



## Cabinet

Date: 11 March 2019  
Time: 7.00 pm  
Venue: Council Chamber  
District Council Offices, Queen Victoria Road, High Wycombe Bucks

**Fire Alarm** - In the event of the fire alarm sounding, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Please congregate at the Assembly Point at the corner of Queen Victoria Road and the River Wye, and do not re-enter the building until told to do so by a member of staff.

**Filming/Recording/Photographing at Meetings** – please note that this may take place during the public part of the meeting in accordance with Standing Orders. Notices are displayed within meeting rooms.

## Agenda

Item		Page
1.	<b>Apologies for Absence</b>	1
2.	<b>Minutes</b>	2 - 10
3.	<b>Declarations of Interest</b>	
4.	<b>Transition to a New Unitary Council - Appointments to the Shadow Executive</b>	11 - 12
5.	<b>Bucks Home Choice Allocation Policy</b>	13 - 69
6.	<b>Cressex Island</b>	71 - 80
7.	<b>Handy X Hub Phase 3B</b>	81 - 84
8.	<b>Information Sheet</b>	85 - 86
9.	<b>File on Action Taken Under Delegated Authority</b>	87
10.	<b>Supplementary Items (If any)</b>	87
11.	<b>Urgent Items (If any)</b>	87

**EXEMPT**

12.	<b>Green Space Contract Procurement</b>	88 - 92
13.	<b>File on Action Taken Under Exempt Delegated Powers</b>	93
14.	<b>Supplementary Exempt Items (If any)</b>	93
15.	<b>Urgent Items (If any)</b>	93

**For further information, please contact Democratic Services on 01494 421206, or email:[committeeservices@wycombe.gov.uk](mailto:committeeservices@wycombe.gov.uk)**

## **AGENDA**

### **1. APOLOGIES FOR ABSENCE**

To receive apologies for absence.

### **2. MINUTES**

To confirm the minutes of the meeting of the Cabinet held on 4 February 2019 (attached).

### **3. DECLARATIONS OF INTEREST**

To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting.

Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.

## Cabinet Minutes

Date: 4 February 2019

Time: 7.00 - 8.13 pm

**PRESENT:** Councillor Ms K S Wood (Executive Leader of the Council - in the Chair)

- |                            |  |
|----------------------------|--|
| Councillor Mrs J A Adey    | - Cabinet Member for Environment                                 |
| Councillor D H G Barnes    | - Deputy Leader and Cabinet Member for Strategy & Communications |
| Councillor S Broadbent     | - Cabinet Member for Economic Development and Regeneration       |
| Councillor D J Carroll     | - Cabinet Member for Youth and External Partnerships             |
| Councillor D A Johncock    | - Cabinet Member for Planning                                    |
| Councillor Mrs J D Langley | - Cabinet Member for Housing                                     |
| Councillor D M Watson      | - Cabinet Member for Finance and Resources                       |

### By Invitation

- |                      |  |
|----------------------|--|
| Councillor Z Ahmed   | - Deputy Cabinet Member for Strategy and Communications              |
| Councillor C Etholen | - Deputy Cabinet Member for Digital Development and Customer Service |
| Councillor A R Green | - Chairman of the Council  |
| Councillor G C Hall  | - Deputy Cabinet Member for Environment                              |
| Councillor D Knights | - Chairman of the Improvement and Review Commission                  |
| Councillor R Raja    | - Leader of the Labour Group   |
| Councillor A Turner  | - Deputy Cabinet Member for Planning                                 |

**Also present:** Councillors M Clarke, A D Collingwood, S K Raja and P R Turner

### **76 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs S Adoh (Deputy Cabinet Member for Housing), M Harris (Deputy Cabinet Member for Economic Development and Regeneration), M Knight (Leader of the East Wycombe Independent Party), G Peart (Cabinet Member for Community), S Saddique (Deputy Cabinet Member for Finance and Resources) and L Wood (Cabinet Member for Digital Development & Customer Services).

### **77 MINUTES**

**RESOLVED:** That the minutes of the meetings of the Cabinet held on 17 December and 9 January 2019 be approved as true records and signed by the Chairman.

## 78 DECLARATIONS OF INTEREST

Councillor Ms K Wood declared a disclosable pecuniary interest in respect of Minute 83 'Ashwells' and withdrew from the Chamber during that item. (The Deputy Leader took the Chair for this item).

### EXCLUSION OF PRESS AND PUBLIC

**RESOLVED:** That pursuant to Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the press and public be excluded from the meeting during consideration of Minute Nos 79 to 83 and 86 to 87, because of their reference to matters which contain exempt information as defined as follows:

**Minute 79** Budget Monitoring Report for Period Ending 31 December 2018 – Appendices B and C

**Minute 80** Capital Strategy – Appendices 2C and 2D

**Minute 81** Revenue Budgets and Council Tax Setting 2019/20 – Appendix D

**Minute 82** Disposal of Bassetsbury Triangle – Appendices A, B & C

**Minute 83** Ashwells Infrastructure and Disposal as Serviced Sites – Appendices A & B

**Minute 86** Disposal of part and Development of Part of Hughenden Quarter Upper Site

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

(The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future tender process or negotiations)

**Minute 87 - File on Action taken under Exempt Delegated Powers**

**Community sheet no: C/1/19**

**Economic Development & Regeneration sheet nos: EDR/54/18 - EDR/63/18 & EDR/01/19**

**Environment sheet nos: E/03/18 & E/01/19**

**Planning & Sustainability sheet no: PS/01/19**

Information relating to the financial or business affairs of any

particular person (including the authority holding that information)  
(Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

(The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future tender process or negotiations)

## **79 BUDGET MONITORING REPORT FOR PERIOD 9 ENDING 31 DECEMBER 2018**

Cabinet were asked to consider the report which set out the position for all revenue accounts and capital spending for the first nine months of 2018/19. Cabinet considered the actions set out in the report and whether any further action was necessary.

The Cabinet expressed their thanks to the Cabinet Member for Finance for all his hard work.

The following decisions were made as the Cabinet approved a budget each year within the context of a Medium Term Financial Strategy (MTFS) to achieve the Council's priorities. The report updated Cabinet members on the 2018/19 forecast position as at Period 9.

**RESOLVED:** That (i) the forecast outturn position for the financial year 2018/19 as at end of December 2018 be considered;

(i) the transfers to earmarked reserves detailed in paragraph 2.4 of the report be approved; and

(ii) the amendments to the capital programme for 2018/19 as set out in paragraph 5.1 table 2 and virements as detailed in paragraph 5.5 table 4 of the report be approved.

## **80 CAPITAL STRATEGY**

The Capital Strategy before Cabinet outlined the Council's Capital Programme, together with new capital proposals for 2018-19 to 2023-24, and the Treasury Management Annual Strategy report for 2019-20. The aforementioned reports had previously been presented separately to Cabinet, but were now being presented together as the Capital Strategy to meet the new requirement under the revised CIPFA Prudential Code 2018. The Capital Strategy set out the Council's approach to the identification of capital expenditure needs.

An amendment was requested to move the portfolio grouping of the Wycombe Community Hub and Surgery Development from Environment to Community within exempt appendix 2C of the report, this was noted by the S151 officer. It was also noted that the references within the report to Homer Green Secondary School should be amended to Homer Green Senior School.

The following recommendations were made as the Cabinet approved a Capital Budget each year to invest in the Council's key priorities as set out in the Corporate Plan.

**Recommended:** That (i) the Capital Strategy at Appendix 1 of the report be approved;

(ii) the Minimum Revenue Provision Policy Statement at Appendix 1a of the report be approved;

(iii) the Capital Programme for 2018/19 to 2023/24 totalling £134.3m as summarised in Table 1 of the report be approved;

(iv) the Treasury Management Strategy and Prudential and Treasury Indicators in Appendix 3 of the report be approved; and

(v) the Treasury Management Practice at Appendix 3A of the report be approved.

## **81 REVENUE BUDGETS AND COUNCIL TAX SETTING 2019/20**

Cabinet were asked to consider and formally recommend the Revenue Budget and Capital Programme for 2019/20 to enable the Council to set the Council Tax for the forthcoming year.

The report provided an update on the draft revenue budget report that had been presented to Cabinet in December, including the movements that had taken place since then. The report before Cabinet set out the final revenue budget proposals for 2019/20 following extensive work carried out by Budget Holders and Cabinet Members.

The report outlined details of the main changes to the 2019/20 provisional Local Government Finance Settlement from Central Government and importantly the Revenue Support Grant and Baseline Funding (the guaranteed element of Business Rates) contained therein.

It was noted that the final budget recommended a nil increase in Council Tax resulting in the average Band D property remaining the same as 2018/19 at £136.99.

The responses to the recommendations of the Budget Task and Finish Group had been circulated as an appendix to the budget item. Councillor A Collingwood, the Chairman of the Budget Task and Finish Group commented on the findings of the Budget Task and Finish Group's review of the budget position.

The Cabinet Member for Planning thanked the public for the correspondence that he had received in relation to the River Wye. In relation to recommendation 2 of the Budget Task and Finish Group recommendations, he explained that for Phase 7 of the Masterplan to be delivered from the specified Strategic Land Acquisition/Infrastructure funding source an updated business case, including costs and key milestones would need to be considered by Cabinet. In summing up, he confirmed that there was still a significant amount of work that needed to be undertaken and that opening if the river was not a given.

During consideration of the Budget Task and Finish Group's recommendations, Cabinet had agreed nine of the recommendations, with the remaining recommendations having been noted as set out in the report.

Cabinet thanked the Task and Finish Group and officers for all their hard work. The Chairman of the Budget Task and Finish Group then thanked officers and Cabinet Members for their help and co-operation during the process. The Cabinet Member for Finance also expressed his thanks to the Head of Finance and his team for all their hard work.

The following recommendations were made as the Council had a statutory requirement to set a balanced budget for 2019/20 and the report formed a key part of the budget setting process by setting out the likely Revenue expenditure for that year recommending to Council the proposed budget for 2019/20 and the associated Council Tax level.

**Recommended:** That (i) the Council Tax requirement for the Council of £9,467k for 2019/20 be set;

(ii) the base estimates for 2019/20 as shown in Table 2, with further details in Appendices A & B of the report be approved;

(iii) the Fees and Charges schedules for 2019/20 in Appendices C & D (Part 2) be approved;

(iv) the Repairs and Renewals fund programme for 2019/20 of £633k in Appendix E of the report be approved;

(v) the Higginson Park Trust budget for 2019/20 of £193k in Appendix F of the report be approved;

(vi) the Special Expenses revenue budgets for High Wycombe Town Committee for 2019/20 totalling £365k which will be funded from precept of £275k and reserves of £90k detailed in Appendix G of the report be approved. It was noted that the precept of £275k would generate a Band D equivalent charge of £11.82;

(vii) the Special Expenses estimate for West Wycombe closed churchyard for 2019/20 totalling £7,000, in Appendix H of the report be approved;

(viii) it be noted that the budget paper, when approved by Council, would form part of the Medium Term Financial Strategy (MTFS) 2019/20 to 2022/23, see Appendix I of the report;

(ix) the statement by the Chief Finance Officer in Appendix J of the report on the robustness of the budget estimates and level of reserves be approved;

(x) the Cabinet responses to the referral from IRC on the recommendations of the Budget Task and Finish Group be noted; and



## **Council Tax**

(xi) Council Tax be maintained for a Band D property, so it would remain at £136.99 for 2019/20. All the five options for Council Tax changes in Section 6 of the report were considered before making the decision.

## **82 DISPOSAL OF BASSETSBURY TRIANGLE**

Cabinet approval was sought to dispose of the former Bassetsbury allotments site to enable 40 park homes to be developed on the site.

The following decisions were made as the former allotments were closed due to contamination. The Secretary of State's approval had been obtained to release them for development. Underlying ground conditions prevent conventional housing and therefore lightweight park homes were proposed. The estimated disposal value of the site exceeded delegation. Freehold disposal may prove to be unfundable by the market because of latent contamination risk. In which case, disposal would be by way of leasehold joint venture.

**RESOLVED:** That (i) the disposal of 'Bassetsbury Triangle' (former allotments) with the benefit of planning permission for 40 park homes be approved;

(ii) either a freehold disposal or a leasehold joint venture be approved, the decision on sale price or detailed financial terms be delegated to the Corporate Director, in consultation with the Major Projects and Estates Executive, Head of Finance & Commercial, and their respective Cabinet Members; and

(iii) delegated authority be granted to the Corporate Director, in consultation with the Major Projects and Estates Executive, Head of Finance & Commercial, and their respective Cabinet Members, to enter into construction contracts for on-site enabling works and off-site infrastructure works.

**Councillor D Barnes took the Chair**

## **83 ASHWELLS INFRASTRUCTURE AND DISPOSAL AS SERVICED SITES**

The report before Cabinet sought approval to proceed with the development of the Ashwells site, subject to appropriate planning permission. In December 2017, Cabinet had recommended to approve funding for infrastructure works with a view to selling the Ashwells site as serviced building plots. The report confirmed that subsequent to this, further work had been undertaken to determine the current estimated infrastructure costs and end values, in order to produce a full business case. Therefore, Cabinet approval was sought for the release of funding from the Capital Programme to enable the implementation of the on-site and off-site infrastructure, subject to planning.

The following decisions were made as approval was required to enter into a Grant Agreement with Homes England; to release the allocation in the Capital Programme to fund infrastructure works; and to provide delegation to enter into infrastructure construction contracts.

**RESOLVED:** That (i) the Local Authority Accelerated Construction ('LAAC') grant offer from Homes England be accepted;

(ii) on-site infrastructure be implemented;

(iii) it be agreed to dispose of serviced sites, including custom-build and self-build plots;

(iv) it be agreed to undertake off-site road improvements; and

(v) it be agreed to procure and enter into construction contracts for (ii) and (iv); and

(vi) delegated authority be granted to the Corporate Director, in consultation with the Head of Finance and the Major Projects Executive, to agree terms for and enter into contracts for (iii), (iv) and (v) above.

(Councillor Mrs J Adey and D Johncock abstained from voting on this item.)

**Councillor Ms K Wood took the Chair**

**84 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY**

Cabinet received the following files on actions taken under delegated powers:

Community	C/57/18 – C/58/18 C/01/19 – C/09/19
Environment	E/02/18
Finance	F/01/19 – F/02/19
Leader	L/01/19 – L/02/19

**85 INFORMATION SHEETS**

Cabinet received the following Information Sheet issued since the last meeting:

1/2019 Frogmoor – Minor Improvements

**86 DISPOSAL OF PART AND DEVELOPMENT OF PART OF HUGHENDEN QUARTER UPPER SITE**

Cabinet considered the report which proposed the disposal of the Council's freehold interest in the southern half of Hughenden Quarter Upper Site at below market value, to enable a housing association to provide 100% affordable housing, subject to planning permission. Cabinet approval was also sought to release funding from the Capital Programme for the development of small workspaces (HQube) at the northern half of the site, which was also subject to planning permission.

The following decisions were made as both the proposed disposal and the proposed development were linked to the Council's proposed Ashwells development.

**RESOLVED:** That (i) It be agreed to dispose of the freehold interest in the southern half of the Hughenden Quarter Upper Site ('HQUS'), with the benefit of planning permission for 68 apartments, to a registered provider (housing association) at below market value, to provide 100% affordable housing;

(ii) the Homes England offer of Local Authority Accelerated Constitution grant, as set out in paragraph 9 of the report be accepted;

(iii) the allocation in the Capital Programme for the direct development of the northern half of the site as 'HQube' small workspace be released;

(iv) a construction contract for HQube and a construction contract for the repair and renewal of the HQUS access road, including new utilities be entered into; and

(v) delegated authority be granted to the Corporate Director, in consultation with the Head of Finance & Commercial, the Major Projects Executive, and their respective Cabinet Members, to agree the final terms of (i), (ii) and (iv) above.

