This is funded through the Education and Standards Funding Agency funding and is not a cost to the authority.

- 7.2 Rutland Adult Learning and Skills Service will retain all community funding and will retain up to 20% of any sub-contracted provision as a management fee.

8. LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The procurement process has been drawn up by the Commissioning Team and Welland Procurement Unit, in line with the requirements of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.
- 8.2 Legal advice on the process has been sought.

9. EQUALITY IMPACT ASSESSMENT

- 9.1 Equality Impact Screening (EIS) has been completed. No adverse or other significant risks/issues were found. A copy of the EIS can be obtained from Atesa Bradbury – contact details above.

10. COMMUNITY SAFETY IMPLICATIONS

- 10.1 The council is required by Section 17 of the Crime & Disorder Act 1998 to take into account community safety implications. There are no specific community safety implications from the procurement.

11. HEALTH AND WELLBEING IMPLICATIONS

- 11.1 The provision provides additional skills to residents enabling them to gain and maintain employment and to gain promotion to higher employment levels.
- 11.2 The provision offers basic skills qualifications to vulnerable residents and improves potential for future employment skills and potential for independent living.
- 11.3 The provision offers English as a Second Language to new arrivals to the UK and Rutland.

12. ORGANISATIONAL IMPLICATIONS

- 12.1 TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) and subsequent amendments will apply to the procurement. The existing provider will be required to submit a TUPE spreadsheet as part of the procurement exercise. Bidders will use this information to develop their service and shape their bid. The TUPE process will then be managed by the provider as part of the implementation period.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 Under the provisions of the Public Services (Social Value) Act 2012 local authorities are required to consider how economic, social, and environmental well-being may be improved by services that are to be procured, and how procurement may secure those improvements.
- 13.2 The award criteria will include specific reference to Social Value. The tender will require bidders to review each section of the Future Rutland Vision and shape their social value offer around these priorities by answering a specific social value method statement.

14. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 14.1 In order for the procurement process to commence the award criteria needs to be approved by Cabinet. The criteria have been carefully considered to ensure that providers successful in the process are capable of meeting the requirements and can deliver appropriate quality services in Rutland.
- 14.2 It is recommended that once the award criteria are approved, approval of the award of contracts is delegated to the Strategic Director Children and Families in consultation with the Portfolio Holder. Decisions will only be taken in line with Cabinet approved criteria.

15. BACKGROUND PAPERS

- 15.1 There are no additional papers to the report.

16. APPENDICES (MANDATORY)

- 16.1 Appendix A – Procurement Timetable
- 16.2 Appendix B – Award Criteria

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix A. Procurement Timetable

Action	By When
Cabinet Approval for Award Criteria	13/12/22
Invitation to Tender published	16/01/23
Deadline for questions from bidders	06/02/23
Deadline for responses to questions	13/02/23
Tender submissions deadline	20/02/23
Evaluation of Tenders	13/03/23
Approval of Contract Awards	03/04/23
Contract award	10/04/23
Contract start date	01/08/23

Appendix B. Award Criteria

1. Suitability Questionnaire

This will be evaluated on a Pass/fail basis

2. Evaluation Criteria

Criteria	Weighting
1.Service Model	10%
2 Service Characteristics	10%
3. Implementation Plan	20%
4.Outcomes	20%
5. Partnership Working	15%
6. Safeguarding	10%
7. Service User Engagement	10%
8. Social Value	5%

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CABINET

13 December 2022

LLR CARER'S STRATEGY

Report of the Portfolio Holder for Health, Wellbeing and Adult Care

Strategic Aim:	Healthy and Well	
Key Decision: No	Forward Plan Reference: FP/300922	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr S Harvey, Portfolio Holder for Health, Wellbeing and Adult Care	
Contact Officer(s):	Kim Sorsky, Head of Adult Social Care	01572 758352 ksorsky@rutland.gov.uk
	John Morley, Strategic Director for Adult Services and Health	01572 758442 jnmorley@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the LLR Joint Carers Strategy Refresh 2022-2025.
2. Approves the associated Rutland County Council Carers Delivery Plan

1. PURPOSE OF THE REPORT

- 1.1 To share the LLR Joint Carers Strategy Refresh 2022-2025 Recognising, Valuing and Supporting Carers in Leicester, Leicestershire and Rutland and Rutland County Council Carers Delivery Plan to gain Cabinet approval.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The strategy is to ensure that carers across Leicester, Leicestershire & Rutland have access to support that promotes their physical and emotional wellbeing. An important element is identifying carers early and ensuring that the right support is accessible in the right places and at the right time for all carers.
- 2.2 Carers play an essential role in our communities, often without recognition of the commitments they make and the substantial impact that their commitment to others

can have on their own wellbeing.

- 2.3 The LLR Joint Carers Strategy 2018–2021 “Recognising, Valuing and Supporting Carers” set out eight key strategic priorities relating to unpaid carers of all ages, and was developed jointly by Leicester City, Leicestershire County and Rutland County Councils (LLR) and the CCGs (now the Integrated Care Board [ICB]) across the LLR area.
- 2.4 The priorities were built upon feedback of carers across the LLR area. The LLR Carer’s Delivery group agreed that the refresh would continue with the same 8 priorities especially as the impact of Covid had exacerbated the priorities as well as significantly increasing the numbers of unpaid carers.
- 2.5 Only one of the priorities received a minor adjustment. This was Priority 6, “Carers and the impact of technology products and the living space”. However, with the wealth of technology available and RCC’s need to create more digital solutions for our carers, all organisations were keen to see this priority continue to be represented and the alternative priority title ‘Care with Confidence’ is based around using technology and skills to support carers.
- 2.6 To achieve the vision and the best possible outcomes for carers, NHS and local authority partners will work collaboratively. The strategy is therefore developed jointly to underline the intent to work together.
- A key collective achievement from the 2018-2021 Strategy was the launch and offer of a Carer’s Passport across LLR.
 - Based on research conducted by University of Nottingham on behalf of the BBC there is likely to be on average 2 young carers in every classroom. This would equate to 330 in Rutland suggesting that many are unidentified. The situation is similar in Leicester City and County and so work is ongoing to create some consistent promotional materials to increase awareness. An LLR young carers logo is now in use and is included on the new Young Carers Passport.
 - Young Carers awareness training provided by Leicester City has recently been offered to all RCC staff.
- 2.7 Whilst the LLR delivery group is a collaborative group, the picture for carers across all 3 geographical areas is very different and whilst RCC aligns its work with carers to the strategy, we are open to its interpretation in the context of our local communities and positive work in RCC includes:
- Carers Team developed a 2-stage assessment to reflect feedback from independent carer’s surveys that carers valued being listened and responded positively to being signposted to universal services that promoted their emotional wellbeing and how to access mental health services. Adult Social care is cognisant of the rise (post pandemic) of mental health issues affecting our carers.
 - RCC has an Admiral Nursing Service. Admiral Nurses are specialist dementia nurses who provide support for families affected by all forms of dementia. This ranges from a one-off consultation for information and advice through to one-to-one emotional support and bereavement support.

- RCC has an approach of logging all carers on our adult social care data base that we have any type of contact with. This enabled a higher identification of carers as it logs (with consent) all carers that contact us regardless of them or their cared for receiving services.
- Carer's support worker attends weekly meetings with their hospital colleagues to promote early identification on carers at the point of admission and include carers needs in the hospital discharge process. This includes general hospital and in-patient psychiatric settings.
- Currently there are 89 identified young carers (aged 18 or under) in Rutland. All of these have had a young carers' assessment completed with them to understand the level and the impact of their caring role. 11 of these have recently turned 18.
- Pupil assemblies and staff Continuing Professional Development sessions are offered to all Rutland Schools to increase awareness of young carers.
- Parent carers provide care for a disabled child. The number of Education Health and Care Plans (EHCP) has increased from 2019 (224) to 300 currently. This could suggest that the number of parent/carers are increasing and/or that more children are being identified with special educational needs and/or disabilities.
- Parent carers are currently supported in many ways including:

Support via Children with Disability social care, Early help support via Team around the family approach, Aiming High Short Breaks Scheme, Aiming High positive activities, Services for young people, Visions Children's Centre, support groups for people who are neuro diverse, Holiday, activities, and Food programme , Support for parent carers is also provided via partners such as Rutland Rotaract Family Support Centre, Sunflowers, Rutland Parent Carer Voice, Carers Centre etc
- Parent carer needs are currently assessed as part of a holistic assessment during a Section 17 (Child in Need) or Early Help assessment.

2.8 Ongoing challenges which will be addressed within the strategy refresh are:

- Continuing to raise awareness of the issues faced by carers and continuing to promote early identification of carers
- ongoing work with the RCC Quality Assurance Team to expand our offer around carers co-production and engagement
- developing increased digital solutions and ensuring our websites are updated regularly as well as more traditional mediums (leaflets, notice boards in community settings etc)

3. CONSULTATION

- 3.1 The Carers Strategy Review was open to the public for consultation throughout June 2022 and July 2022. This was launched locally at a Carers Week information event at Oakham Castle. (The closing date was extended to allow for a delayed consultation event held at Leicester city football ground on 13/07/22).

- 3.2 Other face to face carers engagement events were held in Rutland to promote the survey along with general carers awareness.
- 3.3 Despite events to engage carers, only four responses to the survey were completed by Rutland residents. It was agreed that due to the limited number of responses, a further short period of engagement with Rutland carers would be completed. A report was produced which captured the views of a group of carers around the 8 strategic priorities.
- 3.4 From the carers who completed the questionnaire, 18 carers are supporting a family member/carer of an adult or child who does not use social care services, and 4 carers are supporting a family member/carer of an adult or child who uses social care services.
- 3.5 The age range of the carers was from 28 years old to 84 years old and the carers were predominately female.
- 3.6 Almost half of the carers thought the draft strategy 'very well' or 'fairly well' reflected carer's issues. An action to take from this is to ensure on-going work and development of carers support takes into account the comments made from those who responded, 'Don't know or Not very well'.
- 3.7 The overall feedback from the carers was positive. The responses to the 8 priorities were either 'very important' or 'fairly important' to the carer.
- 3.8 Carers did not show interest in exploring technology in great depth. This can therefore lead into an outstanding action to understand what outcome/support carers would like around technology and skills to support them to care effectively.

In summary, the discussed priorities and themes were of continued support around emergency planning, preventing, and managing hospital admissions and discharges, end of life care and accessing more responsive mental health services. Carers were generally reassured that integrated services were continuing to improve access, communication, and support in line with this strategy and action plan. Representatives from LLR met to update the Strategy with the additional points from engagement with carers.

4. ALTERNATIVE OPTIONS

None identified

5. FINANCIAL IMPLICATIONS

- 5.1 The Strategy and associated plans are not expected to cause have any financial implications with services already being met from existing budgets.

6. LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 The Care Act 2014 places a duty on local councils to prevent, reduce and delay need for support, including the needs of carers. A right to a carers assessment based on need and a right for carers eligible needs to be met.

7. DATA PROTECTION IMPLICATIONS

- 7.1 A Data Protection Impact Assessments (DPIA) has not been completed and is not deemed relevant to this report.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment has not been completed as it is not deemed relevant to this report.

9. COMMUNITY SAFETY IMPLICATIONS

- 9.1 None identified.

10. HEALTH AND WELLBEING IMPLICATIONS

- 10.1 There are no health and wellbeing implications arising from this report. It is intended the aims of the Carers Strategy and Delivery Plan will enhance the experience of carers across the County.

11. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 It is recommended that Cabinet approves the Refreshed Joint Carers Strategy 2022-2015 and associated delivery plan.

12. BACKGROUND PAPERS

- 12.1 There are no additional background papers

13. APPENDICES

Appendix A LLR Joint Carers Strategy Refresh 2022 -2025

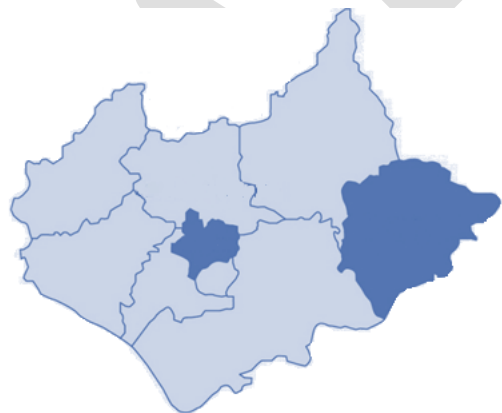
Appendix B Carer's Draft Delivery Plan

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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JOINT CARERS STRATEGY REFRESH 2022-2025

Recognising, Valuing and Supporting Carers in
Leicester, Leicestershire and Rutland



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1. Foreword

The COVID-19 pandemic has been a challenging time for everyone. While many people have played an important role enabling others to cope with those challenges, it is especially important to recognise all those people who look after someone who couldn't manage without their support. Carers play an essential role in our communities, often without recognition of the commitments they make and the substantial impact that their selfless commitment to others can have on their own wellbeing. We would like to express our thanks to carers across Leicester, Leicestershire & Rutland and publicly recognise the outstanding contribution they make to our communities.

27 We have heard carers tell us how they can feel isolated, that they may experience higher levels of strain on their own physical health and wellbeing, and that they often feel worried about what the future holds since the pandemic. We have been mindful of this when setting the priorities detailed in the refreshed strategy. Central to this is that carers have told us that they want to have opportunities to live their own life alongside their caring role. We have listened to what they have said to us. We want to ensure that carers across Leicester, Leicestershire & Rutland have access to services that support their physical and mental health and promote their wellbeing. One important element of this is identifying carers early and ensuring that the right support is accessible in the right places and at the right time for all carers.

We recognise that in order to achieve this vision and the best possible outcomes for carers, NHS and local authority partners need to work collaboratively. We therefore publish our strategy jointly as a sign of how we intend to work together. With our minds now set firmly on 'recovery' and living with COVID, this refreshed strategy reflects our ongoing commitment to carers. We look forward to seeing the implementation of the plans within the strategy over the next five years and being part of a system that ensures carers are not only recognised but are valued and supported to live healthy and fulfilled lives.

2. Carers Foreword

Dave T. Local carer

I'm delighted to have been asked to write this foreword. Cards on the table. I don't think carers were particularly well served in the past and I'm not sure they are now. I could go on about that, but I won't. Why? Because I think it's changing, in fact I know it is, and I know the desire to improve is coming from providers as well as carers. A glimpse of this is a carer's voice being heard here right at the beginning.

What is a carer and why do they need a strategy? With one in four adults becoming a carer during the pandemic (and already we're ignoring the vast number of young carers) the idea that there will be a simple definition is wishful thinking. What connects me (a working carer) with a young carer, with a parent carer, with a young adult carer? Well, there is someone who couldn't cope with their everyday life without my help, without our help. Doesn't much matter who or how, there is someone who we have a commitment to support. We are part of the team (us, medical, domiciliary care, social work) that works together to help someone live their life.

And that's where this strategy could, and should, and will if we follow it, take us. A team. Working together. Agencies communicating with each other, carers in that loop. Carers being treated the same way as professionals, informed, included, supported. Good employment practice extended to include all the care team members, to include carers.

As well as treating carers as part of the team there's another job for you professionals. You need to tell us that what we're doing has a name. Carers rarely define themselves as 'a carer' we're sons, daughters, parents, friends, and that's how we see ourselves. 'Carer' is a label not an identity. The thing is, if I don't think to call what I do 'caring' then I'm unlikely to know there's an Act that grants me rights; that there's a dedicated support service for me; that there are people who will help me. 'Carers' don't know this. We really don't. If you tip us the nod you can make our lives so much better and that's got to be worth your effort.

Sounds like a plan? We all want the same thing. The best possible life for the person we're supporting without burning ourselves out.

Here's how we do it...

Voice of local young carers

For us the strategy means that someone recognises what we do, how we feel and how we struggle.

It's a start in being supported as a young carer and being given time out to think about my emotional wellbeing as I suffer, as I'm isolated more than my friends.

It's important that everyone who is involved with young carers sees the strategy, especially schools. We spend so much time in school it would be great if this strategy brings change. We'd like to see every school having a named person who is the link person for the young carers, someone who understand us more, who understands the reasons we miss deadlines or are late to school. The strategy will hopefully affect the things that matter to us and allow us to talk about our worries and our good parts of life.

3. Who is the Strategy for?

'We would describe a carer as anyone who supports and cares, unpaid, for a family member or friend living with a disability, long-term illness, substance misuse or a mental health need, who would not manage without their help.'

One of the biggest challenges in developing a strategy for carers, is that there are many definitions that apply, including within various national policy and legislation documents. Comments provided to us by carers across Leicester, Leicestershire and Rutland have suggested that the following factors are important to acknowledge explicitly:

- That a carer does not always live with the person they care for.
- That a caring role should not be defined by the number of hours they provide care.
- That the carer could be caring for their son, daughter, husband, wife, mother or father, but that this list is not exhaustive, and the relationship between the carer and the person may also extend beyond traditional family roles.
- Sometimes a carer can be caring for more than one person, across differing generations.
- Carers may also receive support from a carer themselves because of their own illness or disability.
- Receipt of a carers allowance does not mean that they are in a paid carer role.
- The carer can be any age; adult carer over the age of 18, parent carer who provides care to a child or an adult, young carers under the age of 18 and young adult carers who are aged between 18 and 25 years.
- There may be more than one carer caring for the same person
- The need of the person they care for may not be visible.

It is recognised that some people do not relate to the term 'carer' however, for the purpose of this strategy this will be the term used to capture the diverse nature of the caring role.

4. Profile of carers in Leicester, Leicestershire and Rutland

Census data from 2011 told us that there are over 105,000 carers across Leicester Leicestershire and Rutland (LLR). Nearly 2000 of the 105,000 (2%) LLR carers were aged between 0-15 years, and 203 of these young carers provide 50 or more hours of unpaid care per week. Overall, 67% of carers provide care for 1-19hrs a week. 57% of LLR carers are female, the highest provision of care for both sexes is provided by those aged 25-64.

There is no doubt that the COVID-19 pandemic has significantly increased the numbers of people that now find themselves in a caring role, but we are waiting for the results from the Census undertaken in 2021 to be able to provide more detailed information on the gender split of our caring population, the ethnic breakdown, the age and number of hours spent caring as provided in the last strategy. We have been advised by the Office of National Statistics that this information should be released between December 2022 and January 2023 and will update this section, once the information is available.

5. National Policy and Legislation



This carers strategy works to support the aims of the Government as highlighted within these national policy and legislative documents.

6. Our local vision for Carers

‘Carers, of all ages across Leicester, Leicestershire and Rutland will be identified early, and feel valued and respected. They will be offered appropriate support wherever possible to enable them to continue their caring role and maintain their own health and wellbeing’.

This strategy has been refreshed to reflect the accomplishments of the previous strategy such as:

- Launching a Leicester, Leicestershire and Rutland carers passport.
- The incorporation of quality markers in GP surgeries.
- Staff training around carer awareness within a number of health and social care organisations.
- A review of the information and advice available to carers with necessary updates.
- Larger numbers of carers registering with their GPs.
- A new regional carer co-production group.

The refreshed strategy builds on existing actions and represents the voice of local carers across Leicester, Leicestershire and Rutland, particularly following the COVID-19 pandemic. It also sits alongside other local plans, such as the Health and Wellbeing Strategies for Leicester, Leicestershire & Rutland 2022-2032 and Social Care Strategies for Adults and Children’s Services across Leicester City & Leicestershire and Rutland County Council’s. Ongoing challenges such as continuing to raise awareness of carer issues, promoting the early identification of carers, and continuing to keep information up to date remain embedded within the priorities of the refreshed strategy.

In July 2022, integrated care systems were established across England. Integrated care is about joining up the care provided by different organisations and services. It’s about giving people the support they need, joined up across local councils, the NHS and other partners. Our integrated care system covers Leicester, Leicestershire & Rutland.

The Leicester, Leicestershire & Rutland Integrated Care System has two statutory bodies.

- 1) Leicester, Leicestershire and Rutland Health and Wellbeing Partnership, responsible for producing an integrated care strategy on how to meet the health and wellbeing needs of the population and,
- 2) Leicester, Leicestershire and Rutland Integrated Care Board, the statutory NHS organisation responsible for developing a plan for meeting the health needs of the population, managing the NHS budget and arranging the provision of health services in their area. The Integrated Care Board replace what were once known as clinical commissioning groups.

In order to avoid the Integrated Care System losing sight of issues affecting local areas, other groups called place-based partnerships and provider collaboratives are in place.

The group that is responsible for highlighting the needs of carers, development and delivery of this strategy across the Integrated Care System is the Leicester, Leicestershire & Rutland Carers Delivery group which is made up of representatives from the following organisations:

- Leicester City Council,
- Leicestershire County Council
- Rutland County Council, (all responsible for social care),
- Leicester, Leicestershire & Rutland Integrated Care Board who work alongside GP surgeries,
- Leicestershire Partnership NHS Trust,
- University Hospitals of Leicester,
- Voluntary and community sector organisations (notably those organisations delivering carer support services and representing the voice of the carers they support)
- Healthwatch

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The organisations that are part of the Leicester, Leicestershire & Rutland Carers Delivery Group have signed up to this strategy and have committed to work together to deliver our local vision for carers.

7. The impact of the COVID-19 pandemic

No one could have anticipated that during the life of the 2018-2021 strategy, there would be a pandemic that would have such a monumental impact on carers' lives. As a nation we are moving to recovery and living safely with Covid but for carers there are lasting effects on many areas of their lives: their mental and physical health, employment and finances, their emotional wellbeing, with many taking on a new role as a carer.

