



Communities Committee

Tuesday, 05 February 2019

NOTICE IS HEREBY GIVEN that a Meeting of the **Communities Committee** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Tuesday, 05 February 2019** at **09:30**.

BUSINESS

1 Sederunt

2 Declaration of Group Decisions and Members Interests *

3 Resolution

Consider, and if so decide, adopt the following resolution:
"That under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 14 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act."

4 Minute of Meeting of 20 November 2018 **7 - 12**

5 Written Questions **

6 Strategic Housing Investment Plan 2019-24 **13 - 38**

Report by the Corporate Director (Economic Development, Planning and Infrastructure)

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Report by the Corporate Director (Economic Development, Planning and Infrastructure)

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| 8 | Housing and Property Services Budget Monitoring - 30 November 2018

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| 9 | Allocations Policy Review 2019

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| 10 | Housing and Property Services - Service Improvement Plan 2018-19

Report by the Corporate Director (Economic Development, Planning and Infrastructure) | 121 - 128 |
| 11 | Housing (Scotland) Act 2014 Part 2 - Progress Report

Report by the Corporate Director (Economic Development, Planning and Infrastructure) | 129 - 140 |
| 12 | Consultative Draft Local Housing Strategy 2019-24

Report by the Corporate Director (Economic Development, Planning and Infrastructure) | 141 - 162 |
| 13 | Question Time ***

Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration. | |

Item which the Committee may wish to consider with the Press and Public excluded

- 14 Building Services Trading Operation Budget 2018-19 - Budget Monitoring [Para 9]**

- Information on proposed terms and/or expenditure to be incurred by the Authority;

Summary of the Communities Committee functions:

To deal with matters relating to Housing/HMOs, Housing Regeneration, Homelessness, Social Inclusion, Equalities, Community Safety, Anti-Social Behaviour (including road accidents) and Community Liaison.

Any person attending the meeting who requires access assistance should contact customer services on 01343 563217 in advance of the meeting.

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

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THE MORAY COUNCIL
Communities Committee

SEDERUNT

Councillor Louise Laing (Chair)
Councillor Paula Coy (Depute Chair)
Ms Anna Bamforth (Member)
Ms Jane Bartecki (Member)
Mrs May McGarrie (Member)
Councillor Theresa Coull (Member)
Councillor Gordon Cowie (Member)
Councillor Lorna Creswell (Member)
Councillor Ryan Edwards (Member)
Councillor Donald Gatt (Member)
Councillor Aaron McLean (Member)
Councillor Maria McLean (Member)
Councillor Ray McLean (Member)
Councillor Derek Ross (Member)
Councillor Ron Shepherd (Member)
Councillor Sonya Warren (Member)

Clerk Name: Caroline Howie
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Minute of Meeting of the Communities Committee

Tuesday, 20 November 2018

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Ms Anna Bamforth, Ms Jane Bartecki, Councillor Theresa Coull, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor Donald Gatt, Councillor Louise Laing, Mrs May McGarrie, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Derek Ross, Councillor Sonya Warren

APOLOGIES

Councillor Ryan Edwards, Councillor Ron Shepherd

IN ATTENDANCE

The Head of Housing and Property; the Housing Strategy and Development Manager; the Asset Manager; the Building Services Manager; the Housing Needs Manager; Fiona Geddes, Senior Housing Officer Strategy; Daska Murray, Senior Housing Officer Information; Emma Armit, Senior Housing Officer Policy and Mrs Caroline Howie, Committee Services Officer as Clerk to the Meeting.

1 Chair of Meeting

The meeting was chaired by Councillor Laing.

2 Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

3 Exempt Information

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

<u>Paragraph No. of Minute</u>	<u>Paragraph No. of Schedule 7A</u>
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4 Minute of Meeting dated 25 September 2018

The minute of the meeting of the Communities Committee dated 28 September 2018 was submitted and approved.

5 Written Questions **

The Committee noted that no written questions had been submitted.

6 Rapid Rehousing Transition Plan

Under reference to paragraph 5 of the Minute of the meeting dated 25 September 2018 a report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of progress on development of Moray's Rapid Rehousing Transition Plan.

Following consideration the Committee agreed to:

- i. approve the draft Rapid Rehousing Transition Plan, prior to its submission to the Scottish Government by 31 December 2018; and
- ii. note that progress on the Plan will be reported as part of the Local Housing Strategy annual review in Autumn 2019.

7 Housing (Scotland) Act 2014 Part 2 - Progress Report

Under reference to paragraph 14 the Minute of the meeting dated 26 June 2018 a report by the Corporate Director (Economic Development, Planning and Infrastructure) provided the Committee with an update on the commencement of the provisions of Part 2 of the Housing (Scotland) Act 2014 coming into force.

Following consideration the Committee agreed to note:

- i. the progress made in relation to preparing for the implementation of Part 2 of the Housing (Scotland) Act 2014;
- ii. that all tenants have been notified of the provisions which affect their current tenancy agreements; and
- iii. that a further progress report will be presented to the next Communities Committee in February 2019.

8 Allocations Policy Review 2018

Under reference to paragraph 14 of the Minute of the meeting dated 26 June 2018 a report by the Corporate Director (Economic Development, Planning and Infrastructure) provided Committee with the results of the Allocations Policy review consultation. It proposed that a further consultation be carried out on the required

changes to the current Allocations Policy and presented a revised draft Allocation Policy for approval.

During discussion the Head of Housing and Property advised individual circumstances were considered when awarding points. Thereafter, he asked if Committee thought they would benefit from a briefing session on the Policy.

Committee was of the opinion a briefing session would be helpful and tasked the Head of Housing and Property with arranging this.

Thereafter Committee agreed to:

- i. note the results of the public consultation as set out in Section 6 of the report;
- ii. the proposals for changes to the current Allocations Policy;
- iii. consult further with tenant and other key stakeholders on the proposed changes;
- iv. that the Committee will consider the consultation responses at its meeting in February 2019; and
- v. task the Head of Housing and Property with providing a briefing session on the Allocations Policy to Elected Members.

9 Housing and Property Services Budget Monitoring - 31 August 2018

Under reference to paragraph 13 of the Minute of the meeting dated 14 February 2018 a report by the Corporate Director (Economic Development, Planning and Infrastructure) presented the budget monitoring for the Housing Revenue Account and General Services Other Housing Budget for the period to 31 August 2018.

Following consideration the Committee agreed to note the budget monitoring report for the period to 31 August 2018.

10 Housing Investment 2018-19

A report by the Corporate Director (Economic Development, Planning and Infrastructure) informed the Committee of the budget position to 31 August 2018 for the Housing Investment Programme for 2018/19.

Following consideration the Committee agreed to note the position as at 31 August with regards to the Housing Investment Programme for 2018/19.

11 Scottish Social Housing Charter Compliance

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) informing the Committee of the details of the Council's landlord report from the Scottish Housing Regulator (SHR), progress on the Annual Performance Report to tenants and other customers and the SHR consultation on the review of the regulatory framework for social housing landlords. The report also asked the Committee to approve the draft response to the SHR review.

Following consideration the Committee agreed to:

- i. note the Council's performance against the Scottish Social Housing Charter 2017/18;
- ii. note the Annual Performance Report to tenants and other customers; and
- iii. approve the draft response to the Scottish Housing Regulator's consultation on the review of the regulatory framework.

12 Housing Performance Report Quarters 1 and Q2 for 2018-19

There was submitted and noted a report by the Corporate Director (Economic Development, Planning and Infrastructure) informing the Committee of the Housing Service's performance for the period from 1 April 2018 to 30 September 2018.

13 Tenant Downsizing Incentive Scheme

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) providing the Committee with details on the resources required to manage and maintain the Council's Tenant Downsizing Incentive Scheme.

Following consideration the Committee agreed:

- i. to approve the new job description for the Housing Options Advisor (HRS);
- ii. that the Head of Service can proceed to fill the vacancy with immediate effect; and
- iii. to fund the Housing Options Advisor (HRA) post from the Housing Revenue Account.

14 Question Time ***

In response to a question from Councillor Ross in relation to litter the Head of Housing and Property advised an article would be placed in the Tenants Voice to raise awareness of litter. He further advised that it was not within his remit to make decisions in regard to litter and undertook to discuss the issue with the Head of Direct Services.

Councillor Cowie sought clarification on the size of the problem with heating systems breaking down as he was of the opinion this was a bigger issue than in previous years.

In response the Head of Housing and Property agreed it was a bigger issue than in previous years and advised that an additional contractor had been employed to ensure heating systems were returned to working order as soon as possible.

The Asset Manager further advised that several manufacturers were no longer producing replacement parts for boilers and this was leading to boilers requiring replacement earlier than previously envisaged.

In response to a question from Councillor Warren in relation the Scatter Flats

programme, the Housing Needs Manager advised that the programme was very successful. He further advised that 2 tenants moved in during May/June and it was envisaged the tenancies would be made permanent.

In response to a question from Councillor Creswell in regard to Universal Credit, the Head of Housing and Property advised that a report on Universal Credit would be provided to this Committee once the full impact of the introduction is known and that this is likely to be in June or July 2019.

15 Building Services Trading Operation Budget 2018-19 - Budget Monitoring [Para 9]

A report was submitted by the Corporate Director (Economic Development, Planning and Infrastructure) presenting the budget monitoring information for the period to 31 August 2018 for the Building Services Trading Operation.

Following consideration the Committee agreed to note the:

- i. financial information for the period to 31 August 2018, as detailed in appendix 1 of the report; and
- ii. Building Services operating performance and the Business Plan 2017 – 2020 update as set out in sections 6 and 7 of the report.



REPORT TO: COMMUNITIES COMMITTEE ON 5 FEBRUARY 2019

SUBJECT: STRATEGIC HOUSING INVESTMENT PLAN 2019-24

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING AND INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 To ask the Committee to approve the Council's draft Strategic Housing Investment Plan (SHIP) 2019-24.
- 1.2 This report is submitted to Committee in terms of Section III G (10) of the Council's Scheme of Administration relating to the preparation and implementation of strategic housing plans.

2. RECOMMENDATION

2.1 It is recommended that the Communities Committee:

- (i) considers and comments on the draft SHIP submission;
- (ii) notes that the draft SHIP was submitted to the Scottish Government in October 2018, in accordance with SHIP Guidance; and
- (iii) agrees that further progress reports on the SHIP are presented to this Committee as required.

3. BACKGROUND

- 3.1 The Council has submitted its SHIP to Scottish Government annually since 2007. The SHIP sets out the Council's priorities for investment in affordable housing to meet the housing supply targets and outcomes contained in the Local Housing Strategy (LHS). In setting local investment priorities, the SHIP is intended to guide the allocation of resources available for affordable housing in Moray. At a detailed level, the SHIP identifies the housing projects that the Council considers are priorities for inclusion in the Moray Affordable Housing Programme.
- 3.2 On 17 October 2017, the Communities Committee approved the Council's most recent SHIP (2018-23) for submission to the Scottish Government (paragraph 5 of the Minute refers).

- 3.3 In August 2018, the Scottish Government issued local authorities with revised guidance for preparing their SHIPs for 2019-24.
- 3.4 As part of the 'More Homes Scotland' initiative, the Scottish Government has committed to increasing the supply of affordable housing as a key national strategic priority. To support this priority, the Housing Minister has set aside £3 billion to fund the building of at least 50,000 affordable homes by March 2021. The Scottish Government has confirmed that SHIPs will be the key documents for identifying the strategic housing projects that will contribute to the achievement of the national supply target.
- 3.5 To help meet the target, the Scottish Government has provided local authorities with substantially increased resources to fund their local affordable housing programmes. Details of the resources being made available for the Moray programme are provided at Paragraph 4.9 of this report.

4. THE MORAY SHIP 2018-2023

- 4.1 The draft SHIP submission is available at **Appendix I**.
- 4.2 In summary, the SHIP:
- sets out the Council's strategic investment priorities for affordable housing;
 - demonstrates how these outcomes will be delivered;
 - identifies the resources required to deliver the investment priorities;
 - enables the involvement of key local stakeholders in the development and implementation of proposals; and
 - prioritises projects for inclusion in the Moray Affordable Housing Programme (Table 1 of the SHIP).
- 4.3 The investment priorities set out in the SHIP have been informed by the Council's Housing Need and Demand Assessment (HNDA) 2017 which was appraised as "robust and credible" by the Scottish Government on 5 April 2018. The HNDA findings will also be reflected in the forthcoming Local Housing Strategy 2019-24 which is the subject of a report elsewhere on this agenda.
- 4.4 In terms of geographical priorities, the SHIP seeks to allocate investment to areas where the demand for affordable housing is greatest. Accordingly, a significant level of funding has been directed to the Elgin Housing Market Area. The high priority projects for this area are Elgin South, Bilbohall, Stynie Road, Mosstodloch and the former Spynie Hospital site. However, with high levels of demand across Moray, the SHIP seeks to maintain a balance of provision across all housing market areas – Forres, Buckie, Keith and Speyside. The high priority projects for these areas are Banff Road, Keith; Speyview, Aberlour, and Bogton Road, Forres.
- 4.5 A key consideration in the SHIP's approach to programme prioritisation has been the availability and deliverability of development opportunities. With most of Moray's housing land in private ownership, the programme is largely dependent on affordable housing obligations required by planning policy, current set at 25%. This means that the phasing of much of the SHIP programme has been driven by the arrangements and timescales agreed with

developers for the delivery of affordable obligations. Consequently, any change in the plans of private developers could impact adversely on the delivery of the SHIP programme with impacts greater and more serious for major sites with large obligations.

- 4.6 The SHIP includes provision for the advance purchase of sites for affordable housing at the former Spynie Hospital site, Elgin and Bogton, Forres. The land banking of affordable housing sites provides a valuable resource for planning affordable housing provision and helps reduce the programming uncertainties associated with developer driven opportunities.
- 4.7 The HNDA 2017 found that approximately 12% of affordable housing need could be met by intermediate tenures. Intermediate tenure housing aims to provide an opportunity for low to middle income households to purchase a home, or an equity share in a home, or which aims to provide affordable rented accommodation to households in lower priority need categories on Council and Housing Association Housing Lists (mid-market rent). This has been reflected in the consultative draft LHS 2019-24 Housing Supply Target for consideration elsewhere on this agenda. This SHIP prioritises social rent as the tenure that best meets affordable housing need in Moray but also makes provision for some of this need to be met by the intermediate tenures of mid-market rent and low cost home ownership. Accordingly, the proposals for the large sites at Bilbohall in Elgin and Bogton in Forres include mid-market as well as social rented properties. The proposals at the exclusively affordable housing sites at Banff Road, Keith, Stynie Road, Mosstodloch, the former Spynie Hospital site, Elgin and R3 Forres include an element of low cost home ownership, supported by the Scottish Government's New Supply Shared Equity Scheme, to promote tenure diversification.
- 4.8 The LHS aims to meet the needs of households in need of specialist housing, especially older people, people with physical and sensory disabilities and people with learning disabilities (LD). The SHIP makes significant provision for amenity bungalows and wheelchair accessible bungalows suitable for older people and wheelchair users, in the vast majority of the developments listed. The SHIP also seeks to contribute to the aims of Health and Social Care Moray's LD Accommodation Review, with the inclusion of a development of flats with on-site support for people with LD. The supply of new specialist housing through the SHIP is a key element of the Housing Contribution Statement of Health and Social Care Moray's Strategic Plan, which sets out how the local housing sector will support the care at home objectives of Health and Social Care Moray.
- 4.9 To help achieve LHS fuel poverty and climate outcomes, the SHIP aims to ensure that all housing delivered by the Moray Affordable Housing Programme is built to "greener" standards for energy efficiency. Therefore, the SHIP makes provision for all projects to receive the additional £2k per unit grant subsidy for meeting this standard.
- 4.10 The LHS and Moray Local Development Plan are developed in tandem, and share common priorities relating to affordable housing, accessible housing and public health, and creating sustainable communities. The Council expects that projects funded through the affordable housing programme will comply with design guidance set out in local planning policy and will achieve a

“green” standard in the Quality Audit carried out as part of the planning application process.

- 4.11 On 30 April 2018, the Scottish Government issued the Council with a long term Resource Planning Assumption (RPA) covering the first 3 years of the SHIP. The funding allocations for each year are detailed below:

2018/19	£7.983m
2019/20	£8.455m
<u>2021/22</u>	<u>£9.021m</u>
Total	£25.459m

- 4.12 The 3-year resource planning assumption of £25.459m is slightly more than the previous RPA, but more than double the equivalent allocation for the SHIP 2016.
- 4.13 In line with the Council's Housing Business Plan assumptions, the programme set out in the SHIP will support the delivery of 70 council houses per annum over the next two years. The SHIP assumes that the balance of the Moray programme will be delivered by housing association partners. With more resources for investment, the SHIP expects that housing associations will make a greater contribution to the Moray programme than in previous years, and their contribution will be essential in ensuring that the funding is fully deployed to deliver the maximum number of affordable houses. As part of the programme management arrangements, the Council will be working closely with the housing associations, as well as the local office of More Homes Scotland, to address any issues and constraints that could cause slippage or delay.
- 4.14 The Scottish Government's Resource Planning Assumptions have been used as the key funding driver of the SHIP programme. In accordance with the Scottish Government's recommendations, the SHIP includes a minimum slippage factor of 25% to take account of programme delays or to bring projects forward should additional resources become available.
- 4.15 The SHIP provides details of other sources of funding that can be used to support the Moray programme (Table 5 of the SHIP), including Council Tax discount from empty homes of around £500k per annum and developer obligations required by planning policy. Whilst it is likely that funding from the latter source will continue to remain negligible, it could prove valuable when used discreetly to support project viability, particularly in rural areas.
- 4.16 The SHIP makes provision for financial support from the Scottish Government's Housing Infrastructure Fund (HIF) (Tables 2 and 3 of the SHIP) to address the transportation infrastructure constraints affecting the key strategic site at Bilbohall, Elgin. The Bilbohall Masterplan was approved by Planning and Regulatory Services Committee on 13 November 2018 (paragraph 13 of the minute refers). The Council has made an application to the HIF for funding of £5.355m towards the cost of infrastructure that will service the Bilbohall Masterplan area. Subject to approval of the application, the Council and its partners in the Bilbohall Consortium will progress the first phase of housing and associated infrastructure as a key investment priority.

- 4.17 The SHIP has been developed as a collaborative process involving other Council services, particularly planning, Health and Social Care Moray, partner housing associations and local housing developers.

5. RAPID REHOUSING TRANSITION PLAN

- 5.1 On 20 November 2018, Communities Committee approved the Rapid Rehousing Transition Plan (RRTP) (Paragraph 5 of the draft minute refers). It has since been submitted to the Scottish Government and published on the Council's website at http://www.moray.gov.uk/moray_standard/page_95565.html. Delivery of the RRTP will require an increase in 1 bed flats as this house type is under significant pressure both as a permanent housing option for homeless households and for use as temporary accommodation. Most of the developments listed in the SHIP already include 20-30% 1bed flats, and this approach is likely to continue in the forthcoming consultative draft Local Housing Strategy.

6. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Moray 2027 identifies an increase in the supply of affordable housing as one of the key components of a growing, diverse and sustainable economy in Moray. The SHIP reflects priorities for investment in the provision of new affordable housing to meet need identified in the Local Housing Strategy.

(b) Policy and Legal

The production of the Council's SHIP helps the Council to meet its statutory duties in respect of addressing housing need in Moray.

(c) Financial implications

There are no direct financial implications to the Council arising from this report. The SHIP provides details of the resources available to fund the supply of affordable housing in Moray.

(d) Risk Implications

The major risks to the delivery of the Moray affordable housing programme have been assessed as part of the development of the SHIP.

The SHIP provides high level details of proposed future investment in Council house building. The financial risks of funding the Council's programme has been assessed as part of the review of the Housing Business Plan carried out in 2017.

(e) Staffing Implications

There are no staffing implications arising from this report.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

The housing needs of equalities groups are identified in the LHS. The LHS is subject to an Equalities Impact Assessment. The Moray Affordable Housing Programme seeks to deliver the housing priorities contained in the LHS.

(h) Consultations

This report has been subject to wider consultation with the Head of Housing and Property, the Head of Development Services, the Head of Community Care, the Chief Officer of Health and Social Care Moray, Deborah O'Shea (Principal Accountant), the Legal Services Manager (Property and Contracts), the Housing Needs Manager, Gary Templeton (Principal Planning Officer) and Caroline Howie (Committee Services Officer). Any comments received have been reflected in the report.

7. CONCLUSION

- 7.1 This report provides the Committee with details of the Council's draft SHIP 2019-24. The Committee is asked to note that the draft SHIP was submitted to the Scottish Government in October 2018, in accordance with SHIP Guidance and is asked to consider and comment on the consultative draft SHIP submission.**

Author of Report: Fiona Geddes, Senior Housing Officer (Strategy)
Background Papers: Held by author
Ref: FG



**Moray Council
Strategic Housing Investment Plan
2019 - 2024**

17 December 2018

Contents

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Annexe	SHIP Template Tables

1. Introduction

- 1.1. Moray Council's Strategic Housing Investment Plan (SHIP) has been prepared in accordance with the Scottish Government's Guidance Note MHDGN 2018/03 (August 2018).
- 1.2. In producing this SHIP, the Council welcomes the opportunity to develop a programme of affordable housing supply that will help achieve the housing need outcomes of the Moray Local Housing Strategy (LHS).
- 1.3. Increasing supply of affordable housing is a key priority of both the LHS 2013-18 and Moray 2026, A Plan for the Future, which replaced the Single Outcome Agreement as the key strategic planning document of the Council and its partners.
- 1.4. In summary, the SHIP:
 - sets out the Council's affordable housing investment priorities for achieving LHS outcomes, including reducing fuel poverty and meeting climate change targets;
 - demonstrates how these outcomes will be delivered;
 - identifies the resources required to deliver the investment priorities, including Scottish Government funding and other sources of public funding;
 - enables the involvement of key local stakeholders in the development and implementation of proposals; and
 - prioritises projects for inclusion in the Moray Affordable Housing Programme.

2. Moray Local Housing Strategy Priorities

- 2.1. The Council's current LHS covers the period 2013-2018. The overall aim of the LHS is:

To ensure that sufficient good quality, affordable housing is available to meet the needs of people living in or requiring housing in Moray.

- 2.2. By delivering new affordable housing, the SHIP will contribute to the achievement of following LHS outcomes:

Outcome: there is an adequate supply of affordable housing
(Priority 1: to address housing need and improve access to housing)

Outcome: there is an adequate supply of appropriate housing for people with particular needs, including older people and people with physical and learning disabilities
(Priority 3: to assist people with particular housing needs)

Outcome: people live in energy efficient housing that minimises greenhouse gas emissions

people live in housing that they can afford to heat

(Priority 5: to improve the energy efficiency of housing and address fuel poverty and climate change)

- 2.3. With the period of the current LHS ending in 2018, the Council is preparing a new LHS for 2018-23. The Council will issue a consultative draft of the new LHS early in 2019. Although the SHIP covers the period of the new LHS, the strategic investment priorities it seeks to deliver will be informed by the current LHS. However, given the continuing shortage of affordable housing in Moray and the priorities given to fuel poverty and homelessness in Moray 2026, A Plan for the Future, it is expected that providing more affordable will continue to be a key priority of next LHS.

3. Addressing housing need in Moray

- 3.1. During 2017, Council officers have been working on an updated to provide the evidence base that will underpin the development of the next LHS. However, the Housing Need and Demand Assessment (HNDA) 2017 was appraised as “robust and credible” by the Centre for Housing Market Research on 17 April 2018. The HNDA estimates that **1,183** new affordable houses will be required over the next 5 years to meet housing need in Moray, on average 237 units per year.
- 3.2. This housing need is disaggregated into six Local Housing Market Areas (HMAs): **Elgin, Forres, Keith, Buckie, Speyside and Cairngorms National Park (CNP)** as illustrated in the table below. The distribution of need across HMAs broadly correlates to the distribution of all households.

Housing Need	Buckie HMA	CNP HMA	Elgin HMA	Forres HMA	Keith HMA	Spey side HMA	Total
New affordable housing required (5 years)	192	9.5	619	192	92	78	1,183
New affordable housing required (each year)	38	1.9	124	38	18	16	237
New affordable housing distribution	16.2%	0.8%	52.4%	16.2%	7.8%	6.6%	100%
Household distribution	16.8%	1.2%	47.8%	17.7%	8.4%	8.1%	100%

Figures may not sum due to rounding

Source: Moray Housing Need and Demand Assessment 2017

- 3.3. The above targets have been used to prioritise the sub-area investment proposals contained in the SHIP, which seeks to target investment to the areas with the highest housing need.

- 3.4. In terms of affordable housing tenure, the LHS seeks to prioritise investment in social rented housing. This approach has been informed by the HNDA, which found that housing need in Moray would be best addressed by increasing the supply of social rented housing.
- 3.5. One key recommendation of the Homelessness and Rough Sleeping Action Group (HARSAG) was that each local authority should develop a 5 year Rapid Rehousing Transition Plan (RRTP) to be submitted to the Scottish Government by 31 December 2018. The Council's Communities Committee considered the first iteration of Moray's RRTP on 20 November which covers only the first year of the five year transition period, with annual updates and revisions planned. The RRTP states that an increased supply of 1 bed flats for social rent are required to provide permanent housing options for statutorily homeless households, predominantly single person households. This SHIP will provide a response to this demand by including 20-30% of social rent units built in the form of 1 bed general needs flats.
- 3.6. Whilst the LHS prioritises social rented housing, the HNDA 2017 found that approximately 12% of the need for affordable housing could be met by intermediate tenure housing, either mid-market rent or shared equity properties. Intermediate tenure housing can form part of mixed tenure developments and can help to establish successful, sustainable new communities. The LHS considers that these forms of tenure could address the housing need of low income households who are not priority for housing by the Council and for whom private rent is not an affordable option.