(Councillor Mrs J Adey and D Johncock abstained from voting on this item.)

**87 FILE ON ACTION TAKEN UNDER EXEMPT DELEGATED POWERS**

Cabinet received the following files on exempt actions taken under delegated powers:

Community Sheet No: C/1/19

Economic Development & Regeneration Sheet Nos: EDR/54/18 – EDR/63/18

EDR/01/19

Environment Sheet No: E/03/18 and E/01/19

Planning and Sustainability: PS/01/19

---

Chairman

**The following officers were in attendance at the meeting:**

- Karen Satterford - Chief Executive
- Ian Hunt - Democratic Services Manager
- Catherine MacKenzie - Principal Democratic Services Officer
- David Skinner - Head of Finance & Commercial
- Catherine Spalton - Communications and Improvement Manager



Report For:	Cabinet
Date of Meeting:	Cabinet 11 March 2019
Part:	Part 1 - Open

<b>SUMMARY</b>	
<b>Title of Report:</b>	<b>TRANSITION TO A NEW UNITARY COUNCIL – APPOINTMENTS TO THE SHADOW EXECUTIVE</b>
Cabinet Member: Officer Contact: Direct Dial: Email:	Councillor Ms Katrina Wood Ian Hunt 01494 421208 ian.hunt@wycombe.gov.uk
Wards affected:	All
Reason for the Decision:	To appoint representatives to sit on the Shadow Executive for the new Shadow Council.
<b>Proposed Decision:</b>	That: <ul style="list-style-type: none"> <li>(i) Councillors Ms K Wood and A R Green be appointed as this Council’s representatives to sit on the Shadow Executive for the Shadow Council; and</li> <li>(ii) Councillors D A Johncock and S Broadbent be appointed as this Council’s named substitutes for the Shadow Executive for the Shadow Council.</li> </ul>
Sustainable Community Strategy/Council Priorities - Implications	The draft Buckinghamshire Structural Changes Order 2019 is due to be laid before Parliament. If passed this will require this authority to nominate two representatives to sit as members of the Shadow Executive. This appointment will only apply in the event that the Order is made and is subject and without prejudice to the legal action.  There are currently no health and safety implications.
Monitoring Officer/ S.151 Officer Comments	<b>Monitoring Officer:</b> Implementation of unitary local government in Buckinghamshire by the Secretary of State is contingent upon Parliament having made the Buckinghamshire (Structural Changes) Modification of the Local Government in Public Involvement in Health Act 2007) Regulations 2019. Whilst the Regulations have recently been made, the Council with other Councils is engaged in Judicial Review proceedings challenging the Secretary of State’s making of those Regulations; those proceedings are ongoing. The decision herein is therefore made without prejudice to the outcome of the Judicial Review proceedings.

	<b>S.151 Officer:</b> No implications.
Consultees:	N/A
Options:	It is a matter for the Leader and her Cabinet to appoint representatives to sit on the Shadow Executive for the Shadow Council.
Next Steps:	This Council's appointed representatives to sit on the Shadow Executive will be reported to the Proper Officer for the Shadow Council. Once the Structural Changes Order for a new unitary district council for Buckinghamshire has been laid and has then proceeded through the affirmative procedures for Statutory Instruments, the first meeting of the new Shadow Council is required to meet within 14 days of when the Order comes into being. The first Shadow Executive meeting will take place within 21 days of the day the Statutory Instruments are made.
Background Papers:	Cabinet report 9 January 2019
Abbreviations:	MHCLG = Ministry of Housing, Communities and Local Government SCO = Structural Changes Order

### Detailed Report

#### Brief Summary

At the meeting of Cabinet held on 9 January 2019, Members considered a report on the arrangements for the transition to the new Unitary Authority.

#### Shadow Executive Representation

The Secretary of State has stated that he intends to lay an Order which will provide for 17 Members on the proposed Shadow Executive, made up of 8 Members from the existing District Councils, 8 from the County Council, plus the existing role of County Council Leader who would be the Chairman of the Shadow Executive.

As there are 4 existing District Councils, this means that each District Council is able to nominate two representatives each to sit on the Shadow Executive.

#### Wycombe District Council's Nominated Representatives

In line with the above, it is proposed that the Council's representatives to sit on the Shadow Executive shall be Councillors Ms K Wood and A R Green, with Councillors D A Johncock and S Broadbent serving as named substitutes.

#### Next Steps

This Council's appointed representatives to sit on the Shadow Executive will be reported to the Proper Officer for the Shadow Council. Once the Structural Changes Order for a new unitary district council for Buckinghamshire has been laid and has then proceeded through the affirmative procedures for Statutory Instruments, the first meeting of the new Shadow Council is required to meet within 14 days of when the Order comes into being. The first Shadow Executive meeting will take place within 21 days of the day the Statutory Instruments are made.



Report For:	Cabinet
Date of Meeting:	Cabinet 11 March 2019
Part:	Part 1 - Open

<b>SUMMARY</b>	
<b>Title of Report:</b>	<b>BUCKS HOME CHOICE ALLOCATION POLICY</b>
Cabinet Member: Officer Contact: Direct Dial: Email:	Councillor Mrs Julia Langley Kathryn Hobman 01494 421602 kathryn.hobman@wycombe.gov.uk
Wards affected:	All
Reason for the Decision:	The Council is a member of the Bucks Home Choice Partnership and has a shared Allocations Policy with Aylesbury Vale, Chiltern and South Bucks District Councils. The Partnership is proposing a number of amendments to the priority bandings and qualifying criteria in its housing allocation policy due to changes in housing legislation, recent case law and local housing pressures.
<b>Proposed Recommendation:</b>	That the Cabinet recommends that Council adopts the revised Bucks Home Choice Allocations Policy and that partnership working and co-operation with Aylesbury, Chiltern and South Bucks District Councils continues.
Sustainable Community Strategy/Council Priorities - Implications	Risk: N/A  Equalities: An Equalities Impact Assessment has been completed and is included as Appendix B for Cabinet to consider prior to recommending an option to full Council.  Health & Safety: N/A
Monitoring Officer/ S.151 Officer Comments	<b>Monitoring Officer:</b> Legal implications and references to relevant legislation are contained within the report.  <b>S.151 Officer:</b> The short term impacts of the changes will need to be met from within existing approved budgets. Any long term implications will be built into the next iteration of the MTFS.
Consultees:	A full consultation process has taken place with all stakeholders and service users including Red Kite Housing. A summary of the consultation responses is available as background paper to this report.

Options:	<p>Cabinet can:</p> <ol style="list-style-type: none"> <li>1) Recommend that Council adopts the revised policy to ensure continued compliance with statutory requirements, and that the Council's approach to housing allocations continues to reflect local conditions and housing pressures.</li> <li>2) Reject the proposed policy changes, which could render the current policy open to legal challenge, and leave it out of step with current housing pressures in the district.</li> </ol>
Next Steps:	Subject to full Council Approval and approval from the partner District Councils, the policy will be enacted before August 2019.
Background Papers:	<p>All documents are available on request.</p> <ol style="list-style-type: none"> <li>1. Summary of the stakeholder consultation responses.</li> <li>2. Current Bucks Home Choice Allocations Policy</li> </ol>
Abbreviations:	BHC – Bucks Home Choice

Appendices to this report are as follows:

Appendix A: Proposed Amended Bucks Home Choice Policy

Appendix B: Equality Impact Assessment

### **Detailed Report**

#### **1.1 Purpose**

1.2 This report seeks the views of Cabinet on proposed changes to the Bucks Home Choice (BHC) Allocations Policy and asks that a decision be taken concerning a recommendation for adoption of the proposed amendments.

### **2 Executive summary**

2.1 Bucks Home Choice is the overriding policy regarding access to the statutory housing register for households and persons seeking social housing. Applicants to the register are usually unable to access home ownership and have an identified housing need

2.2 The Council is a member of the Bucks Home Choice Partnership which comprises four District Councils; Aylesbury Vale District Council, Chiltern District Council, South Bucks District Council and Wycombe District Council. The councils manage the collective housing register and the allocation of housing within their respective district areas. This provides a consistent approach to allocations across the County.

2.3 The Housing Act (HA) 1996, Part VI, applies to allocations of social housing and both to new applicants for social housing and to some existing social housing tenants who are seeking transfers. When making an 'allocation', local housing authorities must comply with both the provisions of HA 1996 Part VI, and with their own local allocations scheme.

2.4 The partnership's Allocations Policy has been reviewed in response to recent case law following the Localism Act 2011, the Homelessness Reduction Act 2017, as a



response to rising demand for social housing, and the need for intelligent use of the available stock to help prevent and relieve homelessness within the district.

- 2.5 More recently, the Homelessness Reduction Act 2017 substantially amended Homelessness legislation, increasing the time and extent of the statutory duty to prevent and relieve homelessness.
- 2.6 The partnership is proposing a number of amendments to the policy to provide greater clarity on how applicants are assessed and housing is allocated, in consideration of the new legislation and recent case law.
- 2.7 There is now an expectation that local authorities re-frame their allocation policies to address those living in unsuitable housing circumstances, in order to *prevent* them from becoming homeless. Many authorities are now reviewing policy, as this prevention approach is supported and driven by the Ministry for Housing Communities and Local Government (MHCLG).
- 2.8 The proposed changes to the policy have a material effect on who may or may not qualify for Bucks Home Choice. The proposed changes will also affect the relative priority bands awarded to certain types of applicant, and also introduce a new priority band 'E', in order to accommodate legislative change. The changes are driven by the following policy objectives;
  - To respond to recent case law and government guidance, so that the Allocations Policy remains lawful.
  - To make the partnership's Allocations Policy an effective homelessness prevention tool, and to respond to local housing pressures.
  - To continue to make the best use of housing stock.
- 2.9 The Council has a statutory duty to consult applicants likely to be affected by the proposed changes, and also any Registered Providers who have housing stock in the district. The result of a consultation carried out in pursuit of this duty is available as a background paper.

### **3 Proposed major amendments to the scheme**

- 3.1 Applicants in the statutory '*Reasonable Preference categories*' (even if they do not have a local connection or would normally be non-qualifying as required by the Housing Act 1996). The local connection criterion will remain and applicants will be prioritised above those without (a local connection) when allocating properties.
- 3.2 Applicants owed prevention or relief duties under the Council's statutory homelessness duties (Part VII of the Housing Act 1996) are now to be included, to reflect the changes made by The Homelessness Reduction Act 2017.
- 3.3 The revised banding table can be found in Appendix A – Proposed Amended Bucks Home Choice Policy. Homeless applicants will no longer be moved up to band B from band C after six months as this practice may, in the past, have encouraged households to become homeless rather than waiting for accommodation via the Bucks Home Choice system. The ethos of the Homelessness Reduction Act 2017 is to *prevent* people from becoming homeless, and by increasing priority to those continuing to live in perhaps unsuitable accommodation, it is anticipated that the incidence of exclusions by parents, friends or relatives will decrease.
- 3.4 The following applicants will no longer qualify for Bucks Home Choice, under the proposed changes:
  - (i) Applicants who have formerly owned a property within the last five years and have disposed of capital without making reasonable housing arrangements. Evidence as to the circumstances will be required.

- (ii) Applicants who have previously purchased a 'Right to Buy' or 'Right to Acquire' property (unless they are owed a main homelessness duty).
  - (iii) Applicants subject to an Anti-Social Behaviour Order and or have broken the terms of their tenancy and or where a notice to quit has been issued.
  - (iv) Those who own and occupy suitable and affordable accommodation, or who have assets or savings sufficient to enable them to source accommodation in the private sector. Decisions on these cases will be taken on a case by case basis, as opposed to income or savings thresholds being set. Guidance will be provided to caseworkers to ensure consistency in decision making, and all decisions will carry a statutory right of review by a senior officer.
- 3.5 However, the Council will retain discretion to make exceptions to the above under certain circumstances, including matters of hardship.

#### **4 Changes to the Priority Bands**

- 4.1 The proposed amendments to the banding arrangements are intended to ensure that the Bucks Home Choice Partnership allocations policy remains compliant and takes into account legislative change and the evolving local housing situation.
- 4.2 Many applicants will benefit from a higher banding, some will see no change and a small number will be given a lower banding.
- 4.3 The proposed changes to the banding will also see the introduction of band 'E' to give a priority, albeit the lowest available, to those applicants without a local connection to the Wycombe District.
- 4.4 The impact of these band changes will see more households in bands A and B due to overcrowding. Around 40 households will move from Band B to Band A as a result of being 2 bedrooms short of need. A further 490 will move from a band C to a band B due to being one bedroom short of need.
- 4.5 Those homeless households who are currently owed the main homelessness duty (approximately 54 households at present) will be moved from bands B & C to band D and will be further notified accordingly.

#### **5 Resource implications**

- 5.1 The Bucks Home Choice system is a 'choice based lettings system', which works on an externally provided software platform. The proposed policy changes in this report would result in the need for the Council's provider to modify the choice based lettings system software. The charges levied by the software provider to carry out this work would be met by the partnership members. The cost of Wycombe's share of the work may be met from existing budgets.
- 5.2 If the proposals are accepted, the priority banding of existing applicants on the system would be reassessed automatically, and people are not expected to make new applications as a result of the changes.
- 5.3 If amendments are made to any applicant's priority banding, that applicant has the right to request a review. It is anticipated that those who see a band decrease may request reviews. It is planned to meet any additional workload in this respect from existing staff resources.
- 5.4 Should the need for temporary accommodation to rise as a result of a lack of move on, officers can use the direct nominations process as per the policy to prevent long term placements in temporary accommodation.

# **Bucks Home Choice**

## **Allocation Policy**



**Draft Post - Consultation Copy**  
**4.2**  
**14-01-2019**

**Section 1 – Introduction**

Page 5

- 1.1 Introducing Bucks Home Choice
- 1.2 Members of the Bucks Home Choice Partnership
- 1.3 Aims of the Bucks Home Choice Partnership
- 1.4 Equality Statement
- 1.5 Legal Background
- 1.6 Policy Contents

**Section 2 – Eligibility and Qualification**

Page 8

- 2.1 Registering on Bucks Home Choice
- 2.2 Eligibility for an allocation of housing
- 2.3 Qualification – Classes of People who do not qualify for Bucks Home Choice
  - 2.3.1 Non Priority
  - 2.3.2 Local Connection
  - 2.3.3 Owner Occupiers
  - 2.3.4 Rent Arrears
  - 2.3.5 Unsuitable for Tenancy
  - 2.3.6 Right to a Review of a Decision of a Non Qualifying Person

**Section 3 – Applying and Registering for Bucks Home Choice** Page 15

- 3.1 Applying to Bucks Home Choice
  - 3.1.2 Applications from staff, elected council members or family members
- 3.2 Registration form and supporting information
- 3.3 Person to be included in an application
  - 3.3.1 Carers

3.3.2 Separated Parents and Dependent Children

3.3.3 Other Family Members and Dependent Relatives

3.3.4 Split Families

3.3.5 Support Needs

3.4 False or Withheld Information

3.5 Giving applicants advice and information

3.6 Renewal/Change of Circumstances

3.7 Suspension and Cancellation

**Section 4 – Assessment and Prioritisation of Applications** Page 19

4.1 Priority Bands

4.2 Medical Needs

4.3 Welfare Needs

4.4 Review of Welfare and Medical Priority Banding

**Section 5 – Advertising** Page 23

5.1 How vacancies will be advertised

5.2 Advertising criteria

5.3 Properties advertised within the District council areas

5.4 Properties advertised across the partnership

5.5 Size and type of property for which applicants are eligible

5.6 How applicants bid on a property

**Section 6 – Prioritising and Letting** Page 26

6.1 Determining priority between shortlisted applicants

6.2 Local Lettings Policies

6.3 Direct Allocations

6.4 Applicants subject to duty under Section 193 of Housing Act 1996 (Homelessness)

6.5 Verifying an application

6.5.1 Verifying

6.5.2 Nomination

6.5.3 Withdrawal of a Nomination

6.6 Temporary suspension

**Section 7 – Review of decisions and complaints** Page 32

7.1 Asking for a decision to be reviewed

7.2 Making a complaint

**Section 8 – Monitoring and Policy Review** Page 33

8.1 Monitoring

8.2 Policy Review

8.3 Right to Move

**Section 9 – Data Protection and Information Sharing** Page 33

9.1 Data Protection

9.2 Information Sharing without consent

**Appendix 1** Page 35

Priority Bands

**Appendix 2** Page 39

Bedroom Standard

**Appendix 3** Page 42

Reasonable Preference

**Appendix 4** Page 43

Terms used in the policy

**Appendix 5** Page 44  
Policies

## **1. Introduction**

### **1.1 Introducing Bucks Home Choice**

Section 166(A) of the Housing Act 1996 requires that every local housing authority in England must have an allocation scheme for determining priorities (and the procedure to be followed) in allocating housing accommodation.

