

BEDFORD BOROUGH COUNCIL

Committee:	Housing Committee
Date of Meeting:	Wednesday, 13 November 2024
Time:	6.30 pm
Venue:	Committee Room 1, Borough Hall, Cauldwell Street, Bedford MK42 9AP

NOTE: This meeting is being held in person and will also be livestreamed via YouTube via a link on the committee meeting webpage on the Council's website. The venue for this meeting is shown above.

<u>AGENDA</u>		<u>Introduced by</u>
1.	Questions from members of the public and Members of the Council (if any)	Chair
2.	To receive any apologies for absence	Chair
3.	Minutes <i>To confirm the Minutes of the meeting of the Housing Committee held on 25 September 2024 (copy enclosed and previously circulated).</i>	Chair
4.	Disclosure of Local and/or Disclosable Pecuniary Interests <i>Members are reminded that where they have a local and/or disclosable pecuniary interest in any business of the Council to be considered at this meeting they must disclose the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent, in accordance with the Council's Code of Conduct.</i>	Chair
5.	Maximising the Delivery of Affordable Housing <i>To report on steps being taken to meet the Council's target for 30% of new developments to be affordable housing (copy enclosed).</i>	COPIEG

6. Extension of Empty Homes Strategy

COPIEG

To seek approval to recommend to Executive the extension of the current Empty Homes and Tenancy Strategies (copy enclosed).

7. Rough Sleepers

HHHCS

To receive an oral presentation providing data on rough sleepers in the town (oral presentation).

8. Work Programme

SDSO

To consider the Committee's future Work Programme and to review items programmed for the next meeting of this Committee (copy enclosed).

L CHURCH
Chief Executive

To: Each Member of the **HOUSING COMMITTEE**
All other Members of the Council for information

Democratic Services Contact Officer: Jeremy Welch, Senior Democratic Services Officer

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Date of Issue: 5 November 2024

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25 September 2024

AT A MEETING
of the
HOUSING COMMITTEE

held on Wednesday, 25 September 2024 at 6.30 pm
in Committee Room 1, Borough Hall, Bedford

This meeting was held in person. A video recording of the meeting can be found via a link on the virtual committee meeting webpage on the Council's website.

PRESENT

Executive: Councillors Martin-Moran-Bryant (Chair), Rigby, Spice (Vice-chair) and Towler
Non-Executive: Councillors Akhtar, Caswell (substitute for Cllr Crofts), Foley and Layne

An apology for absence was received from Cllr Crofts

Officers Present: Chief Officer for Environment
Head of Housing, Homelessness and Customer Services
Chief Officer for Public Health
Team Leader for Housing and Pollution
Senior Democratic Services Officer
Legal Officer/Local Government Lawyer

Also Present: Head of Public Health, Milton Keynes City Council

10. QUESTIONS FROM MEMBERS OF THE PUBLIC AND MEMBERS OF THE COUNCIL (IF ANY)

Question from John Allen, of JustUs charity

“At the Committee meeting held on 14 February 2024 a senior council officer, in regard to the section 188 interim duty to accommodate in case of apparent priority need stated, “If somebody contacts us and gives us reason to believe that they are homeless, eligible and in priority need then we will do what the law requires us to do.” Now this is not actually the legal threshold. The actual legal threshold to secure interim accommodation is triggered when there is reason to believe the applicant MAY be homeless, MAY be eligible, and MAY have a priority need.

“On 1st July 2024 JustUs supported a homeless person to a housing options interview and submitted ample evidence to give the housing officer ‘reason to believe’ that the person might have been in priority need, bearing in mind the ‘reason to believe’ threshold is low. The housing officer, in consultation with his senior then determined that there was no ‘reason to believe’ he even might have been in priority need so denied him the section 188 duty.

“Can I ask the Committee why it needed to take a solicitor’s pre (court) action letter with exactly the same evidence contained within it to get the council to act lawfully? Had the housing officer done ‘what the law required him to do’ in the first instance then JustUs would not have found it necessary to involve the services of a solicitor. The fact that this applicant was subsequently found to actually be in priority need and eventually awarded the main housing duty, is a good example of the practice of gatekeeping that we have consistently raised with the council over the years. If the law was followed, no person who was actually in priority need would ever be told that there was no reason to believe they might be and so denied safe housing, that is exactly what the law, if followed is designed to prevent.”

Response by the Head of Housing, Homelessness and Customer Services (HHHCS)

The HHHCS responded that the Council was unequivocally committed to fulfilling its statutory duty under section 188 and was opposed to gatekeeping. The team had been trained and steered to implement the duty correctly, taking into consideration the individual circumstances of each applicant and there was casework supervision in place to monitor performance. Whilst individual cases could not be discussed within the current public meeting, any complaints would be investigated accordingly and any error addressed swiftly.

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Question from member of the public named Zara, attending with the JustUs charity

“Having approached the Council for housing, I noticed the differing approaches adopted by each Housing officer with some taking a judgemental, aggressive approach and others being a lot more friendly and open minded. The sentences ‘oh you have a good officer today’ or the opposite ‘you have a bad housing officer’ are repeated throughout the application process. My question is why has this subjective culture been allowed to thrive throughout the council housing department and what can be done to ensure a standardised delivery of service operates, with officers remaining impartial and objective at all times throughout the housing process.”

Response by the HHHCS

The HHHCS responded that the housing team endeavoured to provide a professional, helpful and sensitive service to all its customers and it was disappointing to hear of this experience. The HHHCS further commented that it would be helpful to hear more detail about the incidents for further investigation.

Question from member of the public Shannon Johnstone

“Given that central government’s positive stance on lived experience and co-production, including it being a needed thing for Local Authorities to be doing (this is evident in bids such as the Single Homeless Accommodation Programme, and my understanding is that Bedford were unsuccessful in getting this, which could have been due to the lack of co-production), and given that the local, recently approved, strategy has said there are going to be ‘people who use the service’ on these sub task forces by September 2024, and given that there are a number of people with lived experience desperately trying to engage with you, why is it the local authority and this housing committee is struggling to engage? What can we as people with lived experience do to help support you to engage with us?”

