

Safer and Stronger Communities Scrutiny and Policy Development Committee

Thursday 22 September 2016 at 4.00 pm

**To be held at the Town Hall, Pinstone
Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

Councillors Tony Damms (Chair), Nasima Akther, Sue Auckland, Michelle Cook, Richard Crowther, Lewis Dagnall, Dawn Dale, Keith Davis, Tony Downing, Adam Hanrahan, Mark Jones, Magid Magid, Peter Rippon, Richard Shaw (Deputy Chair) and Zoe Sykes

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

PUBLIC ACCESS TO THE MEETING

The Safer and Stronger Communities Scrutiny Committee exercises an overview and scrutiny function in respect of the planning, development and monitoring of performance and delivery of services which aim to make Sheffield a safer, stronger and more sustainable city for all of its residents.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Members of the public have the right to ask questions or submit petitions to Scrutiny Committee meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Scrutiny Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information about this Scrutiny Committee, please contact Diane Owens, Policy and Improvement Officer, on 0114 2735065 or email diane.owens@sheffield.gov.uk

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**SAFER AND STRONGER COMMUNITIES SCRUTINY AND POLICY
DEVELOPMENT COMMITTEE AGENDA
22 SEPTEMBER 2016**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**
To approve the minutes of the meeting of the Committee held on 21st July, 2016
- 6. Public Questions and Petitions**
To receive any questions or petitions from members of the public
- 7. Housing and Planning Act 2016 - Update**
Report of the Director of Housing and Neighbourhoods Service
- 8. Draft Work Programme 2016/17**
Report of the Policy and Improvement Officer
- 9. Date of Next Meeting**
The next meeting of the Committee will be held on Thursday, 20th October, 2016, at 4.00 pm, in the Town Hall

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Safer and Stronger Communities Scrutiny and Policy Development Committee

Meeting held 21 July 2016

PRESENT: Councillors Tony Damms (Chair), Sue Auckland, Michelle Cook, Richard Crowther, Lewis Dagnall, Dawn Dale, Keith Davis, Adam Hanrahan, Mark Jones, Magid Magid, Peter Rippon, Richard Shaw (Deputy Chair) and Zoe Sykes

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Nasima Akther and Tony Downing.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 Councillor Michelle Cook declared a personal interest in Agenda Item 7 – Challenge for Change Community Engagement Report, as a member of the Tenant Scrutiny Group, undertaking the independent review of services delivered by the Council Housing Service.

4. MINUTES OF PREVIOUS MEETINGS

4.1 The minutes of the meetings of the Committee held on 7th April and 18th May 2016, were approved as correct records.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Alan Kewley raised the following questions:-

(a) What arrangements were now in place for Members of the Committee to receive updates following meetings of the Police and Crime Panel now that the Member who used to provide such briefings (Councillor John Campbell) was no longer a Member of the Council?

(b) Further to the meeting of the Police and Crime Panel held on 8th July 2016, at which the appointment of the new Chief Constable for South Yorkshire (Stephen Watson) had been approved, and the announcement by Mr Watson that one of the police's priorities would be to increase neighbourhood involvement, could the Council take steps to improve its community involvement including re-establishing PACT (Police and Communities Together) and other such meetings?

- (c) Would it be possible for the Committee to undertake a scrutiny exercise into the role and responsibility of the Safer and Sustainable Communities Partnership?

5.2 The Chair stated that, as well as requesting that written responses be provided to Mr Kewley, some of the public engagement meetings, including Neighbourhood Action Groups, had not, historically, been well attended in the past, and whilst the Council was in favour of encouraging public engagement, such meetings were not always successful due to low attendance figures. In terms of the Police and Crime Panel, he stated that he would look to make arrangements for at least two written update reports, to be submitted to this Committee during 2016/17. He added that Councillor Talib Hussain was Chair of the Police and Crime Panel, and could be asked to attend meetings to provide an update.

6. CHALLENGE FOR CHANGE - COMMUNITY ENGAGEMENT REPORT - UPDATE

6.1 The Committee received a report of the Challenge for Change Tenant Scrutiny Group containing a progress update against the recommendations made by the Group following its review of community engagement, presented to this Committee at its meeting in September 2014.

