

Democratic Services

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Date: 12th January 2015
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To: All Members of the Housing and Major Projects Policy Development and Scrutiny Panel

Councillor Eleanor Jackson
Councillor Steve Hedges
Councillor Brian Simmons
Councillor Gerry Curran
Councillor June Player
Councillor David Veale

Cabinet Member for Sustainable Development: Councillor Ben Stevens
Cabinet Member for Homes & Planning: Councillor Tim Ball

Chief Executive and other appropriate officers
Press and Public

Dear Member

Housing and Major Projects Policy Development and Scrutiny Panel: Tuesday, 20th January, 2015

You are invited to attend a meeting of the **Housing and Major Projects Policy Development and Scrutiny Panel**, to be held on **Tuesday, 20th January, 2015 at 5.30 pm** in the **Brunswick Room - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely

Mark Durnford
for Chief Executive



If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Mark Durnford who is available by telephoning Bath 01225 394458 or by calling at the Guildhall Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Mark Durnford as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Mark Durnford as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Recording at Meetings:-**

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- 5. Attendance Register:** Members should sign the Register which will be circulated at the meeting.

6. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

7. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

**Housing and Major Projects Policy Development and Scrutiny Panel - Tuesday, 20th
January, 2015**

at 5.30 pm in the Brunswick Room - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

Members who have an interest to declare are asked to:

- a) State the Item Number in which they have the interest
- b) The nature of the interest
- c) Whether the interest is personal, or personal and prejudicial

Any Member who is unsure about the above should seek advice from the Monitoring Officer prior to the meeting in order to expedite matters at the meeting itself.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

6. ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

At the time of publication no notifications had been received.

7. MINUTES - 18TH NOVEMBER 2014 (Pages 7 - 18)

8. CABINET MEMBER UPDATE

The Cabinet Member(s) will update the Panel on any relevant issues. Panel members may ask questions.

9. REGISTERED PROVIDERS PRESENTATION - GUINNESS

Representatives from Guinness are now unable to attend the meeting. It is hoped they will deliver a presentation to the Panel on their current and future development plans in March.

10. BOAT DWELLERS & RIVER TRAVELLERS UPDATE (Pages 19 - 56)

This update provides a progress report on the work of the Strategic River Group and how they are taking forward the recommendations in the Boat Dwellers and River Travellers review.

11. PAULTON - DEVELOPMENT UPDATE (Pages 57 - 62)

This report provides an update on planning and development matters in relation to the planning strategy for Paulton.

12. HOMELESSNESS UPDATE (Pages 63 - 68)

This report sets out the most recent information on demand for these services and provides reassurance that the responses currently in place are good and that there are new initiatives planned to further improve the offer.

13. ADDITIONAL HMO LICENSING UPDATE (Pages 69 - 72)

This report aims to provide the Panel with an overview of the progress of the scheme and the achievements to date.

14. DECENT HOMES POLICY UPDATE (Pages 73 - 108)

The Council Cabinet adopted a revised policy in 2012 entitled the Home Health and Safety Policy. This report to the Housing and Major Projects Policy Development and Scrutiny Panel proposes several updates to this policy including a change of name to the Decent Homes Policy.

15. PANEL WORKPLAN (Pages 109 - 112)

This report presents the latest workplan for the Panel.

The Committee Administrator for this meeting is Mark Durnford who can be contacted on 01225 394458.

BATH AND NORTH EAST SOMERSET COUNCIL

HOUSING AND MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 18th November, 2014

Present:- Councillors Eleanor Jackson (Chair), Steve Hedges (Vice-Chair), Brian Simmons, Gerry Curran and David Veale

Also in attendance: Derek Quilter (Divisional Director for Project Management), Graham Sabourn (Head of Housing) and Louise Fradd (Strategic Director - Place)

38 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

39 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

40 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor June Player had sent her apologies to the Panel.

41 DECLARATIONS OF INTEREST

Councillor Steve Hedges declared an 'other' interest to the Panel as his son works for Curo and his wife works for Mencap.

42 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

43 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

Vicky Drew and Ben Draper had given notification that they wished to address the Panel regarding Agenda Item 11 and would speak directly before that item.

David Redgewell addressed the Panel regarding the maintenance of the Bath Bus Station. He said that he was still seeking answer as to whose responsibility it was to carry out works to enable the toilets and café on site to open again.

The Chair asked Councillor Ben Stevens, Cabinet Member for Economic Development if the bus station came under his portfolio.

Councillor Stevens replied that it did not as the project had been completed.

The Chair asked for Councillor Caroline Roberts, Cabinet Member for Transport to respond to Mr Redgewell.

Councillor Gerry Curran asked for the Strategic Director for Place, who was present, to pursue an answer as he had heard the same question from Mr Redgewell on a number of occasions.

The Strategic Director for Place replied that discussions had already taken place with Bath BID (Business Improvement District) relating to street cleaning. She added that she would pursue the matter of whose responsibility it now was for maintenance of the bus station and the question of the provision of disabled toilets.

44 MINUTES - 23RD SEPTEMBER 2014

The Chair requested an amendment to page 19 of the minutes. She asked for a sentence in the seventh paragraph to read 'He added that projections show that we could *see an increase of 3,200 over 15 years*'.

The Panel agreed to the amendment and confirmed the remainder of the minutes of the previous meeting as a true record and they were duly signed by the Chair.

45 CABINET MEMBER UPDATE

A WRITTEN STATEMENT HAD BEEN SUBMITTED TO COUNCILLORS IN ADVANCE

Councillor Steve Hedges asked how many landlords had been prosecuted in relation to the licensing of HMOs.

Councillor Tim Ball, Cabinet Member for Homes & Planning replied that only one had been prosecuted so far for failing to licence an HMO under s72 Housing Act 2004.

The Chair asked if he would like to offer any further information on the Gypsy and Traveller site.

Councillor Ball replied that the site was one week ahead of schedule and due to open at the end of February 2015. He added that a consultation document relating to the site would be issued soon and that they were looking to name the site with the current proposal being Carrs Wood View.

The Chair asked how many empty properties were there in B&NES.

Councillor Ball replied that there were around 430.

The Chair commented that she was pleased with the figures of 91.7% Equalities Impact Assessments are now in place and 58.3% of complaints responded to within 15 days of receipt, but asked why it seems to take on average 34 weeks to complete a disabled facilities grant.

The Head of Housing replied that the figure of 34 weeks begins from the moment that the client first contacts the Council and that from that point there are many steps. He stated that the figure of 34 weeks was actually a very good timescale.

He explained that an initial assessment of the client is made and then a schedule of works is formed before receiving a number of quotes. Assistance is then given to the client with regard to application forms and then a contractor is assigned before work can begin on site.

He stated that around half of grants are completed within 16 weeks and that the Council was only directly involved in a third of the process.

Councillor Ben Stevens, Cabinet Member for Economic Development addressed the Panel.

He wished to highlight to the Panel the bullet points within his update on Bath Flood Mitigation:

- £1.12m Local Levy and Flood Defence Grant in Aid funding now secured following successful Environment Agency Project Approval Board in September 2014.
- Planning application and listed building consent applications all now registered. Decisions expected in January 2015.
- Detailed design progressing.
- Works commencement envisaged early 2015 (vegetation removal) and mid 2015 (construction works).

He informed the Panel that the Victoria Bridge would need to be closed for one extra week in order for the temporary truss to be removed.

The Chair asked if any flood mitigation had yet been investigated regarding the east of Bath.

The Strategic Director for Place replied that with the Strategic River Group now in place the river was being addressed in a collective way, beginning with the work relating to the Enterprise Area. She added that the Council was currently looking for the most appropriate site for a Park & Ride to the east of Bath.

The Chair asked if any update was available regarding the waterlogged floor at St. Nicholas School, Radstock.

The Divisional Director for Project Management replied that work had taken place over the summer to replace it and that it was now being monitored.

Councillor Gerry Curran asked when the last remaining gas holder would be removed from the BWR site.

Councillor Ben Stevens replied that removal of the holder had begun earlier today.

The Chair announced that the new road in Radstock would open on December 13th. She said that some of the local traders were still experiencing difficulties regarding paperwork for their compensation and asked if they could receive some further support.

Councillor Ben Stevens said that he would discuss the matter with officers.

Councillor Brian Simmons asked why the Sainsbury's attached to the new Keynsham Civic Centre had not opened as planned this week. He also asked if any other traders had been identified for the site.

The Divisional Director for Project Management replied that a BT problem had prevented Sainsbury's from opening and that it now planned to open at the end of next week. He added that three further traders had been identified, an estate agents, a pet shop and a café.

Councillor Brian Simmons asked if the Bath Hill road would be resurfaced.

The Divisional Director for Project Management replied that any road works had been deferred until January 5th and that re-surfacing would take place over a couple of nights.

46 SAW CLOSE CASINO & HOTEL

The Divisional Director for Project Management introduced this item to the Panel. He explained that the Sawclose project is currently a conditional development agreement between the Council and the developer and adjoining landowner (the former clinic) Deeley Freed Penhalt (DFP).

He stated that the development will comprise of a hotel, a Casino and two restaurants. He added that the current programme anticipates the contract between the Council and DFP becoming unconditional at the end of 2014.

Councillor Gerry commented that he would like to see these works tied into the Public Realm work involving the areas of Seven Dials and Kingsmead Square.

The Chair asked if the matters of disabled access and disabled parking had been taken into account regarding the development.

The Divisional Director for Project Management replied that he had not had sight of their full documentation, but would expect them to comply with all planning regulations as necessary.

The Panel **RESOLVED** to note the report.

47 REGISTERED PROVIDERS PRESENTATION - KNIGHTSTONE

Mike Day, Director of Development & Home Ownership gave a presentation to the Panel on behalf of Knightstone. A copy of the presentation will be attached as an appendix to these minutes, a summary is set out below.

Knightstone Housing Association

- Founded in 1975 - Heartland is now redefined as West of England and Somerset
- 12,000 homes in management – general rented, supported housing, low cost home ownership, open market housing for sale (Arc Homes)
- Developer of new homes – 300 to 400 a year
- £65 million turnover – 420 staff, 23,000 residents, 365 communities and neighbourhoods

Our Housing in B&NES

Second largest landlord in BANES behind Curo

- General Needs : 654 homes
- Supported Housing : 143 homes
- Leaseholders : 84 homes
- Service Charge Only : 76 homes
- Total : 957 homes

(149 homes acquired from Spectrum Housing group in 2013)

City Centre Georgian Properties / New build estates and one off purchases.

Current Developments in B&NES

- Alcan site in Midsomer Norton– 59 homes
- Charlton Road Keynsham – 2 homes
- Old Lane Farmborough – 4 homes
- Bidding for: County Infants School, Radstock -20 homes

Supported Housing in B&NES

Rockhall House, The Paddocks and the Orchard

- 48 units of sheltered and extra care provision working closely with Sirona Care
- Invested £1.5 million in the schemes last year

Pennard Court

- 35 unit mixed scheme for people with sensory impairment and people with learning difficulties working closely with Action for Hearing Loss and Freeways

Various properties in Bath, Keynsham and Paulton

- Working closely with Developing Health and Independence, Dimensions, LIFE

Individual and Community Empowerment Investor

- Because our purpose – creating better futures together – means more than being a great landlord, building new homes etc

- We offer a hand up not a hand out and we help people and communities find their own solutions by working in partnership with us. A something for something deal – the ‘together’

Individual Empowerment

- Support customers on a 1-1 basis throughout BANES to help sustain their tenancy
- Troubled families initiative in Bath

Community Empowerment

- Delivering Children’s play ranger activities – Newton Road, Twerton and Kaynton Mead
- Community clean-up days
- Door knock consultations
- Clean Slate – debt , employment and personnel planning support
- Combe Down Digital Inclusion Programme

Future Aspirations for B&NES

- Develop more Homes at least 30 to 50 a year
- Invest in our existing stock – new Asset Management Strategy
- Rationalise some of our very expensive to maintain and live-in central Bath properties
- Further invest in our communities and build capacity

What the Council can further do to assist us?

- Resolve corporate tensions between wanting best value for land/properties and the provision of affordable housing.
e.g. Living over the Shop Properties in central Bath
- Speedier decisions on property disposals
- Make more council land available for affordable housing.
- Intervene on Section 106 bidding wars between RPs.
- Assist where possible on Central Bath listed building planning restrictions on affordable housing.
- Further assistance on rural exception sites where possible.

The Chair asked if they had a formal scheme for consulting with residents.

Mike Day replied that there was no formal scheme in place, but that various forums exist across their range of housing stock.

Councillor Gerry Curran asked if they would be interested in developing on larger sites.

Mike Day replied that they would be interested and have made bids for larger sites, but have not been successful.

The Chair thanked him for his presentation and attendance at the meeting on behalf of the Panel.

48 FACING THE CHALLENGE OF UNIVERSAL CREDIT

Vicky Drew addressed the Panel. She stated that she was further concerned by Curo's Passport to Housing scheme. She said that she was worried about data protection issues and that the letter she had received appeared to give no option to opt out of the scheme.

She said that the letter also talks of the need for pre-tenancy checks to take place and to take part in a 45 minute to 2 hour interview. She added that she was very surprised to have been contacted by the Citizens Advice Bureau (CAB) to have a discussion despite no offer of new housing. She said that the CAB had also requested that she submit her financial details to them.

She asked how tenants on zero hours contracts would be affected by these measures.

She stated that the communication regarding the scheme by Curo was shoddy at the very least and called for an unpaid B&NES representative to have a place on their board.

Ben Draper addressed the Panel. He announced that he was intending to stand for Labour in the ward of Walcot in the local elections next year and that he wanted to speak about the problems the residents in that area faced.

He said that some of the residents may be stuck in low-paid work; some may have always struggled with the bills or suffer from long-term financial difficulties; some may have been forced to payday loan companies as a result of recent benefit changes.

He said that Curo had historically performed valuable work housing its most needy residents. However, recent steps taken by the group indicate a fundamental – and troubling – shift in their core principles.

He stated that Curo is currently one of the most important institutions in the area working towards housing those who most need it. He hoped that their policies would remain true to that mission. But he said he was concerned by these changes and must ask:

- Has B&NES formulated a safeguarding measure to make sure these eligible families are housed elsewhere?
- Has B&NES calculated how much it will cost house these residents elsewhere?
- Does the Committee and Curo itself agree that this move represents the marketisation of social housing in this local authority?
- At what level will this credit threshold for housing be set and by who?
- How many families does Curo anticipate will be refused housing on the basis of bad credit?

Councillor Steve Hedges asked for the answers to Mr Draper's questions to be circulated to the Panel when available.

Julie Evans, Sarah Segar and Louise Swain were present on behalf of Curo and gave a presentation to the Panel. A copy of the presentation will be attached as an appendix to these minutes, a summary is set out below.

Impact of Universal Credit – Tenants

- DWP Processes – new and digital default
- When will it happen?
- Transition arrangements and the impact upon their income
- Curo rent – how much and how they pay
- Lack of access, skills and competency with IT, numeracy and budgeting – big personal hurdle for many
- Other creditors (eg Wonga) – many are in multiple debt

However, positive feedback from tenants in receipt of UC that it helps manage income fluctuations and transition into work, so doing what it was intended to do in this respect.

Impact of Universal Credit - Curo

- In the region of £34m Housing Benefit will be paid to customers rather than currently paid to Curo.
- Increased costs of transactions and collections.
- Average arrears for UC customers £1000 / Average arrears for non UC customers £360.
- Customer debt could quadruple if we do nothing – would impact on service delivery.

Solutions Currently in Progress

- Increased Customer Accounts Resource, including recruitment of Employment, Training & Skills Co-ordinator, Money Manager and Tenancy Sustainment Officer.
- Information & Management System enhancements.
- Curo migration into Keynsham & MSN One Stop Shop.
- Introduction of pre-tenancy risk assessment (Success Plan).
- Passport to Housing pilot until March 2015

'The Right Home for the Right Person at the Right Time'

- Earlier contact with applicants
- Adverts informing of rent in advance
- Credit checks for all applicants – All market rent lettings will ask for credit checks
- Success Plans for new tenants to assess tenancy resilience
- Passport to Housing pilot – Curo tenants

Success Plans

- Risk Assessment to understand likelihood of tenancy success - Focuses on financial capability & resilience
- A tool to keep people in their home not to prevent them from getting one
- Responsibility of landlords to ensure people are not worse off as a result of getting a tenancy

Julie Evans stated that participation in the Passport to Housing pilot was voluntary.

The Chair thanked her for the clarification but said that that appeared to conflict with the letters that had been received by residents.

Councillor Steve Hedges commented that he felt that it looked like Curo were finding ways to refuse people. He said that he was extremely nervous regarding the data protection matters that had been raised and that he would advocate that the Council does not issue its housing list to Curo. He asked how the CAB had the information to contact residents.

Sarah Segar replied that the intention of the scheme is to help residents manage their budgets appropriately. She added that Curo pays the CAB to supply services to them and that they issue them with the information regarding residents. She stated that at the point of contact if the customer does not want to take part in the scheme then the CAB will destroy the information.

The Chair commented that she found it difficult to understand why only the CAB were being used in relation to debt management as they are not professionals within this work area.

Councillor Steve Hedges commented that he felt that Curo should gain permission from the resident before supplying the information to the CAB.

Julie Evans replied that Curo had worked with the CAB for many years, but added that if the pilot were to continue after March 2015 that service would be put out to tender.

Councillor Steve hedges asked what consultation had taken place with residents and Councillors prior to the introduction of the pilot.

Sarah Segar replied that as it was a pilot scheme a consultation as such had not taken place. She added that presentations regarding the pilot had been given to the tenant participation group.

Councillor David Veale asked how many tenancies break down.

Sarah Segar replied that around 4,000 residents will owe money to us at any one time.

Julie Evans added that Curo has a very low eviction rate though with only 11 – 15 households evicted per year as we see it as a very last resort.

Councillor David Veale commented that he shared some of the concerns raised by Councillor Hedges, but he believed that this was a necessary service that Curo were providing.

The Chair thanked the representatives for their presentation and said that she appreciated that the situation was changing for Curo as well as for their residents. She added though that the very least the letter that had been sent out should be redrafted.

The Head of Housing addressed the Panel. He said that in the current challenging times it was not appropriate for Curo to simply do nothing and credited them with looking to engage with problems as soon as possible and said that he felt the pilot was a good initiative.

Councillor Tim Ball addressed the Panel. He said that he thought the pilot could be very valuable and that the wording of the letter to residents was unfortunate. He stated that the Council would not be giving the public's data away. He proposed that the Council should write regularly to Homeseach members to make them aware of the Curo / CAB offer and provide details of how residents could contact them.

The Chair agreed with this proposal but said that there should be a line in the letter that states that other agencies are available to provide this service.

49 MEDIUM TERM PLAN AND 2015/16 BUDGET UPDATE

The Strategic Director for Place introduced this item to the Panel. She explained that as the Core Strategy had now been adopted it provided the Council a platform to progress the Community Infrastructure Levy (CIL) and complete the Placemaking Plan. She stated that the CIL is required to ensure that the Council continues to receive relevant developer contributions in order that key infrastructure requirements can be met. She added that it is proposed that this will be in place by April 2015.

She stated that the adoption of the Bath City Riverside Enterprise Area masterplan and its incorporation within the Placemaking process will ensure that grants and other forms of external funding can be effectively targeted as well as provide developer confidence. She added that the development of these sites is crucial if the Council is to meet its housing and job creation targets.