4. Provision of Specialist Housing

- 4.1. Moray Health and Social Care Strategic Plan 2016-2019 sets out how the Integration Joint Board's approach to adult health and social care services in Moray. The Strategic Plan includes a Housing Contribution Statement describing how the local housing sector will help achieve the local and national health and wellbeing outcomes¹. The statement provides a linkage between the affordable investment priorities of the LHS, as set out in the SHIP, and the priorities of the Strategic Plan. As a key joint priority, the statement reaffirms the LHS commitment to allocate funding for affordable housing to meet the housing needs of older and disabled people.
- 4.2. The LHS seeks to address the needs of the ageing population in Moray through the provision of appropriately designed, appropriately supported, affordable housing for older and/or vulnerable people using a combination of amenity/ medium dependency housing; wheelchair accessible housing and very sheltered/ extra care housing. Successive Moray SHIPs have included approximately 20% ambulant disabled housing for social rent across all developments in an effort to meet this need, and this SHIP adopts the same

¹ Moray Health and social care Strategic Plan available at http://www.moray.gov.uk/moray_standard/page_101207.html

approach. This approach complements Health and Social Care Moray's policy on provision of retrofit disabled adaptations.

- 4.3. All housing delivered by the SHIP would be expected to be accessible and comply with Housing for Varying Needs (HfVN) standards. However, local experience has shown that Housing for Varying Needs standards do not necessarily provide the level of internal circulation space required to meet the needs of full-time wheelchair users. Therefore most developments included in this SHIP will include a small number of specialist bungalows intended to better meet the needs of wheelchair users. Within the Council's own new build programme, these properties will include enhanced internal space standards, enhanced door widths and hall widths, level access showers, rise and fall kitchens, car ports and door entry systems; all intended to minimise the requirement for Stage 2 and/or Stage 3 disabled adaptations. Local development partners are encouraged to adopt the same approach.
- 4.4. Rather than set an arbitrary target for provision of new wheelchair accessible housing, the SHIP will respond to this need on a site by site basis and will consider factors including current housing list data (demand), current provision, current turnover rates (supply), in an effort to minimise the risk of over-provision and under-use in any given settlement.
- 4.5. Health and Social Care Moray Learning Disability Service are working on an Accommodation Review which includes implementation of a "progression model" of specialist housing for their service users. Moray Council Housing and Property have participated in the Accommodation Review over the last 2 years. To be successful, the progression model will require an increased range of housing options suitable for persons with a learning disability, provided with differing levels of care and this will require some new build provision. This range of options must include core and cluster models, extra-care housing and housing provided with assistive technology. This SHIP includes a development at Pinegrove, Elgin where a block 14 individual flats will provide a staff base and accommodation for Learning Disability service users who require a lower level of support. It is likely that further grouped needs will be quantified as the Accommodation Review progresses. In principle, Moray Council will award a high priority to developments which facilitate the aims of the Accommodation Review and the implementation of the progression model.
- 4.6. The governance and responsibility for disabled adaptations in Moray has transferred to Health and Social Care Moray. To fund the cost of delivering adaptations, the Council has agreed a transfer of budgets to Moray Health and Social Care. An Adaptations Governance Group has been established by Health and Social Care Moray to support the implementation of the new arrangements for delivering adaptations. The Council's Housing service is represented on this group which aims to ensure that the adaptation needs of both Council tenants and households in the private sector are identified and met.

5. Energy efficiency, fuel poverty and climate change

- 5.1. In delivering SHIP projects, the Council expects that affordable housing providers will contribute to the LHS's Fuel Poverty and Climate Change outcomes in relation to delivering energy efficient housing and reducing carbon emissions from housing. The LHS commits the Council to "promoting high standards of energy efficiency and low carbon, sustainable design in the building of new homes in Moray.
- 5.2. To achieve the LHS fuel poverty outcomes, the Council expects that, as a minimum, all housing delivered by the Moray programme will achieve the Scottish Government's "greener" standard. Going further, the Council encourages local development partners to work together to make the best use of innovative construction methods and emerging technologies to deliver zero carbon housing in Moray.
- 5.3. To address the Council's fuel poverty and climate change objectives, the SHIP aims to ensure that all new housing is built to "greener" standard with provision made for the higher level of grant toward the cost of meeting this standard.
- 5.4. All housing developers are expected to maximise the subsidies available to deliver sustainable and energy efficient housing. The SHIP assumes that the higher Scottish Government subsidy rate for greener standards would be required for all projects.

6. Resources

- 6.1. On 30 April 2018, the Scottish Government provided the Council with a Resource Planning Assumption (RPA) for the period 2018/19 to 2020/21 The RPA is intended to inform the development of the SHIP and are detailed below:

2018/19	£7.983m
2019/20	£8.455m
<u>2020/21</u>	<u>£9.021m</u>
Total	£25.459m

- 6.2. This 3-year RPA of £25.459m represents an increase on the £24.950m provided for the equivalent period in the previous SHIP.
- 6.3. Although the RPA will provide the substantive budget for the SHIP proposals, funding will also be available from other sources to help deliver the programme. The Council will continue to use ring-fenced monies raised from reduced Council Tax discount on empty homes as an additional source of programme funding. It is estimated that this contribution will be around £500k per annum. The Council Tax discount monies have been mainly used to fund the Council's new build programme. Over the past three years, the programme has delivered 131 units (16 in 2016/17, 47 in 2017/18 and 68 projected in 2018/19).

- 6.4. The Council will also use commuted payments derived through the Local Development Plan 2015 (LDP) Affordable Housing Policy (H8) to fund SHIP but it is likely that sums collected from this source will be marginal. Over the years, the Council's application of LDP Policy H8 has sought to prioritise the provision of housing units on site, rather than the collection of commuted payments. As a result, the Council has not accumulated a significant pot of commuted payments. At the time of writing, the Council had collected a total of £95,325 in commuted sums.
- 6.5. The LDP 2020 is currently at an advanced stage of development and is likely to become the "settled view" of the Council in December 2019. LDP 2020 proposes expanding the scope of the Affordable Housing Policy by removing the qualifying threshold number of units. In effect, this proposed change will seek a proportionate affordable housing requirement from every dwelling proposed. If approved, it is likely that this would result in an increase the number of commuted payments required. Commuted payments required are secured through legal agreements (S75) and when collected, are used to support affordable housing development within the Housing Market Area they are derived from. Whilst it is likely that the sums involved will continue to form a relatively small proportion of the SHIP funding plan, it is possible that the use of commuted payments could support the viability of individual projects, particularly those in rural areas. These projects will be identified during the life of the SHIP.
- 6.6. The SHIP has included provision for support from the Scottish Government's Housing Infrastructure Fund as a means of unlocking constrained sites for affordable housing delivery. The SHIP identifies the strategically important sites at Bilbohall South in Elgin as requiring support from the fund to address transport infrastructure constraints.

7. Developing The SHIP

- 7.1. Prioritising investment proposals has been an important part of the SHIP preparation process. In prioritising the available development options, the Council and its partners have taken account of a range of factors, including:
- *the investment priorities set out in Local Housing Strategy (LHS)*
 - *the deliverability of sites in terms of land ownership and planning and infrastructure constraints* – sites that are in the local affordable housing landbank have been prioritised, as have those that are not constrained or where there are firm plans to remove the constraint
 - *joint strategic priorities* - priority has been given to sites that support the aims of strategic partners such as the Health and Social Care Moray
 - *the balance of the investment across Local Housing Market Areas* – the programme aims to reflect the sub-area housing supply targets set out in the LHS as detailed at 3.2
 - *the development plans and capacity of strategic partners* – priority has been given to sites for which partners have firm plans to develop during the life of the SHIP

- 7.2. During the development of the SHIP, the Council has engaged with a wide range of partners, including the locally-active Registered Social Landlords (RSLs), private developers and Health and Social Care Moray. The approach to preparing the SHIP has therefore been a collaborative process, which has sought to align the plans and aspirations of partners with the Council's strategic affordable housing priorities.
- 7.3. Officers in Housing have met, both individually and collectively, with RSL and private developer partners to discuss their contribution to the delivery of the Moray affordable housing programme. Following a round of consultations and meetings, a draft of the SHIP tables were issued to partners for comment and their views incorporated in the final proposals.
- 7.4. The LHS and Moray Local Development Plan are developed in tandem, and share common priorities relating to affordable housing, accessible housing and public health, and creating sustainable communities. The Council expects that projects funded through the affordable housing programme will comply with design guidance set out in local planning policy and will achieve a "green" standard in the Quality Audit carried out as part of the planning application process.
- 7.5. Health and Social Care Moray has been consulted on the proposals for specialist housing provision and have identified needs in relation to older households and people with learning disabilities. The SHIP identifies sites where these specialist needs can be met.

8. Programme Delivery Issues

- 8.1. The Council is committed to making the best use of the enhanced resources provided by the Scottish Government not just to maximise the number of affordable houses that can be delivered in Moray, but also to gain the best value for money from the investment, and maximise the positive outcomes gained for Moray's households. This commitment will support the Government's target to build 50,000 new affordable houses.
- 8.2. As well as opportunities, the higher resources will also present the Council and its partners with programme delivery challenges. The key challenges are around the scope for accelerating the Moray programme in line with the RPA, the resolution of infrastructure constraints on key sites and the expansion of RSL involvement in delivering the programme.
- 8.3. As in previous years, the programme is driven to a large extent by opportunities presented by developer affordable housing contributions required by planning policy. During the life of the SHIP, the Council will apply planning policy to ensure that the contributions from this source are maximised. The preferred arrangement for contributions will continue to be on-site delivery.

- 8.4. In past years, a shortage of opportunities has been a significant constraint on the capacity of the Moray programme. However, the SHIP aims to take advantage of the generous land supply allocations available through the LDP 2015 and the forthcoming LDP 2020. The phasing of the SHIP programme reflects the Council's consultations with private developer partners on the timescales and arrangements for contributions.
- 8.5. In previous years, the lack of development land held by affordable housing providers in Moray has been a significant programme constraint. However, landbanking activities by the Council and housing partners have helped to address this issue. Key landbanked sites to be delivered during the life of the SHIP include Banff Road, Keith; Bilbohall, Elgin and Stynie Road, Mosstodloch. With development not dependant on the plans of a private developer, housing delivery can be planned on these sites with a greater degree of control and certainty.
- 8.6. Further affordable housing land-banking proposals are contained in the SHIP including the purchase of sites from other public agency partners as part of protocols to dispose of surplus public sector land for affordable housing. This protocol has enabled the purchase of The Firs site, Elgin and the forthcoming purchase of the former Spynie Hospital site, Elgin, both from NHS Grampian.
- 8.7. In recent years, the level of RSL development in Moray has been limited due to funding issues and the Council has been the main provider of new affordable housing. However, with increased subsidy rates, the SHIP expects that RSLs will make a much greater contribution to the Moray programme. The Council Housing Business Plan provides for development of 70 houses per annum until 2020/21, but the contribution of RSL partners will be a key factor in ensuring that the Moray programme takes advantage of the increased resources. The investment proposals set out in the SHIP reflect the investment plans of partner RSLs but the Council will continue to work closely with the RSLs and the local division of More Homes Scotland to address any funding or capacity constraints that could impact on programme delivery.
- 8.8. The Council and its RSL partners will continue to work closely with private developers to ensure that the sites with affordable housing contributions are delivered in line with the programme agreements with the Scottish Government.

9. Programme Proposals

- 9.1. The Council and its partners have set out a realistic investment programme which takes account of the delivery challenges detailed in the previous section. The proposals for Years 1 to 3 reflect the profile of the indicative Resource Planning Assumption for that period, but also include an over-programming factor of greater than 25% to allow expenditure to be brought forward in the event of project slippage or should additional funding become available.
- 9.2. In line with LHS housing need and demand priorities, the SHIP allocates the highest level of investment to the Elgin Housing Market Area. The key sites

forming the spine of the programme are Bilbohall, Elgin South, Spynie Hospital. However, the SHIP aims to address housing need across Moray and investment priorities are also identified in Keith, Speyside and Buckie.

- 9.3. A development masterplan for Bilbohall was approved by the Council as planning Supplementary Guidance in November 2018. With support from the Housing Infrastructure Fund to address ongoing site constraints, the SHIP makes provision for the delivery of approximately 200 affordable houses at Bilbohall on sites owned by Grampian Housing Association and the Council.
- 9.4. A development masterplan for Elgin South, proposing 2,500 homes, has been approved as planning Supplementary Guidance. A first phase of development of 870 houses with an affordable housing contribution of 217 units obtained planning consent in June 2017. Construction of 50 affordable units at Elgin South Phase 1 is expected to commence early in 2019.
- 9.5. Also included are proposals for phased development of the large sites at Banff Road, Keith with planning consent for 90 units and Stynie Road, Mosstodloch with planning consent for 59 units, both owned by the Council. It is anticipated that these sites will be developed in phases of 30-40 houses over a number of years with both the Council and RSL partners involved in the development. Each will include a proportion of intermediate tenure, in accordance with HNDA findings.
- 9.6. Projects in Speyside have been included but plans for delivery continues to be affected by infrastructure constraints. Although the SHIP makes provision for investment in Speyside, the programmes for delivery take account of anticipated timescales for resolving infrastructure and other site development constraints.
- 9.7. With an approved masterplan for 1,500 houses, Findrassie is a key strategic land designation supporting the expansion of Elgin over the next 20 years. Detailed proposals and phasing for the affordable housing contribution have yet to be finalised by the developer and the proposals identified in the SHIP are indicative at this stage.
- 9.8. The programme for Sunbank/Kinneddar in Lossiemouth reflects the developer's phasing of the affordable housing contribution. This site has a contribution of 72 units but delivery is not anticipated until the later years of the SHIP.
- 9.9. In line with LHS priorities, the SHIP aims to deliver mainly social rented housing. The programme also makes provision for an element of intermediate tenure including mid-market rent and low cost home ownership through the New Supply Share Equity initiative. As well as improving tenure choice, the inclusion of intermediate tenure promotes community sustainability aspirations as well as meeting local planning policy on urban design in terms of housing mix, tenure integration, housing choice and opportunity. The sites which incorporate intermediate tenure units are the former Spynie Hospital, Elgin; Stynie Road, Mosstodloch; Banff Road, Keith and Speyview, Aberlour.

10. Equalities

- 10.1. The Equality Act 2010 replaces the need for public bodies to have separate equalities schemes. The Council's Single Equality Scheme² covers all equality strands and forms the basis of the Council's approach to prioritising equality and diversity. In preparing the LHS and the SHIP, the Council has sought to ensure that the aims and objectives of the Single Equalities Scheme are achieved. Under the Single Equalities Scheme, consultation with equalities groups on the assessment of Council plans and policies is carried out via the Moray Equalities Forum. This group is also responsible for monitoring the impact of plans in achieving equalities objectives. Equality issues have been fully considered through the LHS Equalities Impact Assessment³.
- 10.2. The SHIP takes account of the available information on the specific housing needs of different communities and households in Moray collected as part of the HNDA. The ethnic minority population in Moray comprises less than 1% of the total population and is significantly lower than the Scottish average. This group is dispersed throughout Moray. The SHIP has not identified specific housing provision in relation to this group.
- 10.3. The investment proposed for the provision of new affordable housing will seek to address socio-economic inequality by contributing to alleviating homelessness and meeting the housing needs of low income groups.
- 10.4. To address the specific housing needs of older and disabled people, all new affordable housing provision is expected to meet Housing for Variable Needs standards. This helps reduce the need for expensive disabled adaptations to peoples' homes as their need changes over time.

11. Strategic Environmental Assessment

- 11.1. The SHIP does not determine where development is to take place nor the Council's investment priorities and targets for affordable housing. As these priorities are contained in the LHS, to which the SHIP is a supporting document, the Council considers that the most appropriate level for the Strategic Environmental Assessment (SEA) is the LHS. On 19 January 2012, the Council submitted a SEA Screening Report to the Scottish Government's SEA Gateway. The Screening Report concluded that a SEA of the LHS was not required as it does not identify land for new housing and because the impact of new affordable housing development would be determined through the SEA of the Local Development Plan. SEA Gateway forwarded the Council's Screening Report to the Consultation Authorities – Historic Scotland, SEPA and Scottish National Heritage – for their comments.

² Moray Council's Single Equality Scheme is available at http://www.moray.gov.uk/moray_standard/page_43740.html

³ Moray's LHS EQIA is available here http://www.moray.gov.uk/moray_standard/page_95565.html

11.2. On 2 February 2012, SEA Gateway confirmed that the Consultation Authorities had agreed that there was no likelihood of significant environmental effects arising from the LHS. On 6 March 2012, in the light of this response, the Council agreed that a SEA of the LHS would not be required.

12. Consultation and Stakeholder Engagement

12.1. As the HNDA 2017 considers the Moray Housing Market Area to be highly self-contained, neighbouring local authorities have not been consulted as part of the preparation of the LHS nor the SHIP.

12.2. The Council consulted members of the Housing Strategy Group as part of the preparation of the LHS. This Group is a forum for engaging the broad range of public agency and private sector partners in the development and implementation of the LHS. Members of the group include interested Council services, such as housing, planning, community care and health as well as the Scottish Government, the locally active Registered Social Landlords (RSLs) and Homes for Scotland. The Cairngorm National Park Authority (CNPA) is also represented.

12.3. The Council's Communities Committee is provided with regular reports on progress with the delivery of the SHIP and the Strategic Programme Agreement. Details of the SHIP will be presented to the Committee in February 2019.

12.4. During the consultation period, the Council published the draft SHIP on its website. Moray Council tenants receive details of the investment proposals set out in the SHIP via the "Tenants Voice" newsletter. Partner RSLs are expected to use their own methods of communication to publicise SHIP proposals to their tenants. This SHIP is available on the Council's website⁴ and publicised via the Council's social media channels.

13. Monitoring And Review

13.1. The delivery of the SHIP will be monitored as part of ongoing programme management arrangements with the Scottish Government. At a local level, progress on the delivery of the LHS is monitored through the Communities Committee and Housing Strategy Group. The Communities Committee receives regular reports on progress with the delivery of the Strategic Local Programme.

⁴ SHIP available at http://www.moray.gov.uk/moray_standard/page_95565.html

	SUB- AREA	PRIORITY	GEOGRAPHIC COORDINATES (X-EASTING)	GEOGRAPHIC CODE (Numeric Value - from Drop Down)	DEVELOPER	UNITS - TENURE							UNITS - BUILT FORM				UNITS - TYPE					GREEN R STANDARDS	APPROVAL DATE	UNITS SITE STARTS							UNITS - COMPLETIONS						SG AHSP FUNDING REQUIREMENT (£0.000M)						
PROJECT		Low / Medium / High				Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improvement for Sale	PSR	Total Units	Rehab	Off the Shelf	NB	Total Units	GN	Specialist Provision	Type of Specialist Particular Need (If Known)	Total Units by Type	Enter Y or N	Financial Year (Estimated or Actual)	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	TOTAL SITE STARTS OVER PERIOD OF SHIP	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	TOTAL COMPLETIONS OVER PERIOD OF SHIP	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD			
Barhill Road, Buckie (R11)	Buckie	High		5	Moray Council	28						28			28	28	25	3	Amenity/ WC	28	Y	2018/19						0	28						28						0.000		
Spynie, Elgin Phase 1	Elgin	High		9	Hanover Housing Association	44						44			44	44		44	Extra-care/ amenity	44	Y	2018/19						0	44						44	0.824						0.824	
Forsyth St Hopeman	Elgin	High		9	Moray Council	22						22			22	22	14	8	Amenity	22	Y	2018/19						0	22						22	0.765						0.765	
Elgin South Phase 1	Elgin	High		9	Moray Council	50						50			50	50	42	8	Amenity/ WC	50	Y	2018/19						0		50					50	1.98						1.980	
Pinegrove, Elgin	Elgin	High		9	Castlehill HA	14						14			14	14	0	14	LD	14	Y	2018/19	14					14		14				14	0.200	0.836					1.036		
Bogton, Forres Phase 1	Forres	Medium		5	Cairn Housing Association	30						30			30	30	24	6	Amenity/ WC	30	Y	2018/19	30					30		30					30	1.830						1.830	
Bogton, Forres Phase 2	Forres	Medium		3	Cairn Housing Association	20	10					30			30	30	28	2	Amenity/ WC	30	Y	2018/19		30				30			30				30		1.830					1.830	
Spynie, Elgin Phase 2	Elgin	High		9	Hanover Housing Association	37						37			37	37	24	13	Amenity/ WC	37	Y	2019/20	37					37		37					37	2.000	0.772					2.772	
Banff Road, Keith Phase 1	Keith	High		9	Moray Council	34						34			34	34	28	6	Amenity/ WC	34	Y	2019/20	34					34		34					34	1.427						1.427	
Stynie Road, Mosstodloch Phase 1	Elgin	High		9	Moray Council	30						30			30	30	18	12	Amenity/ WC	30	Y	2019/20	30					30		30					30	1.417						1.417	
Former Spynie Hospital	Elgin	High		9	Moray Council	42		8				50			50	50	40	10	Amenity/ WC	50	Y	2019/20	50					50		50					50	0.500	1.800					2.300	
Bilbohall, Elgin Phase 1	Elgin	High		9	Moray Council	60						60			60	60	50	10	Amenity/ WC	60	Y	2019/20	60					60		60					60	0.400	3.140					3.540	
Speyview, Aberlour	Speyside	High		9	Moray Council	28		4				32			32	32	22	10	Amenity/ WC	32	Y	2019/20	32					32		32					32	0.480	1.408					1.888	
Bilbohall Phase 1, Elgin (The Firs)	Elgin	High		7	Moray Council	10						10			10	10	10			10	Y	2019/20	10					10		10					10	0.100	0.369					0.469	
Castlehill, Fochabers	Elgin	High		9	Moray Council	4						4			4	4	0	4	Amenity/ WC	4	Y	2019/20	4					4		4					4	0.050	0.186					0.236	
Dufftown Phase 2	Speyside	High		9	Moray Council	6						6			6	6	6			6	Y	2019/20	6					6		6					6		0.212					0.212	
Former Bishopmill House site, Elgin	Elgin	Medium			Cairn Housing Association	12						12			12	12	12			12	Y	2019/20	12					12		12					12	0.888						0.888	
Archibald Grove, Buckie	Buckie	Medium			Osprey Homes Moray	6						6			6	6	4	2	Amenity/ WC	6	Y	2019/20	6					6		6					6	0.444						0.444	
Former Pedegree Cars, Forres	Forres	Medium			Cairn Housing Association	36						36			36	36	36			36	Y	2020/21		36				36			36				36		0.396	2.268				2.664	
Bilbohall, Elgin Phase 2	Elgin	High		9	Moray Council	75						75			75	75	55	20	Amenity/ WC	75	Y	2020/21		75				75			75				75		0.500	3.925				4.425	
Findrassie, Elgin Phase 1	Elgin	High		9	Moray Council	40						40			40	40	32	8	Amenity/ WC	40	Y	2020/21		40				40			40				40		0.600	2.280				2.880	
Sunbank, Lossiemouth Phase 1	Elgin	High		9	Osprey Homes Moray	26						26			26	26	18	8	Amenity/ WC	26	Y	2020/21		26				26			26				26		0.390	1.534				1.924	
Banff Road, Keith Phase 2	Keith	Medium		5	Hanover Housing Association	35						35			35	35	28	7	Amenity/ WC	35	Y	2020/21		35				35			35				35	0.100	1.894					1.994	
Bilbohall, Elgin Phase 3	Elgin	High		3	Grampian HA	43	10					53			53	53	43	10	Amenity/ WC	53	Y	2021/22			53			53				53				53			1.000	1.914		2.914	

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PROJECT		Low / Medium / High				Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improvement for Sale	PSR	Total Units	Rehab	Off the Shelf	NB	Total Units	GN	Specialist Provision	Type of Specialist Particular Need (If Known)	Total Units by Type	Enter Y or N	Financial Year (Estimated or Actual)	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	TOTAL SITE STARTS OVER PERIOD OF SHIP	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	TOTAL COMPLETIONS OVER PERIOD OF SHIP	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD		
Barhill Road, Buckie (R11)	Buckie	High		5	Moray Council	28						28			28	28	25	3	Amenity/ WC	28	Y	2018/19						0	28						28						0.000	
Spynie, Elgin Phase 1	Elgin	High		9	Hanover Housing Association	44						44			44	44		44	Extra-care/ amenity	44	Y	2018/19						0	44						44	0.824						0.824
Forsyth St Hopeman	Elgin	High		9	Moray Council	22						22			22	22	14	8	Amenity	22	Y	2018/19						0	22						22	0.765						0.765
Elgin South Phase 1	Elgin	High		9	Moray Council	50						50			50	50	42	8	Amenity/ WC	50	Y	2018/19						0		50					50	1.98						1.980
Stynie Road, Mosstodloch Phase 2	Elgin	High		9	Moray Council	46						46			46	46	38	8	Amenity/ WC	46	Y	2021/22				46		46				46		46		2.901						2.901
Elgin South Phase 2	Elgin	High		9	TBA	22						22			22	22	16	6	Amenity/ WC	22	Y	2021/22				25		25				25		25		0.375	0.500	0.975			1.850	
Stynie Road, Mosstodloch Phase 3 (NSSE)	Elgin	High		9	TBA			4				4			4	4	4		Amenity/ WC	4	Y	2021/22				4		4				4		4		0.140					0.140	
Bilbohall, Elgin Phase 4	Elgin	High		9	Moray Council	27						27			27	27	21	6	Amenity/ WC	27	Y	2021/22				27		27				27		27			1.593				1.593	
Findrassie, Elgin Phase 2	Elgin	High		9	TBA	30						30			30	30	24	6	Amenity/ WC	30	Y	2021/22				30		30				30		30			0.450	1.710			2.160	
Sunbank, Lossiemouth Phase 2	Elgin	High		9	Osprey Homes Moray	24						24			24	24	18	6	Amenity/ WC	24	Y	2021/22				24		24				24		24			0.360	1.416			1.776	
Banff Road, Keith Phase 4 (NSSE)	Keith	Low			TBA			12				12			12	12	8	4	Amenity/ WC	12	Y	2021/22				12		12				12		12		0.100	0.533				0.633	
Ferrylea Phase 3 (R3)	Forres	Low		5	TBA	69		10				79			79	79	65	14	Amenity/ WC	79	Y	2021/22				79		79				79		79			1.185	2.200	1.276		4.661	
Banff Road, Keith Phase 3	Keith	Medium		5	TBA	41						41			41	41	30	11	Amenity/ WC	41	Y	2021/22				41		41				41		41		0.100	2.679				2.779	
Tomintoul	CNP	Medium		10	Cairn Housing Association	10						10			10	10	10			10	Y	2021/22				10		10				10		10			0.130	0.610			0.740	
Sunbank, Lossiemouth Phase 3	Elgin	High		9	Osprey Homes Moray	22						22			22	22	18	4	Amenity/ WC	22	Y	2022/23				22		22					22	22				0.330	1.298		1.628	
Dallas Dhu, Forres Phase 1	Forres	High		5	Hanover Housing Association	10						10			10	10	6	4	Amenity/ WC	10	Y	2022/23				10		10					10	10				0.150	0.590		0.740	
Urquhart Place, Lhanbryde	Elgin	Medium		9	Langstane Housing Association	30						30			30	30	20	10	Amenity/ WC	30	Y	2022/23				30		30					30	30				0.450	1.770		2.220	
Taigh Farrais, Forres	Forres	Medium		6	Hanover Housing Association	6						6			6	6	0	6	Amenity/ WC	6	Y	2022/23				6		6					6	6				0.072	0.372		0.444	
Tytler Street, Forres	Forres	Low		5	Cairn Housing Association	14						14			14	14	14			14	Y	2023/24					14	14						0	0.210	0.200	0.626				1.036	
Lesmurdie Field, Elgin	Elgin	Low		9	Hanover Housing Association	33						33			33	33	29	4	Amenity/ WC	33	Y	2023/24					33	33						0		0.495	1.947				2.442	
Total						235	0	10	0	0	0	245	0	0	245	245	192	53	0	1146				325	242	351	68	47	1033	66	375	242	351	68	1102	13.614	18.644	21.009	9.827	5.306	68.400	

MORE HOMES DIVISION

STRATEGIC HOUSING INVESTMENT PLAN 2019/20 - 2023/24

Table 2 - HOUSING INFRASTRUCTURE FUND (HIF) PROJECTS

Note: Projects should be entered as either Grant or Loan - Any which state a mixed category e.g.