Increase in carer numbers

Carers UK estimate that an additional 4.5 million people became carers overnight, in March 2020 which equates to 1 in 4 UK adults providing care to an older, disabled or ill relative or friend at the height of the pandemic. If we apply this across Leicester, Leicestershire and Rutland this suggests there would be around 220,000 adult carers.

We acknowledge this increase and prioritise carer identification

Loneliness

Carers had already told us they experience feelings of loneliness; and Carers UK research shows that the number of carers feeling isolated doubled from 2020-2021 from 9% to 18%. This was also echoed by carers locally. Those feelings increased because of physical distancing and shielding, the closure of community services, unemployment, and the loss of loved ones which subsequently affected the mental well-being and resilience of the caring community.

Prior to the pandemic, young carers were already an under-identified and under-recognised group. The closure of schools, universities and other educational settings during the pandemic meant that many young carers lost regular forms of contact, increasing the invisibility of young carers.

We acknowledge and prioritise the need for carers to have a life alongside caring

Providing more care

According to Carers Trust, 58% of young carers are caring for longer since Coronavirus and are spending on average ten hours a week more on their caring responsibilities. Among young adult carers the proportion is even higher at 63.6%. A Carers UK report released in October 2020 states that 81% of carers reported they were providing more care since the start of the outbreak for one or more of the following reasons:

- The needs of the person they care for have increased.
- That local services reduced their offer or closed altogether.
- Someone they rely on for breaks was no longer available.
- They were worried about paid health and social care staff having contact with the person they care for.

As a result of this, 72% of carers have not had any breaks throughout the pandemic.

We acknowledge the need for carers to have a break from caring and prioritise actions to support this

Financial Impact

Carer's UK State of Caring report 2021, stated that 36% of carers said their financial situation had got worse since the start of the pandemic, largely due to people being at home more, using more energy, being unable to work either due to being furloughed or as a result of the increase in care they were providing. Locally, carers have also highlighted these challenges, and this remains an area of concern as they also tackle the cost of living and fuel crises. Caring households are significantly more likely to have had difficulty paying for at least one type of living expense since the beginning of the pandemic compared to non-caring households.

We acknowledge and prioritise the need for carers to have appropriate advice around their financial circumstances

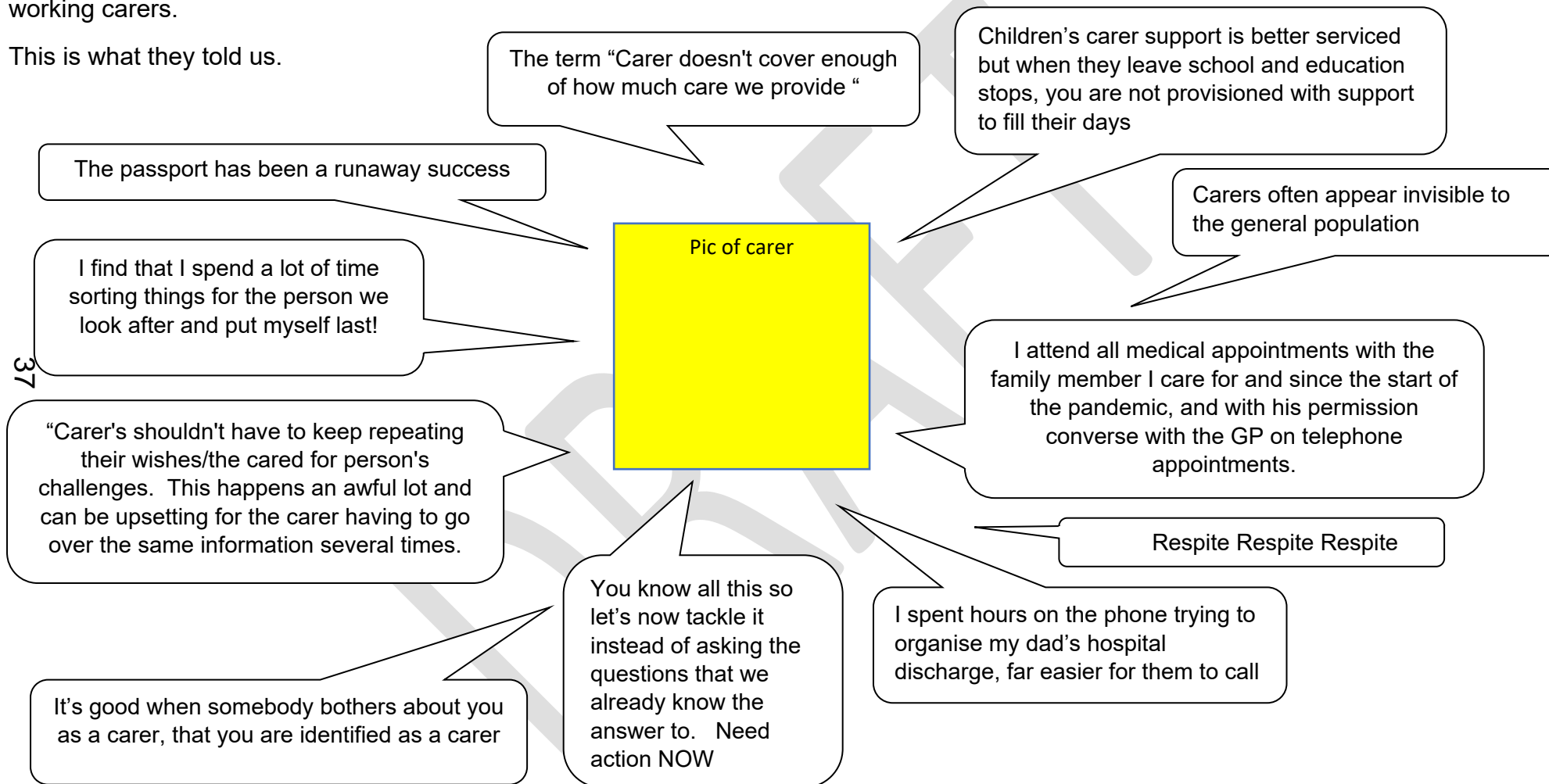
Sortified The East Midlands' Unpaid Key Workers: Supporting Unpaid Carers by adapting services and responding to need during the COVID-19 crisis

The East Midlands Association of Directors of Social Services (EM ADASS) recognised the impact of the pandemic on carers and commissioned a community interest company called Sortified to work with local carers to establish a simple list of recommendations for councils, based on their experiences of the pandemic. The subsequent report outlined areas where carers required support both on an immediate and long-term basis. As we are now learning to live with COVID-19 some of the immediate concerns presented in the report are now resolved, however those that remain, have been built into our priorities within this strategy. The full report can be found at: [East Midlands Carers — Sortified](#)

8. What Leicester, Leicestershire and Rutland Carers say –

During the summer of 2021 we tried to speak to as many local carers as we could about the 2018-2021 Carers Strategy and their caring situations. The carers were from a range of backgrounds including parent carers, carers of different ethnic origins, young carers, older carers and working carers.

This is what they told us.



Organisations that are responsible for delivering upon this strategy are committed to ensuring that the carer voice continues to be heard. The ambition is to move towards a co-productive approach to developing delivery plans that value carers and their lived experiences.

9. Guiding Principles



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The strategy continues to be underpinned by the guiding principles that reflect both the national and local requirements of carers.

The above principles have been translated into key priorities and actions (as detailed in section 9) and each member of the Leicester, Leicestershire and Rutland Carers Delivery Group will be expected to build upon them in the development of their delivery plans. Progress on those plans will then be collated and fed into wider integrated care system priorities.

Although funding in relation to carers is not directly addressed within this strategy, the financial position faced by both health and social care organisations cannot be ignored. This might seem like the Strategy lacks detail in some areas however, the available resources for each organisation will be reflected in the plans that will be developed by partners.

10. Key priorities and associated actions

1. Carers are identified early and recognised - Building awareness of caring and its diversity

What the engagement told us	What will we carry forward	What are our new actions
<p>Identification is still an issue for carers, linked to lack of understanding of what caring is.</p> <p>Engagement recognised the need for GP surgeries to improve identification of carers.</p> <p>Lack of recognition was cited as a barrier to being kept informed; this was mentioned as a particular issue in hospital settings.</p> <p>Carers not receiving Carers Allowance feel they aren't recognised like those who receive it.</p>	<p>Ongoing staff training development to aid awareness and identification.</p> <p>Ongoing review of information and use of pages to aid carers to identify themselves and support staff to identify them.</p> <p>Continued promotion of Digital Resource for Carers & Employers for Carers resources.</p>	<p>Continued promotion and growth of the Carers Passport scheme, particularly in hospital settings.</p> <p>Improving access to primary care and health checks for carers as a means of supporting carers to maintain their own physical and mental health and wellbeing particularly for working carers and parent carers.</p> <p>A social seeding programme to provide ongoing relationships and alliances through the Integrated Care System and ensure it is reaching out to carers across cultures.</p> <p>Ensure better carer identification and consideration of their needs on admission to and discharge from hospital.</p> <p>Use of social media, to raise carer awareness, particularly around Young Carers.</p>
How will we know this has worked?		
<ul style="list-style-type: none"> • Increase in identified carers on GP registers, council systems, and carers recorded as accessing commissioned services. • An increase in the number of carers registered for a carer's passport. • Carers will be signposted to the various avenues of support available at the earliest opportunity • We will hear from carers that are involved with our strategic work, through local involvement networks and co-production forums, that carers are being identified and signposted to appropriate information, advice and support 		

2. Carers are valued and involved - Caring today and in the future		
What the engagement told us	What will we carry forward	What are our new actions
<p>Carers told us they would like simple acknowledgement of the role they play in supporting the person they care for.</p> <p>Carers still do not feel valued, they report feeling forgotten about during the pandemic and isolated.</p> <p>Those carers that are identified, report not being recognised as experts by experience in the health and wellbeing of the cared for.</p> <p>Carers reported lack of feeling valued, and comment this is often linked to not being recognised as a carer.</p>	<p>Further staff training – to ensure carers are recognised as experts by experience.</p> <p>Move towards a more co-productive approach to the planning and delivery of services.</p> <p>Ongoing work with hospital teams regarding discharge.</p>	<p>Create an agreed approach for communicating effectively with carers across Leicester Leicestershire and Rutland through the work of the Integrated Care system.</p> <p>The Carers Delivery Group will seek to influence and improve the information provided to carers around the differing care pathways across the system.</p> <p>Development of 'You Said We Did' approach – showing that carer voice influences and shapes the design and delivery of our services across the Integrated Care System</p> <p>Utilise an 'integration index' to be co-produced to measure the extent to which the local health service and its partners are genuinely providing joined up, personalised and anticipatory care.</p> <p>Ensure that adult services are aware of and include young carers that may be involved in supporting the person receiving care.</p>
How will we know this has worked?		
<ul style="list-style-type: none"> Increased satisfaction level from carers within the next national carers survey Positive outcomes feedback from commissioned services We will hear from carers that are involved with our strategic work, through local involvement networks and co-production forums that carers are recognised as experts by professionals involved in the care of their family member 		

3. Carers Are Informed - Carers receive easily accessible, appropriate information, advice and signposting		
What the engagement told us	What will we carry forward	What are our new actions
<p>Knowing where to look for required information was noted as a barrier for carers.</p> <p>Carers told us that when they were identified as the main contact for the person they care for they were kept informed in some instances.</p> <p>Carers like to use their GP for information and support.</p> <p>Lack of recognition was cited as a barrier to being kept informed; carers feel they aren't offered the information as the person dealing with them doesn't view them as a carer.</p>	<p>Further awareness raising sessions planned for key staff to ensure all teams have access to knowledgeable staff member for support around working with carers which includes parent carers.</p> <p>Consider best communication pathways for sharing information with carers using learning from the COVID-19 pandemic.</p>	<p>Ensuring carers can access the information they need, in the formats they require. This includes making sure information is available to those who may not be able to access information during usual office working hours</p> <p>Refresh of internet pages to ensure information is clear, pages are easy to navigate and language used isn't "too corporate" which includes information for Young Carers.</p> <p>Including information on advocacy and getting carers voices heard.</p> <p>Development of relationships with schools and colleges to improve young carer awareness.</p> <p>Share learning from the trial of the Mobilise service in Leicester</p>
How will we know this has worked?		
<ul style="list-style-type: none"> • Increase in the proportion of carers who say they find it easy to find information about services • Increase in carers identified • Increase in numbers of carers accessing carer support 		

4. Carer Friendly Communities		
What the engagement told us	What will we carry forward	What are our new actions
<p>Carers told us they would like to see the use of volunteers to support carers.</p> <p>Carers told us that by raising awareness of caring in communities, community venues and local businesses, they may become more accommodating.</p> <p>Some carers told us that they are isolated and not easily able to access services due to the availability of public transport. This is particularly relevant in rural areas</p>	<p>Continue to take the views of carers into account in future commissioning exercises, including consideration of updated geographic and demographic data from the updated census 2021.</p> <p>Continue to work with communities to support carers through awareness raising within existing community groups.</p>	<p>We will ensure that the priorities within the Carers' Strategy are aligned with The Integrated Care Board's People and Communities Strategy 2022/2023</p> <p>Continued promotion and growth of the Carers Passport scheme to include how this could be used in hospitals. Specifically targeting community schemes and groups within neighbourhoods.</p> <p>Development of relationships with schools and colleges to improve young carers awareness.</p> <p>Support carers to be able to access a broad range of services within their local communities, including voluntary/community led organisations, helping to support their wellbeing and alleviate social isolation.</p>
How will we know this has worked?		
<ul style="list-style-type: none"> • Carers report greater satisfaction in the accessibility of services • Increase in the proportion of carers who say they find it easy to find information • We will hear from carers that are involved with our strategic work, through local involvement networks and coproduction forums that the role of a carer is being noticed more within their community. 		

5. Carers have a life alongside caring – Health, education, employment and financial wellbeing

What the engagement told us	What will we carry forward	What are our new actions
<p>Loneliness, isolation and not having time for themselves were key themes fed back by carers, all having the potential to affect their mental wellbeing negatively.</p> <p>The financial impact of caring for someone was of real concern to carers.</p> <p>Carers are neglecting their own physical health and wellbeing, putting off routine appointments and in some cases elective surgeries because they are unable to find appropriate support for the person they care for.</p> <p>Carers do not get enough time for themselves.</p> <p>Although we received limited feedback from working carers, we know that flexibility of support and replacement care arrangements is a key factor in the ability to continue working.</p>	<p>Ongoing review of information and use of web pages - to ensure carers know where they can go for financial advice or support</p> <p>CareFree promotion ensuring all workers are aware and are utilising the offer.</p> <p>Carers' breaks provision still under review.</p> <p>CCGs will continue to encourage carers to take up screening invitations, NHS health checks and vaccinations, where relevant.</p>	<p>Ensuring carers have the information they need to keep themselves well.</p> <p>Forging robust links with the Mental Health programme of work across the integrated care system to ensure carers' needs are recognised.</p> <p>Work to improve the move between children's and adult services with young carers and parent carers, so that they can consider and plan for their future aspirations in terms of college, university, leaving home and ageing.</p> <p>Continue work with Leicestershire Partnership Trust to develop a Lived Experience Framework. This alongside trust-wide systems and processes will allow for the creation of paid opportunities for those with lived experience whilst developing skills and experience.</p> <p>The impact of the cost-of-living crisis will be a consideration in future planning of support for carers</p>
How will we know this has worked?		
<ul style="list-style-type: none"> • Increase in number of carers accessing CareFree breaks. • Increased satisfaction level from carers within the next national carers survey. • Increase in the numbers of carers receiving information and advice regarding finance and benefits. • Increase in number of young carers receiving transition assessments. • The carer voice will be heard and listened to when local authorities are reviewing their respite provision. 		

6. "Care with Confidence – Technology and skills supporting you to care effectively"

What the engagement told us	What will we carry forward	What are our new actions
<p>Local carers didn't identify with the previous title of priority 6 - <i>Carers and the impact of Technology Products and the living space</i>. However, what did come through was that carers have been reliant on technology or gadgets during the pandemic.</p> <p>There was acknowledgement that housing needs still exist, where properties aren't always suitable particularly for carers supporting someone who has severe needs.</p>	<p>We will continue to work with professionals from housing, equipment and adaptations to improve the carers' pathway and embed carer awareness.</p>	<p>Ensure carers are informed of technology solutions that can support them in their caring role.</p> <p>Work with carers so that they are reassured and confident about using technology and / or gadgets.</p> <p>Introduce mechanisms to better support patients, carers and volunteers to enhance 'supported self-management' particularly of long-term health conditions.</p>
How will we know this has worked?		
<ul style="list-style-type: none"> • Increase in the proportion of carers who say they find it easy to find information • Through our local involvement networks and coproduction forums, information will be shared with carers about various initiatives in relation to technology and we will hear feedback about how this has impacted on carers 		

7. Carers can access the right support at the right time - Services and Systems that work for carers

What the engagement told us	What will we carry forward	What are our new actions
<p>Carers tell us they want to receive support that recognises their individual circumstances, that includes support to navigate through the health and social care system.</p> <p>Carers want to be able to help themselves too and are looking for access to carer courses, to support them in their caring role.</p> <p>Carers want support with health and wellbeing particularly mental health support for carers, as their caring role can have a negative impact on them at times. This can often be crucial when caring for somebody with a mental health condition, or for a great deal of time.</p> <p>Carers require support with hospital discharge, starting right at the point of admission ensuring they are kept informed and involved.</p>	<p>Ongoing use of Carers Delivery Group (CDG) to ensure that all organisations work together to improve and join up support for carers wherever possible.</p> <p>People will be signposted to sources of support post-caring.</p>	<p>Forging robust links with the Mental Health programme of work across the integrated care system to ensure carers' needs are recognised.</p> <p>The Carers Delivery Group will seek to influence the information provided to carers around the differing care pathways across the system.</p> <p>Targeted work to raise the profile of the Carers Passports within hospital and GP services.</p> <p>To ensure that carers are supported to plan for emergencies.</p> <p>Work alongside LOROS and the Carers Matters Stakeholder group to understand what matters to carers supporting a loved one at the end of life.</p> <p>Roll out of Young Carers passport across Leicester, Leicestershire, and Rutland.</p>
How will we know this has worked?		
<ul style="list-style-type: none"> Improvements in carer reported quality of life and satisfaction with social services through the bi-annual carer survey undertaken nationally. The numbers of carers receiving information and support at the right time will increase, and this will be reported through commissioned carer support services and other services supporting carers 		

8. Supporting Young Carers		
What the engagement told us	What will we carry forward	What are our new actions
<p>A number of Leicestershire young carers wanted to remove priority 8 and have actions for supporting young carers embedded within the actions for the other priorities.</p> <p>Young carers identified the need to be 'young people' and want time for themselves.</p> <p>Young carers want to be able to find the information they need.</p> <p>Young carers need support to identify as young carers, which is mindful of the needs of the whole family, particularly within schools, and colleges.</p> <p>Young carers say they often miss education due to their caring responsibilities which can impact their life choices.</p>	<p>Embed the whole family approach.</p> <p>Working with educational establishments to continue to raise awareness of young carers.</p>	<p>Develop young carer support that acknowledges young carers often miss out on childhood and other key activities as well as providing appropriate mental health support where required.</p> <p>Work with young carers to improve the way that the health system including GPs supports young carers</p> <p>Local authorities will work with young carers to ensure that their aspirations of going to college, university, leaving home, are considered as part of their work with young carer services .</p> <p>Improve young carer support for those who are under 11 years of age</p>
How will we know this has worked?		
<ul style="list-style-type: none"> Increased number of young carers known to services will be reported. Young carers report feeling listened to and respected. Organisations can evidence a more robust approach to working with young carers and their families. The impact of caring on young carers is taken into account in assessments and transition planning across social care. Young carers report improved outcomes at home, school or in employment. 		

11. Monitoring progress

The Leicester, Leicestershire & Rutland Carers Delivery Group has led on the development of this strategy and recognises the impact that positive carer support can have across all workstreams. The group will oversee delivery of the strategy's priorities, and report progress to the respective partner organisations' governance arrangements and Health and Wellbeing Boards.

The Leicester, Leicestershire & Rutland Carers Delivery Group has representation from voluntary sector organisations who support carers, and also from Healthwatch who are responsible for sharing the experiences of carers with the group so that the carer voice is at the heart of its work. The group will also ensure that those organisations representing carers are provided with information about progress under this Strategy so that they are able to feed this back directly to carers.