She informed them that the Place Directorate continues to work with the HCA and key registered social landlords to provide affordable housing particularly in relation to Bath Western Riverside, the former Ministry of Defence sites and Radstock.

She explained that the Place Directorate had gone through a fundamental restructuring process and that the implementation of the new senior management structure had enabled the Directorate to review values and priorities through the development of a Directorate Business Plan.

She stated that there were potential funding opportunities through new housing including an increasing New Homes Bonus.

She informed them that there are significant efficiency targets in the plan and those arising from the changes in management and service restructures and the need to increase income opportunities are very challenging to achieve, especially when the call on many services was increasing.

The Chair asked for parking to be considered in the context of regeneration. She also asked officers to investigate the merits of charging Council Tax to people living on the waterways within the Council.

She also acknowledged the risks identified by the changes in management and service restructures.

Councillor David Veale asked how the CIL was to be evaluated.

The Strategic Director for Place replied that a paper was out for consultation currently and had been seen by the Local Development Framework Steering Group. She added that a hearing would take place in December to qualify the judgement that the Council makes.

The Chair commented that she was unhappy in the proposed reduction in the Planning Policy Team because of the upcoming five year housing need review and the implications of Placemaking.

The Strategic Director for Place replied that it was anticipated that this saving would be achieved across the broader Development services.

The Chair asked for the Panel's comments to be passed onto the Resources Panel.

50 PANEL WORKPLAN

The Chair introduced this item to the Panel. She asked for the newly appointed River Co-ordinator to attend the next meeting to discuss amongst other things the Panel's review of Boat Dwellers & River Travellers.

The meeting ended at 8.30 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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Bath & North East Somerset Council		
MEETING	Housing & Major Projects Panel	
MEETING DATE:	20 January 2015	<small>EXECUTIVE FORWARD PLAN REFERENCE:</small>
TITLE:	Boat Dwellers & River Travellers Update	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
<ul style="list-style-type: none"> - B&NES Boat Dwellers and River Travellers- A Task and Finish Group review by the Housing and Major Projects Overview and Scrutiny Panel - Draft Strategic River Group Governance Structure 		

1 THE ISSUE

1.1 In July 2013 a Task and Finish Group set up by the Housing and Major Projects PD&S panel reviewed the issues relating to Boat Dwellers and River Travellers within B&NES. The review put forward a list of recommendations for consideration. These are now being taken forward by the Strategic River Group, which has been established to take an overview of issues relating to the River Avon in B&NES. This update provides a progress report on the work of the Strategic River Group and how they are taking forward the recommendations in the Boat Dwellers and River Travellers review.

2 RECOMMENDATION

2.1 The Housing and Major Projects PD&S Panel are asked to comment on the progress made by the Strategic River Group and the Boat Dwellers and River Travellers review.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 In 2014/15 there is currently a £460k budget for the River Corridor Fund; £440k of this is funded by Corporate Borrowing the remaining £20k is secured match funding; in addition to this, further match funding is being negotiated. This is being spent on a variety of projects set out in section 4.

3.2 A further £150,000 has been provisionally allocated in the capital budget for 2014/15 funded by Corporately Supported Borrowing. This is subject to approval at Council in February 2015.

4 THE REPORT

4.1 In March 2014 Bath and North East Somerset Council established a Strategic River Group. The purpose of the group is to provide strategic oversight of the River Avon from Dundas Wharf to Hanham Lock. It contains representatives from B&NES, the Environment Agency, Canal and Rivers Trust, The River Regeneration Trust and Wessex Water. A draft Governance Structure has been attached to this report.

4.2 The Strategic River Group is in the process of defining a River Avon Corridor Strategy and Action Plan. The key themes of the Strategy will be

- Safe and Active Communities;
- Environmental River Improvements;
- Economy and Development;
- Sustainable Networks and
- Adaptation to Climate Change.

4.3 A series of projects relating to these themes are already underway, using the River Corridor Fund allocations and match funding from partner agencies, such as the Environment Agency:

- Minerva Rowing Club: funding for improvement works to the clubhouse
- Old Boathouse: works to bring the derelict building back into active useage
- A range of river safety measures to improve safety along the river, including new railings at Widcombe Lock, the provision of improved secure safety devices along the river and a river Greening Trial to provide softer edges to the river
- Options analysis for Pulteney Wier and Twerton Gate

4.4 Attached at appendix 1 is the governance structure associated with the Strategic River Group. This demonstrates how different key issues associated with the river, such as flooding, safety and boat dwellers link into the Group

4.5 The recommendations from the Boat Dwellers and River Travellers review are captured in the Safe and Active Communities theme. At the last meeting of the Strategic River Group it was agreed to form a Task and Finish Group reporting to the SRG, to deliver the actions in the review. The group will consist of members from the Canal & Rivers Trust and B&NES Planning, Housing, Environment and Equality and Diversity teams.

4.6 The initial actions of the Task Group will be:

- Review the current evidence base relating to Boat Dwellers and River Travellers
- If necessary improve and expand the evidence base and develop appropriate guidance for boat dwellers

- Review the current voluntary code and consider how appropriate moorings can be incorporated into the planning system via the current Placemaking Plan process
- Review existing best practise and if necessary undertake visits to those authorities highlighted

4.7 The Task Group will report in summer 2015

5 RATIONALE

5.1 The River Avon is a key asset for Bath and North East Somerset and needs active management

5.2 A range of organisations have statutory and other responsibilities for its management from safety to flooding to the wider river economy and ecology

5.3 It is therefore essential that a long term, considered view is taken of the River and the Strategic River Group has been established to lead and coordinate this process

6 OTHER OPTIONS CONSIDERED

6.1 Doing nothing was not considered an option, given the range of issues that need addressing

7 CONSULTATION

7.1 Finance and the Strategic River Group have been consulted in drawing up this paper

8 RISK MANAGEMENT

8.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	Zoe Hancock
Background papers	
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Bath and North East Somerset Council Boat Dwellers and River Travellers

A Task and Finish Group review by the Housing and Major Projects Overview and Scrutiny Panel



July 2013

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Foreword

The Task and Finish Group has undertaken a great deal of work since our terms of reference were formally agreed at the January 2013 Housing and Major Projects Panel. We began consulting as widely as possible about the situation of those who live afloat, whether on the river or the Kennet and Avon canal. Due to the time constraints of delivery, the study was restricted to the Kennet & Avon River and stretches between Hanham Lock, Bath and Dundas Wharf, and only considered the questions relating to accommodation, access to council facilities, education and healthcare. The Task and Finish Group uncovered significant evidence of how precarious life can be for boat dwellers and the potential for increasing numbers to present themselves to the council as homeless, but also of the joys of life afloat and how vibrant communities could be created or enhanced along the waterways. However, it is still unclear how many of the 1,000 or so B&NES residents afloat are there by choice, how many are traditional travelling families and how many are technically homeless, in sub-standard, badly insulated and unsafe boats.

A very useful piece of work undertaken by one of the Task and Finish Group members, highlighted the diverse meanings given to 'boat dwellers' by different organisations and the significance of this. It was important that the Group appreciated the differing definitions whilst also defining what constitutes a Boat Dweller and River Traveller for our investigations.

Members of the Group met with senior executives from the Canal and River Trust (formerly British Waterways) and apart from being stunned by their lack of awareness of equalities issues, were disquieted by their use of draconian powers to enforce the conditions of the licences they issue to the RU3 category (Page 12) for 'continuous cruising' (moving on every 14 days a distance further than Bath to Devizes) and residential (and expensive licences) to categories RU1 and RU2. The dialogue we attempted to establish has been compromised by their expectation that we would endorse their Memorandum of Understanding with boat users and incorporate it into the B&NES future Core Strategy. We have serious questions about their MoU, of which they were informed, and we certainly do not want to see B&NES officers policing their policies.

One problem we have encountered in our dialogue with Boat Dwellers is their suspicion of officialdom, based on bad experiences in the past. However, a good cross-section of canal and river users came to the open session we held to hear their stories. A wide range of problems emerged from lack of information, lack of benefits (to which some of them are entitled), lack of moorings, exorbitant costs and difficulties with schooling and healthcare. We were disappointed to learn that there are only two disabled people's moorings on the Kennet and Avon canal. They also told us of many problems recognisable from the problems of land based tenants, and prejudice towards travelling people. We received detailed answers to our questionnaires which were distributed up and down the canal and river, and a good response from either phone or email. One thing that emerged clearly was how crucial the internet is to them.

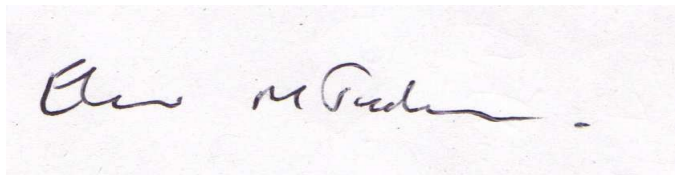
A limitation of the study is that we have not managed to address the problems that riparian residents have with boat users. We would have liked to meet Saltford Parish Council, who contacted us with their concerns, as well as the individuals who have emailed in their views. We also visited moorings on the river but we were unable to fulfill our ambition of walking the Kennet and Avon canal. These limitations were a reflection of the time available to conclude the study.

All this has been balanced by excellent desk based research by officers into the existing legal position and conditions of life on our canals and rivers.

We hope that this will provide a firm foundation to the formulation of a B&NES policy towards Boat Dwellers and River Travellers, including a code of good practice which the Council can be proud of and roll out in its dealings with its residents afloat and their 'landlords'. Through our research into best practice, we would also be the first Council to undertake future in-depth review work on Boat Dwellers & River Travelers.

We gratefully acknowledge the support from the various B&NES Departments who helped us collate the information that we needed and all of the local Boat Dwellers and River Traveller respondents and participants. We would also like to thank the Canals and River Trust for taking the time to come and speak to the Task and Finish Group and the Kanda Boating Community for allowing us to advertise the work that we were doing through their website.

Once again, may we thank all of those who have participated in the production of this report, especially the council officers, the local Boat Dwelling Community who got in contact with us to share their views and experiences of living on the river and canal.

A handwritten signature in black ink, appearing to read 'Eleanor Jackson', written on a light-colored rectangular background.

Cllr Eleanor Jackson Chair of Task and Finish Group

Housing & Major Projects Policy Development & Scrutiny Panel

Tables & Charts

Tables

1. B&NES Residential Use Categories for aligning the definitions of Boat Dwellers and River Travellers
2. Canal & River Trust Boat Owners Survey (boat dweller profile trends)

Bar Graphs

1. The Working status of Boat Dwellers and River Travellers captured through case study research
2. The Canal & River Trust Boat owner survey (2011)

Recommendations

The recommendations below have been collated in a summary format however the supporting background evidence for each can be found within the report findings.

Note: for the purposes of the task and finish group findings the term 'access' refers to the needs and issues of requiring access to facilities and services, (Social, Economic, Health & Wellbeing)

Recommendation 1

The Task and finish Group recommend that to inform future Council Policy direction we need to undertake a full in-depth study/ review on Boat Dwellers and River Travellers within our area which uses the supporting evidence and findings contained within this report as a baseline for further investigation.

and as part of that in-depth study and review the TFG recommend that :-

1.1 The Definition used by the TFG as part of their investigations should be consulted on as part of the next phase of in-depth review work and for consideration for future B&NES policy definition. This should include conversations with all the different Authorities within the AINA (*The Association of Inland Navigation Authorities*) to agree a standard terminology.

This would ensure that there is greater clarity about who a boater is and agrees on the use of a shared common language.

1.2 Establishing the best practice methods undertaken by both Oxford Council (mooring policy and partnership work) and Wiltshire Council (who have linked its policies directed towards River Travellers with those towards gypsy travelers) to inform future policy direction.

The Council should work together with them to build a consistent approach through the development of a liaison committee or similar forum. This would need to be timely to align with our current Gypsy and Traveller Strategy Group work.

1.3 The Council investigates and identifies the barriers to services and facilities for vulnerable people along the waterways

These findings could feed into the work the Council is doing on the Joint Strategic Needs Assessment Review, the Homelessness Strategy and the Gypsy and Travellers Strategy work.

1.4 The Council continues to establish an open dialogue between boat dwellers and the Council, to establish clear communication channels.

This should investigate if improvements can be made to:-

- a.) Our current B&NES Website, to improve access to key information for Boat Dwellers, for example; greater advertisement of the Council Connect service.
- b.) Improve the collaboration with the Canals and River Trust. (such as the opportunity to use of their notice boards to advertise Council services)
- c.) Improve the communications between our local Ward Councilors and Local Boat Dwellers

Recommendation 2

B&NES Council should not support recommendations to endorse the Canal River Trust Mooring Strategy, until and unless we have been assured they are compliant with their legal obligations under the Equality Act and will not conflict with Council policy.

This would need to be timely to feed into the current mooring strategy that is being developed and before we support and fully endorse the draft memorandum of understanding developed between the Council and the Canal and River Trust which came to the housing & Major projects Panel in November 2012.

Recommendation 3

Future B&NES Council spatial planning requirements to deliver more dwellings, which have so far been increased through major housing developments should also include that of people living on the waterways in Bath & North East Somerset.

This should include the following:-

3.1 Further Investigations to determine the feasibility that all major developments along the river or canal incorporate a pontoon landing stage with ready access to potable water and 240volt power as well as in close proximity to a public footpath, highway and waste disposal for use by River Travellers (RU3 & RU4) for a maximum 2-day stay and policed by Canal & River Trust as part of an approved Mooring Strategy in B&NES. These will also serve as short-stay visitor moorings.

3.2 Request that all off-line marina and mooring basin developments incorporate a maximum 14-day stay pontoon for River Travellers (RU3) for a minimum of three average length narrow boats as part of the planning approval process and policed by Canal & River Trust as part of an approved Mooring Strategy in B&NES. These are in addition to short-stay visitor moorings.

3.3 Determine whether all off-line marina and mooring basin developments can include a minimum of 10% of total berths to be allocated to Boat Dwellers whether or not they are RU1, RU2, RU4 or RU5.

3.4 To determine the scale and scope of the need and numbers of types of moorings and establish the current and further demands of moorings in the B&NES area.

This will need to be timely to feed into the current mooring strategy that is being developed

Recommendation 4

The findings within this report support the work of the River Corridor Group's future vision of regenerating the river. We recommend that the planned future B&NES River Strategy includes:-

4.1 The consideration of the needs and issues of our local Boat Dwellers and River Travellers within its initial evidence base.

4.2 A representative from the Housing & Major Projects Panel to sit on The River Regeneration Trust (formerly the River Corridor Group) to ensure clear lines of communication between the Council and the Trust.

Introduction & background to investigations

At the Housing and Major Projects Policy Development and Scrutiny Panel (HMP) on Tuesday 20th November 2012 the Panel received an update on Boat Dwellers from the Cabinet Member for Homes & Planning, which included a draft Memorandum of Understanding (MOU) between the Council and the Canal & River Trust. The Panel was asked to consider if they wished to undertake any policy review work on this matter and if they would support the MOU. It was agreed at this meeting that there were a number of issues that still needed further investigation and that the Panel should undertake some Task and Finish Group work to explore some of these issues further and report back to the Panel in 2013.

The issues surrounding Boat Dwellers & River Travellers impact directly on the wards through which the River Avon and canals flow; however these waterways are accessed by all sections of society and as they require schooling, medical care and utilities, their needs impact on other B&NES residents.

Recent reports suggest that there has been an increase over recent years in the numbers of people opting to become Boat Dwellers due to the lack of affordable housing available in certain areas and this has placed pressure on the River and canals due to the lack of available mooring space within the district – CRT estimate this need to be more than 1,000 moorings. For example, a recent BBC news item focused on the problems of a family moored at Limpley Stoke and the rising costs of canal moorings.

Purpose & Objective

The Task and Finish Group agreed to investigate the common needs and requirements of Boat Dwellers and River Travellers along the River Avon in Bath & North East Somerset (*Hanham Lock to Dundas Wharf on the Kennet & Avon Canal*) and provide the HMP Panel with enough information to make recommendations to Cabinet for both practical measures such as the development of a Memorandum of Understanding between the Council and Boat Dwellers & River Travellers, through their representative organisations, and for future policy development.

The work set out to support the work carried out by the River Corridor Group (now The River Regeneration Trust) and their vision for the future River Avon and also link to the current Core Strategy¹, specifically the requirement to deliver more dwellings, which have so far been increased through large housing developments and not yet that of people living on the waterways in Bath & North East Somerset.

¹ In the 2011 Core Strategy Draft as presented to the Planning Inspector, Policy CP10 Housing Mix para 6.80 page 124 applies though river homes are not specifically mentioned and it could also be argued that policy CP7 Green Infrastructure applies par 6.58 on p 119. The findings of the Group should be useful in the further development of policy in the Local Development Framework and Placemaking stages.

It is also important that work on the river is integrated with B&NES other policies, such as tourism, education, social care, health, economic wellbeing and 'housing'. For example, in Birmingham and Oxford the canal and river systems contribute substantially to housing students, and reducing HMO problems.

The Task and Finish Group set out to produce a report that contributes to a better understanding of the issues presented by and facing Boat Dwellers and River Travellers. It sets out information currently available, what further data and information is still needed. This will then feed into the draft MOU and future policy development including the River Strategy.

Methodology

Due to time constraints the Task and Finish Group have attempted to gather as much research and engagement opportunities within 3-4 months. Therefore the findings within this report provide a snapshot of currently available data from February – May 2013. The Task and Finish Group decided to do this by the following methods:

1. By researching what work has already been undertaken by other local authorities and statutory/ voluntary bodies to use as best practice for future review work i.e. reviewing the findings from the recent B&NES Gypsy, Traveller, Boater, Showman and Roma, Health Needs Survey (2012 – 2013)
2. Investigated the different definitions used by the different bodies who are linked to the local boating community
3. Arranged a meeting to talk to the Canal & River Trust
4. Submitted a press release to the local boating community to engage with the Task and Finish Group
5. Undertook a focus group with some members of the local boating community
6. A number of case studies were undertaken which invited members of the local boating community to share their issues concerns and positive things about living along the River Avon, which has helped to inform and shape the future recommendations for this review.
7. Task and Finish Group members also received phone calls and emails from local boaters and River Travellers to share their views and experiences.
8. Visits were undertaken along the stretch of the River Avon including a visit to Chandos Lodge near Hanham Lock.

Equalities Assessment

An Equality Impact Assessment (EqIA) was completed as part of the scrutiny process. Adverse impacts were identified and have been justified/mitigated (See Appendix 1 for the full Equalities Impact Assessment).

Recommendation 1

The Task and finish Group recommend that to inform future Council Policy direction we need to undertake a full in-depth study/ review on Boat Dwellers and River Travellers within our area which uses the supporting evidence and findings contained within this report as a baseline for further investigation.

and as part of that in-depth study and review the TFG recommend that :-

1.1 The Definition used by the TFG as part of their investigations should be consulted on as part of the next phase of in-depth review work and for consideration for future B&NES policy definition. This should include conversations with all the different Authorities within the AINA (*The Association of Inland Navigation Authorities*) to agree a standard terminology.

This would ensure that there is greater clarity about who a boater is and agrees on the use of a shared common language.