Response by the HHHCS

The HHHCS responded that the Council was currently in the process of establishing a Homelessness and Rough Sleeper Board which would begin operating in the coming autumn period, working with various groups to look at issues, to consider options and to develop a strategic action plan. Clients with lived experience would certainly be consulted as part of this process.

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Statement by Shannon Johnstone

Ms Johnstone remarked that more could be done to facilitate members of the public raising questions and attending meetings, such as providing clearer guidance on the Council's website and providing signage to find meeting rooms.

Question from Mike Hyden of HBP Consultancy

"In relation to the June Committee's discussion on empty homes, rather than comparing the Council to other similar Local Authorities to see that Bedford Borough Council is not doing worse than them, would it not be better to look to councils which are doing really well on issues like empty homes to get inspiration from them? How could the council be more ambitious in how it makes use of the empty homes in the borough?"

Response by the Chair

The Chair responded that a written answer would be provided.

Statement by Mike Hyden

Mr Hyden commented that he was still awaiting written responses from two previous meetings.

Written question provided by member of the public Gavin Hall (not in attendance)

"In the June committee I asked how the council manages risk when it concentrates people with lots of support needs and vulnerabilities in particular locations. The council's answer was that risk assessments were conducted. This was helpful but didn't really get to the bottom of what I was trying to get at. What I really want to know is why does the council think that putting lots of people with various vulnerabilities in one place is the best way to operate? Would it not be better in the long run to disperse people across the district rather than concentrating them in the town centre and Putnoe, for example Rothbury Court, where they often become ASB hotspots?"

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Response by the HHHCS and the Chair

The HHHCS responded that there was currently a high demand for temporary accommodation and a limited supply of available placements. Whilst all individual cases were risk-assessed, taking into consideration location and context, options may be limited. To fulfil the Council's statutory duties, the main aim was to ensure that vulnerable individuals were accommodated in suitable placements, within reach of amenities, transport and any available support. It was worth noting that the Council took location hotspots into consideration when considering property acquisition for temporary accommodation purposes and worked closely with the community safety teams and the police in response to any reports of anti-social behaviour.

The Chair further commented that the Council was trying to coordinate a different approach but that due to the high numbers in temporary accommodation and the buildings available, the outcome was not always ideal.

Written question provided by member of the public Kathy Johnstone (not in attendance)

"How do housing officers consider affordability when establishing whether it is reasonable to continue to occupy accommodation? Does it use specific figures, and if so, where does it get these figures from?"

Response by the HHHCS

The HHHCS responded that affordability assessments were tailored on an individual basis, working collaboratively with the customer in developing a personal housing plan assessment, taking into account income and expenditure that was relevant for that individual household. Every household was considered to be unique and standardised costs were not utilised as it was important to consider what was reasonable for each individual's requirements.

Written question provided by member of the public Tom Otley (not in attendance)

"I understand that the Local Plan 2040 is currently with the Inspector. The Local Plan has targets for affordable housing but not for social housing. Given that 'affordable housing' is not affordable for a significant number of people, will the Council consider inserting a target for the building of social housing so that Bedford Borough residents don't increasingly get priced out of their home area?"

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Response by the Chair

The Chair responded that a written answer would be provided.

Question from Cllr Rigby

Cllr Rigby referred to the Government's commitment to provide affordable housing and enquired whether any details had been provided on levels of affordable housing to be developed in Bedford and surrounding villages?

Response by the Chair

The Chair responded that no detail had yet been provided and more information was anticipated in the upcoming budget. It was currently the case that all funds outside of Section 106 monies had been allocated.

11. MINUTES

Description of Decision

That the Minutes of the meeting of the Committee held on 12 June 2024 be confirmed.

Reason for Decision

There is a legal requirement for the Minutes of the previous meeting to be considered before being confirmed as an accurate Record.

12. **DISCLOSURE OF LOCAL AND/OR DISCLOSABLE PECUNIARY INTERESTS**

Item and Minute Nos.	Member Disclosing an Interest	Nature of Interest	Present or Absent During Discussion of Item
Item No. 5 and 6 Minute No. 13 and 14	Councillors Martin-Moran, Towler and Rigby	Local interest as they owned privately rented property.	Present
Item No. 5 Minute No. 13	Councillor Foley	Local interest due to his own accessibility requirements.	Present
Item No. 7 Minute No. 15	Councillor Foley	Local interest as he had previously had an appointment with the Housing Options Team.	Present

13. **HEALTH AND HOUSING**

The Committee received the report of the Chief Officer for Public Health (COPH) which set out to provide an update on the health and housing partnership for 2024 – 2025.

In presenting the report the Head of Public Health, Milton Keynes (HOPHMK) highlighted that:

- The Health and Housing Partnership had been created in 2022, to include Milton Keynes, Central Bedfordshire and Bedford Borough Councils and housing associations Peabody and Grand Union, with bpha joining in April 2024.
- Evidence demonstrated that those living in less affluent areas lived seven years less than the average and reported more illness and disability.
- The work of the Partnership was both strategic and operational and included provision of training to frontline Housing staff.
- The Partnership was currently liaising with the Chartered Institute of Housing (CIH) to develop a health and housing insights bank.

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In response to questions from the Committee, the COPH and the HOPHMK commented that:

- Properties within the social rented sector were generally in a better state of repair than in the private sector so it was unlikely that poor property condition was the cause for the greater prevalence of ill-health in socially rented properties. It was more likely the case that more people experiencing ill-health applied to live in social rented properties.
- The Partnership was in the early stages of developing an employment programme to match locations of employment vacancies to where people live.
- The Partnership was consulting tenants to learn from their frustrations and desires.
- Statistical data was being collated to record how many attendees became referred to other services and their health outcomes, however outcomes were usually long term and it was difficult to determine cause and effect.
- The intention of the Partnership was to share guidance of good practice with providers and to train frontline staff.
- Any individual cases which the Partnership became aware of were referred to appropriate services but the Partnership could not act as the conduit for every case.

The Chair commented that, from her attendance at other forums, it was clear that matters discussed within this committee resulted in positive outcomes elsewhere. The Chair also indicated that Key Performance Indicators for the Partnership could be added to the Work Programme to appear on a future agenda and the HOPHMK would be invited back to speak again.