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Action Area (LLR Priority Area(s))		Description		Key Strategic Lead	Timescales
CS1	Develop Rutland County Council Staff's understanding of carers (1, 2,4,6,7,8)	CS1.1	E- Learning/online tools to be developed for staff regarding carers to be embedded in new starter induction with a focus on: - <ul style="list-style-type: none"> - Carer Awareness - Carers Assessments - Recognition and Valuing Carers - Young Carer's 	Carers Team HR Early Help	Apr 23
		CS1.2	Ensure all teams across the Council including educational establishments have access to information and knowledgeable staff members for support around working with young carers and carers. This includes carers rights within the workplace. Achieved through training, information, and advice (including digital)	Carers Team Early Help HR	July 23
		CS1.3	Reinvigorating the Carers Champions roles across the service by working with the whole service and supporting individual workers with a special interests in carers needs and issues.	Carers Team	Mar 23
		CS1.4	Carer's Awareness training now part of Adult Social Care's annual training plan. All ASC staff will have completed training on how to complete 1 st stage assessment of carer's assessment process. Young Carers awareness session included annually at the Children's Conference and Adult's CPD	Carers Team HR Early Help	Dec 22
		CS1.5	All age Carer's awareness induction training to be shared with all staff across the Council and to be included in training plan and will be across directorates such as CST, Community Support Services, Transport, Rutland Adult Learning.	Carers Team Early Help HR	Dec 23

		CS1.6	Further develop the Council's intranet pages and PPP for carers support and promote as part of the Council's commitment to carers	Communications & Digital/ Carers Team	Apr 23
CS2	Information activity (1,2,3,5,6,7,8)	CS2.1	The term carer is sometimes misunderstood which could result in people not accessing services they are entitled to or have the necessary information provided to them. Carers definition to be agreed by the LLR Carer's Delivery Group and referred to consistently across communication platforms to support individuals to identify with this.	Communications & Digital/ Carers Team Early Help	Feb 23
		CS2.2	Produce information and develop web content to ensure carers have access to: <ul style="list-style-type: none"> - Information on the care and support assessment journey for both the carer and cared for. - Hospital discharge information / discharge pathways including support to benefit both the cared for and wider family environment (including home environment) - How and where people can access support re care co-ordination whether this be through the Carer's Team directly or the assessment team e.g., hospital discharge team - Support for Young Carers - Information on the transitions process for Young Carers 	Communications and digital Carers Team Hospital Team Carers Delivery Group Early Help	Dec 23
		CS2.3	Learning from the COVID-19 pandemic the development of a single County wide Business Continuity Plan (BCP) for carers will be produced across system partners in the County and wider	Carers Team Carers Delivery Group	Dec 22
		CS2.4	Development of pathway diagrams to support information at CS2.2.	Carers Team Communications and digital	Apr 23

			These will include downloadable information for carers to print or access remotely on the web (including Young Carers)	Early Help	
		CS2.5	<p>Promote the range of services and support available to carers of all ages, including but not limited to:</p> <ul style="list-style-type: none"> - Advocacy and getting carers voices heard. - Financial advice or support - Usable technology/gadgets to support carers both readily available universally and / or from Assistive Technology and Digital improvement schemes. - Ensure all carers know how to access Mental Health services and support - Those services and support available through the Council's commissioned carers resources 	Carers Team Early Help	Mar 23
		CS2.6	Contact identified young carers who are now aged 18 to see if further support is needed and offer a transitions assessment if appropriate	Early Help	Mar 23
CS3	Innovative approaches with carers (1,2,3,5,6,7,8)	CS3.1	<p>Targeted promotion and active growth of the Carers Passport scheme in the County To be monitored monthly via Adult Social Care Key Performance Indicators. Carers Team can then analyse this data and map the take up on carer's passports and identify gaps where targeted promotion is required.</p> <p>Rollout the Young Carers Passport in Rutland via young carers support groups, GPs, schools and RCC staff</p>	Carers Delivery Group Carers Team Early Help	Dec 23 Mar 23
		CS3.2	Promotion of Employers for Carers & Digital Resource for Carers linking into a wider project on digital capability.	Carers Team Carers Delivery Group	Nov 23

			The Quality Assurance team is recruiting a Quality Improvement Officer to support with this work.	Quality Assurance HR	
		CS3.3	<p>Explore further tools around self-identification including: -</p> <ul style="list-style-type: none"> - Whole family identification - Working with educational settings (including early years providers) - Active work with religious settings through targeted interventions and promotions (e.g. Carers Week / Carers Rights Day / Mental Health Week etc) 	Carers Team Early Help Carers Delivery Group	Nov 23
		CS3.4	<p>Promotion of the Care Free programme to support more carers to access carers breaks / short breaks to support them in their caring role. The Care Free programme uses vacant hotel rooms / holiday accommodation to provide free breaks for carers. There is a nominal registration fee for carers. The expectation is that the cared for person has care through the LA or through a private arrangement to enable the carer to have respite so this can be a break away from home / holiday.</p> <p>This includes ensuring both Council staff and people in the community working with carers are fully aware of the initiative and benefits for carers.</p>	Carers Team	Oct 22
		CS3.5	<p>Promote and enable more carers to be able to use technology to support them in their lives. This will include, but is not limited to: -</p> <ul style="list-style-type: none"> - Promotion of online training and courses for carers to promote confident use of technology - Working with Rutland Adult Learning and other Services to explore the development of carers specific courses - Encourage use of technology to promote different solutions / opportunities to traditional carers 	Carers Team Carers Delivery Group Communities Adult Learning Age UK	Nov 23

		CS3.6	<p>Maximise the available opportunities for contact with carers through existing practices These will include: -</p> <ul style="list-style-type: none"> - Targeting carers (especially those in hard-to-reach communities) in accessing information and resources - Promotion of local library services and benefits of community HUBS to support carers social interaction / community cohesion and friendship ties - Developing carers support / promoting carers resources and support - Family Support Services - School Support Services 	<p>Carers Team</p> <p>Early Help</p>	Apr 23
CS4	Improving communication (1,2,3,8)	CS4.1	Increase the use of social media (e.g., Rutland Information Service and Rutland CC's Facebook page) to raise carer awareness across the County including the sharing of Every Voice Counts carer stories	Carers Team Early Help Communications & Digital	Nov 22
		CS4.2	Development of Young Carers / carers videos on YouTube to detail the lived experiences of Rutland's carers	Early Help	Mar 23
		CS4.3	Work towards the development of a Central Register of carers to enable easier communication of information with known carers. It is likely that separate systems will be required for carers of different ages to support with sharing the right messages in age-appropriate formats e.g. Early Help use Mailchimp. All available options are to be explored prior to a determination being made.	Carers Team Early Help Communications	Mar 23
		CS4.4	Working with CWD social care and the SEND team to be pro-active and provide communication and information for parents / carers of children with a disability to identify young carers and offer support as their child transitions into adult services.	Carers Team / Adults Social Care Early Help / Childrens Social Care	Jul 23
		CS4.5	Ongoing use of the Carers Delivery Group to ensure partnership approach to actions are in place / delivered and progress is tangible to carers in the County	Carers Team	Dec 23

				Early Help Carers Delivery Group	
CS5	Involving Rutland's carers (2,7,8)	CS5.1	Develop engagement of carers of all ages in co-production and engagement work.	Carers Team Quality Assurance Team Early Help	Sept 23
		CS5.2	Work with Rutland's Carers to further understand barriers to accessing healthcare and inform the development of services to improve access which will promote and maintain the health of carers.	Carers Team Quality Assurance	Apr 23
		CS5.3	Development of either an LLR or localised Carers festival recognising achievements and contributions to the County and / or region	Carers Team Early Help Carers Delivery Group	Jun 23
		CS5.4	Pro-actively seek the views of families and carers in the quality / delivery of care services to the person cared for via personalisation surveys. The Council will seek to enhance resources to capture these views to improve services.	Carers Team Adult Services Early Help Quality Assurance Team	Apr 23
		CS5.5	Engage with carers to monitor the impact of the cost-of-living crisis and promote access to necessary support and advice.	Carers Team Adult services	Jan 23
		CS5.6	Development of Localised 'You said we did' – showing that voice is influencing and shaping the offer now and building towards a model of co-production	Carers Team Quality Assurance Team Early Help	Sep 23

				Carers Delivery Group	
		CS5.7	<p>Continued engagement of the Rutland Parent Carer Voice as part of the development of SEND / Children's and Adults services to support with information and advice around transition.</p> <p>Continue working with the Rutland Parent Carer Voice to develop a Parent carer assessment to be used alongside a section 17 assessment to ensure that all their needs are fully considered</p>	<p>Early Help / Carers Team Adult Services Young Carers / Early Help / Childrens Social Care</p>	<p>Apr 24</p> <p>Dec 22</p>
CS6	Working with communities 5(4,8)	CS6.1	<p>Working with local community organisations / District Council's / Parish Council's to promote carers support / identification of carers.</p> <p>RCC's Carers Teams work with out of county carers where the cared for is a Rutland resident.</p> <p>Explore out of county resources for those non-Rutland resident carers to access universal services in their locality by providing information/advice to those who live out of county.</p>	<p>Carers Team Communities</p>	<p>Apr 24</p> <p>Sep 22</p>
		CS6.2	<p>Develop local carers community resources where there is a need. This could include facilitating setting up of local/parish carer (of all ages) groups or working with others such as Rural Connect.</p> <p>The Admiral Nursing Service is embedded in both Adult Social Care and the Primary Care Network providing a range of interventions focused on carers supporting people living with dementia and whose presentation is complex.</p>	<p>Carers Team Early Help Admiral Nurse Team</p>	<p>Apr 23</p>
		CS6.3	One to one and group engagement activities with local businesses across Rutland to develop carers support through:	Carers Team	Apr 24

			<ul style="list-style-type: none"> Promoting awareness of carers and their needs Encouraging businesses to consider their potential contact with carers Recognition of the carer's passport scheme and, where appropriate consideration to carers concessions Promoting working carers rights Ensuring businesses are aware of where to signpost carers to access support <p>Eg a Hairdresser may be the only contact a carer has with someone outside of their caring role. A solicitor may support families and carers with Power of Attorney applications. A carer and cared for person may frequent a particular café. Any of these businesses may employ a carer.</p>	Early Help Carers Delivery Group	
		CS6.4	Ensure that Equality and Diversity is a consideration in all parts of service design / carers initiatives through representation at the RCC's Equality and Diversity Group and quality assurance processes.	Carers Team Early Help Carers Delivery Group	Dec 22
		CS6.5	Following initial community engagement activities (as at CS 6.2), targeted work with hard-to-reach communities / rural communities will be provided where carers access to information and support may be limited e.g., Digital limitations	Carers Team Early Help	Apr 23
		CS6.6	Work with health partners to develop carers recognition and support when accessing GP services or hospitals in respect of carer's own needs or the cared for.	Carers Team/Rise/Hospital team/coproduction and engagement/LLR Delivery group/ICS and ICB	Oct 23

CS7	Young Carers (8)	CS7.1	Development of a Young carers champions in all Rutland Schools with a clear definition of the role	Early Help	Mar 23
		CS7.2	Work with Leicestershire and Leicester City Council's Young Carers Service to ensure a consistent definition and message across LLR by: <ul style="list-style-type: none"> • Developing branding for young carers across LLR to support increased identification. • Developing a LLR awareness training package for delivery to health, education, and the voluntary sector. 	Early Help	Sep 22

1. Carers are identified early and recognised - Building awareness of caring and its diversity
2. Carers are valued and involved - Caring today and in the future
3. Carers Are Informed - Carers receive easily accessible, appropriate information, advice and signposting
4. Carer Friendly Communities
5. Carers have a life alongside caring – Health, employment and financial wellbeing
6. Care with Confidence – Technology and skills supporting you to care efficiently
7. Carers can access the right support at the right time - Services and Systems that work for carers
8. Supporting Young Carers

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CABINET

13 December 2022

HOUSING ALLOCATION POLICY - REVISION DUE TO STATUTORY CHANGES

**Report of the Portfolio Holder for Planning, Highways and Transport & the Portfolio
Holder for Health, Wellbeing and Adult Care**

Strategic Aim:	Healthy and well A county for everyone A modern and effective Council	
Key Decision: Yes	Forward Plan Reference: FP/160922	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr S Harvey, Portfolio Holder for Health, Wellbeing and Adult Care Cllr R Powell, Deputy Leader and Portfolio Holder for Planning, Highways and Transport	
Contact Officer(s):	James Faircliffe, Housing Strategy and Enabling Officer	01572 758238 jfaircliffe@rutland.gov.uk
	Roger Ranson, Planning and Housing Policy Manager	01572 758278 rranson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the Housing Allocation Policy - Consultation Draft set out in Appendix B for public consultation.
2. Authorises the Strategic Director for Places to approve the outcome of the consultation and the final policy in consultation with the Portfolio Holders with responsibility for Housing and Adult Services.

1. PURPOSE OF THE REPORT

- 1.1 To revise the Housing Allocation Policy to take account of the Domestic Abuse Act and revised statutory guidance regarding the Armed Forces Community and to make various minor updates.

2. BACKGROUND AND MAIN CONSIDERATIONS (MANDATORY)

- 2.1 The Council's current Housing Allocation Policy (HAP) was produced in January 2021. Since then, the Armed Forces Act 2021 and the Domestic Abuse Act 2021 have received Royal Assent. The Armed Forces Act - and the associated Regulations and Statutory Guidance which are in draft at the time of writing – will shortly come into force. This widens the group of family members that the Council must have due regard to under the Armed Forces Covenant when allocating housing. It also makes clear that councils may provide preferential treatment for people in the Armed Forces taking account of their sacrifices, as opposed to merely removing any disadvantages that there may have been with the HAP.
- 2.2 The Domestic Abuse Act is concerned more directly with homelessness and temporary accommodation policy (Part 7 of the Housing Act 1996), rather than Part 6 (Housing Allocations) where the HAP allocates housing to meet a range of needs including domestic abuse. The HAP will be amended by changing the use of the term 'domestic violence' to 'domestic abuse', in line with the Act. Part 7 will be addressed through the forthcoming Housing, Homelessness and Rough Sleeping Strategy.

3. THE WAY FORWARD

- 3.1 The proposed revised HAP is in Appendix B. The changes are summarised in Appendix A.

4. CONSULTATION

- 4.1 Under section 166A(12) of the Housing Act 1996, if the Council is making an alteration to their housing allocation scheme which reflects a major change of policy, the Council must send the proposed change to every housing association with whom they have nomination rights and provide them with a reasonable opportunity to comment.
- 4.2 Section 32 of the HAP states: "Elected Members are responsible for determining allocation policy and for approving any changes recommended as part of a policy review which would be made following consultation with tenants, private registered providers, relevant voluntary organisations and other stakeholders."
- 4.3 It is therefore recommended that Cabinet approve Appendix B as a consultation draft for a six week consultation using the website and emails to relevant organisations. The outcome of the consultation will be considered by the Strategic Director – Places in consultation with relevant Portfolio Holders.

5. ALTERNATIVE OPTIONS

- 5.1 The Council could have decided not to make any changes to the HAP. However, this may not have paid due regard to the Armed Forces Community's need to access the housing register.
- 5.2 The points available to members of the Armed Forces Community in particular circumstances have been increased, as summarised in Appendix A. This provides a fair balance between the needs of the Armed Forces Community and other members of the community in housing need, to whom the Council also has obligations. Altering the points further for various groups would be likely to upset

this balance.

- 5.3 There are a number of other minor changes in Appendix A which clarify or update current practice. Not including these could have made the HAP less relevant or out-of-date.

6. FINANCIAL IMPLICATIONS

- 6.1 The digitisation of the operation of the HAP has meant that the proposed changes incur no printing costs.

7. LEGAL AND GOVERNANCE CONSIDERATIONS

- 7.1 These are included in sections 2 and 4 above of this report.

8. DATA PROTECTION IMPLICATIONS

- 8.1 A Data Protection Impact Assessment (DPIA) has not been completed for the following reason:

- because there are no risks/issues to the rights and freedoms of natural persons due to these amendments.

9. EQUALITY IMPACT ASSESSMENT

- 9.1 An Equalities Questionnaire has been completed and due regard has been had to equalities and to the Armed Forces Covenant. 'Residence in Rutland' and 'Time on the register' points have been retained, but are easier for service people and relevant family members to claim and the register is now easier to join.

10. COMMUNITY SAFETY IMPLICATIONS

- 10.1 The report has regard to the Domestic Abuse Act.

11. HEALTH AND WELLBEING IMPLICATIONS

- 11.1 Housing is accepted as one of the 'wider determinants' of health. The HAP gives a high priority to many households with health and wellbeing problems.

12. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 The proposed changes to the HAP reflect the Armed Forces Act and the Domestic Abuse Act and fulfil one of the Council's corporate targets. The changes made create a fairer balance between applicants of different backgrounds, taking account of the Armed Forces Act and the Domestic Abuse Act.

13. BACKGROUND PAPERS

- 13.1 Appendix A – Summary of proposed changes

- 13.2 Appendix B – Housing Allocation Policy – Consultation Draft

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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Appendix A Summary of proposed changes

Reference	Change
Front cover tables	Updated to reflect the new document and the passage of time.
Title	Revised date and version number.
Summary of document, Introduction	Reference to the Armed Forces Covenant Duty added. In 1.2, revision of role of housing register for affordable home ownership in line with national rules.
Footers	Revised date and version number.
Contents	Page numbers revised.
3.2	Last sentence (after 3.2(d)) deleted, to remove ten year limit on veterans in urgent housing need receiving 'additional preference'.
4.5	Reference to Armed Forces Covenant statutory guidance and assistance with obtaining evidence.
4.9	Former 4.9 deleted as Council is no longer the landlord of any temporary accommodation.
6.4	Wording of domestic abuse section revised in line with the Armed Forces Act and the Domestic Abuse Act. Wider exemptions from the Qualification on the Grounds of Residence requirement for certain members of the Armed Forces Community, in line with the Armed Forces Act.
7.7, 7.10, 19.0 (Employment in Rutland)	Updated sum by Consumer Price Index.
11.3	Updated information regarding Government rules on the Armed Forces Community and Housing.
16.4	Clarification in line with section 106 agreements with a Rutland connection.
19 - Homelessness	Deleted words in second bullet point for veterans "who have left within the last ten years".
19 – Residence in Rutland	Change to Residence in Rutland points to make it easier for 'service people' or 'relevant family members' of Armed Forces personnel to accrue Rutland residence points.
19 – Time on the register	Change to make it easier for 'service people' or 'relevant family members' to accrue waiting points.
25.1	Director's post changed due to past restructuring.
Appendix 4	Definition of 'service people' and 'relevant family members' based on the regulations under the Armed Forces Act.

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Housing Allocation Policy – Consultation Draft

Version & Policy Number	HAP 2022 v 1.10A
Guardian	Roger Ranson, Planning and Housing Policy Manager
Date Produced	11 November 2022
Next Review Date	13 December 2022

Approved by Scrutiny	Not yet considered
Approved by Cabinet	
Approved by Full Council	N/A

Title

Housing Allocation Policy November 2022 v1.10A

Subject matter

To provide a clear structure and guidance on how the Council prioritises and nominates applicants to housing associations and other providers of affordable housing

Summary of document

Rutland County Council's Housing Allocations Policy sets out how it prioritises and nominates applicants to housing associations and other providers of affordable housing. It is the Council's statutory allocations scheme and also sets out the arrangements for existing Rutland social housing tenants who would like to transfer between properties within Rutland. The policy complies with the Housing Act 1996 Part 6 as amended (including the Homelessness Reduction Act 2017) and other relevant legislation, regulations and guidance. This includes the Armed Forces Covenant Duty introduced by the Armed Forces Act 2021.

The document aims to meet housing need, promote sustainable communities and the local economy and fulfil legal requirements.

The Council has produced a separate statutory summary of the policy for applicants, which is available on request, in accordance with section 168 of the Housing Act 1996. The full policy is below and is also available in large font on request.

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1.0 INTRODUCTION

- 1.1 Rutland County Council's Housing Allocations Policy sets out the way in which it makes nominations to housing associations and other providers of affordable housing. It is the Council's statutory allocations scheme and also sets out the arrangements for existing Rutland social housing tenants who would like to transfer between properties within in Rutland. The policy complies with the Housing Act 1996 Part 6 as amended by the Homelessness Act 2002, the Housing and Regeneration Act 2008, the Localism Act 2011 and the Homelessness Reduction Act 2017. We have reviewed the statutory instruments and the statutory Code of Guidance on allocations (Allocation of accommodation: guidance for local housing authorities in England, June 2012) and the associated additional statutory guidance. We have also had due regard to the statutory guidance made under the Armed Forces Act 2006 (as amended) relating to the Armed Forces Covenant. We are satisfied that the allocation scheme meets the relevant requirements. We have had regard to the Council's Homelessness Strategy and Tenancy Strategy. We have ensured that these strategies and the allocations scheme complement each other and will work well together.
- 1.2 Whilst the main focus of this policy is on rented accommodation, it is intended that the housing register will remain as a potential source of applicants for affordable home ownership schemes.

2.0 STATEMENT ON APPLICANTS' CHOICE AND ABILITY TO EXPRESS A PREFERENCE

- 2.1 Rutland County Council is fully committed to enabling people seeking affordable housing to express their preferences for the type and location of accommodation that they are seeking within the County.
- 2.2 The Council seeks to maximise choice for its applicants, whilst ensuring that priority needs are met and that the housing stock is used efficiently. The Council will, where appropriate, adopt local lettings schemes regarding who can qualify for inclusion under the housing register.
- 2.3 All applicants are entitled to express their preferences for the areas in which they wish to live and can select as many or as few as they wish. This enables applicants to seek a location they consider suitable for access to employment, schools, relatives, support and medical facilities and other facilities important to them.

- 2.4 Preferences expressed by applicants will, wherever possible, be taken into account by the Council when making an allocation.
- 2.5 The Council will provide information and advice to applicants to enable them to make properly informed choices.