There are a number of definitions of Boat Dwellers or River Travellers, with many sources with occasionally conflicting definitions, it has been necessary for the Task and Finish Group to acknowledge these differing definitions whilst also defining what constitutes a Boat Dweller or River Traveller. This is necessary to make sense of future policy, services and support to those people who use a vessel in B&NES for residential use, whether or not it is permanently or seasonally moored, or as a temporary visitor travelling along the waterways.

Our research has identified a number of relevant waterway organisations with definitions relating to people who live on their boats, whether or not they have a permanent residential mooring or are travelling the inland waterways: For example:

- Waterways World refers to **liveaboard boaters, boat dwellers, travellers** and **nomadic people**.
- The National Bargee Travellers Association refer to **itinerant boat dwellers**, that is anyone whose home is a boat and who does not have a permanent mooring for their boat with planning permission for residential use, they are travelling boat dwellers without a permanent residential mooring.
- The Residential Boat Owners' Association represents **residential boaters**, that is people who have chosen to make a boat their home whether that boat is static or cruises; is based inland or on the coast; has a permanent or temporary mooring (whether residential or not) or continuously cruises.

- The Low Impact Living Aboard refers to **liveaboard boaters**.
- The Kennet and Avon Boating Community refers to **continuous cruisers, liveaboards, travellers, boaters, liveaboard boaters**.
- Canal & River Trust and Canal & River Trust Marina Limited both refer to **live aboard status** for **full residential** permanent moorings with residential planning permission for 365 days per year that may also have a CRT Houseboat Certificate. CRT also refers to **Grade 1 non-residential** moorings without live aboard status but where stays on boats summer and winter is an expectation.
- The Environment Agency (EA) only recognises recreational use of water and not for housing, residential use of vessels or residential craft. They refer to short stay and service moorings.
- The Broads Authority refers to **residential boaters**.
- The Association of Inland Navigation Authorities (AINA) refers to different types of **residential use** of vessels:

*“Although it is a minor use of inland waterways, **residential use** is recognised as making a valuable contribution to the multi-functional use and long-term sustainability of the waterway network, particularly on those navigations where it is part of the cultural heritage.” AINA, 2009*

The Association of Inland Navigation Authorities (AINA) has a membership that represents the collective views of the twenty one different navigation authorities who are responsible for navigation on the inland waterways of Great Britain, amounting to over 80,000 craft. AINA members include Canal & River Trust (CRT) and the Environment Agency (EA) which is especially relevant to the inland waterways of B&NES.

The Boat Dwellers and River Travellers Task and Finish Group believe that by adopting AINA definitions, we would be using the most appropriate use of terminology approved by all AINA members including the CRT and EA. This will logically differentiate between those people who live on their boats on the inland waterways as well as by mooring type. It also represents the population that the Task and Finish Group are primarily interested in; ‘Boat Dwellers’ and ‘River Travellers’ whose main (primary) residence is a boat, vessel or floating structure, whether or not capable of navigation or on a designated mooring, or as a second home where they live for extended periods, or they are travelling the inland waterways continuously or seasonally.

The definitions of **residential use** that AINA refers to can be categorised into five types:

- RU1. Where someone lives aboard their vessel (**capable of navigation**) at a designated mooring base, basin or marina, who may periodically go cruising and return

- RU2. Where someone lives aboard their vessel (***not capable of navigation***) at a designated mooring base, basin or marina
- RU3. Where someone lives aboard their vessel and ***continuously cruises*** the network, with no designated mooring at a base, basin or marina
- RU4. Where someone lives aboard their vessel at a designated mooring base, basin or marina in winter, but continuously cruises in summer (***seasonal cruisers***)
- RU5. Where someone lives aboard a purpose-built floating structure (***not capable of navigation***) at a designated mooring base, basin or mooring

For the purpose of this review, the Task and Finish Group adopted the residential use categories above and attempted to align the differing definitions of relevant inland waterway organisations included in our survey with these residential use categories:

Table 1

B&NES Residential Use Categories	Alignment of Others' Definitions
RU1	boat dwellers, residential boaters, live aboard status, full residential
RU2	residential boaters
RU3	bargee travellers, itinerant boat-dwellers, continuous cruisers, live aboard boaters, live aboards, travellers, nomadic people, residential boaters
RU4	residential boaters, live aboard boaters
RU5	residential boaters

2. Best Practice

Recommendation 1.2: Establishing the best practice methods undertaken by both Oxford Council (mooring policy and partnership work) and Wiltshire Council (who have linked its policies directed towards River Travellers with those towards gypsy travelers) to inform future policy direction.

The Council should work together with them to build a consistent approach through the development of a liaison committee or similar forum. This would need to be timely to align with our current Gypsy and Traveller Strategy Group work.

There is very little in-depth research or policy development work that has been undertaken by other Local Authorities on Boat Dwellers nationally, the only two that the Task and Finish Group could find, and measure from; include the developments that Oxford Council have made within

their mooring policy and partnership work, and Wiltshire Council who have linked its policies directed towards river travellers with those towards gypsy travellers :-

The developments that Oxford Council have made in developing their mooring policy for Boat Dwellers could provide some useful advice and guidance on the way forward for future policy direction within B&NES, particularly their Local Agenda 21 Mooring developed by the Boaters community which could offer some useful advice for developing our own Mooring Strategy further.

Oxford Council² proposed a submission for new residential moorings in appropriate off-river basins, after recognising that there was a demand for new residential moorings in Oxford, This was due to limited mooring space deemed suitable for permanent moorings and also a need to balance permanent residential moorings with short-stay visitor moorings, which have an important role in promoting tourism in the city of Oxford.

Oxford developed the Policy HP8 for boat Dwellers, which included an agreement that planning permission will only be granted for new residential moorings in Oxford waterways where;

- *they are provided in off-channel basins*
- *there is adequate servicing including water supply, electricity, and disposal facilities for sewage and rubbish,*
- *any car parking provision complies with the standards for residential development set out in Policy HS15, there is adequate access for emergency vehicles*
- *There will be no significant effect on the amenity, biodiversity or heritage interest of the waterway or surrounding land.*

Oxford City Council has also taken measures to tackle illegally moored boats on the Thames and Oxford canal by joining, and providing £44,000 towards, Unlawfully Moored Boats Enforcement Group -UMBEG. UMBEG is made up of Oxford City Council, the Environment Agency, the Canal & River Trust (CRT) and representatives from Thames Valley Police and landowners.³

The Oxford Local Agenda 21 Mooring⁴ (on the Oxford Canal in Oxford City) is a 'unique arrangement' between British Waterways (now CRT) and the Oxford Boaters' Co-op. These moorings were created in order to legitimise and safeguard the way of life which has been developed by the Boaters Community already mooring in the areas covered by the Agendas 21 mooring sites. The Boaters Community in Oxford is a low impact sustainable community that has created a statement of aspirations and guidelines. It is expected that all owners and/or occupiers of Boats on the Agenda 21 moorings will respect and take up these aspirations and abide by these guidelines.

2

<http://consultation.oxford.gov.uk/consult.ti/SitesHousingProposedSubmission/viewCompoundDoc?docid=2463028&partid=2463828&sessionid=&voteid=&clientuid>

³ (see Waterway Watch (5th March 2012) article: <http://waterwaywatch.org/oxford-illegal-mooring-clampdown-boaters-form-new-group-2/>)

⁴ (Information from: https://www.crtmoorings.com/view_rules.php?id=1803)

Wiltshire Council has linked its policies directed towards River Travellers with those towards gypsy travellers through including the term “Bargee Travellers” in its Gypsy and Traveller Strategy. This has been looked upon favourably by the boating community as the Gypsy and Traveller Strategy seeks to ensure that travellers have adequate access to council services and that efforts are made to keep travelling communities engaged⁵.

The Kennet and Avon Boating Community (KANDA) believe that “*Wiltshire Council is leading the way amongst local authorities in including “Bargee Travellers” in its Gypsy and Traveller Strategy*”⁶ (published in May 2010). Wiltshire’s Strategy is about ensuring adequate provision of Council services – including the prevention of homelessness – and engagement with travelling communities, in line with the overall KANDA aims of creating strong and resilient communities.

The recent “Boaters’ Voices Project” undertaken by Wiltshire has helped the Council identify and meet the legally required needs of the boating community. One of the biggest concerns raised with Wiltshire Council is protection from unlawful enforcement by the Canal & River Trust, which is felt to be designed either to force Boaters to move off the waterways by making it impossible for them to stay within reach of employment, education for their children etc. and if they don’t comply, they risk their boat being seized or removal from the water completely.

5 Demographics of Boat Dwellers within the B&NES area

The numbers of Boat Dwellers and River Travellers

National figures

Nationally there has been no comprehensive survey undertaken of the number of residential boaters as a household group, which does not allow us to establish the actual percentage of the total housing accommodation in England and Wales that this household group represents⁷. Findings from the Association of Inland Navigation Authorities (AINA) do suggest that there are 88,267 boats licensed to navigate the inland waterways operated by AINA members. However, only a very small proportion of these boats are used as primary places of residence⁸.

During our research we also discovered that the Government has reportedly excluded Boat Dwellers or River Travellers from the two-yearly caravan count which took place on 27 January 2011. This was due to “the relevant Guidance Notes issued by Department of Communities and Local Government (DCLG)

⁵ This is explained in an article on the Kennet and Avon Boating Community (KANDA) website:

<http://kanda.boatingcommunity.org.uk/wordpress/wiltshire-council-traveller-strategy-includes-boaters/>.

⁶ Wiltshire Gypsy and Traveller Strategy 2010 states “*the Strategy therefore includes Romany Gypsies and Irish Travellers, as well as Travelling Showpeople, New Travellers, Bargee Travellers, and any other groups with a nomadic lifestyle, including such persons who on grounds only of their own or their family’s or dependents’ educational or health needs or old age have ceased to travel temporarily or permanently.*”

⁷ AINA Advisory Document on Residential Use of Inland Waterways, page 13

⁸ Association of Inland Navigation Authorities (AINA), Advisory Document on Residential Use of Inland Waterways, page 12 (September 2010)

We did however find some useful data from the Canal & River Trust bi-annual Boat Owners Survey (2012)⁹ which has been created to monitor the demographic profile of boat owners, assess levels of satisfaction, obtain information on boating related behaviour and Identify key areas of improvement for the future.

Profile of Boat Dwellers, (Canal & River Trust) Boat Owners Survey,



The survey was carried out using the internet for the first time, which meant they could contact many more people and achieve a much greater response than in previous years – a total of 3,588. They identified the following information:-

- *Two-thirds were aged 55 or over*
- *Three-quarters are couples, with only 15% travelling with children*
- *Just under half have annual household incomes under £30k*
- *Make 15 trips per year*
- *Travel up to 15 miles per day, cruising for 5-6 hours*

Table (2) below indicates some useful national boat dweller percentage profile trends between 2006=2011:

Boater profile –trends		2011	2009	2008	2007	2006
Age:	18 – 34	3	2	5	3	2
	35 – 54	27	28	36	31	32
	55+	68	67	57	63	62
	Not stated	2	3	2	3	2
Gender:	Male	79	78	79	81	84
	Female	18	21	20	17	14
	Not stated	3	1	1	2	1
Income:	Under £20K	23	23	24	26	n/a
	£20 – 30K	18	18	17	23	n/a
	£30 – 50K	25	24	24	19	n/a
	Over £50K	23	23	22	18	n/a
	Not stated	10	13	13	13	n/a
Boat is residence*:	Yes	15	17	18	11	13
	No	85	81	80	89	87
	Not stated	0	2	2	0	0

*Note: question wording change in 2011
Base: All
Source: 2009 (Q57, Q58, Q62, Q60, Q32), 2011 (Q52, Q53, Q55, Q14)


Canal & River Trust

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Local

⁹ <http://canalrivertrust.org.uk/media/library/1902.pdf>

Figures

The Task and Finish Group found it difficult to determine the local numbers of Boat Dwellers and River Travellers, due to the limited timescale and funds that we had available to achieve a detailed data collection survey which was required locally. This highlighted the need for further survey work to be undertaken, which could provide B&NES Council with detailed demographic data on our area, This will be required before developing any future policy work.

Therefore the Group decided to capture a snapshot of findings which were based on a number of case study forms completed by local Boat Dwellers and River Travellers, alongside emails/phone calls received and visits undertaken. The Task and Finish Group also utilised findings on the Health needs of Boat Dwellers and River Travellers which have recently been captured through the B&NES Health Survey (2012-2013). All of the above provided the Task and Finish Group with a baseline for capturing the demographics of some of the individuals and families living along our rivers in B&NES.



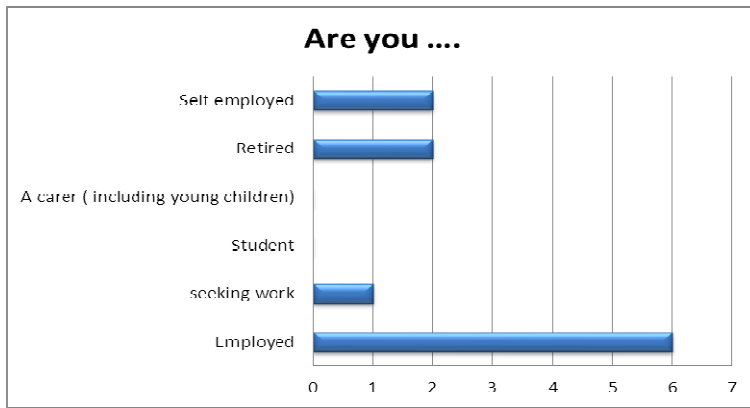
B&NES Demographics (Snapshot Captured April 2013) based on 11 case studies completed by Boat Dwellers and River Travellers (*Hanham Lock, Bath to Dundas Wharf*)

- **Gender:** Male (8)
Female (3)
- **Age:** (Range) 34yrs – 64 yrs
(Median) 38yrs

Family structure

The B&NES health needs Survey (2012- 2013) revealed that most Boaters (23/30 = 77%) reported having just one generation (single or couple) living in their boat. 6 respondents were living with children (aged between 4 – 21years) of which three such respondents were male lone parents with older (teenage-21) children. One family of Boaters reported having 3 generations on board. (No other ethnicities/cultural groups reported 3 generations living together.)

Graph 1 (working status)



Duration of residence - All 11 respondents currently live on a boat and have lived on a boat for longer than a year - 18 months to 17 years. Males overwhelmingly have a longer period of residence on a boat than do women.

Accommodation status

- 7/10 do not have a mooring whilst
- 3/10 have a permanent residential mooring
- 1/10 no response was provided

Findings from the recent B&NES Health needs survey found only 6 Boaters (20%) had moorings. Most who responded (14/25 = 56%) said that they move every 2 weeks, while 7/25 (28%) move every 3-4 weeks. Four (all of whom have moorings) said they move throughout the summer for leisure/work purposes. Most who responded (56%) reported a high degree of nomadism by their circumstances and the Canal & River Trust legislation, of moving every 2 weeks.

Lifestyle Choice

- 9/10 said that living on a boat was a lifestyle choice

(1) *"Being able to live on the water is very important to me. The pace of life and the community help to keep me sane and the beauty of the changing surroundings means I don't have to worry that I can't afford to pay to go away on holiday, I can just go somewhere straight on the boat."*

- 2/10 said that living on a boat was not a lifestyle choice the two reasons stated included

(1) *"Too old for Mortgage"*
 (2) *"In a sense it was a lifestyle choice but following a change in my arrangements for caring for my children, canal life became an option for me and certainly preferable to what I could afford in terms of housing in the private sector"*

Comparative results with the recent B&NES Health needs survey identified that amongst the Boaters that they surveyed, 16/27 (59%) who gave reasons, said they had adopted their current lifestyle as a result of the high cost of living in housing.

4. What the Council and other statutory and voluntary bodies are doing to engage with Boat Dwellers

The Canal & River Trust (formerly British Waterways)

The Task and Finish Group met with senior Executives from the Canal & River Trust (CRT) on the 20th March to get a better insight into the legal obligations, rights and responsibilities and future policy development of the CRT, which could be shared with the group to inform this review.

Some of the key findings and recommendations developed from this meeting include:-

Rights & Responsibilities

- On top of maintaining 2,000 miles of canals and rivers that are often over 200 years-old, they are responsible for an enormous network of bridges, embankments, towpaths, aqueducts, docks and reservoirs alongside everything else that makes up our waterways.
- As part of its asset management plan, the CRT will risk assess all maintenance needs.
- The CRT carries out regular audits along the canal using license numbers. Its latest estimate is that there are 1,000 boats on the canal at any time.
- The CRT has identified a problem with incompliant boats in B&NES and has a duty of care to sort out these problems. They estimate that about 5-7% have real housing needs, living below the poverty line.

Legal obligations

- The legal status, since its transfer to charitable status in July 2012, has changed the Governance structure of the CRT, as it is no longer a public body. All British Waterways' functions and property were transferred to CRT by statutory order in 2011. It has the same responsibilities but a different system of governance because it has become a charity. A significant amount of public money (central government money) has been invested in it but as a charity it can build up local relationships and raise funds.
- The Canal & River Trust revealed that despite there being no duty to have consideration of equalities, CRT considers itself to be covered by the Equalities Act.

Canal & River Trust future policy development

- The CRT is still working on a 10 year vision of the waterways, further work is needed to relate this vision to areas within the B&NES Core Strategy.
- The CRT have set up a number of advisory groups– Angling, Conservation and Freight.

- CRT is hoping to differentiate long-standing boat-dwellers from new arrivals, issuing Community Mooring Permits to allow longer stays. Costing roughly £1,000 on top of the license (typically £750 pa).
- CRT is also aiming to define 'navigation' for the Bath valley area. It is likely to state that a journey of less than 10 miles in one journey is not sufficient to be regarded as navigation. There would also be a requirement to move at least every 14 days.
- Waterways Partnerships have been established to ensure balance for local communities. The partnership covering the Kennet and Avon has been tasked with producing a Moorings Strategy. The first draft of the document is expected in the summer 2013.

At the meeting, the CRT asked that the Group consider endorsing the Moorings Strategy. However, the dialogue that the B&NES Task and Finish Group attempted to establish appears to have been compromised by their expectation that we would endorse their Memorandum of Understanding with boat users and incorporate it into our Core Strategy. However the Group raised serious questions about the MoU, of which CRT were informed.

Recommendation 2

B&NES Council should not support recommendations to endorse the Canal River Trust Mooring Strategy, until and unless we have been assured they are compliant with their legal obligations under the Equality Act and will not conflict with Council policy.

This would need to be timely to feed into the current mooring strategy that is being developed and before we support and fully endorse the draft memorandum of understanding developed between the Council and the Canal and River Trust which came to the housing & Major projects Panel in November 2012.