Bucks Home Choice is the scheme that is used to allocate affordable housing in four local housing authority areas – Aylesbury Vale, Chiltern, South Bucks and Wycombe.

As the demand for affordable housing exceeds availability, Bucks Home Choice prioritises applicants so properties that become available are offered fairly and transparently. This document describes the policy in detail including who qualifies to apply for housing and how we give priority to different applicants based on their housing need.

Bucks Home Choice operates on the following basis:-

- Applicants register with the scheme
- Applicants are prioritised for re-housing based on their circumstances
- Available properties will be advertised
- Applicants can bid on properties they qualify to move to
- Bids on a property will be shortlisted in priority order
- The property will be offered in accordance with 6.1 of the policy.

### **1.2 Members of the Bucks Home Choice Partnership**

The following District Councils are members of and Managing Partners of the Bucks Home Choice partnership:-

- Aylesbury Vale District Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council

The four District Councils have chosen to jointly operate Bucks Home Choice and a common Allocation Scheme in order to:-

- Deliver value for money by operating a shared scheme and IT system
- Allow good practice and knowledge to be shared across the four districts
- Provide the opportunity for properties to be advertised across the Partnership allowing applicants to move from one district to another

The scheme applies to all properties in the Bucks Home Choice districts that are owned and/or managed by a Registered Provider and the Councils have the right to nominate to.

The term “Senior Housing Officer” and “Senior Officer” has been used in this policy for ease of reference only. The exact titles of the officers within each organisation vary and may be subject to change from time to time. Each organisation within the Partnership will have designated officers responsible for the operation of the Bucks Home Choice Scheme and Allocation Policy and details of these officers are available from each organisation on request.

The term “Managing Partner” means the relevant District Council who is dealing with the applicant and application.

### **1.3 Aims of the Bucks Home Choice Partnership**

#### **The aims of the Partnership are:**

- a) To meet the District Councils’ statutory requirements and ensure that priority for housing is given to those with the highest level of housing need.
- b) To give applicants as much choice as possible having regard to the statutory requirements and the availability of housing stock.
- c) To provide a common framework for allocations of affordable housing within the Partnership.
- d) To facilitate a degree of mobility within the Partnership.
- e) To help and encourage sustainable communities.
- f) To make the best possible use of all available housing stock.
- g) To allocate housing resources in a way that is as fair as possible.
- h) To make the process of allocating tenancies as open and transparent as possible.

#### **The Partnership is also committed to:**

- i) Preventing households from becoming homeless.
- j) Providing applicants with sufficient information to enable them to make the right choices about where they wish to live.
- k) Providing applicants with information on a variety of housing options to enable them to make informed decisions about their housing application.
- l) Ensuring that vulnerable people are able to make the most of Bucks Home Choice to meet their housing needs.
- m) Acting sensitively and treating all personal information as confidential.
- n) Ensuring customers are advised of their right to a review of decisions.

### **1.4 Equality Statement**

This policy has been drafted in compliance with the requirements of the Equality Act 2010 and it has been subject to an Equalities Impact Assessment. Applicants will be asked to complete an equalities monitoring questionnaire. This information will be treated in the strictest confidence



## 1.5 Legal Background

This policy has been drafted to give due regard to the requirement to give Reasonable Preference to those categories of person set out in section 166A (3) of the Housing Act 1996.

In framing the Bucks Home Choice Allocations Policy, we have had regard to:

- The Allocation of Accommodation: Guidance for Local Housing Authorities in England (DCLG – June 2012)
- The Localism Act 2011
- The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012/2989 and the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012/1869
- Providing Social Housing For Local People: Statutory Guidance on Social Housing Allocations for Local Authorities in England” (DCLG – December 2013)
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015/967)
- The Bucks Tenancy Strategy and each of the District Councils’ Housing and Homelessness Strategies (see Appendix 5 for details).
- The Homeless Reduction Act 2017

The Policy may be subject to minor amendments from time to time (e.g. when there are changes to relevant legislation) When minor amendments are necessary, these will be authorised by the Partnership’s Senior Housing Officers or relevant Heads of Service and subject to the agreement of all four Managing Partners

## 1.6 Policy Contents

This policy sets down:

- How applicants can apply to the Bucks Home Choice scheme
- Who is a qualifying person to join Bucks Home Choice
- Who is eligible to join Bucks Home Choice
- How an applicants’ priority is assessed.
- How members of the Partnership will determine priorities in allocating housing accommodation.
- How properties are advertised and let.
- How applicants can ask for a review of a decision.
- How the policy will be monitored and reviewed.
- How the Partnership will comply with the Data Protection Act.

This policy does not cover offers of licences, non-secure, or assured shorthold tenancies granted to homeless households in pursuance of any member of the Partnership’s homelessness duties under Part 7 of the 1996 Act. This policy does not cover offers of tenancies excluded from an allocation scheme by virtue of S.159 (4A) and s.160 of the 1996 Act.

This policy is available, on our website [www.buckshomechoice.gov.uk](http://www.buckshomechoice.gov.uk) or applicants can request for a copy of the policy to be sent to them.

## **2. Eligibility and Qualification**

### **2.1 Registering on Bucks Home Choice**

In order to register for Bucks Home Choice, an applicant must:-

- Be aged 16 years or over (upon allocation of a property an applicant aged 16 or 17 years of age will be required to have an adult who can hold a tenancy as a trustee until they are 18.)
- Be eligible for an allocation of housing under Part 6 of the Housing Act 1996, and
- Qualify for the Bucks Home Choice scheme.
- Where two persons apply jointly for housing, at least one of the applicants must be eligible. A joint tenancy cannot be granted when one of the applicants is not eligible. The application will be made in the name of the applicant who is eligible and a sole tenancy will be granted.
- Must be residing in the United Kingdom

### **2.2 Eligibility for an allocation of housing**

Under Section 160ZA of the Housing Act 1996, an applicant will not be eligible for an allocation of housing if he or she is:

- A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless he is of a class prescribed by regulations made by the Secretary of State).
- A person who falls within a class of persons from abroad who have been prescribed by the Secretary of State as being ineligible to be allocated housing accommodation by a local housing authority.
- A person who falls into any other class of person prescribed by the Secretary of State as not qualifying to be allocated housing accommodation by a local housing authority.

An applicant who is not eligible for an allocation of housing under Section 160ZA of the Housing Act 1996 cannot register with Bucks Home Choice regardless of the applicant's personal circumstances.

### **2.3 Persons who do not qualify to join the Bucks Home Choice scheme**

Under Section 160ZA (7) a local housing authority may decide what classes of persons are, or are not, qualifying persons for an allocation of housing accommodation.

### **2.3A Persons deemed not to qualify for Bucks Home Choice**

The following classes of person are deemed not to qualify for the Bucks Home Choice scheme:

- A person whose circumstances do not meet the criteria of any of the Priority Bands set down in Appendix 1 (see 2.3.1)
- A person who is an applicant or a member of the applicant's household and is considered guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and at the time of the application for housing and they are still considered unsuitable to be a tenant by reason of that behaviour (see 2.3.2).

### **2.3B Persons deemed not to qualify for Bucks Home Choice unless they are deemed to have a Reasonable Preference**

The following classes of person are deemed not to qualify for the Bucks Home Choice scheme unless they are deemed to have a Reasonable Preference in accordance with Section 166A of the Housing Act 1996 (see Appendix 3)

- A person who does not meet the local connection criteria (see Section 2.3.3)
- A person who is an owner occupier of a property (See 2.3.4)
- A person with current or former tenancy rent arrears owed to a Registered Provider or private landlord unless the Council is satisfied that action is being taken to resolve the arrears (See 2.3.5)
- A person whose income, assets or savings are sufficient to enable the person to source accommodation in the private sector.
- A person who formerly owned a property within the last five years and who failed to use the capital receipt from the property disposal to secure adequate alternative housing arrangements (see 2.3.4).
- A person who has previously purchased a property under the statutory Right to Buy or Right to Acquire schemes (see 2.3.4)
- A person who has been re-housed in a social housing tenancy and who wishes to apply to be re-housed again (unless there has been a change of circumstances since the person was re-housed in which event the application will be assessed as a new application under the Bucks Home Choice policy)
- A person who has any outstanding related housing debt with the Managing Partner's housing department. A housing related debt could be former tenant arrears whilst in temporary accommodation, former tenant arrears whilst holding a previous tenancy or outstanding repayments on loans provided by the local authority to help the applicant to secure accommodation.
- A person whose household is considered to be adequately housed as detailed in 'size and type of property for which applicants are eligible' (5.5) but who is not using the bed spaces within their property to its optimum capacity. This includes taking account of an additional

reception room or dining room that could be reasonably used as a bedroom.

The Bucks Home Choice Partnership reserves the right in exceptional circumstances to register a household with the scheme even if the household falls into one of the non-qualifying classes set down above. Any decision to register a non-qualifying household will be subject to authorisation by the Senior Housing Officer of the partner Council receiving the application and will be based on the individual circumstances of the household concerned. In event of a decision being made to register a non-qualifying household, the partner concerned will record full details of the reason for the decision.

Further information on some of the classes of person deemed to be non-qualifying for Bucks Home Choice is given below in the remainder of Section 2.3

### **2.3.1 Non-Priority**

Those persons who do not fall into any of the priority bandings set out in Appendix 1 are considered to be adequately housed and therefore not qualifying persons.

### **2.3.2 Unsuitable for Tenancy - Unacceptable Behaviour**

Unacceptable behaviour is behaviour that renders the applicant unsuitable to be offered a tenancy.

If an applicant or any member of the applicant's household is considered to be guilty of unacceptable behaviour or considered to be causing or involved in activities that may be considered unacceptable behaviour, that is serious enough to make them unsuitable to be a tenant at the time of the application for housing, then they will be considered unsuitable to be a tenant by reason of that behaviour.

Any decision made in respect of the applicant's behavior making an applicant unsuitable to be considered a tenant, will consider the timing, pattern and seriousness of the behavior and an applicant's engagement with appropriate services.

#### **Examples of Unacceptable Behaviour could be and are not limited to:**

- a) Having been evicted for anti-social behaviour or rent arrears on a previous tenancy, either with a Registered Provider or Private Landlord in the last 5 years.
- b) Conviction for illegal or immoral purpose.
- c) Causing nuisance and annoyance to neighbours or visitors.
- d) Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community
- e) Being violent towards a partner or members of the family.

- f) Being verbally or physically abusive towards a member of one of the partnership's staff
- g) Allowing the condition of the property to deteriorate.
- h) Allowing any furniture provided by the landlord to deteriorate due to ill treatment.
- i) Obtaining a tenancy by deception, for example, by giving false or misleading information.
- j) Paying money to illegally obtain a tenancy.
- k) Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.
- l) Subject to an Anti-Social Behaviour Order
- m) Breaking the terms of a tenancy agreement and a notice to quit has been issued.

If an applicant is accepted onto the Housing Register and is subsequently found to be guilty of unacceptable behavior (including one or more of (a) to (m) above) then the Managing Partner of the Partnership will review the application and may remove the applicant from the Housing Register.

### **2.3.3 Local Connection**

An applicant must have a local connection to at least one of the following District Councils in order to qualify for Bucks Home Choice;

- Aylesbury Vale
- Chiltern
- South Bucks
- Wycombe

An applicant is deemed to have a local connection with a district if the applicant:

- Is living and has lived in a district continuously for at least 2 years immediately preceding the date of the application. If an applicant has lived out of the district for a single period of up to 4 calendar months whilst registered they will retain a local connection. If an applicant has lived outside of the district for a single period exceeding 4 calendar months (or for multiple periods) and the applicant does not meet the Reasonable Preference categories set down in Appendix 3, their housing register application will be cancelled.
- If an applicant is working and has been in continuous employment in a district for at least 2 years immediately preceding the date of the application and has worked for a minimum of 24 hours per week throughout that period. Employment is described as having a permanent contract, or working under contract as temporary member of staff. Location of work is determined by an applicant's main place of work. If an employee's head office is in the area but the location of

work is outside the actual area when it is carried out, this cannot be considered as being the main place of work.

- If an applicant has changed employer within the district, or their hours have reduced, to below 24 hours per week, for no more than 4 calendar months, they will retain a local connection. Any applicant who no longer retains a local connection and does not meet the reasonable categories set down in Appendix 3 will have their housing register application cancelled.
- A person who has found accommodation in a supported housing unit within the Bucks Home Choice Partnership will retain a local connection with the area they were living in before moving into supported accommodation.

**Exceptions – Applicants who are deemed to qualify even if they do not meet the above Local Connection criteria**

If an applicant does not meet criteria above, then the applicant will not be a qualifying person for Bucks Home Choice. The only exceptions to this are applicants who:

- a) Are aged 55 or more and seeking accommodation designated solely for person aged 55 or more and the household's income, assets or savings are not sufficient for the household to source accommodation in the private sector.
- b) Are subject to the main housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 by Aylesbury Vale, Chiltern, South Bucks or Wycombe District Councils (in this event the applicant will qualify solely to go onto the Housing Register administered by the District Council that has accepted the duty)
- c) Are serving in the armed forces or who have served in the armed forces within the five year period immediately preceding the application
- d) Have recently left ministry of defence accommodation because of the death of a spouse, who served in the regular forces
- e) Are serving or have previously served in the reserve forces and are suffering from a serious injury as a result of this service
- f) Persons who were required to live outside of the district for reasons out of their control (i.e. placed in care,) and who had a local connection to the district immediately prior to moving away.
- g) Prisoners who have been released from prison and had a local connection to the district immediately prior to going to prison.
- h) Persons who meet the criteria as set out in the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015/.
- i) Persons who do not meet the local connection criteria but meet the criteria for one or more of the Reasonable Preference categories set out in Appendix 3

If an applicant meets any of the criteria listed in (a) to (i) above they will be deemed to qualify for Bucks Home Choice regardless of whether or not the applicant has a local connection to a district.

For the purposes of determining a local connection the following living arrangements will not be taken into account:

- Occupation of a mobile home, caravan, motor caravan, or houseboat which is not placed on a residential site; or
- Occupation of a holiday letting which includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday letting.
- Applicants placed in an institution, prison, hospital or in one of the districts who otherwise have no local connection.