TABLE 2.1 - GRANT PROJECTS

									AFFORDABLE HOUSING UNITS DIRECTLY PROVIDED BY INFRASTRUCTURE FUNDING - BY ESTIMATED COMPLETION DATE											HIF GRANT FUNDING REQUIRED					POTENTIAL ADDITIONAL CAPACITY - UNITS NOT DIRECTLY FUNDED BUT UNLOCKED BY INFRASTRUCTURE FUNDING					
PROJECT	PRIORITY Low / Medium / High	GEOGRAPHIC COORDINATES (X:EASTING Y:NORTHING)	APPLICANT	PLANNING STATUS (OUTLINE/ MASTERPLAN/ FULL CONSENT IN PLACE) (Y/N)	DOES APPLICANT OWN OR HAVE POTENTIAL TO OWN THE SITE? (Y/N)	CURRENT SITE OWNER	BRIEF DESCRIPTION OF WORKS FOR WHICH INFRASTRUCTURE FUNDING IS SOUGHT (PROVIDE WORK HEADINGS - DO NOT INSERT "INFRASTRUCTURE WORKS")	IS PROJECT LINKED TO DIRECT PROVISION OF AFFORDABLE HOUSING? (Y/N)	AFFORDABLE					MARKET					PRIVATE RENT										UNITS - POTENTIAL ADDITIONAL CAPACITY IN EITHER LATER PHASES OR OTHER SITES	TENURE - AFFORDABLE / MARKET /PRIVATE RENTED
									2019/ 20	2020/ 21	2021/ 22	POST 2021/ 22	AFFORDABLE TOTAL OVER PLAN OVER SHIP PERIOD	2019/ 20	2020/ 21	2021/ 22	POST 2021/ 22	MARKET TOTAL OVER PLAN OVER SHIP PERIOD	2019/ 20	2020/ 21	2021/ 22	POST 2021/ 22	PRIVATE RENT TOTAL OVER PLAN OVER SHIP PERIOD	2019/ 20	2020/ 21	2021/ 22	Post 2021/ 22	TOTAL HIF GRANT FUNDING REQUIRED		
Bilbohall	H		Moray Council/ Grampian Housing Association	Masterplan	Y	TMC/ GHA	Off-site transport infrastruture and internal road network	Y		70	102	53	225		80	76		156					0	0.200	2.578	2.578		5.355		
													0					0					0					0.000		
													0					0					0					0.000		
Total									0	70	102	53	225	0	80	76	0	156	0	0	0	0	0	0.200	2.578	2.578	0.000	5.355		

TABLE 2.2 - LOAN PROJECTS

									AFFORDABLE HOUSING UNITS DIRECTLY PROVIDED BY INFRASTRUCTURE FUNDING - BY ESTIMATED COMPLETION DATE											HIF LOAN FUNDING REQUIRED					POTENTIAL ADDITIONAL CAPACITY - UNITS NOT DIRECTLY FUNDED BUT UNLOCKED BY INFRASTRUCTURE FUNDING					
PROJECT	PRIORITY Low / Medium / High	GEOGRAPHIC COORDINATE S (X:EASTING Y:NORTHING)	APPLICANT	PLANNING STATUS (OUTLINE/ MASTERPLAN/ FULL CONSENT IN PLACE) (Y/N)	DOES APPLICANT OWN OR HAVE POTENTIAL TO OWN THE SITE? (Y/N)	CURRENT SITE OWNER	BRIEF DESCRIPTION OF WORKS FOR WHICH INFRASTRUCTURE FUNDING IS SOUGHT (PROVIDE WORK HEADINGS - PLEASE "INFRASTRUCTURE WORKS")	IS PROJECT LINKED TO DIRECT PROVISION OF AFFORDABLE HOUSING? (Y/N)	AFFORDABLE					MARKET					PRIVATE RENT										UNITS - POTENTIAL ADDITIONAL CAPACITY IN EITHER LATER PHASES OR OTHER SITES	TENURE - AFFORDABLE / MARKET /PRIVATE RENTED
									2019/ 20	2020/ 21	2021/ 22	POST 2021/ 22	AFFORDABLE TOTAL OVER PLAN OVER SHIP PERIOD	2019/ 20	2020/ 21	2021/ 22	POST 2021/ 22	MARKET TOTAL OVER PLAN OVER SHIP PERIOD	2019/ 20	2020/ 21	2021/ 22	POST 2021/ 22	PRIVATE RENT TOTAL OVER PLAN OVER SHIP PERIOD	2019/ 20	2020/ 21	2021/ 22	Post 2021/ 22	TOTAL HIF GRANT FUNDING REQUIRED		
														0					0					0.000						
														0					0					0.000						
														0					0					0.000						
Total									0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.000	0.000	0.000	0.000	0			

MORE HOMES DIVISION

STRATEGIC HOUSING INVESTMENT PLAN 2019/20 - 2023/24

Table 3 - POTENTIAL HIF AFFORDABLE HOUSING PROJECTS WHICH MAY BE DEVELOPED FOLLOWING HIF INVESTMENT

LOCAL AUTHORITY: MORAY

PROJECT	SUB-AREA	PRIORITY	GEOGRAPHIC COORDINATES (X:EASTING Y:NORTHING)	GEOGRAPHIC CODE (Numeric Value - from Drop Down Table Below)	DEVELOPER	UNITS - TENURE							UNITS - BUILT FORM				UNITS - TYPE				GREENER STANDARDS	APPROVAL DATE	UNIT SITE STARTS						UNITS - COMPLETIONS					SG AHSP FUNDING REQUIREMENT (£0.000M)				
						Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improvement for Sale	PSR	Total Units	Rehab	Off the Shelf	NB	Total Units	GN	Specialist Provision	Type of Specialist Particular Need (If Known)	Total Units by Type			Enter Y or N	Financial Year (Estimated or Actual)	2019/ 20	2020/ 21	2021/ 22	Post 2021/ 22	TOTAL SITE STARTS OVER PERIOD OF SHIP	2019/ 20	2020/ 21	2021/ 22	Post 2021/ 22	TOTAL COMPLETIONS OVER PERIOD OF SHIP	2019/ 20	2020/ 21	2021/ 22	Post 2021/ 22
Bilbohall, Elgin Phase 1	Elgin	High		9	Moray Council	60						60			60	60	50	10	Amenity/WC	60	Y	2019/20	60				60		60			60	0.400	3.140			3.540	
Bilbohall Phase 1, Elgin (The Firs)	Elgin	High		7	Moray Council	10						10			10	10	10			10	Y	2019/20	10				10		10			10	0.100	0.369			0.469	
Bilbohall, Elgin Phase 2	Elgin	High		9	Moray Council	75						75			75	75	55	20	Amenity/WC	75	Y	2020/21		75			75			75			75		0.500	3.925		4.425
Bilbohall, Elgin Phase 3	Elgin	High		3	Grampian HA	43	10					53			53	53	43	10	Amenity/WC	53	Y	2021/22			53		53			53			1.000	1.914		2.914		
Bilbohall, Elgin Phase 4 (S75)	Elgin	High		9	TBA	27						27			27	27	21	6	Amenity/WC	27	Y	2021/22		27			27			27			27		1.593		1.593	
												0			0					0							0					0				0.000		
												0			0					0							0					0				0.000		
Total						215	10	0	0	0	0	225	0	0	225	225	179	46	0	225			70	102	53	0	225	0	70	102	53	225	0.500	5.602	4.925	1.914	12.941	

MORE HOMES DIVISION

STRATEGIC HOUSING INVESTMENT PLAN 2019/20 - 2023/24

LOCAL AUTHORITY: Moray

TABLE 4 - AFFORDABLE HOUSING PROJECTS FUNDED OR SUPPORTED BY SOURCES OTHER THAN THE RPA/TMDF BUDGET

[illegible]

MORE HOMES DIVISION	
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STRATEGIC HOUSING INVESTMENT PLAN 2019/20 - 2023/24
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LOCAL AUTHORITY: MORAY

TABLE 5.1: COUNCIL TAX ON SECOND AND EMPTY HOMES(£0.000M)

	TAX RAISED OR IN HAND	TAX USED TO SUPPORT AFFORDABLE HOUSING	TAX CARRIED FORWARD TO SUBSEQUENT YEARS
PRE - 2016/17	0.618		
2017/18	1.211	1.100	0.111
2018/19	0.636	0.636	0.000

TABLE 5.2: DEVELOPER CONTRIBUTIONS (£0.000M)

	SUMS			UNITS		
	RAISED OR IN HAND	USED TO ASSIST HOUSING	SUM CARRIED FORWARD TO SUBSEQUENT YEARS	AFFORDABLE UNITS FULLY FUNDED FROM CONTRIBUTIONS	UNITS PARTIALLY ASSISTED FROM CONTRIBUTIONS	UNITS TOTAL
PRE - 2016/17	0.047					
2017/18	0.004	0.000	0.051			0
2018/19	0.044	0.000	0.095			0

Note: These tables are used to capture financial information. Details of how this has been used to fund/assist affordable housing should be contained in the text of the SHIP as described in the guidance.



REPORT TO: COMMUNITIES COMMITTEE ON 5 FEBRUARY 2019

SUBJECT: HOUSING INVESTMENT 2018/19

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING AND INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 This report informs the Communities Committee of the budget position to 30 November 2018 for the Housing Investment Programme for 2018/19.
- 1.2 This report is submitted to Committee in terms of Section III G (3) of the Council's Scheme of Administration relating to the maintenance of the Council's housing stock.

2. RECOMMENDATION

- 2.1 **It is recommended that the Committee considers and notes the position as at 30 November 2018 with regards to the Housing Investment Programme for 2018/19.**

3. BACKGROUND

3.1 Investment Programme

APPENDIX I shows income and expenditure for 2018/19. The Appendix includes expenditure on the Council house new build programme as 'Other Capital Expenditure' however this is now the subject of a separate monitoring report (Council new Build Housing Programme which is reported periodically to this Committee) and the figure is for information only. Spend of £5.845m was achieved on the Housing Investment Programme to 30 November, which represents 46% of the agreed programme. Commitments are currently standing at £9.533m, which represents 75% of the programme. This commitment will increase during the final months of the year as more projects are progressed. The level of expenditure within the individual budget headings which make up the programme are shown in paragraphs 3.2 to 3.5 below. The expenditure figure represents all payments which have progressed through the finance system to 30 November 2018. The Housing Investment Programme for 2018/19 continues to reflect investment required to maintain the housing stock at the Scottish Housing Quality Standard (SHQS), attain the Moray Standard (TMS) and replace life expired elements such as kitchens, heating and windows on a lifecycle basis. It also includes capital expenditure aimed at achieving the Energy Efficiency Standard for Social Housing (EESH) by 2020.

- 3.2 **APPENDIX II** shows expenditure on Response and Void Repairs. Spend was £1.926m to 30 November 2018 and represents 59% of the agreed programme. Commitment currently stands at £3.143m and represents 95% of the agreed budget. It is currently projected that the budget may be overspent in the region of £250k by the end of the financial year. At this stage it is envisaged that this overspend can be contained within the overall Housing Investment Budget.
- 3.3 **APPENDIX III** shows expenditure on Estate Works. Spend of £376k was achieved to 30 November 2018 and represents 56% of the agreed programme level. Commitment currently stands at £488k and represents 72% of the programme.
- 3.4 **APPENDIX IV** shows expenditure on Cyclic Maintenance. Spend of £895k was achieved to 30 November 2018. This represents 62% of the agreed programme level. Commitment currently stands at £1.120m and represents 80% of the agreed budget.
- 3.5 **APPENDIX V** shows expenditure on Planned Maintenance and Other Investments. Spend of £2.648m was achieved to 30 November 2018 and represents 36% of the agreed programme level. Commitment currently stands at £4.782m and represents 66% of the programme.
- 3.6 General Programme Updates
40 properties have had asbestos tanks, associated debris or other asbestos containing materials (ACM's) removed during the financial year to date. The presence of asbestos materials in some properties is still impacting on the Council's planned maintenance and void works. However, removal works are implemented in advance wherever possible in order to keep any programme delays to a minimum.
- 3.7 The project to apply External Wall Insulation (EWI) to the final 50 properties in Milton Drive/Brodie Avenue was substantially completed in early December as planned. The contractor appointed to install EWI to 19 other non-traditional properties located in Forres and Lossiemouth, where adjacent private sector properties have been improved through the Home Energy Efficiency Programme for Scotland: Area Based Scheme (HEEPS:ABS) has provided a provisional start date of the end of January for this project. These improvement works will allow the Council to make progress towards meeting EESSH by 2020.
- 3.8 The Warm Homes Fund heating project being carried out in conjunction with Perth and Kinross Council, Scottish and Southern Energy (SSE) and Scotia Gas Networks (SGN) is likely to commence in early February 2019. Of the 122 EESSH related heating replacement due for completion by 28 February 2019, 23 replacements were completed as at 30 November 2018. A separate contract with the same contractor relating to SHQS failures is due for completion early in the new year. These projects not only improve the Council's housing stock but also help the Council meet its statutory obligations in terms of EESSH and SHQS.
- 3.9 Some other EESSH related works (cavity wall insulation and loft insulation) are currently being procured through the Scotland Excel Framework however

there have been some minor issues with the pricing process. It is envisaged that these issues can be resolved quickly and works will be completed by March 2019.

3.10 Income and Expenditure for Private Sector Housing

APPENDIX VI shows the position with regard to grant expenditure for Private Sector Housing Grants to 30 November 2018. The budget in category B is now the responsibility of the Moray Integration Joint Board (MIJB) and the information is only for noting at this Committee. The legally committed figure of £350k represents 70% of the allocated budget. Spend to 30 November 2018 was £251k which represents 50% of the allocated budget.

- 3.11 The legally committed figure of £110k in Category C represents a 4% over commitment of the allocated budget. Spend to 30 November 2018 was £63k which represents 60% of the allocated budget.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This proposal relates to:

Priority 1 – Creating a growing, diverse and sustainable economy; and
Priority 2 - Empowering and connecting communities.

(b) Policy and Legal

Maintenance and Improvement works are carried out in order to meet statutory legal requirements and in accordance with current relevant policies.

(c) Financial implications

The financial implications associated within this report are dealt with in paragraphs 3.1 to 3.10 above, with details of the Council house new build programme now being the subject of a separate monitoring report.

(d) Risk implications

Failure to expend agreed budgets may affect the Council's ability to maintain its stock at the Scottish Housing Quality Standard, replace life expired elements and attain the Energy Efficiency Standard for Social Housing. Budget Managers are aware of their responsibilities for managing budget allocations and approval for variance will be sought from Committee in line with the Financial Regulations.

(e) Staffing implications

There are no staffing implications associated with this report.

(f) Property

The improvement and maintenance of the housing stock will ensure that it remains sustainable in the longer term both physically and environmentally.

(g) Equalities/Socio Economic Impact

There are no equalities issues associated with this report as it is to inform the Committee on budget monitoring.

(h) Consultations

Consultations have taken place with the Head of Housing and Property, Property Resources Manager, Building Services Manager, Senior Solicitor (Kathryn MacPherson), Principal Accountant (Deborah O'Shea), Caroline Howie (Committee Services Officer) and the Home Improvement Services Manager, who agree with the sections of the report relating to their areas of responsibility.

5. CONCLUSION

- 5.1 Housing Investment for both the Council's housing stock and the private sector enables the Council to address the identified priorities to improve the quality of housing stock in Moray. More specifically, the investment in the Council's housing stock enables it to be maintained at the Scottish Housing Quality Standard, allows for replacement of life expired elements and makes progress towards the attainment of both the Moray Standard and the Energy Efficiency Standard for Social Housing.**

Author of Report:	John Macdonald, Asset Manager
Background Papers:	Held on file by the Asset Manager
Ref:	JMM/COMM05FEB/HINV

APPENDIX I

INVESTMENT PROGRAMME INCOME AND EXPENDITURE 2018/19

30 November 2018
(all amounts in £'000)

HOUSING INVESTMENT PROGRAMME

	Annual Budget 2018/19	Expenditure plus commitments to date	% expenditure plus commitments to date	Expenditure to date	% Budget spent to date	Budget balance
<u>Expenditure</u>						
Response & Void Repairs	3,292	3,143	95%	1,926	59%	1,366
Estate Works	675	488	72%	376	56%	299
Cyclic Maintenance	1,399	1,120	80%	869	62%	530
Planned Maintenance (Revenue)	1,009	864	86%	424	42%	585
Planned Maintenance (Capital)	5,898	3,478	59%	2,060	35%	3,838
Other Investment (Revenue)	10	0	0%	0	0%	10
Other Investment (Capital)	350	361	103%	164	47%	186
Sub Total	12,633	9,454	75%	5,819	46%	6,814
<u>Other Capital Expenditure</u>						
New Build - Capital Costs	13,532			4,773		
Total	26,165			10,592		
<u>Funded by</u>						
HRA Revenue	6,385			3,595	56%	
Government Grant	5,559			1,268	23%	
Use of Council Tax Discount	525			0	0%	
Prudential Borrowing	9,115			5,729	63%	
Capital Receipts	0			0	n/a	
Useable Capital Receipts	0			0	n/a	
C.F.C.R	4,581			0	0%	
Total	26,165			10,592	40%	

APPENDIX II

INVESTMENT PROGRAMME EXPENDITURE 2018/19

30 November 2018
(all amounts in £'000)

RESPONSE AND VOIDS REPAIRS

	Annual Budget 2018/19	Expenditure plus commitments to date	% expenditure plus commitments to date	Expenditure to date	% Budget spent to date	Budget balance
West Area Office	1,102	970	88%	664	60%	438
East Area Office	858	870	101%	432	50%	426
Void House Repairs	1,332	1,303	98%	830	62%	502
	3,292	3,143	95%	1,926	59%	1,366

APPENDIX III

INVESTMENT PROGRAMME EXPENDITURE 2018/19

30 November 2018
(all amounts in £'000)

ESTATE WORKS

	Annual Budget 2018/19	Expenditure plus commitments to date	% expenditure plus committed to date	Expenditure to date	% Budget spent to date	Budget balance
Garage Upgrades	50	17	34%	1	2%	49
Asbestos	250	155	62%	155	62%	95
Landscape Maintenance	25	17	68%	1	4%	24
Estates/Forum Upgrades	250	175	70%	135	54%	115
Miscellaneous	100	124	124%	84	84%	16
	675	488	72%	376	56%	299

APPENDIX IV

INVESTMENT PROGRAMME EXPENDITURE 2018/19

30 November 2018
(all amounts in £'000)

CYCLIC MAINTENANCE

	Annual Budget 2018/19	Expenditure plus commitments to date	% expenditure plus commitments to date	Expenditure to date	% Budget spent to date	Budget balance
Gas Servicing	803	782	97%	586	73%	217
Solid Fuel Servicing	40	32	80%	29	73%	11
Air Source Heat Pump Servicing	80	38	48%	31	39%	49
Smoke Detector Servicing	100	102	102%	86	86%	14
PPR & External Painterwork	266	113	42%	84	32%	182
General Servicing	85	53	62%	53	62%	32
Inspections/House Surveys	25	0	0%	0	0%	25
	1,399	1,120	80%	869	62%	530

APPENDIX V

INVESTMENT PROGRAMME EXPENDITURE 2018/19

30 November 2018
(all amounts in £'000)

PLANNED MAINTENANCE & OTHER INVESTMENTS

	Annual Budget 2018/19	Expenditure plus commitments to date	% expenditure plus committed to date	Expenditure to date	% Budget spent to date	Budget balance
Kitchens and Bathrooms	1,400	923	66%	620	44%	780
Central Heating	1,850	1,254	68%	1,019	55%	831
EESSE Programme	1,860	594	32%	330	18%	1,530
Doors and Windows	788	707	90%	91	12%	697
Sub Total (Capital)	5,898	3,478	59%	2,060	35%	3,838
Rainwatergoods	200	143	72%	0	0%	200
Roof and Fabric Repairs	250	174	70%	98	39%	152
Plumbing Upgrades	100	162	162%	162	162%	-62
Electrical Upgrades	100	127	127%	58	58%	42
Safety & Security	25	76	304%	37	148%	-12
Common Stairs	25	45	180%	0	0%	25
Insulation	200	44	22%	11	6%	189
Sheltered Housing	10	0	0%	0	0%	10
Decoration Vouchers	49	38	78%	38	78%	11
Shower Installations	50	55	110%	20	40%	30
Sub Total (Revenue)	1,009	864	86%	424	42%	585
Disabled Adaptations	350	361	103%	164	47%	186
Sub Total (Other Capital)	350	361	103%	164	47%	186
Enabling Projects	10	0	0%	0	0%	10
Sub Total (Other Revenue)	10	0	0%	0	0%	10
Total	7,267	4,703	65%	2,648	36%	4,619

APPENDIX VI

PRIVATE SECTOR HOUSING GRANT
SCHEME OF ASSISTANCE - 2018/1930 November 2018
(all amounts in £'000)

CATEGORY	Budget Allocation 2018/19	Spend to date	Balance	Legally Committed	Completed Cases
Independent Living					
Category A (Revenue)	8	3	5	8	0
Category B	500	251	249	350	43
Category C	105	63	42	110	18
Overall Total	613	317	296	468	61

CATEGORY DESCRIPTIONS	
Category A	External agency running costs
Category B	Grant Assistance to aid Independent Living - Adaptations
Category C	Grant Assistance to aid Independent Living - House Condition Works



REPORT TO: COMMUNITIES COMMITTEE ON 5 FEBRUARY 2019

SUBJECT: HOUSING AND PROPERTY SERVICES BUDGET MONITORING – 30 NOVEMBER 2018

BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT, PLANNING AND INFRASTRUCTURE)

1. REASON FOR REPORT

- 1.1 This report presents the budget monitoring for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 30 November 2018.
- 1.2 This report is submitted to Committee in terms of section III G (1) of the Council's Scheme of Administration relating to the management of budgets.

2. RECOMMENDATION

- 2.1 **It is recommended that Communities Committee considers and notes the budget monitoring report for the period to 30 November 2018.**

3. BACKGROUND

- 3.1 The Council agreed the HRA Budget for 2018/19 at its meeting on 14 February 2018 (paragraph 13 of the Minute refers). Housing and Property budget monitoring reports are presented to each cycle of meetings.

4. HOUSING REVENUE ACCOUNT TO 30 NOVEMBER 2018

- 4.1 **APPENDIX I** details the HRA budget position to 30 November 2018.
- 4.2 The main expenditure variances relate to:–
 - 4.2.1 **Supervision and management** – there is a range of variations within this budget resulting in a net overspend of £12k. There are underspends in Staffing (£99k), Training (£3k), ICT (£9k) and other minor underspends (£11k) which is reduced by overspends on void rent loss (£71k), the Bilbohall Masterplan (£38k), insurance (£14k) and council tax for Cluny Annexe, Buckie (£11k).
 - 4.2.2 **Sheltered Housing** – there is an underspend of £8k due mainly to lower energy costs. This position is likely to change over the winter months.