6.2 In attendance for the item were Catherine Hill (Manager, Community Engagement, Council Housing Service, Communities), Nassim Koriba (Manager, Communications, Resources) and Tina Gilbert (Assistant Manager, Business Strategy, Communities).

6.3 Tina Gilbert introduced the report, indicating that tenants had been invited to attend this meeting.

6.4 Members of the Committee raised questions and the following responses were provided:-

- There was no specific reference to how Job Centres had been involved as this had been considered to be part of the Council Housing Service's ongoing work. The Council does not have any powers to instruct Job Centres.
- When people signed up for a Council property, the Council would obtain as much information as possible about that person. They would also be asked for their preferred method of being contacted, with a significant number of tenants choosing e-mail. This had resulted in the number of e-mail addresses on the Council's database growing considerably over the last few years, and had been recognised as the quickest, easiest and most cost-effective method of contacting tenants. They have been contacted by this method to promote tenant participation and activity, as well as being informed of a number of initiatives and campaigns. In addition, major cost savings in terms of printing and delivery costs had been made in connection with the distribution of the tenants' newsletter, which is sent out three times a

year.

- The Council Housing Service was very optimistic in terms of the opportunities and benefits Housing Plus could bring with regard to enabling people to live independently in good quality homes. It could also help to promote those areas which had Tenants and Residents' Associations (TARAs), as well as providing intelligence to TARAs on a range of issues.
- All TARAs had to comply with an agreed policy, which had helped to strengthen the Council's ability to challenge such organisations when required. The Council Housing Service worked closely with all TARAs, both to support them and ensure that they acted within the agreed policy. However, as such organisations were self-governed, it was accepted that there would always be some issues in terms of their operation.

6.5 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted, together with the comments now made and the responses provided to the questions raised; and
- (b) thanks the officers in attendance for responding to the questions raised and for the excellent work undertaken in connection with Challenge for Change.

7. OVERVIEW OF THE ROLE AND REMIT OF THE SAFER AND STRONGER COMMUNITIES SCRUTINY AND POLICY DEVELOPMENT COMMITTEE

7.1 The Committee considered a report of the Policy and Improvement Officer (Diane Owens) providing a brief overview of the role and remit of the Committee, including details regarding areas of responsibility and legislative powers.

7.2 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted; and
- (b) following a request from a Member of the Committee, agrees that arrangements be made for the establishment of a Task Group to look at hate crime, to meet a maximum of four times a year and to report back to the Committee on its findings.

8. DRAFT WORK PROGRAMME 2016/17

8.1 The Policy and Improvement Officer submitted a report containing the Committee's draft Work Programme 2016/17, which set out a number of different topics for consideration by the Committee at its scheduled meetings during 2016/17. The report also attached, as an appendice, a log of the issues looked at by the Committee during 2015/16.

8.2 Further to a query by Councillor Richard Shaw, the Chair stated that whilst a report on an update on the Housing Plus model had been earmarked for the

meeting on 6th April 2017, there would be regular briefing updates at meetings during the year. In addition to this, the Chair and Deputy Chair of the Committee would be meeting with the Director of Housing and Neighbourhoods Service to receive regular updates, with any Member being able to refer any queries or questions to the Director, through them.

- 8.3 The Committee noted the contents of the report now submitted, together with the comments now made.

9. WRITTEN RESPONSES TO PUBLIC QUESTIONS

- 9.1 RESOLVED: That the Committee notes the contents of the written responses to public questions report.

10. DATE OF NEXT MEETING

- 10.1 RESOLVED: It was noted that the next meeting of the Committee would be held on Thursday, 22nd September 2016, at 4.00 pm, in the Town Hall.



Report to the Safer and Stronger Communities Scrutiny & Policy Development Committee 22nd September 2016

Report of: Director of Housing and Neighbourhoods Service

Subject: Housing and Planning Act 2016 Update

Author of Report: Louise Cassin, Housing Business Plan Officer, 2930240

Summary:

In 2015, a number of major changes for social housing were announced, some of which were included in the Housing and Planning Act 2016 that was enacted on 12 May 2016.