RESOLVED

That the contents of the report and the progress in delivering the health and housing programme be noted.

14. PRIVATE SECTOR HOUSING - COMMUNITY REGULATION

The Committee received the report of the Chief Officer for Environment (COE) which set out to inform the Committee on how the Community Regulation Team responded to cases of damp and mould. The Team Leader for Housing and Pollution (TLHP) then provided a presentation during which he highlighted a number of points, in particular that:

- Cases referred to the Environmental Health department were assessed and allocated a 'weighting' based upon classifications of harm and the likelihood of harm occurring within the following twelve months.

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- A large proportion of cases were moderate and commonplace, and it was often difficult to assess when or whether harm might occur.
- There were 29 categories of harm of which Damp and Mould (D&M) was a single category.
- In the past year there had been 294 cases of D&M, making up around 11% of all cases.
- When a complaint was received, a site visit would be carried out, usually resulting in a schedule of work being issued to the landlord with a timetable for expected completion of works.
- When work was not carried out as stipulated, enforcement work could commence potentially leading to a tribunal.
- Staff used a spreadsheet assessment tool which took into consideration factors such as insulation, ventilation, damp-proofing, leaks and any vulnerabilities of residents.
- D&M usually fell into category 4 of harm classification. Cases would only be classed as an emergency if there was a very high probability of harm occurring within the following twelve months and this meant that D&M was usually classified with a low level of severity.

In response to questions from the Committee, the TLHP commented that:

- D&M could be the result of a property defect but could also be due to condensation. Specialist equipment could measure the humidity of air in the property and residents might be advised on measures to minimise the humidity.
- Property defects such as ingress of water were easier to detect than excessive condensation or lack of ventilation.
- The data contained in Table 5.6 of the report related to all tenures.
- There was a wide range of regulations relating to buildings and drainage, including the Housing Act 2004, the Environmental Protection Act, HMO regulations and others.
- All letters sent would quote the relevant statutory regulations which applied.
- Data was not collected in relation to the number of clients who later become hospitalised due to property defects following a complaint.
- A written response would be provided in relation to the number of children affected by D&M who were known to the department.
- It was suspected that higher costs of living would induce some individuals to reduce heating within their home but no data was available to support this.
- Vulnerability of individuals was assessed purely upon age. Health was not taken into account.
- It was recognised that increasing insulation to a property could reduce ventilation if not carried out properly.

RESOLVED

That the work being undertaken by the Community Regulation team in relation to private sector housing be acknowledged.

15. PROGRESS ON OPERATIONAL HOUSING

The Committee received the oral presentation of the Head of Housing, Homelessness and Customer Services (HHHCS) which set out progress in implementation of the housing transformation programme. As part of the presentation the HHHCS highlighted a number of points, in particular that:

- The additional staff recently recruited were already bringing about improved performance. The time by which non-urgent applicants were being seen had been reduced from two weeks to four days and the number of applicants rehoused in settled accommodation had risen by 80% from January to June in the current year.
- The assessment process for rough sleepers had been improved and the Harpur Street Hub operation was being re-modelled to enable more rapid access, with extended evening and weekend staffing.
- Eight additional units at 2 Ashburnham Road would shortly be available to supplement the Hub and the Night Shelter.
- The Council's portfolio of suitable units had increased from 65 to 87 and further units would become available in the following six months.

In response to questions from the Committee, the HHHCS commented that:

- There were generally around 12-15 rough sleepers in the town and a further 35 who were currently taking advantage of bedspaces on offer. There was a continuous flow of new rough sleepers and few people spent more than two nights rough sleeping before being allocated a bedspace so it was not the same cohort of 15 individuals.
- The Severe Weather Emergency Provision (SWEP) would come into effect as winter approached.
- It appeared that there was an increase in the use of Section 21 eviction notices as landlords were choosing to sell their properties although the data would need to be analysed in more detail to provide a definitive answer.
- Floating support would be provided at the 2 Ashburnham Court property.

The Chair thanked all present for their questions and suggestions which assisted in the development of strategic thinking.

RESOLVED

That the oral presentation be noted.

16. MODULAR HOUSING

The Committee received the oral presentation of the HHHCS in which she provided findings following visits to modular housing projects in the region.

As part of the presentation the HHHCS reported that she and the Director of Housing had recently carried out visits to inspect project initiatives in three neighbouring authorities, in order to explore options which might be suitable for this authority.

The HHHCS commented that there were several projects of around 6 units in Cambridgeshire, providing self-contained accommodation of a high standard for rough sleepers. The project had required a long lead-in time to allow for full consultation with nearby residents, however there had been problems with anti-social behaviour in the first few months of operation due to a high concentration of residents with complex needs. Floating support and a tighter allocations policy had been implemented which had mitigated the problem. The cost of the project was being recovered through supported Housing Benefit.

A similar but larger initiative in Milton Keynes provided 70 units in converted shipping containers, with on-site laundry facilities, a site office and parking. Units were allocated to small general-needs families and were not used as temporary accommodation nor for rough sleepers.

An initiative providing 10 units in Stevenage provided accommodation for rough sleepers. There was a robust allocations process which included a risk assessment. As in Cambridge, funding had been received from the Rough Sleeper Initiative.

In each area, the costs per unit were more affordable than alternatives such as hostels, bed and breakfast or new development. Properties had a lifespan of over 25 years, were quicker to develop and were suitable for brownfield sites as they required lighter foundations. Sites in the Borough were currently being assessed which could potentially provide for approximately 40 units.

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In response to a question from the Committee the HHHCS commented that planning permission for such units was required and occupants were granted a license agreement. Projects were part of a suite of options being considered and could form part of a helpful pathway from night shelter towards settled accommodation, especially at the current time of increased demand for temporary accommodation.

RESOLVED

That the oral presentation be noted.

17. WORK PROGRAMME

The Committee considered the future Work Programme and reviewed items programmed for the next meeting of this Committee.