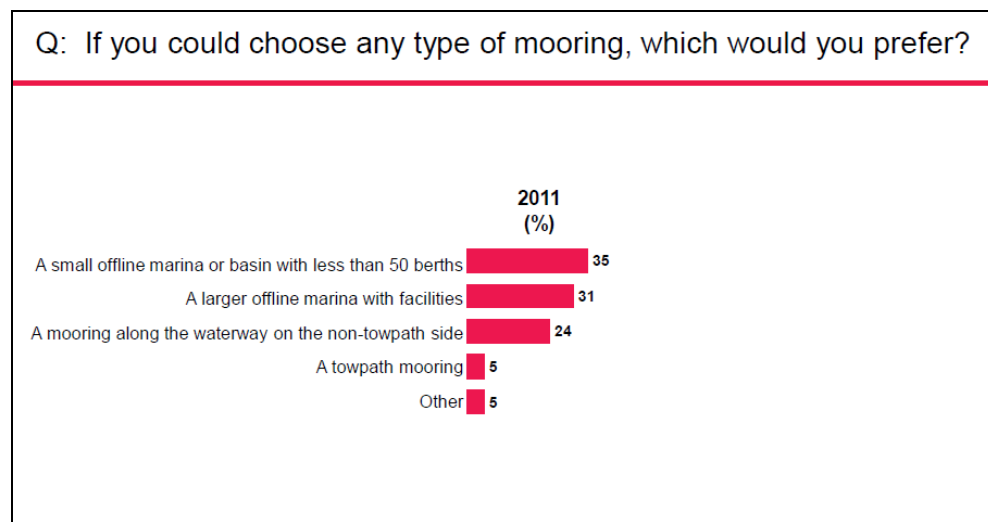
Broader issues discussed

- The CRT have over recent years, seen a significant increase in the number of people wishing to live on the canals and waterways for example, in 2011 the number of boats between Bath and Devizes grew from 434 to 534. Sally Ash (The head of Boating of the CRT) reported that they, 'do not wish to see 'ribbon development' e.g. new marinas have been built in the Midlands, but not enough to accommodate demand. Sally Ash, also explained that the CRT have the power to remove a vessel that is not navigating from their waters. This is in contrast to the 30% of boat owners who would prefer to be on a mooring along the waterway or towpath (Graph 2 below).
- Off-line (or marina) development is difficult in Bath & North East Somerset due to the Green Belt and high cost of land. This is not true, The River Regeneration Trust is working with landowners in Keynsham who are promoting an off-line flood compensation tank, marina

and water ecology park in Keynsham as part of an overall sustainable community strategy that is inclusive and provides up to 150 permanent and seasonal jobs for local people.

- The CRT is keen to find a way through this and would want the moorings to be affordable (see below table of preferred mooring supplied by Boat Dwellers to the CRT Boat Dweller survey in 2011). The project being promoted by The River Regeneration Trust in Keynsham as part of the Bath Flood Conveyance Scheme includes state-of-the-art houseboats built and maintained locally that are built to passive design criteria and use a suite of affordable homes financial structures. This would take some of the pressure off the towpaths.

Graph 2: The Canal & River Trust Boat owner survey (2011)



- Long term residential moorings require planning consent; however CRT reports that most berths do not have planning consent. Water points, rubbish disposal and sewage disposal are all part of this licence. Consequently the CRT is struggling to manage demand on refuse and other services attached to their moorings.
- CRT does not have a means of communicating with boaters. Some are keen to establish a link and influence strategy whilst others are hostile to any approach that would limit their occupation of the waterways. This is not surprising given some of the approaches endorsed by CRT and their lack of commitment to the requirements of the Equalities Act.

We have included some of the comments and suggestions we received from local Boat Dwellers on improving their relationship with the Canal & River Trust, (see below)

- (1) *“Both to work with CRT and boaters on the delivery of services to better meet basic needs (e.g. hygiene) and to promote a fairer and less aggressive approach from CRT to boaters”*
- (2) *“For CRT to apply the 14 day rule, fairly and consistently, recognising that there maybe reasons for staying longer. That are covered by what they recognise as "reasonable in the circumstances" such as the need to access schools and services, disability and other reasons.”*
- (3) *“Although I initially trusted CRT, the last 2 years have demonstrated to me a combination of a genuine dislike of the whole idea of live-aboard boaters and a shocking inability to manage their place on the canal on behalf of CRT (or at least a dominant faction in CRT). I have experienced and witnessed the unfair treatment of sick/disabled boaters, including an elderly gentleman whose cruising was limited by a need to be close to his vehicle being suggested to go into care (along with threats of legal action if he stayed and could not cruise as per their expectations – despite doctor’s notes). I myself was pressured to move (again despite a note from my consultant) when I suffered a right hip fracture. Also I recently received blatant misrepresenting of CRTs terms and conditions in order to cause me loss and financial harm, which I find outrageous. Also I have noted the use of citing previous legal cases, in a misrepresented way so as to cause various individuals loss. It seems to me that CRT aggravates the situation rather than seek to promote understanding between and cohesion of the various canal users.”*

The Kennett and Avon Boating Community¹⁰

The Kennett and Avon Boating Community advertise various things through their community boards. One in particular is letting the boating community know when Doctors surgeries are actively seeking NHS patients to register and encouraging all boaters to register with a GP to simplify their access to Health Services. The Task and Finish Group used this community site to advertise the work that we were doing and engage interest from the local boating community

The Council

During the course of this research the Group found little evidence of the Council engaging with Boat Dwellers and River Travellers, which suggests that there is a real need to overcome existing barriers and perception that some Boat Dwellers have of the Council, as was raised at our focus group.

¹⁰ <http://kanda.boatingcommunity.org.uk>.

5. Research – investigation of the needs of and issues faced by Boat Dwellers and River Travellers in our area

The findings below have been collated and analysed from a mixture of resources which include;

1. Information from case studies completed by Boat Dwellers (10) and phone calls / emails that we have received.
2. The key issues and concerns which were raised at our focus group have also been incorporated.
3. Visit to residents who live near to Hanham Lock near Keynsham
4. The recent B&NES Health Survey, which investigated the needs and barriers to Health Services in our area. This was a chance for the boating community to have their say about how health services need to be changed to make them easier for boaters to access.
5. National work undertaken by the Canal and River Trust Boat Owners Survey, has provided a National overview of some issues for boat Dwellers and has been useful in making a local comparison.

Due to the numbers of issues raised and for clarity we have grouped our findings under the following subheadings: -

- **Healthcare**

- ❖ Access to healthcare is an issue for all age groups and household types. Registration with GP's and dentists can be particularly problematical, but the ability to stay put long enough to receive longer term healthcare is a real issue for some people.
- ❖ B&NES Health survey revealed that *“Boaters in particular are likely to experience continual movement as a result of CRT regulations and in many cases GPs were in excess of 20 miles distant from the current place of residence. Boaters in particular reported experiencing numerous injuries associated with their way of life (spinal injuries, falls, cuts and chainsaw accidents)*
- ❖ *Health care staff and ambulances were not always able to identify or reach individuals at unauthorised locations and boaters in areas with limited towpath access could in effect be cut off from health care leading to ‘self-treatment’ or long journeys to A&E for treatment.*
- ❖ The B&NES Health survey has identified some of these key issues within its analysis of survey findings and has made a number of recommendations for practice some of these include:-
 - *trained community health advocates;*
 - *the development of culturally appropriate health resources for Gypsy/Traveller and Boater communities;*
 - *in-reach services to sites and towpaths;*
 - *urgent recommendations in relation to GP registration of itinerant boaters/Travellers who do not have a postcode/fixed residence; suggestions for cross-boundary working and the appointment of lead professionals for specific communities;*
 - *as well as the need to engage robustly with the Canal and Rivers Trust (CRT) to ensure that itinerant boaters/continuous cruisers are not subject to repeated movement when experiencing poor health.*

- **Children and Family needs**

- ❖ Families living on the waterways have a range of social and healthcare needs, but do not tend to come forward to access them.
- ❖ Access to education is a pressing concern as some anecdotal evidence has suggested that there can be difficulties in getting children to schools, particularly if they have to move after 14 days and every 10 miles. This often means that some local boat dwellers have to take their children out of school when having to move greater distances from schools¹¹. There is also the safeguarding risk for children, particularly if they have to continually move.

- **Housing needs**

- ❖ If you live on your boat, and your income and savings are low, you are eligible for Housing Benefit. You can claim Housing Benefit to cover the cost of the boat license, boat safety certificate and third-party insurance. If you have a mooring and/or if you rent your boat, Housing Benefit should cover the cost of the mooring fee and rent up to certain limits.
- ❖ Based on our research and consultation with boat dwellers there is a real concern that access to affordable or social housing is likely to increase and set to worsen with welfare reform. Therefore, number of people resorting to living on the waterways due to financial circumstance rather than lifestyle choice is very likely to increase.
- ❖ There is a growing fear of homelessness due to the increasing pressure from CRT, the Environment Agency and eviction by private landlords without a residential agreement and contract

- **Permanent address difficulties**

- ❖ Being able to get into work can prove difficult if you don't have a fixed address. One option available is to use a PO Box address, however you can only get these if you have fixed address, the second option is to use a local point i.e. pub on river or friend with a permanent address.
- ❖ There is also the risk that unlicensed and uninsured jobs leads to a higher risk of boats being taken away by the Canal & River Trust.
- ❖ As Boat Dwellers and River Travellers do not often have a permanent address, it is difficult for some to register on the electoral role and vote, obtain credit, set up bank accounts etc. However, the group included people who use a post-restante address via the PO Sorting Office to overcome this issue.
- ❖ There is also uncertainty of access to local schools, especially those popular and oversubscribed schools without a permanent address.

¹¹ Taken from Wiltshire Council's 'Notes from Stakeholder Meeting 27 February 2012 at Corn Exchange, Devizes' for their Boaters' Voices Project

- ❖ Some find it difficult to register with a GP due to lack of postcode and had needed to use their parents' or other settled acquaintances post code.
- ❖ Boaters often have difficulty in getting health professionals to visit and some also claim that ambulances will not attend where they live. The major barrier was not having a postcode to give NHS services and lack of awareness of bridge numbers and location markers.

- **Mooring**

- ❖ There is a lack of residential moorings and moorings in general. This is commonly recognised by local marinas, Bristol Harbour managers and the Canal & Rivers Trust (CRT) [CRT state that 1,000+ moorings are needed in B&NES]. Boat dwellers felt that this was affected by the current CRT bidding process for available moorings which does not have a set rate but instead can go to the highest bidder, **and** often someone looking for a second (holiday) home. Permanent moorings do not often come up and when they do they get taken up quickly, often debarring people in difficult financial circumstances for attaining moorings.

There are people who do not want to move their boat far (because they need to keep their boat within reach of services and their place of employment, or because they cannot afford the cost of fuel), but who cannot get or afford an official residential mooring in their area. These individuals have to comply with the terms of the CRT licence and move location every 14 days; this makes their lives difficult.

- ❖ The cost of moorings and especially winter moorings can be expensive; £1,200 per 5 months K&AC. This is in addition to having to find the money to pay for the boat, CRT licence fee, insurance and a four-year boat safety certificate. The charge often does not reflect the quality of service provision, or lack of it. Boat dwellers often have to make do with 'poor moorings' typically, these tend to be where there is a lack of access for emergency services, little access to public transport, no residential contract with the moorings, manager, etc.
- ❖ Marinas are often seen by boat dwellers and river travellers as 'car parks' by design, because the boats are all lined up in rows without connectivity to nature and landscape, and rarely have permanent residential moorings. They can be 'unattractive moorings' to liveaboards.
- ❖ Boat dwellers are at risk of being 'flooded off' when rivers overspill their banks. Constructing pontoons is an expensive matter as well.
- ❖ There is a conflict when landlords provide residential moorings, but require their clients to be officially 'continuous cruisers' so that they do not have to apply for planning permission for the facilities they provide.
- ❖ Disabled needs and requirements; there is a lack of moorings and residential moorings for disabled people. There are only two known blue badge moorings in B&NES and no apparent provision for enabling access to moorings or facilities.

Recommendation 1.3

The Council investigates and identifies the barriers to services and facilities for vulnerable people along the waterways

These findings could feed into the work the Council is doing on the Joint Strategic Needs Assessment Review, the Homelessness Strategy and the Gypsy and Travellers Strategy work.

The Task & Finish Group asked Boat Dwellers for suggestions for improving their life along the river 7/11 felt that we need to focus on the protection and regulation from rogue mooring operators and that of the regulations placed upon them by the Canal and River Trust. Below are some of the suggestions for improvement that we received.

(2)“Two things: 1. Increase the availability of official residential moorings to boaters, where the residential nature has little or no effect on the use of land compared to existing permanent non-residential moorings. 2. Increase regulation and prosecution of unscrupulous moorings operators who take advantage of the current weak position of boaters seeking residential moorings. The biggest problem for boat dwellers is the behaviour of some moorings operators. Stories of routine bullying behaviour, and “like it or lump it” policies directed at boaters by businesses holding a near monopoly on available mooring space, who know that the demand for residential moorings far outstrips supply leading to desperate boat dwellers compelled to bear treatment that would not be acceptable in any other sphere of residential occupancy”

(6)“ I work in Bath and pay my taxes. I made a choice to live on the canal to reduce my carbon footprint. I adhere to the law and mooring of continuous cruisers policy in that I moor every 2 weeks. I respect that this is a public canal and it is used by holiday boaters, it seems to me that there is a drive to reduce the number of 14 days mooring sites so residents of the canal have to travel further each time making it harder to get to work. It seems it is very unclear what protected stretches of the canal is for residents or if this even exists.”

• Service provision along the river

- ❖ On a scale of 1-10 respondents to the case study were asked to rate the importance of a number of possible daily issues. The most important were associated with Waterways Services (sewage/ Portable water), These included:-
 - Some of the waste receptors are poorly managed and often used by non-boating residents for dumping their own wastes.
 - There is a lack of service provision, of useable toilets, water stand pipes, showers and launderette services for continuous cruisers.
 - Boaters and others often misuse the services provided to boaters, such as facilities to empty their toilet cassettes and the cleanliness of the toilet blocks and shower rooms leaves much to be desired.
 - There are not enough regular points along the river to access freshwater

One solution recommended to us by a local boat dweller is that this could be a sense of ownership, either via actual community ownership or involvement and control through a resident’s association-type set-up.

- (1) Telephone call received: "There are not enough water points along the River, you have got to go and get a tank and fill it up (there is a distance to travel, to have a shower) There are some shower blocks along the Canal but none on the K&A. No opportunity to replace recycling, there is now an overflow and a rat problem"
- (2) Sewage: Sewage points (elsan/pumpout) are present at Dundas and Bradford-on-Avon). Elsan users frequently store full cassettes on their boats due to the distance to these points. Additional elsan points are much needed and should represent relatively cheap improvement. Where points exist even the provision of a simple hose for cleaning are shown to help in keeping these areas clean (this is not the case at Dundas).

- (3) WCs/public conveniences: "These are only present at Bradford-on-Avon. As mentioned, the boaters are somewhat restricted in their ability to store such waste so these facilities would be useful. It should also be considered whether the facilities are adequate for all the walkers/cyclists and anglers (many of whom are undertaking long journeys). Perhaps at least a facility at Dundas would be useful".
- (4) Showers and laundry: No such facilities exist. The boaters are somewhat restricted in their ability to store water and generate the requisite power, while numerous boaters simply do not have a shower on board (due to space or costs of repairing broken boilers etc). Undoubtedly, this frequently contributes to sub-optimal hygiene. It's not by any means impossible to clean clothes and keep clean; however, it is more difficult and a larger proportion of boaters struggle to meet these needs and I know of instances where this has led to health issues. Perhaps facilities at Dundas, Bath and Bradford-on-Avon would be useful. An empty building stands at Dundas which could be used. Perhaps a small charge levied at the point of use or via a pre-payment scheme would be necessary in view of the initial outlay and running costs

Further key issues and concerns of service provision raised by Boat Dwellers and River Travellers have been included below:

- (1) (written statement received) REFUSE: At present boaters are required to transport refuse to the refuse facilities (Bath [Darlington Warf], Bathampton, Dundas, and Bradford-on-Avon) either by regular trips on foot/bike or by storing them on board the vessel until passing these points. There are no free collection points for waste oil/batteries etc. Certainly the sites at Bath and Bathampton are inadequate and frequently full, which is causing issues. CRT is proposing to close the site at Bath due to "abuse" of the facility, which may in part be due to fly-tipping. Sites are not secure from the public yet boaters can purchase a waterways key to provide access to facilities that are currently locked. The facility at Bath only uses domestic wheelie bins and is infested with rats. Refuse facilities need to be adequate for the needs of all canal users (e.g. walkers, hire-boaters, anglers, etc). The security, capacity, and frequency of pick-ups need to be evaluated"
- (2) Electricity: Boaters are off-grid and either generate power using renewable (chiefly solar) or by burning fossil fuels (usually via the engine or a generator). For solar, the initial outlay can be a challenge and for fossil fuels the efficiency makes electricity relatively expensive to generate. CRT offers a reduced license fee for electric boats but, unlike other parts of the canal network, there are no standing power-points. Such points could be introduced to improve access to power, and schemes might be investigated to produce some power in a sustainable way. Additionally, some boaters might qualify for help with the costs of switching to more sustainable forms of energy production.
- (3) Diesel: At the moment we pump lots of diesel and have to drive to Bristol Marina to get Diesel a more local supplier would be more economically friendly and cost effective.

- **Growth and overcrowding of boats**

- ❖ There is a continuous growth of narrowboat tourism and associated narrowboat hire companies who compete by having more narrowboats. There is a fear amongst some boat dwellers that problems and incidents are going to get bigger and more frequent. This also supports the 23% increase that the Canal and River Trust have found in the number of boats recorded between Bath and Devizes in 2011.

- **Safety**

- ❖ There are particular safety needs at hot spots along the waterways, such as Widcombe where the towpath is used as a short cut by vehicles, who need to reverse back up the towpath when discovering there is no exit. This is causing pot holes, dust and danger to residents / pets, as well as drivers themselves.
- ❖ Boaters suggested that there is a need for better education for boaters and tourist boaters about how to be a 'good boater' which should be better promoted by the marinas, boat hirers and the Canal & River Trust.
- ❖ There is a distinct lack of information on safety that should be addressed by a number of Council teams and the emergency services. For example, smoke alarms are often not effective, but with advice, could be. Using gas, with open flames is a hazard which should be addressed.
- ❖ There is no stipulation for a fire detection system by the boat safety certificate (renewed every four years); this could be addressed by the Council's grant system.
- ❖ Assistance with disrepair and poor living standards could be addressed by the Council's Housing Standards team. A number of grants and loans are available and officers would be happy to discuss them with any interested boat dweller.

- **Building relationships & Community Cohesion**

- ❖ What became evident from the research undertaken from visits and speaking to individuals and families who live on boats is that there is a strong sense of community with a number of families with children who enjoy the lifestyle along the river. Below are some of the comments that we received:



- (1) *“Particularly when decent, affordable and secure accommodation is lacking, living afloat offers tremendous and as yet largely unrealised potential to establish vibrant small communities across a wide range of ages, families and occupations”*
- (2) *“Visitors to our community today (there’s a footpath running through the land) are likely to enjoy the sight of a well-tended garden, encounter friendly characters, inquisitive chickens, or see children hunting Easter eggs. As boaters we already have something in common with our neighbours, and the formation of a healthy and happy community can soon follow, given the right encouragement and protection. The Local Authority can help with this by recognising the value of such communities and providing practical support through various channels like amenities, education and planning.”*
- (3) *“Life on the water has a lot to offer for those whom it suits. In particular, the community spirit here is thriving and contains a genuine variety of people who find themselves in varying circumstances”.*
- (4) *“We provide a lot of bread for the ducks, swans, duckling and moorhens which is wonderful and we have learnt a lot about the wildlife and is a great environment to bring up children.”*

Above is a photo of the vegetable patch shared by many of the residents who live along Hanham Lock.