The key changes impacting on social housing included in the Act are:-

- 'Pay to Stay' – Higher Rents for Higher Earners
- The Extension of Right to Buy to Housing Association Tenants
- The Sale of Higher Value Assets
- Phasing out of Secure Tenancies

As requested by the Safer and Stronger Communities Scrutiny Committee, this report provides an overview of the key changes within the Housing and Planning Act 2016 that will have the biggest impact on council housing including key implications and impacts and an early insight to Sheffield City Council's response to the changes.

Type of item: The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	x
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	x
Other	

The Scrutiny Committee is being asked to:

The Committee is asked to note the update provided in this report and provide views on the response to be taken by the Council in relation to the Housing and Planning Act 2016.

Background Papers:

[Housing and Planning Act 2016, 12 May 2016](#)

Category of Report: OPEN

Report of the Director of Housing and Neighbourhoods **Housing and Planning Act 2016 Update**

1. Introduction

- 1.1 In 2015 a number of major changes for social housing were announced, some of which were included in the Housing and Planning Act 2016 that was enacted on 12 May 2016.
- 1.2 The key changes impacting on social housing included in the Act 2016 are:-
- Extension of Right to Buy to Housing Association Tenants
 - Sale of Higher Value Assets
 - 'Pay to Stay' – Higher Rents for Higher Earners
 - Phasing Out of Lifetime Tenancies
- 1.3 Sections 2-5 in this report provide an overview of each of the above policy proposals listed above. Section 6 of this report details the likely implications and impacts for council housing in Sheffield as a result of the policy changes.
- 1.4 This report is an update following on from a presentation on the Housing and Planning Bill made to the Safer and Stronger Communities Scrutiny Committee on 3 December 2015.

2 Extension of Right to Buy to Housing Association Tenants

- 2.1 Chapter 1, Part 4 of the Housing and Planning Act 2016 enables the Secretary of State to reimburse Housing Associations in relation to discounts made available to tenants exercising their Right to Buy as part of the voluntary agreement.
- 2.2 This is to be funded nationally through payments by local authorities to the Government based on estimated receipts from the sale of higher value council homes as they fall vacant.
- 2.3 A pilot scheme is currently running with 5 Housing Associations taking part nationally.

3 Sale of Higher Value Assets

- 3.1 Chapter 2, Part 4 of the Housing and Planning Act 2016 gives the Secretary of State power to levy stock-owning councils in relation to higher value vacant properties.
- 3.2 There is still no indication from Government what the definition of 'higher value' assets will be. This is expected in regulation still to be published.

4.0 'Pay to Stay' – Higher Rents for Higher Earners

- 4.1 Chapter 3, Part 4 of the Housing and Planning Act 2016 includes proposals for a mandatory 'Pay to Stay' scheme whereby Local

Authorities will have to charge a market or near market rent to tenants whose household income exceeds £31,000 (£40,000 in London).

- 4.2 The policy will be mandatory for Councils but will be voluntary for Housing Associations. Local authorities will be required to pay the resulting additional income to the Treasury for deficit reduction; however Housing Associations who decide to implement the policy will be able to retain the additional income for development purposes.
- 4.3 A taper is to be included within the policy and it is expected that affected households will pay an additional 15p in rent per week for every £1 they receive in taxable income above the £31,000. Further details of this are to be included in regulations yet to be published.
- 4.4 The policy will apply to existing and transferring tenants and household income is defined as the tenants income and their partner, civil partner or, spouse's income, or if there are joint tenants' in the property their income combined. Households that do not disclose their household income are to be charged a full market rent for their property.
- 4.5 Tenants receiving Housing Benefit or Universal Credit will be automatically excluded. Income will be defined as taxable income so will not include tax credits, child benefit, disability living allowance or personal independent payments.
- 4.6 The policy is due to be implemented from April 2017, however there has been no regulation issued by Government making the timescales for Councils to prepare for implementation of such a policy very short. The regulations will also be subject to the affirmative procedure and therefore subject to scrutiny in the House of Commons and House of Lords. This could result in further delays to the agreement and publication of the regulations.