The meeting closed at 8.40 pm

Agenda Item 5

For publication

Bedford Borough Council – Housing Committee

Date of Meeting: 13 November 2024

Report by: The Portfolio Holder for Housing and Regulatory Services and Chief Officer for Planning, Infrastructure & Economic Growth

Subject: MAXIMISING THE DELIVERY OF AFFORDABLE HOUSING

1 EXECUTIVE SUMMARY

- 1.1 Policy 58(S) of the Council's Local Plan 2030 requires that qualifying sites – those of 10 or more dwellings – deliver 30% affordable housing. Previous Local Plans had similar requirements.
- 1.2 There are several reasons why 30% of all housing completions is not achieved in any given year, including the impact of; viability appraisals, permitted development schemes (including office conversions), sites with fewer than 10 dwellings, the way in which developers build out sites and delivery cycles in the housing market.
- 1.3 Notwithstanding these factors, there are ways in which the Council can seek to maximise the delivery of affordable housing, some of which are outside of the Council's 30% Local Plan requirement for qualifying schemes. These include minimising the impact of viability appraisals and exploiting opportunities to deliver in excess of Policy-compliant affordable housing. The Council can also seek ways to deliver affordable housing schemes more quickly.
- 1.4 A recent development of note has been a hiatus in the allocation of Homes England grant funding for new affordable housing schemes, pending the new government's reassessment of the national public finances. However, this has only had a minor impact within Bedford to date as the majority of our affordable housing is currently delivered on Planning Policy led sites, which do not attract such grant.

2. RECOMMENDATION(S)

- 2.1 **That the Committee considers this report and notes the reasons why policy-compliant 30% affordable housing is not necessarily delivered in any given year, and the ways in which the Council works to maximise the delivery of it.**

3. REASONS FOR RECOMMENDATION(S)

- 3.1 To allow Housing Committee to understand the reasons why 30% affordable housing may not be delivered in any given year and the ways in which affordable housing delivery can be maximised.

4. THE CURRENT POSITION

The Council currently works with Registered Providers (RPs, also known as housing associations) to enable, facilitate and maximise the delivery of new affordable housing using the ways outlined in this report.

5. DETAILS

5.1 Background

- 5.1.1 The Council does not deliver affordable housing itself directly. Having transferred its housing stock to bpha (formerly Bedfordshire Pilgrims Housing Association) in 1990, the Council works in partnership with RPs to enable the delivery of new affordable housing.
- 5.1.2 Policy 58(S) of Local Plan 2030 requires qualifying sites – those of 10 or more dwellings – to deliver 30% affordable housing. Previous Local Plans had a similar requirement.
- 5.1.3 Members may recall a report to Committee in [June 2023 - Delivery of Affordable Housing](#) – Agenda Item 8, page 8(1) – (the June 2023 Report) detailed the challenges faced in delivering affordable housing and some of the means of maximising it, some of which are summarised and / or updated here.
- 5.1.4 A recent development of note has been a hiatus in the allocation of Homes England grant funding for new affordable housing schemes, pending the new government's reassessment of the national public finances. However, this has only had a minor impact

within Bedford to date as the majority of our affordable housing is currently delivered on Planning Policy led sites, which do not attract such grant. Larger, all affordable, housing schemes that would potentially attract grant funding on the elements not required by Planning Policy are not yet in a position to apply for that grant funding. By the time they are, it is anticipated that this hiatus will have passed, and a new funding programme announced. If there is any update following the autumn budget on 30th October this will be reported by way of an oral update at committee.

5.2 Affordable Housing Delivery

5.2.1 Table 1 below details total housing completions, affordable housing completions and affordable housing completions as a percentage of total completions by year from 2012/13 to 2023/24:

Table 1: Total and Affordable Housing Completions – Bedford Borough 2012/13 – 2023/24

Year	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Total Housing Completions	654	997	828	964	1,255	1,350	1,359	1,026	1,199	1,019	1,465	689
Affordable Housing Completions	221	247	150	184	205	299	386	487	326	227	201	211*
Affordable Housing as % of total completions	33.8%	24.8%	18.1%	19.1%	16.3%	22.1%	28.4%	47.5%	27.2%	22.3%	13.7%	30.6%
										Covid-19		

Sources: Affordable Housing - MHCLG Live Tables 1008C, Total Completions - Bedford Borough Council Housing Monitoring Reports

* 2023 / 24 figures BBC Estimates – Figures not yet published

5.2.2 Affordable housing completions as a percentage of total completions range from 13.7% in 2022/23 to 47.9% in 2019/20. Particular circumstances can influence the percentage of affordable housing delivered. For example, 2019/20 included 138 affordable dwellings at the Wixams Retirement Village. Lockdowns during the Covid 19 pandemic reduced the number of starts during 2020/21 and beyond, which in turn influenced completions during the following years. Further factors are considered in section 5.3 below.

5.2.3 Affordable housing completions as a percentage of total completions averaged 26.97% over the last five years – 2019/20 to 2023/24.

5.3 Factors Contributing to Affordable Housing Not Comprising 30% of Housing Completions

5.3.1 The June 2023 Report explained the main reasons why affordable housing delivery may not achieve the 30% policy requirement in any particular year. These are briefly summarised below:

- Permissions not being granted at current policy percentage levels. These fall into two categories; those where permissions have been granted at below 30% Policy requirements, including:
 - Sites where viability appraisals have reduced the percentage of affordable housing.
 - Wixams, where the affordable housing requirement is 25% for historic reasons.
- And sites that do not have an affordable housing requirement, including:
 - Smaller sites: sites of fewer than ten dwellings are not required to deliver affordable housing.
 - Office Conversions: No affordable housing contribution can be secured for offices converted to residential dwellings under Permitted Development Rights.
- The impact of housing market cycles:
 - A slower market: When housing markets slow, affordable housing delivery will sometimes increase as a proportion of overall completions as private developers struggling to sell market housing might focus on lower risk affordable housing delivery.
 - Whilst early affordable housing delivery can be positive, it can mean that later years' completions are disproportionately open market housing, bringing later years' affordable housing delivery percentages downwards.
 - Sometimes when the housing market slows developers will sell 'surplus' market housing to RPs, in addition to any dwellings required under planning policy, increasing affordable housing delivery.