- 4.2.3 **Repairs and maintenance** – there is an overspend of £27k in the repairs and maintenance budget. The main overspends are in planned works (£28k) and void repairs (£53k) which is reduced by an underspend in response repairs (£54k).
- 4.2.4 **Bad and doubtful debts** – there has been an underspend of £30k to date due to fewer write offs than expected being approved. This position will change as the year progresses.
- 4.2.5 **Downsizing Incentive Scheme** – there is a £1k underspend to date. The recruitment of a dedicated post to oversee the Scheme will commence in January 2019.
- 4.2.6 **Service Developments** – this budget includes provision for ongoing ICT improvements (£5k) and a full Tenants Survey (£18k). There has been no spend to date on ICT improvements. The Tenants Survey which is now complete also cost less than was originally projected.
- 4.3 The income at 30 November 2018 is £38k lower than projected. Housing rents (£21k) and lower than expected tenant rechargeable repairs (£17k) are the main reasons for the reduced income. The income from house rents will increase over the remainder of the year as new build properties come on stream.

5. **HRA PROJECTED OUTTURNS 2018/19**

- 5.1 **APPENDIX I** also details projected outturns for 2018/19.
- 5.2 Expenditure
- 5.2.1 **Supervision and management** - an overspend of £23k is projected. This variance results from projected overspends in void rent loss (£77k), the Bilbohall Masterplan (£29k), council tax for Cluny Annexe, Buckie (£11k) and insurance (£14k) which is reduced by underspends in staffing (£74k), ICT (£20k) and other minor underspends (£14k).
- 5.2.2 **Sheltered Housing** - an underspend of £4k is projected due mainly to lower energy costs.
- 5.2.3 **Repairs and Maintenance** - an overspend of £261k is projected with the main overspend occurring in voids (£291k). This is reduced by projected underspends in planned works (£9k) and response repairs (£21k).
- 5.2.4 **Financing costs** - an overspend of £47k is projected due to higher borrowing requirements and higher interest rates. The level of Capital from Current Revenue (CFCR) has been reduced by £254k to address projected overspends elsewhere within the HRA budget.
- 5.2.5 **Bad and Doubtful debts** - an underspend of £65k is projected due to lower write-offs than originally expected.

- 5.2.6 **Downsizing Incentive Scheme** – it is currently projected that the full budget (£72k) will be fully expended by year end.
- 5.2.7 **Service Developments** – an underspend of £9k is projected with ICT (£5k) not being required in this financial year and the cost of the Tenant Survey (£14k) being less than was originally projected.
- 5.2.8 **Total expenditure on the HRA** - is projected to be £1k lower than budgeted.
- 5.3 Income
- 5.3.1 Minor variations are projected for income on non-dwelling rents, house rents and other income during 2018/19.
- 5.3.2 Total income to the HRA is projected to be £1k lower than originally budgeted for 2018/19.
- 5.4 Overall, a surplus balance of £1.132m is projected for the HRA budget in 2018/19.

6. **OTHER HOUSING BUDGET**

- 6.1 **APPENDIX II** provides details of the budget position to 30 November 2018.
- 6.2 **Planning and Development** consists of Improvement Grants and Affordable Housing budgets. There is an underspend of £36k as a result of fewer improvement grants being processed in the period.
- 6.3 **Housing Management** relates to the Gypsy/Traveller Budget. This shows a £4k underspend due to minor underspends mainly in staffing and the provision of chemical toilets.
- 6.4 **Homelessness/Allocations** comprises homelessness, Landlord Registration and housing support services. An underspend to date of £42k is due to variances across a range of budgets. This includes underspends in Landlord Registration (£20k), Homeless Persons (£19k) and Homelessness (£3k).
- 6.5 **Miscellaneous General Services Housing** – comprises of a maintenance bond, house loans and housing at Urquhart Place, Lhanbryde. There is a £23k underspend to date due mainly to a lower than projected repairs and maintenance being required for the properties at Urquhart Place.
- 6.6 **The Building Services Budget** is reported in detail separately on this Committee's agenda and any surplus achieved will return to the HRA.
- 6.7 **The Property Services Budget** covers the cost of the Design and Property Resources sections of the service. An underspend of £161k has occurred to date due to variances across a range of budgets. The major underspends relate to Industrial Estates rental income (£54k) and the corporate repairs and maintenance budgets (£107k).
- 6.8 As at 30 November 2018, the Other Housing Budget shows a net underspend of £273k.

7. OTHER HOUSING PROJECTED OUTTURNS 2018/19

- 7.1 **APPENDIX II** also indicates the projected outturns for 2018/19.
- 7.2 **Planning and Development** is projected to underspend by £20k. This includes an underspend on Discretionary Grants (£15k) and minor staffing underspends (£5k).
- 7.3 **Housing Management** is projected to underspend by £6k with staffing and the requirement for chemical toilets being the main reasons for the underspend.
- 7.4 **Homelessness/Allocations** projects an underspend of £46k. Underspends in Landlord Registration (£12k) and temporary accommodation (£41k) are reduced by an overspend in housing support (£7k).
- 7.5 **Miscellaneous General Services Housing** –projects an underspend of £26k. The main reason for this relates to the lower than anticipated repairs and maintenance costs that are expected for Urquhart Place, Lhanbryde during the financial year.
- 7.6 **Building Services** projected outturn is considered in further detail in the separate report on the Committee's agenda.
- 7.7 **Property Services** projects an underspend of £61k. The main underspends include shared buildings (£10k) and central repairs and maintenance (£138k). This is reduced by overspends in Architects (£8k), the industrial portfolio (£22k) and lower than projected property fees (£57k).
- 7.8 **Housing and Property Savings** – Staffing savings are projected to be slightly less than target (£4k).
- 7.9 **Housing and Property Allocations** - no variance is currently projected on the year end allocations budget.
- 7.10 Overall, it is now projected that the Other Housing Budget in General Services will overspend by £43k on the agreed budget.

8. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The provision of new affordable housing, the maintenance of the Council's housing stock and dealing with homelessness are priorities identified within the Corporate Plan and 10 Year Plan, the Council's Local Housing Strategy and Strategic Housing Investment Plan (SHIP) and the Housing and Property Service Plan.

(b) Policy and Legal

There are no policy or legal implications arising from this report.

(c) Financial Implications

The financial implications of this report are considered in Sections 4, 5, 6 and 7 of this report and detailed in **APPENDIX I and II**.

(d) Risk Implications

Budget managers are aware of their responsibilities for managing budget allocations and approval for variance will be sought from the Committee in line with Financial Regulations.

(e) Staffing implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

There are no equalities/socio economic impacts arising from this report.

(h) Consultations

This report has been prepared in close consultation with Finance staff. Consultation on this report has been carried out with Deborah O'Shea (Principal Accountant), Legal Services Manager (Property and Contracts), Senior Managers within Housing and Property Services, and Caroline Howie (Committee Services Officer) who all agree the content of the report where it relates to their area of responsibility.

9. CONCLUSION

- 9.1 This report sets out the budget position for the HRA and General Services Housing budgets to 30 November 2018 and also comments on the variances on these budgets. It also provides projected outturns for the financial year 2018/19.**

Author of Report:	Richard Anderson, Head of Housing and Property
Background Papers:	Held by author
Ref:	CC/JS/LS – Housing Budgets –

Housing Revenue Account

APPENDIX I

Monitoring to 30th November 2018

Service Description	Annual Budget 2018-19	Budget to 30th November 2018	Actual to 30th November 2018	Variance to 30th November 2018	Projected Outturn to 31st March 2019	Projected Variance to 31st March 2019
Expenditure	£,000	£,000	£,000	£,000	£,000	£,000
Supervision & Management	4,122	2,130	2,142	(12)	4,145	(23)
Sheltered Housing	37	27	19	8	33	4
Repairs and Maintenance	6,340	3,638	3,665	(27)	6,601	(261)
Financing Costs	3,709	0	0	0	3,756	(47)
Bad & Doubtful Debts	250	60	30	30	185	65
CFCR	4,581	0	0	0	4,327	254
Downsizing Incentive Scheme	72	48	47	1	72	0
Service Development	23	15	4	11	14	9
Total Gross Expenditure	19,134	5,918	5,907	11	19,133	1
Income	£,000	£,000	£,000	£,000	£,000	£,000
Non-dwelling rents	214	165	165	0	212	(2)
House rents	18,812	13,321	13,300	(21)	18,805	(7)
IORB	11	0	0	0	35	24
Other income	97	65	48	(17)	81	(16)
Total Income	19,134	13,551	13,513	(38)	19,133	(1)
Surplus / (Deficit) for the year	0	7,633	7,606	(27)	0	0
Accumulated Surplus Balance brought forward			1,132		1,132	
Estimated Surplus Balance at 31st March			1,132		1,132	

General Services Housing & Property

Appendix II

Monitoring to 30th November 2018

Service Description	Annual Budget 2018-19 £'000	Budget to 30th November 2018 £'000	Actual & Committed to 30th November 2018 £'000	Variance at 30th November 2018 £'000	Projected Outturn 2018-19 £'000	Projected Variance 2018-19 £'000
Planning & Development	323	215	179	36	303	20
Housing Management	14	21	17	4	8	6
Homelessness / Allocations	2080	1428	1386	42	2034	46
Miscellaneous General Services Housing	(21)	(14)	(37)	23	(47)	26
Building Services	(1)	149	142	7	(3)	2
Property Services	949	952	791	161	888	61
General Services Housing & Property Savings	(4)	0	0	0	0	(4)
General Services Housing & Property Allocations	(170)	0	0	0	(170)	0
General Services Housing & Property Total	3170	2751	2478	273	3213	(43)



REPORT TO: COMMUNITIES COMMITTEE ON 5 FEBRUARY 2019

SUBJECT: ALLOCATIONS POLICY REVIEW 2019

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING AND INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 This report provides Communities Committee with the results of the Allocations Policy review consultation and presents a revised Allocations Policy for approval.
- 1.2 This report is submitted to Committee in terms of Section III (G) (4) of the Council's Scheme of Administration relating to the allocation and letting of houses and homelessness.

2. RECOMMENDATION

2.1 It is recommended that the Communities Committee:-

- (i) **considers and notes the results of the public consultation on the Allocations Policy as set out in Section 4 and APPENDIX A;**
- (ii) **approves the revised Allocations Policy as set out in APPENDIX B; and**
- (iii) **agrees that the revised Allocations Policy will be implemented on 1 May 2019.**

3. BACKGROUND

- 3.1 Communities Committee was provided with updates on 26 June and 20 November 2018 (paragraph 12 of the Minute and paragraph 7 of the draft Minute refer) on the commencement of the provisions of Part 2 of the Housing (Scotland) Act 2014, herein referred to as the 2014 Act and of the requirement to review the Allocations Policy to reflect the legislative changes.
- 3.2 Access to social housing is governed by legislation and guidance. At its meeting on 26 June 2018, Communities Committee was advised that in addition to the mandatory legislative changes introduced by the 2014 Act, key

issues had been identified for consideration as part of the review of the Allocations Policy (paragraph 14 of the Minute refers).

- 3.3 An extensive consultation was undertaken between 3 September 2018 and 21 October 2018 focusing on eleven key issues. Feedback was requested from applicants on the housing list, Community Councils, Community Planning area forums, the Moray Tenants' Forum, the Moray Equalities Forum and other key stakeholders including, Health and Social Care, Social Work and representatives from the Armed Forces.
- 3.4 At its meeting on 20 November 2018, Communities Committee was provided with the results of the public consultation and it agreed a revised Allocations Policy prior to a further consultation (paragraph 7 of the draft Minute refers).
- 3.5 The consultation, which commenced on 23 November 2018 and ended on 11 January 2019, was publicised on the Council's website and by social media. The consultation involved:
- publishing the full revised Allocations Policy along with an easy read version;
 - developing an online questionnaire to collate feedback;
 - contacting applicants on the Housing List to inform them of the consultation and request feedback;
 - issuing the draft policy to the Moray Equalities Forum for feedback; and
 - seeking feedback from:
 - the Moray Tenants' Forum and community councils;
 - the register of interested tenants; and
 - relevant stakeholders, including representatives of the Armed Forces, health and social care and social work.
- 3.6 Given the pressure on the availability of social housing, the allocation of social housing can be an emotive issue and there can be misconceptions and misinformation about the framework which applies to the Allocations Policy, including who can access social housing. As with previous consultations, some of the feedback indicated that some consultees were not aware of the legislative framework and constraints which the Allocations Policy must adhere to.

4. CONSULTATION RESPONSES

- 4.1 Despite contacting all of the stakeholders detailed in section 3.5 of the report and requesting feedback, only 81 responses were received. This is a significantly lower response rate than in previous consultations on the Allocations Policy. In terms of the Housing List, this equates to a response rate of 2.48%. It may be that consultees had previously given feedback and did not want to respond to another consultation, or that their feedback had been taken into account and they had no further comments on the policy. Given the low numbers, the responses returned are unlikely to accurately reflect the views of stakeholders.
- 4.2 The consultation survey asked five key questions relating to the revised Allocations Policy. These were:

- i) Do you support the introduction of the Allocations Policy?
- ii) Did you find the Allocations Policy easy to read and understand?
- ii) Is there a section that you would like to see reworded?
- iii) Is there something that we've missed that you think should be included?
- iv) Is there anything you think should be removed?

Respondents were also invited to provide any general comments that they may have on the Allocations Policy.

4.3 An overview of the responses, details of the comments returned and a response to the comments are included at **APPENDIX A**. The comments returned have been amended to correct grammatical and typing errors. Any comments relating to personal circumstances or which were not relevant to the allocations policy review have been removed.

4.4 An overview of the feedback returned and a summary of the comments received is as follows:

- Do you support the introduction of the Allocations Policy?
35 respondents (43.22%) supported the Allocations Policy, 12 respondents (14.81%) did not and the remainder either did not know or did not want to answer the question.

There were no substantive reasons for the responses provided and it's possible that those who did not support the policy were unhappy with the legislative requirements over which the Council has no control. In considering only the definitive "yes" or "no" responses, the majority of the feedback is supportive of the Allocations Policy.

- Did you find the Allocations Policy easy to read and understand?
58 respondents (71.61%) stated that the policy was easy to understand, whilst 16 respondents (19.75%) did not.

The allocation of social housing is a complex issue and there is no one size fits all approach. The Allocations Policy contains complex and detailed information needed to explain the framework within which the policy operates. The Allocations Policy has been developed using plain language where possible and the Council has also developed a plain language easy read version of the policy.

- Is there a section of the Allocations Policy that you would like to see reworded?
40 respondents (49.38%) did not want the Allocations Policy reworded, 8 respondents requested that some wording should be changed and the remainder either did not know or did not want to answer the question.

Following consideration of the responses returned, where appropriate, minor changes have been made to the wording of the Allocations Policy and are highlighted as track changes in **APPENDIX B**.

- Is there something that we have missed in the Allocations Policy that you think should be included?

38 respondents (46.91%) did not think that anything had been missed from the Allocations Policy, 13 respondents (16.05%) thought that an item had been missed and the remainder either did not know or did not want to answer the question.

The comments received regarding an item that had been missed related to:

- legislative duties that the Council must comply with;
- a level of detail which is not routinely included in housing policies but which is included elsewhere. For example, supporting procedures or separate policies; or
- an issue which is already considered in the Allocations Policy.

Consideration was given to the feedback received, however given the above, no changes have been made to Allocations Policy.

- Is there anything that you think should be removed from the Allocations Policy?

43 respondents (53.09%) did not think that anything should be removed from the Allocations Policy, 2 respondents (2.46%) did want an area of the policy removed and the remainder either did not know or did not want to answer the question.

The comments received regarding an area of the policy that should be removed related to:

- legislative duties that the Council must comply with; and
- the criteria used to consider applications from out with Moray.

Following consideration of the comments returned no changes have been made to the Allocations Policy.

- Do you have any other comments on the Allocations Policy?

Thirty additional comments were received and these related to:

- legislative duties that the Council must comply with;
- the complexity of the Allocations Policy; and
- personal circumstances which cannot be considered as part of the review.

Following consideration of the comments returned during the consultation, minor changes have been made to the revised Allocations Policy and are highlighted as track changes in **APPENDIX B**. These include:

- Confirming that if there is more than one person in a household with a health issue or disability which may mean that their current home is not suitable, only one award of points will be given and this will be based on the applicant with the highest need (Section 16.4.5);
- Confirming that tied accommodation points will not be transferred to family members in instances of relationship breakdown (Section 16.10); and
- Adding details about the Housing Needs Review Group (Section 26.7 – 26.10).

5. POLICY IMPLEMENTATION

- 5.1 Subject to this Committee's approval of the revised Allocation Policy, an implementation plan will be developed to support a "go live" date from 1 May 2019. This plan will include aspects of system testing, staff training and developing revised procedures to support the operation of the Allocations Policy.
- 5.2 A review of all information resources will be required to ensure all information is updated to reflect the agreed changes. This will include updating the Council's website and developing guidance for applicants on the revised process.
- 5.3 As part of the implementation process, the revised Allocations Policy and the changes will be publicised on the Council's website, the Apply4Homes website, through social media and an article will also be included in the next edition of the Tenants' Voice.

6. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The Corporate Plan: Moray 2023 and the Moray 10 Year Plan (Local Outcomes Improvement Plan) identify the need to address the shortage of high quality affordable housing. The Allocations Policy seeks to make the best use of the Council's housing stock and promote healthier citizens and adults living healthier, sustainable independent lives safeguarded from harm.

(b) Policy and Legal

The Housing (Scotland) Act 2014 received Royal Assent on 1 April 2014. It amends some aspects of the law on social housing allocations and management. The Council is required to review its Allocations Policy and housing management policies in order to comply with the legislative changes. In addition, the Scottish Social Housing Charter sets out the outcomes expected in relation to access to housing.

(c) Financial implications

There are some financial costs associated with changes required to the ICT housing system (iWorld) in order to implement the revised Allocations Policy. These costs are not expected to exceed £3k. There is sufficient provision within the Housing Revenue Budget in 2018/2019 to cover this expenditure.

(d) Risk Implications

There are no risk implications arising from this report.

(e) Staffing Implications

There are no staffing implications arising from this report.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

The Equality Act 2010 supersedes all previous equalities legislation. In accordance with the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, an equality impact assessment for the revised Allocations Policy has been completed and no issues were identified.

(h) Consultations

Consultation on this report has taken place with the Head of Housing and Property, Housing Needs Manager, Housing Services Manager and Officers within the Housing Service, Housing Strategy and Development Manager, Deborah O'Shea (Principal Accountant), Legal Services Manager (Property and Contracts), the Equal Opportunities Officer and Caroline Howie (Committee Services Officer) and any comments have been incorporated into the report.

7. CONCLUSION

- 7.1 This report provides the Communities Committee with the results of the Allocations Policy review consultation and presents a revised Allocations Policy for approval for implementation on 1 May 2019.**

Author of Report:	Gillian Henly, Senior Housing Officer (Policy)
Background Papers:	Allocations Policy Review 2018, Appendix I and Appendix II (20 November 2018) The Housing (Scotland) Act 2014, Part 2 and Appendix I (26 June 2018) Allocations Policy Review (17 December 2013)
Ref:	APR:FEB2019

Do you support the introduction of the Allocations Policy?

Response	Number	%
Yes	35	43.22%
No	12	14.81%
Don't know	30	37.04%
Don't want to answer	3	3.70%
Blank	1	1.23%
Total	81	100%

Did you find the Allocations Policy easy to read and understand?

Response	Number	%
Yes	58	71.61%
No	16	19.75%
Don't know	5	6.17%
Don't want to answer	2	2.47%
Total	81	100%

Is there a section that you would like to see reworded?

Response	Number	%
Yes	8	9.88%
No	40	49.38%
Don't know	30	37.04%
Don't want to answer	2	2.47%
Blank	1	1.23%
Total	81	100%

What would you like to see reworded?	Response to suggestion
<p>Section 11.3.2 Separate bedrooms required for... * space for the person's support staff to sleep over in if overnight care is required.</p> <p>Section 14.1.g) should read the "income of the applicant and THEIR family, not HIS family" on the basis that not all applicants will be male.</p>	<p>Section 11.3.2 of the Allocations Policy provides an overview of the criteria used in assessing the size of property needed by a household in its widest sense and applicable to the Housing List. The provision of additional bedroom requirements due to support staff providing overnight care would be considered on a case by case basis.</p> <p>This text was taken from the Housing (Scotland) Act 2001 (section 10 (30)(vii)). The revised Allocations Policy has been amended to remove reference from "his" and replaced with "their".</p>
<p>Eligibility - You are not going to let anyone housed by a different council transfer to Moray. You are preventing council tenants from moving to the area, your work force/school numbers etc. will stagnate.</p>	<p>The Allocations Policy does not prevent a different council tenant transferring to the Moray area. All applicants will be admitted to the Housing List. The Allocations Policy clarifies the criteria that will be applied when considering applications from out with Moray for an offer of housing.</p>
<p>I would like an inclusion in support of HM Forces as laid down by the Armed Forces Covenant.</p>	<p>The Allocations Policy does support the HM Forces and reflects the Council's commitment to the Armed Forces Covenant.</p> <p>The Allocations Policy provides a framework to allocate Council housing whilst taking into account the housing needs, demands and also aspirations of applicants. Due to the pressure on social housing in Moray with demand outstripping supply, the Council cannot house every household who applies for housing. Therefore the Allocations Policy aims to reach those who are considered to be in most housing need, whilst taking into account aspirations and making best use of housing stock.</p>

	Section 16.10.2 of the Allocations Policy provides that applicants who are serving Armed Forces personnel and who occupy service accommodation which is due to be terminated will be awarded tied accommodation points. The presumption is that this section of the Armed Forces will have the highest need for housing.
It is long winded for a reason and too boring to read in full. All of it needs changing.	The Allocations Policy does contain a considerable amount of comprehensive and detailed information however this is required in order to explain the framework within which the policy operates and clarify the criteria which the policy adopts. An easy read version of the policy is also available and an explanatory guidance leaflet and online information will be developed in advance of the policy implementation.
The whole lot is too complicated.	

Is there something that we've missed that you think should be included?

Response	Number	%
Yes	13	16.05%
No	38	46.91%
Don't know	23	28.40%
Don't want to answer	2	2.47%
Blank	5	6.17%
Total	81	100%

What do you think should be included in the policy?	Response to suggestion
<p>Eastern Europeans and immigrants should not get new build houses. Scottish born people should be offered new build houses when they have been on the housing list for a number of years. They should get first refusal and non-Scottish should get the less desirable houses/ areas.</p>	<p>The Allocations Policy reflects the current legal framework which includes the Housing (Scotland) Act 2001 and the Equality Act 2010.</p> <p>In Scotland, anyone can apply for housing as long as they are aged 16 or older. This includes all non-UK nationals (asylum seekers, refugees, EEA nationals, Commonwealth citizens and people subject to immigration control). The right of non-UK nationals to housing and assistance with homelessness is a complex area. Many refugees, EEA nationals, Commonwealth citizens and people subject to immigration control are entitled to both housing and assistance with homelessness.</p> <p>In line with legislation, where an applicant is eligible for an offer of housing, the Council will not take into account their nationality. This applies to the local lettings initiative used for the letting of new build properties.</p>
<p>Section 16.5.3 Clarification is required about what is required to be included in the support plan to satisfy this element. For people with learning disabilities the current support plan may evidence what support the currently access, though this may well be different when they move into their own tenancy. It would be useful if the policy could clarify what is required, and why it is required, for the avoidance of any doubt.</p> <p>Furthermore section 16.4.4 may want to be broadened out to include health or social care professional, rather than just health professional.</p>	<p>This level of detail is not routinely contained in housing policies. An agreement between relevant departments will be made and detailed in operational procedures.</p> <p>The functional assessment process takes a holistic approach in assessing a person's need for another home. The assessment is undertaken by a Housing Occupational Therapist who will consider evidence from health and other professionals, including social care. There may be many other professionals involved, depending on the applicant's background. This may include professionals from mental health, learning disability, social care and housing.</p>

	<p>The lead professional in most of the cases will be health care and therefore the policy reflects this. It would not be accurate to broaden this out to include social care professionals as they would not the professional judgement/expertise needed to make the recommendations in all cases – for example, Category A and determining if a situation was life threatening.</p> <p>However, the recommendations of other professionals involved in an application will be taken into account as part of the holistic assessment. This level of detail is included in the supporting procedures for the functional assessment process.</p>
An in-depth explanation of your local lettings plan.	<p>Section 19 of the Allocations Policy provides an overview of what a local lettings plan is and how it operates in Moray. It also advises that all local lettings plans are published on the Council website. The Council use a local lettings plan to allocate new build properties when they are let for the first time. More information can be found here.</p>
It is not made clear if owner occupiers are allowed on the list and if they would be allocated a property. This should be included.	<p>In line with housing law, any person over 16 years of age is entitled to be admitted to the Housing List. This is regardless of their current tenure type. Thereafter, applications are assessed and prioritised, depending on an applicant's individual circumstances.</p> <p>The 2014 Act gives social landlords the option of taking into account of property ownership, in certain circumstances, when deciding on an applicant's priority for housing. In November 2018, the Council agreed that the Allocations Policy should not be amended to take property ownership into account.</p> <p>Owner occupiers are treated in line with any other applicant. They may be eligible for an offer of housing but this would</p>

	depend on their individual circumstances.
Not so much included as shortening. The policy is long and most people would give up and only read the parts which refer to their specific circumstances.	The Allocations Policy does contain a considerable amount of comprehensive and detailed information however this is required in order to explain the framework within which the policy operates and clarify the criteria which the policy adopts.
Only people who have lived in the Moray area for a minimum of five years should be on housing list.	Eligibility for accessing a housing list only takes into account the age of the applicant. Section 19(1) of the 1987 Act (as substituted by section 9 of the 2001 Act) sets out the right for anyone aged 16 or over to be admitted to a housing list . This makes sure that a housing list does not leave out anyone in housing need.
Special provisions for HM Forces as laid down by the armed forces covenant.	Please refer to the response at page 2 (final section).
<p>The length of time we have to wait for a property.</p> <p>Also if the people waiting on smaller property should not be penalised and have to pay the bedroom tax when we pensioners are on limited income.</p>	<p>The length of time people are on the Housing List has been considered previously however it was not considered to be a measure of an applicant's housing need.</p> <p>Please refer to Section 18.4 of the Allocations Policy. This clarifies that "if a social housing tenant in Moray has accrued rent arrears as a direct result of the removal of the spare room subsidy and wants to move to a smaller property, the Council may disregard the rent arrears accrued if it is satisfied that the tenant has done all he/she can practicably be expected to do to avoid falling into arrears."</p> <p>However, the size criteria rules will only apply to claimants of working age. Working age includes anyone who is under the State Pension age of the time. Any claimant over state pension qualifying age or with a partner over that age will be exempt from the size criteria rules from April 2013.</p>

Is there anything you think should be removed?