5 Phasing out of Lifetime Tenancies

- 5.1 Chapter 6, Part 4, and Schedules 7 and 8 in the Housing and Planning Act 2016 includes proposals to require councils to offer fixed term tenancies of between 2 -5 years to new tenants (extending to 10 years in certain circumstances still to be determined).
- 5.2 Shortly before the end of the fixed term, the landlord (Sheffield City Council) must carry out a review and decide whether to:
 - i. Offer to grant a new (fixed term) tenancy of the dwelling
 - ii. Seek possession of the dwelling but grant a tenancy of another dwelling instead or;
 - iii. Seek possession of the dwelling without offering a tenancy of another dwelling.
- 5.3 Only spouses, civil partners and common law partners can succeed automatically to a lifetime tenancy. Other family members that qualify as a successor to a tenancy will be granted a 5 year fixed term tenancy.

- 5.4 The policy will apply to new tenants, however existing lifetime tenants *required* to move home will retain security of tenure and existing tenants who *choose* to move home may be given a further lifetime tenancy in circumstances still to be prescribed in regulations.
- 5.5 The expected implementation date for this policy change is April 2017; however we are still awaiting regulations to be issued by Government that will provide guidance on length of tenancies, reviews and successions.

6 Implications and Impacts

- 6.1 There are a number of implications the policy changes as described in the previous sections will have on council housing in Sheffield. Each policy is mandatory, meaning the Council will by law have to implement them. The key implications and impacts for each policy change are described below.

- Extension of Right to Buy to Housing Association Tenants

The main implication of this policy is that the Council will be paying a 'levy' in order to fund the extension the Right to Buy to Housing Association tenants. This will be of no benefit to the Council or council tenants, but will provide Housing Association tenants the opportunity for home ownership if eligible. This will be of detriment to the Council and council tenants as previously described, the funding of this will need to come from a levy paid by the Council which may include the proceeds of the sale of higher value council assets as they fall vacant.

At the time of writing this report, it is still not known how much the Right to Buy levy for Sheffield will be.

- Sale of Higher Value Assets

The sale of higher value council homes as they become vacant links very closely with the extension of Right to Buy for Housing Association tenants. As mentioned previously, there will be a requirement for the Council to pay a Right to Buy levy which may include the proceeds of the sale of higher value council assets as they fall vacant.

Regulation is still to be issued by Government which will contain further details of the policy including a definition of higher value assets. Until we know what this definition is, alongside what the Right to Buy levy will be for Sheffield, it is very difficult to determine the impact to the Housing Revenue Account (HRA) and Business Plan for the foreseeable future. .

The impact of this policy is therefore two-fold. The Council could be forced to sell its higher value properties - reducing the homes available to potential tenants. It will also mean a reduction in the rental income to Council which will have a significant impact on the 30 year HRA Business Plan.

The sale of higher value assets will result in a reduction in council housing stock numbers and for certain profiles such as larger council properties which are most likely to be of a higher value.

- 'Pay to Stay' – Higher Rents for Higher Earners

The number of tenants affected by this policy isn't known as we do not routinely collect household income information from our tenants.

In order to implement this policy, there would be extra administration costs associated with income information collection, communications with tenants, processing changes in circumstances and appeal processes. The additional administration will result in additional costs to the Council in terms of staff time and systems and processes. Although Government have said that Councils would be able to recover any reasonable administrative costs, without any regulation, it is difficult to assess how much the administrative costs for this policy will be. It was originally envisaged that household income information from HMRC could be accessed, however since initial announcements; this is not an option at this time.

Initial desktop exercises have been completed based on best guess assumptions in the absence of any regulation or further guidance from Government.

It is anticipated the 'Pay to Stay' policy will affect a small number of households in Sheffield. Recent analysis from the Local Government Association (LGA) suggests around 4% of households in the Yorkshire and Humber region will be affected by the policy. Early analysis suggests this could be between 3-6% of households in Sheffield, however as we do not routinely collect income data from our tenants, it is difficult to make an accurate assessment.