- A buoyant market: Conversely, in years when the housing market is more robust developers are able to sell their private housing, and affordable housing delivery can become less of a priority.
- The impact of housing market cycles is moderated to some extent by the Council's policy on affordable housing cluster sizes which helps to ensure that it is distributed throughout larger sites.

5.4 Maximising Affordable Housing Delivery

5.4.1 The Housing Strategy Team meets regularly with RP development staff to ensure the Council has up to date information in relation to their new business strategies. This ensures that any risks to the delivery of affordable housing in the Borough are identified early and can be mitigated if necessary.

5.4.2 The Council's [Housing Strategy 2021-26](#) (Sections 6.3.5 and 6.3.6) details the ways in which the delivery of affordable housing can be increased. These fall broadly into three categories: maximising affordable housing delivered under Planning Policy 58(S), delivering affordable housing in excess of Planning Policy requirements and bringing forward affordable housing schemes more quickly. Measures being undertaken to achieve these objectives are:

a. Maximising affordable housing delivered by Planning Policy

- Ensuring any viability appraisals submitted in support of an assertion that policy compliant affordable housing cannot viably be provided are vigorously and independently assessed in advance of planning applications being determined.
- Policy DM2 (S) of Draft Local Plan 2040 details the circumstances in which viability appraisals should be reviewed. If it is adopted, ensuring reviews are undertaken in accordance with its terms.
- Ensuring RP partners have the capacity to deliver policy-led affordable housing schemes. At a national level, some RPs have taken a strategic decision to deliver less planning policy-led S106 affordable housing, especially where there is a need to focus their balance sheet capacity on improving their own stock – for example in inner cities where their tower blocks require fire safety improvements. This has not been experienced in Bedford Borough thus far and our RP partners have indicated that they are still looking to deliver planning led schemes.

b. Delivering affordable housing in excess of Planning Policy requirements

- Working to deliver more all-affordable housing schemes including RP owned garage sites, supported housing schemes, rural exception sites and RP land led schemes.
- Exploring with RP partners how Council-owned sites might contribute to delivering affordable housing in addition to the 30% required by planning policy.

- Bringing small to medium sized sites that might be suitable for all affordable housing schemes to the attention of RP partners when they are submitted for planning approval or brought to our attention by agents or promoters.
 - Exploring with RP partners the potential to secure additional affordable housing on developer led sites with grant from Homes England as opportunities arise.
- c. Delivering affordable housing schemes more quickly
- Working proactively with RP partners and other parts of the Council to deliver sites that have affordable housing requirements.
 - Ensuring requests for information or input from RP partners or developers are responded to promptly
 - Concluding S106 agreements as swiftly as possible following resolution to approve planning permission.
 - Using enabling powers to help resolve any issues identified.

5.5 Conclusions

- 5.5.1 There are a number of reasons why affordable housing does not comprise 30% of total housing completions in any given year. These include the impact of office conversions and sites below 10 dwellings – which do not have an affordable housing requirement – viability appraisals and Wixams having an affordable housing requirement of only 25%.
- 5.5.2 The Council works with RP partners to maximise the delivery of affordable housing. Opportunities to increase delivery include all affordable housing schemes, the use of Council owned land and ensuring the impact of viability appraisals is minimised.

6. ALTERNATIVES CONSIDERED AND REJECTED

- 6.1 This report is for information only. There are therefore no alternatives to be considered and rejected.

7. KEY IMPLICATIONS

7.1 Legal Issues	<p>The important strategic housing role of local authorities is set out in the Housing Act 1985 and its successor legislation and guidance. As part of its role authorities must:</p> <ul style="list-style-type: none"> • Assess and plan for the current and future housing needs of the population across all tenures
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	<ul style="list-style-type: none"> • Work with developers and providers to facilitate the supply of new homes • Work with providers to make best use of the existing housing stock
7.2 Policy Issues	<p>The Council's Corporate Plan 2022 – 2026 – Place-People-Communities has a cross cutting theme of Well-being. It's Goal of Supporting People recognises that 'Housing is a key enabler for a good quality of life as well as health and wellbeing', a strategic priority being to 'work with partners to provide the right housing mix'. The delivery of good quality affordable housing contributes to delivering these themes.</p> <p>Policy 58S of Local Plan 2030 requires the provision of 30% provision of affordable housing on qualifying sites with a tenure balance of 78% affordable or social rent and 22% intermediate tenure. Policy 67 allows consideration to be given to granting of permission for affordable housing led schemes in rural areas where they are to meet the specific evidenced need from those with a local connection to the settlement.</p> <p>The delivery of Affordable Housing has a critical role in achieving the objectives of Key Themes 2 and 4 (Delivering the Homes Required and Meeting the Housing Needs of Vulnerable People) of the Council's Housing Strategy 2021 – 26</p>

7.3 Resource Issues	This report is for information only. Measures to work with housing associations to deliver additional affordable housing are being delivered within existing resources. No additional resources are sought in relation to this report.
7.4 Risks	Without the delivery of new, additional affordable housing the Council could be at risk of being unable to meet its existing and future housing needs. Reduced affordable housing delivery could also result in the loss of private investment and external funding which in turn could impact negatively on the local economy.
7.5 Environmental Implications	<p>The Sustainable Development and Environmental Efficiency Strategy contains the following goals:</p> <ol style="list-style-type: none"> 1. Achieve resource efficiencies and cost savings 2. Be more resilient against increasing energy prices 3. Enhance and protect the local environment 4. Empower local communities and businesses 5. Plan for and protect against future change 6. Improve quality of life for all 7. Create long term business value for the Council <p>Working with housing associations to provide and deliver new affordable housing contributes towards achieving 4, 5 and 6 of the SDEES.</p> <p>The delivery of suitable high quality affordable housing contributes to the delivery of goals 4, 5 and 6 by:</p> <ul style="list-style-type: none"> • Enabling people to feel part of a settled community, relationships and support networks to be established and communities to develop and thrive (goals 4 and 6) • Contributing to the creation of wealth by providing the workforce with access to affordable housing (goal 4) • Planning for meeting the identified housing needs of the Borough (goal 5). <p>This is a report for information only and, as such, contains no specific proposals that contribute to the Council's objective of achieving a net zero carbon Council by 2030.</p>