Response	Number	%
Yes	2	2.46%
No	43	53.09%
Don't know	23	28.40%
Blank	13	16.05%
Grand Total	81	100.00%

What do you think should be removed from the policy?	Response to suggestion
At the moment anyone can be on the list, even someone who has paid nothing into the system.	This is in line with housing law which specifies that eligibility for accessing a housing list only takes into account the age of the applicant.
The part about needing a connection with Moray to be considered for housing.	The criteria which are applied to applicants from out with Moray comply with housing legislation and assist the Council to continue to build strong and sustainable communities. Analysis of the Housing List shows that a small number (288) of applicants, from out with Moray would not be eligible for an offer of housing, which equates to 8.85 % of applicants on the Housing List. Of these, 147 applicants currently resided in Aberdeenshire and therefore may have opted to select all areas in their Apply4Homes application.

Do you have any other comments?	Response to suggestion
16.2 Under occupancy - I feel the difference in points allocated for this is much too great. If in social housing you get 250 but in private only 50?! Very unfair considering many will be in the private sector because they have been unable to get social housing or have remained in private as long as they could so as not to impact on social housing. It really puts those in the private	After admitting an applicant to the housing list landlords have to decide on the priority of the application. This is called "reasonable preference" which is set out in housing law. Part 2 of the Housing (Scotland) Act 2014 introduced a new category of applicant that social landlords must give reasonable preference - social housing tenants who are

Do you have any other comments?	Response to suggestion
sector at a disadvantage, unfairly.	considered to be under occupying their home. This is intended to assist social landlords to make best use of their housing stock. Guidance states that “other groups being prioritised for allocations must not dominate an allocation policy at the expense of the three groups set out in Section 20”.
I find it disgusting that people with drug and alcohol problems are top priority (<i>remainder of comment removed as it related to personal circumstances</i>).	The Allocations Policy does not give priority to applicants due to drug or alcohol problems.
I think the allocation system needs to take into account normal working adults who just want a home and can pay for it. The bias seems to be against the norm.	The Allocations Policy considers an applicant’s housing need. This is regardless of whether the applicant works or not or the applicant’s ability to pay for it.
I think this is a well written, comprehensive policy that will help make the allocations process more transparent. Being clear about who sits on which group is useful. You may want to clarify who makes up the HNRG, how often they meet and what their remit is.	The Allocations Policy will be amended to include this detail.
It is quite complicated and extensive. Perhaps the layout could be more accessible and better organized. Information could be grouped into larger sections with the language used simplified. I think people will be put off by the organisation of information. It isn't easy to understand or read for those who have different languages or a lower level of educational achievement. Perhaps the policy could offer to provide a transaction into different languages and offer a service whereby a council official could be available to explain the policy.	The Allocations Policy does contain a considerable amount of comprehensive and detailed information. However, this is required in order to explain the framework within which the policy operates and clarify the criteria which the policy adopts. In developing the Allocations Policy, best endeavours were undertaken to remove complex jargon, simplify the language use and attempt to organise the policy in a meaningful way. To assist those who may find the policy difficult to understand, an easy read version of the policy was published in a question and answer format. Information and guidance on the current Allocations Policy is available on the Council website, Apply4Homes website as well as in plain language guidance leaflets. These will be updated to reflect any agreed changes to the Allocations Policy. Staff are also available to answer any queries.

Do you have any other comments?	Response to suggestion
It looks well done and fair to me and I trust you know what you are doing.	
It's about time policy was changed on who you allow to be tenants in your disabled properties as the word "should" implies they should be for disabled tenants not people who could manage in normal housing.	<p>Please refer to section 12.3 of the Allocations Policy. This clarifies that applicants must have an assessed need for specialist housing before they will receive an offer for this house type. This assessment is made by the completion of a housing functional assessment by the Housing Occupational Therapist. There is no reference to "should".</p> <p>There may be instances where the person who the property was allocated for is no longer living in there and nobody else living there has a need for specialist housing. To assist the council make best use of its housing stock and to assist those households in such a situation and who want to move, the revised Allocations Policy introduces a new point category, "underuse of specialist housing" (see section 16.6). In addition, these households may be eligible for the Tenant Downsizing Incentive Scheme.</p>
The current policy is mixed sex children over 5 require a 3 bedroom house. Just wondered if children's ages are taken into consideration when allocating houses. E.g. someone that has children aged 9 and 12 maybe taken into consideration for allocation before someone with children aged 5 and 8.	<p>The age of the children are only taken into account when assessing the number of bedrooms required as detailed in Section 11.3.2 and 11.3.3 of the Allocations Policy.</p> <p>The age of children will not routinely be taken into account and therefore would not result in one household being considered for an offer of housing before another, as referred to in the example.</p>
Very hard to read	The Allocations Policy does contain a considerable amount of comprehensive and detailed information however this is required in order to explain the framework within which the policy operates and clarify the criteria which the policy adopts.
Yeah far too confusing	



MORAY COUNCIL
HOUSING AND PROPERTY SERVICES
ALLOCATIONS POLICY

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1. Scope of the policy

- 1.1 This policy details the framework for the allocation of Council housing that makes best use of housing stock whilst taking into consideration the needs, demands and aspirations of applicants.

2. Strategic context

- 2.1 The Allocations Policy will contribute to the Moray Local Housing Strategy, Moray 2026 – a Plan for the Future, the Council's Corporate Plan and the Single Outcome Agreement and priorities from the Moray 10 Year Plan.
- 2.2 The Allocations Policy will assist the Council to fulfil its overall aim of the Local Housing Strategy, "to ensure that sufficient good quality, affordable housing is available to meet the needs of people living in or requiring housing in Moray." In addition it will assist the Council to achieve agreed outcomes of the Local Housing Strategy to:
- address housing need and improve access to housing;
 - meet statutory obligations to homeless households;
 - assist people with particular housing needs; and
 - promote successful, safe and sustainable communities and social inclusion.

3. Principles and objectives of the Allocations Policy

Principles

- 3.1 The Council's Allocation Policy is influenced by the following principles which will underpin the Council's approach to the allocation of housing:
- Legality – the Council seeks to ensure that its Allocations Policy reflects the legal framework and good practice;
 - Consistency – the Council will apply the Allocations Policy in a consistent manner so that all applicants with similar characteristics are treated in a similar manner to achieve similar outcomes;
 - Openness – the Council will provide explanatory leaflets on the Policy and information on the operation of the Allocations Policy (whilst maintaining individual confidentiality);

- Responsiveness – the Council seeks to have a policy which is capable of responding to a wide range of complex individual needs and circumstances and which embodies an appeals process; and
- Local co-operation – the Council seeks to work with other housing providers in the area to best meet housing needs in Moray.

Objectives

3.2 The specific objectives of the Allocations policy are to:

- address housing needs in the area and where possible, to take into account applicants' housing aspirations;
- assess applications for housing in an objective, consistent and fair manner, complying with all relevant legislation and best practice;
- make best use of the available housing stock;
- sustain and promote local communities as far as is possible;
- monitor performance and respond to changing patterns of need as they may arise by reviewing the Allocations Policy of the Council on a regular basis;
- inform the Council's strategic planning processes; and
- make sure that the Allocations Policy and practice is accessible to all applicants, by producing information in plain language that is clear and understandable.

4. Law, good practice and the Scottish Housing Charter

4.1 The primary legislation governing allocations of Council housing is contained within the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, the Homelessness etc (Scotland) Act 2003 and the Housing (Scotland) Act 2014. This legislation provides the Council with the discretion to develop allocation and local letting policies in line with local priorities.

4.2 Sections 19 and 20 of the Housing (Scotland) Act 1987 as amended by Sections 9 and 10 of the Housing (Scotland) Act 2001 and paragraph 4 of

schedule 2 to the Housing (Scotland) Act 2014 set out the legal rules about social housing lists and allocations.

- 4.3 Landlords have a duty to make rules covering priority of allocation of houses, transfers and exchanges and to publish these rules (section 21 of the 1987 Act, as amended by section 155 of the Leasehold Reform, Housing and Urban Development Act 1993 and the 2001 Act).
- 4.4 The Allocations Policy will adhere to housing and other relevant legislation. A list of the laws which have been taken into account are detailed in **APPENDIX I**.
- 4.5 This Policy promotes good practice and complies with guidance from the Scottish Government and the Scottish Housing Regulator. This includes the standards and outcomes detailed in the Scottish Social Housing Charter. The Charter sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The standards and outcomes are:

Equalities:

Social landlords perform all aspects of their housing services so that:

- every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

Housing Options

Social landlords work together to ensure that:

- people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them; and
- tenants and people on housing lists can review their housing options.

Social landlords ensure that:

- people at risk of losing their homes get advice on preventing homelessness.

Access to Social Housing

Social landlords will ensure that

- people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.

5. Equality and diversity

5.1 The Council is committed to preventing discrimination and promoting equality of opportunity for every person who applies for housing. The Council seeks to ensure that the Policy does not discriminate between individuals on the grounds of age, disability, gender reassignment, marital status/civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

5.2 The Council will develop information and advice in a variety of formats such as large print, tape and Braille, upon request. The Council will provide interpreting services free of charge, where these are required to assist applicants.

6. Confidentiality and data protection

6.1 The Council will ensure that any information given to it as part of the application process will be used in accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

6.2 The Council will treat all applicants for housing with courtesy, sensitivity and in complete confidence. Applicants can request an interview with a member of staff to discuss their housing application. Applicants may request a same sex interview if they have to attend any interview. Applicants will have the right to have a relative, friend or advisor present at any interview. Interviews will be held in private interview rooms and all information will be treated in complete confidence.

7. Information and advice

- 7.1 The Council will provide applicants with information and advice about their housing application. The Council will provide advice leaflets on the Allocations Policy (using plain language) and will provide details of alternative accommodation in the area, where possible.
- 7.2 The Council will make sure that the Allocations Policy and a summary version of the policy are readily available, including at Council offices and on its website, free of charge.

8. Eligibility criteria

- 8.1 In accordance with the Housing (Scotland) Act 2001, Moray Council operates an 'open' housing list. Eligibility for accessing a housing list only takes into account the age of the applicant. Anyone aged 16 years and over is entitled to be admitted to the Housing List. The right to be admitted to the list is not a right to be allocated a house.
- 8.2 The rights of non-UK nationals to housing and homelessness provisions are a complex area. The Council will ensure that applications received from non-UK nationals are processed in accordance with legislation.

9. Applications for housing out with Moray

- 9.1 When an application for housing is submitted, applicants will only be considered for housing if they currently live in Moray or:
- they are approaching discharge from an institution and are considered normally resident in Moray; or
 - they are employed, have been offered employment or are seeking employment in the area; or
 - they need to move into Moray to be near a relative or carer; or
 - they have a special social or medical reason for requiring to be housed in Moray; or
 - they want to move to the area because they are fleeing harassment or at risk of domestic abuse.

10. The Housing List

10.1 Application to the Housing List is made via the web based Common Housing Register, “Apply4Homes”*. This enables applicants to apply for council and housing association properties with Apply4Homes partners across Moray and Aberdeenshire using one application process. The Apply4Homes website is an applications portal which collects information. It does not make any assessment of housing need.

* An applicant, or person seeking to be housed with an applicant, who is subject to the notification requirements of the Sexual Offences Act 2003, must contact the Council’s Sex Offender Liaison Officer (SOLO) to submit an application.

10.2 The Council and its Apply4Homes partners will provide advice and assistance to applicants who do not have internet access or who may need additional support to complete the online application.

10.3 The Housing List consists of the Transfer List, the Homeless List and the Waiting List. Applicants accepted onto the Transfer List will currently be tenants of Moray Council. The Homeless List will contain those applicants who have been assessed by the Council as being unintentionally homeless. All other applicants will be placed on the Waiting List. The Council will seek to admit applicants to the Waiting/Transfer List within 10 working days of their application being received by the Council.

10.4 The ratio of allocations to be made to each List will be determined annually by the Communities Committee of the Council and will be applied at a Moray wide level (except for properties detailed in the local lettings plan. Refer to Section 19 of the policy). For 2018 – 2019 the ratio of allocations to each list is as follows:

The homeless list	40% of allocations (+/-5%)
The waiting list	40% of allocations (+/-5%)
The transfer list	20% of allocations (+/-5%)

10.5 Details of point levels etc will be provided to applicants, in writing, on acceptance of their application to the Housing List. Applicants can check detail of their points levels for council housing on the Council website or can request details of their points levels at reasonable intervals. The Council will only be able to provide points and positions for its Housing List. If an applicant has made an application to another Apply4Homes partner, the applicant must contact that landlord directly.

11. Applicant choices

11.1 Applicants will be asked to identify any preferred heating type and house type. In addition applicants will be asked to identify:

11.2 Preferred areas of choice

11.2.1 The Housing List maintained by the Council will be organised into lettings areas. Applicants can apply for as many or as few lettings areas as they want. Applicants will be considered equally for all of the letting areas that they have chosen. Applicants on the Homeless List will be considered for any available suitable property in Moray as long as it considered reasonable in terms of homeless legislation.

11.2.2 Applicants will be asked to indicate the top three letting areas where they would prefer to live. The Council will use this information for strategic planning purposes including the Housing Needs and Demand Assessment (HNDA), Local Housing Strategy (LHS), Strategic Housing Investment Programme (SHIP) and new build programmes.

11.3 Size of housing

11.3.1 Applicants will be asked to indicate their preferred house size. However, actual house size required, based on the bedroom requirement, will be taken into consideration when allocating properties. In assessing bedroom deficiency or overcrowding, rooms which are less than 6.5 square metres in area or without natural lighting will not be included.

11.3.2 When assessing the size of property needed by a household, the Council considers that separate bedrooms are required for:

- husband/wife or similar partnerships;
- each person aged 16 years or over;
- children aged 5 years or over of different sex from other children of any age;
- children of the same sex where there is an age difference of 5 years or more between the elder and the younger child; and
- no more than two people of any age should occupy one bedroom.

11.3.3 It should be noted that the Council's size criteria differs to the criteria used by the Department of Work and Pensions (DWP). The size of property allocated will depend on the household composition and will generally operate as follows:

Household size	bedroom size
Single person	One
Couple	One / two
Single parent or couple with one child or pregnant	Two
Single parent or couple with two children of the same sex	
Both children are aged under 16 and there is an age gap of less than 5 years	Two
Both children are aged under 16 but there is an age gap of more than 5 years	Three
One or both of the children are aged 16 or over	Three
Single parent or couple with two children of the opposite sex	
Both children are under the age of 5	Two
One child is aged 5 or over	Three
Single parent or couple with three children of the same sex	
Two children have an age gap of less than 5 years and both are under 16 years of age	Three
There is an age gap of more than 5 years between all three children	Four

Household size	bedroom size
All children are over the age of 16	Four
Single parent or couple with three children of the opposite sex	
Two children are able to share a room (both the same sex, less than a 5 year age gap and both under 16 years of age)	Three
None of the children are able to share a room due to opposite sexes and age	Four
Single parent or couple with four children of the opposite sex	
All children are able to share a bedroom	Three
Only two of the children are able to share a bedroom	Four
None of the children are able to share a bedroom	Five

Each application will be considered on an individual basis. In order to make best use of housing stock and maximise choice there may be exceptions to this.

11.3.4 In order to make best use of housing stock and meet specific housing need, for the purposes of one and two bedroom properties only, the Council will offer flexibility for the house size that a couple may be considered for.

11.3.5 In the event that an applicant is deemed to require a one bedroom property and is eligible for either overcrowding or under occupancy points and the applicant decided to accept a two bedroom property, the award of overcrowding points or under occupancy would be adjusted accordingly. For example, a couple occupying a three bedroom Council house would receive 500 under occupancy points when being considered for a one bedroom property. The award of points, when being considered for a two bedroom property, would be adjusted to 250 under occupancy points.

11.4. Ground floor properties

11.4.1 Applicants age 70 years and over will only be considered for ground floor housing unless the applicant has expressed otherwise.

- 11.4.2 In order to make best use of housing stock and meet specific housing need, for the purposes of one and two bedroom ground floor properties only, the Council will offer flexibility for the house size that an applicant may be considered for.
- 11.4.3 The housing list for one and two bedroom ground floor properties will be combined. Applicants assessed as requiring a one bedroom ground floor property will also be considered for two bedroom ground floor properties. The applicant with the highest level of need will be allocated the property.
- 11.4.4 In the event that an applicant is deemed to require a one bedroom property and is eligible for under occupancy points and the applicant decided to accept a two bedroom property, the award of under occupancy points would be adjusted accordingly. For example, a single person household occupying a three bedroom Council house would receive 500 under occupancy points when being considered for a one bedroom ground floor vacancy. The award of points, when being considered for a two bedroom ground floor vacancy, would be adjusted to 250 under occupancy points.

12. Housing types

- 12.1 The main type of housing provided by Moray Council is general needs or “mainstream housing”. However, the following house types are also provided for particular needs groups:

12.2 Sheltered housing

- 12.2.1 This type of housing are groups of self-contained properties for adults of any age who have an assessed health / support need to live in a sheltered housing environment. There are usually communal facilities on site. Applicants must have an assessed need for sheltered housing which will be determined by the completion of a functional assessment (see Section 16).

12.3 Specialist housing

- 12.3.1 This type of housing includes properties that meet the needs of people with a physical disability. Homes may be partially adapted, fully adapted or suitable

for future adaptations. Applicants must have an assessed need for housing with adaptations which will be determined by the completion of a functional assessment (see Section 16). The Council may match some properties that have been specially adapted or designed to meet a person's needs.

13. How applications for housing are prioritised

13.1 In line with housing law, 'reasonable preference' must be given to certain groups. Priority must be awarded to:

- people who are homeless or threatened with homelessness through no fault of their own and have unmet housing needs;
- social housing tenants who are under occupying their home; and
- people who are living in unsatisfactory housing conditions and have unmet housing needs.

Unmet housing need

13.2 Applicants are considered to have unmet housing needs if they have a housing need which is not capable of being met by their current housing circumstances. For example, an applicant with disabilities whose housing needs can only be met in social housing because it is not possible to make essential adaptations to their current home.

14. Factors that cannot be taken into account

14.1 There are certain factors which housing law states that the Council cannot take into account when allocating housing. These are:

- a) the length of time an applicant has lived in the area;
- b) any outstanding liability (such as rent arrears) attributable to the tenancy of a house of which the applicant was not the tenant when the liability accrued;
- c) any rent or other arrears accrued by the applicant on a previous tenancy which are no longer outstanding;
- d) any liability which is outstanding but where

- i) the extent of the liability is not more than one twelfth of the annual amount payable by the tenant to the landlord in respect of the tenancy; or
- ii) the applicant:
 - has agreed arrangements with the landlord for paying the outstanding liability;
 - has made payments in accordance with that arrangement for at least 3 months; and
 - is continuing to make such payments.
- e) any outstanding debts (including council tax arrears) of the applicant or anyone who it is proposed will reside with the applicant which do not relate to the tenancy of a house (this would include a previous tenancy) i.e. which are not rent arrears or service charges. This means that any outstanding debts which do relate to the tenancy of the house – e.g. rent, repair recharges or service charges – can be taken into account.
- f) the age of the applicant provided that the applicant is 16 years of age or over except in the allocation of
 - (i) houses which have been designed or substantially adapted for occupation by persons of a particular age group
 - (ii) houses for persons who are, or are to be, in receipt of housing support services (within the meaning of Section 91 of the Housing (Scotland) 2001) for persons of a particular age group or by persons with particular needs.
- g) the income of the applicant and their family.

15. The assessment of priority for housing

- 15.1 The Council will assess all applicants for housing on a fair and consistent basis whilst giving priority to those in the greatest housing need. All applications will be assessed and points awarded for a range of circumstances, based on an assessment of an applicant's housing needs. These categories and levels of points are detailed in Section 16.

- 15.2 The placing on the Transfer or Waiting List will be determined by the number of points awarded to an applicant, on the basis of their current circumstances. There is no maximum level of points that will be awarded to these applicants.
- 15.3 Applicants on the Homeless List will have no points awarded whilst they remain on this list. Their priority will be determined by the date of the homeless application unless there are exceptional circumstances that merit an urgent offer of accommodation.
- 15.4 Applicants are responsible for notifying the Council of any changes in their circumstances. Any change in an applicant's circumstances, may affect the points that their housing application has been awarded and their position on the Housing List.

16. Priorities and points

16.1 Homelessness

- 16.1.1 Applicants who have been assessed as homeless or threatened with homelessness under the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003 and who have an unmet housing need will be placed on the Homeless List. Applicants on the Homeless List will receive no points but are prioritised in accordance with the date of their homeless application.
- 16.1.2 All homeless applicants will receive the same number of offers as any other applicant is entitled to under this Policy. However, in recognising the immediate need for accommodation of those placed on the Homeless List, the Council will consider offering any vacant property to an applicant who is on that list, providing that the offer can be regarded as reasonable given the particular circumstances of the applicant. This may include property in lettings areas or property types which the applicant has not selected.

16.1.3 In determining whether an offer is considered reasonable, the Council will take into account the particular circumstances, the needs of the applicant and their household and the sustainability of the accommodation.

16.2 Under occupancy

16.2.1 An applicant's current accommodation will be assessed in accordance with Section 11.3.2 of this policy and points for under occupation awarded where there is an additional bedroom which is surplus to the requirements of the household.

For applicants living in social housing , for each bedroom surplus to requirements.	250 points
For applicants living in private housing , for each bedroom surplus to requirements.	50 points

16.3 Overcrowding

16.3.1 An applicant's current accommodation will be assessed in accordance with Section 11.3.2 of this policy and points awarded where there is a bedroom deficiency. For each bedroom for which the applicant's current accommodation is deficient, **100 points** will be awarded.

16.3.2 Where an applicant believes that a bedroom is insufficient in size to allow two persons to share, an applicant may request that a visit is made to assess whether additional overcrowding points should be considered.

16.3.3 In cases where an additional bedroom need arises from pregnancy, applications will be assessed for the size of property needed by the applicant's household. Overcrowding points will not be awarded to the application until the Council has received confirmation that the baby has been born.

Periodic contact

- 16.3.4 Where an additional bedroom is required for frequent and regular overnight contact with children, a total of **50 points** will be awarded. Proof of contact arrangements must be provided from the Court or solicitor or Social Worker or the parent with whom the children usually reside.
- 16.3.5 An applicant will only be eligible for one additional bedroom irrespective of the number of children covered by any contact agreement.
- 16.3.6 Applicants who are awarded periodic contact points and who may be affected by the removal of the spare room subsidy will be made aware of the shortfall in benefit upon assessment of their application.

16.4 Functional housing need

- 16.4.1 Applicants applying for housing because they think that their home is not suitable due to a health condition and/or a disability will complete a Housing Functional Assessment Form. A housing functional assessment is not an assessment of a person's condition or disability. It is a more holistic approach, taking into account mental health, physical and learning disability issues. It is an assessment of the need for another home that would either help to stabilise a clinical condition or disability or allow a person to function more independently.
- 16.4.2 Applicants who are leaving the armed forces due to injury or disability and require access to adapted social housing will be deemed to have a significant level of housing need. This will be addressed through a housing functional assessment.
- 16.4.3 Housing functional assessments are completed by the Housing Occupational Therapist who will award functional assessment points in accordance with the points criteria detailed at Section 16.4.4. In more complex cases or where further evidence is needed to make a decision, the Housing Occupational Therapist will request additional information from the applicant and/or any of the services/professionals included in the completed assessment form.

