

AGENDA

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE MEETING



Date: Tuesday 13 October 2015

Time: 6.30 pm

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors D Mortimer, Newton, Mrs Parvin,
Perry, Mrs Ring (Chairman),
Mrs Robertson, Webb, Webster and
J.A. Wilson

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying

Continued Over/:

Issued on 5 October 2015

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**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

6.	To consider whether any items should be taken in private because of the possible disclosure of exempt information.	
7.	Minutes of the Meeting Held on 15 September 2015	1 - 7
8.	Presentation of Petitions (if any)	
9.	Questions and answer session for members of the public (if any)	
10.	Report of Director of Environment and Shared Services - New Anti-social Behaviour Powers	8 - 39
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MAIDSTONE BOROUGH COUNCIL

Communities, Housing and Environment Committee

MINUTES OF THE MEETING HELD ON TUESDAY 15 SEPTEMBER 2015

Present: Councillor Mrs Ring (Chairman), and
Councillors English, D Mortimer, Newton, Mrs Parvin,
Perry, Mrs Ring, Sargeant, Webb, Webster and
J.A. Wilson

Also Present: Councillor Sargeant

20. APOLOGIES FOR ABSENCE

It was noted that apologies for absence were received from Councillor Mrs Robertson.

21. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor English substituted for Councillor Mrs Robertson.

22. NOTIFICATION OF VISITING MEMBERS

Councillor Sargeant was in attendance as an observer.

23. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by members or officers.

It was noted, in relation to item 16, Maidstone Parish Charter, that Councillor English was the Secretary to the Kent Association of Parish Councils (KALC).

24. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

25. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE
BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

RESOLVED: That all items be taken in public as proposed.

26. MINUTES OF THE MEETING HELD ON 16 JUNE 2015

RESOLVED: That the minutes of the meeting held on 16 June 2015 be approved as a correct record and signed.

27. PETITIONS

There were no petitions.

28. QUESTIONS AND ANSWERS FOR MEMBERS OF THE PUBLIC

Joan Langrick asked the following question of the Chairman:

Would the Committee be prepared to consider the following proposal?

The day we start seeing the homeless as valuable human resources is the day we start saving money. Those on housing lists or saving for a home of their own were previously working in their various capacities including ex-service personnel with strong leadership skills all looking for a hand up rather than a hand out. However, being homeless also engenders feelings of humiliation and degradation which can swiftly deteriorate into debilitating lifestyles and, saddest of all, mental health problems. These, not only cause distress to the sufferer, but treating them also costs the council a great deal of money. Add to these the massive housing cuts which will shortly apply to the eighteen to twenty one year's old, and we have a nightmare scenario which should make us provide temporary homes as speedily as they did after the last war. The question is "How can this be achieved in a cash strapped economy?"

The answer lies in recycling instead of wasting thousands of pounds chasing fly tippers and paying for vast amounts of domestic and commercial goods to be buried in precious land fill sites. The TV programmes "Amazing Spaces shed of the year" demonstrated how ordinary men and women created imaginative and weather-proof homes out of materials such as these. I suggest teams of the more motivated homeless be allocated several suitable sites, with access to all utilities, where they whilst building their own homes, out of recycled material, will quickly realise they are also rebuilding their confidence, self-esteem and so, ultimately their lives. The project would be structured, safe, renewable and appropriate to the area. Also, as these are temporary buildings the council will have no difficulty restoring these sites when their occupants move to their permanent homes. Surely helping the homeless to help themselves is a far better way of easing the vulnerable back into society rather than spending thousands of pounds on treating the addictions and mental health problems which have been created while sleeping on our pavements? I am hoping the council will look favourably on my project as it will not only be saving money but also, saving lives.

The Chairman replied that:

She had consulted Council officers on the matter and asked the Head of Housing and Community Services to make the response. It was explained that:

- Officers had visited Brighton to evaluate similar projects;
- The issue in bringing such a project forward was finding land suitable;

- A range of short-term accommodation options had been looked at but it was felt that there was no substitute for long-term accommodation;
- The Council's goal was to deliver as much long-term housing as possible;
- There would be a review of the Housing Strategy and the Committee would also be asked to consider themes for inclusion in the Strategy; and
- Promoted in the review would be the Government's self-build initiatives.

The next meeting of the Committee on 13 October would focus on the Council's Housing Strategy

29. REFERENCE FROM POLICY AND RESOURCES COMMITTEE - ANNUAL PERFORMANCE REPORT 2014/15

The Committee considered the reference from Policy and Resources Committee in relation to the Annual Performance report 2014/15.

It had been noted by the Policy and Resources Committee when it received the report that there were no Key Performance Indicators for the Council's Commercial Waste Service.

The Head of Finance and Resources explained that the Quarterly Budget Performance Monitoring report would always pick up on adverse issues. The officer advised against putting a disproportionate emphasis on a single service area.

The Committee was satisfied that the Quarterly Budget Performance Monitoring report was fit for purpose and no further action was required.

RESOLVED: That the reference be noted.

30. BUDGET MONITORING 2015-16 AND MEDIUM TERM FINANCIAL STRATEGY 2016-17 ONWARDS

The Head of Finance and Resources introduced the Budget Monitoring 2015-16 and Medium Term Financial Strategy 2016-17 report. It provided a financial analysis of the recent out-turn for 2014/15, the current performance in the first quarter of 2015/16 and the recently agreed draft medium term financial strategy for 2016/17 onwards.

It was explained that the main purpose was to consider the decision of the Policy and Resources Committee on the Medium Term Financial Strategy

and the impact this had on the Committee. The major budgetary pressure for the Committee to consider, as set out in the report, was temporary accommodation.

The Committee considered the report and resolutions and debated the impact of a non-decision making Budget Working Group, as referred to in the report's recommendations. The Committee was advised that this was intended to facilitate blue sky thinking when looking at its budgetary pressures and to enable free discussion on possible solutions. This in turn would support a more focused debate at the Committee meeting.

Members felt that the involvement of the entire Committee was needed and that a Discussion Group would be a more appropriate term. The recommendations were amended accordingly.

RESOLVED:

1. The out-turn for 2014/15 and the position for 2015/16 as at the end of June 2015 be noted;
2. That a reference be made to Policy & Resources Committee confirming agreement with the decision of the Policy and Resources Committee on the strategic revenue projection and the capital programme, in so far as it affects the Committee's budget;
3. The Committee agreed to consider budget pressures and opportunities to provide savings to support the medium term financial strategy be considered through a discussion group of the whole Committee and the results of the consideration be reported to a later meeting of the Committee for consideration; and
4. That potential capital projects be informally discussed by the discussion group and the results be reported to a later meeting of the Committee for consideration.

Voting: 9 – For 0 – Against 0 – Abstentions

31. DOES THE COUNCIL SUPPORT THE PRODUCTION OF AN AFFORDABLE ENERGY STRATEGY?

Helen Miller, Expenditure Project Officer, introduced the Affordable Energy Strategy report and Action Plan. It was explained that approximately 5000 households in the borough were affected by fuel poverty. These households were likely to either under heat their home or fall into debt due to high bills. The negative impact on health and the long term impact on children's educational attainment was explained. Reducing fuel poverty was a key object for reducing health inequalities.

In response to member's questions the Committee was informed that levels of fuel poverty varied across the borough from 2.2% to 15.2%. It

was explained that in urban areas there was a correlation between fuel poverty and high levels of poverty. In rural areas fuel poverty was linked to older, less energy efficient homes with no access to mains gas which was the cheapest fuel. Fuel Poverty was less likely in Social Housing and more commonly found in the Private Rented sector.

The Committee endorsed action 1.22 and 2.28 from the Affordable Energy Action Plan, put forward as preferred options by the officer. It requested that, should further funding be identified, a report be brought back to Committee for its consideration.

RESOLVED:

1. That the support of the Committee be given to the production of an Affordable Energy Strategy;

Voting: 9 – For 0 – Against 0 – Abstentions

2. That actions 1.22 and 2.28 as detailed in the Affordable Energy Action Plan be undertaken and resourced alongside the non-financial based actions. Should further funding be identified, a report should be brought back to the Committee for its consideration; and

Voting: 7 – For 0 – Against 2 – Abstentions

3. That delegated authority be given to the Head of Housing and Community Services to allocate the £50,000 in the existing capital home improvement budget to relevant funding opportunities that are aligned with this strategy as they arise.

Voting: 9 – For 0 – Against 0 – Abstentions

32. **ENVIRONMENTAL HEALTH ENFORCEMENT POLICY**

Tracey Beattie, Mid Kent Environmental Health Manager introduced the Environmental Health Enforcement Policy. As a regulatory service, Environmental Health needed to ensure that the steps that lead to formal enforcement action were in line with national guidance. It was explained that part of the policy was to adopt the Enforcement Concordat, the Regulators Code issued in 2014.

In response to Member's questions, the Committee was informed that the Policy was used to support business, enabling help and advice to be given. Where enforcement action was required, officers would follow a stepped approach. Where there were serious breaches of legislation or there was imminent risk to the health or welfare of people, immediate enforcement action may be considered.

RESOLVED:

That the adoption of the draft revised Environmental Health Enforcement Policy in respect of Maidstone Borough Council be approved.

Voting: 9 – For 0 – Against 0 – Abstentions

33. GREENHOUSE GAS EMISSIONS REPORTS

Dr Stuart Maxwell, Senior Scientific Officer, Environmental Protection introduced the Greenhouse Gas Emissions report. It was explained that it was a Central Government requirement that all Local Authorities published details of the greenhouse emissions from their estate and operations. Reports detailing the Council's greenhouse emissions had been produced for the 2013/14 and 2014/15.

RESOLVED:

That the Greenhouse Gas Emissions reports be published on the Maidstone Borough Council website and a hyperlink to the report be sent to the Department for Energy and Climate Change.

Voting: 9 – For 0 – Against 0 – Abstentions

34. CARBON MANAGEMENT PLAN OUTCOMES

Dr Stuart Maxwell, Senior Scientific Officer, Environmental Protection introduced the Carbon Management Plan Outcomes report. He explained that the Council had introduced a Carbon Management Plan in 2009 covering the period from 2009 to 2015.

The Committee was informed that:

- The plan had committed the Council to a target of reducing its CO₂ emissions by 20% from the 2008/2009 level by the end of the 2014/15 financial year;
- In 2013/14 the Council's CO₂ emissions were reduced by 18.4%; and
- In 2014/15 there was an increase of 4.3%. The primary cause of this increase was the breakdown of the Combined Heat and Power (CHP) plant at Mote Park Leisure Centre which resulted in a large increase in energy consumption. This in turn affected the cumulative target reached at the end of the 6 year period.

In response to member's questions it was explained that the CHP plant at the Leisure Centre was quite old. The Committee felt that the Leisure Centre target should be looked at in more detail, resolving that a recommendation be made to the appropriate Committee.

RESOLVED:

1. That the outcomes of the Carbon Management Plan be noted; and

2. That the Heritage, Culture and Leisure Committee be recommended to consider the targets in relation to the Leisure Centre as set out in the Carbon Management Plan.

Voting: 9 – For 0 – Against 0 – Abstentions

35. MAIDSTONE PARISH CHARTER

Sarah Robson, Housing and Inclusion Manager and Councillor John Perry, the Parish Charter champion introduced the Refresh of the Maidstone Parish Charter report. The Parish Charter described the terms of an effective and productive relationship between Maidstone Borough Council and all Parish Councils in Maidstone Borough, recognising the role of the Maidstone Committee of the Kent Association of Local Councils on behalf of Parishes within Maidstone.

Its purpose was:

- To provide a sound basis for close co-operation in the development and provision of excellent services for local people, both in Parishes and non-Parished areas within the Borough; and
- To support the evolution of the local Parish as an environment within which Parishioners wished to live, being compatible with the Localism Act 2011, which provide a new impetus for all tiers of local government.

RESOLVED:

That the Maidstone Parish Charter – a framework to support effective relationships and partnership working between Maidstone Borough Council and Maidstone’s Parishes and Parish Councils within its administrative area - be approved.

Voting: 9 – For 0 – Against 0 – Abstentions

36. DURATION OF MEETING.

6.30pm to 8.40pm

Agenda Item 10

Communities, Housing and Environment Committee

13/10/2015

Is the final decision on the recommendations in this report to be made at this meeting? **Yes/No**

New Anti-social Behaviour Powers

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Director or Head of Service	David Edwards, Director of Environment and Shared Services
Lead Officer and Report Author	Martyn Jeynes/Sarah Robson
Classification	Non-exempt/ (if exempt, please state exemption)
Wards affected	All

This report makes the following recommendations to the final decision-maker:

1. That it is noted that new Anti-Social Behaviour (ASB) powers are available to the Council under new legislation as described in the Members Guide (Appendix I) and that amendments have been made to the Council's Scheme of Delegation, the officer authorisations, the Enforcement Policy for Environmental Enforcement Policy and relevant procedures to allow implementation including a new Community Trigger (Appendix II)
2. That the fixed penalty notice (FPN) amount served where the authorised person believes an offence has been committed under sections 48 of The Act (Community Protection Notice) shall be £100.
3. That any FPN that is served where the authorised person believes an offence has been committed under sections 63 or 67 of The Act (Consumption of Alcohol Order or Public Space Protection Order) shall be £100 unless an alternative amount is stated in any such order creating an offence.

This report relates to the following corporate priorities:

- Keeping Maidstone an attractive place for all
- Securing a successful economy for Maidstone Borough

Timetable

Meeting	Date
Communities, Housing and Environment Committee	13/10/2015

New Anti-social Behaviour Powers

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) provides a number of new tools for dealing with anti-social behaviour. The Act aims to provide quicker and more effective tools than those in previous legislation, better protection to victims and communities and will deter perpetrators. Much of the Act is already in force and work is ongoing between Environmental Enforcement, Community Safety, Kent Police and other Safer Maidstone Partnership members to explore the opportunities presented by the act. .
- 1.2 This report provides an overview of the new tools available, the action taken to ensure officers are equipped to use the tools and seeks a decision in regard to the levels of fixed penalty notices which can be utilised by officers.
-

2. INTRODUCTION AND BACKGROUND

2.1 Dealing with Anti Social Behaviour (ASB)

- 2.1.1 The following sections set out the new anti-social behaviour powers and how these compare to previous arrangements. A guidance document for members has been produced (Appendix 1) to improve understanding and to identify the process for reporting ASB.
- 2.1.2 The council and its partners through Community Safety Unit (CSU) already provide a robust response to ASB issues in Maidstone. The council is committed to meeting its responsibilities as a lead partner in the CSU, in protecting the community at large, businesses and the local environment. The council has a legal duty under the Crime & Disorder Act 1998 to work in partnership to reduce crime and disorder.
- 2.1.3 Behaviour typically considered anti-social includes:
- Nuisance, rowdy or inconsiderate neighbours
 - Vandalism, graffiti and fly-tipping
 - The buying, selling or using of drugs in public
 - Street drinking
 - Environmental damage including littering, dumping of rubbish and abandonment of cars
 - Prostitution- related activity
 - Begging and vagrancy
 - Firework misuse
 - Inconsiderate or inappropriate use of vehicles

2.2 Response to the New Anti-Social Behaviour, Crime and Policing Act 2014

2.2.1 The new Act has change the council's response to ASB. The Act has:

- Streamlined the current ASB toolkit reducing the number of orders from 19 to 6 (as detailed in the members guide (Appendix 1))
- Placed the victim(s) of ASB at the heart of the response
- Provided greater flexibility for the council and our partners to deal with any given situation, with more flexible remedies
- Focussed on better victim satisfaction through improved outcomes
- Increased our accountability to witnesses and communities if we fail to act through a community trigger

2.2.2 Whilst the legislative framework has been simplified by the Act, the scope for use is much broader. The content of the Act took effect from 20 October 2014, with the civil injunction being introduced in early 2015. The Act and its possibilities for the Borough Council, Kent Police and other partners was presented to the Safer Maidstone Partnership and the CDRP OSC in December 2014, together with proposals for amending delegated authorities within the Constitution. Over the past year, the Safer Maidstone Partnership instigated an ASB Task and Finish group to review the possibilities within the new legislation and to embed training and development as part of it. The report which is being brought to you today, is the result of this work and defines how the Borough Council has and will utilise these new powers into its daily working practice.

2.2.3 The legislation repealed by the Act had a direct impact on the Environmental Enforcement team. A report to the Monitoring Officer was made in April 2015 to amend the constitution which allowed officers to be appropriate delegations of authority, to ensure the team were able to continue to enforce against issues such as litter/refuse resulting from a business. To date the team have issued 30 Community Protection Notice Warnings, a necessary step as described in the members guide, and have had 100% compliance to date with businesses and residents taking the steps prescribed in the warning to avoid further enforcement action.

2.2.4 The Enforcement team are now looking at the other potential uses of the powers, including increasing the penalty for dog fouling through a Public Space Protection Order and the use of Community Protection Notices to improve our response to neighbour noise. This is where it does not trigger our responsibilities in regard to Statutory Nuisance but is still causing concern for the victims of noise.

2.2.5 As a result various council departments are considering the use of Public Space Protection Orders to deal with a number of issues including legal highs, rough sleeping and dog control. Further reports to discuss these will be brought to Committee in due course to explore these in more detail.

- 2.2.6 The Maidstone Community Safety Unit will administer the Community Trigger as detailed in Appendix II. The community trigger does not replace existing anti-social behaviour reporting lines . It gives victims who have persistently reported problems of anti-social behaviour the right to request a review of their case, where they believe their complaint has not been properly addressed.
- 2.2.7 Further detail on the community trigger is provided in Appendix 1 or online at www.maidstone.gov.uk/residents/community-safety/community-trigger .

2.3 The use of fixed penalty notices and setting the penalty levels.

- 2.3.1 Amongst the enforcement options is the use of Fixed Penalty Notices (FPNs). The use of FPNs has been common practice across policing and environmental enforcement for some time. FPNs are **not** fines. A FPN provides an opportunity to an offender to discharge their liability for an offence, avoiding higher penalties in the courts and unnecessary court time to deal with relatively low level crimes.
- 2.3.2 The act provides that Fixed Penalty Notices are available in relation to breaches of a CPN, a Consumption of Alcohol Order or a PSPO. The maximum penalty for each is £100. It also allows for a discount on early payment.
- 2.3.3 Environmental Enforcement has used FPNs in relation to offences including littering, fouling and waste/refuse offences for many years. This includes FPNs issued for breaches of existing Street Litter Control Notice. Although this has been repealed by the Act, it carried an FPN of £100 for breach of notice.
- 2.3.4 Setting the fixed penalty level at the maximum level, without discount, provides the best deterrent and maximises the enforcement impact. It is also consistent with the use and administration of existing FPNs issued for fouling, litter and waste offences not repealed by the Act.

3. AVAILABLE OPTIONS

- 3.1 The committee could chose to endorse all the recommendations as recommended in this report.
- 3.2 There are no alternative actions with regard to the Act as the Crime and Disorder Act 1998 places a duty upon a local authority to seek to prevent crime and disorder in its area in carrying out its duties. The Act sets out a requirement to introduce a procedure for the Community Trigger which has been undertaken by the SMP.
- 3.3 The new Act also repeals a number of existing powers.