7.6 Equalities Impact	In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010. An equality impact assessment is not needed as this report is for information only and therefore the decision has no relevance to the Council's duties under the Act.
7.7 Impact on Families	<p>Maximising the delivery of affordable housing provides settled accommodation for households – including families – that would otherwise not be able to meet their housing needs in the market.</p> <p>High quality, secure, well managed homes contribute to stability in family life and in education.</p>
7.8 Community Safety and Resilience	There are no specific implications for community safety and resilience in connection to this report. However, provision of settled & secure accommodation could result more established communities. In turn these are more likely to engage with services which could improve levels of safety and build community resilience.
7.9 Impact on Health and Wellbeing	<p>Maximising the delivery of affordable housing provides settled accommodation for households that would otherwise not be able to meet their housing needs in the market.</p> <p>High quality, secure, well managed homes contribute to stability in life, potentially enhancing physical and mental health.</p>

8. SUMMARY OF CONSULTATIONS AND OUTCOME

8.1 The following Council units or Officers and/or other organisations have been consulted in preparing this report:

- Director for Environment
- Manger (Business Partner) – Finance Environment and Strategic
- Head of Legal Services / Deputy Monitoring Officer
- Senior Officer Equality, Diversity and Inclusion
- Chief Officer for Education, SEND and Schools
- Manager for Early Help and Family Support
- Manager for Community Safety

(Maximising the Delivery of Affordable Housing / Housing Committee / 13 November 2024)

- Public Health
- Energy Team

8.2 No adverse comments were received.

9. **WARD COUNCILLOR VIEWS**

9.1 This Report does not relate to an individual ward.

10. **CONTACTS AND REFERENCES**

Report Contact Officer	<i>Tracey Barrett Team Leader Housing Policy, Development and Viability Tel: 01234 718572 (ext.47572)</i> tracey.barrett@bedford.gov.uk
File Reference	<i>N/A</i>
Previous Relevant Minutes	<i>None</i>
Background Papers	<i>None</i>
Appendices	<i>None</i>

Agenda Item 6

For publication

Bedford Borough Council – Housing Committee

Date of Meeting: 13 November 2024

Report by: The Portfolio Holder for Housing and Regulatory Services and Chief Officer for Planning, Infrastructure & Economic Growth

Subject: EXTENSION OF EMPTY HOMES STRATEGY 2019-2024 AND TENANCY STRATEGY 2019-2024

1. EXECUTIVE SUMMARY

- 1.1 The Council's [Empty Homes Strategy 2019 – 2024](#) (the Empty Homes Strategy) and its [Tenancy Strategy 2019 -2024](#) (the Tenancy Strategy) expire at the end of 2024.
- 1.2 The Empty Homes Strategy is the policy basis upon which enforcement action is taken should it prove necessary in the course of work to bring empty properties back into use and regular update reports presented to Housing Committee indicate that it is working well.
- 1.3 There is a statutory obligation on the Council to have a Tenancy Strategy which provides the Council's advice on the use of Fixed Term Tenancies (FTTs) to Registered Provider (RP) partners. This is only advisory and recent reviews have shown that RPs have their own Tenancy Strategies and only one RP – with very limited stock in the Borough – is issuing FTTs. The Tenancy Strategy therefore has very little practical impact.
- 1.4 It is intended to seek approval to extend both strategies for two years at Executive in January 2025. This report seeks the recommendation of Housing Committee to Executive in respect of these extensions.

(Extension of Empty Homes Strategy and Tenancy Strategy / Housing Committee / 13 November 2024)

2. RECOMMENDATION(S)

Housing Committee is asked to consider this report and, if satisfied, recommend to Executive that:

- (a) the Council's adopted Empty Homes Strategy 2019 – 2024 be extended for two years, until the end of 2026 and
- (b) the Council's adopted Tenancy Strategy 2019 – 2024 be extended for two years until the end of 2026

3. REASONS FOR RECOMMENDATION(S)

- 3.1 To allow Executive to take into account the views of Housing Committee when approval to extend the Empty Homes Strategy and the Tenancy Strategy is sought at its meeting in January 2025.

4. THE CURRENT POSITION

The Council's Empty Homes and Tenancy Strategies expire at the end of 2024. Executive approval is needed to extend them if the Council is to continue its work to bring empty properties back into use and to meet its statutory obligation to have an adopted Tenancy Strategy.

5. DETAILS

5.1 Empty Homes Strategy 2019 – 2024

- 5.1.1 The aims of the Empty Homes Strategy are to bring long-term empty homes back into use, contribute towards increasing housing supply and improve local environments.
- 5.1.2 Work is focused on residential properties that have been unoccupied for 12 months or more and especially, although not exclusively, where they are causing significant problems to the local community.
- 5.1.3 The strategy sets out five Key Objectives which are:
 - Reduce the number of long-term empty homes in the Borough
 - Raise awareness of empty property as a wasted resource

(Extension of Empty Homes Strategy and Tenancy Strategy / Housing Committee / 13 November 2024)

- Improve the supply of decent housing available across all tenures
- Use Compulsory Purchase Orders where they are appropriate and value for money
- Maintain the data collected on empty homes

5.1.4 Enforcement action is only used as a last resort. Empty homes work is focussed on encouraging owners to bring their properties back into use without formal action being instigated. However, if enforcement action is required there must be an adopted policy on which to base it. It is therefore important that the Council has a current Empty Homes Strategy.

5.1.5 Reports updating Members on the progress made on implementing the Empty Homes Strategy are presented to Housing Committee every third cycle, the most recent of which was in [June 2024](#) (Agenda Item 7, page 7(1)).

5.1.6 These reports provide evidence that the Empty Homes Strategy is working. It is now proposed to extend the strategy for a further two years until the end of 2026. This extension is recommended rather than a review at the current time in order to allow time for officers in the Council's updated structure who will be newly responsible for delivering the empty homes function to fully consider what further work might be undertaken, including the ideas that have been previously discussed at Housing Committee and the resources that might be necessary to implement them. Best practice from other Local Authorities will also be examined to see what can be learned from them and applied to empty homes' work in the Borough.