16.4.4 Points may be awarded as follows:

Category	Criteria	Points
A	Awarded where the illness will become life threatening if the person were to remain in their current accommodation or due to illness and dysfunction it has been clearly established by health professionals that the person is no longer able to safely remain in their current accommodation.	500
B	Awarded where the illness is likely to continue to seriously deteriorate if the person remains in their current accommodation and/or the person is long term and substantially disabled and due to this it has been established by health professionals that they are unable to access and use essential facilities in their current home.	350
C	Awarded where it has been established by a health professional that a change of property would significantly increase the person's level of safety, ability and independence when completing essential day to day activities.	150
D	Awarded where it has been established by a health professional that a change of property would moderately increase the person's level of safety, ability and independence when completing essential day to day activities.	50
E	No points will be awarded where there are no recognised barriers in place for a person to carry out their day to day activities. No points will be awarded where alternative solutions can be provided (e.g. aids and adaptations).	0

- 16.4.5 In instances where there is more than one person in a household with a health issue or disability which may mean that their current home is not suitable, only one award of points will be given and this will be based on the applicant with the highest need.
- 16.4.6 Applicants who are not satisfied with the outcome of their assessment will have the right to appeal. An appeals panel comprising of the Housing Needs Operations Manager, the Senior Housing Needs Officer and the Advanced Occupational Therapist will consider appeals. At the appeal hearing, the Housing Occupational Therapist will be required to present the reasons and rationale for their original decision and the panel would decide thereafter whether the level of priority should remain or change.
- 16.4.7 The appeals panel will write and advise the applicant of the outcome of the review and of the reasons for the decision.
- 16.4.8 As an additional oversight, the appeals panel will also carry out a random sample of routine functional assessments every quarter to ensure consistency, transparency and good practice.
- 16.4.9 The Council will not accept another functional assessment application from the applicant's household for twelve months from the date of the original decision, unless:
- there is a significant decline in the health of those who have applied for points and there is evidence to verify this;
 - a different person within the household applies for points;
 - there is a change of address;
 - their housing situation becomes worse; or
 - the person who has been awarded the functional assessment points leaves the household.

16.5 Leaving institutional/supported care

16.5.1 Applicants will be awarded points if any of the following circumstances apply and are confirmed by a Social Worker, Care Manager, Care Provider, Housing Support Provider, Community Psychiatric Nurse, General Practitioner, Doctor or Consultant, as may be appropriate given the individual circumstances of each case.

Where residential care/hospital/specialist supported housing is no longer appropriate.	350 points
Where an applicant is leaving a care environment. For example, supported accommodation, supported lodgings or foster care.	
Where a kinship care placement is no longer appropriate.	

16.5.2 For care experienced young people, points will be awarded up to the point that they are permanently housed. Thereafter if they experience housing difficulties and reapply for council housing (up to the age of 26) a referral would be made to the Housing Needs Review Group to consider their application.

16.5.3 Although points may be awarded, unless a valid and up to date support plan is in place which confirms that the applicant will have sufficient support to assist them to sustain their tenancy, the applicant may be bypassed for an offer of housing (see Section 17).

16.6 Underuse of specialist housing

16.6.1 Specialist housing is defined as any social housing property in Moray which is either suitable for ambulant disabled households or is wheelchair accessible. Generally this applies to any bungalow with a level entry access.

16.6.2 There can be situations where the person who the property was allocated for is no longer living there and nobody else living there has a need for specialist housing.

16.6.3 Underuse of specialist housing points may be awarded to households living in specialist housing but who no longer have a need for this type of housing and who want to move.

16.6.4 Applicants will only be eligible for underuse of specialist housing points if they are moving from specialist housing to alternative housing which is not defined as specialist housing.

250 points

16.7 Poor housing conditions

16.7.1 Applicants in the private sector (including caravans) will be awarded poor housing condition points on the following basis, following an inspection where this is required to establish condition:

16.7.2 Facilities are defined as sink, wash-hand basin, bath or shower, hot and cold water supply to facilities and an inside toilet.

Below Tolerable Standard and lacking facilities	250 points
Below Tolerable Standard with facilities	150 points
Lacking facilities but meets standard	100 points

16.8 Sharing amenities

16.8.1 Amenities considered for sharing points are kitchen, toilet and bathroom.

16.8.2 Applicants whose household share amenities with another household (points will only be awarded to applicants who are not the tenant/owner of the property).

100 points

16.9 Flatted/maisonette accommodation

16.9.1 Applicants with children under 5 years of age will not be considered for flatted/maisonette accommodation with communal access unless the applicant has expressed an interest in being housed in this property type.

16.9.2 Applicants with children under 16 years of age who are currently occupying flatted/maisonette accommodation where there is shared access within the building are awarded points as follows:

Residing in a first floor flat or above ground floor access maisonette	40 points
Residing in a second floor or over flat or maisonette where the living accommodation is on the second floor or above	75 points

16.10 Tied accommodation

16.10.1 An applicant may live in accommodation which is part of the conditions of their employment. Applicants will have no right to reside in the accommodation once their employment ends. Applicants living in tied accommodation will be awarded tied accommodation points if the applicant is retiring or their employment ends, which results in them having to leave the accommodation. In the event that the tenant has died, points for tied accommodation may be awarded to the partner or spouse of the tenant. However, in instances of relationship breakdown, points will not be transferred to family members. Applicants must provide valid evidence of the loss of accommodation.

16.10.2 Applicants who are serving Armed Forces personnel and who occupy service accommodation which is due to be terminated will be awarded tied accommodation points. Applicants will be required to provide a copy of their Certificate of Cessation of Entitlement to Occupy Service Living Accommodation which is issued six months before discharge.

16.10.3 Points for tied accommodation will be awarded up to three months before the applicant's tenancy ends.

350 points

16.11 Key workers

16.11.1 Applicants who are taking up employment in Moray who can demonstrate that they are bringing a skill that is not available locally may be eligible for the award of key worker points. In establishing if an applicant may qualify for key worker points, the Council may seek the advice of the Job Centre/Employment Agency/Local Enterprise Company on the availability of such skills locally. The Council will require the applicant's employer to provide confirmation and support for a request for key worker points.

16.11.2 Applicants will only be eligible for key worker points in cases where their current permanent accommodation is beyond a reasonable travel to work distance from their employment. For the purposes of this section of the Policy, a reasonable travel to work time is defined as a car journey of one hour or less.

16.11.3 Tenancies granted to applicants with key worker points will normally be short Scottish secure tenancies (SSST), as defined in the Housing (Scotland) Act 2001. However, the Housing Needs Review Group may consider requests for an extension of a SSST and may consider whether a Scottish secure tenancy (SST) should be granted, taking into account the relative demand and availability of accommodation in the area. The Housing Needs Review Group will review all SSSTs created under this section of the policy after a period of 9 months has elapsed in each tenancy.

100 points

16.12 Need to reside

16.12.1 There may be instances where an applicant needs to reside in a specific lettings area. Need to reside points may be awarded where the applicant (or a member of their household) needs to remain in or move to a lettings area in order to:

- provide or receive care or support (that would not otherwise be available);
- access or maintain specialist education or specialist facilities;

- access or provide childcare arrangements to allow the applicant, or the person who they want to move closer to, to undertake employment;
- be closer to a place of employment; or
- where the applicant has a permanent residence/principal home within a lettings area.

16.12.2 Need to reside points will be awarded when the Council is satisfied that their requirement can be substantiated. The applicant must provide valid evidence. Applicants will be asked to identify a specific lettings area and up to two other bordering lettings area. Only those lettings areas identified will be eligible for the award of need to reside points.

50 points

16.13 Exceptional circumstances

16.13.1 'Exceptional circumstances' points may be awarded in cases which cannot be appropriately considered within the Allocations Policy.

16.13.2 Applicants may request that their circumstances are referred to the Housing Needs Review Group for consideration of the award of such points. Any award of 'exceptional circumstances' points may only be made by the Housing Needs Review Group.

16.13.3 Exceptional circumstances points may range from **0 to 500 points**, depending on the specific circumstances of the applicant and the availability of housing.

Summary of priorities and points level		
Priority category		points
Homelessness		0
Under occupancy	Social housing	250
	Private housing	50
Overcrowding		100
Periodic contact		50

Summary of priorities and points level		
Functional housing need		0 – 500
Leaving institutional/supported care		350
Underuse of specialist housing		250
Poor housing conditions	Below tolerable standard and lacking facilities	250
	Below tolerable standard with facilities	150
	Lacking facilities but meets standard	100
Sharing amenities		100
Flatted/maisonette accommodation	Residing in a first floor flat or above ground floor access maisonette.	40
	Residing in a second floor or over flat or maisonette where the living accommodation is on the second floor.	70
Tied accommodation		350
Key workers		100
Need to reside		50
Exceptional circumstances		0 – 500

17. Bypassing applications

17.1 The Council will endeavour to make best use of its housing stock. In making allocation decisions the Council must consider the match between the needs of the applicant and the suitability of the property. The Council will normally offer the property to the applicant with the highest number of points and who has a need for that particular size and type of house. However, there may be some situations where applicants may be bypassed for an offer of housing. Reasons for this may include:

- there is evidence that the allocation would place the community, or an individual at risk;
- enquiries into the household's circumstances provide clear evidence that a particular allocation is unsuitable or inappropriate;

- the property has special features which are not required by the applicant or the applicant's household;
- the applicant or a household member has a health condition or disability which makes the property unsuitable;
- the applicant requires support and assistance to sustain a tenancy and the support is not available or in place;
- the applicant is in supported accommodation and is not ready to move to independent living;
- the applicant does not reside in Moray and does not meet the criteria specified in Section 9 of the Policy;
- the applicant does not have a support plan; and
- the applicant's circumstances have changed and information is awaited or required to enable their application to be re-assessed.

17.2 The Council will ensure that when bypassing applicants it will:

- administer the process using a robust evidenced based approach to ensure that decisions are accountable, transparent, their use carefully monitored and an audit trail is in place;
- comply with legislation;
- manage processes in such a way so as to support individuals and communities and ensure that people are not unintentionally or unfairly disadvantaged;
- make sure that no applicants are bypassed inappropriately and that no pattern of discrimination emerges through bypassing particular groups. Sensitive lets will not be used as a means of 'screening out' households that may require greater support or involvement from staff; and
- monitor the impact on those individual applicants who are bypassed, including the number of times they are bypassed and any significant extra waiting time for an offer.

18. Suspensions

18.1 A suspension happens when someone has been assessed for and accepted on to the Housing List but is told that he or she will not be eligible for an offer of housing until:

- a specified period has elapsed;
- it is evident that the conduct has changed; or
- a change in circumstances has occurred.

In accordance with legislation, homeless applicants cannot be suspended from receiving offers of housing.

18.2 The Council will not automatically suspend applicants from receiving offers of housing. The Council will attempt to work proactively with applicants, to ensure that the number of suspensions is kept to a minimum. Each case will be assessed on its own merits. The Council will always take personal circumstances and the extent of housing need into account before suspending applicants from receiving offers of housing. The Council will make sure that a balanced approach is taken and that the urgency of the applicant's housing need is of paramount importance.

18.3 Applicants may be suspended from receiving an offer of housing in the following circumstances:

- (i) where an applicant, or any person who is proposed to reside with the applicant, has housing related debt of more than 1/12th of the annual amount payable (or which was payable) to the landlord and no repayment arrangement has been agreed or maintained. In such cases, the suspension period may continue until the applicant (or person who is proposed will reside with the applicant) has a reasonable repayment arrangement in place and maintained for a minimum period of three months. The Council will take into account the reasons why the debt has arisen;
- (ii) where there is evidence of antisocial behaviour (through either eviction or the granting of an Antisocial Behaviour Order) which is related to the conduct of a tenancy. In such cases, the application may be

suspended for a period up to 12 months. If clear evidence is provided showing that there has been a change in behaviour, for a minimum period of three months, the suspension may be lifted. Each case will be assessed on its own merit;

- (iii) where an applicant has refused two reasonable offers of housing within one year (detailed in Section 22 of this policy). In such cases, the suspension period will be six months. During that period, no further offers of accommodation will be made. Appeals against the suspension of offers of housing will be considered in terms of the appeals process detailed in Section 26 of this policy.

- 18.4 If a social housing tenant in Moray has accrued rent arrears as a direct result of the removal of the spare room subsidy and wants to move to a smaller property, the Council may disregard the rent arrears accrued if it is satisfied that the tenant has done all he/she can practicably be expected to do to avoid falling into arrears.
- 18.5 In all cases where the applicant knowingly provides false or misleading information in order to improve their position on the Housing List, the application shall be suspended from receiving offers of housing during an investigation. If the investigation determines that false or misleading information was knowingly provided, the application will be suspended for six months. The Council may seek court action to recover any tenancy granted on the basis of false or misleading information knowingly provided.
- 18.6 Before an allocation is made to a transfer list applicant, a tenancy inspection will be carried out. If it is identified that the tenant is not adhering to the conditions of their current tenancy agreement, they may be suspended from receiving an offer of housing, until they meet the conditions of their tenancy. For example, if the tenant does not take reasonable care of their house (Scottish secure tenancy agreement 5.17). This suspension will be reviewed after a period of 3 months.

18.7 Deliberate worsening of circumstances

18.7.1 The Council will undertake investigations where it has reason to believe that an applicant deliberately did or failed to do something which, in consequence, led to a worsening of their housing circumstances in order to improve their position on the Housing List. For example, an applicant gives up settled accommodation in order to move into less settled or overcrowded accommodation.

18.7.2 In order to determine if an applicant has deliberately worsened their circumstances, the Council will investigate and assess each application on its own merits, taking into account all contributory factors. This will include ascertaining whether the applicant was aware of the consequences of their action and whether their actions were reasonable.

18.7.3 Where there is evidence to substantiate that an applicant deliberately did or failed to do something which has resulted in the worsening of their housing circumstances in order to improve their position on the Housing List, the applicant may be suspended from receiving an offer of housing for six months, unless there is a change in circumstances.

18.7.4 Following the suspension period, the application will be reinstated. The action taken by the applicant who was considered to have deliberately worsened their circumstances will no longer be taken into account and the level of points will be reviewed accordingly.

18.7.5 When the Council has decided to suspend an applicant from receiving offers, it will explain:

- why the Council is suspending the application;
- what this means in practical terms;
- how long the suspension will last;
- what action the applicant should take to have the suspension lifted; and
- the applicant's right to request a review of the decision to suspend their application.

19. Local Lettings Plans

- 19.1 The Council may from time to time consider the use of local lettings plans for specific lettings areas. Local lettings plans provide an open and transparent framework which set out any variation to the Allocation Policy needed to take account of and address local needs and circumstances. Local lettings plans are used to develop letting arrangements that:
- respond to local housing need and demand;
 - help to suitably match applicants to properties; and
 - help the Council to achieve a balance housing mix within a particular area.
- The main aim of a local lettings plan is to build a strong and sustainable community.
- 19.2 A local lettings plan may have the effect of introducing additional criteria in the allocations process which may result in allocations not being determined in accordance with applicant's points levels. The Communities Committee will consider proposals for the declaration of any local lettings plan.
- 19.3 Any local lettings plan agreed by the Council must accord with the overall principles and objectives of the Allocations Policy. Where a local lettings plan is proposed, detailed evidence to support the need for such an approach and why this cannot be met by the Allocations Policy itself will be considered by the Committee.
- 19.4 Where a local lettings plan is agreed for a specific lettings area, the Council will ensure that applicants are advised of the Plan.
- 19.5 Any local lettings plan will be agreed for a specified period and will be reviewed annually by the Communities Committee.
- 19.6 The Council will promote the development of sustainable communities by allocating all "new supply" properties on the basis of local lettings plans. This ensures that new build programmes will meet the widest possible range of

needs and avoid the creation of concentrations of vulnerable households in specific communities.

- 19.7 All agreed Local Lettings Plans will be published on the Moray Council website.

20. Sensitive lets

- 20.1 The Council may regard some lets as sensitive. Sensitive lets may be used in exceptional circumstances, where it is deemed necessary for the Council to deviate from the Allocations Policy. The process involves approaching the selection of the most appropriate applicant from both a person and property perspective.
- 20.2 The Council will always consider the extent to which the allocation has the potential to create a lack of stability or imbalance in the local community or would be detrimental to the applicant's social wellbeing. The Council will ensure that the needs of the applicant and the suitability of the property match.
- 20.3 When considering a sensitive let, instead of allocating a property to the applicant at the top of the list (the person in most housing need, as defined by the Allocation Policy), the Council will consider the suitability of the applicant for the vacancy, on the basis of the information it has about the applicant and on the knowledge it has about the property, its location or neighbours.
- 20.4 The Council will ensure that all decisions regarding sensitive lets are accountable, transparent and monitored. Discretion may be applied when identifying sensitive let applicants or properties. For example, consideration will be given to the significance of the applicant's previous social conduct. Considerations may include, to what extent has the conduct affected the applicant's life and the life of others? Has there been legal involvement? Has there been a significant improvement?

- 20.5 The Council will monitor the use of sensitive lets in order to make sure that there is no pattern of bypassing particular groups.

21. Application management

Review of applications

- 21.1 All applicants for housing will be asked to renew their housing application annually, from the date that the last amendment was made to the housing application. Failure to respond to this request will result in the application being removed from the Housing List. Requests for re-instatement to the Housing List after a period of three months from removal will require the applicant to complete a new housing application form.

Change in circumstances

- 21.2 Applicants are advised to notify the Council as soon as possible of any change in circumstances which may affect their housing application. Applicants are responsible for amending their online housing application, which will alert the relevant Apply4Homes partners to any change. For example, a change in family circumstances, change of address and so on.

Cancelled applications

- 21.3 On notification of an applicant's death, the application will automatically be transferred to the surviving partner residing with the applicant. Where there is no surviving partner, the application may be transferred to any other person named in the application who has been resident with the applicant for a period of six months, providing that that person is aged 16 years or over. The applications will be re-assessed within 28 days of notification of the change in circumstances to the Council.

22. Offer of housing

- 22.1 The Council is committed to ensuring that offers of housing are fair and based on the knowledge of the needs, circumstances and preferences contained within the application for housing.

- 22.2 An offer will normally be considered reasonable if it is situated in a lettings area deemed acceptable by the applicant and otherwise meets the applicant's stated housing need as detailed on the application form.
- 22.3 An offer of accommodation from a RSL under the Nomination Process will count as a reasonable offer, providing that the applicant has indicated willingness to be considered for such nominations.
- 22.4 Offers of housing are made in writing to applicants. The offer of housing will give full information about the potential allocation and should be responded to within the timescale specified.

23. Tenancy types

- 23.1 Below are the types of tenancy agreements which the Council may offer housing applicants:

Scottish secure tenancy (SST)

- 23.2 In most circumstances an applicant will be offered a Scottish secure tenancy. Unless a tenant ends the tenancy, abandons the tenancy or the council obtains a court order to end the tenancy, the SST will usually continue for as long as the tenant wants.

Short Scottish secure tenancy (SSST)

- 23.3 The Council may offer a short Scottish secure tenancy for a minimum term of 6 months in specific circumstances as set out in the Short Scottish secure tenancy (SSST) Policy. These circumstances will apply if:
- there is evidence that an applicant or someone in their household or a visitor to their home has been involved in antisocial behaviour in or near their home within the last three years;
 - an applicant or someone in their household has been evicted for antisocial behaviour or subject to an antisocial behaviour order within the last 3 years;
 - an applicant is moving to Moray to take up employment; or

- an applicant needs housing support to help them maintain their tenancy;

23.4 At the end of the term of the SSST the Council can:

- offer a full SST (some types of SSST automatically convert to SSTs after 12 months);
- offer a further SSST; or
- seek repossession.

23.5 In all cases the Council will serve an applicant with a notice informing the applicant that they are being offered a SSST. This notice will also state why they are being offered a SSST and the period for which the SSST is being offered.

23.6 For some types of short Scottish secure tenancies the Council must provide, or ensure the provision of, housing support services. If an applicant is unwilling to cooperate with this support, the tenancy offer may be withdrawn.

24. Refusal of an offer of housing

24.1 If an applicant refuses a reasonable offer, they will be given the opportunity to review their preferences and options and will be provided with a realistic overview of their housing options.

24.2 If an applicant refuses two reasonable offers of housing within one year, the application will be suspended for a period of six months. During that period, no further offers of accommodation will be made.

24.3 Refusal due to the removal of the spare room subsidy

24.3.1 If an applicant refuses an offer of accommodation, on the grounds of a housing benefit shortfall due to the removal of the spare room subsidy, the Council would consider this a reasonable reason for refusing an offer. This would only be permitted once. Thereafter, the size of property that an applicant will be offered will be amended.

24.3.2 For example, if in accordance with section 11.3.2, an applicant is assessed as requiring a three bedroom property but the applicant refuses it due to the removal of the spare room subsidy, this would be considered a reasonable refusal. This would only be permitted once. The applicant would then be placed on the two bedroom property list and points adjusted accordingly.

25. Social housing options

25.1 The Council will negotiate Nomination Arrangements with Registered Social Landlords (RSLs). These arrangements will provide the Council with the right to nominate applicants from the Council's Housing List for vacancies arising within the RSL's housing stock. The arrangements will not provide the Council with the right to allocate such vacancies and such allocations will be carried out in accordance with the specific RSL's Allocations Policy and Rules. The Council will inform applicants who have been nominated to an RSL of the nomination.

25.2 Applicants will be asked to indicate on their housing application whether they wish to be considered for a nomination to RSLs.

25.3 The Council has Section 5 protocols in place with RSLs in Moray. Section 5 of the Housing (Scotland) Act 2001 provides a statutory mechanism for local authorities to refer applicants assessed as homeless to RSLs for allocation of any forthcoming empty houses. This addresses the contribution that RSLs can make to tackling homelessness in the area.

25.4 Existing tenants of Moray Council have the right to apply for permission to effect a mutual exchange with another public sector or Registered Social Landlord tenant. Such requests will be considered under the terms of the Housing (Scotland) Act 2001 and permission to exchange will not be unreasonably withheld. Applicants can apply for a mutual exchange on the House Exchange website.

25.5 The Council's Downsizing Incentive Scheme operates in conjunction with the Allocations Policy. The Scheme aims to assist the Council to make best use of housing stock. It encourages:

- tenants who are under occupying council houses to move to smaller accommodation, thus releasing a larger property; and
- tenants who are living in specialist housing (of any size) which their household no longer needs to move to alternative suitable accommodation.

This voluntary scheme offers a combination of practical and financial assistance to those council tenants who qualify.

26. Review and complaints arrangements

26.1 In accordance with legislation, neither any Local Member for a Lettings Area in which a vacancy is situated nor any Local Member for a Lettings Area in which an applicant currently resides will be involved in the allocation decision for that vacancy.

26.2 If an applicant needs help to make and follow up on a complaint, review or appeal, Council staff will provide guidance or will refer the applicant to an appropriate agency who may assist the applicant.

Request for a review of a decision

26.3 Separate from the Complaints Procedure, a Review Procedure exists within the Allocations Policy to deal with instances where an applicant is dissatisfied with the decisions made on any aspect of the application.

26.4 An applicant who is not satisfied with decisions made on their application for housing can request a review. The applicant should make the request in writing to the Senior Housing Needs Officer. The request for a review should include the grounds on which it is made.

- 26.5 The request for a review will be considered by a senior manager not previously involved with the original decision with a target of 28 days to respond to the applicant.
- 26.6 If an applicant remains dissatisfied, the applicant may write to the Housing Needs Manager to ask that the Housing Needs Review Group consider their case.
- 26.7 The Housing Needs Review Group will convene monthly to consider any appeals and housing applications in certain circumstance, for example the award of exceptional circumstances points.
- 26.8 The review group comprises of the Housing Needs Operations Manager (Allocations/Homelessness), an Area Housing Manager, a Housing Needs Officer, an Area Housing Officer and an independent minute taker. At the review group hearing, the senior officer who carried out the review of the original decision will present the reasons and rationale for their request/decision.
- 26.9 The review group will decide:
- if the decision made on the application will remain or be overturned ;
 - the outcome of certain housing applications. For example if exceptional circumstances points should be awarded and what level these will be.
- 26.10 The Housing Needs Review Group will write and advise the applicant of the outcome of the appeal and of the reasons for their decision within 7 days.
- 26.11 Where the Housing Needs Review Group uphold the decision to offer a SSST or convert a SST to an SSST and the applicant/tenant is still not satisfied, they will have a right of appeal to the Sheriff Court (Housing (Scotland) Act 2001, Section 38 for an offer or by summary application under Section 35 for a conversion.

26.12 An applicant has the right to pursue any complaint of maladministration in relation to a housing application with the Scottish Public Services Ombudsman or to seek a judicial review where this is appropriate.

Complaints

26.13 The Council has a Complaints Policy which details Council's complaints process which is available to any applicant who is not satisfied with the way in which the application has been dealt with. The Complaints Policy and explanatory information are available on the Council website and from any Council Office or Access Point.

27. Performance monitoring

27.1 The Council currently monitors its performance in relation to the time taken to relet vacant properties and the amount of rent lost as a result of vacant properties. Reports on these performance indicators are presented to the Communities Committee of the Council on a quarterly basis.

27.2 The Council will set performance standards in relation to its Allocations Policy and will monitor its achievement of these standards.

27.3 In addition to statutory performance indicators, the Council will also monitor. Annually

- The ethnic origin of:
 - applicants on the Housing List; and
 - new tenants
- The number of people who consider themselves to have a disability

Quarterly

- The percentage of allocations by group
 - Homeless List
 - Waiting List
 - Transfer List
- The percentage of tenancy offers refused during the year.

27.4 The performance indicators are reported to the Communities Committee. These reports will be public documents. The confidentiality of individual applicant's circumstances will be maintained.

27.5 The Council will welcome the views of applicants on the Allocations Policy, the procedures adopted by the Council and how applications are dealt with.

27.6 The Council will review the operation of the Allocations Policy on an annual basis. A review report will be considered annually by the Communities Committee.

28. Review of the Allocations Policy and consultation arrangements

28.1 If the monitoring of performance detailed in Section 27 suggests that there are areas where the policy needs to be improved, the policy may be amended or a further review may be undertaken. If any changes to be made are substantive, the Council will consult with tenants, applicants and other key stakeholders before making these changes.

28.2 The Council will undertake a full review of this policy every three years or earlier if required by changes to legislation or guidance. In line with housing law, consultation will be ongoing during the review process and not just once the policy has been finalised.

28.3 Moray Council will consult the following groups before making or altering the Allocations Policy:

- Applicants on the Housing List;
- Council tenants;
- Registered tenant organisations; and
- Any other stakeholders considered relevant.

28.4 Moray Council will prepare and publish a report on the consultation following the consultation on the Allocations Policy.