#### **2.3.4 Current and Former Owner Occupiers.**

A person is considered to be a current owner-occupier for the purpose of this policy if they are the owner or joint owner of any residential property regardless of location. They will not be a qualifying person unless;

- The person falls into one of the statutory Reasonable Preference categories (see Appendix 3) or
- It is not possible for the person to remain in their current address (e.g. because adaptations are required and cannot be undertaken) and the person does not have sufficient financial resources available to secure other accommodation without the Council's assistance.

In considering the issues raised in this section, the District Council managing the application will take specialist advice as required (e.g. from an Occupational Therapist).

If an applicant has a legal, financial or beneficiary interest in a property, the full circumstances will be investigated. If the applicant is able to realise his/her interest in the property and it would be sufficient to secure alternative accommodation without the Council's assistance, the applicant will be considered to be an owner occupier.

If the applicant is not a current owner occupier and has formerly owned a property within the last five years, the applicant will be asked to provide evidence of the sale and details of any capital receipt arising from the sale. If the applicant subsequently disposed of any capital receipt without making adequate housing arrangements then the applicant will be deemed not to qualify for Bucks Home Choice (unless the applicant falls into one of the statutory Reasonable Preference categories (see Appendix 3))

An applicant who has previously purchased a property under the statutory Right to Buy or Right to Acquire schemes will be deemed not to qualify for Bucks

Home Choice (unless the applicant falls into one of the statutory Reasonable Preference categories (see Appendix 3))

### **2.3.5 Rent Arrears**

- a) An applicant who has been evicted from a previous tenancy on the grounds of rent arrears within the five year period preceding the date of application (or who voluntarily surrendered a tenancy in advance of a warrant for possession being executed on rent arrears grounds) will not be a qualifying person for Bucks Home Choice unless the arrears have been cleared in full or the applicant falls into one of the statutory Reasonable Preference categories (see Appendix 3).
- b) Where an applicant or a member of his household owes rent arrears to a current or former landlord, at the time of the application or at any period during the application they will be placed in a Band E until such times as they provided evidence that the arrears have been cleared. Once confirmation has been received the application will be reassessed in line with the Bucks Home Choice Allocation Policy.

Where the rent arrears have arisen due to exceptional circumstances beyond the applicant's control the Council may depart from this policy and the decision will be referred to a Senior Officer.

Registered Provider tenants transferring who have accrued rent arrears solely through a shortfall in housing benefit due to under-occupying their property may apply to the housing register. Each case will be looked at on an individual basis by a Senior Officer; the tenant must be able to demonstrate that they are trying to resolve the situation at an early stage by seeking a smaller property and making an attempt to cover any shortfall.

The provisions in (a) will not apply if the District Council has accepted a main housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996. The Council will contact the current or former landlord of the applicant or any member of his or her household to confirm the facts.

### **2.3.6 Right to a Review of a Decision of a Non Qualifying Person**

If the Managing Partner has made a decision that an applicant is not a qualifying person and cannot join Bucks Home Choice, the applicant will have the right to request a review of this decision within 21 days of being notified of the decision. The review will be undertaken by a Senior Housing Officer who was not involved in the original decision. The review decision will be made within a 56 day period.



### **3. Applying and registering for Bucks Home Choice**

#### **3.1 Applying to Bucks Home Choice**

An applicant for Bucks Home Choice must apply to go on to one of the four District Housing Registers. The applicant must have a local connection to the District concerned in order to qualify for the District Housing Register (e.g. an applicant for the Aylesbury Vale District Housing Register must have a local connection with Aylesbury Vale). The full definition of what constitutes a Local Connection is in Paragraph 2.3.3.

Where an applicant has a local connection to more than one District, the application will be managed and maintained by the district where the applicant has a residential local connection (i.e. where the applicant has lived for at least 2 years).

An applicant who does not have a local connection but is still a qualifying person can apply to go on to the Housing Register of any of the four Districts.

#### **3.1.2. Applications from staff, elected council members or their family members**

A person who is a member of staff of the Managing Partner, their close family and elected members in the Managing Partner may apply for housing in the same way as other applicants. A close family member is a parent, sibling or adult child. Their status should be disclosed on the application form at the time of applying. Any applicant making a successful bid for a property and subsequent letting must be approved by the appropriate Senior Housing Officer of the Managing Partner.

#### **3.2 Registration form and supporting information**

To apply to go on the Housing Register, applicants are required to complete an on-line application process at [www.buckshomechoice.gov.uk](http://www.buckshomechoice.gov.uk). Assistance from staff will be made available to applicants needing to make an on-line application. There are two stages to an application;

**Stage 1** – This is a pre-assessment process which takes details from the applicant and determines what housing options are available to them. This will include the option of making a Bucks Home Choice application if the information provided indicates that the applicant is eligible and will qualify for scheme.

**Stage 2** – If the Stage 1 pre-assessment indicates that the applicant is eligible and qualifies for Bucks Home Choice, the applicant will then have the option of making a formal application to the Bucks Home Choice scheme.

After assessment, if the applicant is accepted onto the register they will receive written confirmation of the following information:

- Their unique reference number, which allows them to express interest via Bucks Home Choice.
- The Priority Band in which the application has been placed.
- The date that the application was registered.
- The size of the property for which the applicant is likely to be able to bid for.

Applicants must also provide the information and evidence that is required to enable the Partnership to check and assess their eligibility and housing need. If an applicant fails to provide the requested information within 28 calendar days their application will be cancelled.

The Partnership will make any enquiries necessary in order to determine an applicant's eligibility to join the Housing Register and their level of priority for housing. When completing an on-line application and declaration, applicants are authorising the Partnership to make reasonable and relevant enquiries as are required to complete the assessment. When signing the application, applicants are also authorising the Partnership to disclose information to other parts of the Council and other agencies in order to verify the application.

If the applicant does not give authority to make reasonable and relevant enquiries and to disclose information to other parts of the Council or other agencies, then this may affect the assessment and final outcome of the application.

Applications will normally be assessed, once all the required information has been provided, within 10 working days.

If an applicant is ineligible or does not qualify to join the Housing Register they will be informed of the reasons for this decision and advised of the review process.

### **3.3 Persons to be included in an application**

An application for the Bucks Home Choice scheme will comprise of the lead applicant and any members of the applicant's household who require re-housing with the applicant. For the purposes of Bucks Home Choice, the applicant's household will normally comprise the applicant together with his/her partner (if applicable) and any dependent children (if applicable) who might reasonably be expected to reside with the applicant.

In assessing an application, the Managing Partner will assess who reasonably requires re-housing with the applicant. This will include consideration of the circumstances below.

Any non-dependent adult over the age of 18 and not in full time education may not be considered as part of the household and are able to make an application in their own name.

Household members who have always been living as one household will only be considered as part of the household if they are unable to live independently which will require an assessment from Adult Social Care and or medical professionals to support the request at the time of application.

For the purpose of assessing an application, dependent children are expected to share rooms with other children in the same extended family regardless of whether they are siblings.

### **3.3.1 Carers**

If an applicant wishes to include a carer in the application, then in all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing the applicant with care and the carer must need to live with the applicant to provide this care.

Even if a carer is in receipt of Carer's Allowance this does not mean that it is necessary for them to reside with the person who is being cared for. Many carers provide over 35 hours a week support whilst living in their own home. An application to include a carer in a housing application will be considered if the applicant has been assessed by Social Care as needing to receive overnight support and the persons Care Package that they would supply supports overnight care. In these circumstances a copy of the Care Package will be required.

### **3.3.2 Separated Parents and Dependent Children**

If an applicant is a separated parent and wishes to include his/her child in the application, the Managing Partner will assess whether or not the child resides with the applicant. This assessment will consider all circumstances including:

- Residence Order for the child
- Which parent is the recipient of Child Benefit and Tax Credits
- The existing residence arrangements for the child (i.e. where does the child currently stay with each parent?)
- Any other relevant information

In the case of children, the test of normal residence as a member of the family will require residence as opposed to 'staying' or 'staying access' even in cases of joint custody or joint residence or similar orders. The Council in applying the residence test will consider whether there is a sufficient degree of permanence or regularity to constitute normal residence as a member of the family. Account may be taken of whether the child is dependent upon the applicant. The Council may also take account of the supply and demand for accommodation, the general housing circumstances within the district and any under-occupation that may result where a child spends part of a week with one parent and part of a week with another.

### **3.3.3 Split families**

Where the family unit is not currently residing together and they have previously lived together as a family unit and there is a reasonable expectation that they should reside together the family will be considered as a split family. Assessment of priority band will consider the accommodation currently available by the different parts of the family and will be based on the accommodation that better suits the family's needs at the time of the application.

### **3.3.4 Support Needs**

Where an applicant has been assessed as having support needs they will not be offered accommodation until they can demonstrate that they have engaged with the appropriate services and have a continuing support plan for tenancy sustainment. This is to ensure that an applicant with support needs will be able to manage a tenancy and reduce the risk of repeat homelessness. The partner that is managing the application will consult partner agencies as required and in accordance with the Data Protection Act and GPDR 2016.

### **3.4 Right to Move**

In order to meet the criteria to qualify to join Bucks Home Choice under Right to Move the applicant must:

- be a social housing tenant
- have Reasonable Preference because of a need to move to the Local Authority's district to avoid hardship
- need to move because the tenant works or has been offered work in the district of the authority
- and has a genuine intention to take up the offer of work.

The Managing Partner must be satisfied that the tenant needs, rather than wishes, to move for work reasons. As well as other factors the Managing Partner will take into consideration the nature of work and whether similar opportunities are available closer to home.

### **3.5 False or withheld information**

Under section 171 of the Housing Act 1996 it is an offence for an applicant to knowingly or recklessly give false or misleading information or knowingly withhold information relevant to their application. Under the Act, the Local Authority has the power to take action against an applicant which could result in a fine of up to £5000.

An offence is also committed if the applicant allows a third party to provide false information on his or her behalf, or at his or her instigation.

If an applicant, or a person acting on his or her behalf, has given false information or withheld information it could:

- Affect an applicant's eligibility to join the Housing Register;

- If appropriate, result in the applicant not being given preference at all.
- If appropriate, be taken into account in prioritising applicants who have Reasonable Preference

Where there is an allegation or suspicion that a person has given false information, or has withheld information, the application will be suspended pending the outcome of an investigation. If it has been established that an applicant has provided false information the person will be deemed not to be a qualifying person.

### **3.6 Giving applicants advice and information**

The Partnership will provide advice and information to help applicants to make the most of Bucks Home Choice to meet their housing needs. This will include:

- How to apply to join the Housing Register and what supporting information applicants will be required to provide.
- Help to fill in the housing registration form (by prior appointment).
- The meaning of the priority bands and how this affects the time individual applicants are likely to have to wait.
- Advice on how to bid on a property, and how to obtain help to bid.
- Advice on other options for housing such as private renting or shared ownership.

Where an applicant is assessed as being a non-qualifying person, the applicant will be given advice and information on the other housing options open to them.

### **3.7 Renewal of applications and changes of circumstances**

Applicants must renew their applications once a year and they will receive a reminder and information on how to do this on the anniversary of the date of their application.

Applicants must also notify the member of the Partnership with which they are registered of any changes in their circumstances, such as a relationship breakdown, an older child leaving home or a baby being born.

### **3.8 Suspending or Cancelling an Application**

#### **An application will be suspended if:**

- An applicant has been asked for information to support an application and a reply is awaited.
- An applicant has changed address and not provided a change of circumstances form.
- An applicant has been asked to provide information from their support agency or worker to support their application and a reply is awaited.

If suspended, an applicant will not be able to bid for properties.

**An application will be cancelled if:**

- The applicant has asked for it to be cancelled.
- The applicant has been rehoused via Bucks Home Choice.
- The applicant has exchanged a property with another tenant and is now deemed to be adequately housed.
- The applicant has moved and not told us of their new address.
- A Partner has written or emailed the applicant about the application and there has been no response within 28 days.
- An applicant has not provided within 28 days all the information that has been requested and is reasonably required to support the application.
- A Partner has evidence that the applicant no longer qualifies for housing.
- The applicant has not responded to an offer of housing within the timescales required.
- The applicant has given false or misleading information.
- The applicant's circumstances have changed and the applicant no longer has a housing need or local connection under this policy.

In the event of an application being cancelled the partnership reserves the right to re-instate an application at its discretion.

#### **4. Assessment and Prioritisation of Applicants**

The Partnership will assess the relative priority of applicants in two stages:

**Stage One – Banding** (See 4.1)

This assessment takes place when an applicant applies to join the Housing Register and his or her eligibility and priority are assessed.

The assessment of an application will take into account any accommodation that the applicant is currently entitled to occupy and any medical and welfare needs. When assessing for lacking bedrooms a second living room that is suitable to be used as sleeping accommodation will be treated as a bedroom,

An applicant is entitled to occupy accommodation:

- As an owner, lessee, leaseholder or tenant or by virtue of a court order.
- Express or implied license to occupy i.e. as a lodger or living with relative.
- Any other enactment or rule of law giving a person the right to remain in occupation or restricting the right of another person from recovering possession.

**Worsening of housing circumstances.**

An applicant must not do (or fail to do) something for the purpose of worsening their housing circumstances. When such a situation arises, the Managing Partner will carefully assess the change of circumstances and

consider the facts of the case. The assessment of an application in these circumstances will take into account the applicants circumstances prior to the act.

For an applicant to have worsened their circumstances there must be evidence that it would have been reasonable for the applicant to have remained in their previous accommodation.

Examples of an applicant undertaking an act for the purpose of worsening housing circumstances are set out below;

- Abandoning a previous suitable tenancy.
- Moving without good reason to accommodation which is more overcrowded or is considered more unsatisfactory or insanitary than their previous accommodation.
- Selling a property or giving notice on a tenancy without having alternative accommodation available to them.
- Allowing a property to become overcrowded by inviting additional households to move in.
- Moving out of a property when housing advice has been provided for the applicant to remain in their existing accommodation.
- Moving out of an adapted property into an unsuitable or un-adapted property.
- Moving out of a property due to financial reasons when the property has been assessed as being affordable by the partnership.
- Having sufficient funds available to purchase or to rent suitable accommodation in the private sector and choosing not to do so.
- Refusing an offer of private rented accommodation in order to get a banding on BHC.
- A statutory homeless household refusing a suitable final offer
- Collusion with landlord or family member to obtain notice to quit.

If an applicant is assessed as having worsened their housing circumstances, and they qualify to join the scheme, they will be placed into band E for a period of 12 months. An applicant can then request that their application be re-assessed after this period. All relevant facts and information available will be considered in the re-assessment process.

## **Stage Two – Shortlisting (See 6.1)**

This assessment takes place when an applicant has bid on a property.

If more than one applicant bids on a property, they will be placed on a shortlist. The policy states how the relative priority of applicants on a shortlist will be determined.

#### 4.1 Priority Bands

Applicants will be placed in a Priority Band, taking into account the information they have provided with their housing application. The criteria for the Bands are given in Appendix 1.

When a change of circumstances results in a change of banding to a higher band the priority date of the banding will be amended to the date of acceptance onto the new band. Should a change in circumstances result in the band being lowered the date of application will remain.

#### 4.2 Assessment of Medical Needs

Members of the Partnership have appointed a qualified Medical Advisor whose advice may be sought when assessing whether to place an applicant in a higher priority band on medical grounds.

Applicants with serious medical problems may complete a self-assessment form. A Housing Officer will consider the information provided and make an assessment as to whether any medical priority should be awarded. In some cases the Managing Partner will seek the medical advisor's opinion before reaching a decision. They will consider the medical advisors opinion along with all other relevant information in order to determine whether a priority band should be given and also any recommendation for the type of housing required (e.g. ground floor or adapted accommodation).

If applicants have been assessed as having a medical need they will be advised of the type of property that would be considered as suitable. Bids placed by the applicant on properties not meeting the criteria recommended will not be considered for the property.