- 3.4 At present it is difficult to fully assess the impact of the changes; particularly the likely resources needed to respond to Community Trigger reviews although the pilots that have been undertaken show that it has not resulted in a significant increase in the resource required.
- 3.5 The committee could also choose to set a lower FPN amount and/or an early payment discount in relation to offences. This has not been recommended as a lower FPN level would not be consistent with the FPNs issued for the same offences under the repealed legislation.
- 3.6 Introducing an early repayment scheme would not be consistent with the other FPNs issued by the Enforcement team where early repayments are not offered. It is appreciated that it is difficult for some individuals to pay their FPN so alternatives already exist to allow offenders to make the necessary payment, including generous extension periods.
- 3.7 The option to not set a standard amount for a FPN issued under section 63 and 67 has been considered but it is felt that setting a standard amount at this stage would maximise the impact of the legislation and provide a consistent approach. The option to introduce a lower FPN is retained should this ever be considered necessary in the future as it can be specified in the act.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 Awareness of the Act

Although there is no decision in regards to adoption of the powers contained within the Anti-Social Behaviour, Crime and Policing Act 2014 officers would like members to be aware that the new legislation is being implemented across the authority and work is ongoing across the council and with partners to ensure we make the most of the opportunity to deliver significant improvements in our responses to anti-social behaviour. Specific reports will follow this report seeking authority in relation to Public Space Protection Orders.

4.2 FPN levels

Setting a default FPN level will provide a consistency for all agencies that issue FPNs and will provides the best deterrent and maximises the enforcement impact. These will be reviewed annually through the Fees and Charges report.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 No consultation has been undertaken by the local authority. The Crime and Disorder Act 1998 places a duty upon a local authority to seek to reduce crime and disorder in its area in carrying out its duties. The Act set out significant changes and we have reviewed and adapted existing ways of working and adopted a new procedure for the Community Trigger.
- 5.2 The Home Office and other agencies undertook significant consultation in the development of the Act.

5.3 Consultation is a requirement in regard to the introduction of provisions within the Act, such as Public Space Protection Orders. This will be undertaken as appropriate when Public Space Protection Orders are developed.

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>Providing a clean and safe environment;</p> <p>Poor physical environment and perceived antisocial behaviour are associated with fear of crime, which has significant detrimental effects on the health of a neighbourhood. Fear of crime and anti-social behaviour can lead to social exclusion within a community and could impact on community cohesion and resilience.</p>	David Edwards, Director of Environment and Shared Services
Risk Management	There are no known risks at this time beyond the implications highlighted in each of the areas contained in this section.	David Edwards, Director of Environment and Shared Services
Financial	<p>It is anticipated that implementation will be resourced from within existing budgets. There may also be additional legal costs and costs associated with the introduction of the individual PSPOs. These will be looked at on a case by case basis as they occur. The payment of fixed penalty notices within the new regime will generate a small income for the council. This will be pooled with the existing FPN income for initiatives such as litter and fouling and used to fund awareness campaigns and legal action as appropriate in the delivery of a Cleaner, Safer Maidstone.</p>	[Section 151 Officer & Finance Team]
Staffing	Training will be required for some officers and it is possible that there may be a need to review job descriptions for example for the management of Community Trigger reviews.	David Edwards Director of Environment and Shared Services & John Littlemore Head of Housing & Community Services
Legal	The Crime and Disorder Act 1998 places a duty upon a local authority to seek to prevent crime and disorder in its area in carrying out its duties. The Antisocial Behaviour, Crime and Policing Act 2014	[Legal Team]

	provides a new set of powers for tackling antisocial behaviour to the benefit of victims and our communities and provides a deterrent to perpetrators. The resource implications are uncertain as the volume of cases is currently unknown.	
Equality Impact Needs Assessment	Equality impact assessments will be completed for all new policies and changes to procedures.	Clare Wood, Policy & Information Officer
Environmental/ Sustainable Development	None	David Edwards, Director of Environment and Shared Services
Community Safety	It is difficult to predict at this stage what the impact of the new legislation will be in reality with regard to service provision. The Act supports and enhances the council's ability to deal effectively with ASB. The Act provides for clearer accountability from agencies.	Head of Housing & Community Services
Human Rights Act	The Act does give due consideration to human rights in terms of reinforcing the council's duties and that of its partners (responsible bodies) to respect and support the rights of individuals to private and family life.	David Edwards, Director of Environment and Shared Services
Procurement	None	[Head of Service & Section 151 Officer]
Asset Management	None	David Edwards, Director of Environment and Shared Services

7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix I: Members' Guide to Changes to Anti-Social Behaviour Legislation
- Appendix II: Kent Community Trigger and process map

8. BACKGROUND PAPERS

Detailed statutory guidance was issued in July 2014 and can be accessed at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf

Councillors' Guide to changes to Anti-Social Behaviour Legislation



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Introduction

This aide memoire outlines the key changes to anti-social behaviour legislation set out in Parts 1-6 of the Anti-Social Behaviour, Crime and Policing Act 2014.

The aide memoire is designed to be used as a quick reference tool to help identify the most appropriate response to tackle anti-social behaviour. It describes what tools could be used but is not about Borough Council policy and practice.

The primary source of content used to create this document is the Home Office (July 2014) Anti-Social Behaviour Crime and Policing Act 2014: Reform of anti-social behaviour powers, Statutory Guidance for Frontline Professionals.

The Home Office Guidance can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332839/StatutoryGuidanceFrontline.pdf



From 19 Powers to 6

The Act replaces 19 previous powers dealing with anti-social behaviour with 6 broader powers, streamlining procedures to allow a quicker response to anti-social behaviour. The government feels that these powers make it easier for agencies and regulators to take action against anti-social behaviour and reduce repeat victimisation to protect victims and communities.

Powers for dealing with people	
Previous Powers:	Replaced by:
<ul style="list-style-type: none"> • Anti-Social Behaviour Order (ASBO) • Drink Banning Order (DBO) • Anti-Social Behaviour Injunction (ASBI) • Individual Support Officer • Intervention Order 	<ul style="list-style-type: none"> • Civil Injunction
<ul style="list-style-type: none"> • ASBO on conviction • DBO on conviction 	<ul style="list-style-type: none"> • Criminal Behaviour Order (CBO)

Powers for dealing with places	
Previous Powers:	Replaced by:
<ul style="list-style-type: none"> • Litter Clearing Notice • Street Litter Clearing Notice • Graffiti/Defacement Removal Notice 	<ul style="list-style-type: none"> • Community Protection Notice
<ul style="list-style-type: none"> • Designated Public Place Order • Gating Order • Dog Control Order 	<ul style="list-style-type: none"> • Public Spaces Protection Order (PSPo)
<ul style="list-style-type: none"> • Premises Closure Order • Crack House Closure Order • S.161 (Licensing) Closure Order 	<ul style="list-style-type: none"> • Closure Power (Notice and Order)

Police powers	
Previous Powers:	Replaced by:
<ul style="list-style-type: none"> • S.30 Dispersal Order • S.27 Direction to Leave 	<ul style="list-style-type: none"> • Dispersal Power

With the exception of the Civil Injunction, all the replacement tools and powers commenced 20 October 2014, with the effect that the powers being replaced are no longer available. The Injunction commenced in early 2015.



Early and Informal Interventions

The Act introduces new formal powers to tackle anti-social behaviour. However the vast majority of incidents can and should be dealt with through early and informal measures. We know from our own practice, by establishing clear standards of behaviour and ensuring anti-social behaviour is not tolerated, it has been proven that the use of early and informal interventions can be successful in stopping anti-social behaviour.

Professional judgement and all of the available information, intelligence and evidence should be used to determine whether or not it is appropriate to use an informal intervention on a case by case basis. Some tried and tested examples of early and informal interventions being used in Maidstone are shown on the table overleaf:

Tried and tested examples of early and informal interventions being used in Maidstone

Intervention	Summary:
Verbal Warnings	<ul style="list-style-type: none"> • Must be specific and clear about what it relates to • Individuals should be made aware of: <ul style="list-style-type: none"> - The impact of their ASB on victims and the community - The consequences of continuing with the problem behaviour
Written Warnings	<ul style="list-style-type: none"> • Must be specific and clear about what it relates to • Individuals should be made aware of the impact of their ASB on victims and the community • Information about written warnings should be shared with relevant partners to monitor the impact of intervention
Restorative Intervention	<ul style="list-style-type: none"> • Primarily aimed at first time perpetrators and those who express genuine remorse • Informal agreement between involved parties • Should take into account the needs of the victim, perpetrator and wider community
Mediation/Conflict Resolution	<ul style="list-style-type: none"> • All parties must be willing participants • A mediator facilitates a meeting and ensures both parties adhere to meeting ground rules • Where agreements are made at the meeting the mediator can put this in writing and ask each party to sign a document to formalise what was agreed • Effective when responding to: <ul style="list-style-type: none"> - Neighbour disputes - Family conflicts - Noise complaints - Situations when it is difficult to establish who is the victim and who is the perpetrator

<p>Acceptable Behaviour Contracts (ABCs)</p>	<ul style="list-style-type: none"> • A written agreement between a perpetrator of ASB and an agency working with them • No formal sanction for failing to sign or comply • ABCs should be specific about what further action may be taken if a perpetrator fails to comply • Can be submitted as evidence if subsequent court proceedings are deemed necessary • Effective when dealing with young people and preventing a further escalation of unacceptable behaviour
<p>Parenting Contracts</p>	<ul style="list-style-type: none"> • Similar to ABCs but signed by a parent or guardian • Might be used when: <ul style="list-style-type: none"> - A parent is a bad influence to a child - A parent is failing to provide suitable supervision • If a parenting contract is to be used as an informal intervention against a young person under 18, their parents or guardians should be contacted first
<p>Support and Counselling</p>	<ul style="list-style-type: none"> • Addresses underlying causes of ASB for example, misuse of alcohol or drugs before further low level crime and anti-social behaviour is committed.



The following is a summary of the tools and powers introduced by the Act. The tools which they replace are repealed by the Act. There are transitional arrangements for example an existing Dog Control Order will automatically become a Public Space Protection Order after a period of 3 years.

Civil Injunction

Purpose	To stop or prevent individuals engaging in anti-social behaviour quickly, nipping problems in the bud before they escalate.
Applicants	<ul style="list-style-type: none"> • Local councils; • Social landlords; • Police (including British Transport Police); • Transport for London; • Environment Agency and Natural Resources Wales; and • NHS Protect and NHS Protect (Wales)
Test	<p>On the balance of probabilities;</p> <ul style="list-style-type: none"> • Behaviour likely to cause harassment, alarm or distress (non-housing related anti-social behaviour); or • Conduct capable of causing nuisance or annoyance (housing-related anti-social behaviour); and • Just and convenient to grant the injunction to prevent anti-social behaviour.
Details	<ul style="list-style-type: none"> • Issued by the county court and High Court for over 18s and the youth court for under 18s. • Injunction will include prohibitions and can also include positive requirements to get the perpetrator to address the underlying causes of their anti-social behaviour. • Agencies must consult youth offending teams in applications against under 18s.

Penalty on Breach	<ul style="list-style-type: none"> • Breach of the injunction is not a criminal offence, but breach must be proved to the criminal standard, that is, beyond reasonable doubt. • Over 18s: civil contempt of court with unlimited fine or up to two years in prison. • Under 18s: supervision order or, as a very last resort, a civil detention order of up to three months for 14-17 year olds.
Appeals	<ul style="list-style-type: none"> • Over 18s to the High Court; and • Under 18s to the Crown Court.
Important changes / differences	<ul style="list-style-type: none"> • Available to a wider range of agencies than Anti-Social Behaviour Injunctions. • Obtainable on a civil standard of proof unlike Anti-Social Behaviour Orders (ASBOs). • No need to prove “necessity” unlike ASBOs. • Breach is not a criminal offence. • Scope for positive requirements to focus on long-term solutions.



Criminal Behaviour Order

Purpose	Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently antisocial individuals who are also engaged in criminal activity.
Applicants	The prosecution, in most cases the Crown Prosecution Service (CPS), either at its own initiative or following a request from the police or council.
Test	<ul style="list-style-type: none"> • If the court is satisfied beyond reasonable doubt that the offender has engaged in behaviour that has caused or is likely to cause harassment, alarm or distress to any person; and • The court considers that making the order will help prevent the offender from engaging in such behaviour.
Details	<ul style="list-style-type: none"> • Issued by any criminal court for any criminal offence. • The anti-social behaviour does not need to be part of the criminal offence. • Order will include prohibitions to stop the anti-social behaviour but it can also include positive requirements to get the offender to address the underlying causes of the offender's behaviour. • Agencies must find out the view of the youth offending team (YOT) for applications for under 18s.
Penalty on Breach	<ul style="list-style-type: none"> • Breach of the order is a criminal offence and must be proved to a criminal standard of proof, that is, beyond reasonable doubt. • For over 18s on summary conviction: up to six months imprisonment or a fine or both. • For over 18s on conviction on indictment: up to five years imprisonment or a fine or both. • For under 18s: the sentencing powers in the youth court apply
Appeals	<ul style="list-style-type: none"> • Appeals against orders made in the magistrates' court (which includes the youth court) lie to the Crown Court. • Appeals against orders made in the Crown Court lie to the Court of Appeal.
Important changes / differences	<ul style="list-style-type: none"> • Consultation requirement with YOTs for under 18s. • No need to prove "necessity" unlike Anti-Social Behaviour Orders. • Scope for positive requirements to focus on long-term solutions.

Dispersal Powers

Purpose	Requires a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48 hours.
Applicants	<ul style="list-style-type: none"> • Police officers in uniform; and • Police Community Support Officers (if designated the power by their chief constable).
Test	<ul style="list-style-type: none"> • Contributing or likely to contribute to members of the public in the locality being harassed, alarmed or distressed (or the occurrence of crime and disorder); and • Direction necessary to remove or reduce the likelihood of the anti-social behaviour, crime or disorder.
Details	<ul style="list-style-type: none"> • Must specify the area to which it relates and can determine the time and the route to leave by. • Can confiscate any item that could be used to commit anti-social behaviour, crime or disorder. • Use in a specified locality must be authorised by a police inspector and can last for up to 48 hours. • A direction can be given to anyone who is, or appears to be, over the age of 10. • A person who is under 16 and given a direction can be taken home or to a place of safety.
Penalty on Breach	<ul style="list-style-type: none"> • Breach is a criminal offence. • Failure to comply with a direction to leave: up to a level 4 fine and/or up to three months in prison although under 18s cannot be imprisoned • Failure to hand over items: up to a level 2 fine.
Appeals	<ul style="list-style-type: none"> • A person who is given a direction and feels they have been incorrectly dealt with should speak to the duty inspector at the local police station. Details should be given to the person on the written notice.
Important changes / differences	<ul style="list-style-type: none"> • It is a more flexible power; it can be used to provide immediate respite to a community from anti-social behaviour, crime or disorder. • An area does not need to be designated as a dispersal zone in advance. • Although there is no requirement to consult the local council, the authorising officer may consider doing so in some circumstances before authorising use of the dispersal. • Police Community Support Officers may use all elements of the dispersal power (if designated the 10 power by their chief constable).

Community Protection Notice (CPN)

Purpose	To stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life.
Applicants	<ul style="list-style-type: none"> • Council officers; • Police officers; • Police community support officers (PCSOs) if designated; and • Social landlords (if designated by the council).
Test	<p>Behaviour has to:</p> <ul style="list-style-type: none"> • have a detrimental effect on the quality of life of those in the locality; • be of a persistent or continuing nature; and • be unreasonable.
Details	<ul style="list-style-type: none"> • Written warning issued informing the perpetrator of problem behaviour, requesting them to stop, and the consequences of continuing. • Community protection notice (CPN) issued including requirement to stop things, do things or take reasonable steps to avoid further anti-social behaviour. • Can allow council to carry out works in default on behalf of a perpetrator.
Penalty on Breach	<ul style="list-style-type: none"> • Breach is a criminal offence. • A fixed penalty notice can be issued of up to £100 if appropriate. An early repayment discount can be applied. • A fine of up to £2,000 (for individuals), or £20,000 for businesses.
Appeals	<ul style="list-style-type: none"> • Terms of a CPN can be appealed by the perpetrator within 21 days of issue. • The cost of works undertaken on behalf of the perpetrator by the council can be challenged by the perpetrator if they think they are disproportionate.
Important changes / differences	<ul style="list-style-type: none"> • The CPN can deal with a wider range of behaviours for instance, it can deal with noise nuisance and litter on private land not open to the air. • The CPN can be used against a wider range of perpetrators. • The CPN can include requirements to ensure that problems are rectified and that steps are taken to prevent the anti-social behaviour occurring again.

Public Spaces Protection Order (PSPO)

Purpose	Designed to stop individuals or groups committing antisocial behaviour in a public space
Applicants	<ul style="list-style-type: none">• Councils issue a public spaces protection order (PSPO) after consultation with the police, Police and Crime Commissioner and other relevant bodies.
Test	Behaviour being restricted has to: <ul style="list-style-type: none">• be having, or be likely to have, a detrimental effect on the quality of life of those in the locality;• be persistent or continuing nature; and• be unreasonable.
Details	Behaviour being restricted has to: <ul style="list-style-type: none">• be having, or be likely to have, a detrimental effect on the quality of life of those in the locality;• be persistent or continuing nature; and• be unreasonable.
Penalty on Breach	Breach is a criminal offence. <ul style="list-style-type: none">• Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate. An early repayment discount can be applied.• A fine of up to level 3 on prosecution.
Appeals	<ul style="list-style-type: none">• Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue.• Further appeal is available each time the PSPO is varied by the council.
Important changes / differences	<ul style="list-style-type: none">• More than one restriction can be added to the same PSPO, meaning that a single PSPO can deal with.



Closure Power

Purpose	To allow the police or council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder.
Applicants	<ul style="list-style-type: none"> • Local council • Police
Test	<p>The following has occurred, or will occur, if the closure power is not used:</p> <p>Closure notice (up to 48 hours):</p> <ul style="list-style-type: none"> • Nuisance to the public; or • Disorder near those premises. <p>Closure order (up to six months):</p> <ul style="list-style-type: none"> • Disorderly, offensive or criminal behaviour; • Serious nuisance to the public; or • Disorder near the premises.
Details	<p>A closure notice is issued out of court in the first instance. Flowing from this the closure order can be applied for through the courts.</p> <ul style="list-style-type: none"> • Notice: can close a premises for up to 48 hrs out of court but cannot stop owner or those who habitually live there accessing the premises. • Order: can close premises for up to six months and can restrict all access. • Both the notice and the order can cover any land or any other place, whether enclosed or not including residential, business, non-business and licensed premises.
Penalty on Breach	<p>Breach is a criminal offence.</p> <ul style="list-style-type: none"> • Notice: Up to three months in prison; • Order: Up to six months in prison; • Both: Up to an unlimited fine for residential and nonresidential premises.
Appeals	<ul style="list-style-type: none"> • Any person who the closure notice was served on; • Any person who had not been served the closure notice but has an interest in the premises; • The council (where closure order was not made and they issued the notice); • The police (where closure order was not made and they issued the notice).
Important changes / differences	<ul style="list-style-type: none"> • A single closure power covering a wider range of behaviour. Quick, flexible and can be used for up to 48 hours out of court.