Pay to Stay could also lead to increased tenant arrears due to the additional rent affected households will have to pay. The time it takes to process changes in circumstances such as changes in income levels to a household may result in tenants not paying the additional rent (especially if the change is a household income that has reduced under the £31,000 threshold). An increase in Right to Buy applications is anticipated as for many tenants who are eligible, if paying a rental amount for their council house is similar to a mortgage payment, this option may seem more worthwhile.

- Phasing out of Lifetime Tenancies

Traditionally lifetime tenancies have meant that people have been able to access council housing knowing that their secure tenancy has meant they could settle within a community for a prolonged period of time. Although new tenants may be able to sustain their tenancy pending a review after 5 years, this policy removes that security they may otherwise have had with council housing. Implications and impacts as a result of this is are likely to be increased tenancy turnover, which is likely to have an impact on repairs and maintenance costs. It could also create an issue around community cohesion and sustainability if there is an increase in turnover within estates and areas.

Other impacts this policy creates is that we are reviewing out tenancy conditions which are now delayed pending the tabling of the legislation. It is not yet clear what policy we will need to develop locally to support this statutory requirement. The phasing out of lifetime tenancies will

require the allocations policy to be amended to make reference to the need to review the tenancy before it ends and possibly around the criteria that will be applied (subject to regulation).

Again with all the policy changes, we are still awaiting regulation to be published that will determine the finer detail.

- 6.2 Regulation which is to provide further detail and guidance as to how the Council is to implement the policies is still to be published by Government. This was originally expected in the summer, however is now speculated to be published in September at the earliest. Until the regulation is published, it is very difficult to assess what the full impacts will be for the Council and our tenants.

7. Responding to the Housing and Planning Act 2016

- 7.1 As highlighted in previous sections of this report, it has been difficult to plan and mitigate for the policy changes due to regulation not yet being published. Despite this lack of guidance, we have started work to assess the impacts where we can.
- 7.2 Market rent calculations on all of our council properties has begun. This work will help us to determine the market rent for each property. This work will also help to determine the additional funds that the 'Pay to Stay' policy may generate that will be paid back to Government for deficit reduction.
- 7.3 Work is being carried out to scope the administrative costs likely to be associated with 'Pay to Stay' and the practicalities of implementing the policy.
- 7.4 Tenants who do not receive Housing Benefit or Universal Credit will be asked to provide proof of their household's income in line with Government's provisional timetable for 'Pay to Stay'. However as we are still awaiting the regulation for this from Government, timescales may be subject to change.
- 7.5 Sheffield City Council are working with the Association of Retained Council Housing (ARCH) by providing a response of our early estimates and impacts of the Pay to Stay policy and the implications of the policy being implemented from April 2017. ARCH will be taking a collective response from their members to the Department of Communities and Local Government in September with the hope of delaying the implementation of the policy.
- 7.6 Tenants have been kept informed of progress in relation to the Housing and Planning Act 2016 via a number of communications including the Housing and Neighbourhoods Panel (HANAP), an update on the council housing web page, an article in 'In Touch' magazine that is delivered to all tenants and an article in 'The Bridge' magazine that is delivered to all Tenants and Residents Associations (TARAs). Further updates are planned for Citywide Forum in September. Tenants will continue to be kept informed once any further updates are provided from Government and regulation has been published.
- 7.7 The Director of Housing and Neighbourhoods and the Cabinet Member for Housing are working closely with central government on these issues

to ensure the best outcome for Sheffield is achieved to minimise the risk to tenants.

8 What does this mean for the people of Sheffield?

- 8.1 The Council owns approximately 40,100 homes that are home to around 47,000 people as tenants. It is the Council's current and future tenants who will be impacted most by the Housing and Planning Act 2016.
- 8.2 We don't yet know the definition of higher value, but the sale of a number of council properties would reduce income to the HRA and reduce properties that are available to residents of Sheffield.
- 8.3 Early analysis suggests 3-6% of households in Sheffield could be affected to some degree by the Pay to Stay policy.
- 8.4 The number of new council lettings in 2015/16 was around 4,500. If the phasing out of secure tenancies is implemented from April 2017, this provides an indication of how many new fixed term tenancies that may require issuing.