5.2 Tenancy Strategy 2019 – 2024

5.2.1 The Localism Act 2011 places a statutory duty on Local Authorities to have an adopted Tenancy Strategy. The Council does not have any affordable housing stock of its own, having transferred it to bpha in 1990 and its' Tenancy Strategy is advisory only for RPs who each have their own Tenancy Policies.

5.2.2 In summary, the Councils Tenancy Strategy proposes that:

- Lifetime tenancies should be retained except for properties with three bedrooms or more and for properties with substantial adaptations or designed features for people with disabilities. Otherwise, Fixed Term Tenancies (FTTs) should be offered.
- Where tenants continue to qualify for the size of the property occupied or have need of the specialist features designed for people with disabilities, FTTs should be renewed.

5.2.3 Reviews of the impact of FTTs were undertaken by the Council in [2019](#) and [2022](#) and are published on the Council's website.

(Extension of Empty Homes Strategy and Tenancy Strategy / Housing Committee / 13 November 2024)

The 2022 Review found that only one RP – which has minimal rented stock in Bedford Borough and no active development programme – was using FTTs. Follow up inquiries in 2024 found that this was still the case and that RPs spoken to did not intend to introduce or re-introduce FTTs.

- 5.2.4 Due to its ‘advisory only’ status, and the fact that RPs are not using FTTs in Bedford Borough, the Tenancy Strategy has very limited effect.
- 5.2.5 To ensure that the Council meets its statutory obligations, it is proposed that the Tenancy Strategy be extended for a period of two years. This will allow sufficient time for the officers in the Council’s updated structure who will be newly responsible for implementing the strategy to consider its future role and determine whether the advice it contains should be amended or updated.

6. ALTERNATIVES CONSIDERED AND REJECTED

- 6.1 Not extending the Empty Homes Strategy would leave the Council without a policy basis to pursue enforcement action against owners of empty homes.
- 6.2 Not extending the Tenancy Strategy would leave the Council in breach of its statutory obligation to have one.
- 6.3 Developing new strategies is considered unnecessary at the present time as the Empty Homes Strategy is working well and the Tenancy Strategy is still applicable, if of little effect. Extending the existing strategies will allow further thought to go into their renewal, from those involved in their delivery following the restructuring of the Council’s housing function.

7. KEY IMPLICATIONS

7.1 Legal Issues	<p>As a housing authority, the Council has a responsibility to assess the housing conditions in its area, including that of empty homes, and to formulate strategies to address any issues that are identified.</p> <p>Section 1 of the Localism Act 2011 confers a general power of competence on Local Authorities. Section 17 of the Housing Act 1985 empowers the Council, as local housing authority, to compulsorily acquire empty houses for the provision of housing accommodation.</p> <p>Section 150 of the Localism Act 2011 requires local authorities to have a published Tenancy Strategy.</p>
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(Extension of Empty Homes Strategy and Tenancy Strategy / Housing Committee / 13 November 2024)

	All local authorities with strategic housing responsibilities need to plan to meet the housing needs of local residents
7.2 Policy Issues	The Empty Homes Strategy and the Tenancy Strategy are currently adopted Policies of the Council. They expire at the end of 2024. This report seeks Housing Committee's recommendation of their extension to Executive in January 2025.

7.3 Resource Issues	This is a report seeking the recommendation of Housing Committee to Executive to approve the extension of two existing Council Strategies. Work required to extend the Empty Homes Strategy and the Tenancy Strategy will be delivered within existing resources. No additional resources are sought in relation to this report.
7.4 Risks	<p>Failure to extend the Empty Homes Strategy would remove the adopted Policy upon which enforcement action – compulsory purchase, used as a last resort – is based.</p> <p>Failure to extend the Tenancy Strategy would leave the Council in breach of its statutory obligations.</p>
7.5 Environmental Implications	<p>The Sustainable Development and Environmental Efficiency Strategy (SDEES), contains the following goals:</p> <ol style="list-style-type: none"> 1. Achieve resource efficiencies and cost savings 2. Be more resilient against increasing energy prices 3. Enhance and protect the local environment 4. Empower local communities and businesses 5. Plan for and protect against future change 6. Improve quality of life for all 7. Create long term business value for the Council <p>As well as being a wasted resource, long-term empty properties generally have a negative environmental impact on the neighbourhood due to deterioration and attraction for anti-social behaviour, crime and vandalism. The extension of the Empty Homes Strategy would contribute towards achieving goals 3, 4 and 6 of the SDEES.</p> <p>Notwithstanding its limited impact, the Tenancy Strategy sets out the Council's advice to RPs in relation to the use of FTTS. If applied, it's extension could increase the availability of suitable high quality affordable housing contributing to the delivery of goals 4, 5 and 6 of the SDESS.</p> <p>This report seeks to obtain the recommendation of Committee to Executive the extend existing Strategies of the Council and, as such, contains no specific proposals that contribute to the Council's objective of achieving a net zero carbon Council by 2030.</p>

(Extension of Empty Homes Strategy and Tenancy Strategy / Housing Committee / 13 November 2024)

7.6 Equalities Impact	<p>This report seeks only to obtain the recommendation of Committee to Executive to extend two of the Council's existing adopted Strategies. The activity has no relevance to Bedford Borough Council's duty to promote equality of opportunity, promote good relations, promote positive attitudes and eliminate unlawful discrimination. An equality impact assessment is not needed for this decision.</p> <p>Consideration will be given as to whether an Equality Analysis is required prior to a report being presented to Executive seeking approval to extend both strategies.</p>
7.7 Impact on Families	<p>An extension of the Empty Homes Strategy will allow the Council to continue to work to bring empty property back into use, potentially providing additional accommodation to all who need it, including families.</p> <p>The Tenancy Strategy advises RPs to use FTTs on accommodation of three bedrooms and above. If applied this might make more affordable housing available to families when households no longer need it and the FTT comes to an end. However, the impact is limited as the Tenancy Strategy is for advice only and recent reviews have established that RPs are not implementing FTTs.</p>
7.8 Community Safety and Resilience	<p>The extension of the Empty Homes Strategy will allow the Council to continue its work to bring long term empty homes back into use. Long-term empty homes are frequently in poor condition and can cause a nuisance to neighbouring properties. There is a significant risk of empty homes being targeted for antisocial behaviour and / or criminal activity. Without intervention based upon the adopted Strategy there is a risk of further decay to the property greater risk of disruption to local residents.</p> <p>If the advice in the Tenancy Strategy was implemented, the provision of settled & secure accommodation for those who need it most could result more established communities. In turn occupants might be more likely to engage with services which could improve levels of safety and build community resilience.</p>
7.9 Impact on Health and Wellbeing	<p>An extension of the Empty Homes Strategy will allow the Council to continue to work to bring empty property back into use, providing additional accommodation to all who need it and potentially impacting positively on mental and physical health of occupiers. Improving properties that are in a poor condition may also impact positively on the mental health of those living nearby.</p>