New Absolute Ground for Possession

Purpose	The Act introduces a new absolute ground for possession of secure and assured tenancies where anti-social behaviour or criminality has already been proven by another court.
Applicants	To expedite the eviction of landlords' most anti-social tenants to bring faster relief to victims.
Test	<p>The tenant, a member of the tenant's household, or a person visiting the property has met one of the following conditions:</p> <ul style="list-style-type: none"> • convicted of a serious offence (specified in Schedule 2A to the Housing Act 1985); • found by a court to have breached a civil injunction; • convicted for breaching a criminal behaviour order (CBO); • convicted for breaching a noise abatement notice; <p>or</p> <ul style="list-style-type: none"> • the tenant's property has been closed for more than 48 hours under a closure order for antisocial behaviour.
Details	<ul style="list-style-type: none"> • Offence/breach needs to have occurred in the locality of the property or affected a person with a right to live in the locality or affected the landlord or his or her staff/contractors; • Secure tenants of local housing authorities will have a statutory right to request a review of the landlord's decision to seek possession. Private and registered providers are encouraged to adopt a similar practice.
Penalty on Breach	<p>Breach is a criminal offence.</p> <ul style="list-style-type: none"> • Notice: Up to three months in prison; • Order: Up to six months in prison; • Both: Up to an unlimited fine for residential and nonresidential premises.
Appeals	<ul style="list-style-type: none"> • If the above test is met, the court must grant a possession order (subject to any available human rights defence raised by the tenant, including proportionality) where the correct procedure has been followed.

Important
Changes /
differences

- Unlike the existing discretionary grounds for possession, the landlord will not be required to prove to the court that it is reasonable to grant possession. This means the court will be more likely to determine cases in a single, short hearing;
- This will offer better protection and faster relief for victims and witnesses of anti-social behaviour, save landlords costs, and free up court resources and time;
- It will provide new flexibility for landlords to obtain possession through this faster route for persistently anti-social tenants;
- The court will not be able to postpone possession to a date later than 14 days after the making of the order except in exceptional circumstances, and will not be able to postpone for later than six weeks in any event.



Community Empowerment

Amongst the anti-social behaviour provisions in the Act there are two important new measures to help focus the response to such behaviour on the needs of victims:

- The 'Community Trigger' to give victims and communities the right to require agencies to deal with persistent anti-social behaviour that has previously been ignored. The trigger could be activated by a member of the public, a community or a business if repeated complaints about antisocial behaviour have been ignored.

The threshold for the Community Trigger across the Kent Police area has been adopted by all the local authorities and is set at:

- Three incidents of ASB or hate crime in a six month period reported by one person
- Five reported incidents of ASB or hate crime in a six month period involving a linked location reported by more than one person

Maidstone's citizens can access the Community Trigger via:

- the Council's website:

<http://www.maidstone.gov.uk/residents/community-safety/community-trigger>

- by writing to 'Community Trigger', Community Safety Team, Maidstone House, King Street, Maidstone, Kent, ME15 6JQ
- via our online web form at: <https://maidstone.firmstep.com/default.aspx/RenderForm/?F.Name=Vbyogq6X3R7&HideToolbar=1>
- by calling 01622 602658
- via their Social Landlord
- Kent Police.

The 'Community Remedy' is a menu of sanctions for low-level crime and ASB which has been drawn up following consultation with the local community and agreed between the Police and Crime Commissioner (PCC) and the Chief Constable. Police officers will work from the menu of sanctions when using two types of out of court disposal – informal community resolutions and conditional cautions. These require the offender to accept that they have committed a criminal offence or engaged in ASB, and to accept some form of sanction out of court, as an alternative to formal criminal proceedings, should an offence have been committed.

Further Information

Councillors should contact:

Environmental Enforcement- 01622 602202 or email enforcementoperations@maidstone.gov.uk to discuss any environmental issue including noise, smoke, dogs etc.

Or

Community Safety- 01622 602658, or email communitysafety@maidstone.gov.uk to discuss anti-social behaviour, domestic violence, drug abuse or alcohol abuse etc.

Members can also find further information on measures to tackle anti-social behaviour online at:

<http://www.maidstone.gov.uk/residents/community-safety/advice-and-information>

<https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>

http://www.kent.police.uk/advice/anti-social_behaviour/asb.html



APPENDIX 2

**Safer Maidstone Partnership
2 October 2014**

INFORMATION ITEM

Kent Community Trigger Document –Adopted by each Kent district/borough CSP

Community Trigger Threshold

- At least three incidents of anti-social behaviour reported to the relevant bodies within the previous six months.
- The anti-social behaviour must be a repeat of the same or similar incident which was reported within one month of the alleged incident taking place.

Countywide Procedures – information for professionals

The Community Trigger application form, wording used to describe the community trigger process on websites and any publicity material for the trigger will be the same countywide.

Applications for the trigger should be submitted directly to the local borough or district council, either online, via telephone or in writing. If an application is received by any other agency, they should refer it to the local Community Safety Unit based at the local borough or district council.

The borough or district council will record the application, alongside its own standard recording and reporting mechanisms, clearly identifying it as a Community Trigger application.

The application for the trigger will be considered by at least two of the four relevant bodies to decide whether or not the trigger threshold has indeed been met at which point the Community Trigger application will be validated and a review will be initiated.

Once a review has been initiated, partners and agencies that form part of the case review will be expected to share relevant information in a timely fashion. If information is not provided this will be recorded as part of the review findings.

The process from beginning to end will last no longer than 25 working days and the applicant will be contacted and notified as appropriate during this time, for example;

- Their trigger application has been received
- Activation of the Community Trigger process or;
- Trigger not met;
- Results of review panel and recommendations
- Issues resolved by the Community Trigger and case now closed.

There will a further review after 6 months, by which point any actions set as part of a plan created by the recommendations/findings will need to be completed. This will be

communicated to the resident and the case closed if no further action is required.

If the applicant requests a secondary review of the way their application for a Community Trigger was dealt with or are not satisfied with the way their Community Trigger review was carried out then the borough/district council will initiate an independent panel.

- **Option one:** a peer review by a neighbouring Community Safety Partnership (CSP)/Community Safety Unit (CSU).
- **Option two:** a review panel made up of a CSP exec group; Chief Executive/Director, Chief Inspector, a Councillor with responsibility for Housing and or a local ward member, residents forum member/chair.
- **Option three:** Kent Police and Crime Commissioner (PCC) option of an independent review panel created, perhaps involving Victim Support, Residents Forum chairs or other.

The borough or district council will report the following Community Trigger data to the local CSP as required and annually to the Kent PCC and Kent CSP and within the Strategic Assessments.

- the number of applications for Community Trigger received
- the number of times the threshold for review was not met
- the number of reviews carried out, and
- the number of reviews that resulted in recommendations being made

It is proposed that this process is reviewed in April 2015 and any learning used to refine and improve the process.

The Community Trigger in Maidstone (text for websites etc.)

What is it?

The Community Trigger is a process which allows members of the public to ask their local Community Safety Partnership to review responses to incidents of anti-social behaviour.

The Trigger has been introduced to help ensure that agencies are working together to resolve incidents of anti-social behaviour that are affecting residents quality of life. We will do this by appropriately sharing information between agencies, reviewing the actions that have been taken and use available resources to try and reach a solution and make recommendations that will hopefully prevent the situation from reoccurring.

The Trigger does not replace the existing complaints procedures of individual organisations, or your opportunity to complain, when appropriate, to the Local Government Ombudsman or Independent Police Complaints Commission.

When can I use the Community Trigger?

The Community Trigger can be used if you have reported at least three incidents of anti-social behaviour to a relevant organisation within the previous six months. These are incidents where the same behaviour, nuisance or problem has reoccurred and was reported within one month of it happening.

For the purpose of the Community Trigger, an incident of anti-social behaviour is defined as behaviour causing harassment, alarm or distress to a member, or members, of the public. This could include behaviour such as vandalism, public drunkenness, noisy or abusive neighbours.

The Community Trigger is not designed to replace existing anti-social behaviour reporting lines or for the reporting of general acts of crime, including hate crimes although these can be included in the number of incidents you have reported if you feel they were part of the anti-social behaviour.

To report an incident of anti-social behaviour please call 101 or the Maidstone Community Safety Unit on 01622 602000 or via www.maidstone.gov.uk/communitysafety

If you or someone you know is being bullied, harassed or abused because of your race, religion, disability, sexuality or gender identity then you can report it via the independent Hate Crime Reporting line on 0800 138 1624.

How do I use the Community Trigger?

To use the Community Trigger you can either complete an [online form](#) (blue text indicates a hyper-link), telephone 01622 602658 or in writing to:

Nic Rathbone, Community Safety Partnerships Officer

Maidstone Community Safety Unit
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent ME15 6GY

You will need to provide details of the date of each incident that you have reported, to who (name, organisation and/or Incident Reference Number – if available) and information about the anti-social behaviour incident you were reporting. You will also be asked to agree to allow your details and information about you to be shared with other agencies.

The Trigger can also be used by any person on behalf of a victim, for example a family member, friend, carer, councillor, Member of Parliament or other professional person. However the victims consent will be needed before a person can use the Community Trigger on their behalf.

What can I expect?

Once a Community Trigger application has been received and accepted, the Community Safety Unit will contact the other agencies involved to confirm the details of the reported incidents to verify the threshold has been met. You will be contacted to confirm that the Trigger threshold has been met or if it has not been met what action will be taken to deal with the issues raised.

Following validation of the threshold the Community Safety Unit will request that agencies provide complete details of the case and any actions that have been taken to resolve the issues reported to them.

Arrangements will be made for a review panel to be formed who will then carry out a case review. The panel will involve senior staff from the appropriate Community Safety Partnership agencies, the Registered Social Landlords and/or other partners that may have been involved. The panel will discuss the anti-social behaviour and the actions taken.

We will write to you soon after the panel meeting to inform you of the findings and recommendations, we aim to do this as quickly as possible within a maximum 25 working days. Should the review take longer than this we will contact you to explain the delay.

The relevant bodies who undertake a case review may make recommendations to other agencies. The legislation places a duty on a person who carries out public functions to have

regard for those recommendations. This does not mean that they are not obliged to carry out the recommendations, but that they should acknowledge them and may be challenged if they choose not to carry them out without good reason.

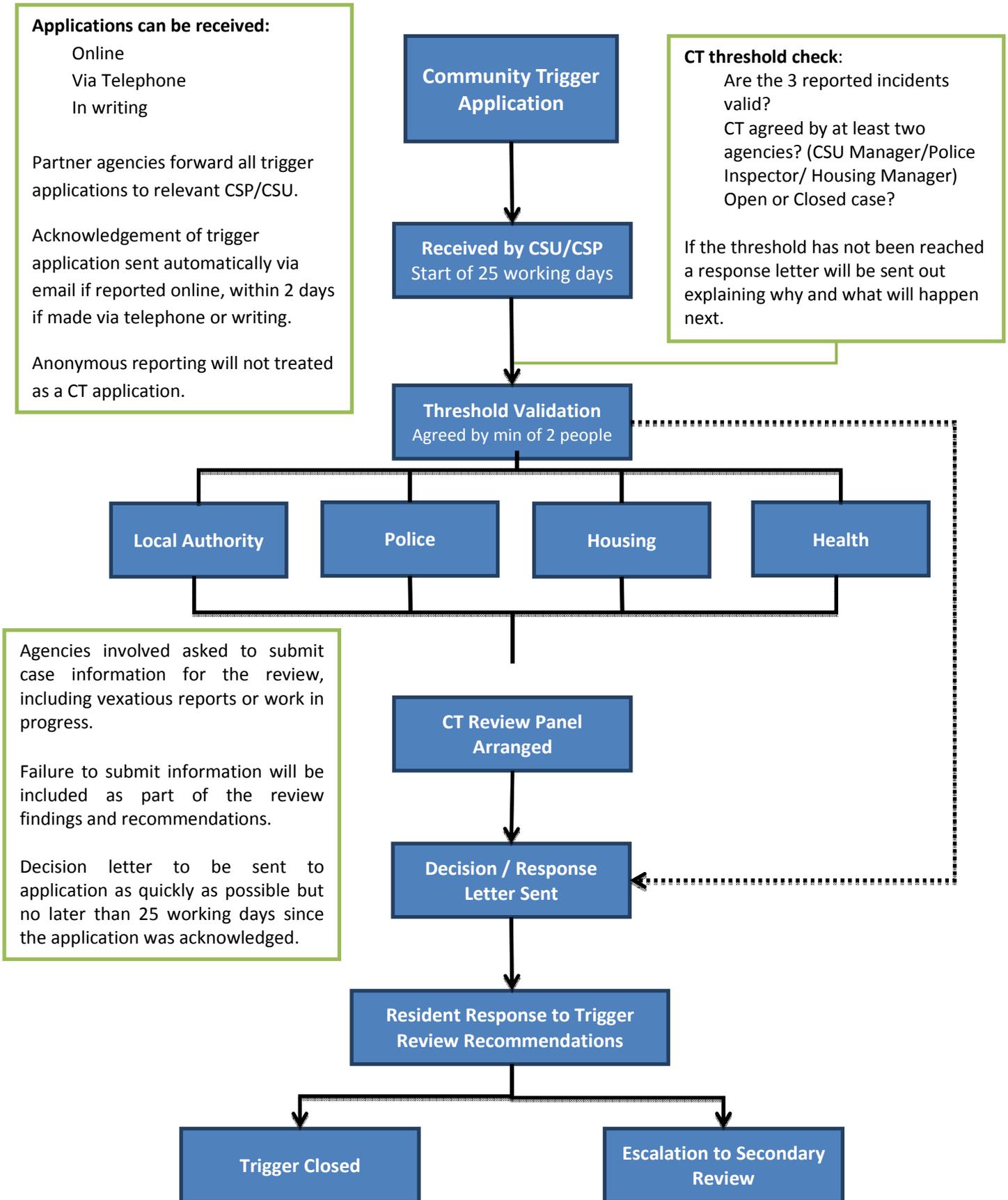
We will report on the number of Community Trigger applications and provide a summary of the key findings to the Maidstone Community Safety Partnership and the Office of the Kent Police and Crime Commissioner.

What if I am unhappy with the way the review was handled?

If you are unhappy with the way your Community Trigger application has been handled or the response received from the review panel then you can request that a secondary review be carried out by an independent panel.

The secondary review is the last step that can be taken in this process, if you are still unhappy you will be directed to the Ombudsmen, the Independent Police Complaints Commission or other most relevant body.

Community Trigger (CT) Process Map



Agenda Item 11

Community Housing and Environment Committee

13 October 2015

Is the final decision on the recommendations in this report to be made at this meeting?

No

Maidstone Housing Strategy 2016-2020

Final Decision-Maker	Council
Lead Director or Head of Service	John Littlemore, Head of Housing and Community Services
Lead Officer and Report Author	Tony Stewart, Senior Enabling Officer
Classification	Non-exempt
Wards affected	All wards

This report makes the following recommendations to the final decision-maker:

1. That the Action Plan attached at **Appendix E**, showing achievements against the stated outcomes from the previous Housing Strategy 2011-15 be approved.
2. That the Key Priority Themes identified for the new Housing Strategy 2016-2020 be approved for consultation with key partners and stakeholders, in order to develop the Action Plan outlined at **Appendix A** and stated outcomes for each Key Priority Theme.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all
- Securing a successful economy for Maidstone Borough

Timetable	
<i>Meeting/Event</i>	<i>Date</i>
Community, Housing and Environment Committee	13 October 2015
Consultation	October to December 2015
Policy and Resources Committee	24 February 2016
Council	2 March 2016

Maidstone Housing Strategy 2016-2020

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To consider and approve the Action Plan attached at **Appendix E**, showing achievements against the stated outcomes from the previous Housing Strategy 2011-15.
 - 1.2 To approve the Key Priority Themes identified for a new Housing Strategy 2016-2020. The Key Priority Themes are recommended for consultation with key partners and stakeholders, in order to develop the Action Plan and stated outcomes for each theme attached at **Appendix A**, before the final strategy is presented to full council for adoption.
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2. INTRODUCTION AND BACKGROUND

About this strategy

- 2.1 The current Housing Strategy 2011-2015 expires this year, so the council need to put in place a new Housing Strategy post 2015. The Deregulation Bill received Royal Assent in March 2015. The Bill included the provision to remove the power of the Secretary of State to require local housing authorities in England to produce a housing strategy. This is an attempt to tidy up the statute book, because the power has never been exercised since it was introduced more than 10 years ago.
- 2.2 Although now not a mandatory requirement to have one, it is considered that the council should continue to prepare and adopt a Maidstone Housing Strategy for 2016-2020. It is a fundamental and critical piece of work which helps to identify the main housing issues and key challenges for the local area that the council and its partners need to address over the next five years.

Purpose of the strategy

- 2.3 The Housing Strategy is an overarching plan that guides the council and its partners in tackling the major housing challenges facing the borough. It sets out the priorities and outcomes that we wish to achieve and provides a clear strategic vision and leadership in an uncertain economic climate. The Strategy contributes to the council's corporate priorities for Maidstone '**to keep the Borough an attractive place for all and to secure a successful economy**'. The Housing Strategy is also intrinsically linked with other plans and strategies of the council as shown at **Appendix C**.

- 2.4 It is proposed that the new strategy looks ahead for five years, covering 2016-2020. The Chancellor's Autumn Statement in 2014 included measures to extend capital investment to the current Affordable Homes Programme 2015-2018, for a further two years, up to 2019-20. This signifies a continuation of the current funding model and framework. It is unclear however as to what will be in place after 2019-20. The Council's Strategic Plan also runs from 2015-2020, so it is not considered appropriate to set a longer term than five years for the new Housing Strategy, so that we can respond to future directions of travel both nationally and locally.
- 2.5 The ambition behind this strategy is to ensure that all people in the Borough have access to good quality homes that are affordable for them and meet their needs. Every council has a responsibility to understand what matters most to its local communities and to respond to this through investment, service planning and delivery. We also have to take into account national and regional aspirations and sometimes this requires a balance with local priorities.