9. Recommendation

- 9.1 The Committee is asked to note the update provided in this report and provide views on the response to be taken by the Council in relation to the Housing and Planning Act 2016.

Appendix 1 - Progress of the Housing and Planning Act 2016

The **Housing and Planning Act 2016** received Royal Assent on **12 May 2016**. Department for Communities and Local Government (DCLG) officials had previously indicated that the Regulations and Guidance were expected to have been available in July 2016 but could give no firm indication of when local authorities could expect to see them. At the time of writing this report, no Regulations have yet to be published.

The sections below provide an overview of progress of each relevant section of the Housing and Planning Act 2016 including changes, alterations and delays that have occurred to date.

Sale of Higher Value Assets

- The Bill, as introduced, referred to “**high value**” council housing. This was amended in the Lords to “**higher value**” to allow the Secretary of State greater flexibility to decide which housing should be so categorised.
- The Bill as introduced was amended by both Houses and the Act now includes a condition that any such agreement should provide at **least one replacement home for each one sold**, and, in London, at least two replacement homes. Successive amendments were pressed by the Lords to require that replacement be not just one-for-one but also “like-for-like”, in the sense that, where the local authority could demonstrate need, sold homes for social rent should be replaced by new homes for social rent. These were all resisted by the Government and rejected by the Commons.
- DCLG officials attending the Association of Retained Council Housing (ARCH) Regional Event on 21 July, indicated that a decision on the Regulations and Determinations on the definition of **higher value voids** and **RTB levy** was unlikely to be made until **September 2016**.
- The Regulations on higher value voids will be subject to scrutiny by both Houses of Parliament and timing will be crucial. At this stage there is a possibility that the first payments from local authorities may not be levied until **2017/18 or later** if Parliamentary time cannot be found to debate the draft Regulations prior to 31 March 2017.

‘Pay to Stay’ – Higher Rents for Higher Earners

- The **proposed thresholds** were expected to be £40,000 in London and £30,000 elsewhere. The threshold for outside London was **slightly raised to £31,000** and the maximum rent increase payable limited to 15 pence for each £1 of income above the threshold.
- In **May**, Government issued a **timetable** for the introduction of the ‘Pay to Stay’ scheme:-

July 2016	DCLG publish draft Regulations
July - Sep 2016	Councils begin to consider and put processes in place to calculate market rents, collect income data, apply tapers, manage reviews of market rents, changes in tenant circumstances and set up appeals processes
Oct- Dec 2016	Councils write to tenants to request income data. Tenants declare income and provide supporting evidence
November 2016	Regulations in force
Dec 2016 - Mar 2017	Councils determine which tenants should pay higher rents. Calculate amounts and issue bills
April 2017	Councils begin to collect additional higher rental payments, calculate admin costs & set up arrangements to pay over monies to central government on quarterly basis. (NB money transferred in first year will be based on actual receipts less reasonable admin costs)

- DCLG officials attending the ARCH Regional Event on 21 July recognised the **proposed implementation** date of April 2017 was **extremely tight** and appreciated that without sight of the draft Regulations and Guidance local authorities could do very little by the way of planning for implementation.
- DCLG officials attending the ARCH Regional Event on 21 July, indicated that a decision on the Regulations and Determinations on 'Pay to Stay' were likely to be **delayed**.
- DCLG have asked for any **evidence** from local authorities of **difficulties in implementation** of 'Pay to Stay' by the April 2017 deadline together with evidence of **implementation costs** and **forecasts** of additional rental income expected as a result of the agreed income thresholds and tapers. Sheffield City Council has submitted concerns to ARCH to take to DCLG officials in **September**.

Phasing out of Lifetime Tenancies

- Following debate in the Lords, the Government made amendments to Schedule 7 to allow councils discretion to offer new tenancies up to **10 years** in certain circumstances. The amendments include a power for the Government to issue statutory guidance on the exercise of this discretion, to which councils would be required to have regard.