When making a decision whether to award a priority on medical grounds, the Housing Officer will look at:-

- How the current accommodation is causing or affecting the medical condition.
- How social housing would improve it.
- The severity of the effect that housing is having on the medical condition.
- The duration of the condition and any expected recovery time.
- The severity in comparison to the housing needs of other applicants.
- Whether other options are viable that could improve the situation.

Following the assessment a decision will be made whether to award a priority banding. The bandings are below:-

- **Band B "Severe"** – The current housing is having a severe impact on the applicant's (or family members) health and their health will deteriorate if the applicant is not moved to a suitable property.



- **Band C “Adverse”** – The current housing is having an adverse impact on applicant’s (or family member’s) health. Their health will not deteriorate in current accommodation, but the adverse impact will be reduced if the applicant moves to more suitable accommodation.

An applicant has a right to request a review of a decision not to award medical priority. Following the outcome of that review, the Managing Partner will not undertake any further assessment for 12 months unless there is a significant change in circumstances.

Applicants who have been awarded a medical priority to take into account difficulty with stairs and the need for ground floor accommodation will not usually be considered for a property with either internal or external stairs unless there are appropriate adaptations in place.

Medical bandings will not be awarded to those households in temporary accommodation provided by the District Council in pursuance of their homelessness duty. Any request for a review of suitability of temporary accommodation will be dealt with outside of the Bucks Home Choice Allocation Policy and via the current homelessness legislation.

#### **4.3 Assessment of welfare needs**

Some applicants may need to move on welfare grounds that are not related to a medical condition.

It is not possible to state all the circumstances that will justify Reasonable Preference on welfare grounds, and each case will be assessed individually. A panel of officers of the Managing Partner will assess each application, and will record their decisions to ensure equality and consistency is maintained.

The panel will comprise of at least two senior officers of the Managing Partner who will consider the following factors to ensure consistency when assessing welfare cases:

- Is the applicant’s current housing situation having an adverse effect on their welfare?
- If so, can the adverse effect on the applicant’s welfare be resolved without the need to move?
- If the adverse effect cannot be resolved in the applicant’s current housing situation, can it be resolved by re-housing elsewhere? (Consideration will be given by the panel to ensure that, where there is a risk to the applicant’s safety and well-being, any move will reduce that risk. This may require a move away from the applicant’s current district).
- Will the applicant suffer hardship if they do not move to a particular location in the local authority district? (Where an applicant is applying to move to live near a relative to give/receive support, the panel will consider if there is evidence to support the application. These may include confirmation from support services, evidence of carers

Allowance and any other information that the Partnership feels is relevant to the application).

In the event that the panel accepts that:

- An applicant needs to move on welfare grounds, but
- The Bucks Home Choice scheme cannot deliver a suitable move (e.g. because the applicant needs to move out of the partnership area).

The Managing Partner will liaise with the applicant and relevant agencies to identify a suitable course of action to address the welfare needs.

#### **4.4 Reviewing of Welfare and Medical Priority Banding**

The Managing Partner reserves the right to review the applicant's priority banding on an appropriate periodic basis. Applicants are expected to be actively looking for and bidding on available properties on Bucks Home Choice. In certain circumstances the Partnership may make a direct allocation of an appropriate property. Any reviews will take into account bids that have been made by an applicant, offers made and refused, along with the particular circumstances of the case.

If an applicant has been placed in Priority Band A (Welfare) or B or C (Medical grounds) and has failed to bid for any properties or accept a direct offer of accommodation, the Partnership reserves the right to review the Priority Band.

In conducting the review the Managing Partner will take into consideration the following:

- Have there been any properties advertised that would have met the applicant's needs?
- If so did the applicant apply for them?
- Why were the bids unsuccessful?
- Did the applicant receive appropriate support in accessing the bidding cycle?
- Are the applicant's circumstances the same?

On completion of the review a decision will be made whether the priority banding continues to apply. This may result in the application being removed where, without this priority banding, they would not otherwise qualify to join the housing register.

## **5. How properties will be advertised and let**

### **5.1 How properties will be advertised**

Properties will be advertised weekly in a variety of formats and locations.

- On the Bucks Home Choice website
- In the offices of members of the Partnership
- Personalised property lists may be posted to applicants who are housebound or cannot use any of the other methods

The Partnership may choose to vary the timing of the cycle for advertising properties. Any such variation will be subject to the agreement of all partners.

## **5.2 Advertising criteria**

Each property advert will have information on the location, size and type of Property and any criteria that applicants must satisfy in order to be eligible for shortlisting.

Some properties may have letting restrictions for example no pets or age restrictions

Priority for family sized accommodation of two bedrooms or more with access to a garden will be given to households with children under the age of 16 unless medical evidence of the need for a property with a garden exists.

Properties that have two reception rooms may be considered as having an additional bedroom to assist where necessary with housing larger families where larger accommodation is not available.

Any restrictions will be explained in the advert and applicants who do not meet the criteria will not be nominated for the property.

## **5.3 Properties advertised within the District Council areas**

An applicant will only be able to bid for a property that is:

- Advertised via a Partner where the applicant has a local connection with the Partners' district or,

Advertised across the Partnership and is available to all Bucks Home Choice applicants who require the size and type of property concerned (regardless of which District(s) the applicant has a local connection with).

## **5.4 Properties advertised across the Partnership**

One of the aims of Bucks Home Choice is to enable some applicants to move within the Partnership. In order to achieve this, properties that do not have a high local demand will be advertised as being available for any applicants who are registered with Bucks Home Choice, regardless of the District(s) with which they have a local connection.

The Partnership will monitor how many properties are advertised, and how many are let in this way. It will also monitor how many properties are let to applicants who do not have a local connection. This monitoring will enable

the Partnership to assess whether applicants are finding some flexibility in where they can choose to live, whilst ensuring that the District Councils continue to be able to meet their Statutory Duties.

Where a property has been advertised for three advertising cycles and the property has received no appropriate bids the Partnership reserve the right to consider allocation of the property to people outside of the Bucks Home Choice scheme.

### **5.5 Size and type of property for which applicants are eligible**

In order to make the best use of the available housing stock, it is essential to let properties to those who need that size and type of property to:

- Avoid creating overcrowding or under-occupation when letting a property
- House families with children under the age of 16 into properties with gardens.
- Minimise the risk of the applicant being unable to afford rent payments on the property that is being let
- Prioritise large families with four or more children for properties with two reception rooms

When deciding the size and type of property that an applicant is entitled to bid for, the Bedroom Standard will normally be used as 1 bedroom for each of the following:

- a) Adult or adult couple
- b) Two children of the same sex aged under 18
- c) Two children of different sexes when the eldest is aged under 10
- d) Any other child

More information is available in Appendix 2.

In exceptional circumstances the Senior Housing Officer may exercise discretion in deviating from the Bedroom Standard. In all cases applicants will need to demonstrate the property is affordable at the time of offer. Examples are:

- Where applicants require larger accommodation on health grounds, the Senior Housing Officer will consider this on a case by case basis, taking into account the advice of a qualified medical advisor appointed by the Partnership.
- Where there is little or no demand for a particular property.
- Where the applicant has been approved as a foster carer by Buckinghamshire County Council, and so will need a larger property than normally required by the household.
- Where the applicant or a member of the household needs the support of a carer who will need to sleep in the home and cannot reasonably be expected to share a bedroom with another member of the household. (See section 3.3)

## **5.6 How applicants bid on a property**

Applicants may bid on up to three properties for which they are entitled in any one advertising cycle, this can be done;

- On the Bucks Home Choice website
- In person at one of the Partnership's Customer Service Centre
- Telephone bidding by contacting relevant partner

Applicants who find it difficult to bid may ask an advocate or support worker to do so on their behalf. Help will also be available via the Partners and special arrangements will be made for vulnerable applicants who are unable to bid without help.

It is not possible for an applicant to view a property before making a bid.

## **6. Prioritising and Lettings**

### **6.1 Determining priority between shortlisted applicants**

Where more than one applicant bids on a property, they will be placed on a shortlist. Any applicant who bids on a property where they do not satisfy the advertised criteria will not be included on the shortlist. The reasons for this could include, but not be exclusive to, the following:

- a) The applicant's household size does not meet the Bedroom Standard.
- b) The applicant does not satisfy the age limit or mobility level as advertised.
- c) Has failed to meet any other advertising criteria.

The details of how applicants are awarded a Priority Band are given in Appendix 1.

For each property the applicants' bids will be ranked in the following order:-

- a) Local Connection
- b) Priority Band (Band A applicants will have a higher priority than Band B, and so on)
- c) Date of priority Banding
- d) Date of Registration

If the applicant with the highest priority on a shortlist refuses the offer, the property will then be offered to the next applicant on the shortlist. Age limited restrictions will be clearly indicated in the advert, if the applicant does not meet the specified restrictions, any bid placed on such a property will not be considered.

It should also be noted that:-

- a) If an applicant bids for a property and has rent arrears, then the bid will not be accepted and the application will be placed into a band E until the arrears have been cleared (see section 2.3.4). Once the arrears are cleared the application will be re-assessed and a banding awarded. The banding date will take effect from the date of the re-banding.
- b) Some advertised properties may be subject to a Local Lettings Policy (see section 6.2)
- c) The prioritisation of short-listed applicants will be based on the priority banding of each applicant as it stood at the point when the advert cycle closed.
- d) The prioritisation and allocation process will take account of any additional criteria set down by the landlord for the occupation of the property. Where a property has specific adaptations (e.g. wheelchair access, ramps, level access shower), priority will be given to applicants who require the adaptation in the property.

The District Councils do not own any housing stock and will make nominations to the Registered Provider who is advertising the vacancy. On some occasions nominations may be refused by the Registered Provider as they will have their own Allocations Policy which may differ from Bucks Home Choice.

In most cases the Registered Providers will undertake a financial assessment of your finances to ensure that you can afford the property before making you an offer of affordable accommodation.

## **6.2 Local Lettings Policies**

Section 166A(6) of the 1996 Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the Reasonable Preference categories.

Local Lettings Policies may be used to achieve a wide variety of housing management and other housing policy objectives. So for example, Local Lettings Policies may be used to lower the proportion of older children/young adults on an estate to reduce the incidences of anti-social behaviour; or to deal with concentrations of deprivation by setting aside a proportion of vacancies for applicants who are in employment.

Local Lettings Schemes (LLS) will be designated by Registered Provider's following detailed consultation with the relevant District Council and an assessment on the impact of a LLS. Once agreed these schemes will have their own allocation criteria. LLS will be put in place for a specific area or estate and will be set up in response to particular local circumstances. The aim of LLS is to work towards more balance within local communities to result in outcomes that reflect the wider community and address issues such as child density and the proportion of households in employment in one area or estate.

Working towards more balanced communities may mean a housing mix of:

- Different household types/client groups
- Households of different ages and/or with children of different ages
- People who are in paid employment and those who are not in paid employment
- Families which have one child and those that have two children.

The precise approach to be adopted will reflect the particular problems/issues of an area, estate or development of new build properties.

From time to time a member of the Partnership may adopt a Local Lettings Policy that will apply to a proportion of the properties that it advertises. All such local lettings policies will be published on the Bucks Home Choice website and will be available by request. The Local Lettings Policy will state clearly the justification for its adoption and operation.

In some cases, a housing scheme may be subject to planning conditions that restrict who is permitted to occupy the accommodation (e.g. a rural housing scheme where occupancy is limited to people with a local connection).

When a property is subject to a Local Lettings Policy or planning conditions, the advertisement will state the restrictions and which applicants are permitted to bid.

### **6.3 Direct allocations**

In certain circumstances members of the Partnership reserve the right not to advertise a property and allocate it directly to an applicant, or to allocate a property that has been advertised directly to an applicant. The following are examples of circumstances where a direct allocation may be made.

- a) Where a person has been assessed as needing an urgent move as a result of violence or threats of violence or through the National Witness Protection Service.
- b) Where a sensitive letting has to be made, for example for a vulnerable person, or a sex or violent offender and is subject to MAPPAs, or to deal with a severe housing management problem, where the Council considers that a direct allocation is more appropriate than requiring or allowing the applicant to bid on a property.
- c) Where the applicant is a homeless person and the Council has accepted a full Housing Duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 and the applicant has failed to regularly participate in bidding for properties which the District Council in question considers suitable. This means that applicants should bid for the maximum permitted (and available) properties regardless of the property type (for example flats/houses).
- d) Where an applicant demonstrated an urgent need to move due to serious imminent personal risk or severe harassment.

- e) Where the applicant is a homeless person where the Council has accepted a full housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 and the applicant is:
- in temporary accommodation,
  - has bid on a property or properties,
  - has not been successful, and
  - there is a strategic need to move that applicant from the temporary accommodation to make way for another homeless applicant.
- f) Where a property is identified as having adaptations or suitable adaptations a Direct Allocation may be made.

In c) and e) above, if the applicant is in accommodation secured under Section 193 of the Housing Act 1996 and the applicant refuses a suitable offer of accommodation then the District Council that is securing the accommodation under Section 193 will discharge its duty and will take possession proceedings to bring an end to the accommodation. When making a direct allocation, the preferences of the applicant will be taken into account as far as possible.

#### **6.4 Applicants subject to duty under Section 193 of Housing Act 1996 (Homelessness)**

Where a Bucks Home Choice applicant has also made an application for assistance to the District Council under Part 7 (Homelessness) of the Housing Act 1996 then the priority awarded to the applicant will be based solely on the status of their homelessness application in accordance with the relevant category set down in the Priority Bands in Appendix 1.

In these cases, the assessment of the priority band will not consider any factors set down in the other Reasonable Preference categories. Any issues relating to the suitability of the applicant's temporary accommodation will be addressed by the relevant District Council in accordance with the requirements of Part 7 of the housing Act 1996 and the associated guidance.

Further details of specific arrangements for applicants who have also submitted an application for homelessness assistance are set down below.

##### **6.4.1 Priority Banding of applicants deemed to be subject to duty under Section 193 of Housing Act 1996 (Duty to persons with priority need who are not homeless intentionally)**

Where a Bucks Home Choice applicant:

- has also made an application for assistance to the District Council under Part 7 (Homelessness) of the Housing Act 1996 and
- has been deemed to be eligible for the duty under Section 193 of the Housing Act 1996 (Duty to persons with priority need who are not homeless intentionally),



then the applicant will be placed in Priority Band D in order to give the applicant a reasonable opportunity of securing suitable long term settled accommodation.

#### **6.4.2 Re-assessment of Priority Banding when applicant ceases to be subject to duty under Section 193 of the Housing Act 1996**

If the District Council ceases to be subject to a duty under Section 193 of the Housing Act 1996 then this will be deemed to be a change of circumstances and the applicant's qualification and priority under Bucks Home Choice application will be re-assessed accordingly.

If the reassessment finds that:

- (a) the applicant continues to qualify for Bucks Home Choice (see Section 2.3) and
- (b) the duty under Section 193 of the Housing Act 1996 ceased because the applicant:
  - (i) refused a suitable offer of accommodation that was offered in performance of the Section 193 duty,
  - (ii) voluntarily ceased to occupy accommodation that was offered in performance of the Section 193 duty,
  - (iii) has become homeless intentionally from accommodation that was offered in performance of the Section 193 duty,
  - (iv) has refused a suitable final offer of accommodation made under Part 6 of the Housing Act 1996 , or
  - (v) has refused a suitable private rented sector offer

then the Bucks Home Choice application will be re-banded and placed in Priority Band E unless the applicant has suitable accommodation in which case they will cease to qualify.