Our Achievements 2011-2015

- 2.6 During the life of the previous Housing Strategy much was achieved which made a real difference to peoples' lives, including:
- Delivering 871 new affordable houses
 - Completing the following policy and strategy reviews: Homelessness Strategy, Strategic Housing Market Assessment, Tenancy Strategy and Domestic Abuse Strategy
 - Increased engagement with the private sector by hosting bi-annual Landlord forums and offering a new Homefinder incentive scheme to gain access to privately rented properties
 - Allocations policy implemented along with new eligibility criteria and 'banding' introduced to offer a fairer distribution of social housing properties to households on the housing register

Maidstone's Strategic Housing Role

- 2.7 The transfer of our housing stock to Golding Homes (formerly Maidstone Housing Trust) in February 2004 has enabled the council to develop its strategic housing role. Over the past 15 years, central government legislation and guidance has encouraged local authorities to take a more strategic approach to the provision of housing, so encouraging better 'place-shaping', and developing a deeper understanding of the relationship between housing, planning and the economy. Thus, our remit is far wider than just 'housing'.

- 2.8 Poor housing or lack of a home has a detrimental impact on many areas including employment, crime, education, homelessness and health. Housing and support provides valuable help to enable people to achieve increased independence and health and well-being outcomes at times of difficulty and can prevent difficulties becoming a crisis.
- 2.9 In the 5 years since our last Housing Strategy was published, the housing sector has experienced a period of rapid change. A combination of policy change at national level, led by the shift in approach to subsidy and vast welfare and planning reform changes, has created opportunities as well as a climate of uncertainty and heightened risk. These are discussed further in **Appendix B** of this report.
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3. RESEARCH AND ANALYSIS

- 3.1 The new Housing Strategy for 2016-2020 is supported by a number of key background evidence papers, documents and research and data analysis of which were undertaken to determine the key housing related challenges facing Maidstone. The Housing Strategy and Research Paper shown at Appendix B contains an insight into the National Context for housing as well as a detailed analysis of the local issues affecting the borough including deprivation, demographic change, housing costs, need and supply, health and well-being and development pressures. Some of the key evidence based national and local documents and data sources used as part of the aforementioned research and analysis is as follows:

- Strategic Housing Market Assessment (January 2014)
 - Laying the Foundations: A Housing Strategy for England (November 2011)
 - National Planning Policy Framework (NPPF – March 2012)
 - National Quality Technical Standards
 - Summer Budget 2015
 - Preventing Homelessness to Improve Health and Well-Being (July 2015)
 - Unhealthy State of Homelessness: Health Audit Results 2014
 - Index of Multiple Deprivation (2010)
 - Office of National Statistics
 - Locata
 - Help to Buy Agent
 - Census 2011
 - Statistical Data Return (2013-2014)
 - Affordable Housing Development Programme
 - Emerging Local Plan (2011-203)
 - Homelessness Strategy (2014-2019)
 - Health Inequalities Action Plan
 - KCC Social Care Accommodation Strategy
 - P1E Homelessness Data
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4. EMERGING CHALLENGES

4.1 From the analysis of the above documents and data sources and a review of national, county and local policy, the key housing challenges in Maidstone are identified as:

- Projected population growth from 2011 to 2031 shows a greater proportion of the population expected to be in age groups aged 60 and over (and even more so for older age groups) - in particular the oldest age group (85+) shows an increase of 142%.
- Evidence in KCC's Adult Accommodation Strategy clearly demonstrates that the majority of need arises from persons in older age groups: those 75-84 and particularly over 85. The needs of these groups range from support in adapting properties to meet changing needs and provision of care in the home through to specialist accommodation.
- There is an estimated total need for 3,620 specialist accommodation units for older persons from 2011 to 2031.
- The council has a net affordable housing need of 5,800 households from 2013 to 2031 equivalent to 322 affordable homes each year (which is 35% of the council's objectively assessed need of 928 dwellings p.a.).
- Across the borough as a whole, it is estimated that some 67% of affordable need is for social or affordable rent tenures, whilst around 33% is for intermediate housing.
- Across the Borough it is estimated that around 43% of households are unable to access market housing on the basis of income levels.
- The difference in life expectancy at birth in our most affluent wards compared to our most deprived is 8.9 years.
- Deprivation in the borough is lower than average, however 15% (4,300) of children (under 16 years old) in Maidstone live in poverty. There is a larger difference in life expectancy of men and women; 7 years lower for men and 4 years lower for women in the most deprived areas of Maidstone than in the least deprived.
- The number of homelessness decisions made by the council has increased significantly since April 2011 from 80 to 604, representing a 655% increase over the last 5 years. From April 2015, 314 decisions have been made so far, showing that numbers are not decreasing.
- The use of temporary accommodation has resulted in a large increase in cost to the Council. The past five years have seen a near fivefold increase in the net cost of temporary accommodation from £118,620 to £584,055.

- The Government will reduce rents in social housing in England by 1% a year for four years from April 2016. This will apply to both social rent and affordable, and the Government indicates this will result in a 12% reduction in average rents by 2020/21, compared to current forecasts. The rent reduction does not apply to shared ownership. Registered providers are already reviewing their business plans and viability of schemes, leading to requests to switch tenures in favour of more shared ownership.
- Access to alternative funding and delivery sources to help maintain supply due to reductions to capital subsidy is of high importance.
- Currently over 55% (801 households) of applicants on the council's housing register have a 1-bed need and 27% (392 households) have a 2-bed need. There is therefore a need to increase the delivery of new 1 and 2 bedroom affordable homes.

5. KEY HOUSING PRIORITY THEMES / OBJECTIVES

- 5.1 At the Corporate Leadership Team (CLT) away day held on 24 September 2015, the emerging themes and objectives of the Council's new Housing Strategy were discussed. Following research, analysis and feedback from CLT it is proposed that the new Housing Strategy 2016-2020 is designed around the following key priorities and objectives:
- **Priority 1: Enable and support the delivery of quality homes across the housing market**
 - **Priority 2: To ensure that existing housing in Maidstone Borough is safe, desirable and promotes good health and well-being**
 - **Priority 3: Prevent homelessness; secure the provision of appropriate accommodation for homeless households and supporting vulnerable people.**
- 5.2 This new Housing Strategy for Maidstone gives the Council an excellent opportunity to make a real difference for the residents of the Borough. **Appendix A** lists some suggested outcomes and actions to help us achieve the above key priority themes. This includes working with partners to facilitate housing development, maximising investment opportunities, raising housing quality standards, promoting ways for residents to improve their health and wellbeing and preventative measures and services for homeless persons. The outcomes and actions listed will be developed further after consultation with key partners.

- 5.2.1 The Council is being encouraged to demonstrate its community leadership through direct action and working in partnership with key organisations to deliver homes to meet our identified need in the emerging local plan of 18,500. This will include initiatives like redevelopment of Brunswick Street car park to provide homes whilst retaining sufficient supply of car parking; and the investment in that acquisition/purchase of appropriate properties for use as temporary accommodation for homeless households.
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6. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 6.1 The Council could choose not to adopt a new Housing Strategy and instead continue to refresh the 2011-15 strategy, or not have one at all post 2015. However, to not agree a new Housing Strategy would mean a diminution of our community leadership and strategic housing roles and would make effective engagement with our partners much more difficult. It would also mean that the Homes and Communities Agency would be much more likely to direct funds away from Maidstone if they could not clearly see an up to date and coherent vision for the area.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The Council cannot achieve the Key Priority Themes and subsequent outcomes and action plan without working in partnership with other key statutory and voluntary organisations, including the Homes and Communities Agency, elected Members and a broad range of stakeholders and partners.
- 7.2 The new Maidstone Housing Strategy 2016-2020 will be subject to consultation with key stakeholder partners and voluntary organisations to determine the priority outcomes and actions before being presented to full council for adoption.
- 7.3 In order to aid the consultation process a stakeholder mapping exercise will be carried out to identify key partners, voluntary organisations and internal departments that we will need to consult in order to help us achieve the aforementioned objectives. This process will also help to determine synergies with relevant partners of which consultation in various group exercises will be mutually beneficial.

7.4 The timetable for the development of the new Maidstone Housing Strategy is set out in the table below.

Timetable	
<i>Meeting/Event</i>	<i>Date</i>
Community, Housing and Environment Committee	13 October 2015
Consultation	October to December 2015
Policy and Resources Committee	24 February 2016
Council	2 March 2016

8. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The adoption of the housing strategy will assist in the delivery of the council's corporate priorities.	John Littlemore, Head of Housing and Community Services
Risk Management	The delivery of this strategy will depend upon the effectiveness of the partnership working between the statutory and voluntary sector and through listening to and involving service users. Housing is a cross-cutting issue and new partners need to come on board and recognize the importance of tackling the challenges identified. The way forward will require an effective strategic partnership that focuses on delivery of successful outcomes across services, combined with robust risk analysis.	John Littlemore, Head of Housing and Community Services
Financial	To be developed as part of the housing investment plan.	Paul Riley, S151 Officer & Ellie Dunnett, Finance
Staffing	Appropriate staffing resources will need to be in place to deliver the outcomes and actions established for the strategy. The position of development officer is currently being advertised which will help with the acquisition and purchase of property's.	John Littlemore, Head of Housing and Community Services
Legal	N/A	Kate Jardine, Team Leader (Planning), Mid Kent Legal

Issue	Implications	Sign-off
		Services
Equality Impact Needs Assessment	The Housing Strategy potentially affects all population sections and groups. A preliminary EQIA has been carried out, which will be reviewed following the stakeholder consultation exercise, before the new Housing Strategy is presented to full council for adoption.	Anna Collier, Policy & Information Manager
Environmental/Sustainable Development	N/A	John Littlemore, Head of Housing and Community Services
Community Safety	N/A	John Littlemore, Head of Housing and Community Services
Human Rights Act	N/A	John Littlemore, Head of Housing and Community Services
Procurement	N/A	Rob Jarman, Head of Planning & Development, & Paul Riley Section 151 Officer
Asset Management	None	

9. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

Appendix A: Priorities, Outcomes and Actions

Appendix B: Housing Strategy 2016-2020 Analysis & Research Paper

Appendix C: Housing Strategy Links

Appendix D: Relationship between poor Housing and Health

Appendix E: Housing Strategy 2011-2015 Action Plan

Housing Strategy 2016-2020

Priorities, Outcomes and Actions

Priority 1: Enable and support the delivery of quality homes across the housing market

Outcomes – What we plan to achieve

- a) Enable the delivery of 18,500 homes as identified in the emerging Local Plan; and has an appropriate policy framework in place that delivers an appropriate mix, tenure and range of housing to meet identified need.
- b) Deliver a mix of homes of different types, tenure and size, via direct provision and in partnership with private developers, housing associations and other key partners, which meet the needs of the local population.
- c) Deliver new affordable homes that are designed to a high standard, energy efficient, accessible and respond to people's changing needs.
- d) Maximise housing investment opportunities by seeking innovative funding and delivery options to support housing delivery within Maidstone.

Actions – What we will do in order to achieve the stated outcomes

Outcome	What we plan to do	Key Partners
1b	<ul style="list-style-type: none"> • Create a Local Housing Company to build/acquire new affordable and private homes to meet the commercial and housing objectives of the council. 	MBC Housing & Enabling Team, Legal & Finance Consultants, Housing Developers, MBC Planning, Landowners, Homes & Communities Agency
1a/b/c/d	<ul style="list-style-type: none"> • Ensure the emerging Local Plan provides an appropriate policy framework for affordable housing, including the production of an Affordable Housing Supplementary Planning Document (SPD) 	MBC Housing & Enabling Team , MBC Spatial Planning Policy, Housing Developers, Registered Providers, Homes & Communities Agency
1a/b/c	<ul style="list-style-type: none"> • Promote home ownership products e.g. Help to Buy, Shared Ownership and self-build in Maidstone. 	MBC Housing & Enabling Team , Landowners, Housing Developers, MBC Planning
1b	<ul style="list-style-type: none"> • Monitor and respond to the changing social housing market, including: 	MBC Housing & Enabling Team ,

	<ul style="list-style-type: none"> ○ Impact of the 1% annual reduction in social rents over the next 4 years. ○ Impact of the affordable rent regime on affordability. ○ Impact of the Allocation Scheme to ensure social housing is being allocated effectively and fairly. 	Housing Developers, Registered Providers, Homes & Communities Agency, MBC Benefits
1a/b	<ul style="list-style-type: none"> ● Enable the delivery of new affordable housing, particularly 1 and 2 bedroom homes to meet the identified need. 	MBC Housing & Enabling Team , MBC Planning, Housing Developers, Registered Providers
1d	<ul style="list-style-type: none"> ● Explore opportunities for funding investment with a range of partners including the Local Enterprise Partnership, Homes & Communities Agency, institutional investors that will contribute towards the delivery of housing across the market. 	MBC Housing & Enabling Team , Landowners, Housing Developers, Registered Providers, Homes & Communities Agency, DCLG, LGA, LEP
1b/c	<ul style="list-style-type: none"> ● Consider on a site by site basis joint venture and partnership models to share expertise, income, resources and risk. 	MBC Housing & Enabling Team , Registered Providers, Housing Developers, Landowners, External Contractors / Consultants, Kent Housing Group, DCLG, LEP, KCC,
1a/b	<ul style="list-style-type: none"> ● Work with planning, the local and Gypsy Traveller and Travelling communities to identify potential housing sites to meet identified need. 	MBC Housing & Enabling Team , MBC Planning, Gypsy and Traveller Community, Parish Councils, Kent County Council
1b/c	<ul style="list-style-type: none"> ● Bring forward Brunswick Street car park to deliver a quality housing scheme to meet housing and commercial objectives 	MBC Housing & Enabling Team, MBC Planning, Housing Developers, External contractors/consultants, Registered Providers, Landowners.

Priority 2: Ensure that existing housing in the Maidstone Borough is safe, desirable and promotes good health and wellbeing

Outcomes – What we plan to achieve

- a) To raise housing quality and standards across all tenures and improve the condition of existing homes to maximise health and wellbeing outcomes for all.
- b) To improve health outcomes for residents by reducing health inequality to ensure a healthy standard of living for all.
- c) Promote ways for residents to improve their health and wellbeing by tackling fuel poverty, energy efficiency advice and managing domestic bills.

Actions – What we will do in order to achieve the stated outcomes

Outcomes	What we plan to do	Key Partners
2a	<ul style="list-style-type: none"> • Improve the condition and supply of accommodation within the private rental sector by engaging with landlords to support good management and bring empty properties back into use. 	National Landlords Association, Maidstone Landlords Forum, Landlords, Homeowners, MBC Housing & Health Team
2a/b/c/d	<ul style="list-style-type: none"> • Assist with delivery of the Health Inequalities Action Plan 	Maidstone Health and Well-Being Group, MBC KCC Children’s Centres West Kent NHS Trust – Midwives and Health visitors West Kent CCG – Commissioners and GPs KCHT Registered Providers, Schools, Age UK, Youth Providers.
2a	<ul style="list-style-type: none"> • Review key strategic documents to ensure they remain relevant to today’s market, including: <ul style="list-style-type: none"> ○ The Council’s Tenancy Strategy ○ The new national technical standards. ○ Council’s Housing Assistance Policy ○ The Council’s Housing Standards Enforcement Policy 	MBC Planning, MBC Housing, Registered Providers, Housing Developers, private landlords

2c	<ul style="list-style-type: none"> Promote closer co-operation with the Revenues and Benefits and DHP Team to assist customers in difficulty who require further support to help solve their financial issues. 	MBC Housing and Inclusion Team, Registered Providers MBC Benefits, CAB
2a	<ul style="list-style-type: none"> Promote the review of the Disabled Facilities Grant to provide an efficient service that assists disabled residents to remain in their home. 	KCC, MBC Housing and Health Team, Registered Providers, Private Sector Landlords, Homeowners
2b/c/d	<ul style="list-style-type: none"> Initiate projects such as the Roseholme Healthy Homes Pilot, that will improve the health and well-being of residents within the Borough 	MBC Housing & Inclusion Team, MBC Housing & Health Team, Maidstone Health and well-being group, KCC, External businesses, Voluntary groups
2b/d	<ul style="list-style-type: none"> Work with NHS Health trainers to support residents to achieve healthier lifestyle choices with issues such as Healthy eating, quitting smoking, exercise and emotional well-being 	Kent Community Health (NHS Health Trainers), MBC Housing & Health Team , GP's, Registered Providers, CAB

Priority 3: Prevent Homelessness, Secure Provision of Appropriate Accommodation for Homeless Households and Supporting Vulnerable People

Outcomes – What we plan to achieve

- a) Prevent and relieve homelessness amongst local residents who are at risk of homelessness by offering timely, expert advice that helps to prevent their homelessness.
- b) Increase the availability of suitable accommodation for homeless households via direct provision and the use of the private rented sector, to reduce temporary accommodation costs, length of stay and reliance on bed and breakfast accommodation.
- c) Support independent living and reduce risk of repeat homelessness for vulnerable residents by offering a range of housing options, advice and support to maintain or improve their health and well-being.

Actions – What we will do in order to achieve the stated outcomes

Outcomes	What we plan to do	Key Partners
3a/b/c	<ul style="list-style-type: none"> • Deliver our existing Homelessness Strategy Action Plan 	MBC Housing & Inclusion team, MBC Housing & Enabling Team, Private Landlords, Registered Providers, Voluntary Groups, CAB, KCC Social Services, Schools, Supported Housing Providers
3b	<ul style="list-style-type: none"> • To expand on the success of Aylesbury House by investing in the acquisition/purchase of additional temporary accommodation within Maidstone to house homeless and vulnerable households. 	MBC Housing & Inclusion team, MBC Housing & Enabling Team, Homes & Communities Agency, DCLG, Land owners, Property owners, Private institutional investors, Agents
3c	<ul style="list-style-type: none"> • Strengthen partnership working at local, county and national level and understanding of assistance and options available to homeless and vulnerable households. 	MBC Housing & Inclusion team, KCC, DCLG, KHOG, CAB, Voluntary groups, Registered Providers
3a	<ul style="list-style-type: none"> • Continue to support private sector 	Private Sector

	landlords and tenants to maintain their tenancies by offering pre-tenancy training.	Landlords, Registered Providers, Tenants, MBC Housing & Inclusion team
3a/c	<ul style="list-style-type: none"> Provide specialist targeted information and advice services that will enable people to improve their own housing and health circumstances, prevent homelessness and make best use of resources. 	MBC Housing & Inclusion team, MBC Housing & Health team, MBC Housing & Enabling Team, CAB, KCC, NHS Health trainers
3a/c	<ul style="list-style-type: none"> Support affected households to manage welfare reform changes to the benefit system. 	MBC Housing & Inclusion team, MBC Benefits, Registered Providers, CAB, Private Landlords
3c	<ul style="list-style-type: none"> Ensure homeless households have access to volunteering, training and employment opportunities 	Job Centre Plus, Voluntary groups, MBC Housing & Inclusion team, CAB
3b	<ul style="list-style-type: none"> Secure shared housing for under-35s single homeless people. 	MBC Housing & Inclusion team, MBC Housing & Enabling team, Private Sector Landlords, Agents
3b	<ul style="list-style-type: none"> Expand the Homefinder incentive scheme to more landlords within Maidstone and neighbouring boroughs 	MBC Housing & Inclusion team, Private Landlords, National Landlords Association, Maidstone Landlords Forum, Agents

Housing Strategy 2016-2020

Research and Analysis Paper

National Context

Housing Strategy for England

In November 2011, the Government published 'Laying the Foundations: A Housing Strategy for England'. It presents the Government's intended direction of travel for housing; its role in the wider economy and its contribution to social mobility. It sets out ideas on the shape of housing provision that the Government wants to see which involve the primacy of home ownership; social housing as welfare; and an increasing role for the private rented sector.