Report to Safer & Stronger Communities Scrutiny & Policy Development Committee Thursday 22nd September 2016

Report of: Policy & Improvement Officer

Subject: Work Programme 2016/17

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The latest draft of the work programme is attached at Appendix 1.

The work programme aims to focus on a small number of issues in depth. It remains a live document throughout the year and is brought to each committee meeting.

The Scrutiny Committee is being asked to:

- Note the contents of the work programme and provide any comment / feedback

**Safer & Stronger Communities Scrutiny & Policy Development Committee
Work Programme 2016-17**

Chair: Cllr Tony Damms

Vice Chair: Cllr Richard Shaw

[Meeting Papers on SCC Website](#)

Meeting day/ time: Thursday 4-7pm

Please note: the work programme is a live document and so is subject to change.

Safer & Stronger Communities

Topic	Reasons for selecting topic	Lead Officer/s	Agenda Item/ Briefing paper
Thursday 22nd September 4-7pm			
<p>The implications of the Housing and Planning Act 2016</p> <p>Page 20</p>	<p>Following agreement by both Houses on the text of the Bill it received Royal Assent on 12th May 2016 and is now an Act of Parliament. The Act contains provisions on new homes (including starter homes), landlords and property agents, abandoned premises, social housing (including extending the Right to Buy to housing association tenants; sale of local authority assets; 'pay-to-stay'; secure tenancies), planning, compulsory purchase, and public land (duty to dispose).</p> <p>This report will outline the implications of the bill and any initial / early thoughts in terms of how we plan to respond in Sheffield.</p>	<p>Janet Sharpe, Director of Housing and Neighbourhoods Service</p> <p>Peter Brown, Project Manager - Future of Council Housing</p> <p>Cllr Jayne Dunn, Cabinet Member for Housing</p>	<p>Single Agenda Item</p>

Thursday 20th October 4-7pm			
<p>Neighbourhood / Locality Working - Draft Report</p>	<p>Following previous discussions including the raising of a public question around Local Area Partnerships (in December 2015) the committee agreed to request an update on the broader piece of work which is looking at neighbourhood / locality working once complete.</p> <p>The Cabinet Member and Lead Officers will attend scrutiny to present the draft report. The Committee will be able to provide comment / suggestions.</p>	<p>Cllr Jack Scott, Cabinet Member for Community Services and Libraries</p> <p>Dawn Shaw, Head of Libraries and Community Services</p> <p>James Henderson, Director Policy, Performance & Communications</p> <p>Other Cabinet Members / officers tbd</p>	<p>Agenda Item</p>
<p>Sheffield Cohesion Framework - Draft</p>	<p>The Cabinet Member and Lead Officers will attend to present Sheffield's draft cohesion framework.</p> <p>The Committee will be able to provide comment / suggestions.</p>	<p>Cllr Jack Scott, Cabinet Member for Community Services and Libraries</p> <p>Dawn Shaw, Head of Libraries and Community Services</p> <p>Other officers tbd</p>	<p>Agenda Item</p>
<p>Briefing Paper Police & Crime Panel Update</p>	<p>To receive an update on the work of the Police & Crime Panel.</p>	<p>Julia Cayless, Safer Communities Team Leader to identify lead</p>	<p>Briefing Paper</p>

Thursday 15th December 4-7pm			
Welfare Reform	To receive an update on welfare reform, with a specific focus on the two key areas of Universal Credit (UC) and Personal Independence Payments (PIPS).	James Henderson, Director Policy, Performance & Communications Maxine Stavrianakos, Head of Neighbourhood Intervention & Tenant Support Other officers tbc.	Agenda Item
Briefing Paper Challenge for Change - Report on "Council Housing Services preparation for the implementation of Universal Credit " Page 22	The customer scrutiny panel known as Challenge for Change (C4C) was set up in 2011 to perform an independent review of services delivered by the Council Housing Service. This report covers the group's piece of work which looked at "Council Housing Services preparation for the implementation of universal credit". The Panel have produced a concise report and recommendations.	Tina Gilbert, Assistant Manager, Communities Other officers tbc.	Briefing Paper
Thursday 16th February 4-7pm			
Safer and Sustainable Communities Partnership	The committee will request an update on the work of the Safer and Sustainable Communities Partnership this may focus on a specific topic / issue.	Maxine Stavrianakos, Head of Neighbourhood Intervention & Tenant Support Other attendees tbc.	Agenda Item
Hate Crime Task Group - Draft Report	To consider the draft report of the committees Hate Crime Task Group.	Diane Owens, Policy & Improvement Officer	Agenda Item