The above approach aims to assist homeless applicants by giving them reasonable priority for re-housing while also recognising the scarcity of accommodation and the need for such applicants to make full use of the assistance provided under Section 193 of the Housing Act 1996. This assistance is not available to other applicants on Bucks Home Choice and, therefore, it is expected that a homeless applicant will accept all assistance offered through the Section 193 duty in order to secure accommodation.

If an applicant fails to make use of this assistance and the duty under Section 193 ceases, then the Bucks Home Choice scheme considers that it is unfair to continue to give the applicant a high priority banding (i.e. Band D) compared to the other applicants on the scheme. Therefore, the Bucks Home Choice application will be re-banded to the lowest Priority Band, Band E.

If a homeless household has not been bidding on a regular basis the Bucks Home Choice Partners reserve the right to make bids on applicant's behalf or make a direct offer of accommodation.

## **6.5 Verifying and nominating an application**

### **6.5.1 Verifying**

Before any offer of accommodation is made, the Managing Partner will contact the successful applicant to verify all relevant information on their housing application. Unannounced home visits will, where appropriate, be carried out to verify applications. Applicants will be expected to provide the required documentary proof to confirm the statements on their housing application.

The purpose of this verification is to check that the details provided by the applicant are correct, and in particular to confirm that the applicant is:

- Eligible and qualify for housing under the Bucks Home Choice Allocation Policy, and
- Suitable for the size and type of property concerned (see Appendix 2), and
- Has been placed in the correct Priority Band, based on his or her circumstances (see Appendix 1).

If an applicant does not provide the necessary information or if the verification shows that the housing application is not correct the application will be suspended and a re-assessment will be made reflecting the current circumstances. This includes where the applicants rent account is not up to date and it does not meet an exception category, the offer will be withdrawn (see Paragraph 2.3.4). The next person on the shortlist will be contacted with a view to making an offer.

If the Managing Partner is unable to contact the applicant and verify circumstances within the next working day following a home visit the applicant will not be nominated for the property.

### **6.5.2 Nomination**

If an applicant is shortlisted for a property, then the Registered Provider will contact the applicant to set down the timescales for a viewing of the property concerned and for the acceptance of any offer that is subsequently made. It is the responsibility of the applicant to attend the viewing at the stated time and to respond to the timescales set down by the Registered Provider. In the event of the applicant failing to do so, the Registered Provider will have the option to withdraw the offer of the tenancy.

In the event of the Registered Provider refusing a nomination the Partnership will require clear written reasons for the refusal. If the Partnership considers the reason for refusal as being incorrect, unjust or subjective then the Partnership will submit a written request to the Registered Provider to review their decision.

### **6.5.3. Withdrawal of a nomination**

In very exceptional circumstances, the Registered Provider may withdraw an advert/ offer of accommodation, these circumstances may include but not be limited to:-

- Where an error has been made in the advertising criteria.
- When it has been established that the property needs extensive works.
- When the property has been advertised, but the existing tenant has withdrawn their notice.
- When the property has been advertised but withdrawn for a direct let for an urgent case.
- When the nominee does not qualify under their Allocation Policy

### **6.6 Temporary suspension from bidding**

An applicant will be suspended from bidding on a temporary basis when:

- They are placed under offer for a property the application will be suspended until the applicant decides if they will take the property or not.
- They have accepted a property as it will be considered their housing requirements have been met. Once the property has been let to the applicant the application will be removed from Bucks Home Choice
- They have refused three offers of accommodation that they have bid on and the Partnership considered suitable for the applicant's needs. The application will be suspended for 6 months and the applicant will be advised in writing of this decision. During this period an applicant will not be permitted to bid on any advertised properties.

## **7. Review of decisions and complaints**

### **7.1 Asking for a decision to be reviewed**

Applicants have rights under the Act to ask for the review of a decision. The following decisions are subject to the right to request a review:

- a) The applicant's housing application has been refused on the grounds they are not eligible or qualifying person.
- b) The applicant is removed from the housing register on the grounds they are no longer eligible or qualifying person.
- c) An applicant's Priority Banding (i.e. the applicant disagrees with the banding that they have been awarded and wishes to have their banding reviewed).
- d) Any decision about the facts of a particular application which have been taken into account to assess whether an allocation should be made.
- e) Any decision to suspend an application due to the applicant having refused three offers of a tenancy (see section 6.6).

Applicants should request a review within 21 days of being notified of a decision.

The review will be carried out by the Managing Partner that made the decision in respect of (a) to (e) above. Reviews will be carried out by a Senior Officer who was not involved in the original decision.

The applicant will be notified of the review decision in writing within a 56 day period of the review being requested.

Once a review has been completed and the applicant has been notified of the decision on review, the applicant cannot request a further review on the same decision unless there has been a factual change in his/her circumstances.

## **7.2 Making a complaint**

Each member of the Partnership has a published procedure for customer complaints which can be found on their website or a hard copy is available upon request.

## **8. Monitoring and policy review**

### **8.1 Monitoring**

The Partnership will monitor the outcomes of lettings through Bucks Home Choice, to assess whether it is meeting the aims stated in section 1.3 and the Equality Statement in section 1.4.

### **8.2 Policy review**

The results of monitoring will be used to review this Policy. Reviews will be carried out annually, but the Partnership may carry out an earlier review if monitoring shows that this is necessary.

The Policy may also be subject to minor amendments from time to time, for example, when there are changes to relevant legislation. When this is necessary, changes will be authorised by the Partnership's Senior Housing Officers or relevant Heads of Service and will be subject to the agreement of all four Managing Partners.

## **9. Data Protection and information sharing**

### **9.1 Data Protection**

9.1.1 All information held by the Partnership is subject to the Data Protection Legislation (including the Data Protection Act 2018 ("DPA") and the General Data Protection Regulation (EU) 2016/679 2016 ("GDPR"). Information will be used in accordance with each Managing Partner's Privacy Notice which can be found on their websites.

9.1.2 In order to deal with an application the Applicants personal data will be used and the Managing Partner will contact third parties to obtain and share information in order to comply with the statutory obligation of processing the Applicants housing and/or homelessness application. The processing of such personal data is necessary for the partners to comply with their legal obligations under the law on housing and homelessness.

## **9.2 Information Sharing**

9.2.1 Information about the Applicants relating to their housing options, homelessness and/or threatened homelessness may be shared with third parties including but not limited to private sector landlords, Registered Providers, lettings agents, health services, children, family and adult services, education services, Department of Work and Pensions, Housing Benefit and Council Tax services, the Police, prisons, probation and youth offending services, Citizens Advice and voluntary sector organisations.

9.2.2 Each Managing Partner will on an annual basis publish lettings information including the age, sex, ethnicity and nationality of applicants and new tenants. This information will be statistical only and will not identify individual applications or tenants.

## **9.3 Councillor or MP enquiries on behalf of Applicants.**

9.3.1 The Managing Partner will give its Councillors and MPs personal data about the Applicant if the Applicant asks it to or if the Councillor or MP reasonably needs it to carry out their duties, but the Councillor and/or MP must not use it for other purposes.

## **9.4 Enquiries made on behalf of applicants by an advocate organization.**

Where an enquiry is received by an advocate/ organisation on your behalf, the District Council may release your “personal data” in response to their queries; this may include information on your age, marital status, housing history, household type, economic status, benefits, income, support services received and medical history.

A Managing Partner will only release information and discuss an applicant’s case with an advocate agency if the applicant has given written consent to do. The applicant will be asked to sign a data release consent form.

## APPENDIX 1 *Priority Bands*

**This Policy assesses the relative priority of Bucks Home Choice applicants by placing them in a Priority Band that best reflects the applicant's current housing circumstances and level of housing need.**

**The Priority Bands take account of the requirement of Section 166A (3) of the Housing Act 1996 which states that a local housing authority's allocation scheme must be framed so as to secure that Reasonable Preference is given to the categories of household listed in Appendix 3 of this policy.**

**The Priority Bands are listed below.**

<b>Band A</b>
<ol style="list-style-type: none"><li>1. Applicants or a member of his or her household who are living within one of the Partnership Districts and <b>have demonstrated an urgent need to move due to serious imminent personal risk or</b> severe harassment and rehousing is the only option. The Partnership reserves the right to make a Direct Let of accommodation. As determined by a Senior Officer.</li><li>2. Applicant or a member of his or her household whose health or disability is so severely affected that they physically cannot access their current home and/or essential facilities within their current home and it is not possible for adaptations to be carried out to the property to provide this access.</li><li>3. Applicants who cannot leave hospital because they have no suitable accommodation elsewhere and require specially adapted accommodation.</li><li>4. Social Housing tenants with a Registered Provider within the Bucks Home Choice Partnership area who are under-occupying family accommodation and are wishing to downsize to a suitable size property as set down in appendix 2.</li><li>5. Families living in accommodation where there are two or more bedrooms short or the property is statutory overcrowded.</li><li>6. Social Housing tenants within the Partnership area with a Registered Provider and are living in a property that has been built or adapted for a person with a disability and this is no longer needed.</li><li>7. Applicants as assessed by the Safeguarding Board and a more suitable property is essential to reduce the risk.</li></ol>

**Band B**

1. Applicants living in supported housing who have been nominated to the Housing Register as being ready for move on and where there is an agreed move on protocol in place between the landlord/support provider and the District Council with which the applicant is registered.
2. Applicants who are due to leave care of the Children and Families services (Aftercare Team) and who are ready for independent living. Priority band B will only be awarded where the move is being undertaken in accordance with the Buckinghamshire Leaving Care Protocol between Bucks County Council, Aylesbury Vale, Chiltern, South Bucks and Wycombe District Councils'.
3. Applicants who need to move on medical grounds because their current home is having a severe impact on the health of a member of the household and re-housing to more suitable accommodation will help to reduce this impact and his/her health will deteriorate if the household is not moved to more suitable accommodation. Priority band B will only apply where the applicant is bidding on properties that will reduce the impact on the health of the member of the households.
4. Households living in accommodation where the household is lacking one bedroom.
5. Living in insanitary or unsatisfactory conditions which would include properties affected by lack of amenities or services, severe damp. Major structural defects, flooding, collapse of roof or statutory nuisance and the conditions cannot be rectified within a reasonable period. As assessed by the partner district council against the relevant legislation including housing standards and relevant safety rating systems.

**Band C**

1. Applicants that need to move on welfare grounds as agreed by the Bucks Home Choice Partnership. Applicants who need to move on medical grounds because their current home is having an adverse impact on the health of a member of his or her current accommodation and their health will not deteriorate in their current accommodation but the adverse impact will be significantly reduced with a move to more suitable accommodation. The recommendation of the medical advisor may be taken into consideration when deciding what level to priority to award and the type of accommodation necessary to alleviate the impact.
2. Applicants who may need assistance in finding their own accommodation such as adults with a learning disability/ mental health grounds who are ready to leave the family home and who are currently receiving a care package/support package from Bucks CC.
3. Families living within another household where there is sufficient bedrooms to accommodate both families e.g. adult children with their own families living in the parental home
4. Armed Forces applicants who have been discharged due to serious injury in the past five years

**Band D**

1. Applicants who are subject to the main housing duty S193(2) under the Housing Act 1996 Part VII and have been accepted as homeless, in priority need and unintentionally so by:-  
Aylesbury Vale District Council  
Chiltern District Council  
South Bucks District Council  
Wycombe District Council
2. Singles/Couple with no dependent children sharing where there is no overcrowding. (For the purpose of this policy sharing accommodation means sharing the use of the kitchen, bathroom and toilet facilities)
3. Singles/Couples who are living in HMOs (House in Multiple Occupation). (For the purposes of this policy, a HMO is a building which is lived in by more than one separate household who share basic facilities such as kitchen, bathroom or a toilet. People are treated as being part of the same household if they are related to each other (family members) or live together as a couple)
4. Sofa surfers, single person households without a fixed address who rely upon friends and family for accommodation for limited periods (also known as Sofa Surfers) and verified rough sleepers. (Verified by the Council's partner agencies)
5. Singles or couples who are over 55 and seeking designated aged persons accommodation for persons 55 and over and whose circumstances do not fall into bands A-C and do not hold any form of social housing tenancy within the partnership.
6. Applicants living in Supported Housing who do not qualify under a



move on protocol.

7. Applicants who are in care of Children and Families who wish to register prior to being 18 under the Buckinghamshire Leaving Care Protocol.
8. Applicants who are serving in the armed forces (or have served in the armed forces with the five year period immediately preceding their Bucks Home Choice Application) and who do not satisfy any of the Reasonable Preference categories listed in Appendix 3.
9. Applicants who have recently left ministry of defence accommodation because of the death of a spouse, who served in the regular force and whose circumstances do not fall in Priority Bands A,B or C.

### **Band E**

1. Applicants who are homeless within the meaning of Part VII of the Housing Act 1996 and who have been assessed as being owed a relief duty by one of the members of the partnership.
2. Applicants who are homeless within the meaning of Part VII of the Housing Act 1996 and who have been assessed as being owed a prevention duty by one of the members of the partnership(unless a higher priority banding applies).
3. Applicants who have applied for assistance to one of the four District Councils' belonging to the Bucks Home Choice Partnership under Part VII of the Housing Act 1996 where the Council has reached a decision that they are homeless and in priority need but have been determined to be homeless intentionally s191(3).
4. Applicants who have applied for assistance to one of the four District Councils' belonging to the Bucks Home Choice Partnership under Part VII of the Housing Act 1996 where the Council has reached a decision that they are homeless but not in priority need.
5. Applicants who have applied for assistance to one of the four District Councils' belonging to the Bucks Home Choice Partnership under Part VII of the Housing Act 1996 and have ceased to be subject to a duty under S193 and who meet the circumstances set down in 6.4.2
6. Applicants who have been assessed as having worsened their circumstances.
7. Applicants who are subject to Reasonable Preference under Section 166A(3) of the Housing Act 1996 (see Appendix 3) and who fall within one of the classes of person listed in Section 2.3B of the Policy (i.e. applicants who are deemed not to qualify for the Bucks Home Choice scheme unless they are deemed to have a Reasonable Preference)
8. Applicants accepted under the Right to Move (see Paragraph 3.4)

## Appendix 2

### Bedroom Standard and Type of Accommodation

When deciding the size of property for which applicants will be eligible, the following Bedroom Standard will be used.

<b>Bedroom Standard</b>				
<b>Household Size</b>	<b>Number of bedrooms</b>			
	<b>1 *</b>	<b>2</b>	<b>3</b>	<b>4</b>
Single Person	✓			
Couple wishing to live together	✓			
In exceptional cases e.g. where there are care needs adult siblings wishing to live together		✓		
Parent(s) with one child		✓		
Parent(s) with two children of the same sex both aged under 18 years		✓		
Parent(s) with two children of opposite sex both aged under 10 years		✓		
Parent(s) with two children of the same sex and the oldest is aged 18years or more			✓	
Parent(s) with two children of opposite sex where the older child is aged 10 years or over			✓	
Parents with three children where two children can share (because they are (i) same sex both under 18 or (ii) different sex both under 10)			✓	

Parents with four children where it is possible for two pairs of children to each share a bedroom (because they are (i) same sex both under 18 or (ii) different sex both under 10)			✓	
Parents with three children where none of which can share (same sex over 18 or different sex over 10)				✓
Parents with four children where only two can share (same sex both under 18, or different sex both under 10)				✓
Parents with five or more children				✓

\*For the purposes of this policy a bedsit/studio is considered suitable for either a single person or a couple.

In all cases, where children meet the criteria to share a bedroom, the applicant will only be considered for a property which meets the families need, based on the above bedroom standard.

- When deciding whether an applicant and his or her household is under-occupying accommodation, or lacks one or more bedrooms, the lower number of bedrooms shown against each size of household will be used as the “standard” number of bedrooms required. For example, a family with two children who is living in a relative’s home and has the use of one bedroom will be deemed to lack one bedroom.