The strategy introduced new approaches and initiatives including:

- A mortgage indemnity scheme for purchase of new build property
- Support for locally led large-scale development
- Further efforts on public sector land release
- Provision of development finance for stalled sites
- Further support for custom build (self-build) housing
- The next steps for council housing finance reform
- Intentions on reinvigorating 'Right to Buy'
- Clarity on guidance on allocation of social housing
- Support for investment in new private rented sector homes
- Additional financial support for tackling empty homes
- Consideration of ways to improve housing options for older people

Local Authorities Role in Housing Supply

The Autumn Statement 2013 announced that the Government would launch a review into the role that local authorities can play in housing supply. The aim of the review was to explore the role councils, both stock and non stock holding, could play going forward in increasing supply of housing to help meet the housing needs of their local population.

Natalie Elphicke and Keith House were appointed as the reviewers in January 2014. Their final report, published in January 2015, highlighted that councils could achieve much more by taking a more central role in providing new homes. The key recommendation is that councils change from being statutory providers to being Housing Delivery Enablers.

The Local Government Associations (LGA's) 'Investing in our nation's future' reports that some Councils have already set up their own housing companies or exploring the potential to do so, offering flexibility on tenure and rent.

Furthermore, APSE and TCPA have published a joint research report entitled, 'Housing the Nation: Ensuring councils can deliver more and better homes,' in which they argue that by

investing in housing, councils can help to create a basis for social housing renewal, and bring jobs, skills and regeneration to local communities.

The report highlighted that after the Second World War, 300,000 new homes were delivered each year by the public and private sector, of which 90,000 were built by local councils. Since the 1970's however, the number of houses built has declined. In 2013, just over 2,000 new council homes were built, 1,000 of these in England.

Planning & Housing Reforms

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. It is designed to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth.

In accordance with the NPPF, local planning authorities have a duty to meet the full, objectively assessed needs for affordable housing; to plan for a mix of housing and identify the tenure and range of housing that is required; to prepare a plan which is based on adequate, up-to-date and relevant evidence; and to assess policies to ensure their cumulative impact does not put the implementation of the Plan at serious risk.

The NPPF highlights the Strategic Housing Market Assessment (SHMA) as a key piece of evidence in determining housing needs.

On 30th May 2013, Permitted Development Rights were introduced in England to authorise a change of use from an office use (Class B1(a)) to a residential use (Class C3), without having to lodge a planning application. This right will expire on 30th May 2016, when the Government will consider whether to extend the period.

The Government remains committed to establishing shared ownership as a route to home ownership, and making it more attractive to both households and investors. To stimulate further investment in shared ownership, the Government will extend the scope of Stamp Duty Land Tax (SDLT) multiple dwellings relief so that 'lease and leaseback' arrangements with housing associations on shared ownership properties also attract the relief.

Home Ownership

The Government is committed to supporting people who aspire to become homeowners. Recognising that increased deposit requirements had left many hardworking households unable to get onto the housing ladder, the Government took decisive action by introducing the 'Help to Buy' scheme in 2013. The types of home ownership schemes are:

Help to Buy: equity loans

Equity loans are open to both first-time buyers and home movers on new-build homes in England with a purchase price up to £600,000. First-time buyers need to contribute at least 5% of the property price as a deposit. The Government will give a loan for up to 20% of the price, with the first-time buyer requiring a mortgage of up to 75% to cover the rest. First-time buyers won't be charged loan fees for the first 5 years of owning their home.

Help to Buy: mortgage guarantees

Mortgage guarantees help people buy a home with a deposit of 5% of the purchase price. It's open to both first-time buyers and home movers for new-build and older homes in the UK with a purchase price up to £600,000.

Shared ownership schemes

Shared ownership schemes are provided through housing associations. Purchasers buy a share of the home (25% to 75% of the home's value) and pay rent on the remaining share. Shared ownership properties are always leasehold. The scheme is open to first-timer buyers or those who used to own a home, but can't afford to buy one now, whose household earns £60,000 a year or less (or £71,000 a year or less in London for a 1 or 2 bedroom property, or £85,000 a year or less in London for a 3 or more bedroom property).

There is also help available from another home ownership scheme called 'Older People's Shared Ownership' if you're aged 55 or over. It works in the same way as the general shared ownership scheme, but applicants can only buy up to 75% of their home. Once they own 75% they won't have to pay rent on the remaining share. Home Ownership for People with Long-Term Disabilities (HOLD) can help people buy any home that's for sale on a shared ownership basis if they have a long-term disability.

Starter Home Initiative

The Starter Home Initiative was created and officially launched in February 2015 with the aim of "unlocking home ownership for a generation". It aims to make 100,000 new build homes available for first time buyers under the age of forty with a discount of at least 20% of the property value

The move is the latest major push from the Government to get Britain building and help hardworking young people secure the dream of home ownership with potential discounts of around £100k per house.

With average house prices for first time buyers in England standing at around £218,000, a new Starter Home according to the Government, could save young first time buyers across the country an average of £43,000-helping to get them onto the housing ladder.

At the heart of the Starter Homes initiative is a change to the planning system. This will allow house builders to develop under-used or unviable brownfield land and free them from planning costs and levies. In return, they will be able to offer homes at a minimum 20% discount exclusively to first time buyers, under the age of forty. Currently, builders can face an average bill of £15,000 per home in Section 106 affordable housing contributions and tariffs, often adding tens of thousands to the cost of a site. Under the proposals, developers offering Starter Homes would be exempt from those Section 106 charges and Community Infrastructure Levy charges. The homes could then not be re-sold at market value for a fixed period – making sure that the savings are passed onto homebuyers.

Help to Buy ISA

The Government announced in March 2015 a further expansion of the Help to Buy scheme. This expansion recognises that, despite the high loan to value mortgage market working well

due to the success of Help to Buy, many first time buyers are still struggling to save enough to put down a deposit for their first home.

The Help to Buy: ISA will be available through banks and building societies. It is designed to reward people that are working hard to save up for their first home. First time buyers that choose to save through a Help to Buy: ISA will receive a government bonus to help them make the critical first step on the housing ladder.

The bonus will represent 25% of the amount saved so, for the maximum monthly saving of £200, the government will contribute £50, with a maximum government contribution of £3,000 on £12,000 of savings. For basic rate taxpayers, this will be equivalent to saving completely free of tax for their first home. Accounts are limited to one per person rather than one per home so those buying together can both receive a bonus.

The Government's aim is to provide a scheme that offers a tax-free government bonus to help people who are saving up to buy a first home worth up to £450,000 in London or £250,000 anywhere else in the UK. Accounts can be opened for a period of 4 years from the start date of the scheme.

National Quality Technical Standards

The Department for Communities and Local Government (DCLG) launched a review of the building regulations framework and voluntary housing standards in October 2012. The review aimed to consolidate and simplify codes, standards, rules, regulations and guidance in order to reduce unnecessary costs and complexities in the house building process.

On 27th March 2015, the Government launched the new approach and published a new set of streamlined national technical standards. One outcome from the review is dual level Building Regulations (Access and Water), which will give local authorities some choice to require developers to build to different standards than the minimum requirements. Furthermore, with appropriate evidence, local authorities can also use the new space standards which make up the new national technical standards. There will also be a new mandatory Building Regulation for security.

The optional regulations on access and water efficiency and the space standard can only be applied where there is a local plan policy based on evidenced local need and where the viability of development is not compromised. The space standard will replace existing space standards used by local authorities. It is part of the planning system, and not a building regulation.

It was also announced that the Code for Sustainable Homes could no longer be a requirement of planning conditions and that the Building Regulations would change so that energy requirements are set equivalent to level 4 of the code.

Affordable Housing

The delivery of affordable homes across the country continues to be of extreme importance as buying a home is increasingly out of reach for many people. House prices are rising faster than average earnings and there are 1.7 million households on waiting lists for affordable homes across England. The number of people renting has doubled and the average first-

time buyer is now 35 years old. In some rural communities, where wages are low, homes have become unaffordable for people.

In order to achieve significant new supply within public spending constraints, the Government introduced the Affordable Homes Programme (AHP) in 2011.

The centrepiece of this programme is the new 'Affordable Rent' tenure, which consists of lower levels of capital subsidy, and higher levels of rent – set at up to 80% of market rent. Affordable Rent will form the principal element of the new supply offer. At the same time, new flexibilities were introduced to allow a proportion of existing social rent properties to be made available to-rent at an Affordable Rent, with the additional capacity generated from those re-lets applied to support delivery of new supply.

A further round of planning and housing reforms was announced in the Chancellor's Autumn Statement. The Autumn Statement included measures to extend affordable housing capital investment to 2018-19 and 2019-20, to ensure that on average **55,000** new affordable homes per year continue to be delivered.

Private Rented Sector

The private rented sector is England's second largest housing tenure. The private rented sector has grown on average by 5.4% per annum since 1999 and now accounts for 19.4% (4.4 million) of households. In 1999 the private rented sector accounted for 9.9% (2.0 million) households. In 2012-13 the number of English households renting privately overtook households living within social housing for the first time since the mid-1960s.

In November 2014, the property consultancy Savills forecast that the private rented sector would grow by another 1.2 million households by 2019. The Government is keen to see the establishment of a professional private rented sector which will be able to give tenants the quality and choice they are looking for.

In 2012, the Government commissioned the Montague Review to look at how to remove barriers to long-term institutional investment in the private rented sector. It responded to its recommendations by launching a number of initiatives aimed at kick-starting the sector and the development of purpose built long-term market rental housing schemes (Build to Rent). The £1bn Build to Rent Fund, Private Rented Sector Debt Guarantee Scheme and Private Rented Sector Taskforce have stimulated considerable interest in the sector.

Local authorities can play a major part in providing renters with the homes they need by supporting the establishment of private rented sector in their areas. The Government published the guide: 'Accelerating Housing Supply and Increasing Tenant Choice in the Private Rented Sector: A Build to Rent Guide for Local Authorities' in March 2015 which outlines a series of practical options as to how local authorities can support the development of private rented sector homes and the benefits it can offer to local authorities. It also provides a number of case studies of build to rent schemes which are progressing with the support and innovation of their local authorities.

Welfare Reform

The Welfare Reform Act introduces restrictions on how much Housing Benefit working-age households in social rented properties can claim from April 2013, based on the size of the

household. The Government estimates that the change of policy will impact on 670,000 households nationally – 32% of all working-age households in receipt of Housing Benefit. The policy change is focused on reducing the Government's benefit bill, increasing mobility in the social rented sector and making better use of the existing social housing stock.

The Local Housing Allowance has undergone many changes in the past 5 years - the reduction from 50th percentile of market rents to 30th percentile of market rents; an overall cap of £400 per week; increases linked to the Consumer Price Index (CPI) rather than the Retail Price Index (RPI) and single households under 35 years old restricted to the single room rate.

The spare room subsidy was introduced in April 2013. Working age social housing tenants in receipt of Housing Benefit with one spare room had their housing benefit cut by 14% and those with two or more spare bedrooms have seen a reduction by 25%

An overall benefit cap was also introduced in July 2013, limiting total working age benefits to £26,000 per year. This is further being reduced to £23,000. This puts particular pressure on larger families who have much higher housing costs.

The introduction of universal credit, which is currently being rolled out across the country, will see all working age benefits, (excluding Disability Living Allowance and Carer's Allowance) made in one single monthly payment, paid directly to the tenant. Tenants will be responsible for paying their rent to their landlord themselves, which may cause issues with some more vulnerable tenants.

Summer Budget 2015

On 8th July 2015, the Chancellor, George Osborne, set out the first budget of the new Government – and the first for a majority Conservative Government in nearly two decades. The Chancellor promised a 'One Nation' budget for working people, with the focus on higher pay, lower tax and lower welfare. The Welfare Reform and Work Bill has also been introduced to parliament.

Some of the key measures relevant to housing include:

Rent setting

- Reduction of rents in social housing by 1% a year for four years. This will be taken forward via the Welfare Reform and Work Bill and is expected to amount to a 12% reduction in average rents by 2020/21 compared to current forecasts.
- Households earning over £30,000 (£40,000 in London) and living in affordable housing will have to pay market rent, subject to a government consultation.

Welfare and Work

- The household Benefit Cap will be reduced to £20,000 (£23,000 in Greater London).
- Automatic Housing Benefit (HB) entitlement will be removed for 18-21 year olds claiming Jobseeker's Allowance (JSA).
- Most working age benefits will be frozen for four years from April 2016. Child tax credits and working tax credit will also be frozen.
- The reforms will take place over a longer time period than previously announced with the ambition to implement all reforms by 2019/20.

- A National Living Wage (NLW) of £7.20 will be introduced in April 2016. The Government's ambition is for the NLW to increase to 60% of median earnings by 2020 – over £9 by 2020.

Planning

- A commitment to speed up delivery of development on brownfield land through the introduction of a new zonal system.
- Encouraging authorities to get an up-to-date plan in place, and where they fail to do so, introduce provisions allowing the Secretary of State to intervene and write local plans in consultation with local people.

Health, Care and Support

- Confirmation of the NHS Five Year Forward View and real terms increase in NHS funding
- A £3m fund to encourage innovative approaches to help people suffering from domestic abuse

Tenancies

- The Government will review the use of lifetime tenancies in social housing with a view to limiting their use

Energy

- The Government does not intend to proceed with the zero carbon Allowable Solutions carbon offsetting scheme
- The Government has decided against implementing the proposed 2016 increase in on-site energy efficiency standards, but will keep energy efficiency standards under review.

Housing Bill

The Queens Speech 2015 announced that 'Legislation will be introduced to support home ownership and give housing association tenants the chance to own their own home'.

The housing bill, which contains a number of key Conservative election pledges, will include an extension of the Right-to-Buy scheme, allowing England's 1.3 million housing association tenants to purchase their homes with the same discounts offered to council tenants.

The main elements of the bill are:

- The extension of the Right to Buy to housing association tenants. The Government has pledged that properties sold to tenants will be replaced, one for one.
- Requiring councils to dispose of high-value vacant homes, which would fund the Right to Buy extension and construction of more affordable homes in the area. Remaining funds will be invested in a new Brownfield Regeneration Fund.
- The establishment of the "necessary statutory framework" to support the delivery of discounted Starter Homes to be offered exclusively to young first-time buyers, at a 20 per cent discount below their open market value.

- The bill would require local authorities to support custom and self-builders registered in their area in identifying suitable plots of land to build or commission their own homes.

In August 2015, Inside Housing reported that nearly 40% of all council flats sold under the Right to Buy scheme in England are now being privately rented. Figures revealed by 91 councils under the Freedom of Information Act show 37.6% of ex-council flats are likely being rented privately at market rents.

Health and Homelessness

Preventing homelessness has obvious benefits for people's housing outcomes, but a recent review, 'Preventing Homelessness to Improve Health and Well-Being' conducted on behalf of Public Health England by Homeless Link provides further evidence about how acting early also reduces health inequalities.

The review identifies prevention activity developed in response to health and wellbeing needs, delivered by or in partnership with the wider health workforce.

The review highlighted that for people experiencing homelessness or prolonged periods of rough sleeping, the rate at which health problems occur increases rapidly. People experiencing 'single homelessness' are particularly affected by poor physical and mental health:

- 73% of people report a physical health problem, and for 41% this is a long term problem compared to 28% of the general population.
- 45% have been diagnosed with a mental health issue compared to 25% of the general population.
- Factors which contribute to unhealthy lifestyles such as smoking, and drug and alcohol use, are also more prevalent than the general population (rates of 77%, 39% and 27% respectively).
- Research also highlights higher rates of communicable health diseases such as TB; and higher rates of premature mortality among people experiencing single homelessness.

The final report published in July 2015 recommended development in the following three key areas to help put homelessness prevention at the heart of our efforts to reduce health inequalities.

- Stronger leadership and joint strategic working
- Access to advice and early intervention
- Improved data collection and evaluation

The 'Unhealthy state of homelessness: health audit results 2014' highlights the extent to which people who are homeless experience some of the worst health problems in society. The report uncovers the barriers many individuals face when it comes to getting treatment, as well as the impact of ill health on NHS A&E, hospital, mental health and substance misuse services.

Analysis of the latest data found that 77% of homeless people smoke, 35% do not eat at least two meals a day and two-thirds consume more than the recommended amount of alcohol each time they drink.

The data also reconfirms the strong links between health and somebody's housing situation. The report makes a number of recommendations under the following themes of Better care; Better commissioning; Better policy and Stronger inspection and accountability to improve the commissioning and delivery of services that prevent and treat the poor health experienced by homeless people.

Local Context

Local Demographics

The Borough of Maidstone covers some 40,000 hectares, and is home to some 61,460 households. Located in the heart of Kent, Maidstone Town is the County Town, and is an administrative, retail and leisure hub, with a large night time economy. The Borough enjoys good transport links to the coast and to London, and has a high rate of employment. It has a very mixed business sector with a large number of small to medium sized employers, with particular strengths in law, accountancy and the media.

The Borough was ranked 227th of the 326 local authorities in England in the 2010 Index of Multiple Deprivation (with 1 being the most deprived local authority, 354 the least deprived). Although over 55% of households live in the town centre and urban fringe of Maidstone, there are significant large village 'rural service centres', including Staplehurst, Headcorn and Marden.

The Department for Communities and Local Government (DCLG) is updating the indices of deprivation, including the Index of Multiple Deprivation (IMD). The work is being carried out by Oxford Consultants for Social Inclusion (OCSI). The 'Indices of deprivation 2015', which had been provisionally timetabled for publication in July, will be published in September. This change is for operational reasons, to allow additional time for production and quality assurance of the indices.

Population and household change

The table below shows projected population growth from 2011 to 2031 in Maidstone compared to the South East and England. The data shows that the population of Maidstone is expected to grow more strongly than seen across the region and nationally.

	Population 2011	Population 2031	Change in population	% Change
Maidstone	155,764	189,575	33,811	21.7
South East	8,652,800	9,979,900	1,327,100	15.3
England	53,107,200	60,418,800	7,311,600	13.8

Source: Office National Statistics (ONS)

With the overall change in the population will come changes to the age profile. The table below shows the growth in population overall by age bands in Maidstone and highlights the ageing of the population with a greater proportion of the population expected to be in age groups aged 60 and over (and even more so for older age groups) - in particular the oldest age group (85+) shows an increase of 142%.