- ❖ Some boat dwellers are nervous of contacting the Council because of the risk of not paying council tax, etc. but would like to build up future confidence with us to overcome these issues. Assurance was given to those boat dwellers attending the focus group that most liveaboards in Bath & North East Somerset are not liable for Council Tax. There also exists some confusion about the relationship between B&NES Council and the CRT, of which there is currently none.
- ❖ One of the areas that the TFG would like to investigate further but were unable to due to timescales, is the concerns raised by people living adjacent to the canal and River, we only received one email from a local residents. However, this is certainly an area that requires further investigation as part of a bigger review.

Recommendation 1.4 The Council continues to establish an open dialogue between boat dwellers and the Council, to establish clear communication channels.

This should investigate if improvements can be made to:-

- d.) Our current B&NES Website, to improve access to key information for Boat Dwellers, for example; greater advertisement of the Council Connect Service.**
- e.) Improve the collaboration with the Canals and River Trust. (such as the opportunity to use their notice boards to advertise Council services)**

f.) Improve the communications between our local Ward Councilors and Local Boat Dwellers

- **Future policy**

Overall, some of the key issues and concerns raised through our investigations for this Task and finish Group review suggest the need for Council policy to set out its approach to the waterways and how it enhances life in Bath & North East Somerset, indeed some of the key issues and concerns raised at the focus group session suggested the need for the Council to contribute to the development of a Moorings Strategy that either aligns with or can be included in existing or developing policies or protocols.

Recommendation 3

Future B&NES Council spatial planning requirements to deliver more dwellings, which have so far been increased through major housing developments should also include that of people living on the waterways in Bath & North East Somerset.

This should include the following:-

3.1 Further Investigations to determine the feasibility that all major developments along the river or canal incorporate a pontoon landing stage with ready access to potable water and 240volt power as well as in close proximity to a public footpath, highway and waste disposal for use by River Travellers (RU3 & RU4) for a maximum 2-day stay and policed by Canal & River Trust as part of an approved Mooring Strategy in B&NES. These will also serve as short-stay visitor moorings.

The River Regeneration Trust report to Policy and Scrutiny Panel which has now been approved by Cabinet as the foundation for a future River Strategy and regeneration along the River Avon in B&NES, provides the opportunity for marina, basin and on-line facilities and services for Boat Dwellers and River Travellers. The meeting at B&NES Council offices between the Task and Finish Group and representatives of the boating community identified very different needs for boaters, Boat Dwellers and River Travellers. It was also apparent of the distinct lack of places where a boat could moor up, charge its batteries, fill up with fuel, fill water tanks, drop off rubbish, go to local stores to shop and engage with communities and services. Surely any major development along the river should be asked if not required by policy, to provide basic services and provision for peoples using and navigating our river and in the same process encourage them to engage and shop with local communities.

3.2 Request that all off-line marina and mooring basin developments incorporate a maximum 14-day stay pontoon for River Travellers (RU3) for a minimum of three average length narrow boats as part of the planning approval process and policed by Canal & River Trust as part of an approved Mooring Strategy in B&NES. These are in addition to short-stay visitor moorings.

It is clearly evident from our initial study that River Travellers, whether permanent or seasonal, are using our waterways to navigate, explore and enjoy. They are vital characteristics of a sustainable and inclusive community that we should encourage and provide for. With increasing policy and strategy to apply the 14-day rule by CRT and other waterways responsible riparian landowners (including B&NES at Poultney Weir), there is an urgent need to accommodate facilities and services to facilitate navigation and movement for River Travellers. B&NES should ensure through planning, that any major development, marina or off-line basin along the river or canal should incorporate the basic services on a floating pontoon that are needed by River Travellers for up to 14 days so that they can navigate our waterways safely. This will naturally incorporate a responsibility of the CRT to police this activity as part of the B&NES Moorings Strategy and be governed by a River Travellers Code of Conduct to make alternative and reasonable arrangements to ensure that the stay does not exceed 14 days.

3.3 Determine whether all off-line marina and mooring basin developments can include a minimum of 10% of total berths to be allocated to Boat Dwellers whether or not they are RU1, RU2, RU4 or RU5.

The B&NES Core Strategy will form Part 1 of the Local Plan. Part 2 of the Local Plan will be defined by the Placemaking Plan, which will define where housing and jobs are to be pursued and where required, Green Belt land will be released to achieve the number of homes and employment floors pace expected by The Inspectorate. There is a requirement in the Core Strategy that any major development makes appropriate consideration for affordable homes. As a component part of the Core Strategy, the B&NES Strategic Housing Market Assessment (SHMA) shows that an increasing proportion of the total dwelling stock is accounted for by the private rented sector. The SHMA estimates that around 36% of the requirement for overall housing between 2011 and 2031 is for affordable homes. The Council also included in the Core Strategy that in making provision for affordable housing, further guidance on the tenure split between social and affordable rent and intermediate housing will be sought by the Council and the circumstances in which different tenures will be acceptable will be set out in the Planning Obligations Supplementary Planning Document. In addition, the former Housing Minister Grant Shapps has informed Councils that they can apply for New Homes Bonus for homes where people are living on boats. The New Homes Bonus matches the level of Council Tax raised by these houseboats for six years.

These intentions respond to an increasing need to provide affordable homes through a variety of styles and financial agreements, be it private rented, social landlords or public supply. This also reflects an increasing demand in B&NES for residential moorings for Boat Dwellers (Ru1, Ru2, RU4 & RU5) revealed by the Task and Finish Group study; albeit their relevant numbers and types (Residential Use) requires a more detailed study and data collection. For health and planning reasons, residential houseboats should be built or refurbished to meet Inland Waterways' requirements, but should also be encouraged if not instructed to go beyond those core requirements; e.g. include a gas monitoring system. Certainly all new houseboats designed specifically for residential use should meet similar requirements of a house on land, such as Code for Sustainable Homes or Passiv design. The marina project being promoted by The River Regeneration Trust in Keynsham is demonstrating this need, using Passiv design for houseboats to meet energy efficiency requirements that are built and maintained locally. Other marina and off-line basin developments, or improvements to existing marinas or off-line basins should be required to include a number of mooring spaces for residential boats and that the boats moored and lived on to meet a minimum standard; a B&NES Residential Use Code of Practice (to be defined).

3.4 To determine the scale and scope of the need and numbers of types of moorings and establish the current and further demands of moorings in the B&NES area.

Recommendation 4

The findings within this report support the work of the River Corridor Group's future vision of regenerating the river. We recommend that the planned future B&NES River Strategy includes:-

4.1 The consideration of the needs and issues of our local Boat Dwellers and River Travellers within its initial evidence base.

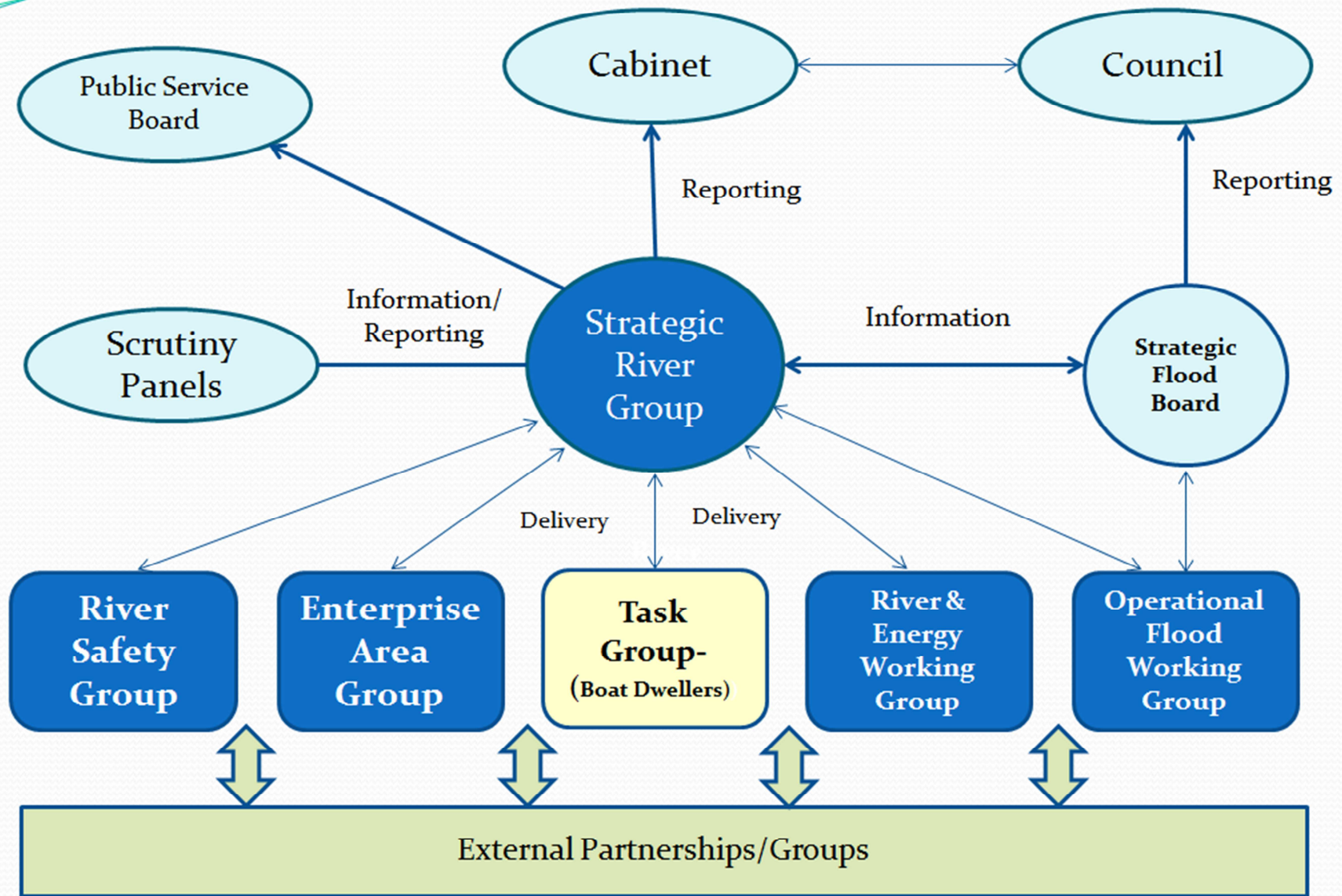
4.2 A representative from the Housing & Major Projects Panel to sit on The River Regeneration Trust (formerly the River Corridor Group) to ensure clear lines of communication between the Council and the Trust.

Next Steps

This report and recommendations table will be submitted to the full Housing & Major Projects Development Panel at their meeting on the **23rd July** and Panel members will be invited to make amendments to this report.

A final version of the report will then be submitted to the relevant Cabinet members for discussion and response to the individual recommendations, at their meeting on the **11th September 2013**. The relevant Cabinet Members will then have 8 weeks to consider and respond to these Recommendations. The individual decision and rationale will then be presented back to the Housing & Major Projects Development Panel at its meeting on the **17th September 2013**.

Strategic River Group- Draft Governance Structure



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Bath & North East Somerset Council		
MEETING	Housing & Major Projects Policy Development & Scrutiny Panel	
MEETING DATE:	Tuesday 20th January	<small>EXECUTIVE FORWARD PLAN REFERENCE:</small>
TITLE:	Development Update for Paulton	
WARD:	Paulton	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
None		

1 THE ISSUE

- 1.1 This report provides an update on planning and development matters in relation to the planning strategy for Paulton.

2 RECOMMENDATION

- 2.1 That the Panel note the report

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 None directly arising from this report.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

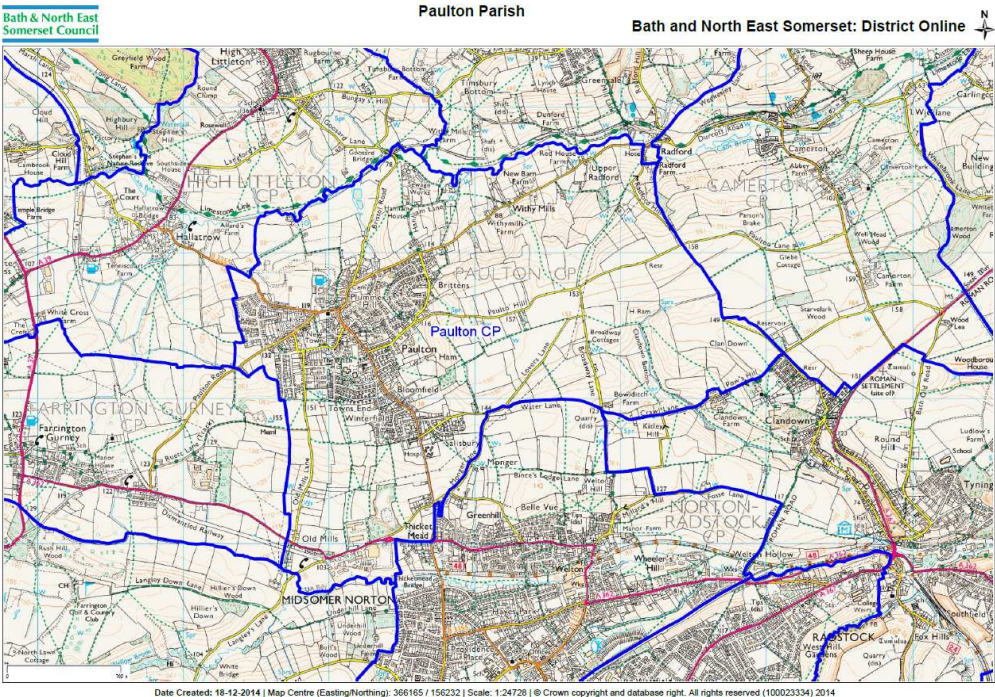
- 4.1 Planning Applications on development proposals must be determined in accordance with the adopted Plan unless there are other material considerations (ie the Plan-led system). It is necessary therefore for the Council to ensure it has an up-to-date planning framework through the preparation of local Plans and supplementary Planning Documents. Local Authorities are required to monitor the implementations of their adopted Plans.

5 THE REPORT

The Strategy

- 5.1 The adopted Core Strategy sets out the spatial strategy for Paulton, which is part of the wider Somer Valley area, for the period 2011-2029. It recognises that over the last 20 years a number of local employers, such as Polestar, have closed, resulting in reduced local employment opportunities, increased out-commuting, but also a number of redevelopment opportunities.
- 5.2 The vision for the Somer Valley is that it becomes more self-reliant, facilitated by economic-led revitalisation, with improved transport links within the Somer Valley and to other centres of the District. Villages such as Paulton will continue to provide for the needs of their local communities.

Map of Paulton Parish



- 5.3 Core Strategy Policy SV1 covers the Somer Valley as a whole, and is therefore relevant to Paulton. The policy makes provision of around 2,470 new homes and 900 net additional jobs until 2029 at Midsomer Norton, Radstock, Westfield, Paulton and Peasedown St John.
- 5.4 The majority of the 2,470 homes within the Somer Valley are already committed (that is, they have already been built since the Plan period started in 2011; they have planning permission; or they are already allocated for development in the Local Plan).
- 5.5 Policy SV1 also covers other strategic issues, such as prioritising development on brownfield sites, protecting and enhancing the distinctive character of the area, strengthening the town and local centres and delivering the necessary transport infrastructure to deliver growth.
- 5.6 The Placemaking Plan Options Document goes on to explain that because Paulton is already accommodating a large number of new homes, no new site allocations will be sought in the village. Additional greenfield sites adjoining any of the Somer Valley settlements are not needed to meet the Core Strategy housing requirement due to the

aforementioned commitments. New small scale development could still occur within the Housing Development Boundary.

Implementation

5.7 Since April 2011 (the start of the Plan period), 137 new homes have been built within the Parish of Paulton. In addition to this, there are 467 dwellings that have planning permission but have not yet been built (this data is accurate up to March 2014). These are discussed in more detail below.

(1) Polestar / Purnell Printing Factory

- Barratt Homes Site: Outline permission was granted in 2003 (99/02662/OUT) for redevelopment of the site for residential purposes. Reserved matters (07/00174/RES) were granted in September 2007 for 161 houses. The development was completed in 2013, with 41 dwellings completed during the Plan period.
- Bovis Homes Site: Outline permission (07/02424/OUT) was granted in July 2010 for 420 homes, 2,414sqm of office floorspace, 3,158sqm of industrial floorspace, a continuing care retirement community, a pub/restaurant and a community building. The site has since been brought forward in phases, each with its own reserved matters application. So far, 77 new homes have been completed, at an average of around 26 per year. None of the other permitted uses have thus far been developed. The continuing care retirement community has been marketed since 2009, but an operator has yet to come forward. The Purnell Property Partnership is understood to be considering an alternative use for this part of the scheme, which would require a new planning application. The Council's Strategic Housing Land Availability Assessment (SHLAA) considers that this element of the scheme could come forward for up to 100 additional regular homes.

(2) Paulton House (Old Mills)

- Application 13/05026/ODCOU was approved for a change of use from the current office use to 58 one bedroom apartments in January 2014. Despite being occupied by a number of local businesses, the landowner sought prior approval for a change of use to residential use. The Council no longer has control of the principle of such changes because it is now permitted development under the recently amended national General Permitted Development Order. The conversion has not yet taken place.

(3) Old Mills Local Plan employment allocation

- Land at Old Mills is currently allocated within the Local Plan (Policy GDS.1 V4) for business uses (class B1, B2 and B8). No development has so far taken place on this site. Core Strategy Policy SV1 continues to identify this location for new employment floorspace. The Placemaking Plan is currently consulting on the retention of this allocation. The NPPF requires that such allocations are reviewed from time to time.

(4) Smaller sites

- Smaller windfall sites continue to play a role within Paulton. 19 homes have been built on small sites since 2011, with an additional 57 homes having planning permission, but not yet built. This includes sites at Paulton Builders Merchants (12/02181/FUL – 11 dwellings still to be completed), Heal House (09/01173/FUL – conversion of building with 7 dwellings under construction but not yet complete), Plumptre Farmhouse, High Street (12/03510/FUL – 8 dwellings under

construction) and Springhill House, Hallatrow Road (13/05454/FUL) – conversion of a dwelling and undertakers to provide 11 new dwellings.

(5) Housing Development Boundary review

- As part of the Placemaking Plan the Council will be reviewing the current Housing Development Boundary (HDB) of Paulton. These boundaries are delineated to enable appropriate housing to come forward and help resist development in inappropriate locations. The Parish Council have been working alongside the District Council to review the existing HDB and where necessary suggest amendments. The revised HDB will be included in the draft Placemaking Plan.

(6) Large sites currently at appeal

- Two large sites within Paulton Parish are currently at appeal, having been previously refused planning permission, These are Boxbury Hill (13/04880/OUT) – up to 124 dwellings) and Abbots Farm Close, Farrington Road (13/03547/OUT) – for up to 47 dwellings. Both will be heard at a conjoined appeal starting on the 27th January 2015, which also includes a third site in Bishop Sutton. All three sites are being proposed by Edward Ware Homes.

5.8 The primary vehicle for setting out the Council's planning policy is the Placemaking Plan which will include site allocations as well as generic planning policies. Work on this plan will progress through the first part of 2015 with a draft Plan scheduled for Autumn 2015. The Council will work in partnership with Paulton Parish and the preparation of the Placemaking Plan will be steered by the LDF Steering Group. However it is not envisaged that any new greenfield sites will be allocated for housing at Paulton in the Placemaking Plan.