Where a bedroom can accommodate bed/beds in line with Housing Benefit rules, this is deemed adequate. There may be exceptions to this i.e. Sloping ceiling under stair or eaves, where it may be relevant to reconsider.

A bedroom being used for storage will still be considered to be available as a bedroom

Where a property has two reception rooms it may be considered that one of the reception rooms can be used as a bedroom.

Type of accommodation

- Age restricted housing will normally be available for applicants over 55.
- Accommodation that is designated as supported housing will be available only for applicants who are eligible for that particular accommodation. For example, some supported housing is provided exclusively for people with learning difficulties, or for young people leaving care.

Where accommodation is available only for applicants who satisfy such special criteria, this will be made clear in the advertisement of the property

### **Appendix 3 Reasonable Preference**

The Housing Act 1996 requires that the Bucks Home Choice scheme must give Reasonable Preference to certain groups of people.

The Reasonable Preference groups are listed in Section 166A (3) of the Housing Act 1996 as follows:

- People who are homeless (within the meaning of Part 7 (Homelessness) of the Housing Act);
- People who are owed a duty by any local housing authority under Part 7 (Homelessness) of the Housing Act 1996 because they are:
  - Homeless and in priority need but homeless intentionally;
  - Homeless and in priority need and not intentionally homeless;
  - Threatened with homelessness and in priority need and not intentionally homeless;
  - Not intentionally homeless but not in priority need;
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds (including grounds relating to disability).
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship to themselves or others.

The specific categories in the Priority Need bandings (see Appendix 1) take account of these Reasonable Preference categories. However, in deciding how one applicant should be prioritized compared to another with similar needs, the Bucks Home Choice scheme will also take account of factors such as local connection, behaviour and the financial resources available to each applicant.

For example, an applicant who;

- (i) falls into one of the Reasonable Preference categories and
  - (ii) who has a local connection to the Managing Partner's district
- will be placed in a higher priority band than an applicant with similar needs who does not have a local connection.

Further information on the qualification and prioritising of applicants can be found in Section 2 of this Policy

### Appendix 4

<b>Explanation of the terms used in this policy</b>	
Applicant	The term “applicant” includes single people and couples.
Household	The term “household” includes all eligible adults and dependent children included in the applicant’s application. Short term sharing arrangements or temporary part time arrangements will not normally be classified as a household member (see Section 3.3)
Reasonable Preference category	. See Appendix 3.
The Act	The Housing Act 1996 as amended
Child	A person under 16
Housing Register	A database of applicants for Bucks Home Choice
Change of Circumstances	A change in household circumstances (e.g. address/accommodation, addition of an adult household member) that may affect BHC qualification and/or priority banding
Registered Provider	A private non-profit making body that is registered and regulated by Government to provide and manage affordable housing (also known as a Housing Association)
Definition of Social and Affordable Housing	Affordable housing is social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.

## **Appendix 5**

### **Policies**

In accordance with Section 166A (12) of the Housing Act 1996, the Bucks Home Choice Allocation Policy has been prepared with regard to the following Strategies:

Bucks Tenancy Strategy (Adopted January 2013)

Aylesbury Vale District Council Housing and Homelessness Strategy 2014-2017

Chiltern and District Council and South Bucks District Council Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021

Wycombe District Council Homelessness Strategy 2014-2019



## Equality Impact Assessment

<b>Name of project/strategy/service being assessed</b>	<b>Review of the Bucks Home Choice Allocation Policy</b>	<b>Cabinet meeting date</b> <i>If applicable</i>	<b>6<sup>th</sup> March 2019</b>
<b>Service area</b>	<b>Housing and Environment</b>	<b>Date EIA created</b>	<b>December 2018</b>
<b>Name of Completing Officer</b>	<b>Kathryn Hobman</b>		
<b>Approved by Head of Service</b>	<b>Nigel Dicker</b>	<b>Date approved</b>	

Equality Impact Assessments (EIA's) are designed to ensure that Wycombe District Council complies with all relevant legislation and fulfils its duty under the Public Sector Equality Duty (PSED). This comprises of three limbs which are set out in Section 149(1) of the Equality Act 2010. This requires that all public bodies, in the exercise of its functions, to have '**due regard**' to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Each service area has an Equality Champion (see the Equalities tab on WySpace for an up to date list). Please ensure that the relevant Champion is aware that an EIA is being undertaken as, if needed, your Equality Champion can provide advice and guidance on completing the EIA. Guidance on the completion of an EIA, along with information on the PSED and protected characteristics can be found in the documents section of the Equality page on WySpace (via the Corporate tab), along with a quick reference guide located here as Appendix 1.



## Stage 1 – Initial Scope of the Equality Impact Assessment

Please answer the five questions below to determine whether a full EIA needs to be conducted.

Will the service/policy/strategy affect any people or groups of people directly (including staff/members of the public)?	Yes	X	No	
Will it affect how other services are provided?	Yes		No	X
Will it have employment implications?	Yes		No	X
Do you have information suggesting that this service/policy/strategy will affect particular groups of people?	Yes	X	No	
Do you need further information or to undertake further research to answer any of the above questions?	Yes		No	X

If the answer to any of the above is ‘yes’, then a full EIA will need to be carried out and Sections 2- 4 will need to be completed.

If the answer to all of the above is ‘no’ then a full EIA does not need to be carried out, but to ensure consistency in approach, the EIA will need to go through the Challenge Process. Please e-mail the EIA to Catherine Herries-Smith; [Catherine.Herries-Smith@wycombe.gov.uk](mailto:Catherine.Herries-Smith@wycombe.gov.uk) , Policy Officer at who will review and discuss as necessary. Then, if following the Challenge Process:

- a) it is agreed with the Policy Officer that no further stages need to be completed the Head of Service needs to approve the assessment and return a Word electronic copy to the Policy Officer for publication.

OR

- b) it is agreed with the Policy Officer that Stages 2 - 4 need to be completed, then the Head of Service will need to approve only once the full EIA is completed at which point a Word electronic copy should be returned to the Policy Officer for publication.





## Stage 2 – Information Gathering/Data Collection

<p><b>What are the aims of the strategy/policy/procedure?</b> Why is it necessary? What is it trying to achieve?</p>	<p>The allocation of social housing is governed by the Housing Act 1996 (as amended) .The Bucks Home Choice Allocations Policy was adopted in May 2014 when a full EIA was undertaken. Following the Homeless Reduction Act 2017 being implemented in April 2018, a review of the Bucks Home Choice Policy has been completed to assist the Council fulfil its' statutory responsibilities in the prevention and relief of homelessness.</p>
<p><b>Which aspects of the policy/strategy/procedure are relevant to equalities?</b> NB A list of impacts is NOT required at this stage, just identify areas – can be a bullet point list.</p>	<p>The revised policy has 10 major amendments and also a revised banding table. As there is currently an EIA on the existing policy, this EIA will look specifically at the proposed changes. Some changes have been made following legal advice. The changes will be applied upon adoption of the amendments to the Bucks Home Choice policy and encompass all aspects of the protected characteristics.</p> <p>Major changes will be made to the banding table and how applications are prioritised Home Owner Occupiers over the age of 55 will no longer be able to apply for social housing.</p>
<p><b>Identify the main data sources/information gathered</b> e.g. Workforce reports, census data, staff survey etc.</p>	<p>Main data sources have been taken from existing data, the current Bucks Home Choice Policy and the Homeless Reduction Act 2017.</p>
<p><b>How have you engaged with service users/members of the public/staff?</b> e.g. staff forums, consultations, questionnaires etc.</p>	<p>All stakeholders have been consulted. Consultation finished on 7<sup>th</sup> January 2019.</p>
<p><b>Is the responsibility for this strategy/policy/procedure shared with another service/organisation/agency?</b></p>	<p>Bucks Home Choice is a policy adopted equally by Aylesbury Vale DC, Chiltern DC, South Bucks DC and Wycombe DC. Each authority will be completing an individual EIA.</p>
<p><b>Is further consultation/research or data collection planned or required?</b> Is so, what is the aim of the research? Why is it needed?</p>	<p>No</p>



### Stage 3 – Impact Assessment & Analysis

Areas to consider	Impact Identified Y/N	Description of impact and likelihood of occurrence (positive, negative, no impact; high/medium/low likelihood)
<p><b>Protected Characteristics</b> (i.e. age, disability, gender reassignment, marriage &amp; civil partnership, pregnancy &amp; maternity, race, religion &amp; belief, sex and sexual orientation)</p>	<p>Y</p>	<p><b>Occurrence High, Impact Low.</b></p> <p><u>Age</u> - Older people will be affected by the change of not allowing owner occupiers and those being able to resolve their own housing need, onto the housing register. The impact on this characteristic will be low as owner occupiers are not considered to be in housing need.</p> <p>Existing tenants will be awarded the highest banding ( positive impact) to encourage them to move to more suitable accommodation rather than waiting a long time for adaptations to be carried out to enable them to stay safe in their home. This is likely to have a positive impact on older persons who are under occupying social rented family homes.</p> <p><u>Disability</u>- Social housing tenants residing in accommodation with a disability adaptation will be given the highest priority to move to enable a household needing the adaptations to have accommodation. This will have a positive impact.</p> <p><u>Gender Reassignment</u>- No Impact</p> <p><u>Sex</u>- No impact currently anticipated, however this will be kept under review.</p> <p><u>Maternity &amp; pregnancy</u>- No impact currently anticipated, however this will be kept under review.</p> <p><u>Marriage &amp; civil partnership</u>- no impact currently anticipated but will be kept under review</p>



# WDC Equality Assessment form

people ● place ● pounds

		<p><u>Race</u>- no impact currently anticipated but will be kept under review</p> <p><u>Religion and belief (including no belief)</u> - no impact currently anticipated but will be kept under review</p> <p><u>Sexual Orientation</u>- no impact currently anticipated but will remain under review.</p>
<p><b>Other relevant groups</b> (e.g. low income, ex-armed forces personnel, homeless people etc.)</p>		<p>The biggest change to the banding table will complement the Council's statutory duty to prevent homelessness, by amending the banding table to encourage parents/families to keep their family members at home rather than them being made homeless.</p> <p><b>Homeless Households</b> who are more likely to be from low income families will be affected as in order to meet the Council's prevention duty, they are being moved to a lower band and will have to wait longer before receiving an offer of social housing ( <b>negative impact</b>)</p> <p>By changing the bandings and giving greater priority to households especially those living with family this will have a positive impact on the vast majority of applicants with a protected characteristic. By giving them a greater priority will enable households not needing to become homeless in order to secure social housing.</p>

NB. Please note that when considering impacts in relation to marriage & civil partnership - the duty is solely to ensure that there is no unlawful discrimination against this protected characteristic.



### Stage 4 - Equalities Improvement Plan

Protected Characteristic/Other relevant groups	Impact Identified Y/N	Measures identified to reduce/mitigate impact (Also include all positive actions included in your proposals)	Review date	Review update/ monitoring comments	Officer/Service Responsible
n/a					

Area of Consideration	How are/will we work to: (Also include all positive actions included in your proposals)	Review date	Review update/ monitoring comments	Officer/Service Responsible
Eliminate discrimination, harassment & victimisation	The Choice Based Lettings System is designed to provide housing assistance based upon housing need. The policy will be reviewed internally to ensure that any groups with protected characteristics are not disproportionately affected.	TBC Post implementation		Housing Options Team Leader
Advance equality of opportunity	The policy is designed to ensure equal opportunity for those in housing need to be able to access social housing. The policy will be reviewed internally to ensure that any groups with protected characteristics are not disproportionately affected.	TBC Post implementation		Housing Options Team Leader
Promote good relations between groups (including community cohesion)	N/A			

NB. Please note that when considering impacts in relation to marriage & civil partnership - the duty is solely to ensure that there is no unlawful discrimination against this protected characteristic.



## Appendix 1 – Quick Reference Guide

For full guidance and further suggested reading please refer to documents located under the Corporate Equalities tab on WySpace. Documents include ‘Completing an Equality Impact Assessment.’ Below are a list of the key terms and definitions:

### Protected Characteristics

There are 9 specified Protected Characteristics as listed below:

**Age** – to include all age groups.

**Disability** – a person is considered to have a disability if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. People with progressive illnesses such as cancer, multiple sclerosis (MS) and HIV are considered to be disabled from the point of diagnosis.

**Gender Reassignment** – any person, who has undergone, is undergoing or is considering gender reassignment. A person does not need to be seeing a doctor or under medical supervision to be covered by the Act.

**Sex** – both men and women are covered.

**Maternity & pregnancy** – the Act applies during a woman’s pregnancy and any statutory maternity leave.

**Marriage & civil partnership** – for both marriage and civil partnerships, the PSED only extends to ensuring that due regard is given in relation to eliminating discrimination.

**Race** - this includes all ethnicities, races, colours, national origins as well as nationalities. This includes Roma & Traveller communities as well as refugees/migrants.

**Religion and belief (including no belief)** – Religion refers to any religion with a defined structure and belief system. Belief refers to any religious or philosophical belief. The Act also provides protection for those with no belief (e.g. agnostic/atheist).

**Sexual Orientation** - the Act protects heterosexual, homosexual and bisexual people.



### **Types of Discrimination**

**Direct Discrimination** occurs when a person in the same situation as others is treated less favourably because of a protected characteristic they have (or are thought to have – perceptive discrimination) e.g. their age, race, sex etc.

**Indirect Discrimination** occurs when a condition or requirement, although applied equally, excludes, penalises or treats a person less favourably because of their race, disability etc.

**Institutional Discrimination** is the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin (taken from the *MacPherson Report, 1999*).

**Harassment** is defined in the Equality Act as ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating and intimidating, hostile, degrading, humiliating or offensive environment for that individual.’ In deciding whether harassment has occurred the following must be considered; the perception of the person; the other circumstances of the case and whether it reasonable for the conduct to have that effect.

**Victimisation** is defined in the Equality Act as treating someone badly because they have done (or you believe they are going to do) a protected act. These include making a complaint of discrimination and helping someone else make a claim. NB The less favourable treatment does not need to be linked to a protected characteristic.

**Associative Discrimination** - This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.



### **Quick Guide to the Stages**

#### **Stage 1**

The questions in this section are there to help you decide whether a full EIA should be undertaken. The questions should also help you to decide whether you have all the relevant information needed and if not, what further data/research is required to continue with the EIA.

#### **Stage 2**

Stage 2 is to help you consider the policy/strategy/service under assessment, analyse the data available, highlight areas requiring further research as well as encourage you to consider how equalities (across all strands and including community cohesion) is, in broad terms, relevant and/or impacted by this policy.

#### **Stage 3**

Within Stage 3, all protected characteristics should be considered and the Officer should consider each group individually to see if the policy/strategy/service will have an impact. Additionally, the Officer must consider the impact in relation to advancing equality of opportunity and promoting good relations between groups (including community cohesion). It is important that **active consideration and thought** are given to ensure that all possible impacts (negative, positive and no impact) are considered and thought is given to the likelihood of these impacts occurring.

#### **Stage 4**

Stage 4 comprises of two action plan tables. In the first table any impacts identified in Stage 3, need to be considered and the steps/actions that are to be taken to mitigate or reduce these impacts, or if positive impacts are required and necessary how these are to be sustained, are to be documented. In addition, the second table requires Officers to consider how the policy/strategy/service under assessment will impact on any of the three main PSED duties and what positive steps could be taken.

These steps need to be concise, measureable and have a realistic timeframe for completion alongside the name of the Officer and service responsible for the action plans. Additionally, there is a requirement for a review date and space for updates to be input into this table to show continuous monitoring and action planning in relation to the required steps.