Age Group	Population 2011	Population 2013	Change	% Change from 2011
Under 5	9,664	10,497	833	8.6
5-9	8,796	10,887	2,091	23.8
10-14	9,403	11,072	1,669	17.8%
15-19	9,405	10,582	1,177	12.5%
20-24	8,537	9,411	874	10.2
25-29	9,710	10,162	452	4.6%
30-34	9,687	10,920	1,233	12.7
35-39	10,134	12,222	2,088	20.6
40-44	11,851	12,341	490	4.1%
45-49	11,986	11,891	-95	-0.8
50-54	10,388	11,258	870	8.4%
55-59	9,210	11,090	1,880	20.4
60-64	10,145	12,049	1,904	18.8
65-69	8,224	11,560	3,336	40.6%
70-74	6,269	9,532	3,263	52.1
75-79	5,058	7,870	2,812	55.6%
80-84	3,774	7,702	3,928	40.1
85+	3,523	8,530	5,007	142.1%
Total	155,764	189,575	33,811	21.7

Source: Office National Statistics (ONS)

In the 2011 Census, it was estimated that there were 63,682 households living in the Maidstone Borough. The table below shows that an estimated 13.7% of households live in affordable housing with 86.3% being in the market sector. The figures also suggest that homes in the market sector are generally bigger than in the affordable sector with 68% having three or more bedrooms compared to 33% for affordable housing.

Estimated Profile of Dwellings by Size (2011)

Size of housing	Market		Affordable		Total	
	Number	%	Number	%	Number	%
1 bedroom	3,516	6.4%	31.3%	31.3%	6,254	9.8%
2 bedrooms	14,003	25.5%	35.5%	35.5%	17,107	26.9%
3 bedrooms	23,765	43.3%	29.9%	29.9%	26,373	41.4%
4+ bedrooms	13,661	24.9%	3.3%	3.3%	13,948	21.9%
Total	54,945	100%	100%	100%	63,682	100%
% in tenure	86.3%		13.7%		100%	

Source: Derived from 2011 Census

Understanding the local housing market

Affordable Housing Need

The delivery of affordable Housing supports the council's corporate priorities for Maidstone to keep the Borough an attractive place for all and to secure a successful economy.

The Strategic Housing Market Assessment (SHMA), published in January 2014, highlighted the on-going need for future provision of affordable housing in the Borough.

	Per Annum	18-years
Net current housing need	32	580
Newly forming households	568	10,224
Existing households falling into need	235	4,230
Total gross need	837	15,034
Supply of affordable housing from existing stock	513	9,234
Net need	322	5,800

Source: SHMA 2014, Table 49: Estimated level of Housing Need (2013-2031)

The council has a net affordable housing need of 5,800 households from 2013 to 2031 equivalent to 322 affordable homes each year (which is 35% of the council's objectively assessed need of 928 dwellings p.a.).

The Maidstone Strategic Housing Market Assessment (2014) identifies the need for different types of tenure of affordable housing through the period of the local plan. Across the Borough as a whole, it is estimated that some 67% of need is for social or affordable rent tenures, whilst around 33% is for intermediate housing. A ratio of 70% affordable rent and 30% intermediate was tested in the study and has been shown to be viable.

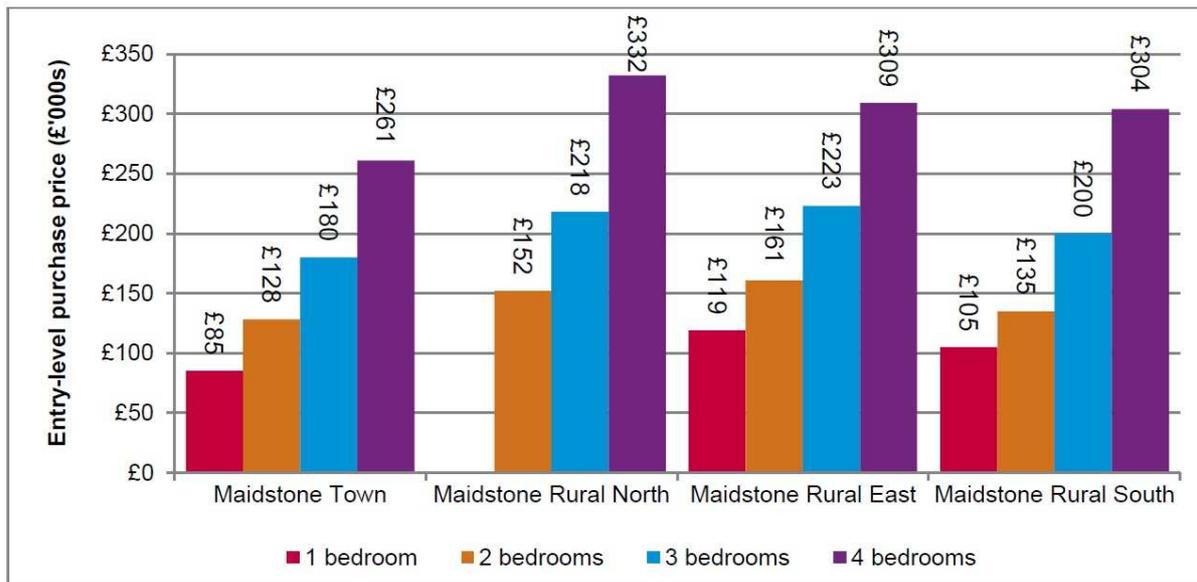
The SHMA, based on its findings, has given the following indicative unit size requirements for different dwelling sizes:

	1 bed	2 bed	3 bed	4+ bed
Affordable	30-35%	30-35%	25-30%	5-10%
Market	5-10%	30-35%	40-45%	15-20%

Entry Level Access to the Markets

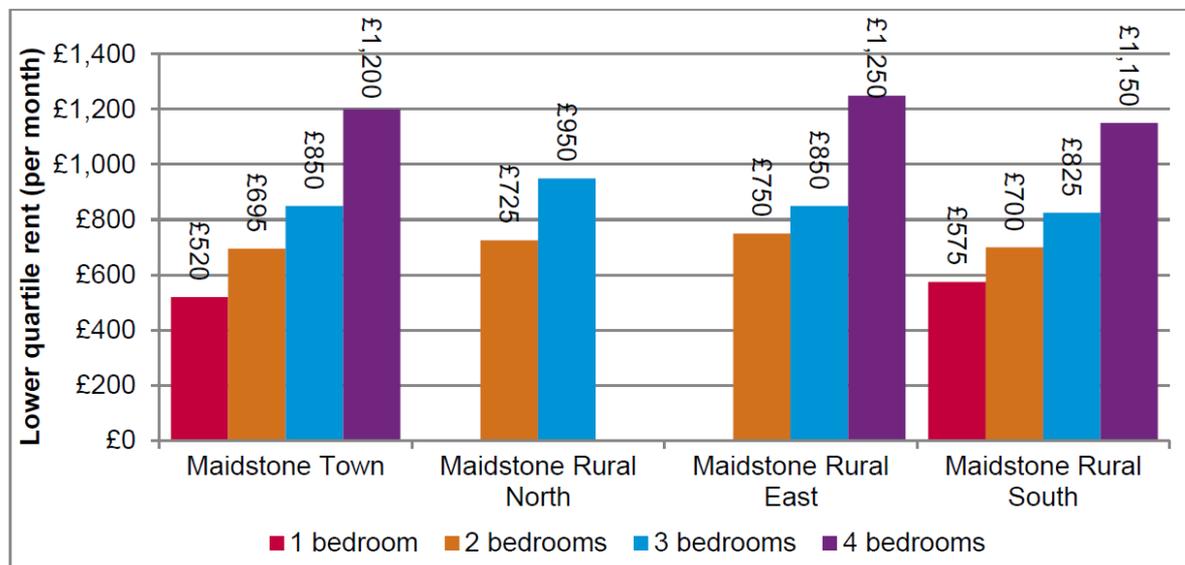
When assessing housing need, an important consideration is to establish the entry-level costs of housing to buy and rent.

The figure below shows the estimated lower quartile property prices for purchases in 2013:



Source: Maidstone Strategic Housing Market Assessment (January 2014)

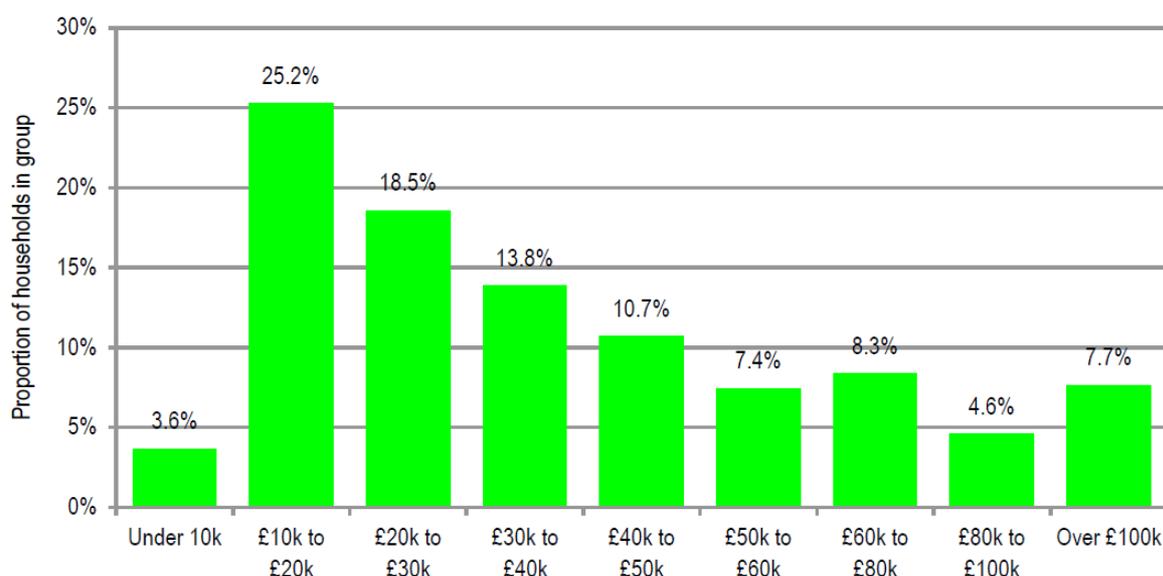
The entry-level cost for private rented accommodation is presented in the figure below. This indicates that entry-level rents range from about £520-£575 per month for a one bedroom home up to around £1,250 per month for a four bedroom property depending on location.



Source: Maidstone Strategic Housing Market Assessment (January 2014)

As well as assessing the price of purchasing a property and renting, it is important to look at local income levels. This determines levels of affordability and also provides an indication of the potential for affordable housing to meet needs.

The figure below shows the distribution of household incomes across the whole Borough:



Source: Maidstone Strategic Housing Market Assessment (January 2014)

This shows that over a quarter of households have an income below £20,000 with a further third in the range of £20,000 to £40,000. The overall average income of all households in the Borough was estimated to be around £31,600 with a mean income of £42,000.

To assess affordability we need to look at a household's ability to afford either home ownership or private rented housing, without financial support. The table below shows across the Borough that it is estimated that around **43%** of households are unable to access market housing on the basis of income levels.

Area	Number unable to afford	Estimated households (2013)	% of households unable to afford
Maidstone Town	17,254	38,904	44.3%
Rural North	1,941	5,460	35.5%
Rural East	1,898	4,379	43.3%
Rural South	6,087	14,938	40.7%
Borough	27,181	63,681	42.7%

Source: Maidstone Strategic Housing Market Assessment (January 2014)

Local Housing Allowance (LHA) rates are used to calculate housing benefit for tenants renting from private landlords. The maximum rates are calculated by the Rent officer using the 30th percentile on a list of rents within the area. The current LHA rates for dwellings within Maidstone Borough are as follows:

Maidstone:	Shared accommodation rate:	£68.28 per week
	One bedroom rate:	£123.58 per week
	Two bedroom rate:	£157.56 per week
	Three bedroom rate:	£180.45 per week
	Four bedroom rate:	£235.41 per week

Medway & Swale:	Shared accommodation rate:	£65.66 per week
	One bedroom rate:	£110.67 per week
	Two bedroom rate:	£138.08 per week
	Three bedroom rate:	£153.02 per week
	Four bedroom rate:	£198.11 per week

Housing Register Need

The table below shows number of applicants and those housed on the Housing Register during 2010 to 2015.

Housing Need & Lets		
	On Housing Register	Housed
2010 to 2011	3442	572
2011 to 2012	3674	607
2012 to 2013	3187	703
2013 to 2014	1339	618
2014 to 2015	1461	624

Source: Locata / Housing Register

There has been an increase in numbers of people on the housing register between 2010 and 2012. This started to decrease in 2012/2013 and then dropped drastically in 2013/2014.

The reason for the large drop was the new housing allocations policy, introduced in April 2013. This new policy made it harder for applicants to be on the housing register, with applicants having to prove a housing need *and* a local connection. This meant many people no longer qualified for social housing.

The new Allocations Scheme replaced the previous points system with the introduction of a banding system.

Housing Register by Banding and Bedroom requirement (as at end of August 2015)

	Band A	%	Band B	%	Band C	%	Band D	%	Total	%
1-Bed	162	35	98	70	501	65	40	54	801	55
2-Bed	178	39	34	24	152	20	28	38	392	27
3-Bed	88	19	7	5	70	9	5	7	170	12
4-Bed	27	6	1	1	15	2	0	0	46	3
5+Bed	7	1	0	0	32	4	1	1	40	3
Total	462	100	140	100	770	100	74	100	1446	100

Shared Ownership Need

Demand for shared ownership within Maidstone remains relatively strong. The table below shows the number of applicants registered with the Help to Buy Agent who wish to live in Maidstone, broken down by bedroom entitlement and existing household status. There are 649 applicants in total. The majority of need is for smaller one and two bed accommodation

of which accounts for over 80% of the total need. The size of accommodation required is closely aligned with that of rented accommodation. The average household income of those registered is £30,725.

Existing Household Status								
Beds	Council Tenant	Private Tenant	Housing Association Tenant	With Family or Friends	Owner Occupier	Other	Total Applicants	%
1/2	3	225	24	249	9	3	526	81
2/3	2	49	10	16	4	4	85	13
3/4	1	20	1	4	0	3	29	4
4+	0	6	1	1	0	1	7	1
Total	6	300	36	270	13	11	649	100

Source: Help to Buy Agent (Nominations Data)

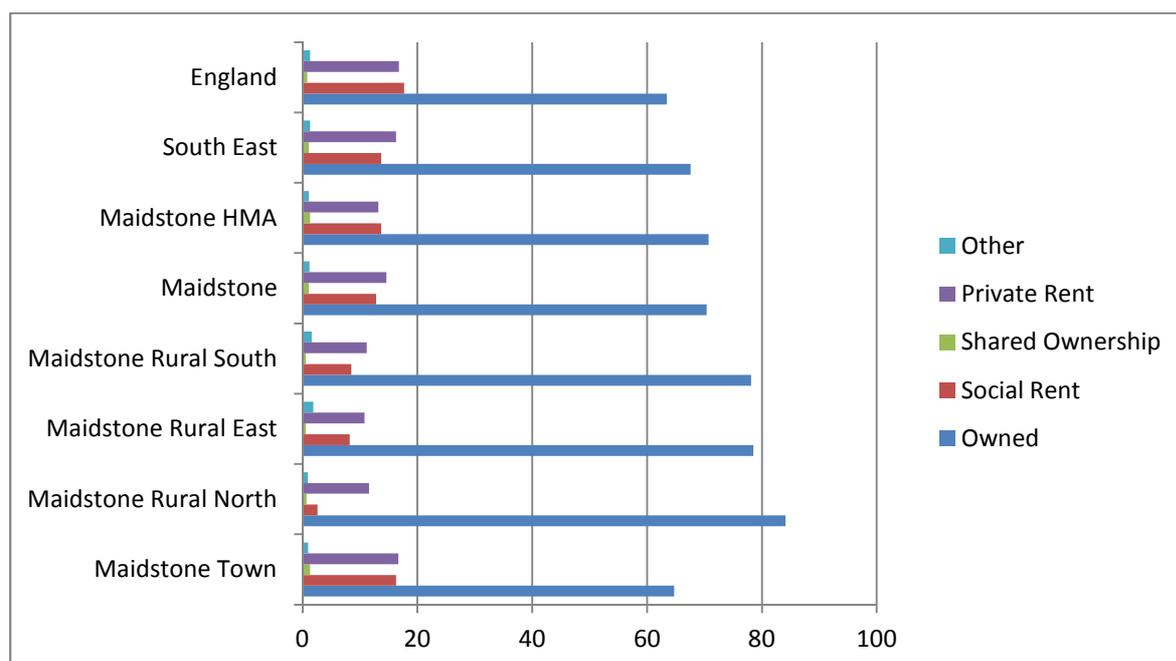
Private Rented Sector

The private rented sector plays an important role in meeting affordable housing needs but also supports flexibility across the housing market. The sector has seen considerable growth in the past decade and forecasts predict this to increase even further.

However, the private rented sector generally provides less security to tenants than a social rented property and commonly offers a lower standard of accommodation.

Housing Stock and Supply

A detailed profile of tenure mix for Maidstone can be gleaned from the 2011 Census. Around 70% of households live in owner occupied accommodation, with around 13% social rented and 15% private rented. Like much of the country, the shared ownership sector is limited at only 1% of stock.



The Statistical Data Return (SDR) is an annual online survey completed by all English private registered providers of social housing. The SDR collects data on stock size, types, location and rents at 31st March each year, and data on sales and acquisitions made between 1st April and 31st March.

The table below shows the total social housing stock recorded for the Maidstone Borough, broken down by tenure and client group as at 31st March 2014.

Tenure	Units	% of stock social housing stock
Rent		
General Needs Self Contained	7,125	79%
Supported Housing	207	2%
Housing for Older People	1,137	12%
Low Cost Home Ownership	607	7%
Total	9,076	100%

Source: Statistical Data Release 2013-14

There are 9,076 existing social homes within the Borough of Maidstone, of which 8,469 (93%) are rented accommodation, with the remaining 7% low cost home ownership accommodation.

Maidstone has an excellent track record for delivery of affordable housing and has outperformed all other authorities in Kent, with the exception of Medway, which is a unitary authority. This is supported by the table below which shows the number of affordable homes delivered by each Kent local authority from 2010 to 2014.

Numbers of affordable housing delivered by each Kent local authority between 2010 and 2011 and 2013 to 2014.	
Medway	1060
Maidstone	1050
Ashford	790
Tonbridge & Malling	630
Gravesham	560
Dartford	540
Canterbury	460
Swale	430
Thanet	370
Tunbridge Wells	340
Dover	200
Sevenoaks	170
Shepway	150
Totals	6750

Both the Homes and Communities Agency (HCA) and Registered Providers see Maidstone as an important area for affordable housing delivery and investment. The table below shows the amount of funding the HCA has allocated towards the delivery of affordable homes within each of the authorities in Kent for the period April 2011 to September 2014.