6 RATIONALE

6.1 The report provides an update on development issues relating to Paulton

7 OTHER OPTIONS CONSIDERED

7.1 None. Whilst the Preparation of the Placemaking Plan requires comparison of spatial options in order to select the most appropriate development sites, the Core Strategy curtails the need to allocate any additional housing sites.

8 CONSULTATION

8.1 Extensive consultation was undertaken on the Core Strategy and is now being undertaken on the Placemaking Plan.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Simon de Beer 01225 477616</i>
Background papers	<i>Adopted B&NES Core Strategy 2014</i> <i>B&NES Placemaking Plan Options Document 2014</i> <i>National Planning Policy Framework 2012</i>
Please contact the report author if you need to access this report in an alternative format	

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Bath & North East Somerset Council		
MEETING	Housing & Major Projects Policy Development & Scrutiny Panel	
TITLE:	Homelessness Update	
MEETING/ DECISION DATE:	20 January 2015	EXECUTIVE FORWARD PLAN REFERENCE: n/a
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 The Council delivers support and assistance to people at risk of becoming homeless and people who are homeless by commissioning services, developing effective partnerships with the voluntary sector and having an effective Housing Options Team. This report sets out the most recent information on demand for these services and provides reassurance that the responses currently in place are good and that there are new initiatives planned to further improve the offer.

2 RECOMMENDATION

- 2.1 The Housing and Major Projects Development and Scrutiny Panel are requested to note the contents of the paper.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 There are no direct financial implications arising from this report. The report is approved by the Council's s151 Finance Officer.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The delivery of services for homeless people has implications for statutory considerations such as equalities, crime and disorder, safeguarding children and public health and inequalities.

4.2 In addition the [Housing Act 1996](#), and the [Homelessness Act 2002](#), place statutory duties on local housing authorities (the Council) to ensure that advice, assistance and other housing duties are available to households who are homeless or threatened with homelessness.

5 THE REPORT

Value for Money

5.1 The Housing Options Team, within Housing Services, is the Council's frontline service for people at risk of homelessness and for those who are already homeless. The team provides specialist advice and assistance and has access to a number of practical options and resources to prevent homelessness.

5.2 The CIPFA Value for Money analysis for frontline services (2013/14 data) showed that the unit costs of the Housing Options Team are significantly lower than the average across other unitary authorities and the 15 nearest statistical neighbours. Compared to other West of England authorities Bath and North East Somerset Council has a relatively low unit cost homelessness service. Performance against two indicators was rated as excellent and overall the service was rated as 'Good'.

5.3 In 2014 the Housing Options Team participated in a peer review sponsored by the Department of Communities and Local Government and achieved an overall rating of 73%, well above the baseline threshold of 60%. Housing Services has submitted further information and is currently applying for the National Practitioner Prevention Partnership Gold Standard which demonstrates its commitment to continuous service improvements.

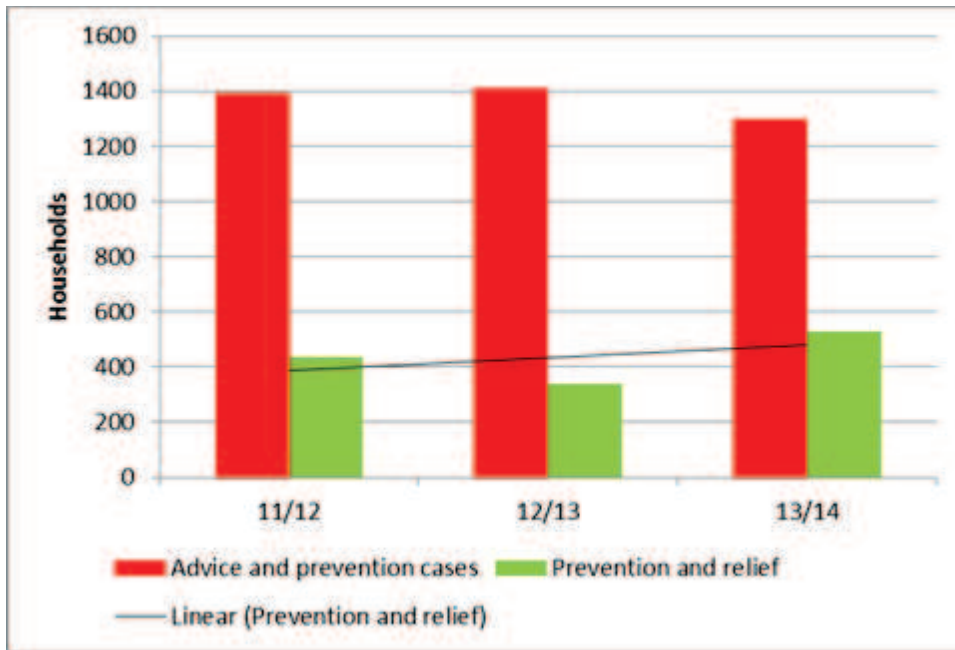
Effective Prevention

5.4 Welfare reforms are bringing significant changes to the cost of renting social housing and to benefit entitlement for under 35 year olds as well as making Housing Benefit recipients responsible for paying rent. These changes correlate with increased risk of homelessness for poorer households. Housing Services has developed a Homelessness Strategy in partnership with local service providers including Curo to prevent homelessness through early interventions.

5.5 The Housing Options Team provides early and expert advice and is a signpost for other services such as debt and family mediation. This type of work has remained relatively consistent over the last three years. However the team also

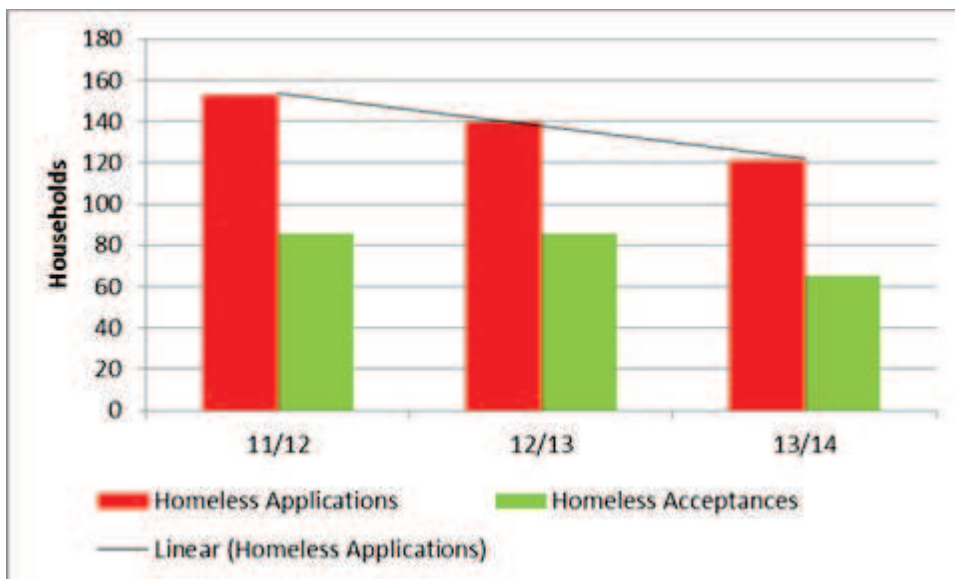
deals with more intensive casework to prevent and relieve homelessness and the number of these cases has gradually increased over the last three years as shown in the chart below.

5.6 Chart 1 Homelessness Preventions



5.7 Effective homelessness prevention and relief casework means that fewer people actually become homeless. The rate of homelessness presentations and acceptance of the statutory accommodation duty has decreased over the last three years as shown in the chart below.

5.8 Chart 2 Homelessness Applications and Acceptances.



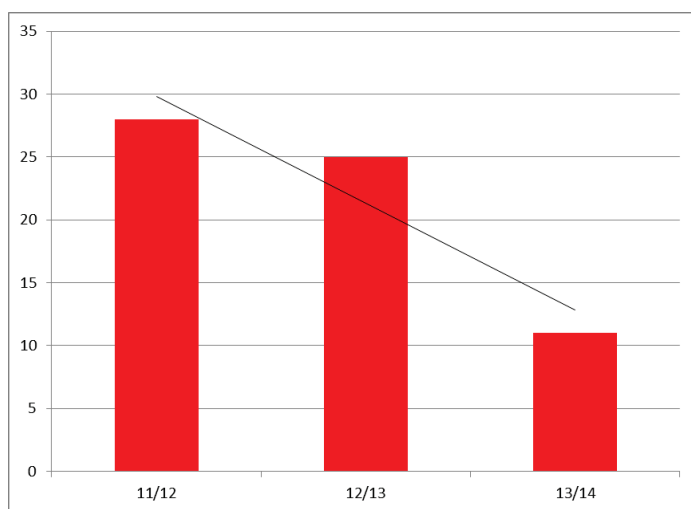
5.9 Sometimes homelessness cannot be prevented or people are already rough sleeping (rough sleeping means someone has been unable to use or have access to accommodation for at least one night).

- 5.10 The most common causes of homelessness during 2013/14 in Bath and North East Somerset were loss of private rented accommodation, parents no longer willing or able to accommodate and having to leave home because of relationship breakdown.
- 5.11 Housing Services assess the level of statutory homeless service to be provided and decide if it is appropriate to secure accommodation for those with a priority need and a local connection or to provide advice and assistance to those without or who are intentionally homeless.
- 5.12 People have a priority need if they have children, are aged 16 or 17 or have a disability or illness that makes them particularly vulnerable. Being homeless with a priority need triggers a requirement for the authority to provide temporary accommodation pending enquiries.

Temporary Accommodation

5.13 The current preventing homelessness strategy has been highly effective in reducing the use of temporary accommodation (TA) in Bath and North East Somerset as shown in the chart below. TA is commissioned from Curo Choices who provide 24 self-contained units in Bath and dispersed accommodation in the district as needed, Bed and Breakfast is only used in emergency situations.

5.14 Chart 3 Households in Temporary Accommodation (number per night)



5.15 Households provided with TA usually have priority on the housing register, Homesearch, and move into social housing tenancies. They are also provided with support to access private rented tenancies or supported or shared housing if this is a more suitable option for them.

Early Interventions

- 5.16 The Council's Advice & Information Strategy 2014-2017 identifies housing and homelessness as a priority and the Council commissions accommodation based and floating support services to prevent homelessness and support homeless people via the Supporting People & Communities programme.
- 5.17 The Council's private rented sector access scheme, Homefinder, is delivered by Housing Services in partnership with voluntary and community

sector organisations such as the Bristol Credit Union, Bath & District Citizens Advice Bureau and Swan Housing Advice. The Bristol Credit Union is commissioned to provide and maintain repayable loans for rent in advance, deposit and any agency fee to facilitate access to private rented tenancies. In 2012/13, Homefinder prevented homelessness for 78 households who were enabled to choose and rent a private sector home. Since April 2014, a further 57 households have gone on to use the service successfully.

Rough Sleeping

5.18 Bath and North East Somerset Council and other local partners provide services, including health, welfare, housing and employment services to help rough sleepers make a transition into safer and healthier lives. The housing related services include:

- Provision of 29 units of modern high quality accommodation with on-site medical provision. (20 direct access & 9 move-on units in self-contained, supported housing where residents develop skills and confidence to live independently.)
- Reach Floating Support Service – provides individual rough sleepers with assertive help & support
- All day drop in centre –providing help, advice & assistance, hot meals, meaningful activities services etc.
- Supported Housing Gateway – web-based single access point for supported housing schemes.
- Priority on Homesearch Scheme for people in supported housing, and in some cases rough sleepers.
- Homefinder scheme - provide homeless people with funding for advance rent and deposit to access private housing. as well as people actually rough sleeping
- A Task & Targeting multi-agency group that shares information on and identifies solutions for named, entrenched rough sleepers.
- A Strategic Homelessness Partnership of local providers, commissioners and other interested parties to consider services and plan resources.

5.19 The number of rough sleepers in the area is estimated every autumn in accordance with best practice. In 2014 it was estimated that there were 27 people sleeping rough on a single night in Bath and North East Somerset (one in three did not have a local connection with the area). The previous year the estimate was 33 and in 2012 the estimate was 22 so the position has remained relatively similar over the last three years.

5.20 Julian House provides the direct access hostel in Bath. It is usually fully occupied and the move-on provision rarely has a void bed for more than one or two nights.

5.21 The hostel is one of only six direct access hostels in the region; the others are located in Bristol, Yeovil, Taunton, Bournemouth and Winchester and it attracts rough sleepers from the surrounding areas.

5.22 Newly-arrived rough sleepers without any local connection are reconnected to their home area when it is safe and reasonable to do so. This ensures that accommodation available in their home town is not lost and that vital support services are maintained. Rough sleepers can decline a reconnection which ends their entitlement to local services and can mean they continue to rough sleep.

New Initiatives

5.23 No Second Night Out was a Government initiative to assist rough sleepers to access accommodation and support by part funding voluntary agencies to deliver an outreach service. This funding ended on 31st December 2014 but alternative funding has already been secured and the service will continue to be provided.

5.24 Bath and North East Somerset Council have successfully bid for money from a Help for Single Homeless fund with North Somerset Council and Bristol City Council to provide a “rapid response and outreach” service to identify and assist rough sleepers. The funding is £239K between the three authorities and runs until April 2016.

6 RATIONALE

6.1 N/A

7 OTHER OPTIONS CONSIDERED

7.1 None

8 CONSULTATION

8.1 The report aims to provide a briefing only and does not make recommendations for changes to provision service delivery or policy. A full stakeholder consultation on the report has therefore not been undertaken.

9 RISK MANAGEMENT

9.1 N/A

Contact person	Ann Robins 01225 396288 Mike Chedzoy – 01225 477940
Background papers	none
Please contact the report author if you need to access this report in an alternative format	

Bath & North East Somerset Council		
MEETING	Housing & Major Projects Policy Development & Scrutiny Panel	
MEETING	20th January 2015	
TITLE:	Update on the Additional HMO Licensing Scheme	
WARD:	Oldfield, Westmoreland and Widcombe	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

1.1 On the 12 June 2013 Cabinet resolved to designate an area, based around the wards of Oldfield, Westmoreland and part of Widcombe, as an Additional HMO Licensing area from 1st January 2014 to the 31st December 2018. This report aims to provide the Panel with an overview of the progress of the scheme and the achievements to date.

2 RECOMMENDATION

2.1 To note progress and achievements on the scheme as documented within this report.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 There are no direct financial implications arising from this report. However, it should be noted that licensing is both administratively complex and resource intensive. The cost of this administration is covered by the HMO licensing fee.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The Housing Act 2004 increased Local Housing Authorities (LHA) abilities to regulate the private rented sector by introducing three forms of licensing, these

being: Mandatory licensing of HMOs; additional licensing of HMOs; and selective licensing of the private rented sector. Operating a property covered by the designation without a licence is an offence punishable by a fine up to £20,000.

5 THE REPORT

5.1 The scheme has already achieved a number of successful outcomes in terms of improving housing conditions, awareness of safety requirements and knowledge on the location and ownership of HMOs in the designated area. These include:

- 992 licensable HMOs identified of which 87% did not meet the licensing standard and 29% were prioritised for additional enforcement action;
- 43% of HMOs which did not meet the licensing requirements have had remedial works completed. The remainder will be followed up when the time allowed to complete works expires;
- A survey carried out in September indicated that 46% of HMO licence applicants felt that HMO licensing had increased their understanding of safety requirements for HMOs.

5.2 All of the HMOs identified have been inspected and all of the improvement measures required have been communicated to the 888 applicants for licences. This has resulted in additional protection for approximately 4000 B&NES tenants. Further information on the scheme and profile of applicants is given below:

Additional HMO Licencing Information 2014

Applications received to date	1050
Applications withdrawn	49
Licences revoked	7
Applications for properties which have since changed owners	40
Additional HMO licences issued or due to be issued	992
Additional licence holder applicants	888
Most HMO licences likely to be held by a licence holder	15
Limited companies applying to become licence holders	71
Letting agents applying to become licence holders	9
Licensable HMOs not meeting licensing standard at time of inspection	87%
Proportion with managers named on the licence	45%

5.3 A survey of HMO licence applicants in September 2014 found only 60% of applicants satisfied with service provided and 74% found the officer carrying out the inspection helpful. Analysis of the comments indicates that the main reason for dissatisfaction was the waiting time for the HMO licence. This concern is understandable however difficult to address as each licence is specific to the property, drafted individually and the complex licensing process constrained by prescriptive legislation.

5.4 The scheme has provided considerable learning and development opportunities for new ways of working and in particular for flexible working using mobile IT such as tablets to record and communicate inspection results.

5.5 Specific guidance has been produced for the HMO licence conditions relating to waste and gardens. The aim of this guidance is to inform landlords about the standard expected to achieve compliance with the conditions and assist officers with enforcement.

5.6 The key challenges for Housing Services have been:

- To inspect all properties up front prior to issuing licences. To date, Housing Services have conducted initial and full inspections of all properties where applications have been received and have undertaken compliance re-visits where required.
- Processing of applications, payments and subsequent drafting, checking and serving of proposed and final licences. At the time of writing all applications have been processed, all outstanding payments have been received and the majority of the proposed licences have been issued. All final licences are expected to be issued by mid 2015.

5.7 Following the issue of all final licences, the next phase of the scheme will be to identify any remaining unlicensed HMOs and follow up action to check and enforce licence conditions.

6 RATIONALE

6.1 Update report. There are no recommendations contained within this report.

7 OTHER OPTIONS CONSIDERED

Update report. None.

8 CONSULTATION

8.1 During the course of the year Housing Services have carried out a sample survey of applicants and consulted with Ward Councillors from the Additional Licensing area and Waste Services on specific guidance related to scheme conditions. Landlords have also been given access to a questionnaire where they can give Housing Services feedback on how the scheme is going and how the inspection was conducted. An autumn newsletter was also published keeping landlords

informed and advising them on key issues that have arisen throughout the course of the scheme.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Chris Mordaunt</i>
Background papers	<i>Cabinet Decision E2553 12th June 2013 Housing in Multiple Occupation: Additional Licensing</i>
Please contact the report author if you need to access this report in an alternative format	

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Housing & Major Projects Policy Development & Scrutiny Panel	
MEETING DATE:	20th January 2015	
TITLE:	Decent Homes Policy Update	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1		
Proposed Decent Homes Policy 2014		

1 THE ISSUE

- 1.1 The Council is required to adopt and publish a housing renewal policy, referred to as The Decent Homes Policy in this report. This policy is periodically reviewed and revised as required. It sets out how Housing Services will provide assistance, including financial assistance, to help low-income, elderly, disabled and other vulnerable residents to undertake essential repairs and adaptations to their homes. The policy supports the aims of the Housing and Wellbeing Strategy, particularly around improving health and wellbeing and reducing inequalities within our communities.
- 1.2 The Council Cabinet adopted a revised policy in 2012 entitled the Home Health and Safety Policy. This report to the Housing and Major Projects Policy Development and Scrutiny Panel proposes several updates to this policy including a change of name to the Decent Homes Policy. This reflects the new property standard which the revised policy aims to achieve.