3.0 OPERATION OF THE POLICY

- 3.1 The responsible Director has authority to operate this policy given to them by the County Council under the Scheme of Delegation in the Council's Constitution. This includes the power to consider representations from housing applicants requesting special consideration for housing provision after consultation with the Ward Member and relevant Portfolio Holder. The latter power will be carefully monitored and may be used in exceptional circumstances where the policy does not provide adequate priority or qualification for the necessary service and there is a pressing, urgent and/or rare need.
- 3.2 Rutland County Council, when framing its allocation scheme, has given reasonable preference to people in need as specified by section 166A(3) of the Housing Act 1996 (as amended). In some cases, the Council has given additional preference to those with more acute or urgent housing need. The award of reasonable preference and additional preference will normally be done by giving priority points where appropriate to each application as set out in this policy document, which also sets out where quotas or exceptional discretion may additionally be used. The policy normally gives additional preference to applicants in urgent need and, under Government regulations, must do so for the following groups when they are in urgent housing need:
 - (a) former members of the Regular Armed Forces
 - (b) serving members of the Regular Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
 - (c) serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
 - (d) bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

- 3.3 Applicants will not be awarded points under reasonable or additional preference categories (see categories at paragraph 12.3), if these are only awarded because a 'restricted person' as defined by Part 7 of the Housing Act 1996 has been taken into account.
- 3.4 Priority of applicants may be reduced by the team manager where the Council is satisfied that the applicant has knowingly made their situation worse in order to receive additional priority.
- 3.5 Rutland County Council will assess a range of factors in determining the relative priority of applicants for accommodation within the reasonable preference and additional preference categories. These are set out in the priority points scheme and, where applicable, through the use of quotas and in line with the legislation and Code of Guidance.
- 3.6 The Rutland Health and Wellbeing Board continues to recognise that housing is one of the wider determinants of health. It prioritises good quality housing and helping to address fuel poverty and homelessness, delivered through partnership working. This is furthered by the Government's reasonable preference categories for housing allocations. These include homelessness; people occupying insanitary, overcrowded or otherwise unsatisfactory housing and people who need to move on medical, disability, hardship or welfare grounds. The Housing Allocation Policy addresses these and awards points where appropriate for Category 1 Property Hazards, Homelessness, Lacking Amenities, Medical Grounds, Overcrowding, Separated Families, Social Need and Staying Contact with Children. The Council's Homelessness Strategy emphasises the promotion of wellbeing through services for people in need, such as children and young people, those at risk of being homeless and those with specific needs.
- 3.7 The Council may decide to provide a quota of properties for securing accommodation for applicants, in cases where the Council has a full homelessness duty under Part 7 of the Housing Act 1996. (This will not include any households that are intentionally homeless.) This is an operational decision which would be made by the responsible Director, in consultation with the relevant Portfolio Holder. Any quota system may apply generally, or to properties that are of particular types or in particular locations. These would still be allocated in points order, provided there were no other relevant factor in the view of the team manager. Examples of relevant factors may include the need to prevent a household entering temporary accommodation and incurring an additional move, or the need for a household to move out of temporary accommodation because its location or

nature was causing them difficulties. Any quota system put in place would be subject to regular review and would not interfere with homeless applicants receiving offers in the normal way, outside of the quota.

- 3.8 In the same way, where the Council believes this would support sustainable communities and broad access to housing, it may set a quota for properties to be allocated to households who are not homeless or threatened within 56 days by homelessness.
- 3.9 The Council is committed to maximising the social inclusion of people with learning disabilities, in line with the Code of Guidance and the Valuing People approach. This includes assisting people with learning disabilities with the transition into independent living and/or assisting them to maintain independence. The Council will provide appropriate priority through its points system but also recognises the importance of long term planning in promoting independent living. In some cases, relying solely on priority through the points system would mean that accommodation might be offered at very short notice before the applicant is prepared and ready. Therefore, the team manager may designate that a particular property or vacancy (for example, the next suitable one bed flat in Oakham which becomes available in six months' time) should be allocated to an applicant in this category (who may or may not be provisionally made an offer). This would not prevent people with a learning disability from receiving offers in the normal way, provided they are capable of maintaining a tenancy (with any necessary support provided) at that time. The Council works collaboratively and in partnership to help to meet the needs of people with learning disabilities, including people with autism.
- 3.10 The team manager will make decisions on applications for assistance under the Rent (Agriculture) Act 1976. They may decide to assess these in the normal way (including Social Points if necessary), or they may decide to allocate outside the points system if justified under the legislation.

4.0 PROCESSING OF APPLICATIONS

- 4.1 The Council may work in partnership with another organisation to provide this service. References to the Council in this document may also include its delivery partner, except in those cases where the legal duty cannot be delegated.
- 4.2 The routine assessment of applications and making of nominations is undertaken under this policy by front line housing options staff. They are supervised as necessary by the operational supervisor and managed by the team manager.

- 4.3 The Council maintains a Housing Register to which anyone over the age of 16 may apply. (There are special rules where the applicant is aged 16 or 17, which are stated in the 'Applicants under 18 years' section below. This also includes information on the Joint Protocol for Homeless 16 and 17 year olds.)
- 4.4 If any applicant is related to a County Councillor or to a member of staff from Rutland County Council, or to any Board or staff member of any registered provider (normally the same as a housing association) or almshouse charity operating in Rutland, they will be required to declare this on their application form.
- 4.5 All applicants will be required to provide relevant proof in order to support their application, including the documentation listed on the application form. Providing all relevant information is submitted at the point of application, the Council will aim to notify applicants of the level of priority points attached to their application, within 20 working days of the application being submitted. In accordance with statutory guidance, the Council will work with applicants from the Armed Forces Community to help them obtain proof of service or cessation of their entitlement to occupy Armed Forces Accommodation.
- 4.6 Under the Housing Act 1996, **an applicant must 'qualify' and be 'eligible'** before they can join and stay on the housing register. Applications on the housing register are assessed for priority under this policy.
- 4.7 Transfer applicants (that is, current tenants of social landlords that are registered providers and who request their own transfer) can only be included on the housing register if they have 'reasonable preference' (enough housing need) and if they 'qualify' for inclusion, as detailed in the sections below. There are special arrangements for transfer applicants in Rutland if they are entitled to 'Children Under 5 Living in Flats' or 'Under Occupation of family type housing' points, which are set out in section 12 below. Transfer applicants should also discuss their options with their current landlord.
- 4.8 Occupiers of affordable accommodation, where the provider is not a registered provider or where the occupation is by licence and not by tenancy, are not regarded as transfer applicants and are treated in the same way as other applicants.
- 4.9 Applicants in housing association temporary homelessness accommodation arranged by the Council may be assured shorthold tenants and therefore count as transfer applicants. In

most cases they would have reasonable preference, but this may not always be the case depending on the outcome of the homelessness application.

- 4.10 Applications to join the Council's housing register may result in being nominated to a private registered provider (normally a housing association) for accommodation, *provided the applicant has sufficient priority relative to other applicants and a suitable property is available*. In practice, any accommodation offered will be in Rutland as the Council does not have any nomination rights outside the County. The registered provider will then assess the nomination under their own policies. The Council does not have any accommodation of its own available for allocation, as it transferred its properties to Spire Homes (now known as Longhurst) in 2009. Other registered providers also have properties in Rutland.
- 4.11 The Council will assess qualification and eligibility when any applicant seeks to join the housing register and also prior to making a nomination. It may also consider these at other times, for example where there is possible new information, or during a review of the housing register, or during a review (appeal) by the applicant regarding their application.
- 4.12 Where there is a joint application and the applicants live in different properties, the Council will assess the points on the basis of the current property that would score the most points, provided that the applicant living in that property would **'qualify'** (as defined below) in their own right.
- 4.13 When considering Overcrowding, Under Occupation, Category 1 Property Hazards and Social Need points - and property types for allocation - the Council will include unborn children in the calculations from 24 weeks of pregnancy. The Council will disregard the gender of unborn children when assessing the gender/age occupation mix of current and future properties, as this will not always be known to the parents.

5.0 QUALIFICATION FOR INCLUSION ON THE HOUSING REGISTER

- 5.1 The Secretary of State may determine some categories of people who qualify, or do not qualify, for inclusion on the housing register. Exemption from the Local Connection qualification criterion also includes households to which the Council owes the 'prevention' or 'relief' duties under the Homelessness Reduction Act 2017, subject to the approval of the Operational Supervisor. The Council will follow any regulations that are made. Subject to this,

the Council is able to set its own criteria.

- 5.2 The Council's criteria are given below and applicants must meet all applicable qualification criteria in order to join the housing register. They must continue to meet all these requirements to remain on the register and to qualify for any offer that may be made.
- 5.3 In the case of an allocation to two or more persons jointly, at least one of the persons must normally be a qualifying person on the Grounds of Residence and all must normally be qualifying people on the grounds of suitability to be a tenant.

6.0 QUALIFICATION ON THE GROUNDS OF RESIDENCE

- 6.1 In order to be accepted onto the housing register - and to retain their qualification to remain on the housing register - applicants who joined the housing register after this Housing Allocation Policy was implemented are required:
- to have lived and/or to have been in paid employment in Rutland for the preceding year, or for a total of three years out of the preceding five years OR
 - to have an immediate family member who has lived in Rutland for the past three years. (Immediate family means a parent, child or sibling. Step and half relatives count as full relatives.)
- 6.2 In this section, 'paid employment' is defined as having been in paid employment (not necessarily permanent) in Rutland for the relevant period, for at least 16 hours per week on average, with a commonsense approach taken regarding brief periods of unemployment. Where there is a local lettings scheme, applicants will also have to qualify on grounds of residence where relevant.
- 6.3 The Council, having regard to all statutory guidance on allocations, its Homelessness Strategy and case law on prioritising people in 'reasonable preference groups', has decided that the qualification periods in 6.1 above are reasonable and appropriate. They help to ensure sufficient demand for all types of housing whilst maintaining a transparent and relatively simple approach to qualification.
- 6.4 The following are exempt from the Qualification on the Grounds of Residence requirement:
- households which the Council has assessed as unintentionally homelessness, in priority need and with a local

connection where required (that is, where the Council has a 'full' homelessness duty which has not yet been discharged)
- a local connection is not required from households fleeing domestic abuse or other violence

- households to which the Council owes the 'prevention' or 'relief' duties under the Homelessness Reduction Act 2017, subject to the approval of the Operational Supervisor.
- 16 and 17 year olds who are being looked after by Rutland County Council
- households which are entitled to Social Need points at Category A (250 points) or B (150 points) for a pressing need to move to Rutland specifically, or which are entitled to Social Need points for the 'Right to Move' under Appendix 3
- households which have Medical Category A points (250 points), where they are already resident in Rutland or have immediate family residing in Rutland (immediate family means a parent, child or sibling, with step and half relatives counting as full relatives)
- in line with Government regulations
 - members of the regular and reserve Armed Forces and former members where the application is made within five years of discharge OR
 - Current and former members (when the application is made within five years of discharge) of British Overseas Territories' Armed Forces as eligible under the first paragraph of Appendix 4 OR
 - spouses and civil partners who have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their partner, where the partner has served in the regular forces and their death was attributable (wholly or partly) to that service OR
 - serving or former members of the reserve forces who are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service OR
 - 'Service people' or 'relevant family members' (see Appendix 4), when the service member is still in service or when the application is made within five years of their discharge; the 'relevant family member' must be normally resident with the service member for at least one year of the period
- Divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence following a relationship breakdown, or who have recently moved out of such accommodation for

that reason and are in temporary accommodation of any type or sleeping rough

- applications for low demand dwellings, where approved by the team manager
- other cases approved on an exceptional basis by the team manager
- transfer applicants resident in Rutland.

6.5 Any time spent in prison in Rutland does not count towards residence.

7.0 QUALIFICATION ON THE GROUNDS OF SUITABILITY TO BE A TENANT

7.1 An applicant must be suitable to be a tenant in order to qualify. An applicant is suitable, unless they fall within one or more of the definitions of being unsuitable given below and a decision to exclude them from the register is justified and proportionate. The reason for unsuitability must still be relevant. If the type of situation referred to in paragraphs 7.5, 7.6 and 7.7 happened a long time ago, the Council may decide that it would be unreasonable to take it into account. The Council has to balance the seriousness of the situation(s)/incident(s) against how long ago they happened. Similarly, if something was done by a member of the applicant's household, but that person is no longer a member of the household, this might not prevent the person qualifying for inclusion on the housing register. Any exceptional housing need can be taken into account, but this would not always outweigh factors that may make the tenant unsuitable.

7.2 An applicant is normally unsuitable to be a tenant if they are the sole owner of a property anywhere in the world which is suitable and appropriate for them to live in (or could be realistically adapted, repaired or improved to be so) and is available for their occupancy, or can reasonably be made available within one year.

7.3 'Sole owner' includes properties which have secured loans, provided that it is not a true affordable shared ownership arrangement. It also includes joint ownership when the applicant wishes to move with a family member who is the other owner. 'Sole owner' includes sole ownership of a lease in a block of flats that is not affordable shared ownership (this also includes commonhold arrangements). Properties are not, for the purpose of qualification, regarded as 'available for occupation' if the applicant is entitled to Insecure/Temporary Accommodation points with regard to that property, nor if the applicant is homeless

or threatened with homelessness within the meaning of the homelessness legislation.

7.4 Although the Council transferred its properties to Spire Homes (now known as Longhurst) in 2009, this policy normally still uses the test of whether an action would have been expected to lead to a Court granting an Outright Possession Order against the applicant, had the person been a Council tenant. This test is still used because it is relatively well understood in Rutland following use for many years and because it sets a relatively high threshold which protects the applicant.

7.5 An applicant is unsuitable to be a tenant if:

- the applicant, or a member of their household who is to be rehoused with them, has been guilty of unacceptable behaviour serious enough to make the applicant unsuitable to be a tenant of the Council, and
- in the circumstances at the time that the application is considered, the person is unsuitable to be a tenant by reason of that behaviour.

7.6 Unacceptable behaviour is normally:

- behaviour that would (if the applicant were a secure tenant of the Council) entitle the Council to an outright possession order under the Housing Act 1985 s.84 on any ground in Part I of Schedule II of the Act (except Ground 8), or
- behaviour of a member of the applicant's household, which would (if the person were residing with a secure tenant of the Council) entitle the Council to such a Possession Order.

7.7 This may include, but is not limited to:

- conviction for an arrestable offence
- causing an annoyance or nuisance
- harassment
- damage to a property
- social housing rent arrears or other social housing-related debt currently totalling over £1,201 at 1 April 2022 prices (to be inflated annually by the Consumer Price Index or any other appropriate successor inflation factor)
- threatening behaviour or violence.

7.8 Where an applicant or a member of their household is guilty of unacceptable behaviour, the Council will decide whether the applicant will be:

- refused access to the housing list

- accepted onto the housing list with reduced points
- accepted onto the housing list with normal points.

7.9 The starting point for deciding the appropriate option for an applicant will be that s/he should be refused access onto the housing list. However, the following factors should be taken into account and may result in the applicant being accepted onto the list, either with reduced points, or with normal points:

- length of time since the unacceptable behaviour
- repeat occurrence of unacceptable behaviour
- whether it is in the public interest for the applicant to be refused access onto the housing list, or to have their priority reduced
- if it may not be fair or reasonable to apply the social housing-related debt criterion in the applicant's specific circumstances (for instance, in some cases where a move would improve the long term affordability of their accommodation).

7.10 It should be noted that behaviour that would not be sufficient to give the Council outright possession would normally be ignored for the purposes of qualifying for the housing register or making a nomination. Thus, a social housing-related debt under £1,201 at 1 April 2022 (subject to inflation) would not be taken into account in deciding qualification, unless there are exceptional circumstances.

7.11 Where an applicant has been refused access onto the housing list, the applicant may make a fresh application at any time. It will be for the applicant to demonstrate that there has been a material change in circumstances (this includes a significant and relevant change of behaviour by the household) and that their application should now be re-assessed.

7.12 Where an applicant is unsuitable to be a tenant, the Council may refuse the applicant access onto the housing list, or

- accept the applicant onto the housing list with reduced priority, or
- accept the applicant onto the housing list with normal priority.

8.0 ELIGIBILITY FOR INCLUSION ON THE HOUSING REGISTER

8.1 Some people are not allowed ('eligible') to apply for social housing by law, if they are from abroad or returning from abroad. The rules on when this applies are complex. Further information is available

in the Government's Code of Guidance on allocations or from Council staff.

- 8.2 The Council is not allowed to nominate two or more people to a joint tenancy if any of them is not eligible, but can still nominate any of them that are eligible and take account of the whole household when assessing whether a property is suitable.

9.0 REDUCTION OF PRIORITY

- 9.1 Where an applicant or a member of their household is unsuitable to be a tenant as described above, but the Council's view is that they should not be excluded from the housing register, the Council has to make a similar but separate decision regarding whether it would be appropriate to reduce their priority. The Council must still provide them with 'reasonable preference' priority if their application falls into one of these categories, but it can alter the priority they receive compared with other people with a reasonable preference. The relevant provisions of the Housing Act 1996 (as amended) is s.166A(5)(a) regarding property ownership and s.166A(5)(b) regarding unacceptable behaviour by the tenant or a member of their household.
- 9.2 Where priority is reduced in this way, the applicant can only receive points under the following categories and the maximum number of points for their application cannot exceed 50.
- Category 1 Property Hazards
 - Homelessness
 - Insecure / Temporary Accommodation
 - Lacking Amenities
 - Medical Grounds
 - Overcrowding
 - Separated Families
 - Social Need Points
 - Staying Contact with Children.
- 9.3 Applicants whose application is reduced in priority in this way will be advised of this in writing, and given the reason for the decision. The letter will include information on their right to appeal.
- 9.4 In addition to the appeal process, the applicant may reapply at any time but the onus will be on them to show that their circumstances (including their own behaviour, where relevant) have changed. In addition, if the application has had its priority reduced for more than one year and the Council is approached by the applicant, the Council will proactively consider whether the reduction in priority is still justified regardless of whether or not the

applicant has demonstrated that their circumstances (including their own behaviour, where relevant) have changed.

- 9.5 There is a separate procedure for dealing with situations where reasonable offers have been refused. This is under 'Reasonable offers' below.

10.0 APPLICANTS UNDER 18 YEARS

- 10.1 Applicants under the age of 18 years will be given points if one or more of the following apply:

- They have been accepted as legally homeless and in priority need.
- Are over the age of 16 (where a referral for assistance has been made by Social Services under the Children Act 1989).
- Have been assessed jointly under the Rutland Council Children's Services and Housing Joint Protocol for Homeless 16 and 17 year olds (or, in relevant cases, by the Inclusion Team within the 'Learning' Service as):
 - able to meet the responsibilities of a tenancy, and
 - having a suitable support package agreed with the Council in its role of Social Services Authority, and
 - have an agreed person who will stand, as guarantor to the tenancy until the applicant is 18 years.

- 10.2 Applicants who do not meet the requirements in paragraph 10.1 above will be placed on the Housing Register but will not be awarded any points and will therefore not be considered for an offer of accommodation until they reached the age of 18 years. They will still accumulate time and residency points in the normal way from the point of registration, except that the points will be applied retrospectively once the applicant reaches 18.

11.0 ARMED FORCES PERSONNEL

- 11.1 Members of HM Armed Forces may apply for housing with the Council. Applicants should note that, in the event of them being allocated a property, they would be expected to use the property as their main home. Applicants may therefore decide to suspend offers of accommodation until near to their discharge date.

- 11.2 The regulations relating to additional preference for former members of the regular Armed Forces (and in some cases, injured serving members and bereaved spouses and civil partners) in urgent housing need are outlined in section 3 above. The Council already gives additional preference to qualifying households in urgent housing need under this allocation scheme, regardless of whether or not they are members of the Armed Forces. The 'Former Members of the Armed Forces etc. in urgent housing need' points category ensures that additional preference is given in appropriate cases, if it has not already been provided under a different points category.
- 11.3 The Government has also made regulations and statutory guidance waiving residency restrictions in some circumstances for people with an Armed Forces background and also regarding the Armed Forces Covenant. Further information is given above in section 6.

12.0 TRANSFERS

- 12.1 Under the Housing Act 1996 (as amended), any assured or assured shorthold tenant of a private registered provider of social housing (which is usually the same as a housing association) or a secure or introductory tenant of a housing authority (which usually means a council tenant) can only be accepted onto the housing register if:
- the allocation involves a transfer
 - the transfer is made at the tenant's request, and
 - the housing authority is satisfied that the tenant has reasonable preference for an allocation.
- 12.2 The Council will determine whether the applicant has 'reasonable preference' (that is, housing need which meets the criteria for reasonable preference given above) by assessing the application through the points scheme to see if the applicant can be accepted onto the housing register.
- 12.3 Transfer applicants who have been awarded points in any of the categories below will be admitted to the housing register, but will have to leave the housing register if they cease to be entitled to the relevant points:
- Category 1 Property Hazards

- Homelessness
- Lacking Amenities
- Medical Grounds
- Overcrowding
- Separated Families
- Social Need points
- Staying Contact with Children.