Continuous monitoring and improvement can include consideration of how actions implemented will be measured, how any results will be analysed and over what time period will the actions/results be reviewed.

**Notification for Press and  
Public.**

**Notification of Items expected to be taken in exempt session,  
as required by access to information requirements.**

The meeting will be asked to resolve that the Press and Public be excluded from the meeting during consideration of the following items as they contain exempt information as defined in Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, more particularly as follows:-

**Item 6 Cressex Island – Appendices A, B and C**

**Item 7 Handy X Hub Phase 3B – Appendix A**

**Item 12 Green Space Contract Procurement**

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

[The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future tender process or negotiations]

**Item 13 File on Action taken under Exempt Delegated Powers**

**Community Sheet No: C/2/19**

**Economic Development & Regeneration Sheet Nos: EDR/02/19 – EDR/09/19**

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

[The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future tender process or negotiations]



# Agenda Item 6.



Report For:	Cabinet
Date of Meeting:	Cabinet 11 March 2019
Part:	Part 1 - Open Report with Part 2 Appendices
If Part 2, reason:	Para 3 - Information about the financial or business affairs of any particular person (including the authority holding that information).

<b>SUMMARY</b>	
<b>Title of Report:</b>	<b>CRESSEX ISLAND</b>
Cabinet Member: Officer Contact: Direct Dial: Email:	Councillor Steve Broadbent Charles Brocklehurst 01494 421280 charles.brocklehurst@wycombe.gov.uk
Ward affected:	Booker and Cressex
Reason for the Decision:	The proposed disposal of part of the site is above delegated authority levels.  The proposed investment in the development of the remainder of the site is not in the Capital Programme and requires a recommendation to Full Council.
<b>Proposed Recommendation:</b>	That: <ul style="list-style-type: none"> <li>(i) the freehold interest in the western two-thirds of the Cressex Island site be disposed of on the terms set out in confidential Appendix A;</li> <li>(ii) the development of the eastern third of the Cressex Island site be funded by the Council, for retention as a let investment, on the terms set out in confidential Appendix A; and</li> <li>(iii) approval of the detailed terms of the disposal be delegated to the Corporate Director in consultation with the Major Projects Executive, the Head of Finance and Commercial, and their respective Cabinet Members.</li> <li>(iv) Cabinet recommend to Council a supplementary estimate as set out in Appendix A for the development and enabling works.</li> </ul>
Sustainable Community Strategy/Council Priorities - Implications	Risk: Heads of Terms for both (i) and (ii) have been agreed – both transactions are conditional upon obtaining planning consents and at this stage are subject to contract. Traffic impact is being modelled. Next retaining wall access rights need tidying up.  Equalities: The proposed purchasers will be

	<p>responsible for any EIA (if applicable) as part of their planning applications.</p> <p>Health &amp; Safety: The proposed purchasers / tenants will be responsible for appointing a Principal Designer under CDM regulations.</p>
Monitoring Officer/ S.151 Officer Comments	<p><b>Monitoring Officer:</b> Section 123 of the Local Government Act 1972 provides power for the Council to dispose of land in any manner it wishes. Other than in the case of a short tenancy for less than 7 years, the disposal must be for the best consideration that can reasonably be obtained, unless the Secretary of State has first given explicit consent to the contrary, or the General Disposal Consent (England) 2003 permits it (i.e. if the undervalue is £2m or less), Under Section 1 of the Localism Act 2011 the general power of competence provides power for the Council to do anything that individuals generally may do, subject to the restrictions in Sections 2-4.</p> <p><b>S.151 Officer:</b> The additional costs as set out in the confidential appendix will require supplementary estimates to be approved by Council.</p> <p>The additional net receipt as set out in the confidential appendix will be included in the updated capital strategy for 2020/21.</p> <p>The supplementary estimate can be funded from the additional capital receipt.</p>
Consultees:	<p>The proposed purchasers will be responsible for any fresh public / statutory consultations as part of their planning application.</p>
Options:	<p>The site was previously under a Contract for Sale to Costco, who paid the Council to rescind their Contract in December 2017. Subsequent marketing based on an 'auto park' concept failed to secure pre-lets. Splitting the site as part disposal / part retention is the preferred option.</p>
Next Steps:	<p>Instruct external solicitors to complete a Contract for Sale.</p>
Background Papers:	<p>None</p>
Abbreviations:	<p>None</p>

Appendices to this report are as follows:

Confidential Appendix A – Terms and Funding

Confidential Appendix B – Options Appraisal Financial Summary

Confidential Appendix C – Cressex Island Site Plan

### **Detailed Report**

1. Cressex Island is an area of approx. 3.4 ha (8-5 acres) lying between John Hall Way and Crest Road. In 2011, the eastern end was sold to Next; in 2016, the remainder was contracted for sale to Costco. However in late 2016, Costco informed the Council that they were not going to complete the purchase and bought their way out of their contract. In the meantime, they had secured a 'minded to grant' decision on their planning application.
2. Initial proposals for an alternative mixed-use commercial scheme focussed upon the potential to group car showrooms along the John Hall Way frontage, with a proposed discount foodstore and 'trade counters' on the southern half of the site. However, uncertainty in the auto-sector prevented 'pre-lets' from being achieved. So a simpler Plan B was devised, based on splitting the site into two:
  - (i) The eastern third of the site to be developed by tenants as a discount foodstore and drive-thru' restaurant, funded by the Council as a retained let investment
  - (ii) The western two-thirds of the site to be disposed freehold to developers for speculative industrial development
3. The proposed development for retention (i) is a repeat of the Council's Baker Street Aldi scheme (with an added drive-thru' pre-let to McDonalds). This was based on the Council making a landlord's contribution towards Aldi's development costs (Aldi acting as developer and taking the construction cost risk). The Council appointed a Project Manager/QS as 'monitoring surveyor', reporting to the Major Projects Executive. A summary of the agreed terms and funding required is in the confidential appendix. The funding will be an addition to the Capital Programme.
4. The proposed industrial development has been competitively marketed by the Council's appointed commercial property agents. A summary of the agreed terms is in the confidential appendix. The projected capital receipt was not included in the Capital Programme.
5. Both proposed developments are conditional upon the tenants/developers obtaining planning approvals. The proposed foodstore/drive thru' carries the usual planning risks (sequential test/retail impact/traffic modelling and potential Judicial Review). The proposed industrial development also carries planning risk (traffic modelling and visual impact) although the proposed use is appropriate to the site's employment land allocation.
6. The previous minded-to-grant Costco planning decision included a Sn106 obligation to reconfigure the Crest Road/John Hall Way road junction-replacing the existing mini-roundabout with a traffic light controlled junction. Their cost estimate for these works is currently being reviewed by the Council's advisers. The cost of a new junction will form part of the development costs of the site -either as an addition to the proposed Aldi development or as a reduction from the land price offered for the industrial site. An

allowance for these works has been made in the supplementary estimate which is to be recommended to Council.

### **Conclusion**

7. The proposed transactions will result in a substantial capital receipt, part of which can be used to fund the retained pre-let retail element, generating a substantial revenue income. The overall scheme will result in bringing this long-vacant site into beneficial use with the potential to accommodate approx. 150 jobs.

# Agenda Item 6. Appendix A

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

## Agenda Item 6. Appendix B

Document is Restricted

# Agenda Item 6. Appendix C

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

# Agenda Item 7.



Report For:	Cabinet
Date of Meeting:	Cabinet 11 March 2019
Part:	Part 1 - Open Report with Part 2 Appendices
If Part 2, reason:	Para 3 - Information about the financial or business affairs of any particular person (including the authority holding that information).

<b>SUMMARY</b>	
<b>Title of Report:</b>	<b>HANDY X HUB PHASE 3B</b>
Cabinet Member: Officer Contact: Direct Dial: Email:	Councillor Steve Broadbent Charles Brocklehurst 01494 421280 charles.brocklehurst@wycombe.gov.uk
Wards affected:	All
Reason for the Decision:	The proposed disposal is above delegated authority levels.
<b>Proposed Decision:</b>	That: <ul style="list-style-type: none"> <li>(i) the freehold interest in Handy X Hub Phase 3B ('The Prow' site) be disposed of on the terms set out in the confidential Appendix A; and</li> <li>(ii) approval of the detailed terms of the disposal be delegated to the Corporate Director in consultation with the Major Projects Executive, the Head of Finance and their respective Cabinet Members.</li> </ul>
Sustainable Community Strategy/Council Priorities - Implications	<p><b>Risk:</b> Heads of Terms have been agreed. Whilst the proposed disposal is not subject to planning consent, it remains subject to contract.</p> <p><b>Equalities:</b> The proposed purchaser will be responsible for any EIA (if applicable) as part of their planning application.</p> <p><b>Health &amp; Safety:</b> The proposed purchaser will be responsible for appointing a Principal Designer under CDM regulations.</p>
Monitoring Officer/ S.151 Officer Comments	<b>Monitoring Officer:</b> Section 123 of the Local Government Act 1972 provides power for the Council to dispose of land in any manner it wishes. Other than in the case of a short tenancy for less than 7 years, the disposal must be for the best consideration that can reasonably be obtained, unless the Secretary of State



	<p>has first given explicit consent to the contrary, or the General Disposal Consent (England) 2003 permits it (i.e. if the undervalue is £2m or less).</p> <p><b>S.151 Officer:</b> The capital receipt as set out in the confidential appendix matches the amount anticipated in the approved capital programme.</p>
Consultees:	The proposed purchaser will be responsible for any fresh public / statutory consultations as part of their planning application.
Options:	The site has for the past couple of years been the subject of open marketing, with the benefit of planning consent for offices. The adjacent Phase 3A hotel site has already been sold freehold, to maximise its value / attract an investor-operator. This also applies to The Prow site (i.e. a ground lease is not an option).
Next Steps:	Instruct external solicitors to complete a Contract for Sale.
Background Papers:	None
Abbreviations:	None

Appendices to this report are as follows:

Confidential Appendix A – Offer & Draft Heads of Terms

### Detailed Report

1. The consented masterplan for Handy X Hub includes proposed 11,000 sq.m. (120,000 sq.ft.) of offices on the westerly tip of the site – the so-called ‘Prow’ site (see plan attached). For more than two years, the opportunity has been openly marketed to seek either occupiers or developers. The consented scheme is based on two buildings, with the western building being on top of multi-storey parking for the pair. It has not attracted market demand. This is because the developer market is not undertaking speculative office development, neither are substantial ‘pre-lets’ from office occupiers happening (a reflection of both economic uncertainty and the change in office demand, away from ‘headquarters’ buildings to more flexible space).
2. However marketing of the site has resulted in an offer to purchase the freehold from a substantial group, to develop integrated managed offices / self-storage. Comprising 3,250 sq.m. of small office suites on 4 floors, fronting a 10,000 sq.m. multi-storey self-storage block, the scheme is aimed at SMEs requiring both offices and storage for their businesses. The proposed scheme takes advantage of the site’s topography (it is at a low level, relative to the surrounding A404 southbound / Handy X roundabout / M40 eastbound slip roads), siting the proposed self-storage block in the tree-lined ‘hollow’, with its proposed linked offices fronting the HxH spine road.

3. The offer received is set out in the confidential appendix. It is unconditional and based on the site 'as is' (i.e. with responsibility for removal of the spoil heap transferring to the purchaser).
4. The proposed scheme has been the subject of the PreApp consultation by the purchasers. This has raised a planning policy issue. The emerging Local Plan allocates the site for 'headquarters offices', which (as stated above), the market will not deliver. Evidence to support this is being submitted to the Council's planners. Because of the mobile nature of potential occupiers (coming and going), the proposed scheme includes limited on site parking (less than the policy standards). There is surplus parking capacity in the adjacent Coachway Park&Ride car park. If the proposed purchasers were to be unsuccessful in obtaining planning approval, the Council will have the right to buy-back the site, at the agreed purchase price.

### **Conclusion**

5. The proposed scheme will establish offices at Handy X Hub and be an innovative product in the local economy. Coming on the back of the recent hotel disposal / development, it will add momentum to the completion of the Handy X Hub masterplan. The building is expected to accommodate 100 jobs.

# Agenda Item 7. Appendix A

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

## Agenda Item 8.



# INFORMATION SHEET

## CABINET

Issue No: 2/2019

Date Issued: Friday 1 March 19

### Response to the recommendations of the Improvement and Review Commission 28 November 2018 concerning the River Wye - Update

**Cabinet Members:** Councillor D Johncock, Cabinet Member for Planning  
Councillor Steve Broadbent, Cabinet Member for Economic Development & Regeneration

**Officer contacts:** John Callaghan      Email: [john\\_callaghan@wycombe.gov.uk](mailto:john_callaghan@wycombe.gov.uk)  
Peter Wright                              Email: [peter.wright@wycombe.gov.uk](mailto:peter.wright@wycombe.gov.uk)

**Ward affected:** Abbey

## Background

On 28 November 2018 Improvement and Review Commission (IRC) considered the recommendations of the River Wye Task and Finish Group and recommended to Cabinet eight recommendations.

These were reported to the 17 December meeting of Cabinet which received the recommendations, and resolved that a further report be presented to a future Cabinet meeting responding to each of the recommendations in detail.

## Update

This note provides an update on the work areas that are under way to inform Cabinet's response to the recommendations.

As previously agreed, before a decision can be taken on Phase 7 of the Town Centre Master Plan (TCMP), officers need to refresh the Business Case and produce a detailed, costed programme plan. Work is already underway to confirm the costs and benefits of the scheme which includes:

1. Updating the scheme design, as well as reviewing the costs and programme of works that would be necessary to implement the river and/or the highway works

*A Contact Name is shown above and Members are asked to contact that person if they have any queries etc.*

*The Press is reminded that the Council's procedure is for ALL Press enquiries to be routed via the Communications Team on 01494 421557/421625 or email: [communications@wycombe.gov.uk](mailto:communications@wycombe.gov.uk).*

around Oxford Road. (This includes assessing the time necessary to secure planning permission and any other consents that may be required.)

2. Reviewing estimates of how many town centre visitors would be likely to directly experience the river if it were restored.
3. Reviewing baseline data on estimated property vacancies, and the extent to which experience from other case studies is applicable to the situation in High Wycombe.
4. Reviewing the financial benefits to the Council as a result of reopening the river and when these would be likely to arise.
5. Dialogue with the Environment Agency to confirm their position, identify the scope to secure Environment Agency or other government funding, and to quantify some of the wider benefits.
6. Reviewing how the scheme would be likely to affect Eden, both positively and negatively (in terms of traffic disruption during construction).

In parallel, the Council is currently starting work to develop a Regeneration Strategy for the key settlement areas in the district to complement the existing district wide Economic Development Strategy. Buckinghamshire County Council is also developing a Transport Strategy with input and support from Wycombe District Council which will be significant in relation to the town centre. Both of these require us to establish a new vision for the town out to 2050 and that work will produce outputs relevant to the IRC recommendations within the next 3 months.

At that stage, we will have the benefit of significant further information to respond to all of the IRC recommendations. It is therefore proposed that responses to these will be recommended to June Cabinet. The report will also update on progress on the Transport Strategy and Regeneration Strategy.

## **INFORMATION SHEETS**

To receive the following Information Sheet circulated since the last meeting:

**02/2019:** Response to the recommendations of the Improvement and Review Commission 28 November 2018 concerning the River Wye – Update (attached).

## **FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY**

## **SUPPLEMENTARY ITEMS (IF ANY)**

## **URGENT ITEMS (IF ANY)**

# Agenda Item 12.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

**FILE ON EXEMPT ACTIONS TAKEN UNDER DELEGATED AUTHORITY**

**EXEMPT SUPPLEMENTARY ITEMS (IF ANY)**

**EXEMPT URGENT ITEMS (IF ANY)**