2 RECOMMENDATION

- 2.1 To note and comment on the proposed policy.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The 14/15 revenue budget for housing condition improvements is £155k. The empty home loan is funded through the Wessex Home Improvement Loan fund (originally set up by a consortium of local authorities with funding from Government) which is held and administered by Wessex Resolutions on behalf of the Council.
- 3.2 The 14/15 capital budget for mandatory Disabled Facilities Grant (DFG) is £1.2m. This is funded by £442,000 Government grant; an agreement with Curo allows for an element of cost sharing on DFGs within their housing stock which is expected to contribute around £150,000; and the balance is funded through Council revenue contribution.
- 3.3 The budgets for the 2015/16 financial year will be subject to the February 2015 Council budget report.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides local authorities with a general power to offer assistance to improve housing conditions. This assistance may take the form of financial grants, loans or any other type of help and support thought appropriate. Prior to making such assistance available it is a requirement that the Council must adopt and publish a housing renewal policy, referred to as the Decent Homes Policy in this document.

5 THE REPORT

- 5.1 The B&NES Housing Condition Survey 2012, identified particular groups of residents experiencing poor housing conditions, including:
- Owner occupiers and private sector tenants over 65 years of age;
 - Lone parents with dependent children;
 - Owner occupiers on low income;
 - Residents with a disability; and
 - Vulnerable residents (as defined by being in receipt of certain benefits).
- 5.2 The previous policy addressed these issues through a number of schemes aimed at the improvement of homes occupied by low-income, disabled, elderly and otherwise vulnerable households. The proposed Decent Homes Policy 2014 builds on this by incorporating a number of updates including broadening the eligibility criteria for home improvement loan assistance to bring homes up to the Decent Homes Standard.
- 5.3 The schemes of assistance are summarised below together with the proposed updates to the current policy:

Advice and home visits – to help vulnerable people decide what work is required to remedy serious hazards and property defects. There are no proposals for change;

Mandatory disabled facilities grants (separately funded) – adaptations to ensure the homes of disabled people are suitable for their needs. There are no proposals for change;

Urgent repairs grants – to fast track urgent and small repairs for vulnerable people to reduce illness and accident. There are no proposals for change;

Council home improvement loans – to help vulnerable residents undertake essential repairs and safety improvements for improved health and wellbeing. The proposed updates are:

- To extend the eligibility criteria so that families on low income with children and young people living at home that are 18 years of age and under are entitled to apply for assistance (currently 16 years and under);
- To widen the eligibility criteria so that the more generous Decent Homes Standard (DH) is used as the minimum standard to determine eligible works, rather than a significant hazard under the Housing Health and Safety Rating System;

These updates will align the policy better with the needs identified in B&NES and allow low income vulnerable applicants with serious disrepair issues such as leaking roofs and damp to access improvement loans. Also housing conditions impact on health and educational attainment and many young people are living at home and in full time education until at least 18 years of age.

Energy efficiency improvement - home insulation and top up heating/insulation grants to help households with low income keep their homes warm and energy efficient. The proposed update provides an affordable warmth top up grant to work in conjunction with the Council's Energy at Home scheme. The current policy is out of date and needs to be brought in line with current schemes.

Community alarms grant – to help vulnerable people feel safer in their homes by providing community alarms and key safes. There are no proposals for change; and

Bringing empty homes back into use – covering assistance to encourage empty home owners to bring these homes back into use. The proposal is to incorporate into this policy the current Empty Homes policy on providing financial incentives to bring empty homes back into use. Under this policy empty home owners can apply for small grants of up to £500 or Council loans of up to £30,000 via Wessex Resolutions for the purpose of bringing a property back into use. This change will enable all financial assistance offered under the Regulatory Reform Order (RRO) to be contained within one policy.

5.4 For the purposes of this policy a household is defined as vulnerable if the household is a low income household and, aged 60 or over or with a limiting long term illness or disability or has dependent children aged 18 years of age or less.

6 RATIONALE

6.1 In summary the proposed changes will more effectively help vulnerable home owners on low income with essential repairs, bring the policy in line with new opportunities provided by the Council's Energy at Home scheme, and include all RRO assistance under one policy.

7 OTHER OPTIONS CONSIDERED

7.1 The option of do nothing was considered but rejected because this would limit the ability of the policy to achieve its aims.

8 CONSULTATION

8.1 Cabinet Member; Chair of Overview & Scrutiny Panel; Staff; Section 151 Finance Officer;

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Chris Mordaunt 01225 396282</i>
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	

Decent Homes Policy

**(Grants and loans for housing and health
interventions)**

July 2012

(Reviewed November 2014)

**Adaptations
Essential Repairs
Energy efficiency
Community alarms
Urgent repairs
Empty homes**

This document can be made available in a range of languages, large print, Braille, on tape, electronic and accessible formats from the Housing Services
Telephone 01225 396444

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1 DECENT HOMES POLICY

- 1.1 This policy sets out how the Council improves homes by providing financial assistances.
- 1.2 The Policy will be subject to periodic review particularly if there are substantial changes to funding and resources. The review date will be published on the front page.

Adaptations for disabled people

- 1.3 This policy will improve the housing conditions of eligible disabled people by providing Disabled Facilities Grants (DFG) to fund adaptations that assist independent living.

Eligibility for a DFG is determined by an assessment of need by the Occupational Therapy Service, an assessment of practicality and reasonableness by Housing Services and a test of resources by Housing Services.

Home repairs and improvements

- 1.4 This policy will improve the housing conditions of vulnerable owner occupiers by giving applicants advice and financial support in the form of loans to bring their homes up to the Decent Homes Standard or grants to remedy serious health and safety hazards.
- 1.5 This policy operates alongside the Housing Services Enforcement and Licensing Policy which deals with the repair and improvement of rented homes to remedy serious housing health and safety hazards.
- 1.6 For the purposes of this policy a serious health and safety hazard means a hazard falling into Bands A-D under the Housing Act 2004

Housing Health and Safety Rating System. The Decent Homes Standard refers to the definition set out in the document – “A Decent Home: Definition and Guidance for implementation. June 2006 – update” Department for Communities and Local Government, or any subsequent update.

- 1.7 For the purposes of this policy a household is defined as vulnerable if the household is a low income household and
- a member of the household is aged 60 or over; or
 - a member of the household has a disability, or a limiting long term illness or a terminal illness; or
 - has dependent children 18 years of age or under.

Home energy efficiency improvements

- 1.8 This policy will improve the housing conditions of vulnerable people by giving them advice and financial support to help them to stay warm.

Community alarm grants

- 1.9 This policy will improve the safety of vulnerable people at home with low income by giving them financial support in the form of grants for community alarms.

Empty Properties

- 1.10 This Policy will help owners of empty properties to bring them back in to use by providing financial assistance.

Delivery Schemes

- 1.11 This policy will be implemented by Housing Services and delivered via the following schemes:

- advice and home visits – to help vulnerable people decide what work is required to remedy serious hazards and property defects;
- Disabled facilities grants – working with the Occupational Therapy Service to help disabled people make physical adaptations to their homes to provide access to facilities for bathing and sleeping etc;
- Home improvement loans – to help vulnerable people afford repairs and safety improvements that help to keep them safe and well at home;
- Urgent repairs grants - to help vulnerable people afford a small repair that needs to be completed quickly to prevent illness or accident;
- home energy efficiency improvements – to help vulnerable households to keep their homes warm and energy efficient;
- Community alarm grants– to help vulnerable people feel safer in their homes by providing community alarms and key safes.
- Empty property loans and small works grants – to put properties in a suitable condition so they can be brought back in to use.

Budget

1.12 This Policy and the delivery schemes are subject to the availability of funding. Grants and loans are subject to eligibility criteria and a maximum amount to distribute the financial support available in an effective way.

2 POLICY CONTEXT

- 2.1 Bath and North East Somerset Council has general powers given under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to provide assistance that improves housing conditions in the area.
- 2.2 The Council's priorities for improving the lives of local residents are set out in the Sustainable Community Strategy 2009-2026. The Policy will contribute towards the aims of the Sustainable Community Strategy and the Housing and Wellbeing Strategy 2010-2015 by:
- improving health and wellbeing and reducing inequalities within our communities, narrowing the gap between people with low income living in poor housing conditions and the better off.
 - by helping people to feel confident about carrying out their daily activities inside the home.
 - making homes more resilient to climate change.
- 2.3 The Joint Strategic Needs Assessment identifies falls and associated injuries as particular problems for older people and identifies energy inefficient homes as a particular problem amongst older persons and vulnerable persons in the area. The implementation of this policy will contribute to reducing the incidence of hospital admissions because of falls and excess cold and to reducing excess winter deaths amongst older people by targeting advice, loans and grants to remedy serious hazards and improve home energy efficiency.

2.4 The House Condition Survey 2012 identified

- Of those lone parent families who are owner occupiers, almost 50% live in non-decent* housing. Lone parents are more likely to have a low income and not able to afford repairs.
- Households where one or more people are in receipt of benefit are significantly more likely to live in a non-decent* home.
- Households which have a disabled resident have a significantly higher likelihood of living in a non-decent home*.
- The rate at which homes are found to be non-decent* increases above average where heads of household are aged 65 or over.

(*a non-decent home fails to meet the Decent Homes Standard)

3 EQUALITIES

- 3.1 The Policy will be implemented by Housing Services and its delivery partners. The schemes will be available to all B&NES residents eligible under the terms of the policy including people with protected characteristics in accordance with the Equality Act 2010 and the Council's Single Equalities Scheme.

4 APPEALS

- 4.1 If an applicant is refused a loan or grant and wants to appeal against the adverse decision they may contact the Housing Standards and Improvement Team Manager. An appeal will be considered by a Service Manager independent of the Housing Standards and Improvement Team who administer this policy. An appeal must set out the reasons why the applicant wants the decision changed and provide supporting evidence. An appeal should be made in writing within 28 days of the decision.

5 COMPLAINTS AND COMPLIMENTS

- 5.1 We want to provide good quality services but sometimes things can go wrong. If this happens we need to know so that we can put it right and learn from the experience. We welcome comments or suggestions that help us to improve the service.
- 5.2 Complaints will be dealt with according to the Council's Complaints procedure.

6 EXCEPTIONAL CASES

- 6.1 In exceptional cases the Council will consider applications for help with home adaptations, repairs and safety improvements and assistance that fall outside this Policy. Such applications will be decided by The Cabinet Member for Homes and Planning or the Head of Housing as follows:
- a) Exceptions to the maximum financial assistance available where the cost of works exceeds the policy limit due to unforeseen work where work is underway will be decided by the Head of Housing;
 - b) Exceptions to the policy where an urgent decision is required will be decided by the Head of Housing in consultation with the Cabinet Member for Homes and Planning;
 - c) All other exceptions to this policy will be decided by the Cabinet Member for Homes and Planning through the appropriate democratic process.

7 DECENT HOMES POLICY DELIVERY SCHEMES

Disclaimer

The Council does not accept responsibility for any loss or damage incurred as a result of works undertaken by third parties in connection with these schemes.

The summary table and Appendix 1 provide information on the current schemes. These schemes may change or be withdrawn according to current priorities and the funding available.

Summary Table: Decent Homes Policy Delivery Schemes (* all schemes are subject to funding being available).

Contact Bath And North East Somerset Council Housing Services for all schemes below and where tenants require help with poor housing conditions (Enforcement Policy).

Assistance Type	Purpose	Eligible client group	Amount available	Additional information
Advice and home visits	Home visits by housing Officers to give advice about home repairs and prioritising work to remedy defects.	<ul style="list-style-type: none"> ✓ Low income ✓ Home owners ✗ Tenants* 	Not Applicable	<p>Low income is defined as being on income related benefit or universal credit equivalent.</p> <p>*Tenants receive advice under the Enforcement Policy</p>
Disabled Facilities Grant	Financial assistance and advice to make home adaptations to promote independent living	<ul style="list-style-type: none"> ✓ Low income ✓ Disabled ✓ Home owners ✓ Tenants 	Up to £30,000	All DFG approvals are subject to an eligibility assessment and a test of resources. Funding will only be considered up to the value of the works recommended by the Occupational Therapist.

<p>Home Improvement Loans</p>	<p>Home Improvement Loans are for repairs and improvements to bring homes up to the Decent Homes Standard.</p>	<ul style="list-style-type: none"> ✓ Low income ✓ over 60 ✓ vulnerable (disabled or with limiting long term illness or terminal illness) ✓ families with children 18 years old and under ✓ Home owners (including park homes) ✗ Tenants 	<p>Between £500 and £15,000</p>	<p>Loans are available from Wessex Home Improvement Loans (WHIL) upon a referral from Housing Services.</p> <p>The most suitable type of loan will be identified by WHIL.</p> <p>Low income is defined as having a certain level of disposable income which is assessed by WHIL.</p> <p>Loans are repayable to WHIL.</p> <p>Capital appreciation loans are available for those persons whose religious beliefs prevent them from accepting loans.</p> <p>Park home or boat owners loan limited to £5000</p>
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Urgent Repairs Grant	To provide small grants for carrying out urgent repairs quickly to prevent ill health or an accident. For example to fix dangerous electrics or repair a broken heating system.	<ul style="list-style-type: none"> ✓ Low income ✓ over 60 ✓ vulnerable (disabled or with limiting long term illness or terminal illness) ✓ Home owners ✗ Tenants 	<ul style="list-style-type: none"> • £1000 per grant • No client to have more that 3 grants in a financial year • Maximum £1,500 in a financial year. 	Low income is defined as being on an income related benefit or universal credit equivalent. Clients not on a benefit may be given a Test of Resources to determine their income level.
Home energy efficiency improvements	Affordable warmth Top-up grants through Energy at Home	<ul style="list-style-type: none"> ✓ Low income ✓ Home owners ✓ Tenants 	Affordable Warmth Top-up grants Dependant on the current scheme offer	Eligible residents include those who qualify for the affordable warmth element of the Energy Company Obligation
Community Alarms Grants	For the installation of community alarms and key safes.	<ul style="list-style-type: none"> ✓ Low income ✓ over 60 ✓ vulnerable ✓ Home owners ✓ Tenants 	£200 maximum	Low income is defined as being on income related benefit or universal credit equivalent.
Empty Properties	Works to bring empty properties back in to use	<ul style="list-style-type: none"> ✓ Owners of properties that have been empty for 	Empty Property Loans A loan (minimum £500 to maximum £30,000) to	The loan must be repaid within 10 years.

		2 or more years	<p>finance repairs in order to bring the property back into use. This is available to properties prioritised as P1 to P3.</p> <p>Small Work Grants A grant (minimum £25 to maximum £500) to finance works in order to make the property saleable or rentable. This is available to all properties classified as empty under the Empty Property Policy.</p>	
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APPENDIX 1 – DELIVERY SCHEME DETAIL

1. ADVICE AND HOME VISITS

Who can apply?

This service is for home owners with low income only.

Low income is defined as being on one of the income related benefits listed below:

- Income Support (or Universal Credit equivalent)
- Income based Jobseekers allowance (or Universal Credit equivalent)
- Employment support allowance (income Based) (or Universal Credit equivalent)
- Council Tax Relief *
- Pension credit (Guarantee credit)

People who are likely to satisfy low income eligibility although not on above benefits can also apply. This means the person is not likely to be assessed as having full contribution in Housing Services test of resources.

The Scheme

Home visits will be carried out to enable housing officers to give preliminary advice about home repairs and prioritising work to remedy any defects. A list of contractors for repairs can be provided.

Home repairs and improvements advice and support for elderly, disabled or vulnerable people can also be provided by the Home Improvement Agency.

Works that can be included

When an officer visits they will focus on identifying serious health and safety hazards and major disrepair. For example:

Dangerous electrics
Inadequate heating and/or home insulation
Damp and mould
Roof leaks
Dangerous staircases and pathways

How to apply

Call Housing Services on 01225 396444 to ask for an appointment

Funding amount

There is no funding available with this scheme. The scheme provides advice only.

Requirements and conditions

- Advice and guidance is given subject to available resources and to reflect the best interests of the household.
- The advice and guidance is not a structural survey and the assessment is based on the Housing Health and Rating System under the Housing Act 2004.
- Advice given may be verbal or written.
- The Council may have to take formal action when they discover a serious hazard or disrepair. For example they may have to serve a Hazard Awareness Notice which tells the house owner what the hazards are.

* Council Tax Benefit repealed and replaced with the Council's own Council Tax Relief system.

DISABLED FACILITIES GRANT

Who can apply?

This grant is available to residents (both adults and children) who are disabled and have been referred for assistance by the Council's Occupational Therapy Team.

It is available to owner-occupiers and private tenants, including tenants of Residential Social Landlords (with the landlord's consent).

The grant is only available to people on low incomes and is subject to a "test of resources" which examines people's income and savings. The grant is only available to people who have been assessed by an occupational therapist as in need of the grant.

Applications for children will not be subject to a "test of resources" under current legislation.

The Scheme

Grants are available for disabled people to provide adaptations in their homes which will enable them to live more independently and remain at home.

The grants are mandatory which means that the Council has a legal duty to provide them. The grant can include payment for professional fees and any unforeseen works that are necessary.

Works that can be included

The eligible works include those that are deemed mandatory in accordance with the Housing Grants, Construction and Regeneration Act 1996. This includes essential adaptations to give residents better freedom of movement into and around their home and to access facilities within it. All applicants will have to be assessed by an Occupational Therapist before being referred to the Housing Standards and Improvement Team.

Funding will only be considered up to the value of the works recommended by the Occupational Therapist.

Funding amount

The maximum amount of grant will be £30,000.

Home Improvement Loans can also be used to "top up" a Disabled Facilities Grant (DFG) where the cost of work exceeds the maximum of £30,000 allowed for a DFG.

Home Improvement Loans can only be made available to owner occupiers as the loans are put as a charge against the property so that outstanding loans can be reclaimed by Wessex HIL when the property is sold or inherited. See the Home

Improvement Loans section to this document for further information about applying for a loan.

How to apply

Contact Sirona on 01225 - 396000 and ask for an assessment by an Occupational Therapist (OT). If the OT judges that the client is in need of an adaptation the case will be referred to Housing Services who will administer the grant application.

The Council's Home Improvement Agency is also available to help and support clients through the process of applying for a DFG. The first point of contact however is Sirona.

Requirements and conditions

About the applicant

The property is to be occupied by the applicant following the completion of the work.

Applicants are subject to a test of financial resources except where the works are for children.

About the grant

A valid application and specified conditions are detailed in the Housing Grants, Construction and Regeneration Act 1996 (assistance with completing forms is available).

The client will be informed within 6 months of a valid application whether or not their application has been approved or refused. Housing Services will aim to approve a valid application within 6 weeks.

About the works

Estimates for the cost of the works are required, prior to approval, from two contractors (unless otherwise directed).

Reasonable professional fees will be paid only when considered necessary. Fees from a chartered architect, chartered surveyor or a home improvement agency, or private OT will be considered.

Unforeseen works

Unforeseen works can only be considered upon prior inspection and agreement by Housing Services.

If unforeseen works take the total cost of the works above the grant maximum of £30,000 the client may be asked to pay the additional money.

Payment of works

Payments will be made to the client or will be paid to the contractor(s) only at the client's request.

Final payments are only made on the submission of an acceptable invoice for the works, including any professional fees.

Final payments will be made when all works are completed and meet the client's needs as determined by the Occupational Therapist.

Interim payments will be paid at the discretion of Housing Services. Clients will be expected to pay any contribution they may have before the Council pays an interim payment.