- 12.4 Where a household resident in Rutland wishes to transfer is **not** entitled to any of the above points and cannot join the housing register, but **is** entitled to 'Children Under 5 Living in Flats' or 'Under Occupation of family type housing' points, their application will be pointed and considered alongside other applicants according to their points. They will still need to **qualify** for inclusion and allocation (for example, suitability to be a tenant) in the same way as other applicants. Technically, they will not be part of the statutory housing register but they can be considered alongside housing register applicants. This is in line with paragraph 1.8 of the Code of Guidance which states that councils can continue with a single allocation scheme covering both transfer applicants with no reasonable preference and other applicants.
- 12.5 Transfer applicants from outside Rutland without reasonable preference will not be accepted onto the list, unless there are exceptional circumstances approved by the team manager (for example, the need to let properties that are in low demand). Transfer applicants from outside Rutland who have Social Need points under the 'Right to Move' as described in Appendix 3 do have 'reasonable preference'.
- 12.6 Where a transfer applicant is not entitled to join the housing register under paragraph 12.3, nor to be considered alongside transfer applicants under the special arrangements in paragraphs 12.4 and 12.5, they will not normally be able to join the Council's list. Instead, they should see if they can swap with another tenant or arrange a transfer through their housing association.
- 12.7 In situations where an applicant is currently a joint social housing tenant, but wishes to move without the other tenant, they should seek housing advice from the Council.

13.0 HOMELESSNESS

- 13.1 Every new application received will be checked to see if the applicant appears to be homeless or threatened within 56 days with homelessness. If this is the case and the applicant wishes it, then their application will also be dealt with under homelessness legislation. Appropriate investigations into their circumstances

will be undertaken and they will be advised of the Council's decision in writing, ideally within 33 days.

- 13.2 If an applicant is accepted for housing as a homeless person under the Housing Act 1996 Part 7 s.193 (as amended), then any suitable offer of housing to the applicant will discharge the Council's duty towards them as a homeless person. If such a homeless applicant refuses a reasonable offer of housing, the Council is likely to have no further duty to provide assistance under the Housing Act 1996 Part 7 (as amended), and any temporary accommodation provided to the applicant is likely to be withdrawn.
- 13.3 Applicants have a right to request a review of any negative decision on their application and on the suitability of any offer of accommodation. Section 23 sets out the arrangements for seeking such a review.
- 13.4 Homeless applicants will be admitted to the housing register and their application will be assessed in the same way as other applicants which will reflect their priority through the points system, unless it is necessary to adopt the quota process at paragraph 3.6 or 3.7.
- 13.5 Within this policy those who are accepted as homeless to whom the Council owes a duty to secure accommodation will be given a high level of priority points. Lesser levels of priority points will be given to other homeless persons including those who are intentionally homeless and those not in priority need. Intentionally homeless households will be offered advice and assistance to enable them to take action to retain or obtain accommodation.
- 13.6 The Council may also offer assistance by finding accommodation for an applicant with a private landlord.

14.0 PROPERTY TYPES THAT APPLICANTS CAN BE CONSIDERED FOR

- 14.1 Due to the limited amount of accommodation that becomes available, it is necessary to make the best use of social housing properties in the County. The properties are offered that are of a suitable size and type in relation to applicants' needs. The information in Appendix 1 shows what type of property the County Council will normally consider nominating an applicant to. In addition, the private registered providers (usually housing associations) to whom the Council nominates may have similar rules. In some cases, the Council or registered providers may

take into account the extra downstairs room in 'parlour type' properties where this has the potential to be used as sleeping accommodation. Since four bedroom properties are in very short supply, the Council needs to use these 'parlour type' properties in order to provide suitable accommodation for the many larger families on the housing register.

- 14.2 A more flexible approach may be possible regarding shared ownership or similar properties. This may also be possible where a rented property is in low demand and a wider range of applicants need to be considered to make best use of the property, or conversely where the ideal size of rented dwelling is in short supply.
- 14.3 The Council recognises that households come in all shapes and sizes and with varying needs and Appendix 1 cannot cover every eventuality. The over-riding consideration is that the property size and type be suitable for the applicant taking account of any special circumstances, whilst ensuring that the best use is made of properties. Principles regarding flexibility can be set by the team manager, with day to day application to specific cases delegated to the operational supervisor. For instance, the Council has agreed with Longhurst that in certain cases "general needs" accommodation may be let to people over 60.
- 14.4 Appendix 1 follows government guidance on allocations, which is to take account of the welfare reform restrictions on property size for benefit recipients, but not necessarily to follow them in every case. The Council has to balance this against its statutory obligations to address need and to promote equalities, which in some cases means that there may be other over-riding considerations. The Council has to take account of the local stock mix and flexibility may be needed to meet homelessness obligations, or regarding rural sites with local letting policies. The government contributes funding to the Council for discretionary housing payments.
- 14.5 Where there is a likely mismatch between benefit levels and the accommodation offered, the Council will discuss this with the applicant in line with the Code of Guidance on allocations. The Council will also work closely with the association we are nominating to.
- 14.6 As a general rule if an applicant is aged over 50 they can be considered for housing for older people or people with disabilities. However, if an applicant or member of their family is below that age they may still be eligible if they are disabled, or if the housing association has flexible age criteria. In some cases, the relevant age may be greater than 50. This depends on each of the schemes' requirements, and the applicant would need to contact

Rutland County Council or the housing association for more information.

- 14.7 If an applicant who requires one bedroom accommodation has Medical Need Priority A or Social Need Priority A, or if they need another bedroom for a carer, or are statutorily homeless, then they may in exceptional cases be considered for two bedroom accommodation.
- 14.8 Where there is no one registered for a specific type of property the Council will offer it to the next suitable applicant in need on the Housing Register (excluding supported housing). For example, applicants with staying contact with children who do not normally reside with them will not normally be offered a house but could instead be offered a flat or maisonette.

15.0 SPECIALLY ADAPTED DWELLINGS

- 15.1 Properties designed or adapted to wheelchair standard or with special facilities will only be offered to applicants where a member of the household needs these facilities. However, where there is no such applicant on the Housing Register, the Council reserve the right to allocate it to an applicant without any special need. The Council may also take into consideration whether a property, although not currently adapted, may be particularly suitable for adaptation and allocation for someone with special needs.

16.0 LOCAL LETTINGS SCHEMES

- 16.1 Local lettings schemes may be adopted:
- in order to support and sustain communities through the allocation process in accordance with agreements made between the Council, landowners, developers and housing associations;
 - to address identified problems arising in specific areas; or
 - to ensure that the aims and objectives of Rutland County Council's housing and planning policies are met.
- 16.2 Where such a scheme is adopted as a result of an agreement between the Council, landowners, developers and housing association, applicants will be housed in an agreed priority order as specified in that agreement. Most existing agreements in villages are similar in principle to the new example below, but the existing agreements tend to have a larger number of stages to be taken in turn and to varying timescales.

16.3 The new example below reflects experience which has shown that a simplified approach would reduce delays and assist applicants, shared owners and landlords. Some existing planning agreements are worded so that changes to the Council's Housing Allocation Policy can override the original wording in the section 106 agreement. Where this is the situation and the new wording is more appropriate, the team manager will write to the landlord accordingly regarding the details in the agreement that appear to have been superseded (there are no rural exception sites where this is the case).

16.4 New or revised agreements are likely to be similar to the following example, which shows a descending order of priority from (a) to (c) used to make nominations to a housing association. (Where a section 106 planning obligation does not require a village connection, the process may start at stage (c) and slightly different criteria may be used to best meet need.)

(a) With equal level of priority, anyone who:

- has been living in the Parish for at least 9 of the previous 12 months OR
- has been employed in the Parish for at least 9 of the previous 12 months OR
- has moved or wishes to move to the Parish for the purpose of caring for elderly or infirm members of the family who live in the Parish OR
- has moved or wishes to move to the Parish in order to receive care and support from members of the family who live in the Parish OR
- has been resident in the Parish for three out of the last five years or has an immediate family member resident in the Parish for the past three years. (Immediate family means a parent, child or sibling. Step and half relatives count as full relatives.)

(b) In the event that there are no individuals who qualify as suitable applicants pursuant to (a) above priority shall be given to suitable applicants from the neighbouring parishes.

(c) In the event that there are no individuals who qualify as suitable applicants pursuant to (b) above priority shall be given to suitable applicants from other parishes within the County of Rutland.

In the case of rented properties, steps (a), (b) and (c) can follow directly on from each other without delay. In the case of shared ownership properties, 3 weeks is needed between steps (a), (b) and (c) provided they are fairly marketed. For shared ownership properties that are being resold, no local connection will apply after four months of marketing.

- 16.5 In other circumstances where a local lettings scheme is adopted, the details of these will be agreed and published by the responsible Director following consultation with the relevant Portfolio Holder, the local ward member(s) and the Parish Council. In agreeing any such schemes the Council will ensure that, overall, reasonable preference for allocations is given to applicants in the categories listed in section 3.2 and that the policy does not discriminate, directly or indirectly, on racial or other equality grounds.
- 16.6 Local lettings policies adopted prior to the revised Housing Allocation Policy will remain in force unless they are specifically superseded (which may include updating as described in 16.3).

17.0 ALLOCATION OF PROPERTIES TO APPLICANTS

- 17.1 The Council will operate its housing register utilising a system, which awards points according to housing need. Each application is assessed against the points schedule as shown at Appendix 2 and an award is made accordingly. This gives applicants a relative priority on the housing register and will enable them to be short-listed for accommodation when it becomes vacant.
- 17.2 Allocations are routinely made to the applicant who has the highest number of points in a shortlist of applicants who have a need for and have expressed a preference for that type of property in the specific area.
- 17.3 If there are two or more applications with the same number of points, the following criteria will be considered by the operational supervisor (in the priority order given below) when making a nomination:
 - i. the applicant who has worked in Rutland the longest and also lives in Rutland (this criterion will not be applied to accommodation for older people or people with special needs)
 - ii. the applicant who resides in Rutland and who has been registered in need the longest.
- 17.4 The Council will seek to use its housing register and the available housing association stock to the best of its ability. In some instances therefore, it may be prudent to ensure an allocation is

made to a transfer applicant who has a lower level of priority points, so that the resulting vacancy is made available to a general applicant with a more acute housing need or where there are other management considerations in a particular case. These management allocations will be supported by a detailed report from the operational supervisor as to why they are necessary and be approved by the team manager.

18.0 TEMPORARY HOUSING

- 18.1 The Housing Allocations Policy deals with lettings of social housing intended for long term occupancy. This includes assured tenancies with private registered providers (normally housing associations). It also is intended to cover assured shorthold tenancies with private registered providers where these are for more than one year, or are intended to lead to a longer tenancy in the same property following a starter, probationary or introductory period. It is also used to identify applicants for affordable home ownership and for private sector rented affordable housing.
- 18.2 In addition temporary housing may be granted in the following circumstances:
- (a) Grant or Loan Aided Works

If an applicant lives in a property within the County and they have been approved to receive a private sector housing grant or loan.
 - (b) Major Works by a registered provider within the County.

Where the applicant lives in a registered provider (normally, a housing association) property within the County and major repair, redevelopment and refurbishment works are to be carried to the accommodation.
- 18.3 In these circumstances it may be possible to arrange temporary housing if they cannot stay in the property while the works are being carried out.
- 18.4 In all such cases a decision to offer temporary accommodation would be based on judgement about the extent of the work to be carried out and whether or not the applicant suffers from any ill health which would be aggravated by the nature of the works.
- 18.5 The Council may also use properties as temporary accommodation for homeless households using its powers under the Housing Act 1996 Part 7 (as amended), outside of this allocation policy.

19.0 WHAT POINTS ARE AWARDED FOR

Category 1 Property Hazards - Band A vulnerable

150 Points

Where a Housing Health and Safety Rating System (HHSRS) inspection of the property identifies at least one Category 1 hazard in Band A (excluding overcrowding).

Category 1 Property Hazards - Band B or C, or Band A non-vulnerable

50 Points

Where an HHSRS inspection identifies at least one Category 1 hazard in the property (excluding overcrowding) in Band B or C but none in Band A, or where a hazard is in Band A but where no members of the household seeking rehousing are in a vulnerable group for that hazard.

Category 1 Property Hazards points in any band will not be awarded if the issue might be easily rectified by the property owner, nor will they be awarded if no members of the household seeking rehousing are in a vulnerable group for that hazard.

HHSRS inspections are normally requested by the applicant and if needed are carried out by the Council's Environmental Protection team. HHSRS assessments by other councils, where the applicant is outside Rutland but qualifies for the Rutland housing register, will also be accepted where evidenced and undertaken by survey of the applicant's individual property.

If an applicant would be eligible for both Category 1 Property Hazard points and Lacking Amenities points, they will only receive the points from the highest scoring points category, to avoid double-counting.

Children Under 5 Living in Flats

Points

1st Floor (or basement)
– 20 Points

2nd Floor – 30 Points

If an applicant has one or more dependent children aged under 5 living with them (not just staying access) in a flat or maisonette, they will be awarded these points. These points will be awarded once, regardless of the number of children and will not be awarded for ground floor flats. Where the 'floor' to be used for pointing is not obvious, the flat's floor with living accommodation closest to ground level should be used.

<p>Employment in Rutland</p> <p>20 Points (for cases which do not qualify for 40 Points)</p> <p>40 Points if currently living outside Rutland <u>and</u> the normal place of work is within Rutland <u>and</u> on a permanent contract (includes situations where the employee initially worked on a temporary basis, but was later taken on as permanent by the same employer.)</p>	<p>Employment in Rutland means paid work in Rutland by an applicant or joint applicant for at least 16 hours per week on average for the preceding six months, with a commonsense approach taken regarding brief periods of unemployment. This pay must be for at least the national minimum wage, except in cases of genuine self-employment or sheltered employment. Points are not awarded where the gross salary (including regular overtime) or income from the job, or jobs, for the relevant individual is more than £37,535 per year (1 April 2022 costs, subject to inflation). Armed Forces personnel are treated in the same way as other workers with their home base treated as their place of work. These points can only be awarded once per application.</p> <p>These points are not awarded if the household has been awarded Social Need points for the 'Right to Move' (see Appendix 3), to avoid double-counting.</p>
<p>Family Connection with Rutland</p> <p>10 Points</p>	<p>Where an applicant does not live in Rutland but has immediate family who live in Rutland.</p> <p>Immediate family means a parent, child or sibling. Step and half relatives count as full relatives. These points can only be awarded once per application.</p>
<p>Homelessness</p> <p>500 Points</p> <p>100 Points/ 150 Points</p>	<p>Persons where the Council owes a duty to secure accommodation under s.193 of the Housing Act 1996 (as amended) (that is, where the Council has a full homelessness duty). This does not include any households that are intentionally homeless.</p> <p>Other homeless households to which the Council has to provide reasonable preference under s.166A(3) of the Housing Act 1996 (as amended). This includes households for whom the 'prevention' or 'relief' duties have been activated. (These households owed the 'prevention' and 'relief' duties must still meet the relevant housing register qualification criteria.) 100 Points are awarded, unless the applicant does not receive 150 or more points under any other single category <u>and</u> the specific <u>additional</u> criteria below for 150 Points are met. These are:</p>

- where it appears to the Council that the household would be in 'priority need' as defined by Part 7 of the Housing Act 1996 (as amended), regardless of their homelessness status OR
- former Members of the Regular Armed Forces OR
- serving members of the Regular Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service OR
- serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

Lacking Amenities

20 Points per amenity
lacking

Points will be awarded if an applicant lives in a location that lacks the following facilities:

- Inside WC
- Bathroom/Bathing Facilities
- Kitchen
- Living Room
- Any Means of Heating
- Hot Water Supply.

These points will not be awarded if the issue might be easily rectified by the property owner (perhaps through repairing a broken facility).

If an applicant would be eligible for both Category 1 Property Hazard points and Lacking Amenities points, they will only receive the points from the highest scoring category, to avoid double-counting.

Lodging with Family or Friends

30 Points

This is where the applicant has been lodging with family or friends and wants to live independently, but is allowed to stay there for at least 56 days. It does not apply where the accommodation has been largely self-contained, or where there are Homelessness, Overcrowding or Social Need points. Lodging with family or friends points can be awarded where the applicant has always lived with parent(s), but not in cases where the applicant has been staying with their partner or ex partner and wants to move out as these should be assessed under other categories, nor for house shares between friends or arranged with a private landlord.

Medical Grounds

Where an applicant has a medical need for rehousing. The Council may work with a Medical Advisor. Assessment will be based upon:

- How the medical condition affects the applicant's ability to cope in their home
- The suitability of their current home in terms of its type and location
- How the applicant's health would benefit from being rehoused
- Whether there is accommodation better suited to the applicant's needs (if the Council cannot nominate to more suitable housing, the applicant should not be awarded medical points)
- The kind of accommodation the applicant is seeking (an applicant seeking a move from a first floor flat to a house because of stairs would be unlikely to receive points).

An applicant's case will **not** be referred for assessment where the applicant states on their medical form that:

- Their medical condition is **not** affected by their current accommodation, **and**
- Their ability to live in their housing is **not** affected by their medical condition.

Category A - 250 Points

- Category A - where the applicant has a high medical need to move, and should be moved within six months

Category B – 150 Points

- Category B - where the applicant has a medium medical need to move, and should be moved within one year

Category C – 50 Points

- Category C - where the applicant has a low medical need to move, but it would be reasonable for them to wait at least a year.

Overcrowding

100 Points for each bedroom lacking

Points will be awarded if a separate bedroom is required for:

- ◆ Each couple living together
- ◆ A parent in a single parent family
- ◆ Each child aged 9 years or over who would otherwise have to share with someone of the opposite sex
- ◆ No more than 2 persons per room
- ◆ A single adult over the age of 16

If a member of the household has a bedroom but does not have access to it because of medical problems or property condition, this should be addressed through Medical points or Property Hazard points, not Overcrowding points.

A bedsit counts as one bedroom. Overcrowding points will not be awarded for extra bedrooms beyond the property the applicant is being considered for. For instance, a household may count as short of 2 bedrooms by the overcrowding criteria, but because of benefit restrictions or available properties can only be nominated to a property with one additional bedroom. They would therefore only receive 100 overcrowding points.

Where a person is sleeping in a car, an unconverted shed or sleeping rough, they lack a bedroom. Households in this situation, however, should not be awarded more than 100 overcrowding points. This is to avoid anomalies through double-counting where people are staying in groups and/or already receive points under other categories.

Residence in Rutland

10 Points for each full year's residence (up to a maximum of 50 points)

Points will be awarded to applicants who live within the County based on the period they were normally resident within it. This does not include any time spent in prison in Rutland. This includes time 'Service people' or 'relevant family members' (see Appendix 4) have been resident in Rutland.

Separated Families

100 Points

For households who could normally be expected to live together but are unable to do so because they have no suitable accommodation and where the accommodation applied for would address this problem. This factor looks at how the household could use their accommodation, not at how they choose to use it. (Where the applicant has staying contact with children who do not normally reside with them, these points will not be awarded.)

Social Need

Category A – 250 Points
(where the applicant can reasonably remain in their current home for up to 3 months). Can be awarded by the team manager.

Category B – 150 Points
(where the applicant can reasonably remain in their current homes for at least 6 months). Can be awarded by the team manager.

Category C – 50 Points
(where the applicant can reasonably remain in their current home for up to a year). Can be awarded by the team manager or the operational supervisor.

Points may be awarded in special social or economic circumstances that do not fit into the other categories for which points are awarded. These may include situations where:

- there is proven violence or abuse and where safety or recovery would be helped by a move
- a move is to give or to receive substantial support or care from relatives
- there is a need to move to a particular place for access to special educational facilities or a place of employment
- multiple problems create an exceptional need
- the applicant has special welfare needs and would benefit from living in a more independent environment (for example, this may include care leavers).

Where there are circumstances that result in someone being unintentionally unable to occupy accommodation Homelessness Points should be considered rather than Social Need.

In cases of homelessness **prevention** where the Council is facilitating a move to an identified property, Category C Social Need points may (where appropriate) be awarded in addition to Homelessness points, if it appears that the household would have been in priority need, unintentionally homeless and have a local connection.

People with learning disabilities on the Learning Disability Register (administered by the University of Leicester) or broadly equivalent will normally be allocated Category B points, where they need rehousing and this is supported by Rutland County Council's 'Inclusion' Team within the 'Learning' Service.

The 'Right to Move' for social housing tenants moving to Rutland for work is covered in Appendix 3.

Staying Contact with Children

60 Points

Points will be awarded where an applicant has staying access to one or more children. Staying contact means that the child stays overnight at least one night per fortnight (this can be averaged out through the year), and this must be confirmed by Court Order or the child's main carer. This is only awarded if current housing is preventing overnight access and/or there are specific welfare concerns AND if the accommodation being applied for would address these issues to an acceptable extent.

Time on the register

5 Points per year (to a maximum of 50 Points)

For every year an applicant is on the Housing Register, their points will increase. Where an application is from 'Service people' or relevant family members (see Appendix 4), periods of registration on housing registers in other parts of the UK can also be included where these have had breaks of less than six months and can be evidenced.

If an application is cancelled and then reinstated less than a year later, points will be awarded from the date of the initial application. However, where an application is removed because of applicant was rehoused through a nomination, any new application will be dated from when the new application was received. If the applicant is on a wholly separate transfer list and joins the housing register later, the date used will be the date the applicant joins the housing register.

Under Occupation of family type housing

130 Points for each bedroom not needed (compared with the property size which they wish to move into - assessed in the same way as overcrowding).

These points are awarded to an applicant to enable them to move from family type housing (for example, a 2 or 3 bedroom house or maisonette) to rented affordable housing in Rutland with fewer bedrooms. Applicants who are applying for a move to properties of different sizes will be awarded points on the basis of the larger size. For example, a tenant in a 3 bedroom property who wants to move to a property with 1 or 2 bedrooms will be awarded 130 points.