Affordable Homes Programme (2011-15) - Schemes confirmed by the HCA			
Local Authority	Funding (£)	Affordable Homes	Grant Per Affordable Home (£)
Ashford	5,167,174	386	13,386
Canterbury	1,447,635	126	11,489
Dartford	204,000	118	1,729
Dover	3,799,013	191	19,890
Gravesham	9,406,892	250	37,628
Maidstone	6,884,709	548	12,563
Medway Towns	9,115,126	399	22,845
Sevenoaks	1,023,222	83	12,328
Shepway	3,764,962	143	26,328
Swale	4,635,756	333	13,921
Thanet	3,217,900	106	30,358
Tonbridge & Malling	3,038,172	272	11,170
Tunbridge Wells	5,247,151	396	13,250

Source: Homes and Communities Agency

The 2015 to 2018 Affordable Home Programme aims to increase the supply of new affordable homes across the Country. Over half the available funding was allocated in the initial bidding round, with the remainder being made available on a continuous market engagement basis. Bidding for this is now open and will remain so until all of the funding is allocated.

There are currently 51 developments that have obtained planning permission within the Borough that will provide affordable housing that are currently being built or where development has yet to start. These will provide an additional 1314 new affordable dwellings. The breakdown of these is as follows:

	1 bed	2 bed	3 bed	4 bed
Flats	234	317	0	0
Houses	0	266	258	69
Bungalows	0	6	0	0

Note: 164 units – type / size to be agreed

Affordable / Social Rent	893 units (73%)
Shared Ownership / New build Homebuy	330 units (27%)

Note: 91 units – tenure to be agreed

Emerging Local Plan Policy

Maidstone Borough’s Local Plan, which is due to run until 2031, is currently being drafted after an initial public consultation period in 2014. There are four emerging policies within the plan that directly affect Housing:

- DM23 – Housing mix
- DM24 – Affordable housing
- DM25 – Local needs housing
- DM26 – Gypsy, Traveller and Travelling Showpeople accommodation

An affordable housing supplementary planning document is to be produced once the Local Plan has been adopted. This document will go into greater detail about the Council’s affordable housing policy and requirements from developers.

A further round of public consultation is to be undertaken before the final local plan is adopted, which is scheduled for 2017.

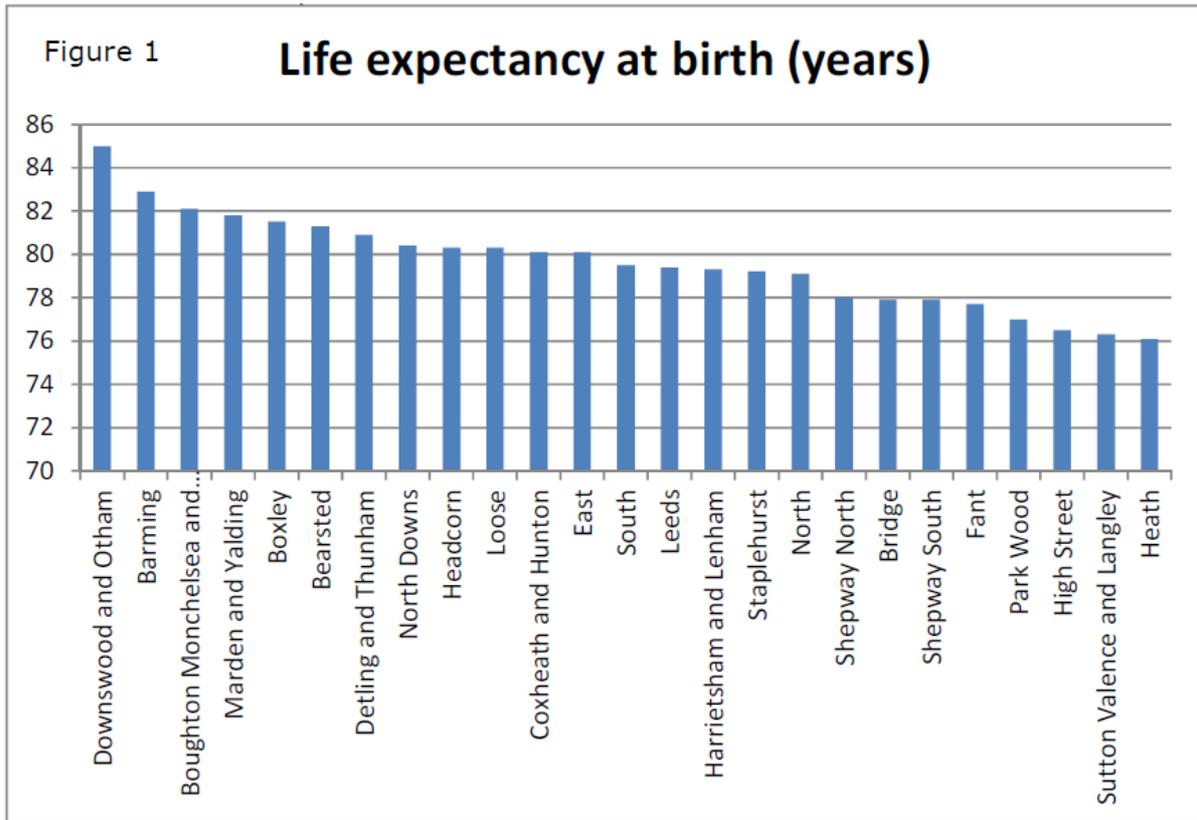
Health and Well-Being

The right home environment is critical to our health and wellbeing; good housing helps people stay healthy, and provides a base from which to sustain a job, contribute to the community, and achieve a decent quality of life. Safe and suitable housing also aids recovery from periods of ill-health, and enables people to better manage their health and care needs.

Without good housing, we know health and wellbeing are affected: poor conditions and precarious housing impact on people’s physical and mental health. Ill health also puts some households at a greater risk of housing need and can be a trigger of homelessness – for example, poor physical and mental health can make it harder to access and keep their home.

Maidstone Borough Council recognises the importance of reducing health inequalities and improving health and wellbeing, a theme that runs through the 3 strategic priorities and 7 key outcomes set out in the Strategic Plan 2011-15.

Levels of health and wellbeing in Maidstone are generally good, being largely above national and regional averages. This position, however, hides some pockets of deprivation and ill health. The difference in life expectancy at birth of our most affluent wards compared to our most deprived is 8.9 years (figure 1), putting us mid-table when compared to other districts in Kent.



Deprivation in the Borough is lower than average, however 15% (4,300) of children (under 16 years old) in Maidstone live in poverty. There is a larger difference in life expectancy of men and women; 7 years lower for men and 4 years lower for women in the most deprived areas of Maidstone than in the least deprived.

The neighbourhoods that make up the areas of higher deprivation lie particularly in the electoral Wards of:

- Park Wood
- High Street
- Shepway North
- Shepway South

Maidstone Borough Council aims to reduce health inequalities by reducing the gap in health status within and between our communities, by improving health most quickly for areas with high levels of deprivation. The Health Inequality Action Plan sets out how all partners will work together to achieve this aim, so that people will live longer in better health, and the variances in life expectancy in Maidstone will reduce.

Research has also shown that the stability of an affordable home can have profound effects on childhood development and school performance and can improve health outcomes for families and individuals.

Housing costs and affordability have been shown to be associated with increased levels of anxiety and depression.

Appendix D – The relationship between poor housing and health – highlights the many links that exist between the condition of a household dwelling and their health.

Fuel Poverty

A household lives in fuel poverty when they cannot afford to heat their home to a comfortable level. Living in a cold home has a negative impact on the health of occupants of all ages. It may also reduce educational attainment in children and increase the number of absences from school and work. Approximately 8% of households in the borough suffer from fuel poverty, similar to the average for Kent. However fuel poverty is not evenly distributed through the Borough with some areas having just 2.2% of households in fuel poverty and others with 15.2% of households living in fuel poverty. Nationally fuel poverty is more prevalent in the private rented sector, followed by owner occupiers and lowest in the socially rented sector. The drivers of fuel poverty are;

1. The energy efficiency of the home;
2. The cost of the heating fuel; and
3. The household income

The council aims to reduce fuel poverty in the Borough by initiatives including the Big Maidstone Switch and the Warm Homes scheme.

Excess Winter Deaths

Excess winter deaths are defined by the Office for National Statistics (ONS) as the difference between the number of deaths during the four winter months (December - March) and the average number of deaths during the previous four months (August – November) and the following four months (April - July).

It is estimated that half of the excess winter deaths are from cardiovascular and circulatory diseases and a third from respiratory disease. Environmental exposure to excess cold can have a number of health impacts including an increase in blood pressure and clotting which can increase the risk of heart attack and stroke.

Older people have the greatest risk of their health being affected by cold temperatures. The majority of excess winter deaths are in people over 75 years of age.

Think Housing First

The Kent Joint Policy and Planning Board (Housing) published 'Think Housing First' in 2013. It sets out the role of the housing sector; the relationship between health inequalities and housing; and what can be done in Kent in addition to current housing interventions.

The vision is to raise the profile of 'thinking about housing first' in addressing health inequalities in Kent. In doing so the aims are:

- To take advantage of the new opportunities, driven by the recent health reforms, for housing to strengthen collaboration and engagement with health
- To maximise the contribution of housing in improving people's health and wellbeing
- To raise awareness to health colleagues of the role of the housing sector

- To reliably inform commissioning priorities and decisions, by demonstrating how investing in housing can save in health bills.

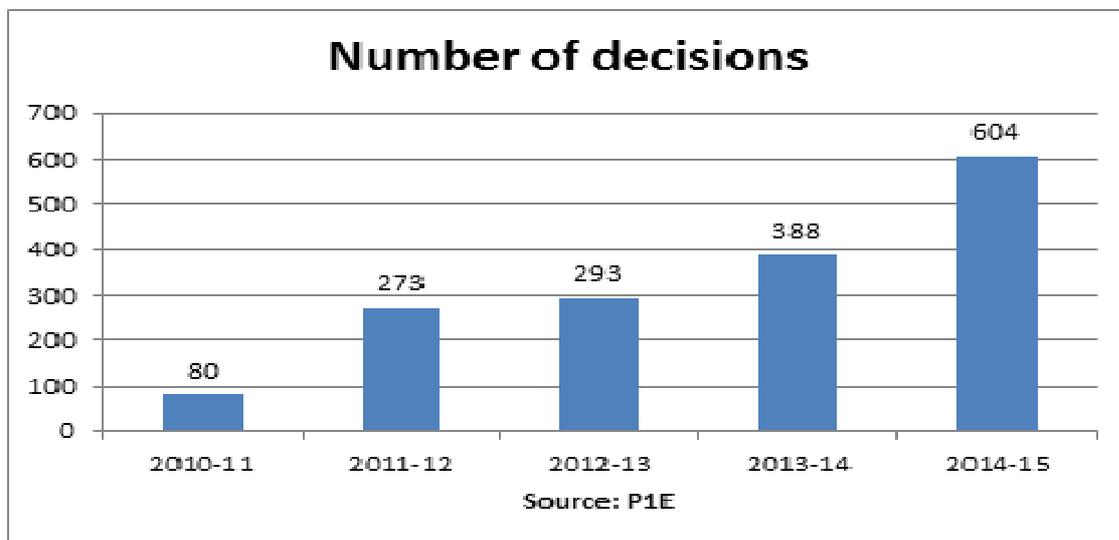
Homelessness and Vulnerable People

Homelessness

Between 2005 and 2010 the Council significantly reduced its use of emergency accommodation. For many years the Housing Service had less than 10 households at any time in emergency accommodation. The use of temporary accommodation generally had virtually ceased, as the Housing Service was able to house households into settled accommodation.

Unfortunately, since 2010 the recession and ongoing economic climate have resulted in a surge of homelessness nationally. Due to the high demand for social housing, this has led on occasion to some homeless households having a significant wait in temporary accommodation until they receive an offer of social housing.

The Government requires all local housing authorities to complete a return (known as the P1E) every quarter on homelessness activity. This includes the number of people approaching the council as homeless. The overall numbers of those approaching the council as homeless between the 2010/2011 financial year and the 2014/2015 financial year can be seen below.



Source: P1E

The number of homelessness decisions made by the council has increased significantly since April 2011. Most of the data from the P1E return to central government only gathers detailed data on those who are eligible for assistance, unintentionally homeless and in priority need (the full housing duty, as this means the local housing authority must secure accommodation for the applicant and their family).

Therefore to understand the context of the data from the last five years it is important to understand the trend in not only those presenting themselves as homeless, but also those that Maidstone Borough Council owes a duty to house under legislation.

Financial Year	Eligible, unintentionally homeless and in priority need	Eligible, homeless and in priority need but intentionally so	Eligible, homeless but not in priority need	Eligible but not homeless	Ineligible	Total number of decisions
2010-11	33.8%	6.3%	8.8%	50.0%	1.3%	80
2011-12	69.2%	9.2%	10.3%	10.6%	0.7%	273
2012-13	67.6%	7.5%	14.3%	8.5%	2.0%	293
2013-14	39.9%	9.7%	12.0%	26%	3.0%	388
2014-15	35.2%	12.4%	29.4%	19.8%	2.9%	604

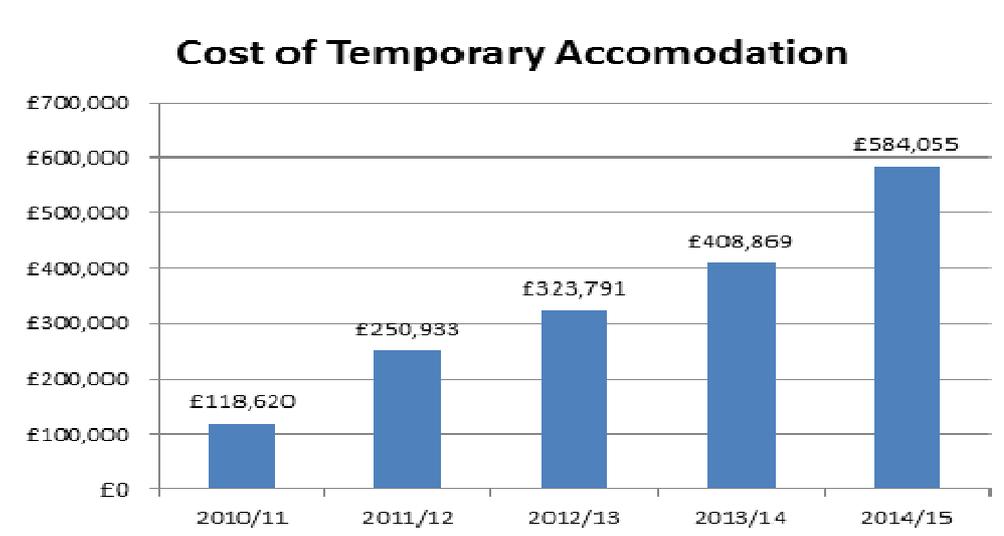
Since 2010/2011 the number of people who were found to be eligible for assistance, unintentionally homeless and in priority need increased up to 2012/13, reaching a high of 69.2% in 2011/12. The proportions have decreased since, however as previously noted the number of people approaching the council as homeless continues to increase, so it may well mean that the numbers of people who the council has a duty to house continues to remain high.

Maidstone is above the national level of homelessness in relation to population; whilst the Kent average is 0.49 per 1000, compared to an England average of 0.59, Maidstone stands at 0.98, the second highest in Kent.

The number of people in temporary accommodation continues to rise. This is due mainly to the number of duty accepted households who we have been unable to identify 'move on' accommodation for.

Number of people in temporary accommodation on last night of each Quarter				
Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4
10/11	33	32	35	36
11/12	34	44	46	49
12/13	38	27	37	36
13/14	39	47	31	42
14/15	49	40	43	52
15/16	63			

The use of temporary accommodation has resulted in a large increase in cost to the Council. The past five years have seen a near fivefold increase in the net cost of temporary accommodation from £118,620 to £584,055.



Vulnerable People

Kent County Council (KCC) published its 'Adult Accommodation Strategy' (Health and Housing Partnership) in July 2014, the purpose of which was to develop evidence to help shape the approach to the provision of housing and care homes within Kent.

The report estimates the need for, and availability of, accommodation for people with physical disabilities, sensory disabilities, learning difficulties, autism and people who use mental health services within Kent. The Adult Accommodation Strategy also demonstrates the need for accommodation for older people (aged 55/65 and over) in the County and the supply available.

The evidence in KCC's Adult Accommodation Strategy clearly demonstrates that:

- Whilst supply of specialist accommodation can target persons aged over 55/65, the majority of need arises from persons in older age groups: those 75-84 and particularly over 85;
- The needs of these groups include support needs which range from support in adapting properties to meet changing needs, provision of care in the home through to specialist accommodation and care/nursing home provision.

The SHMA report estimates the need for specialist housing, overall and by tenure.

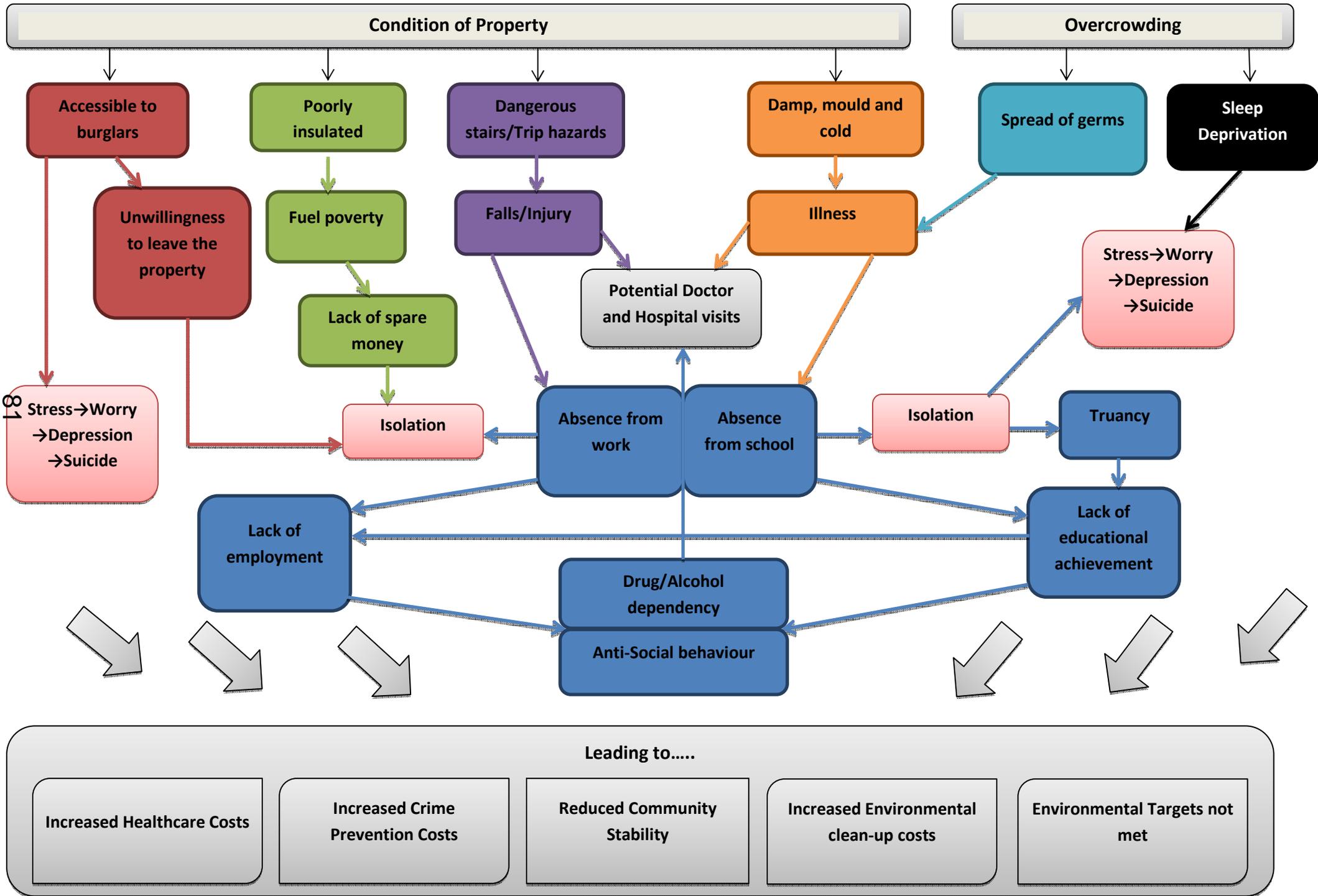
Maidstone	Current Need	Additional Need to 2030	Total Need
Sheltered	348	1508	1856
Extra Care	223	260	483
Residential	137	1144	1281
Total	708	2912	3620

Viability testing for retirement homes (also known as 'sheltered housing') and extra care homes (also known as 'assisted living') suggests these uses are not as viable as other residential uses? in Maidstone. There was very little difference between extra care and retirement properties, and the study recommends a single affordable rate for both. Whilst a rate of 30% affordable housing is viable, this could only be achieved with a zero Community Infrastructure Levy (CIL). Alternatively, a lower 20% affordable housing rate can be accommodated which would allow for an appropriate balance between affordable housing need and infrastructure provision.