Legislative framework

The following legislation regulates the legal framework for the Allocations Policy:

- The Human Rights Act 1998
- The Data Protection Act 2018
- The Housing (Scotland) Act 1987
- The Housing (Scotland) Act 2001
- The Homelessness etc (Scotland) Act 2003
- The Housing (Scotland) Act 2006
- The Housing Scotland Act 2014
- The Equality Act 2010
- Immigration and Asylum Act 1999
- Protection from Harassment Act 1997
- Domestic Abuse (Scotland) Act 2011
- The Matrimonial Homes (Family Protection) (Scotland) Act 1981
- The Civil Partnership Act 2004
- The Family Law Act 2006
- The Children (Scotland) Act 1995
- Adult Support and Protection (Scotland) Act 2007
- Management of Offenders etc (Scotland) Act 2005
- The Sexual Offences Act 2003

The above list is not exhaustive.



REPORT TO: COMMUNITIES COMMITTEE ON 5 FEBRUARY 2019

SUBJECT: HOUSING AND PROPERTY SERVICES – SERVICE IMPROVEMENT PLAN 2018/19

BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT, PLANNING AND INFRASTRUCTURE)

1. REASON FOR REPORT

- 1.1 To provide the Committee with a progress report on the Housing and Property Service Improvement Plan 2018/19 to 31 December 2018.
- 1.2 This report is submitted to Committee in terms of Sections III (A) (4) and (G) (15) of the Council's Scheme of Administration relating to public performance reporting; and developing and monitoring the Council's Performance Management Framework for the Communities Services.

2. RECOMMENDATION

- 2.1 **It is recommended that Communities Committee considers and notes the progress that has been achieved in relation to the Housing and Property Service Improvement Plan for 2018/19, as set out in APPENDIX I.**

3. BACKGROUND

- 3.1 The Local Outcomes Improvement Plan (10 year plan) and the Corporate Plan 2023 are the key documents that influence the development of the Housing and Property Service Improvement Plan 2018/19.
- 3.2 The Service Plan also takes into account a range of other factors used by Managers to identify the changes required to services, i.e.
 - Resource Changes;
 - Legislative Changes;
 - Council Policy Changes;
 - Risk;
 - Customer and Staff Engagement;
 - Quality, Performance and Self Evaluation; and
 - The wider financial challenges facing the Council at this time.

- 3.3 The Housing and Property Service Improvement Plan 2018/19 sets out the

key priorities that the service will seek to achieve in this reporting year.

Key actions for the Service in 2018/19 will be to:-

- Increase housing supply and the industrial portfolio;
- Tackle and prevent Homelessness where possible;
- Implement actions to deliver financial sustainability;
- Assist in the Modernisation and Improvement Programme; and
- Manage assets effectively.

3.4 A total of 18 separate service priorities were included in the Service Improvement Plan in 2018/19. Of these, 4 were expected to have been completed by 31 December 2018.

3.5 **APPENDIX I** provides details of the progress achieved to 31 December 2018.

4. PROGRESS TO DATE

4.1 A total of 4 actions were due to be completed by 31 December 2018.

4.1.1 The Strategic Housing Investment Plan (SHIP) was submitted to the Scottish Government on 15 November 2018.

4.1.2 The Council also submitted a first draft of its Rapid Rehousing Transition Plan to the Scottish Government on 7 December 2018.

4.1.3 A revised procedure to recover costs associated with the late payment of rents for industrial properties was implemented on 1 June 2018.

4.1.4 The re-tender of the Contractors Framework for Response and Planned Repairs has been completed and a new framework is due to go live from 4 February 2019.

4.2 Of the actions due for completion by 31 March 2019, close monitoring will be required of the Energy Efficiency Standard for Social Housing (ESSH) Programme. Target spend is below where it should be to 31 December 2018 but is expected to increase significantly by year end. ESSH spend will continue into 2019/20 so this will be closely monitored by service managers to ensure where possible the full programme of works are delivered.

4.3 The Out of Hours review due for completion by 31 March 2019 has not started. This is due to resource pressures across the Council and will not be progressed in this financial year.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The Service Improvement Plan has been structured to support the Corporate Plan 2023 and the Local Outcomes Improvement Plan. The main aims of the Service Improvement Plan is to promote economic development and growth, raise aspirations and to work towards a financially stable Council that provides valued services to our communities.

(b) Policy and Legal

Statutory requirements and Council policies are considered by Managers when preparing service plans for the year ahead.

(c) Financial implications

No additional financial resources are required to support the Service Plan.

(d) Risk Implications

Up to date risk registers are maintained and considered by Managers as part of the service planning process.

(e) Staffing Implications

Service Plans are vital to good management practice including identifying priorities and matching staff time to Council's priorities.

(f) Property

There are no Property implications arising from this report.

(g) Equalities/Socio Economic Impact

Managers consider equalities issues for staff and service users when assessing current service delivery arrangements and future arrangements.

(h) Consultations

This report has been prepared in consultation with Service Managers and Caroline Howie (Committee Services Officer) who agree the content of the report where it relates to their area of responsibility.

6. CONCLUSION

- 6.1 The Service Improvement Plan explores different ways of delivering services more efficiently and effectively, whilst facing the tough challenges of declining budgets and demands for our services. This report presents an update on the Service Improvement Plan 2018/19 to 31 December 2018. All 4 priorities due for completion by this date have been completed.**

Author of Report:	Richard Anderson, Head of Housing and Property
Background Papers:	With author
Ref:	






Housing and Property Service Plan 2018-19

Report Type: Actions Report





Generated on:






Status: Completed 5; In Progress 11; Overdue 1; Cancelled 1

	Completed		Not Started; In Progress; Assigned		Unassigned; Check Progress		Overdue; Neglected		Cancelled
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Priority 1.1 - Increase the supply of affordable housing

Action Code	Action Title	Due Date	Latest Status Update	Status Progress	Status Icon
HPS18-19.1.1.1	Prepare and submit Strategic Housing Investment Plan (SHIP) to the Scottish Government	30-Nov-2018	The SHIP was submitted to the Scottish Government on 15 November 2018.	100%	
HPS18-19.1.1.2	Deliver the Moray Affordable Housing Supply Programme with target spends of £7.983m in 2018/19.	31-Mar-2019	£4.316m spend achieved at quarter end. Balance of expenditure will be achieved by projects on site and land acquisitions.	75%	
HPS18-19.1.1.3	Deliver the Council's new build Programme of 70 new houses per year and/or land acquisitions for future developments	31-Mar-2019	46 completions at end of Q3. A further 21 will complete before year-end.	75%	
HPS18-19.1.1.4	Prepare Local Housing Strategy (LHS) 2018-23	31-Mar-2019	Consultative draft LHS will be considered by Communities Committee on 5 February 2019.	75%	


Priority 1.2 - Improve the quality of housing across Moray

Action Code	Action Title	Due Date	Latest Status Update	Status Progress	Status Icon
HPS18-19.1.2.1	Achieve target expenditure of £1.8m (excluding fees) on the EESSH programme of works	31-Mar-2019	Target expenditure for this year has been revised to £865k (committee report in May 2018). Contractor is now on site and making good progress with heating replacements – approx. £89k expenditure to date although this is expected to significantly increase by year end. The EESSH Programme will continue into 2019/20 and projected spend will eventually come more in line with projected budgets. Acceptance of the tender for cavity wall insulation was delayed due to procurement queries. The costs for cavity wall insulation are likely to be less than envisaged so expenditure will be under budget.	20%	
HPS18-19.1.2.2	Implement Moray HEEPS Programme	31-Mar-2019	Measures carried out under 2017/18 programme completed in August 2018. Funding and proposals for 2018/19 programme agreed with the Scottish Government with works to commence early in 2019.	50%	
HPS18-19.1.2.3	Deliver Care and Repair Service and achieve Private Sector Housing Grants spend of £613k on disabled adaptations and repairs	31-Mar-2019	Spend of £351k to be achieved at quarter end. £460k projected outturn at 31 March 2019. Budget responsibility for this action now sits with Moray Integration Joint Board.	50%	





Priority 1.3 - Tackle Homelessness

Action Code	Action Title	Due Date	Latest Status Update	Status Progress	Status Icon
HPS18-19.1.3.1	Consider the Scottish Government's approach to rapid rehousing plans for homeless households and prepare a plan for submission to SG by December 2018	31-Dec-2018	Draft Rapid Rehousing Transition Plan approved by Communities Committee on 20 November 2018 and submitted to Scottish Government on 7 December 2018.	100%	
HPS18-19.1.3.2	Reconfigure the supply of temporary accommodation to achieve target savings for 2019/20	31-Mar-2019	The reconfiguration of temporary accommodation continues and is currently on track to achieve the targets required to achieve the 2019/20 savings.	80%	
HPS18-19.1.3.3	Review our Allocation Policy to ensure compliance with the Housing (Scotland) Act 2014	31-Mar-2019	On 20 November 2018, Communities Committee approved changes to the Allocation Policy and to consult wider with the public and other key stakeholders. The final draft of the policy will be presented to Committee on 5 February 2019.	80%	



Priority 1.4 - Increase the supply of Industrial Units for business

Action Code	Action Title	Due Date	Latest Status Update	Status Progress	Status Icon
HPS18-19.1.4.1	Finalise negotiation to purchase ground at Forres Business Park from HIE, conclude sale and develop detailed design and tender documents.	31-Mar-2019	Purchase price for ground agreed with HIE. Business case for the purchase and site development approved through the project management gateway. A final decision on the proposed purchase arrangements will be made prior to 31 March 2019.	99%	


Priority 2.1 - Delivering Financial Sustainability

Action Code	Action Title	Due Date	Latest Status Update	Status Progress	Status Icon
HPS18-19.2.1.1	Develop and implement a process to recover costs associated with late payment of rents for industrial properties	31-Dec-2018	A process to recover costs associated with late payment of rents for industrial properties was implemented on 1 June 2018. All tenants have been notified of the charges. Recovery charges for late payments will now be reported to Committee as part of the Annual Industrial Portfolio Report.	100%	
HPS18-19.2.1.2	Achieve target expenditure of £10.7m (excluding fees) on the Housing Investment Programme	31-Mar-2019	Spend to 30 November was £5.189m (48%), with expenditure plus commitment standing at £9.454m. Estimated overspend on Reactive will be balanced by underspend on Planned.	50%	
HPS18-19.2.1.3	Achieve target expenditure of £6.15m (excluding fees) on all non- Housing Capital investment, together with major Design preparation and price negotiation on the EL Nursery programme for 2019/20	31-Mar-2019	Expenditure of £4.81m achieved to end December. The total at year end will be significantly under the £6.15m target as a number of capital projects have been deferred.	80%	
HPS18-19.2.1.4	Re- tender the Sub-contractors Framework for Response & Planned Repairs	31-Dec-2018	Re-tender of Sub-Contractors Framework complete. New framework will go live from 4 February 2019.	100%	

Priority 2.2 - Assist where required in the modernisation and Improvement Programme

Action Code	Action Title	Due Date	Latest Status Update	Status Progress	Status Icon
HPS18-19.2.2.1	Implement key recommendations from the Property Asset Management Appraisal (PAMA) <ul style="list-style-type: none"> Office Review Depot Review Storage Review 	31-Mar-2020	The PAMA was presented to Council on 12 December 2018. Council have accepted the 20 key recommendations set out in the PAMA Improvement Plan. Funding for resources to complete the review of offices, depots and storage agreed and these reviews are due to commence early 2019.	100%	
HPS18-19.2.2.2	Complete a review of Out of Hours Service and implement changes	31-Mar-2019	No progress has been made to date due to competing budget savings priorities across Council Services.	0%	

Priority 3.1 – Actions to implement the Property Asset Management Appraisal

Action Code	Action Title	Due Date	Latest Status Update	Status Progress	Status Icon
HPS18-19.3.1.1	Review of Property Services and Property Asset Management in 2018/19 and conclude in 2019/20.	31-Mar-2020	The review of Property Services and Property Asset Management will commence early in 2019 with the aim of concluding this in 2019/20.	0%	



REPORT TO: COMMUNITIES COMMITTEE ON 5 FEBRUARY 2019

SUBJECT: HOUSING (SCOTLAND) ACT 2014, PART 2 – PROGRESS REPORT

BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT, PLANNING AND INFRASTRUCTURE)

1. REASON FOR REPORT

- 1.1 This report provides the Communities Committee with an update on the commencement of the outstanding provisions of Part 2 of the Housing (Scotland) Act 2014 and identifies the legislative changes required to the Council's Neighbour Nuisance and Antisocial Behaviour Policy, Short Scottish Secure Tenancy (SSST) Policy and Evictions Policy prior to public consultation.
- 1.2 This report is submitted to Committee in terms of Section III (G) (2), (4) and (14) of the Council's Scheme of Administration relating to exercising the functions of the Council as a Housing Authority, dealing with the allocation and letting of houses and homelessness and developing policies in relation to Community Safety and Antisocial Behaviour.

2. RECOMMENDATION

2.1 It is recommended that the Communities Committee:

- (i) approves the revisions made to the Neighbour Nuisance and Antisocial Behaviour Policy, Short Scottish Secure Tenancy (SSST) Policy and Evictions Policy which reflect the legislative changes required by Part 2 of the Housing (Scotland) Act 2014;**
- (ii) agrees to consult with service users, tenants and other key stakeholders as set out in Section 7; and**
- (iii) notes that a progress report on the consultation feedback with final draft policies will be presented to the next Communities Committee on 2 April 2019 for approval.**

3. BACKGROUND

- 3.1 A report was presented to this Committee on 20 November 2018 which provided an update on the implementation of the Housing (Scotland) Act 2014, Part 2 (herein referred to as the 2014 Act). Part 2 makes changes to parts of the Housing (Scotland) Act 2001 in relation to evictions, Short

Scottish Secure Tenancies (SSSTs) and assignments. The November report highlighted the need to review the Council's SSST Policy, Neighbour Nuisance and Antisocial Behaviour Policy and Evictions Policy to ensure compliance with the provisions of the 2014 Act prior to the implementation date of 1 May 2019 (paragraph 6 of the draft Minute refers). One of the principle provisions of the 2014 Act is to grant landlords greater flexibility in relation to the allocation and management of housing stock through the use of SSSTs. The legislative changes also provide a wider toolbox to assist the Council when dealing with cases of antisocial behaviour and/or illegal or immoral activity within Council tenancies.

- 3.2 The 2014 Act also requires some minor changes to the Council's Assignations Policy which will be implemented by 1 November 2019.
- 3.3 All the legislative changes are outlined in **Appendix I**. The changes are all mandatory with the exception of the new ground for 'other antisocial behaviour'. The relevant policies have been revised to reflect these mandatory changes as well as the new discretionary ground for antisocial behaviour. This ensures that the full range of available options can be used by officers when dealing with cases of recurring or persistent antisocial behaviour.

4. NEIGHBOUR NUISANCE AND ANTISOCIAL BEHAVIOUR POLICY REVIEW

- 4.1 The revisions to the Council's Neighbour Nuisance and Antisocial Behaviour Policy are minimal but include an update to the strategic context as well as the legal definition for antisocial behaviour for clarity when determining a course of conduct.
- 4.2 Existing measures from the Housing (Scotland) Act 2001 include the use of a SSST where an antisocial behaviour order (ASBO) or eviction order for antisocial behaviour has already been granted by a Court. Section 7 of the 2014 Act amends this legislation to include a new ground which allows the use of a SSST for new and existing tenants where the tenant, joint tenant, any member of their household or visitors to their property has carried out a course of antisocial behaviour within the previous three years, in relation to another person residing in or visiting the locality.
- 4.3 The revised Neighbour Nuisance and Antisocial Behaviour Policy are available in the Committee Management Information System (CMIS) and can be found at <https://moray.cmis.uk.com/moray/CouncilandGovernance/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/368/Committee/10/Default.aspx>.

5. SHORT SCOTTISH SECURE TENANCY (SSST) POLICY

- 5.1 SST and SSST agreements set out the responsibilities of tenants and the behaviour expected from members of their household as well as visitors both within and around the locality of their home. A SSST is a short term or probationary tenancy that can be given to tenants in certain circumstances as defined by Schedule 6 of the Housing (Scotland) Act 2001. Breaches of

tenancy conditions as a result of antisocial behaviour can ultimately result in action being taken to reduce a tenant's rights.

5.2 A full review of the SSST Policy has been required to reflect the extent of the legislative changes which include:

- a new antisocial behaviour ground where a course of antisocial behaviour has taken place in the previous three years;
- changes to the minimum term of a SSST on any of the antisocial behaviour grounds from 6 months to 12 months;
- the power to extend the new 12 month term of a SSST for antisocial behaviour by 6 months, to 18 months, where support services are being provided;
- automatic conversion to a full SST at the end of the 12 month SSST, unless action is taken to repossess the property;
- new provisions for serving statutory notices in relation to SSSTs and the information that is required within the notices;
- new provisions for recovery of possession for SSSTs on any of the grounds; and
- a new internal right of review process for tenants, where action has been taken to recover possession, prior to the case proceeding to court.

5.3 The revised Short Scottish Secure Tenancy (SSST) Policy is available in the CMIS document system and can be found at <https://moray.cmis.uk.com/moray/CouncilandGovernance/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/368/Committee/10/Default.aspx>.

6. **EVICCTIONS POLICY**

6.1 The 2014 Act introduces a new process to streamline eviction action where there has been a criminal conviction within the previous 12 months, for serious antisocial or criminal behaviour that is punishable by imprisonment. Such a breach of tenancy conditions will allow the Council to follow a more simple process for eviction.

6.2 The revisions to the Evictions Policy provide a more robust policy statement in relation to eviction action under these circumstances. The revised policy includes:

- detail of the legal framework necessary for carrying out streamlined eviction actions under this ground, which strengthens the legal process for court action;
- a clearer explanation of tenant's responsibilities in relation to illegal activity and criminal behaviour under their tenancy agreement;
- detail of the required and preventative actions that should be taken prior to considering eviction action for antisocial or criminal behaviour; and
- an explanation that there is no longer a requirement for the Council to prove the action is reasonable when using this ground. The Council will however need to show that the action taken is proportionate in balancing the tenant's rights against those of the household and neighbouring community.

- 6.3 The revised Evictions Policy is available in the CMIS document system and can be found at
<https://moray.cmis.uk.com/moray/CouncilandGovernance/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/368/Committee/10/Default.aspx>.

7. CONSULTATION PROCESS

- 7.1 Due to the majority of the legal changes being mandatory, and the significant correlation across the three policy areas, it is proposed that one consultation exercise on the revised draft policies is carried out from 8 February until 15 March 2019. Within this one process, three separate surveys will be available for each of the three policies. This will allow respondents to choose which policy areas they would like to give feedback on. Alternatively they can choose to answer all three. The surveys in relation to the Short Scottish Secure Tenancy Policy and the Neighbour Nuisance and Antisocial Behaviour Policy will specifically ask for feedback regarding whether the Council should use the new discretionary ground to monitor and tackle ongoing antisocial behaviour.
- 7.2 The consultation process will involve:
- publication of the three draft policies, along with easy to read versions of each policy, on the Council website;
 - providing a link and online survey on the home page of the Council's website and publicising it across the Council's social media platforms;
 - providing relevant stakeholders the opportunity to feedback such as:
 - a random sample of housing list applicants;
 - Moray Council tenants;
 - Register of Interested Tenants;
 - Moray Tenant's Forum;
 - Moray Equalities Forum;
 - current service users for example, homelessness and housing support;
 - Community Councils; and
 - any other relevant stakeholders.
- 7.3 Following an analysis of the feedback received, a further report will be presented to this Committee on 2 April 2019 for final approval prior to implementation on 1 May 2019.

8. FUTURE IMPLEMENTATION

- 8.1 To ensure the Council meets the implementation dates required by the 2014 Act, officers will undertake the following actions between February and May:
- review all associated operational staff procedures, templates and letters;
 - identify and implement any recording/system changes required as a result of the changes;
 - provide staff training on the changes; and
 - continue to keep tenants updated through the tenant's newsletter (the Tenants' Voice), leaflets and the Council website.

- 8.2 The changes required to the Council's Assignations Policy will be progressed during summer of 2019 to meet the 1 November 2019 implementation date.

9. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The Corporate Plan and Moray 10 Year Plan prioritises building a better future for our children and young people while empowering and connecting communities to become stronger and more resilient. The Neighbour Nuisance and Antisocial Behaviour Policy, Short Scottish Secure Tenancy (SSST) Policy and Evictions Policy allow the Council to use measures to tackle antisocial behaviour and criminal activity within these communities, specifically within council housing.

(b) Policy and Legal

The Housing (Scotland) Act 2014 received Royal Assent on 1 April 2014. Legislative changes in Part 2 of the Act, in relation to social housing allocations and housing management, will come into force on 1 May 2019. The Council is required to review its Neighbour Nuisance and Antisocial Behaviour Policy, Short Scottish Secure Tenancy (SSST) Policy, Evictions Policy and Assignations Policy in order to comply with the legislative changes.

(c) Financial implications

There are no financial implications arising from this report.

(d) Risk Implications

There are no risk implications arising from this report.

(e) Staffing Implications

The Housing Service will consider the staffing implications arising from the implementation of the 2014 Act and the changes to housing policies.

(f) Property

There are no property implications arising directly from this report.

(g) Equalities/Socio Economic Impact

An Equalities Impact Assessment (EIA) will be undertaken as part of the consultation process.

(h) Consultations

Consultation on this report has taken place with the Head of Housing and Property, Housing Needs Manager, Housing Services Manager and Officers within the Housing Service, Housing Strategy and Development Manager, Sgt. Chris Page (Partnership Development Officer, Police Scotland), Deborah O'Shea (Principal Accountant), Aileen Scott (Legal Services Manager), Morag Smith (Senior Solicitor), Don Toonen (Equal Opportunities Officer), Caroline Howie (Committee Services Officer) and any comments have been incorporated into the report.

10. CONCLUSION

- 10.1 This report provides the Communities Committee with an overview of the legislative changes required to the Council's Neighbour Nuisance and Antisocial Behaviour Policy, Short Scottish Secure Tenancy (SSST) Policy and Evictions Policy as required under Part 2 of the Housing (Scotland) Act 2014. A further progress report, including the outcome of the consultation process and final draft policies will be presented to this Committee in April 2019.**

Author of Report: Emma Armit, Senior Housing Officer (Policy)

Background Papers: The Housing (Scotland) Act 2014 (1 March 2016)
The Housing (Scotland) Act 2014, Part 2 and Appendix I (26 June 2018)
The Housing (Scotland) Act 2014, Part 2 – Progress Report (20 November 2018)

Ref:

Short SST's

ANTISOCIAL BEHAVIOUR (ASB)	Legislative Changes from 2014 Act	Policies to be reviewed
New ground for creation of a short Scottish Secure Tenancy (SSST) for antisocial behaviour - DISCRETIONARY		
<p>The new ground will:</p> <ul style="list-style-type: none"> allow a SSST to be given to a new or existing tenant if there has been ASB within previous three years; allow conversion of an existing SST to a SSST; and require that the notice served to the tenant, where no Antisocial Behaviour Order (ASBO) applies, must include the name of the person who has behaved in an antisocial manner, the actions of the tenant or other person which the landlord has taken into account, the landlord's reasons for serving the notice and an explanation of the tenant's right of appeal to a court. <p>No need for any criminal or other court proceedings as previously required (i.e. ASBO or eviction order in past 3 year period for ASB)</p> <p>This applies where a tenant or person associated with the tenant has, within the period of three years preceding the date of service of the notice, acted in an antisocial manner, pursued a course of conduct amounting to harassment or a course of conduct which is otherwise antisocial in relation to another person residing in, visiting or otherwise engaged in lawful activity in the locality.</p>	<p>Section 7(2) of the 2014 Act substitutes a new subsection (2) in section 35 of the 2001 Act. New section 35(2) extends the circumstances in which a landlord may serve a notice on a tenant under subsection (3)</p> <p>Section 7(2) also amends section 35(3) of the 2001 Act in relation to the information required in the notice</p> <p>Subsection 7(3) makes a consequential amendment to section 37(1) (conversion to a SST) of the 2001 Act.</p>	<p>ASB ✓</p> <p>SSST ✓</p>
Term of SSST for antisocial behaviour - MANDATORY		
<p>SSSTs granted on the grounds of antisocial behaviour or a previous eviction or ASBO, a minimum term of 12 months. At the end of the 12 month term, the tenancy cannot continue as a SSST on the same terms and conditions, unless the landlord has served a notice of proceedings (which will extend the SSST to 18 months). After this period, the SSST will automatically convert to a SST (unless the social landlord has taken steps to extend the SSST by a</p>	<p>Section 9(1) amends section 34 of the 2001 Act</p> <p>Subsection (3) inserts new subsection (5) and (6) into section 37 of the 2001 Act</p>	<p>ASB ✓</p> <p>SSST ✓</p>

further six months or to seek repossession of the tenancy) on the term which applied before the tenancy became a SSST.		
Extension of term of SSST for antisocial behaviour - MANDATORY		
Provided that the term of a SSST granted on antisocial behaviour or previous eviction grounds may be extended by a further period of six months from the date which would otherwise be the expiry day of that tenancy. Tenants must have been given two months' notice of the extension (including the reasons for the extension) and must be being given housing support services. An extension may be required because the tenant requires support for a further period in order for the tenant to be able to sustain a Scottish secure tenancy.	<p>Section 10 inserts new section 35A in the 2001 Act</p> <p>Subsection (2) makes consequential amendments to section 37 of the 2001 Act</p>	<p>ASB ✓</p> <p>SSST ✓</p>
Recovery of possession of a SSST for antisocial behaviour - MANDATORY		
<p>Provides that proceedings for recovery of possession may not be raised, in the case of SSSTs created on antisocial behaviour or previous eviction grounds, unless the landlord considers that any obligation of the tenancy has been broken. Landlords of such tenancies are required to give tenants reasons why they are seeking recovery of possession of the tenancy including the obligations the landlord considers have been broken. This section also gives tenants a right to request that their landlord review the decision to seek recovery of possession before the case goes to court.</p> <p>Scottish Ministers will have powers through regulations to make provisions about the procedure to be followed in such reviews. The court must make an order for recovery of possession of the tenancy where the tenancy has reached the end of its 12-month term (or, in a case where an extension applies, the 18-month term applicable to it) and the landlord considers that an obligation of the tenancy has been broken. The procedure for recovery of possession (with respect to the serving of the notice for recovery of possession) under Scottish secure tenancies will also be used with SSSTs so long as the tenant has been given four weeks' notice prior to the landlord raising proceedings for recovery of possession.</p>	<p>Section 11 amends section 36 of the 2001 Act. Section 11(a) inserts a new subparagraph (aa) in section 36(2)</p> <p>Section 11(b) inserts a new subparagraph (aa) into section 36(3)</p> <p>New subsection (4A).</p> <p>Section 11(d) provides that, in cases where section 36(2)(aa)</p> <p>Section 11(f) inserts a new subsection (8) into section 36 of the 2001 Act</p>	<p>SSST ✓</p>

SSST for homeowners where the house is to be let on a temporary basis to a person who owns property for development work/installations to be carried out.	2001 Act	
Making use of full SST procedures for possession		
Landlords use Section 14 process to seek eviction during term of tenancy using any of the grounds in Part 1 Schedule 2. Notice of recovery of possession must set out date not earlier than 4 weeks from date of service of notice on or after which the landlord can raise proceedings. New statutory form of notice required.		SSST ✓ Evictions ✓

SST's

Streamlined eviction for criminal conviction - MANDATORY		
<p>A new process has been introduced for the use of an existing ground under Schedule 2 of the 2001 Act. Ground 2 states:</p> <p>The tenant (or any one of joint tenants), a person residing or lodging in the house with, or subtenant of the tenant has been convicted of:</p> <ul style="list-style-type: none"> • using the house or allowing it to be used for immoral or illegal purposes; or • an offence punishable by imprisonment committed in, or in the locality of, the house. <p>Where a court has already convicted a tenant of an offence punishable by imprisonment*, committed in, or in the locality of, the house, within the previous 12 months, the landlord only needs to provide factual evidence regarding the actual conviction to satisfy the ground and will no longer need to prove the eviction is 'reasonable'. The landlord will still need to consider many various factors including if the eviction is necessary and proportionate to include balancing the tenant's rights against those of the household and wider community.</p> <p>The tenant will retain the right to challenge the court action.</p>	<p>Section 16 of the 2014 Act.</p> <p>Subsection (2) inserts paragraph (aa) in section 16(2) of the 2001 Act</p>	<p>Evictions ✓</p> <p>ASB ✓</p>

<p>* NOTE – although punishable by imprisonment, service of a prison sentence is not necessary for this ground to be used.</p>		
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REPORT TO: COMMUNITIES COMMITTEE ON 5 FEBRUARY 2019

SUBJECT: CONSULTATIVE DRAFT LOCAL HOUSING STRATEGY 2019-24

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING AND INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 This report advises the Committee on the progress made in the development of the Council's next Local Housing Strategy (LHS) covering the period 2019-24.
- 1.2 This report is submitted to Committee in terms of Section G (11) of the Council's Scheme of Administration relating to the formulation and implementation of the Council's strategic Housing Plan.