These points are only awarded where the applicant is a Council or housing association tenant living in Rutland.

20.0 CHANGES OF CIRCUMSTANCE

- 20.1 If the applicant has a change of circumstances or address they must inform the Council as soon as possible. This will enable the Council to re-assess their application in order to ensure that they are awarded points appropriate to their housing need.
- 20.2 Allocations made on the basis of out-of-date or otherwise incorrect information may be withdrawn. Where a tenancy has begun, possession action by the landlord may occur.
- 20.3 It is an offence under section 171 of the Housing Act 1996 to knowingly or recklessly give false information or knowingly withhold information which the Council has reasonably required the applicant to give.

21.0 MAKING A NOMINATION

- 21.1 When a vacancy arises in the rented stock of a housing association within the County and the property has been made available for allocation through the housing register, an allocation will normally be made to the applicant with the highest number of points (provided the property has not been designated under paragraphs 3.6, 3.7 or 3.8 above).
- 21.2 An allocation is a nomination to a private registered provider (normally a housing association) for which the Council has nomination rights. Where a nomination is made, the housing association concerned will consider if the applicant is acceptable under their own lettings policy.
- 21.3 When an applicant does not wish to be nominated for a property or an offer is refused, they will be expected to provide the reasons why they did so. This information is necessary to identify why the property was not acceptable and to ensure that the Council understands better what the applicant is looking for.

22.0 REASONABLE OFFERS

- 22.1 Applicants will normally be made two offers of suitable accommodation before their application is deferred for 6 months. Applicants will not be penalised if the reasons for refusal are felt by the Council to be reasonable. Deferral will begin on the date

that the second offer is refused. Deferral means that an applicant will remain on the housing register and will not leave any reasonable preference group, but that no offer will be made during the deferral period unless there are special circumstances (for example, a substantial and unexpected increase in the applicant's housing need).

- 22.2 However, some applicants are either homeless, or threatened with homelessness, and refusal of an offer of housing will have greater consequences for these applicants.
- 22.3 Where the Council owes a duty to secure housing for an applicant under the Housing Act 1996 Part 7 s.190 or s.193 and intends to meet this duty through an offer from the housing register, the applicant will be advised that the Council does not have to provide a second reasonable offer of housing. If the applicant rejects this reasonable offer, the Council will consider that its duty is discharged and the applicant will have to find their own housing. However, if the applicant considers that the accommodation offered is unsuitable, they have the right to appeal on this point. Where an applicant who is owed the 'prevention' duty or the 'relief' duty refuses a suitable offer of accommodation which would reasonably have been available for at least 6 months or a reasonable offer of accommodation from the housing register, the respective duty will end and the Council will have to consider whether or not any further duties are owed. This includes applicants who have been accepted under the 'relief' duty of the Homelessness Reduction Act 2017. The Council will have to consider whether any other duty is owed to applicants who were owed the 'prevention' duty. There is a right to appeal if the applicant disagrees with a decision by the Council to end the 'Relief' and 'Prevent' duties.
- 22.4 On occasion, the Council makes an offer of housing to an applicant who is known to be either homeless, or threatened with homelessness (but where no s. 190 or s.193 duty has yet been established). Where this applicant intends to reject the offer of housing, they will be advised of the possible consequences.

23.0 REVIEW OF HOUSING APPLICATIONS BY THE COUNCIL

- 23.1 Applications are normally reviewed annually on the date they were registered. This will be in writing and will be followed up, again in writing, if the applicant does not respond. This is to make sure that the applicant still requires housing and that their details and circumstances are the same. Applicants are required to respond to the Council within 28 days of the date of the first letter.

- 23.2 If there has been no contact, the application will be withdrawn and the applicant will be advised in writing of this. Should the applicant contact the authority within the following 12 months their previous application will be reinstated, including any elapsed time on register points.

24.0 REMOVING APPLICANTS FROM THE HOUSING REGISTER

- 24.1 Applicants will only be removed from the Housing Register if they:
- a) are ineligible for housing on grounds of immigration and nationality status or habitual residence status, as detailed in Section 8, or
 - b) do not qualify under Sections 5, 6 or 7, or
 - c) request their removal in writing, or
 - d) fail to renew their application at the annual review, or
 - e) fail to respond to written correspondence from the Council within 14 working days, and the letter advised the applicant that failure to respond would result in their removal from the Housing Register. In this situation, a reminder letter will always be sent prior to the applicant being removed from the register, or
 - f) are a transfer applicant who is not entitled to be on the statutory housing register and, under the provisions of Sections 4 and 12 of this policy, is also not in a group entitled to be considered alongside housing register applicants.

25.0 REVIEW OF DECISIONS

- 25.1 If an applicant has
- been denied access to the register, or
 - believes that their application has been incorrectly assessed, or
 - had their level of priority points restricted, or
 - considers that an offer of housing was not reasonable, or
 - received any negative decision in relation to a homelessness application, or
 - believes that accommodation offered to them as a homeless person was not suitable

they will be informed of this decision by letter, which will inform them of their right to a review. The letter must include information on exactly why they have been rejected and must have sufficient detail to allow the applicant to challenge the decision. The applicant must formally request in writing a review of the decision within 21 working days of the date of the decision, or event, about which they are seeking a review. This letter should be sent to:

Director for Adults and Health
Rutland County Council
Catmose
Oakham
Rutland LE15 6HP

- 25.2 The review will be carried out by an officer nominated by the responsible Director who has not been involved in the original decision and who is senior to the officer who took made it.
- 25.3 The Council will make a decision within 21 days of receipt of the written review request and if any further information is required, the period may be extended by agreement between the Council and the applicant.
- 25.4 When conducting the review, the council will consider any written representations made by the applicant or on their behalf and will carry out the review on the basis of the facts known at that time. Where the officer conducting the review believes that it would be beneficial to reaching a decision they may request that, or agree to a request that, the applicant attend a meeting at which they may make oral representations or at which they may be made on the applicant's behalf by a person of their choice.
- 25.5 The decision on the review and the reasons for it will be notified to the applicant in writing.
- 25.6 Where an applicant is a transfer applicant without reasonable preference and if the review request is outside the scope of the statutory requirements, the request will generally be addressed through the Council's published complaints procedure instead.

26.0 EQUAL OPPORTUNITIES

- 26.1 Councils are subject to the general public sector equality duty in the Equality Act 2010. As well as the duty to eliminate unlawful discrimination, they are subject to a duty to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not, and to foster good relations between persons who share a relevant protected characteristic and those who do not. The protected characteristics are age, race, disability, sex, pregnancy and maternity, sexual orientation,

religion or belief, and gender reassignment.

- 26.2 Rutland County Council is committed to dealing with applications for accommodation fairly and honestly and to offer equality of opportunity to all applicants who are in housing need and want social housing. The Council has carried out an equality impact assessment on this policy.
- 26.3 In order to monitor performance, the Council will collect appropriate information from the application forms. All applicants will be required to provide necessary details at the point of application.
- 26.4 The information collected will be used to keep the policy under review and will be kept in the strictest of confidence and in line with the General Data Protection Regulations.

27.0 INFORMATION AND ADVICE

- 27.1 The Council provides advice and information in a variety of ways to ensure that any interested party is aware of how to make an application for inclusion on the Housing Register, the contents of the allocations policy and the likely housing options available to them.
- 27.2 The Council will ensure that assistance is available for anyone who may have difficulty in making an application.
- 27.3 The Council will publish a summary of its allocation scheme, which will be available free of charge to any member of the public who requests it. This full version of the allocation policy is available upon request.

28.0 RIGHT TO INFORMATION

- 28.1 All applicants have the right to request information about their application, how it is likely to be treated under the allocation policy and if and when accommodation is likely to be made available to them. Applicants also have the right, upon request, to be informed of any facts about their case, which have been, or are likely to be, taken into account in considering whether to make an allocation, except in the case of confidential information supplied by a third party on the basis that it would not be disclosed.

29.0 INDEPENDENT HOUSING ADVICE

- 29.1 Independent housing advice in Rutland is contracted to Citizens Advice Rutland. The services that they offer include:

- advice and assistance with all aspects of housing law, including eviction, rent arrears, homelessness and rehousing, and disrepair
- assistance relating to allocations and homelessness
- advocacy/representation
- debt and benefit advice.

30.0 CONFIDENTIALITY

- 30.1 Any information provided as part of the application process will be treated in the strictest confidence wherever possible and in accordance with current data protection legislation.
- 30.2 As a consequence of Data Protection legislation every applicant will be required to give consent for the council to make enquiries and exchange information relating to them with other agencies. In order to achieve this there is an appropriate disclaimer included within the council's application form for applicants to sign.

31.0 MONITORING AND EVALUATION

- 31.1 Lettings will be monitored and the allocations policy will normally be monitored and evaluated annually to gauge its effectiveness in meeting the aims and objectives outlined in sections 1 – 3. The outcomes of this evaluation process will form the basis of any subsequent recommendations for policy review.
- 31.2 The number of people rehoused through Social Points under the 'Right to Move' (see Appendix 3) will be monitored and compared with the Government's suggested target of 1% of moves. The Council has decided not to set a formal quota, as this would in Rutland amount to 1 or 2 lettings a year and demand and lettings are bound to fluctuate when the numbers involved are so low.

32.0 POLICY REVIEW

- 32.1 Elected Members are responsible for determining allocation policy and for approving any changes recommended as part of a policy review which would be made following consultation with tenants, private registered providers, relevant voluntary organisations and other stakeholders.

APPENDIX 1 – ELIGIBILITY OF HOUSEHOLDS FOR DIFFERENT TYPES OF HOUSING

Applicants generally under 60 years (at least one applicant for joint applications). 'X' means eligible. See also second table for applicants with some special needs and section 14 for further background including flexibilities. Single people and couples aged 50-59 and parent(s) over 50 with child / children (not just staying contact) can usually be considered for suitable housing under both this and the following table. Under an agreement with Longhurst, some lettings to 'General Needs' properties can be made to over 60s.

Applicant Type	Studio	1 bed house or flat	2 bed flat or maisonette	2 bed house	3 bed flat / maisonette	3 bed house	4 bed house (or suitable 3 bed 'parlour type')	5/6 bed house
Single Person	X	X						
Couple		X	X					
Single person or couple with access to child / children		X	X (if Staying Contact points)					
Parent(s) with 1 child			X	X				
Parent(s) with 2 children (same sex)			X (if both under 16)	X (if both under 16)	X (if one over 16)	X (if one over 16)		
Parent(s) with 2 children (different sexes or one over 16)			X (if eldest under 9)	X (if eldest under 9)	X (if eldest over 8)	X (if eldest over 8)		
Parent(s) with 3 children					X	X	X (if needed for over 16s to have own room)	

Applicant Type	Studio	1 bed house or flat	2 bed flat or maisonette	2 bed house	3 bed flat / maisonette	3 bed house	4 bed house (or suitable 3 bed 'parlour type')	5/6 bed house
Parent(s) with 4+ children						X	X	X (very large families in exceptional cases)

Applicants generally over 50 years

Single people and couples aged 50-59 can usually be considered for suitable housing under both the table below and the table above. Parent(s) over 50 with child / children (not just staying contact) can usually be considered for suitable housing under both this and the first table.

Single Person	1 bedroom bungalow, ground floor or first floor flat or studio flat (either supported, or older people / specialist without support)
Couple	1 or 2 bedroom bungalow / 1 st floor & ground floor flat (either supported, or older people / specialist without support)
Two or more persons (for example single person or couple and carer, or parent(s) with a child over 50, or parent(s) with access to child / children and Staying Contact points)	2 bedroom bungalow / ground floor flat (either supported, or older people / specialist without support)

Notes:

Paragraphs 14.6 and 14.7 set out circumstances where these properties may sometimes be let to people who are younger or have disabilities.

In the case of a joint application, only one party need be over 50. In the case of sole applications, the applicant must be aged 50 plus.

APPENDIX 2 – PRIORITY POINTS SUMMARY

Circumstances	Points Awarded (new scheme)
Category 1 Property Hazards (Band A and vulnerable group)	150
Category 1 Property Hazards – other	50
Children aged under 5 living in flats, excluding ground floor:	
1 st Floor	20
2 nd Floor	30
Employment in Rutland (not awarded with Social Need points for the “Right to Move”).	20 (if working in Rutland) 40 (if working permanently in Rutland but living outside)
Family connection with Rutland	10
Homelessness	
Unintentionally homeless and where the Council owes a full homelessness duty under the Housing Act 1996	500 (and provision to ring-fence properties if necessary)
Homeless – not full duty but ‘additional preference’	150 (but will need to pass qualification to join the register)
Homeless not full duty but ‘reasonable preference’ criteria	100 (but will need to pass qualification to join the register)
Other homeless persons receiving advice and assistance or in accommodation secured for them, or where the Council can refer to other areas	100 (but will need to pass qualification to join the register)
Lacking Amenities	20 per facility (where also eligible under Category 1 Property Hazards, points will only be awarded for the highest scoring category)
Lodging with Family or Friends	30

Circumstances	Points Awarded (new scheme)
Medical Grounds Category A	250
Medical Grounds Category B	150
Medical Grounds Category C	50
Overcrowding	100 per bedroom lacking
Residence in Rutland	10 per year (up to a maximum of 50 points) and a residency qualification to join the register
Separated Families	100
Social Need Category A	250
Social Need Category B (including "Right to Move" Category B)	150
Social Need Category C (including "Right to Move" Category C)	50
Staying Contact with Children	60 (if meet criteria)
Time on the register	5 per year (up to a maximum of 50 points)
Under Occupation of family type housing	130 per bedroom surplus to need

APPENDIX 3 – THE ‘RIGHT TO MOVE’

A3. Introduction

A3.1. ‘Right to Move’ priority where applicable is given through the award of ‘Social Need’ points. Under the national ‘Right to Move’ initiative, transfer applicants from outside Rutland who meet the criteria can join the housing register and receive a certain degree of priority through the award of Social Need points, if:

- they need to move to Rutland to take up an offer of employment based here or to keep an existing job here, to avoid ‘hardship’ for themselves or another family member
- the work must not be ‘marginal’ and the applicant must intend to take up the offer or to continue working here. Normally this would mean it should be for at least 16 hours per week, for at least the national minimum wage or be an apprenticeship, and be expected to last for at least one year.

A3.2 ‘Transfer applicants’ are current tenants of social landlords that are registered providers and who request their own transfer.

A3.3 In determining hardship, the Council will take into account:

- distance and/or time taken to travel between work and home
- the availability and affordability of transport, taking into consideration level of applicants earnings
- the nature of work and whether similar opportunities are available closer to home
- other personal factors e.g. medical care, child care which would be affected if applicant could not move
- the length of the work contract
- whether failure to move would result in the loss of opportunity to improve their employment prospects etc.

A3.4 The Council then needs to consider whether the above or similar relevant factors cause a risk of short-term crisis/substantial inconvenience and/or medium-/long-term risks to welfare and prospects.

A3.5 The onus is on the applicant to provide the information needed to evidence the ‘Right to Move’, but the applicant should be asked to supply it if it appears from their application that the Right to Move might apply.

- A3.6 A moderate or medium level of hardship would lead to the award of Social Points at Category C (50 points) and a substantial level of hardship the award of points at Category B (150 points). (A 'slight' level of hardship would be a contradiction of terms in this context.)
- A3.7 Applications can only receive one set of Social Need points at a time.
- A3.8 Employment in Rutland points are not awarded if the household is receiving Social Need points for the 'Right to Move', to avoid double-counting.
- A3.9 The arrangements for monitoring the operation of the 'Right to Move' are in paragraph 31.2 of the Housing Allocation Policy.

APPENDIX 4– DEFINITION OF ‘SERVICE PEOPLE’ AND ‘RELEVANT FAMILY MEMBERS’.

The people who benefit from the Armed Forces Covenant Duty are defined collectively as ‘Service people’ in section 343B(1) of the Armed Forces Act 2006 (as amended), comprising: currently serving members of the UK regular and reserve forces; currently serving members of British Overseas Territories’ Armed Forces who are subject to UK Service law; former members of the UK regular and reserve forces and British Overseas Territory Armed Forces, who are ordinarily resident in the UK; and the ‘relevant family members’ of people in these groups.

- (1) A person is a relevant family member where, in relation to a service member or veteran, the person is any of the following—
 - (a) their spouse or civil partner;
 - (b) their, or their spouse’s or civil partner’s, child (under 18);
 - (c) their relative, or their spouse’s or civil partner’s relative where the relative is one of the following—
 - (i) a member of their household;
 - (ii) wholly or mainly financially dependent on them or their spouse or civil partner; or
 - (iii) someone for whom them or their spouse or civil partner has assumed regular and substantial caring responsibilities;
 - (d) where the service member or veteran is deceased, anyone who was their relevant family member under sub-paragraphs (a) to (c) above immediately before their death.
- (2) “Relative” in relation to the service member or veteran or their spouse or civil partner, means—
 - (a) a parent, step-parent, son, daughter, stepson, stepdaughter, grandparent, step-grandparent, great-grandparent, step-great-grandparent, grandchild, step-grandchild, great-grandchild or step-great-grandchild;
 - (b) a brother, sister, uncle, great-uncle, aunt, great-aunt, niece, great-niece, nephew, great-nephew or first cousin (whether of the full blood or of the half blood or by marriage or civil partnership); or
 - (c) any person who (no longer being a child under 18) was the responsibility of them or their spouse or civil partner when they were a child.

- (3) For the purposes of this appendix, references to the service member's or veteran's spouse or civil partner includes—
 - (a) a person whose relationship with them is akin to a relationship between spouses or civil partners;
 - (b) a former spouse or civil partner or a person whose relationship with them was formerly akin to a relationship between spouses or civil partners.
- (4) For the purposes of this regulation, a person is a child (under 18) of someone if they are the parent or have responsibility for the child
- (5) For the purposes of paragraph (1)(c), references to a person being a member of a service member's household includes people who would be living in the same household but for the fact that the service member is temporarily living at another address for service reasons.
- (6) For the purposes of paragraphs (2)(c) and (4), a child (under 18) is the responsibility of the service member's or veteran's spouse or civil partner where—
 - (a) they have parental responsibility for the child within the meaning of section 3 of the Children Act 1989(2); or
 - (b) the child is someone who otherwise meets the criteria in paragraphs (1)(c)(ii) and (iii).

**A large print version of this document is
available on request**



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CABINET

13 December 2022

INDICATIVE CAPITAL ALLOCATIONS INCLUDING DEVELOPER CONTRIBUTIONS

Report of the Portfolio Holder for Planning, Highways and Transport

Strategic Aim:	A Special Place		
	A Modern and Effective Council		
Key Decision: No		Forward Plan Reference: FP/160922	
Exempt Information		No	
Cabinet Member(s) Responsible:		Cllr Rosemary Powell - Portfolio Holder for Planning, Highways and Transport	
Contact Officer(s):	Penny Sharp, Strategic Director for Places		07973 854906 psharp@rutland.gov.uk
Ward Councillors	All		

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the proposed indicative allocations of the Council's uncommitted capital funds as detailed in appendix 1 of the report.
2. Approves the proposed process for administering Developer Contributions expenditure to ensure alignment to strategic priorities for the Council and County.

1 PURPOSE OF THE REPORT

- 1.1 This report sets out the Capital funds currently held by the Council and proposes indicative allocations for investing the monies, including developer contributions (Community Infrastructure Levy (CIL), Section 106 monies and Oakham North Local Funding Agreement).
- 1.2 It seeks to align the capital resources to the Council's strategic priorities that are set out in the Corporate Strategy. The report also proposes governance and administrative arrangements for developer contributions.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Council holds various uncommitted Capital Funds as set out in Appendix 1 which totalled £13.039m at 31 August 2022. These funds come from various sources, such as, ring-fenced Government Grants, (e.g. Disabled Facilities Grant); non-ringfenced Government Grants (e.g. Highways Capital Maintenance), capital receipts; and developer contributions (Community Infrastructure Levy [CIL], s106 and the Oakham North Local Funding Agreement).
- 2.2 With some of these funds, there is no local choice or discretion on what they can be spent on. With the remainder of the capital funds, the Council does have some discretion as to how it chooses to invest the monies.
- 2.3 To date, the Council has purposefully retained the majority of CIL funding in order to align investment with the growth infrastructure priorities detailed in the Infrastructure Delivery Plan (IDP). With the development of a new Local Plan there will be a need to produce a new IDP, and this process is timetabled to begin next year.
- 2.4 Section 106 developer contributions have been secured against specific developments for specific purposes. Depending on the nature of the covenant, there can be some flexibility as to how the s106 is invested. Restrictions can relate to a particular geographical area or a specific purpose, e.g. specific highways schemes.
- 2.5 The Oakham North Local Funding Agreement provided capital funding of £3.213 million linked to the Barleythorpe development. As such, the funding is non-ringfenced with £3.168m remaining unallocated.
- 2.6 Given the current planning context (lack of 5-year housing land supply) there is a desire to understand how the Council intends to use its capital funds to alleviate the pressure on local infrastructure.
- 2.7 In addition, there is a need for the Council to report on its intended spend/allocation of developer contributions in the Annual Infrastructure Funding Statement that must be published in December each year.
- 2.8 There is a commitment in the Corporate Strategy for the Council to develop a 10year capital investment plan to guide future spending on infrastructure and facilities. As this will link to and be informed by the development of the new Infrastructure Delivery Plan (IDP) it is anticipated that capital investment plan will now be developed in the latter half of 2023.
- 2.9 In the interim, it is proposed that Cabinet agrees indicative allocations of the capital funds currently held. The indicative allocations will enable services and partners to develop their investment plans and bring forwards proposals for specific projects to meet the County's infrastructure needs and strategic priorities.