(Extension of Empty Homes Strategy and Tenancy Strategy / Housing Committee / 13 November 2024)

	<p>The Tenancy Strategy advises RPs to use FTTs on accommodation of three bedrooms and above. If applied this might make more affordable housing available to those who need it when existing tenants no longer do and the FTT comes to an end. The availability of high quality well managed affordable housing may impact on the physical and mental wellbeing of those who occupy it. However, the impact is limited as the Tenancy Strategy is for advice only and recent reviews have established that RPs are not implementing FTTs.</p>
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8. **SUMMARY OF CONSULTATIONS AND OUTCOME**

8.1 The following Council units or Officers and/or other organisations have been consulted in preparing this report:

- Director for Environment
- Manger (Business Partner) – Finance Environment and Strategic
- Head of Legal Services / Deputy Monitoring Officer
- Senior Officer Equality, Diversity and Inclusion
- Chief Officer for Education, SEND and Schools
- Manager for Early Help and Family Support
- Manager for Community Safety
- Public Health
- Energy Team

8.2 No adverse comments were received.

9. **WARD COUNCILLOR VIEWS**

9.1 This Report does not relate to an individual ward.

10. **CONTACTS AND REFERENCES**

Report Contact Officer	<i>Tracey Barrett Team Leader Housing Policy, Development and Viability Tel: 01234 718572 (ext.47572)</i> tracey.barrett@bedford.gov.uk
File Reference	N/A
Previous Relevant Minutes	<i>Executive 5th March 2019 Minute 96 and Minute 97</i> Adoption of Tenancy Strategy 2019 - 2024 and Empty Homes Strategy 2019-2024
Background Papers	None
Appendices	None

Agenda Item 8

For publication

Housing Committee Work Programme 2024/2025

1. Items to be programmed:

Date	Topic	Detail and Comments	Lead Officer
	Social Housing Bill	To provide an update on the Social Housing Bill once the legislation has been passed. Waiting on Government consultation on its implementation. Aim to report 2025/2026.	HHHCS
	Supported Housing Act 2023	To provide a briefing report on the Supported Housing Act 2023. For 2025/2026 following Government consultation.	HHHCS
	Accessible Housing and the Local Plan 2040	To report on any measures in the Local Plan 2040 which address the disparity between the availability of accessible housing and mainstream housing. For 2025/2026 following adoption of Local Plan 2040.	COPIEG
	Design Guide	To receive a presentation on the contents of the new Design Guide which has been adopted as they apply to housing.	COPIEG
	Greyfriars development	To receive a presentation from officers and bpha on the proposals for redevelopment of the area.	COPIEG
	Park Homes	To receive a presentation on issues and legislation relating to park homes	??
	Housing for looked-after children	Presentation to report on provision of housing for looked-after children and care-leavers following consideration of this matter by the Budget and Corporate Services Overview and Scrutiny Committee	Children's Officer, with input from HHHCS/COPIEG

Date	Topic	Detail and Comments	Lead Officer
	Social Housing Bill	To provide an update on the Social Housing Bill once the legislation has been passed. Waiting on Government consultation on its implementation. Aim to report 2025/2026.	HHHCS
	Health and Housing Partnership	To report on progress of the Partnership and the development of key performance indicators.	HOPH
	Clarence House	End of contract review	HHHCS

Meeting Calendar

12 Jun 2024	Empty Homes Update	Regular update on progress on implementing the Empty Homes Strategy	COPIEG
	Housing Transformation Programme	An update on the operation of the Housing Options team following the consideration of the Homelessness Diagnostic by the Executive.	HHHCS
	Private Sector Housing - Community Regulation	To inform Committee on the work undertaken by the Community Regulation Team in addressing issues in housing in the private sector and provide data on the number and nature of complaints made and enforcement action undertaken.	COE
25 Sept 2024	Health and Housing	To receive a presentation from a representative from Public Health, Built Environment and Social Housing.	Ian Brown
	Damp and mould	To report on how the Council was responding to cases of damp and mould.	COE
	Progress on operational housing	To receive an oral presentation updating Members on progress in implementation of the housing transformation programme.	HHHCS

	Modular housing	To receive an oral presentation from the Director for Housing and Head of Housing, Homelessness and Customer Services on their findings following visits of modular housing in the region and the lessons they have learnt	DOE, HHHCS
13 Nov 2024	Maximising the Delivery of Affordable Housing'	To report on steps being taken to meet the Council's target for 30% of new developments to be affordable housing.	COPIEG
	Extension of Empty Homes Strategy 2019 – 2024 and Tenancy Strategy 2019 – 2024	To seek approval to recommend to Executive the extension of the current Empty Homes and Tenancy Strategies	COPIEG
	Rough Sleepers	To receive an oral presentation providing data on rough sleepers in the town.	HHHCS
29 Jan 2025	Rural Housing Enabling	Presentation from BRCC	COPIEG
	Empty Homes Update	Regular update on progress on implementing the Empty Homes Strategy	COPIEG
	Social Housing Allocations Policy	To receive a report updating Members on proposals to amend the allocations scheme	HHHCS
12 Mar 2025	Bpha garage site redevelopment update	To receive presentation from bpha on the current progress on their garage site redevelopment programme	COPIEG
	Meeting the demand for accessible housing	To report on the demand for accessible housing, steps taken to meet that demand and waiting lists for those with disabilities in contrast to the general waiting list.	HHHCS/COPIEG