Interim payments are only made on the submission of an acceptable invoice for the works, including any professional fees, and will be paid to a maximum of 90% of the approved amount. Works to the value of the payment being requested must have been completed and the works must have been inspected by a Housing Services Officer from the Council, an Officer from the Home Improvement Agency or both.

Recovery of Grant

A Disabled Facilities Grant exceeding £5,000 may be reclaimed by the Council where a property is sold or transferred within 10 years of the certified grant completion date. No more than £10,000 will be reclaimed in each case. The decision to recover Grant will be made on an individual basis by the Housing Services Manager.

Grant in excess of £5,000 may be registered as a local Land Charge. A local Land Charge will be registered if the Grant is likely to have added value to the property.

For example a land charge may be registered where the property has been extended to provide additional facilities and/or accommodation, but not usually for the installation of stair lifts or other items that would not substantially change the property value.

2. HOME IMPROVEMENT LOANS

Who can apply?

This service is for home owners who are on a low income and:

- Over 60 years old; or
- Vulnerable (or have a vulnerable member within the household); or
- Have dependent children of 18 years old or under.

Low income eligibility will be assessed by Wessex Home Improvement Loans (WHIL) who will carry out a financial assessment to decide whether or not an applicant is able to have a low interest home improvement loan. As part of the assessment they will look at clients' income, savings and outgoings.

The criteria for eligibility are a disposable income of less than £125 per week and savings of less than £16,000.

Vulnerable people are defined as people with either a disability or a limiting long term illness or a terminal illness.

Who are Wessex Home Improvement Loans (WHIL)?

WHIL is a Community Development Finance Institution who works in partnership with Bath and North East Somerset Council as well as with other Councils in the area. Established in 2002 as a "not for private profit" organisation they provide low cost finance to home owners for essential maintenance and improvement works.

The Council pay an annual subscription to WHIL. The Council is part of the Wessex Consortium. The governing body of WHIL is their board to which the consortium has representation.

The Scheme

Low cost Home Improvement Loans will be offered for homes that do not meet the Decent Homes Standard. Works that can be considered "eligible works" for the purpose of these loans are works that bring the house up to the Decent Homes Standard, as far as is reasonable and practical and within the funding constraints of this Policy.

Home Improvement Loans can also be used to "top-up" a Disabled Facilities Grant (DFG) where the cost of work exceeds the maximum allowed for a DFG.

Home Improvement Loans can only be made available to owner occupiers as the loans are put as a charge against the property so that outstanding loans can be reclaimed by WHIL when the property is sold or inherited. Loans are also available for park home or boat home owner occupiers however are subject to a lower loan limit because the loan cannot be put as a charge against the property.

Loans are available from WHIL via a referral from Housing Services.

There are several types of loan available. Advice and guidance will be provided by WHIL to ensure applicants are offered the most suitable type of loan for their situation. In some cases WHIL may not be able to lend to the client. In such cases clients will be referred back to the Housing Service who may be able to offer alternative form of assistance.

In some cases where WHIL is unable to lend to a client or where the maximum they can lend is insufficient to complete all the essential works the Council may not be able to offer any further financial assistance. In such cases careful consideration will be given to taking the most appropriate course of action and may be referred to the Housing Manager for a decision.

The low cost Home Improvement Loans will be either capital repayment, interest only, interest roll-up, interest free or a combination of these offered at an interest of 4%* at the time of writing this policy (* the interest rate is fixed for the period of the loan and the rate for new loans may be subject to change with the agreement of the Council). WHIL will make a recommendation on the most suitable loan appropriate to the circumstances of the applicant.

All loans are repayable to WHIL who hold the loan fund on the Council's behalf.

Works that can be included

Works that can be considered "eligible works" for the purpose of these loans are works that bring the house up to the Decent Homes Standard, as far as is reasonable and practical and within the funding constraints of this Policy.

For example:

- Dangerous electrics
- Inadequate heating and/or home insulation
- Damp and mould
- Roof leaks
- Dangerous staircases and pathways

Home improvement loans may also be able to cover works to the common parts of a building, or where a legal notice has been served requiring fire precautions work and when there are insufficient funds held by the management company.

Home Improvement Loans can also be used to "top up" a Disabled Facilities Grant (DFG) where the cost of work exceeds the maximum of £30,000 allowed for a DFG.

Unforeseen works and professional fees may also be included in the loan amount (see below in conditions and requirements).

Funding amount

The maximum that can be lent is £15,000 (maximum £5,000 for park home or boat home owners)

The minimum that can be lent is £500

All assistance is subject to the availability of funding.

The Council may subsidise the loans where necessary to ensure the cost remains low. Currently this is achieved through a 4% interest rate for repayment loans.

If the client chooses to use the service of the Council's Home Improvement Agency then the agency's fees will be included in the loan. Housing Services will approve fees charged at 10% of the cost of the works.

How to apply

Clients can contact Housing Services on 01225 396444 to discuss whether or not they are likely to be eligible.

Wessex Subscription

The Council will pay from the Wessex fund pot an annual subscription fee, and if required a loan subsidy, to Wessex Resolutions. The purpose of the subscription is to facilitate the administration of the fund and provision of low cost home improvement loans through the fund.

Requirements and conditions:

About the applicant

Applicants must own the property.

Applicants must have sufficient equity in the property.

Owner-occupiers are to have owned and lived in the property for the past year. Occupying applicants with shared equity will usually be assessed jointly.

The applicant must be over 18 years old

About the loan

Full repayment of any outstanding loan will be necessary on the disposal of the dwelling. In this instance disposal means the sale of the property or the transfer of ownership, or the inheritance of the property.

Applicants must have a bank account; repayments are made by a monthly direct debit from this account.

The loan will be recorded as a land charge until repayment.

About the works

Funding is only available for the cost of works started after the approval of assistance. This means that applicants must not start works for which they are borrowing the money until the loan is approved by WHIL and the Council or the Home Improvement Agency.

Reasonable professional fees may be included from a chartered architect, chartered surveyor, home improvement agency or for other associated services approved by the Council.

As part of the application two estimates for the cost of the works are required, prior to approval, from two approved contractors.

Works eligible for funding through an insurance claim will not receive assistance but the policy excess amount can be.

Clients can only start works when they have their written approval. Starting works before written approval may invalidate their application.

Unforeseen works

Unforeseen works are works that were not expected to be needed when the works were originally planned but are essential for the job to be completed safely and in a satisfactory manner.

Unforeseen works can only be considered upon prior inspection and agreement of Housing Services.

Unforeseen works will have to be funded by the applicant. However WHIL may, in agreement with the client, add a maximum of 10% of the cost of the works (including any fees) to the loan when the loan is initially set up. This extra amount can then be used for unforeseen works if needed. If this amount is not used then the 10% must be paid back to WHIL by the applicant when works are complete.

Payment of the works

For clients not being helped by the Council commissioned Home Improvement Agency the Home Improvement Loan payment is only made on the submission of an acceptable invoice for the works, including any professional fees. All works must be completed to the satisfaction of the Council.

Home Improvement Agency (HIA) clients must agree to have their loan held for them by the Agency in the HIA Client account. The loan money will be put in to that account when the loan has been agreed by WHIL and signed up to by the client. The HIA will pay the building contractor when all works have been completed to the satisfaction of the Council and upon receipt of an acceptable invoice. This will mean that HIA clients have to start making repayments to WHIL from the time the loan is paid to the HIA client account and before the works have started.

3. URGENT REPAIRS GRANT

Who can apply?

This service is for home owners who are on a low income and:

- Over 60 years of age; or
- Vulnerable (or have a vulnerable member in the household).

Vulnerable people are defined as people with either a disability or a limiting long term illness or terminal illness.

Low income is defined as being on one of the income related benefits listed below.

- Income Support (or Universal Credit equivalent)
- Income based Jobseekers allowance (or Universal Credit equivalent)
- Employment support allowance (income Based) (or Universal Credit equivalent)
- Council Tax Relief *
- Pension credit (Guarantee Credit)

For clients who are not on one of these benefits but who are on one of the following benefits (or Universal Credit equivalent) or, who consider themselves to have a low income, Housing Services will carry out a Test of Resources to determine eligibility. In such cases clients may have to make a contribution.

Disability Living allowance
Industrial injuries disablement benefit
War disablement pension
Child Tax credit (Joint income of £15,000)
Working Tax Credit
Pension credit (savings credit)

The Scheme

Urgent Repair Grants are available for carrying out repairs quickly. The scheme uses a fast track simple application process. For instance; only one estimate for the works is required and the owner will not need to prove that they own their home, only to declare that they do.

This service is different and separate from the Handy Person service and from the Housing Improvement Loans service.

Works that can be included

Grants will be offered for works that will support independent living.

The Urgent Repairs Grant must be the most appropriate way to help the client. It should not be used to cover work that could be carried out by the Handy Person Service or Bobby Van or by a Home Improvement Loan.

Examples of eligible work are

- Repairs to a boiler or heating system to ensure that provision of heating and/or hot water is available.
- Repairs to stop water leaking into the property.
- Repairs to dangerous electrics.
- Repairs to fix a broken or leaking WC or cess-pit.
- Works to investigate the condition of power and lighting circuit and establish what repairs are needed.
- Works to investigate the structural stability of a dwelling or part of it and establish what works are needed.
- Repairs or alterations to help prevent falls of various types. For example: falls on stairs, falls between levels and in bathrooms.
- Repairs or alterations to make a property secure
- Repairs to lifts and hoists funded through a Disabled Facilities Grant.

Funding amount

Maximum £1,000 per job

A client can receive a maximum of three grants per financial year. The total maximum each client can receive per financial year is £1,500.

All assistance is subject to the availability of funding.

How to apply

Contact Bath and North East Somerset Council's Housing Services or the Council's Home Improvement Agency.

Requirements and conditions

About the grant

The payment for urgent repair work is made as a grant and so is not repayable to the Council. Therefore the Council will not seek to recover this grant if the property is subsequently sold or if the applicant moves out for some reason.

About the works

As part of the application, one estimate for the cost of the works is required from one approved contractor.

Unforeseen works

Unforeseen works are works that were not expected to be needed when the works were originally planned but are essential for the job to be completed safely and in a satisfactory manner.

Unforeseen works can be paid for up to the maximum amount of grant allowable under the scheme.

Payments of works

Final payment for work is only made on the submission of an acceptable invoice for the works, including any professional fees. Works must be completed to the satisfaction of the HIA or Housing Services.

Payment of the works will be made directly to the building contractor by the Council or the Housing Improvement Agency (or the Council commissioned provider of this scheme). Applicants will need to agree to this when they sign the application form.

* Council Tax Benefit repealed and replaced with the Council's own Council Tax Relief system.

4. HOME ENERGY EFFICIENCY

Who can apply?

Residents of Bath and North East Somerset Council who are on a low income and vulnerable.

The Scheme

Affordable Warmth top up grant

How to apply

- Phone the Home Energy Advice Service on 0800 038 5680
- Email on advice@energyathome.org.uk

Requirements and Conditions for Affordable Warmth Top Up

- All assistance is subject to the availability of funding.
- The applicant is to be over 18 years old.
- A valid application.
- Applicant to meet the Affordable Warmth Grant income/savings and vulnerability criteria.

What works can be included

Where the cost of works for essential energy efficiency works are not covered by the national scheme for affordable warmth funding or equivalent (currently HHCRO) the Council will top up the affordable warmth funding on the applicant's behalf to fully fund the measures up to a maximum value. The additional cost must pay for works which help provide affordable warmth or increased energy efficiency. Applicants must apply to the Council for this discretionary funding. Two quotes may be required to cover the cost of works.

Funding amount

Top-up grants are given at an amount that will cover the extra cost required to complete the works up to a maximum of £4000. Excessive claims however may be refused.

Payment of works

If the top-up grant is approved Housing Services will write to confirm. The payment to the delivery provider will be made on the client's behalf.

6. COMMUNITY ALARMS

Who can apply?

This grant is available to low income residents who are over 60 years of age, disabled or otherwise vulnerable (people with a limiting long term illness or terminal illness).

The assistance is available to owner-occupiers, private tenants and Residential Social landlord (Housing Association) tenants.

Low income is defined as being on one of the income related benefits listed below.

- Income Support (or Universal Credit equivalent)
- Income based Jobseekers allowance (or Universal Credit equivalent)
- Employment support allowance (income Based) (or Universal Credit equivalent)
- Council Tax Relief *
- Pension credit (Guarantee Credit)
- Housing Benefit

The scheme

Small grants are available for vulnerable people on low income for the installation of community alarms and key safes. This equipment can help people to remain in their own homes as it enables them to call for help easily if they fall or become ill for example.

Works that can be included

Eligible works include community alarms and key safes.

Funding amount

The maximum amount of assistance offered is £200.

How to apply

Contact the Community Alarms Service. They will visit the client in their home and decide what equipment is needed and they will help the client apply for the grant from Housing Services.

Requirements and conditions

All assistance is subject to the availability of funding.

The applicant is to be over 18 years old.

A valid application will comprise of a correctly completed and signed application form and specified proof of income (assistance with completing forms is available).

The eligible works are to be specified and arranged by the Community Alarms Service.

Payment for works

Community Alarms and Housing Services will arrange for the payment of the grant when the works are complete.

* Council Tax Benefit repealed and replaced with the Council's own Council Tax Relief system.

7. EMPTY PROPERTIES

This part of the policy will assist delivery of the Empty Property Policy by providing financial assistance through existing Housing Services resources to help bring long term empty properties back into use. Financial assistance will be available for renovation of a property or for works which help make the property saleable or rentable. The assistance will be delivered via two schemes: Wessex Loans or Small Works Grant.

Budget

Available schemes are subject to the availability of funding. The budget at 2014/15 is:

- £150,000 for Wessex Loans is available until the funding is exhausted.
- £10,000 is available for Small Works Grants until funding is exhausted.

Wessex Loan

A loan (minimum £500 to maximum £30,000) to finance repairs in order to bring the property back into use. This is available to properties prioritised as P1 to P3.

A 10% contingency is built into the loan to cover any unforeseen works. As the loan cannot exceed £30,000 the contingency will be part of the £30,000.

The loan must be repaid over 10 years (or shorter if mutually acceptable). The current interest rate is 4%.

The owner must satisfy the Empty Property Officer that the proposed works will bring the property back into use. Eligible works will be specified following an inspection by the Empty Property Officer.

Works must be completed within 6 months of loan approval.

Payment of the loan will be made to the applicant after the completion of works, submission of satisfactory invoices to the Council and following an inspection by the Empty Property Officer.

Small works grant

A grant (minimum £25 to maximum £500) to finance works in order to make the property saleable or rentable. This is available to all properties classified as empty under the Empty Property Policy.

Eligible works are those to make a property rentable or saleable. Eligible works will be specified by the Empty Property Officer following an inspection. Examples of eligible works are:

- Clearance of house or garden
- Gas Safety Certificate

- Electrical Safety Certificate
- Installation of hard wired fire alarm system
- Works to remedy Category One hazards

Works must be completed three months after the grant is approved.

Where a grant is given, the owner and the Empty Property Officer will agree a reasonable time scale for the property to be brought back into use; normally a maximum of 6 months. It is a condition of the grant that the property is brought back into use within this time scale.

Where the owner fails to adhere to the terms of the grant, the Council will recover the grant from the owner.

Requirements and Conditions applicable to both schemes

About the applicant

The applicant must own the empty property. Proof of title will be required. Consent of all owners will be required particularly when a loan is involved.

About the grant or loan

A valid application must be made. Housing Services will aim to approve a valid application within 6 weeks.

About the works

Estimates for the cost of the works are required, prior to approval. For loans two estimates will be required and for grants only one estimate is required, unless otherwise directed by the Empty Property Officer.

Funding is only available for the cost of works started after the approval of assistance. This means that applicants must not start works before the assistance is approved.

Payment of works

Payments will be made to the client or will be paid directly to the contractor(s) on the client's behalf, with the client's authority.

Summary of annual budgets and performance

Type of assistance	Maximum assistance available per grant /loan	Approximate number of grants or loans expected per year	Total budget available for scheme
Free home safety repairs and adaptations advice and home visits	No funding Advice only	None	No funding
Home Improvement Loans	£15,000	20	Wessex fund
Urgent Repairs Grants	£1,000	60	£50,000
Affordable warmth Top-up grants through Energy at Home	£4,000	10	£40,000
Community Alarm Grants	£200 maximum	100	£15,000
Empty Home Loan	£30,000	No target	£150,000 (Wessex Loan Fund)
Empty Home Grant	£500	No target	£10,000
Disabled Facilities Grants	£30,000 maximum	250	£1,000,000

HOUSING AND MAJOR PROJECTS PDS FORWARD PLAN

This Forward Plan lists all the items coming to the Panel over the next few months.

Inevitably, some of the published information may change; Government guidance recognises that the plan is a best assessment, at the time of publication, of anticipated decision making. The online Forward Plan is updated regularly and can be seen on the Council's website at:

<http://democracy.bathnes.gov.uk/mgPlansHome.aspx?bcr=1>

The Forward Plan demonstrates the Council's commitment to openness and participation in decision making. It assists the Panel in planning their input to policy formulation and development, and in reviewing the work of the Cabinet.

Should you wish to make representations, please contact the report author or Mark Durnford, Democratic Services (01225 394458). A formal agenda will be issued 5 clear working days before the meeting.

Agenda papers can be inspected on the Council's website and at the Guildhall (Bath), Hollies (Midsomer Norton), Riverside (Keynsham) and at Bath Central, Keynsham and Midsomer Norton public libraries.

Housing and Major Projects PDS Forward Plan

Bath & North East Somerset Council

Anticipated business at future Panel meetings

Ref Date	Decision Maker/s	Title	Report Author Contact	Strategic Director Lead
HOUSING & MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL - 20TH JANUARY 2015				
20 Jan 2015	HMP PDS	Registered Providers Presentation - Guinness	Graham Sabourn Tel: 01225 477949	Louise Fradd
20 Jan 2015	HMP PDS	Boat Dwellers & River Travellers Update	Zoe Hancock Tel: 01225 477841	Louise Fradd
20 Jan 2015	HMP PDS	Paulton - Development Update	Simon De Beer Tel: 01225 477616	Louise Fradd
20 Jan 2015	HMP PDS	Homelessness Update	Graham Sabourn Tel: 01225 477949	Louise Fradd
20 Jan 2015	HMP PDS	Additional HMO Licensing Update	Graham Sabourn Tel: 01225 477949	Louise Fradd
20 Jan 2015	HMP PDS	Decent Homes Policy Update	Chris Mordaunt Tel: 01225 396282	Louise Fradd
HOUSING & MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL - 10TH MARCH 2015				

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Ref Date	Decision Maker/s	Title	Report Author Contact	Strategic Director Lead
10 Mar 2015	HMP PDS	Manvers Street Development		Louise Fradd
21 Jan 2014 10 Mar 2015	HMP PDS HMP PDS	Former MoD Sites	John Wilkinson Tel: 01225 396593	Louise Fradd
FUTURE ITEMS				
FUTURE ITEMS				
Page 11	HMP PDS	Corporate Gypsies & Travellers Policy	Graham Sabourn Tel: 01225 477949	Louise Fradd
The Forward Plan is administered by DEMOCRATIC SERVICES : Mark Durnford 01225 394458 Democratic_Services@bathnes.gov.uk				

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