3 RUTLAND COUNTY COUNCIL'S CAPITAL INVESTMENT PRIORITIES

- 3.1 Through the development of the Corporate Strategy, the Health and Wellbeing Strategy and key corporate projects (such as the waste services procurement) the Council has already identified a number of priority areas for investment. The proposed indicative allocations to support these strategic investment priorities are

set out in Appendix 1 against the sources of these funds.

3.2 Priority One: A Special Place: Total £3,981m

- Investment in Highways, Heritage and Culture and the County's public spaces to improve the cultural offer, attractiveness, accessibility, and safety within the market towns and villages. This investment will enhance the public realm and support the development of the Council's cultural offer.
- It is proposed that a community grants scheme is established to promote and support the vibrancy of the County's communities. The community grants scheme will be the subject of a future report to Cabinet.

3.3 Priority Two: Sustainable Lives: Total £3,045m

- Investment in the County's waste and recycling services and facilities to secure long-term resilience and value for money, and address the pressure of additional waste arisings created by growth.
- It is also proposed to invest in the redesign of a sustainable and integrated public transport network that supports the implementation of the approved Bus Service Improvement Plan, increases bus usage, and reduces the County's carbon footprint.

3.4 Priority Three: Healthy and Well: Total £1,797m

- Investment in improvements and increased health provision that meets the needs of all the County's residents. This investment must increase provision and not just upgrade or maintain existing provision. The County's health services are under pressure and additional development means further investment is required to support local residents.
- Use of ring-fenced adult social care capital funds to support the care and independence of the County's residents.

3.5 Priority Four: A County for Everyone: Total £1,730m

- Investment in the provision of services for early years, children, and young people and promoting the delivery of affordable housing within the County. The Council is exploring options for the provision of 'family hub' services which this investment could support.
- It is also proposed to work with Police and Fire and Rescue services to invest in ensuring Rutland remains safe and welcoming.

3.6 Priority Five: A Modern and Effective Council: Total £2,249m

- Investment in optimising the use of assets to provide value for money and support future service delivery and the County's strategic priorities. The report to November cabinet on the high-level asset strategy will inform investment priorities and requirements for the Council's operational estate.

4 GOVERNANCE AND ADMINISTRATION OF DEVELOPER CONTRIBUTIONS

- 4.1 Currently, the County Council is in receipt of developer contributions from Community Infrastructure Levy; Section 106 agreements related to specific planning permissions; and the Oakham North local agreement.
- 4.2 Community Infrastructure Levy: The purpose of the Community infrastructure Levy (CIL) is to raise funds from developers to help pay for infrastructure within the County.
- 4.3 Rutland County Council adopted the Community Infrastructure Levy on 1 March 2016. The CIL Charging Schedule sets out the rates of CIL that apply to specific types of new developments in Rutland. The Council as Charging Authority collects CIL moneys and determines how the money will be spent in accordance with Council and County priorities.
- 4.4 Legislation requires that a proportion of CIL funds arising from CIL liable development are passed on to Parish or Town Councils. The proportion of CIL depends on whether communities have an adopted Neighbourhood Plan prior to an application being approved (15% for those without an NP capped at £100 (indexed) per council tax dwelling, 25% (uncapped) for those with one). Communities with Parish meetings are eligible for 15% (capped) CIL funding which is retained by RCC for expenditure in the Parish. In addition, the County Council is able to use 5% of CIL receipts for the management and administration of CIL.
- 4.5 The Council is required to produce an annual Infrastructure Funding Statement (IFS). The IFS provides a summary of all financial and non-financial developer contributions relating to S106s and CIL and sets out the projects that have been supported by developer contributions within the County.
- 4.6 In July 2019 Cabinet delegated the approval and publication of the IFS to the Strategic Director of Places in consultation with the Section 151 Officer and relevant portfolio holders. In addition, in December 2021 Cabinet approved a prioritisation process for determining the expenditure of any future CIL funds. This is included for reference only at Appendix 2
- 4.7 CIL funded projects will be approved in line with the Financial Procedure Rules in the Council's constitution and subject to a decision by Cabinet or Council depending on value.
- 4.8 Outstanding Section 106 Agreements: Prior to the introduction of CIL, the Council secured developer contributions through legal agreements made under Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12(1) of the Planning and Compensation Act 1991), normally in association with planning permissions for new development.
- 4.9 Section 106 planning obligations can only be used: "to make development acceptable in planning terms; where they are directly related to the development; and are fairly and reasonable related in scale and kind to the development". This means there can be restrictions on what and where s106 funds can be used.
- 4.10 Depending on the terms and clauses of the legal agreement, there may be expiry dates for the expenditure of S106 monies already received by the Council.

- 4.11 S106 agreements are still used in conjunction with CIL for specific matters such as affordable housing and open space.
- 4.12 Cabinet has delegated authority to the Director of Places, in consultation with the Portfolio Holder for Planning, Highways and Transport to approve s106 expenditure up to £500,000.
- 4.13 There is an internal Officer review process in place involving planning, finance, and the Director of Places to review, on an annual basis, the money we hold from S106, identifying what the money is for and what the deadlines for spend are. Once this base information has been identified service managers and directors are asked to identify schemes for spend within the year – this then forms part of the Council's capital programme. There is a focus on looking at agreements 18 months prior to any expiry dates to ensure contributions are committed and spent by due dates.
- 4.14 Oakham North local agreement: The Council entered into a negotiated legal agreement with the developer of Oakham North (Barleythorpe) and secured a financial contribution of £4.6 million. The Oakham North Local Agreement is drawn quite broadly. The only specific requirement is that £125,173 is to be spent on "Oakham and Uppingham Town Centre Facilities." The remainder is to be applied "for the specified purposes or such other purposes as the County Council in its absolute discretion considers appropriate."
- 4.15 An internal audit consultancy report undertaken in 2021 in relation to Oakham North recommended that "Given the nature of the contribution received and the commitment to act within the spirit of the original Section 106 agreement, the Council should consider including the remaining balance of the financial contribution within the proposed strategic decision-making regime in respect of CIL and Section 106 contributions." As a result, it is proposed that funds and expenditure related to the Oakham North Local Agreement are also reported in the Annual Infrastructure Funding Statement (IFS).

Administration of Developer Contributions Expenditure

- 4.16 Projects relating to the indicative allocations will be brought forward for consideration in line with the Council's constitution and delegations. As such, this report provides an indication of intent, however, specific expenditure will require further approvals, including the proposed community grants scheme.
- 4.17 The proposed process for assessing, approving, and administering the expenditure of developer contributions is summarised in the table below:

STAGE 1	Project Identification	Service provider identifies need and completes Application for Developer Contributions proforma (detailing alignment to strategic priorities, amount of funding requested, total cost of project, delivery timescales, benefits and outcomes for residents/county)
STAGE 2	Validation	Application form checked for completeness
STAGE 3	Review of Strategic	Relevant Strategic Lead requested to confirm that application aligns with strategic priorities for

	Alignment	Council/County
STAGE 4	Decision-making	<p>Subject to confirmation that project aligns with strategic priorities it will progress to formal decision-making in line with Council Constitution and Financial Procedure Rules:</p> <ul style="list-style-type: none"> - Delegated decision for CIL funding £100,000 and below; and s106 funding £500,000 and below (Note: depending on project a formal Cabinet/Council decision may be required even if meets delegated decision thresholds) - Cabinet Decision for CIL funding over £100,000 up to £1m; and s106 funding £500,000 and up to £1m - Council for CIL and s106 funding over £1m
STAGE 5	Release of Funds	<p>Subject to approval the relevant service provider will be required to complete a funding agreement detailing the benefits and outcomes expected</p> <p>A project record will be established on Finance and CIL/s106 systems.</p>
STAGE 6	Monitoring of Expenditure	<p>Annually reported through the Infrastructure Funding Statement</p> <p>Service provider will be required to provide updates to inform the IFS and a project completion report once implemented.</p> <p>Sample audits may be undertaken on risk-based/sample basis</p>

- 4.18 This process will help ensure that infrastructure expenditure is aligned to strategic priorities and provide oversight of the benefits to be delivered. It is recommended that Cabinet approve this process for administering Developer Contributions expenditure.

5 CONSULTATION

- 5.1 The Portfolio Holder for Planning, Highways and Transport and the Portfolio Holder for Finance have been consulted on the proposals in this report in addition to Corporate Leadership Team.
- 5.2 The Strategic Investment priorities are in line with the Council's Corporate Strategy which was developed following extensive public consultation through the Future Rutland Conversation.

6 ALTERNATIVE OPTIONS

- 6.1 The alternative option is not to agree indicative allocations for the Council's uncommitted capital funds (including Developer Contributions) and to wait for the development of the new Infrastructure Delivery Plan to identify investment priorities.
- 6.2 There is existing pressure on some of the infrastructure within the County, for example health provision, and a need to deliver on the Council's strategic priorities. Given this, it is proposed that in the interim the uncommitted capital funds are allocated on an indicative basis to assist services and partners to develop their infrastructure plans and bring forwards proposals for implementation.

7 FINANCIAL IMPLICATIONS

- 7.1 The Council currently has £13,039k of uncommitted capital funds as at 31 August 2022. Agreeing indicative allocations for these funds will provide a clear direction for the investment in line with Corporate and County priorities.
- 7.2 Appendix 1 details the uncommitted funds including developer contributions and the proposed allocations in line with strategic priorities. The table below summarises the financial position based on available capital funds (2022/23):

Capital Funds	Developer Contributions			Ringfenced other Capital £000s	Non-Ringfence Other Capital £000s	Totals £000s
	S106 £000s	CIL £000s	Oakham North Local Agreement £000s			
Total Uncommitted Funds	2,695	2,569	3,168	1,326	3,281	13,039
Total Indicative Allocations	2,695	2,500	3,000	1,326	3,281	12,802
Total Remaining Uncommitted	0	69	168	0	0	237

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The management and administration of developer contributions are regulated by the CIL Regulations which were last amended in 2019. Decisions made by Council need to be in accordance with these regulations,
- 8.2 There is a requirement to publish an Annual Infrastructure Funding Statement (IFS) by 31 December which details income and expenditure relating to developer contributions (CIL and s106) for the previous financial year. It is proposed that future IFS publications also include details relating to the Oakham North Local Agreement.
- 8.3 This report details indicative allocations of capital funds. Authorisation of specific expenditure will be determined in accordance with the Council's constitution and existing delegations.

9 DATA PROTECTION IMPLICATIONS

- 9.1 A Data Protection Impact Assessments (DPIA) has not been completed as there are no direct implication arising from this report.

10 EQUALITY IMPACT ASSESSMENT

- 10.1 There are no direct equalities implications arising from this report.

11 COMMUNITY SAFETY IMPLICATIONS

- 11.1 It is proposed to allocate funding to Police, Fire and Rescue and Community Safety initiatives to promote the safety and wellbeing of the County.

12 HEALTH AND WELLBEING IMPLICATIONS

- 12.1 It is proposed to allocate funding to health and wellbeing infrastructure to support the provision of additional services for the County's residents.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 This report recommends indicative allocations of Capital funds currently held by the Council, including developer contributions (Community Infrastructure Levy (CIL), Section 106 monies and Oakham North Local Funding Agreement).
- 13.2 Identifying indicative allocations for these funds will provide a clear direction for the investment in line with Corporate and County strategic priorities.
- 13.3 The report also proposes that the governance and administration of developer contributions is undertaken in accordance with the Council's constitution and existing delegations, including the publication of an annual Infrastructure Funding Statement. It recommends a process for administering developer contributions expenditure (section 4.17).

14 BACKGROUND PAPERS

- 14.1 None

15 APPENDICES

- 15.1 Appendix 1 – Proposed Indicative Allocations of Uncommitted Capital Funding (Available 2022/23)
- 15.2 Appendix 2 – CIL Prioritisation Process

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

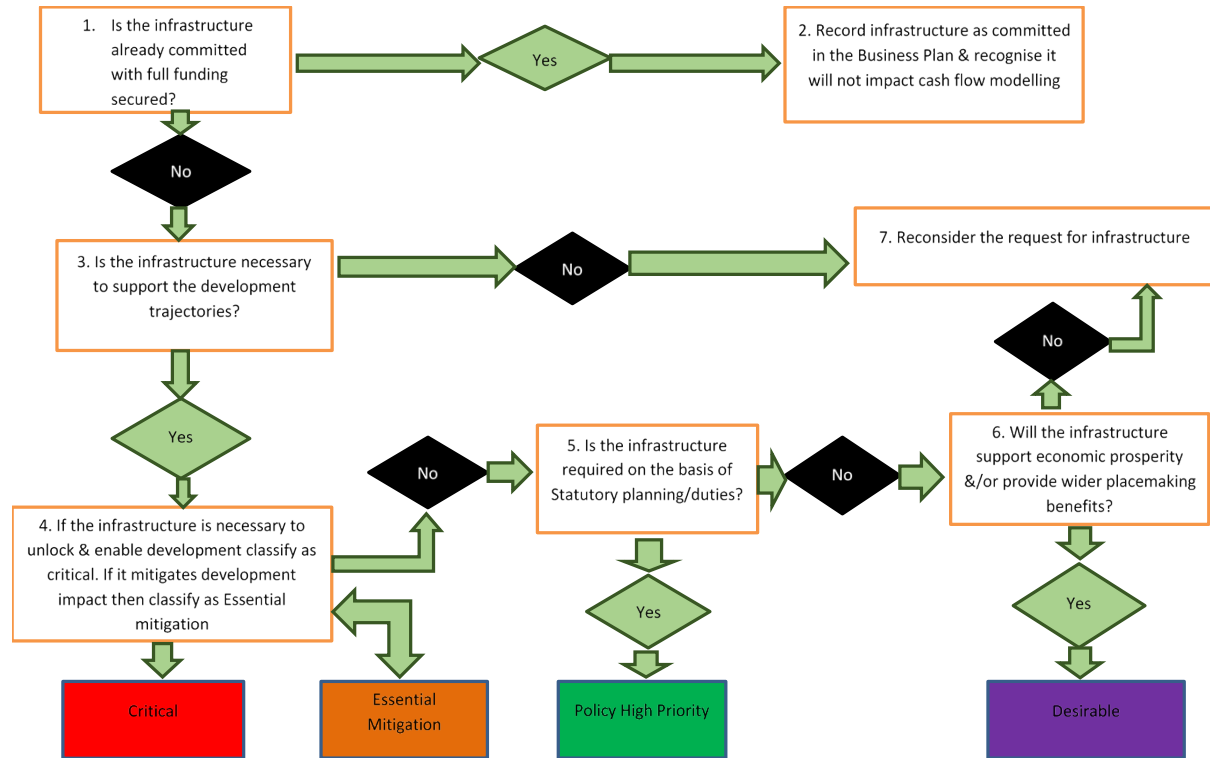
Proposed Indicative Allocations of Uncommitted Capital Funding (As at 31 August 2022)

Investment Priorities	Developer Contributions £000s			Ringfenced Other Capital £000s	Non- Ringfenced Other Capital £000s	TOTAL £000s	Notes
	Section 106	Community Infrastructure Levy Funds	Oakham North Local Agreement				
Priority One: A Special Place							
Highways	507				1,583	2,090	Highways Capital Programme (£1,583k)
Heritage and Culture (including community grants)	571					571	Recreation, Sport and Leisure (£503k), Libraries (£47k) and Museum and Archive (£21k) s106 monies
Towns, Villages, Public Spaces	319		1,000			1,319	Recreation, Sport and Leisure s106 (£300k)
Priority Two: Sustainable Lives							
Waste and Recycling	46		2,000			2,046	
Public Transport		1,000				1,000	
Priority Three: Healthy and Well							
Health and Wellbeing Infrastructure	72	1,500		225		1,797	
Priority Four: A County for Everyone							
Children and Young People	721			550		1,271	Schools Targeted Capital (£550k) SEND (£500k)
Affordable Housing	283					283	
Police, Crime and Disorder	164					164	Police Desk and CCTV
Fire and Rescue	12					12	
Priority Five: A Modern and Effective Council							
Optimising Use of Assets				551	1,698	2,249	Capital Maintenance (£551k) Miscellaneous (£37k) Capital Receipts (£1,661k)
Total Indicative Allocations	2,695	2,500	3,000	1,326	3,281	12,802	
Total Remaining Uncommitted Funds	0	69	168	0	0	237	

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Appendix 1 – Extract from Infrastructure Funding Statement

Interim prioritisation of strategic CIL expenditure



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CABINET

13 December 2022

CONTRACT UTILITIES PROCUREMENT

Report of the Portfolio Holder for Policy, Strategy, Partnerships & Economy

Strategic Aim:	A modern and effective Council Sustainable lives	
Key Decision: Yes	Forward Plan Reference: 160922	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Lucy Stephenson, Leader of the Council and & Portfolio Holder for Policy, Strategy, Partnerships & Economy	
Contact Officer(s):	Penny Sharp, Strategic Director Places	Tel: 07973 854906 psharp@rutland.gov.uk
	Diane Grattage, Senior Building Surveyor	Tel: 07748 886252 dgrattage@rutland.gov.uk
	Mona Walsh, Head of Property Services	Tel: 07779 550314 mwalsh2@rutland.gov.uk
Ward Councillors	ALL	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the procurement of electricity energy contracts via both the ESPO Standard Total Energies Fuel Mix and CCS Zero Carbon for Business L6 frameworks direct award arrangement.
2. Approves the procurement of gas energy contracts via the ESPO framework direct award arrangement.
3. Approves the procurement of water services utility contracts via ESPO framework direct award arrangements.
4. Authorises the Strategic Director for Places, in consultation with the Portfolio Holder for Property, to award the contracts resulting from these framework agreements.

- | |
|---|
| 5. Approve the £249k additional budget as a result of the Procurement as per section 10 |
|---|

1. PURPOSE OF THE REPORT

- 1.1 This report sets out the background, process and proposed award options for the procurement of electricity, gas and water supply contracts by the Council along with recommendations for approval and delegation of final awards.
- 1.2 Economic & geopolitical volatility has introduced abnormal challenges to electricity and gas marketplaces restricting option availability. Remaining with our current framework providers will ensure access to favourable rates at this time and Council approval is sought to ratify this position.
- 1.3 Opportunities to support sustainability and carbon zero strategies are available for electricity supply sources with a recommendation made about supply sources.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Office of Government Commerce (OGC) in its report *OGC Energy Buying: Working Together for Better Results, 2009* recommended the use of Central Purchasing Bodies (CPB's) when sourcing energy contracts to effect greater value for money by consolidating buying power through accredited organisations who apply best practice criteria.
- 2.2 Rutland County Council has historically secured energy contracts from a mix of providers and frameworks all subject to differing contract renewal dates and unit charge rates. Details are provided at Appendix A. Most contracts require action to meet upcoming contract end dates. Other contracts are held on evergreen arrangements that automatically renew after the initial term expires.
- 2.3 Consolidating contracts will provide greater control, certainty and efficiencies to the Council in managing contracts and budgets.
- 2.4 Energy frameworks generally secure energy on international wholesale markets requiring clients to sign up at least 12 months in advance to enable buyers purchase at preferential rates. Clients are able to sign up to frameworks after initial deadlines but tariffs will be subject to what are known as secondary basket spot purchases until the subsequent anniversary of the framework, with these often at less preferential rates.
- 2.5 Most existing framework electrical contracts held by the Council benefit from a level of renewable or green energy supply but these are subject to a premium charge. These frameworks may also have included nuclear supply via hybrid supplies.
- 2.6 The proposed Crown Commercial Services (CCS) electricity framework gives an option to convert to standard or nuclear supplies at no extra charge or a hybrid of nuclear and green energy with a 50% reduction on UK renewable premiums. The proposed Eastern Shires Purchasing Organisation (ESPO) electricity framework gives an option for a hybrid solution of 43% renewables, 11% nuclear and the remaining traditional supplies, or a 100% green supply which currently attracts a

premium.

- 2.7 Recent geopolitical pressures have created volatility in pricing with a significant impact on budgets. 2022/23 gas energy unit rates have increased approximately 70% and electricity unit rates by 100 – 120%. These expected increases are applicable across all procurement solutions and impact all energy utility users.
- 2.8 The Council recently commissioned a review by The Carbon Trust in response to Carbon Zero 2050 legislation. The final report is expected to make recommendations in relation to baseline information and data collection, management and reporting with specific reference to energy usage of RCC assets and their contribution to the Council's total emissions and carbon footprint.
- 2.9 Water Services management, highlighted in the Carbon Trust report, is an area requiring more detailed review to understand liabilities and responsibilities especially to sites where there are no physical buildings i.e. car parks, cemeteries etc.
- 2.10 De-regulation of the water services industry in 2017 remains complicated and less well-developed than energy markets and as a result there are fewer options available in the market place for efficiencies and price competition.
- 2.11 Water services provision for the Councils portfolio is unlikely to generate substantial efficiency savings due to the lack of robust competition in the market. Efficiencies associated with management reporting and service control could be achieved by consolidation with one provider estimated in the region of 3 -5%.
- 2.12 In the event of supplier failure or inability to deliver services needed the framework provider will obtain services from alternative suppliers in the market and within the framework.
- 2.13 Utility services provision for the Councils portfolio is set out in Appendix A.
- 2.14 Details of available frameworks are shown in Appendix B.
- 2.15 Utility charges are recharged 3rd party occupiers of assets at The King Centre and Oakham Enterprise Park.