2. RECOMMENDATION

2.1 it is recommended that the Communities Committee:-

- (i) comments on the consultative draft outline LHS (APPENDIX I);**
- (ii) comments on the draft LHS Equality Impact Assessment (APPENDIX II);**
- (iii) agrees to a period of public consultation on the full consultative draft from 6 February to 15 March 2019; and**
- (iv) notes that the final LHS will be presented to the Committee on 2 April 2019, for agreement, prior to publication.**

3. BACKGROUND

- 3.1 The Housing (Scotland) Act 2001 requires local authorities to produce a Local Housing Strategy (LHS) supported by an assessment of housing need and demand.

- 3.2 On 1 May 2018, the Communities Committee was advised of the “robust and credible” status of the Housing Need and Demand Assessment 2017 (HNDA). (paragraph 5 of the Minute refers).
- 3.3 On 19 June 2018, the Planning and Regulatory Services Committee considered the HNDA 2017 findings and their implications for the Moray Local Development Plan 2020 (paragraph 8 of the Minute refers).

4. **CONSULTATIVE DRAFT LHS 2019-2024**

- 4.1 An Outline Consultative Draft LHS is available at **APPENDIX I** (8 pages). The Outline Draft LHS is an abbreviated version of the full Consultative Draft at approximately 65 pages plus Appendices. It is intended that the Outline Draft should form the basis of an easy-read version for public consultation purposes. The full Consultative Draft LHS is available in the Committee Management Information system at <https://moray.cmis.uk.com/moray/CouncilandGovernance/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/368/Committee/10/Default.aspx>. Both documents include a range of actions intended to be taken forward by the Council and its partners during the term of the LHS, to achieve its outcomes.
- 4.2 The draft LHS sets out how the Council and its partners intend to alleviate housing need, address homelessness and improve the housing system. The LHS actions range from building more new affordable houses of the right type and in the right location, to reducing fuel poverty, improving the condition of housing and alleviating homelessness. The draft LHS priorities are:
- Priority 1: Improve access to housing in all tenures and alleviate housing need
 - Priority 2: Prevent and alleviate homelessness
 - Priority 3: Assist people requiring specialist housing
 - Priority 4: Improve the condition and energy efficiency of housing, and minimise fuel poverty
- 4.3 A draft LHS Equality Impact Assessment (EIA) has been prepared, using the HNDA 2017 as its evidence base. The draft LHS EIA is available at **APPENDIX II**.
- 4.4 Public and stakeholder consultation arrangements**
- 4.4.1 A period of public consultation is proposed, from 6 February to 15 March 2019. Officers propose the use of web-based surveys and the Council’s social media as the primary means of interaction with the general public. Officers propose that the web-based survey takes the form of a series of questions seeking approval ratings on the actions proposed in the draft LHS, with the facility to provide text/comments.
- 4.4.2 The development of the LHS is overseen by the multi-agency, officer level, Housing Strategy Group. This group includes representatives from the relevant Council Services and other agencies e.g. Planning, Health and Social Care Moray, NHS Grampian, Registered Social Landlords (RSLs), Scottish

Government enterprise companies, private sector representative bodies and Third Sector Representatives. Housing Strategy Group will be a key consultation body as the LHS develops.

4.5 Finalising the LHS

- 4.5.1 The final draft of the LHS will be presented to the Communities Committee on 2 April 2019 for approval prior to publication. The report in April will present the results of the public consultation.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The Moray Council's priorities for National Outcome 10 of the Single Outcome agreement include:

- The volume and quality of housing throughout Moray will increase.
- People assessed as homeless will be provided appropriate accommodation.

The Local Housing Strategy will focus on a set of outcomes that contribute to the achievement of Single Outcome Agreement priorities.

(b) Policy and Legal

It is a requirement of the 2001 Housing (Scotland) Act that local authorities have a Local Housing Strategy. Detailed guidance has been produced by the Scottish Government.

(c) Financial implications

There are no direct resourcing implications associated with this report.

(d) Risk Implications

There are no risk implications arising directly from this report.

(e) Staffing Implications

There are no staffing implications arising directly from this report.

(f) Property

There are no property requirements/implications arising directly from this report.

(g) Equalities/Socio Economic Impact

It is a statutory requirement that equality issues should be addressed in the LHS. The LHS includes strong themes on economic disadvantage and inequality. Data and evidence about the specialist housing and support needs of equalities groups has been gathered as part of the Council's Housing Need and Demand Assessment 2017. The LHS will set out how the Council intends

to address these needs. Officers have prepared a draft LHS Equalities Impact Assessment which will form part of the public consultation. Equality groups will be included in the LHS consultation.

(h) Consultations

Consultation on this report has taken place with the Head of Housing and Property, Head of Environmental Services, Gary Templeton (Principal Planning Officer), the Head of Community Care, Head of Health and Social Care Moray, Deborah O'Shea (Principal Accountant), Legal Services Manager (Property and Contracts), Corporate Policy Unit Manager, the Community Planning and Development Manager, Equal Opportunities Officer, and senior managers within Housing and Property Services.

6. CONCLUSION

- 6.1 This report provides the Communities Committee with details of progress made in the development of the Local Housing Strategy 2019 – 2024. The report provides details of the proposed consultation and implementation arrangements for the draft LHS.**

Author of Report: Fiona Geddes, Senior Housing Officer (Strategy)
Background Papers: Held by author
Ref: FG



Outline Draft
Local Housing Strategy

2019 – 2024

Foreword – to be completed

Executive Summary – to be completed

Table of Contents – to be completed

- 1 **Introduction**
- 2 **Governance**
- 3 **Consultation**
- 4 **Functional Housing Market Areas**
- 5 **Equality Statement**
- 6 **Strategic Priorities and the Local Planning Framework**

The overall aim of the Local Housing Strategy is:

To ensure that sufficient good quality, affordable housing¹ is available to meet the needs of people living in or requiring housing in Moray.

National Housing Policy Context

Moray 2027

Related Strategies and Plans

- 7 **Moray Context**
 - Moray's Demographic Profile
 - Moray's Economic Profile
 - Moray's Housing Stock
- 8 **Housing Need and Demand in Moray**
 - Key HNDA 2017 drivers and findings
- 9 **Achievements from previous LHS**

¹ Affordable housing is housing made available at a cost below full market value, to meet an identified need. It includes social rented housing, subsidised low cost housing for sale (discounted, shared ownership or shared equity) and low cost housing without subsidy (entry level housing for sale). Private rented accommodation available at lower cost than market rents and mid-market rent, should also be considered within the affordable housing category (ref: HNDA Guidance 2008). The term intermediate affordable housing is used to cover all types of affordable housing which are not social rented.

10 Local Housing Strategy Priorities

This section summarises how the LHS 2019 – 2024 will use an outcome-focused approach to contribute to the achievement of the Scottish Government’s strategic priorities and those of Moray, detailed in the Local Outcomes Improvement Plan.

The Local Housing Strategy will concentrate activity on 5 strategic priorities for which Moray Council will be the lead organisation, within Moray’s Community Planning Partnership.

The Housing Strategy Group will consult widely on the strategic priorities and outcomes to be addressed by the LHS. Some draft outcomes are based on the findings of the HNDA 2017; some are intended to fit with the priorities of the Local Outcomes Improvement Plan, some with statutory requirements and Scottish Government Policy, and some in reaction to consultation with stakeholders and the general public.

These are the priorities the Council and its partners would like to achieve for the citizens of Moray:

- Priority 1: Improve access to housing in all tenures and alleviate housing need
- Priority 2: Prevent and alleviate homelessness
- Priority 3: Assist people requiring specialist housing
- Priority 4: Improve the condition and energy efficiency of housing, and minimise fuel poverty

Priority 1: Improve access to housing in all tenures and alleviate housing need**Outcomes:**

- There is an adequate supply of affordable housing
- Make the best use of existing social rented housing
- Minimise the number of empty homes

Possible actions for consultation:**Action: increase the supply of affordable housing**

- Housing Supply target, land and delivery
 - Affordable housing for rent
 - Intermediate tenures e.g. mid-market rent
 - Location of affordable housing
 - Types and sizes of affordable housing
 - Rural housing

Action: make the best use of existing housing

- Review Allocations Policy quotas annually
- Minimise the time taken to relet vacant social housing
- Sheltered housing review
- Minimise empty homes in the private sector

Priority 2: Prevent and alleviate homelessness

Outcomes:

- We provide a high quality Housing Options service
- Time spent in temporary accommodation is minimised
- There is an adequate supply of good quality temporary accommodation
- There is adequate and appropriate provision of housing support

Prevalence of homelessness has remained relatively stable over the last 5 years but there have been increases in bed and breakfast usage and longer stays in temporary accommodation. The lack of permanent housing options, economic factors and the impact of welfare reform are considered key drivers of this trend.

Possible actions for consultation:

- provide a high quality Housing Options service
 - Maintain current service
- Implement the Rapid Rehousing Transition Plan
 - Improve the value for money of temporary accommodation
 - Reduce the length of stay in temporary accommodation
 - Implement a Housing First model
- Ensure provision of good quality Housing Support

Priority 3: Assist people requiring specialist housing

Introduction

Throughout the term of this LHS, Moray Council and will aim to reduce health inequalities and promote good health outcomes, and will contribute to the aims of Health and Social Care Moray and the NHS wherever possible.

Outcome - People with physical or sensory disabilities

There is an adequate supply of appropriate housing for people with physical or sensory disabilities

There is an adequate supply of housing with support for older people

Possible actions for consultation:

- Increase the supply of ambulant disabled housing for affordable rent.
- Increase supply of extra care housing
- Increase tenure choice for older people and people with disabilities
- Ensure adequate budgetary provision for disabled adaptations in Council owned properties

Outcome - People with learning disabilities

There is an adequate supply of appropriate housing for people with learning disabilities

Possible actions for consultation:

The Council's Housing Service activity associated with services for people with learning disabilities will be mainly driven by the Moray Community Health and Social Care Partnership's Joint Commissioning Strategy.

Health and Social Care Moray's Learning Disability Accommodation Review is still ongoing but has already identified a need for an increased range of suitable housing options, provided with differing levels of care.

In principle, Moray Council will award a **high priority** for Scottish Government funding to developments which facilitate the aims of the Accommodation Review.

Outcome - Gypsies/ Travellers

Gypsies/ travellers have access to appropriate short and long term accommodation to meet their needs.

Possible actions for consultation:

Recent research has estimated that **a site for 6 pitches** somewhere in Moray would be justified.

The Local Development Plan 2020 Delivery Plan includes an action to identify a suitable site(s) for a gypsy/ traveller halting site to meet the requirements of Scottish Planning Policy (Action 13).

In the meantime, the Council and its partners will continue to implement the Protocol and Guidelines for the Response to Unauthorised Camping in Moray.

Priority 4: Improve the condition and energy efficiency of housing, and minimise fuel poverty

Outcomes

- People live in houses of good quality
- People live in energy efficient homes
- People live in homes that they can afford to heat

Possible actions for consultation:

Energy efficiency and fuel poverty

- Deliver the Moray Home Energy Efficiency Programme, and maximise the level of resources directed to Moray
- Provide comprehensive energy advice to fuel poor and vulnerable households, and develop a financially sustainable model for service delivery
- Prioritise households at highest risk of fuel poverty for support
- Maximise the funding opportunities available under SEEP to deliver home energy efficiency programmes and related initiatives
- Support the delivery of Scotland's Energy Efficiency Route Map and related initiatives
- Ensure that new social housing in Moray is built to the highest standards of energy efficiency

Private Sector property condition

- Provide a range of services under Scheme of Assistance (SofA), to support owners to invest in their property
- Prioritise older and vulnerable people for assistance under SofA
- Deliver Care & Repair services to support older and disabled owners to maintain and adapt their homes
- Develop a Corporate approach to the use of available enforcement powers, including Compulsory Purchase Orders (CPOs), and designation of Housing Renewal Areas
- Implement the Private Landlord Registration Scheme Repairing Standard
- Seek to support the improvement of rural homes

Social rented sector property condition

- All social housing providers in Moray to implement the EESSH by 2020
- Moray Council to implement its Asset Management Strategy

11 Tenant Participation

12 Strategic Environmental Assessment

13 Monitoring and Evaluation

14 Appendices

- Equality Impact Assessment (EIA)

SECTION 2: EQUALITY IMPACT ASSESSMENT

General Information**Assessment undertaken by** *(please complete as appropriate)*

Director or Head of Service	Richard Anderson
Lead Officer for developing the policy/activity	Fiona Geddes, Senior Housing Officer (Strategy)
Other people involved in the screening (this may council staff, partner or others, i.e. contractor, partner or community)	Graeme Davidson, Housing Strategy and Development Manager

Brief description of policy/activityDescribe the policy/activity *(see note 2)*:

The Housing (Scotland) Act 2001 requires all Local Authorities to publish a Local Housing Strategy. The Local Housing Strategy (LHS) is a planning tool which sets out the actions the Council and its partners will take to seek to achieve the LHS's aim. The LHS's aim, as stated in the Consultative Draft LHS 2013 – 2018 is:

To ensure that sufficient good quality, affordable housing¹ is available to meet the needs of people living in or requiring housing in Moray.

The LHS is developed in conjunction with the Local Development Plan. Both strategic documents have extensive public and stakeholder consultation as an intrinsic part of their development. The LHS uses the Housing Need and Demand Assessment (HNDA) as a key evidence base, the development of which also includes extensive stakeholder consultation.

The Scottish Government has published LHS Guidance to help Councils develop their LHS. The Guidance requires equality issues to be mainstreamed throughout the LHS.

¹ Affordable housing is housing made available at a cost below full market value, to meet an identified need. The term intermediate affordable housing is used to cover all types of affordable housing which are not social rented, e.g. shared ownership, shared equity, mid-market rent.

Who are your main stakeholders? *(see note 3)*

Moray households in housing need and homeless
 Moray Council tenants and Housing Association tenants in housing need
 Older and disabled people in housing need
 Households experiencing fuel poverty
 Households living in poor housing conditions.

Evidence base for assessment *(see note 4)*

Housing Need and Demand Assessment 2017
 Housing Needs of Gypsy Travellers joint research 2018.
 Health and Homelessness 2018

Engagement and consultation *(see note 5)*

Thinking about people inside the council, partners and the wider community use the table below to outline any previous engagement or consultation which is relevant to this policy/activity.

Protected groups	Engagement and consultation
Race	HNDA 2017
Disability	HNDA 2017
Carers (for elderly, disabled or minors)	HNDA 2017
Gender or gender identify/gender reassignment	
Pregnancy and maternity (including breastfeeding)	
Sexual orientation	
Age (include children, young people, midlife and older people)	HNDA 2017
Religion, faith and belief	
Marriage or civil partnership	
Human rights	

Socio- economic disadvantage (low income, deprived area, rural or remote area)	HNDA 2017
Inequalities of outcome (poorer outcomes for certain people or communities)	Scottish House Condition Survey (Fuel poverty)
Staff	
Partners/contractors	
Other	

Procurement and partnerships *(see note 6)*

Is this policy/activity currently or anticipated to be carried out wholly or partly by contractors or other partners? Are they aware of their obligations to address equalities?

No

Evidence gaps *(see note 7)*

Are there any significant gaps in the known evidence base, engagement or procurement that would prevent this EIA being completed? If so, you will need to address the gaps before finalising this EIA. Please go to Appendix 1 to assist you in developing a work plan to address the gaps.

None.

Who is affected and what is the impact? *(see note 8)*

From this evidence or engagement you have already, list how this policy/activity might impact equality and/or the elimination of discrimination for each of the equality groups.

Protected Groups	Positive	Negative
Race	Y (gypsy/travellers)	
Disability	Y	Y
Carers (for elderly, disabled or minors)	Y	Y
Gender or gender identify/gender reassignment		
Pregnancy and maternity (including breastfeeding)		
Sexual orientation		
Age (include children, young people, midlife and older people)	Y older people Y Children in overcrowded households Y Care-experienced young people	
Religion, faith and belief		
Marriage or civil partnership		
Human rights		
Socio- economic disadvantage (low income, deprived area, rural or remote area)	Y	
Inequalities of outcome (poorer outcomes for certain people or communities)	Y Fuel poor households Y persons with a learning disability	
Whole population (universal service)		
Staff		
Partners/contractors		
Other		

Summary of impacts *(see note 9)*

Summarise the impacts of the policy/activity and resulting activities affect different communities and groups.

Does it create positive impacts?

Yes – see Action Plan

Does it create negative disadvantage or inequalities?

Potential impact on older people and disabled people if budgets for disabled adaptations are not maintained.

If you have indicated there is a negative impact on any group, is that impact (see note 8):

Legal?

No

Intended?

No

Mitigating action (see note 10)

Can the impact of the proposed policy/activity be mitigated?

Yes – Partially – see Action Plan

Justification (see note 11)

LHS actions aim to reduce inequality in Moray's housing system and therefore implementation is justified.

SECTION 3 CONCLUDING THE EIA

Concluding the EIA *(see note 12)*

Implementation of LHS 2019-24 will partially remove barriers identified by the EIA Action below, within funding constraints, and will meet council's responsibilities in relation to equality and human rights referring.

Therefore Outcome 2 is most appropriate "Adjustments to remove barriers identified by the EIA or to better promote equality."

Decision

The LHS 2019-24 aims to reduce inequality in Moray's housing system and therefore implementation is justified and recommended.

Date of Decision: 10 January 2019

Sign off and authorisation:

Service	Housing and Property
Department	Environmental Services
Policy/activity subject to EIA	Local Housing Strategy 2019-24
We have completed the equality impact assessment for this policy/activity.	Name: Fiona Geddes Position: Senior Housing Officer (Strategy) Date: 10 January 2019
Authorisation by head of service or director.	Name: Richard Anderson Position: Head of Housing and Property Date: 11 January 2019
Please return this form to the Equal Opportunities Officer, Chief Executive's Office.	

Appendix 1: evidence gaps**Evidence gaps** *(see note 13)*

Evidence fully assessed via HNDA 2017, Rapid Rehousing Transition Plan and LHS 2019-24

Engagement and consultation *(see note 14)*

Stakeholders have been consulted through LHS development, and governance is provided by the Housing Strategy Group.

Procurement and partnerships *(see note 15)*

N/A

Additional research

None

Appendix 2:
mitigating action – action plan

Action plan (see note 16)

Action/Measure	Describe how this action/measure will reduce impact.	State whether this action/measure will completely or partially reduce impact.	Describe how you will know whether this action/measure has had the desired effect i.e. how will you be able to demonstrate that the negative impact(s) has been reduced?	When will the impact of this action/measure be reviewed?	Who will be responsible for this action/measure?
Overall impacts	The overall aim of the LHS is to ensure that sufficient good quality, affordable housing is available to meet the needs of people living in or requiring housing in Moray. The LHS aims to reduce inequality overall, but health inequality in particular	partially	LHS Performance Framework	HNDA 2022/23	Housing Strategy Group
Positive impacts					
Acute shortage of affordable housing and increasing use of temporary accommodation	The LHS actions relating to increase the supply of affordable housing, of the right size and type and in the right locations to match demand will mitigate the disadvantage in the housing market experienced by Housing List applicants and homeless households	partially	LHS Performance Framework	LHS annual review	All Moray social landlords

APPENDIX II

Action/Measure	Describe how this action/measure will reduce impact.	State whether this action/measure will completely or partially reduce impact.	Describe how you will know whether this action/measure has had the desired effect i.e. how will you be able to demonstrate that the negative impact(s) has been reduced?	When will the impact of this action/measure be reviewed?	Who will be responsible for this action/measure?
People experience homelessness and increasing time spent in temporary accommodation	LHS Priorities 1 and 2 will reduce the socio-economic disadvantage experienced by homeless households by seeking to increase the supply of affordable housing, of the right size and type and in the right locations to match demand arising from statutorily homeless households. The Rapid Rehousing Transition Plan requires implementation of a Housing First model which will further reduce disadvantage.	partially	LHS Performance Framework	LHS annual review	Housing Strategy Group
People with physical and sensory disabilities are disadvantaged in the housing market due to lack of supply of suitably designed housing in all tenures and in all areas.	Measures detailed in the LHS housing supply target and the LDP Accessible Housing Policy will mitigate the disadvantage experienced by disabled people in housing need. This is complemented by the Council's Allocations Policy.	partially	LHS Performance Framework	LHS annual review	Housing Strategy Group
People with learning disabilities are amongst those who experience the most overall disadvantage in society. The LHS has identified a lack of appropriate housing for this group of people.	This disadvantage will be mitigated by the LHS commitment to award high priority for Scottish Government funding to housing developments which facilitate the aims of the ongoing Accommodation Review led by Health and Social Care Moray.	partially	LHS Performance Framework	LHS annual review	All Moray social landlords/ Health and Social Care Moray

APPENDIX II

Action/Measure	Describe how this action/measure will reduce impact.	State whether this action/measure will completely or partially reduce impact.	Describe how you will know whether this action/measure has had the desired effect i.e. how will you be able to demonstrate that the negative impact(s) has been reduced?	When will the impact of this action/measure be reviewed?	Who will be responsible for this action/measure?
The housing needs of Gypsies/ travellers has been assessed via the HNDA 2017 and a shortfall in supply has been quantified.	The Council does not currently provide any sites for gypsies/travellers. The LDP 2020 Delivery Plan includes an action to identified a suitable site(s).	partially	LDP 2020 Delivery Plan	HNDA 2022/23	Moray Council Planning
Many older and vulnerable owner-occupiers experience difficulty in maintaining their properties in good physical condition, and are at risk of disadvantage and health inequality as a result.	LHS actions under Scheme of Assistance (SoFA) and Care & Repair services will aim to mitigate this disadvantage in a targeted manner.	partially	LHS Performance Framework	HNDA 2022/23	Housing Strategy Group
Many lower income households experience difficulty in paying for adequate heating in their homes.	LHS actions relating to home insulation schemes and energy advice services aim to mitigate this disadvantage in a targeted manner.	partially	LHS Performance Framework	HNDA 2022/23	Housing Strategy Group
Negative impacts					
Potential negative impact on older people and disabled people if budgets for disabled adaptations are not maintained	This negative impact can be mitigated if budgets are maintained	partially	LHS Performance Framework	HNDA 2022/23	Housing Strategy Group