Thursday 6th April 4-7pm			
Housing + Model and Implementation	To receive an update on the Housing + model and plans for implementation, for scrutiny to provide comment / suggestions.	Janet Sharpe, Director of Housing and Neighbourhoods Service Maxine Stavrianakos, Head of Neighbourhood Intervention & Tenant Support	Agenda Item
Challenge for Change (C4C): Vacant Property Management (update on progress) Page 23	<p>The customer scrutiny panel known as Challenge for Change (C4C) was set up in 2011 to perform an independent review of services delivered by the Council Housing Service.</p> <p>This report covers their project on Vacant property management. The overall purpose of the project was to examine the Vacants service to look at ways of improving the time it takes to turnaround vacant properties for the Council to save it money and improve the service from a customer's point of view.</p> <p>This report would provide an update on progress in implementing the report's recommendations.</p>	Tina Gilbert, Assistant Manager, Communities Other Officers tbd.	Agenda Item
Briefing Paper Police & Crime Panel Update	To receive an update on the work of the Police & Crime Panel.	Julia Cayless, Safer Communities Team Leader to identify lead	Briefing Paper

Task Group			
Hate Crime Task Group	The Committee will set up a task group to look at hate crime. This piece of work is currently being scoped. The Task Group will run from September 2016 and will submit its draft report to the Scrutiny Committee in February 2017.	Maxine Stavrianakos, Head of Neighbourhood Intervention & Tenant Support Julia Cayless, Safer Communities Team Leader	Tash Group
Other possible topics			
Gateway Protection Programme Page 2 Briefing Paper Homelessness & rough sleeping (briefing paper)	To receive an update on work on the Gateway Protection Programme in <i>Sheffield</i> . At its January 2016 meeting Full Council requested that a report on the issue of support for rough sleepers in the city be submitted to the relevant Scrutiny and Policy Development Committee for consideration. This Committee received an update on homelessness & rough sleeping in April 2016, officers and Councillor Jayne Dunn (Cabinet Member for Housing were in attendance to present the report and respond to questions. The Committee agreed to add this topic to its 2016-17 Work Programme as a possible briefing paper.	Nusrat Rehman, Manager, Targeted Interventions Huda Ahmed, CYPF Community Cohesion Lead Other officers tbd. Suzanne Allen (Head of Citywide Neighbourhood Services), Zoe Young (Housing Options and Advice Service Manager)	tbd Briefing Paper

Selecting Scrutiny topics

This tool is designed to assist the Scrutiny Committees focus on the topics most appropriate for their scrutiny.

- **P**ublic Interest
The concerns of local people should influence the issues chosen for scrutiny;
- **A**bility to Change / Impact
Priority should be given to issues that the Committee can realistically have an impact on, and that will influence decision makers;
- **P**erformance
Priority should be given to the areas in which the Council, and other organisations (public or private) are not performing well;
- **E**xtent
Priority should be given to issues that are relevant to all or large parts of the city (geographical or communities of interest);
- **R**eplication / other approaches
Work programmes must take account of what else is happening (or has happened) in the areas being considered to avoid duplication or wasted effort. Alternatively, could another body, agency, or approach (e.g. briefing paper) more appropriately deal with the topic

Other influencing factors

- **Cross-party** - There is the potential to reach cross-party agreement on a report and recommendations.
- **Resources**. Members with the Policy & Improvement Officer can complete the work needed in a reasonable time to achieve the required outcome

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