3. FRAMEWORK PROVIDERS FOR ELECTRICITY AND GAS

- 3.1 There are two framework providers currently available to the Council – ESPO and CCS. Details are shown in Appendix B.
- 3.2 ESPO, as a purchasing agent, acts as a specialist intermediary buying energy in volume on the wholesale commodity market. Frameworks are flexible and permit addition or removal of properties supplied in the event of changes in property ownership or occupation.
- 3.3 ESPO energy unit rates, routinely negotiated on an annual basis and fixed for a period of time helping budgetary control, are delivered via one of the following arrangements:
 - a. Fixed charge contract term between 12 – 48 months

- b. Flexible term contract with 12 month fixed unit rates based on criteria including preferential tie-in, energy consumption criteria and meter solution.
- 3.4 CCS as a purchasing agent acts as a specialist intermediary buying energy in volume on the wholesale commodity market. The framework arrangement is a four year cycle but contracts can continue on an evergreen basis subject to 12 months' termination notice.
- 3.5 CCS energy unit rates, negotiated with the wholesale commodity market, provide several options to fix rates allowing users to consider risk appetite and organisational need. Unit rates reflect the commodity market conditions at the time of engagement and are not known in advance. Options are shown in Appendix C.
- 3.6 Energy invoices are made up of consumption and non-consumption energy costs. Non-consumption charges include distribution, transmission and agent charges, government taxes and climate change levy. These non-consumption charges are defined and negotiated by OFGEM and are applicable to all providers.
- 3.7 Anticipated energy contract values for 2022/23 are based on 2021/22 consumption with unit rates adjusted to reflect expected inflationary pressures.
- 3.8 Both ESPO and CCS electricity frameworks enable clients to decide about energy sources from renewable, nuclear, fossil or a hybrid/mixed supply and supporting wider corporate objectives. The ability to make this decision can help support wider corporate objectives and policies and needs to be made on initial award.

4. FRAMEWORK PROVIDERS FOR WATER

- 4.1 There are two framework providers currently available to the Council – ESPO and CCS. Details are shown in Appendix B.
- 4.2 ESPO offer direct award within its existing framework for water services.
- 4.3 CCS water services framework commencing January 2023 requires a further competition exercise.
- 4.4 Both water services framework providers offer smart metering solutions, regular management reports and partnership working to analyse water consumption and leak detection.

5. ELECTRICITY

- 5.1 Current Provision:
- CCS framework supplies electricity to Oakham Enterprise Park, highways street lighting and traffic control provision.
 - ESPO framework supplies electricity to 16 Council property assets.
 - Car park electricity supplies are in the process of being consolidated with the highways street lighting and traffic controls contract agreement.
 - Unit charges vary across each current framework.
- 5.2 Proposed Arrangement:

- To enable the Council maintain access to competitive electricity contracts the following new direct award framework solutions are recommended for approval:

Framework	Asset	Supply Source	Carbon Emission	Premium Payable	Start Date	End Date
ESPO	All assets except OEP, Highways & car park services	Standard Total Energies Fuel Mix (renewable 43%, nuclear 11%, gas 38%, coal 6%, other 2%)	Not available	No	Oct 2024	Sept 2028
CCS	OEP, Highways & car park services	Zero Carbon for Business L6 (ZC4B Nuclear)	Zero	No	Oct 2023	Sept 2027

6. **GAS**

6.1 Current Provision:

- ESPO framework gas to 9 Council property assets

6.2 Proposed Arrangement:

- To enable the Council maintain access to competitive gas contracts the following new direct award framework solution is recommended for approval:

Framework	Asset	Start Date	End Date
ESPO	OEP, Catmose, Catmose Cottage, Jules House, Museum, Castle, King Centre, Oakham Library, Uppingham Library	Apr 2023	Oct 2027

- 6.3 The award of gas energy contracts under the ESPO framework will result in the first 12 month term being at an increased unit rate due to the initial sign-up date having passed however rates will then revert to the preferential rates available.

7. **WATER**

7.1 Current Provision:

- Due to the geographical location of Rutland, waste water and clean water service provision is directly provided by both Severn Trent Water and Anglian Water. The exception to this arrangement is The King Centre which is subject to a separate management intermediary contract with Everflow Ltd. There is limited opportunity for water utility cost savings with the potential exception of Oakham Enterprise Park.

7.2 Proposed Arrangement:

- It is proposed to pursue a consolidated position due to the ongoing complexities of mixed providers for individual buildings. The following new direct award framework solution is recommended for approval.

Framework	Asset	Start Date	End Date
ESPO	All assets	Oct 2020	Sept 2024

8. CONSULTATION

- 8.1 The proposed process and recommendations have been discussed with relevant Council services, the Portfolio Holder for Property and Cabinet Members.

9. ALTERNATIVE OPTIONS

- 9.1 An alternative framework PAGABO is potentially available but cannot be considered at this time as they have confirmed no energy providers are willing to engage new portfolio contracts until further notice.
- 9.2 Failure to procure will expose the Council to greater uncertainty with utility supplies and exposure to greater cost increase. The Council benefits from the buying power of other organisations by securing supplies via frameworks rather than securing its own contracts direct with suppliers.
- 9.3 The approval of award of the contracts could be brought back to Cabinet for approval rather than delegated to the Portfolio Holder and Strategic Director Places however the award will be made in line with the nominated framework criteria that Cabinet approve and therefore the only alternative to not approving the award would be if there was reasonable grounds to not award at all.

10. FINANCIAL IMPLICATIONS

- 10.1 As described throughout the report it is extremely difficult to state with any certainty what the impact on the Councils costs will be.
- 10.2 The exact costs and resulting additional pressure will not be known until the contract(s) are awarded as prices are still fluctuating. Costs are expected to increase between 100% - 120% on electricity and 70% on gas. The 22/23 forecast as per the mid year report is £579k for Electricity and £86k for Gas.
- 10.3 The full impact of the pressures will not be realised until 24/25 due to current contracts running until October 2023 meaning only a half year impact will affect the

councils MTFP in 23/24

10.4 The cost of the procurement is expected to be £510k of which £224k will be met by increasing recharges to tenants and £37k transferring of other property budgets under utilised at present (mainly less water usage as Catmose House is not fully occupied). This will result in a full year pressure to the Councils MTFP of c£249k in total from 24/25 but only £149k in 23/24 due to contract start dates.

10.5 It is expected that the water element of utilities will be able to be met from existing budgets as they have not seen the same inflationary increases as gas and electricity.

11. LEGAL AND GOVERNANCE CONSIDERATIONS

11.1 Procurement processes will be managed by the Council to ensure it complies with the requirements of all legislation including the Public Contracts Regulations 2015.

11.2 Access to the recommended frameworks will be undertaken in accordance with the Council's Contract Procedure Rule 16 and the direction of Cabinet and will enable the Council secure priority unit rates within the commodity market purchase cycles for 2024 onwards and reflecting electricity source preferences.

11.3 Legal advice on the process has been sought and further advice will be taken as the process proceeds, including advice on contracts terms and conditions.

12. DATA PROTECTION IMPLICATIONS

12.1 A Data Protection Impact Assessment (DPIA) has been completed. No adverse or other significant risks or issues were found.

13. EQUALITY IMPACT ASSESSMENT

13.1 An Equality Impact questionnaire has been completed. No adverse or other significant risks or issues were found. As such a full Equality Impact Assessment (EqIA) has not been completed.

14. COMMUNITY SAFETY IMPLICATIONS

14.1 Provision of lighting, heating and water, as appropriate to asset type, is important to maintain safe environments.

15. HEALTH AND WELLBEING IMPLICATIONS

15.1 None

16. ORGANISATIONAL IMPLICATIONS

Environmental implications:

The Council will be able make a decision about its preferred electricity source from renewable, nuclear, fossil or a hybrid/mixed supply.

Human Resource Implications:

None at present

Procurement Implications:

The Council's Commissioning Manager and Welland Procurement Unit will continue to support the procurement and ensure all relevant legislation and guidance is followed.

17. SOCIAL VALUE IMPLICATIONS

- 17.1 Framework award criteria include specific accreditation to Social Value opportunities allowing the selection by the Council of energy sources from renewable, nuclear, fossil or a hybrid/mixed supply. This enables the Council to align decisions about energy sources with other policies and strategies and future carbon footprint.

18. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 18.1 In order for the procurement process to commence Cabinet is required to approve the proposed transition to the new framework agreements. The frameworks have been carefully considered to ensure providers are capable of meeting the requirements and can deliver appropriate quality services in Rutland.
- 18.2 Approving the recommended frameworks for electricity supplies reduces Council carbon emissions and results in no additional premium charges being paid.

19. BACKGROUND PAPERS

- 19.1 There are no additional background papers to the report.

20. APPENDICES

- 20.1 Appendix A - Rutland County Council Utility Provider Arrangements 2022/23
- 20.2 Appendix B - Future Available Utility Frameworks and Recommendations
- 20.3 Appendix C - Electricity and Gas Framework Options and Recommendations

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

APPENDIX A

Rutland County Council Utility Provider Arrangements 2022/23

Energy Source	Provider	Asset(s)	Contract End
Electricity	Total Energies Gas & Power Ltd / ESPO	16 assets	1 October 2024
Electricity	EDF Ltd / CCS locked 6 trading basket	Oakham Enterprise Park (HV supply)	1 October 2023
Electricity	EDF Ltd /CCS	Highways street lighting & traffic controls	1 October 2023
Electricity	N Power Ltd/ No framework	Public Car Parks	1 October 2023
Electricity	Eon Ltd/ No framework	Cottage 2 Ashwell depot	Evergreen contract
Gas	Total Energies Gas & Power Ltd/ ESPO	9 assets	31 March 2023
Water services	Wave & Water Plus (formally known as Seven Trent & Anglian Water) / No framework	28 sites	No prescribed termination clause however industry practice 120 days advance notice.
Water services	Everflow water Ltd/ No framework	The King Centre	21 July 2023 – 120 day notice required of termination

APPENDIX B

Available Utility Frameworks and Recommendations

Provider	Utility	Start date	End Date	Preferential Rate Deadline	Recommendation
ESPO	Electricity	Oct 2024	Sept 2028	Oct 2023	Yes
CCS	Electricity (See options available below)	Oct 2023	Sept 2027	Mar 2023	Yes
PAGABO	Electricity	Oct 2024	Sept 2028	n/a	
ESPO	Gas	Apr2023	Apr 2027	Apr 2022	Yes
CCS	Gas	Oct 2023	Oct 2027	Mar2023	
PAGABO	Gas	Oct 2024	Sept 2028	n/a	
ESPO	Water Services	Oct 2020	Sept 2024	Direct award	Yes
CCS	Water Services	Jan 2023	Jan 2027	n/a	
PAGABO	Water Services	Oct 2024	Oct 2028	n/a	

APPENDIX C – Electricity and Gas Framework Options and Recommendations

CCS Framework Electricity Options Preferences Available:

Solution Option	Carbon Emissions	Premium Payable	Recommendation
REGO renewable	Zero	Yes - wholesale market defined	
Zero carbon for business (ZC4B Nuclear) – See Options Available below	Zero	No	Yes
Blend ZC4B / REGO	Zero	50% REGO premium applicable	
Standard (Brown)	129g/KWH	No	

CCS Electricity Options Available:

CCS energy unit rates, negotiated with the wholesale commodity market, provide several options to fix rates allowing users to consider risk appetite and organisational need. Unit rates reflect the commodity market conditions at the time of engagement and are not known in advance.

- a. L12 –purchase window 12 months before energy delivery (12 month fixed rates)
- b. L6 – Purchase window 6 months before energy delivery (12 month fixed rates) – recommended option – Recommended
- c. V6 – Purchase window 6 months before energy delivery but purchasing continues throughout energy delivery timeline (variable monthly rates)
- d. L12 locked – Purchase window 10 weeks prior to delivery, provides advance notice of rates (Prices fixed for 12 months).
- e. V6 Variable – Purchase window 18 months but commences 6 months before delivery (prices fixed on a month by month basis only)
- f. V30 – 42 month purchase window with 30 months prior to delivery (price fixed 12 months at a time)

ESPO Framework Electricity Options Preferences Available:

Solution Option	Carbon Emissions	Premium Payable	Recommendation
Pure Green Energy	Zero	Yes - wholesale market defined	
Standard Total Energies Fuel Mix (43% renewable / Nuclear 11% / Gas 38% / Coal 6% / other 2%)	Not available	No	Yes

CABINET

13 December 2022

PROPERTY CLEANING SERVICES PROCUREMENT

Report of the Portfolio Holder for Policy, Strategy, Partnerships & Economy

Strategic Aim:	A modern and effective Council A special Place	
Key Decision: Yes	Forward Plan Reference: FP/160922	
Exempt Information	Appendix B of this report contains exempt information and is not for publication in accordance with Part 1 of Schedule 12A of the Local Government Act 1972	
Cabinet Member(s) Responsible:	Cllr Lucy Stephenson, Leader of the Council and Portfolio Holder for Policy, Strategy, Partnerships & Economy	
Contact Officer(s):	Penny Sharp, Strategic Director of Places	Tel: 07973 854906 psharp@rutland.gov.uk
	Diane Grattage, Senior Building Surveyor	Tel: 07748 886252 dgrattage@rutland.gov.uk
	Mona Walsh, Head of Property Services	Tel: 07779 550314 Mwalsh2@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

1. Authorises the award of the cleaning services contract resulting from this procurement.
2. Approves the increased cost of £24k per year being included in the 2023/24 budget.

1. PURPOSE OF THE REPORT

- 1.1 This report sets out the process undertaken for the Property Services Cleaning Procurement and requests authorisation of the final award.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 There is statutory obligation on the Council as an employer under the Health and

Safety at Work etc. Act 1974 to ensure the safety and welfare of employees at work. In addition the Workplace Health, Safety and Welfare Regulations 1992 places a duty on 'persons in control of non-domestic premises' towards people who are not their employees but use their premises.

- 2.2 Building cleaning support to all Council property is procured and managed by the Councils Property Services team.
- 2.3 The Council currently has a hybrid solution of cleaning support. Some libraries are cleaned by directly employed part-time cleaning staff. The majority of Council buildings are cleaned by a 3rd party supplier who also provides absence cover for Council staff. The current contract expires in March 2023, having been extended to that date with Cabinet approval.
- 2.4 The decision to extend the contract to March 2023 followed a soft market testing exercise to ensure value for money and give sufficient time to develop a consolidated, simplified and flexible solution incorporating directly employed staff.
- 2.5 Consolidating all cleaning needs to one single contract will result in efficiencies from managing a single contractor, improved performance and economies of scale.
- 2.6 The new contract will need to have regard to all relevant aspects of TUPE (Transfer of Undertakings, Protection of Employment) Regulations 2006 including Council consultation obligations.

3. CURRENT PROVISION OF THE SERVICE

- 3.1 Building cleaning services are presently delivered via a hybrid arrangement of one contracted service provider, S4 Facilities Management Ltd, and three part-time directly employed staff.
- 3.2 The current contract with S4 Facilities Ltd has been in place since 2020 and will terminate on 31 March 2023.
- 3.3 Appendix A sets out details of building assets cleaned under the current contract. The new contract will include the same building assets. All buildings are owned and controlled by RCC.

4. PROCUREMENT PROCESS

- 4.1 Welland Procurement supported the procurement process. Following a review of the most appropriate route to meet market conditions, the need for flexibility in the contract and Council standing orders, a decision to use Crown Commercial Services Dynamic Purchasing Solution (DPS) for building cleaning services was made as the preferred solution.
- 4.2 Soft market testing of the DPS approved supplier list resulted in seven service providers registering an interest in participating in the further competition exercise, including the Councils incumbent provider.
- 4.3 Property Services consulted with other Council services about specific cleaning needs and undertook a detailed review of cleaning regimes across property assets. This information was used to develop the detailed cleaning specification and formed the foundation of a further competition exercise under the DPS.

- 4.4 Quality questions asked in the tender documentation reflect Rutland's' geographic location, staffing and local market challenges in the cleaning sector. An open book pricing model has been introduced to mitigate risks associated with service variability need arising from changes to use and occupation of properties and the current volatility of increasing operational costs.
- 4.5 The proposed contract will be delivered as a single lot arrangement under management of the Property Services to ensure consistency of service provision for cost, quality and customer satisfaction.
- 4.6 The proposed contract length is 3 years with the option to extend for a further 1 year subject to satisfactory performance.
- 4.7 Tenders were released on 31 August 2022 with a closing date of 14 October 2022 at 12 noon. Two submissions were received and formally assessed, with outcomes detailed in the Welland Procurement summary at Appendix B Exempt.
- 4.8 The contract value will be set at up to £180,000.00 per year and £720,000.00 over the lifetime of the contract This limit includes known costs such as routine cleaning, deep cleaning needs, overheads and profit margin. The estimated contract value includes budgeted costs and makes provision for ad hoc costs i.e elections.
- 4.9 The value of the contract is above EU thresholds.

5. CONSULTATION

- 5.1 The proposed process and recommendations have been discussed with relevant Council services, the Portfolio Holder for Property and Cabinet Members.

6. ALTERNATIVE OPTIONS

- 6.1 Failure to procure will expose the Council to challenge as a result of non-compliance with its own standing orders. In addition there is the risk of buildings not being cleaned when the current contract terminates on the 31 March 2023.
- 6.2 Contract Procedure Rule 16.6 stipulates that where the value of the call off contract is above the relevant UK procurement thresholds, the contract award must be authorised by Cabinet, therefore the only alternative to not approving the award would be if there was reasonable grounds to not award at all.

7. FINANCIAL IMPLICATIONS

- 7.1 The procurement process has been undertaken in a manner to facilitate full visibility of costs and to reflect variance and change within the Councils portfolio over the period of the contract term including the sourcing of cleaning materials that could fluctuate in response to changing occupation practices and economic marketplace conditions.
- 7.2 The current costs of the cleaning service is c£140k which can be met from existing budgets and is broken down as follows:
- Directly employed staff costs c£13.5k

- Contracted Services c£115k
- Consumables and Equipment c£10k
- Ad hoc events c£2k

7.3 Going forward the new contract costs are expected to be c£164k per year.

7.4 This will create an increase in the cost of c£24k per year and reflects an increase in market costs and consumables. This is reflected in the 2023/24 budget.

7.5 The current budget is expected to be sufficient to meet the core costs of the contract, but ad hoc expenditure is not budgeted and may create a pressure where this is required. Examples of ad hoc events are cleaning on lease expiry, external hire events such as beer festival and Pride and election arrangements outside of normal opening hours. Where possible these costs will be recovered from relevant 3rd parties.

8. LEGAL AND GOVERNANCE CONSIDERATIONS

8.1 The procurement process has been and will continue to be managed to ensure it complies with the requirements of all relevant legislation including Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.

8.2 Legal advice on the process has been sought and will be taken on the terms of the final contract.

9. EQUALITY IMPACT ASSESSMENT

9.1 An Equality Impact questionnaire has been completed. No adverse or other significant risks or issues were found. As such a full Equality Impact Assessment (EqIA) has not been completed.

10. COMMUNITY SAFETY IMPLICATIONS

10.1 None

11. HEALTH AND WELLBEING IMPLICATIONS

11.1 Provision of a well maintained and clean environment is a legal obligation as defined within The Workplace Health, Safety and Welfare Regulations 1992 and the Health and Safety at Work etc. Act 1974.

11.2 Failure to maintain a safe and clean environment could present an increased risk of staff absence on health grounds and potential insurance claims from staff or other users of Council buildings due to infection or other related incidents.

12. ORGANISATIONAL IMPLICATIONS

12.1 TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) and subsequent amendments will apply to this procurement.

12.2 Initial discussions with staff members considered at risk has been undertaken and a full structured programme of formal consultation with affected staff, unions and/or

union representatives will be undertaken in accordance with the regulations upon contract award and completed within a three month mobilisation period.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 Under the provisions of the Public Services (Social Value) Act 2012 local authorities are required to consider how economic, social, and environmental well-being may be improved by services that are to be procured, and how procurement may secure those improvements.
- 13.2 The award criteria include specific reference to Social Value and require consideration and KPI reporting as to employment and consumable sourcing solutions that would result in local inward economic investment.

14. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 14.1 It is recommended that approval for the award of the Cleaning services contract to the preferred provider is authorised by Cabinet in accordance with CPR 16.6. This will ensure sufficient time to issue the contract, have an adequate mobilisation period and with no gap in service provision.

15. BACKGROUND PAPERS

There are no additional background papers to the report

16. APPENDICES

- 16.1 Appendix A – List of Building Assets Cleaned
- 16.2 Appendix B – Welland Procurement Summary EXEMPT

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Appendix A. Building Assets Cleaned

Active Hub, Unit 19 Oakham Enterprise Park

RALSS, Unit 16a Ground Floor Oakham Enterprise Park

Unit 16a 1st Floor Oakham Enterprise Park

Unit 22 Oakham Enterprise Park

Unit 23b Oakham Enterprise Park

Unit 11b Oakham Enterprise Park (welfare facilities)

King Centre

Ashwell Business Units

Oakham Castle

Catmose Cottage

Rutland Museum

Oakham Library

Uppingham Library

Ryhall Library

Ketton Library

Visions Children Centre

Catmose House

Oakham Bus Station

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