Maidstone are members of the Mental Health Forum and through this have recognised the need to seek alternative, self-contained accommodation for existing mental health clients who are living in shared accommodation which is no longer fit for purpose. Two new replacement mental health schemes have been developed during the course of the existing housing strategy, providing a total of 19 one bed flats. There are two remaining mental health schemes (12 units) which need to be replaced with new self-contained accommodation, and the Council are working with the support provider and KCC's accommodation solutions team to secure funding and identify suitable site opportunities.

KCC's Supporting People programme has ended, although the services are very much still being provided and commissioned and KCC remains committed to providing housing-related support. A needs analysis was conducted in 2013 and the plan that arose from this suggests commissioning in a more holistic way, thinking about the pathways that service users need and simplifying the complex arrangements that service users have to navigate.





HOUSING STRATEGY 2011 – 2015 ACTION PLAN

PRIORITY 1 – DEVELOP SUSTAINABLE COMMUNITIES

Priority 1a) A local development framework is in place that delivers a range of market and affordable housing to meet a spectrum of need.

What we plan to do	Key partners	Target date	Update
Ensure LDF/Core Strategy provides an appropriate policy framework	Housing developers, land owners	2026. Reviewed on an annual basis to ensure progress is being made	Consultation with the Spatial Policy and Development Management teams and other stakeholders has resulted in the following policies being included in the Local Plan which is currently under consultation: DM23 – Housing Mix DM24 – Affordable Housing DM25 – Local needs housing DM26 – Gypsy, Traveller & Travelling Showpeople accommodation
Engage with the Spatial Policy and Development Management teams to bring forward the delivery of new housing	Housing developers, land owners	2026. Reviewed on an annual basis to ensure progress is being made	New email inbox set up to ensure that all relevant planning applications are notified from Development Management for Housing to make comments on. New affordable completions are: 2011/12 – 284 2012/13 – 244 2013/14 – 180 2014/15 – 163

Priority 1b) The long-term balance of the housing market in the borough is improved to reflect local need and demand including an increase in the supply of affordable rented and shared ownership homes.

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What we plan to do	Key partners	Target date	Update
Draft a Tenancy Strategy for the Borough in full consultation with partner Registered Providers(RPs) and other stakeholders	West Kent LIP Partnership, RPs, developers Action for Rural Communities in Kent HCA, KHG, RSLs	December 2011	The Council's tenancy strategy for 2011 - 2015 was published in December 2011 after consultation with stakeholders. The strategy is being updated to reflect the council's position on the granting of non-secure tenancies, now that the council have stock to accommodate homeless persons such as Magnolia House.
Bring forward LIP Phase 1 sites	HCA RPs West Kent LIP Partnership West Kent Development Forum	March 2015	The West Kent LIP was adopted in December 2010. A total of 7 of the 8 Phase 1 sites have been completed, delivering 128 affordable units, against an original target of 106.

<p>Consider /research formation of housing delivery vehicle e.g. Local Housing Company link to Kent & Medway strategy</p>	<p>As above</p>	<p>December 2011</p>	<p>Research has been undertaken into formation of such a vehicle and CLT have approved continued progress with respect to setting up a local housing company. Housing are working with colleagues in property, legal, economic development and finance on this.</p> <p>The Council now has Registered Provider and Investment Partner status with the Homes and Communities Agency and can apply for grant directly to enable the delivery of affordable housing.</p> <p>The council has already purchased property such as Aylesbury and Magnolia House. Further property land/purchases are being explored to help meet strategic housing objectives. as possible further purchases. Also the potential to tap in to institutional investment is being explored with the LGA.</p>
<p>Review the Affordable Housing SPD through the emerging Core Strategy</p>	<p>As above</p>	<p>September 2013</p>	<p>Work on the new draft Affordable Housing SPD will start during 2015/16. Key issues have already been identified which need to be covered within the document. Once the new Local Plan is adopted, consultation with stakeholders will be undertaken before the revised SPD is adopted.</p>

Priority 1c) The housing and related needs of people in rural areas are addressed.

What we plan to do	Key partners	Target date	Update
Ensure LDF/Core Strategy provides an appropriate policy framework for rural housing	Action for Rural Communities in Kent. Registered Providers. Parish Councils. HCA	10 affordable homes on rural exception sites by June 2013.	Schemes completed: 18 units – Ashford Drive, Kingswood – May 2011 12 units – North Street, Sutton Valence – Dec 2011 25 units – Grigg Lane, Headcorn – April 2013 8 units – South Street Road, Stockbury – Oct 2013
Ensure all rural parishes where a rural exception site is feasible and/or deliverable have had a rural housing needs survey completed.	As above	April 2015	Our service agreement with ACRK remains at 1 survey per year. A survey for Marden was completed in 2012/13 for Coxheath in 2013/14 and East Farleigh in 2014/15.

Priority 1d) The housing needs of the gypsy and traveller community are addressed.

What we plan to do	Key partners	Target date	Update
Ensure LDF/Core Strategy provides an appropriate policy framework to address the needs of the gypsy and traveller community	Spatial Policy HCA RPs	December 2011	Policy DM26 in the emerging Local Plan highlights the needs for this section of the community and is currently under consultation
Start development of a rural affordable housing scheme.	As above	December 2013	A total of 114 sites went through a planning assessment process to determine their suitability for a public gypsy site. A shortlist of 11 sites were identified for further work/consideration. The favoured site fell through at the last moment due to the withdrawal of the site by the landowner. An alternative site has been identified and survey/design work has been completed to enable the submission of a planning application, following appropriate consultation.

Bid to the HCA's Traveller Pitch Fund	RP, HCA, KCC	September 2011	<p>Successful bid submitted for £1,365,000 to deliver 15 units by March 15. Due to aforementioned loss of previous site, and ecology issues with new identified site, delivery by March 2015 was not possible. Grant allocation has been handed back to HCA. Funding options paper will be produced for Cabinet to consider alternative funding options going forward which will include:</p> <ul style="list-style-type: none">a) Re-bid to the HCAb) MBC Capitalc) Borrowingd) Institutional investment
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PRIORITY 2 – INCREASE CHOICE AND IMPROVE THE QUALITY OF LIFE FOR VULNERABLE PEOPLE

Priority 2a) The elderly and disabled are able to live in their homes for longer rather than being admitted to hospital or nursing care.

What we plan to do	Key partners	Target date	Update
Review the role of the HIA in the delivery of Mandatory DFGs	HIA HCA Supporting People Team	October 2011	The HIA is procured by KCC supporting people. Maidstone Borough Council has no contractual obligation to provide the service.

Priority 2b) Homelessness in Maidstone is reduced.

What we plan to do	Key partners	Target date	Update
<p>Work with Kent Social Services to jointly commission new forms of temporary accommodation and provide long-term solutions to youth homelessness</p>	<p>Joint Policy & Planning Board; KCC; housing providers</p>	<p>Review annually</p>	<p>No joint working has achieved temporary accommodation for youth homelessness. Referrals made to Trinity Foyer or Lilysmith House are still the only available accommodation in Maidstone for this age group. Referrals also made for Infozone and Connexions to assist with applications for Job Centre, training opportunities and advice.</p> <p>Joint Assessments are carried out on every 16/17 year old that approaches as homeless, protocol is established with children's services to assist and advise and work with families where possible for them to return home but no wrap around service is available in Maidstone if a CIN is not established.</p> <p>Joint work with KCC had started; however, they are now undergoing a restructure so this work is on hold until later in the year. A meeting has now been set up later this month (Oct 15) with St Basils, who are funded by DCLG to reduce youth homelessness, KCC and us to look at renewing the joint protocol for care leavers</p>

Priority 2c) Housing solutions are implemented that help reduce incidences of offending and reoffending.

What we plan to do	Key partners	Target date	Update
Work with the Offender Management Unit to implement their action plan to reduce reoffending	JPPB sub group on offenders & housing; Kent Probation; Youth Offender Service; outreach services	September 2012	<p>Ex offender funding available to allow access to the private sector market; deposit and 1 months' rent available. The funding is being utilised where appropriate.</p> <p>Referral to support services should there be a need with each case assessed individually.</p> <p>The Probation Service has just undergone significant changes recently and meetings have been held with the two new area managers from the service to look at joint working. A working group has been established to refresh the offender protocol.</p>

Priority 2d) The percentage of people suffering repeated incidents of domestic abuse is reduced.

What we plan to do	Key partners	Target date	Update
Assist the SMP in developing and delivering an action plan to support victims of domestic violence	Safer Maidstone Partnership	March 2012	The Domestic Abuse Strategy and Action Plan was introduced in April 2013 covering the period 2013 - 2018

PRIORITY 3 – IMPROVE OUR EXISTING HOMES

Priority 3a) Homeowners and private landlords are encouraged and supported to maintain and repair their homes; the grant programme is targeted to achieve community benefit e.g. nomination rights.

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What we plan to do	Key partners	Target date	Update
Engage small landlords to work with the council to improve the condition and management of their property through the accreditation scheme	MBC Change & Improvement Team KCC OT Bureau	October 2011	Landlords in the Borough are encouraged to join the Kent Landlord accreditation scheme. Discounts are given to accredited Landlords for licensing HMO's. The scheme is advertised on the Council's website and verbally by officers
Start an annual Landlords Forum	National Landlords Association	March 2012	Landlord forums are now held bi-annually

Priority 3b) Use of existing stock is maximised by empty homes being brought back into use.

What we plan to do	Key partners	Target date	Update
Update the Empty homes strategy	No Use Empty initiative	March 2012	The Empty Homes strategy was updated in early 2013 for the period 2013 – 2015

PRIORITY 4 – IMPROVE ACCESS TO HOUSING ADVICE AND WORK TO PREVENT HOMELESSNESS AND ROUGH SLEEPING IN MAIDSTONE

Priority 4a) There is an improvement in the quality and range of information relating to advice services that result in more households being prevented from becoming homeless.

What we plan to do	Key partners	Target date	Update
Review our use of IT in the provision of housing advice.	Kent Home choice Housing DCLG stakeholder	September 2012	Changes to Locata Systems Homeless Module enable applications to be processed and advice given face to face, in writing, by text message or email. On line Housing Register applications through Kent Home Choice. Home exchange service through Kent Home Choice for those currently housed in social housing; exchanges can be made across counties. Website updated and Home Guide being implemented this year which will provide information online.

<p>Review how we can improve the accessibility of our housing options services.</p>	<p>Porchlight, Shelter, Connexions, Day Centre, Social services</p>	<p>December 2011</p>	<p>Providing improved IT services making assistance and advice accessible to all. Joint working with our statutory and voluntary partners. Partners working within the Gateway alongside our housing team. Housing team available to attend meetings for family assessments with our partners. Joint working with Job Centre and Housing Benefit</p> <p>The triage system was implemented in October 2014, meaning advisors have been seeing those in greatest need. The volume of homeless applicants has impacted the ability to undertake preventions and outreach work.</p>
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Priority 4b)

Work to prevent homelessness and end the need to sleep rough in Maidstone.

What we plan to do	Key partners	Target date	Update
Work with our partners to increase the effectiveness of the Rent Deposit Bond Scheme	Housing Benefit, CAB, National Landlords Association, Maidstone Landlords Forum	March 2012	Rent Deposit Bond scheme is now replaced by the Homefinder scheme which was launched in October 2013. This includes the Homefinder Bond and Homefinder incentive schemes.
Develop and promote a Private Homeowner Incentive Scheme	KCC, KHOG	December 2011	The Homefinder incentive offer was introduced in 2013 offering Landlords a payment of £2,500 in return for nomination rights for the property for a 3 year period. The offer is currently under review.

Priority 4c) Access to affordable housing is improved and the range of housing options available to applicants is increased.

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What we plan to do	Key partners	Target date	Update
Review the housing allocation scheme	Kent Homechoice Housing stakeholders Service users	May 2012	New Housing Allocation scheme introduced in April 2013. Review of new scheme undertaken and updated in June 2014 and 2015.
Develop Maidstone's approach to the Kent-wide Single Assessment Scheme	As above	October 2011	This replaced the JARP that was previously used by West Kent Housing authorities. As the Council has moved to a banding system the use for this scheme is now rarely required. The Kent Agency Assessment document has now superseded this scheme and is used by all 12 housing authorities in Kent.
Review whether Choice Based Lettings is still the best way of people accessing social housing	As above	October 2011	Undertaken as part of the introduction of the new housing allocations policy that was introduced in April 2013.

Agenda Item 12

Communities, Housing and Environment Committee

17/11/15

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

Information Report: The cost of the Maidstone Night Time Economy

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Head of Service	John Littlemore
Lead Officer and Report Author	Sarah Robson
Classification	Public
Wards affected	High Street Ward

This report makes the following recommendations to this Committee:

1. That the Committee notes the content of the report.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all – The report helps to meet the service plan priorities to manage statutory enforcement in relation to nuisance, licensing and food and safety, and reduce crime and anti-social behaviour.

Timetable

Meeting	Date
Committee (Communities, Housing and Environment Committee)	17/11/15

Information Report: The cost of the Maidstone Night Time Economy

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Prior to the recent move to Committee system, Members of the Overview and Scrutiny Committee (in their capacity as the Crime and Disorder Reduction Committee) were keen understand the costs of managing Maidstone's night time economy (NTE) in terms of policing, CCTV, street cleansing and licensing.
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2. INTRODUCTION AND BACKGROUND

- 2.1 The NTE brings many benefits to the borough, including employment, regeneration, creating a vibrant town centre, improving the positive perception and awareness of the borough. However it also creates the potential for problems in nightlife hotspots such as anti social behaviour, crime, waste, and alcohol related harm. However, most people drink responsibly and go home safely.
- 2.2 A NTE does not mean a night club economy - restaurants, pubs and cultural venues are important parts of Maidstone's night time economy and there is support for these to be developed more in the borough to offer greater diversity and to attract a wider age range of people who are able to enjoy going out in the borough at night.
- 2.3 Whilst there is no standard definition for the night time economy, it is often taken to be economic activity which occurs between the hours of 6.00pm to 6.00am and involves the provision of entertainment, food, and drink usually in a social context.
- 2.4 However, most people would say that the night time economy is the activity takes place after 10.30 / 11.00pm.
- 2.5 For the purposes of this report, the focus is the cost of the night time economy in the town centre to Maidstone Borough Council and Kent Police. However, it also includes incoming business rates to outline some of its cost benefits.
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3. AVAILABLE OPTIONS

- 3.1 This Report does not provide available options, as it provides a factual information update only on the costs associated with the NTE.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 See above.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 A Maidstone NTE Task and Finish group was established in June this year, bringing together partners from Kent Police and the Borough Council's Community Safety, Licensing, Street Cleansing, Economic Development and Revenues and Benefits (business rates) teams in order to review current costs of maintaining a safe and clean town centre as part of Saturday's NTE.

5.2 Focusing on Saturday night, the busiest night for Maidstone's NTE, figures show that:

Organisation	£ expenditure (per Saturday evening)	Resource
Kent Police	£1,146.08	Officer presence, processing prisoners, investigating crime allegations
Maidstone Borough Council	£4,326.92	CCTV coverage in the town centre
Maidstone Borough Council	£400.00	Street cleansing – x2 members of staff, public urinal
Maidstone Borough Council	£199.80	Licensing enforcement
Total	£6,072.80	

5.3 Based on the above figures, agencies jointly resource Maidstone's NTE every Saturday, spending approximately £315,785.60 over a year.

5.4 Additional voluntary resources are provided through the Urban Blue bus, Street Pastors and Taxi Marshalls, which provide in excess of 4,000 hours of voluntary cover, dealing with more than 600 incidents per annum and reducing ambulance call-outs and A&E admissions due to alcohol.

5.5 Maidstone has a number of pubs and clubs which open late (up to 3 am) on Saturday, including: The Gallery, Source Bar, Dawn to Dusk, Strawberry Moons, Mu, Mu's, Bar Chocolate, Muggletons, The Brenchley and The Society Rooms. However, these businesses impact positively on Maidstone's economy, providing employment opportunities, alongside income through their Annual Rates payable.

5.6 On an annual basis, the above businesses raise £322,791.75 in rates, with the Borough Council receiving 40% (£129,116.70), Kent County Council 10% and the balance to government.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Although for information purposes only, the report may be useful in respect of defining the Borough Council's future development and management of the evening and late night economies through its planning, environmental protection and licensing powers, alongside supporting Kent County Council which holds the public health remit and a duty to improve the health and wellbeing of Maidstone's residents and it also commissions drug and alcohol services and lastly, Kent Police, which has the leading role in reducing crime and disorder.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The report helps to meet the service plan priorities to manage statutory enforcement in relation to nuisance, licensing and food and safety, and reduce crime and anti-social behaviour.	John Littlemore, Head of Housing and Community Services.
Risk Management	None for the purposes of this report.	
Financial	None for the purposes of this report.	
Staffing	None for the purposes of this report.	
Legal	None for the purposes of this report.	
Equality Impact Needs Assessment	None for the purposes of this report.	
Environmental/Sustainable Development	None for the purposes of this report.	
Community Safety	None for the purposes of this report.	
Human Rights Act	None for the purposes of this report.	

Procurement	None for the purposes of this report.	
Asset Management	None for the purposes of this report.	

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- None
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9. BACKGROUND PAPERS

- None