

DELEGATED DECISIONS

When: 5.30 pm
Tuesday 30 July 2019

Where: Room 1.02
Civic, 1 Saxon Gate East, Milton Keynes, MK9 3EJ

Public Questions

The deadline for the submission of public questions is 5:30 pm on Sunday 28 July 2019 and should either be delivered to the address below or sent by email to meetings@milton-keynes.gov.uk

Public Speaking

Persons wishing to speak on an agenda item must give notice by not later than 5.15 pm on the day of the meeting.

Enquiries

Please contact Shelagh Muir on 01908 254271 or shelagh.muir@milton-keynes.gov.uk

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SCHEDULE

ITEM	SUBJECT	DECISION MAKER
1.	Devolution of Assets and Services - An Approach (Pages 3 to 31)	Councillor Priestley (Cabinet member for Economic Growth and Community Partnerships)
2.	Approval To Tender - Local Bus Contracts (Pages 32 to 36)	Councillor Gowans (Cabinet member for Planning and Transport)
3.	Draft Downsizing Incentives Policy (Pages 37 to 61)	Councillor Long (Cabinet member for Housing and Regeneration)
4.	Draft Temporary Accommodation Placement Policy (Pages to 62 to 78)	Councillor Long (Cabinet member for Housing and Regeneration)
5.	Consultation on the Future of Buckland Lodge (Pages 79 to 95)	Councillor Long (Cabinet member for Housing and Regeneration)
6.	Consultation Arrangements Under Section 105 of the Housing Act 1985 (Pages 96 to 99)	Councillor Long (Cabinet member for Housing and Regeneration)
7.	Draft Housing Strategy for Milton Keynes (Pages 100 to 119)	Councillor Long (Cabinet member for Housing and Regeneration)

Wards Affected:

All Wards

ITEM 1

DELEGATED DECISION

30 JULY 2019

DEVOLUTION OF ASSETS AND SERVICES – AN APPROACH

Responsible Cabinet Member: Councillor Priestley - Cabinet Member for Economic Growth and Community Partnerships

Report Sponsor: Sarah Gonsalves, Director of Policy, Insight and Communications. Tel: 01908 253009

Author and contact: Kay Pettit, Working Locally – Parish and Town Councils Programme Manager. Tel: 01908 253009

Neil Hanley, Community Solutions Programme Manager. Tel 01908 253632

Executive Summary:

Local Government has changed significantly in recent years. The Localism Act 2011 and the Open Public Services White Paper supported a national drive to shift power away from central government to local government, communities and individuals. Reduced central government funding and increased demands for services mean that principal authorities are now more than ever needing to work alongside their local council and community partners in a collaborative, different and creative way to ensure that our residents continue to receive services that are important to them.

The approach to devolution described in this paper combines **the Community Asset Transfer Policy and the principles enshrined in the Draft Framework for Local (Parish and Town) Councils to have an Increased Role in Service Delivery**, to provide a way forward for the council to find the best long-term custodians of an asset or service valued by the community.

Previous decisions in relation to transferring freehold assets, play areas and open spaces refer:

- Cabinet Decision – 9 November 2015 – A Strategic Review of the Community Asset Transfer Programme – Way Forward for the Future Minute C79 [Cabinet- 9 November 2015](#)
- Delegated Decision – 7 February 2017 – Open Spaces % Play Areas Transfer to Parish and Town Councils (P&TC's) via the CAT [Delegated Decision 7 February 2017](#)

1. Recommendation(s)

1.1 That the Approach to Devolution of Assets and Services be adopted.

1.2 That following approval by the Cabinet member for particular services and / or assets to be considered for transfer to Parish and Town Councils / Community Partners, (and subject to any procurement requirements / implications) that sign off on the actual transfer be delegated to the relevant Director.

- 1.3 That a Capacity Fund of £100k be established from the Transformation Fund to support the devolution and partnerships agenda.

2. Issues

- 2.1 Milton Keynes Council has a well-established approach to community asset transfers enabling community partners to apply for an asset to transfer via a freehold arrangement.
- 2.2 The approach to **Community Asset Transfers (CAT)** was approved by the Council in January 2012 and adopted in July 2012 as part of a council wide change programme. In November 2015 there was a Strategic Review of the CAT by the Cabinet. In 2016 there was a further review of the CAT by the Councils Scrutiny Management Committee.
- 2.3 Since the CAT programme began in 2012 the council has released nearly 70 assets for freehold transfer. Out of those assets, 42 did not transfer. Of these 42 around 50% of these were stopped. There were various reasons for this; often the applicants withdrew, as they did not think it was financially feasible whilst others did not progress due to reducing appetite during the information period or where there were complexities surrounding existing tenants where no local agreement was sought or could be reached by the potential new landlord. The majority of transfers went to parish and town councils.
- 2.4 The councils CAT programme has transferred 27 assets in total to parish and town councils and community partners. A further three are currently in progress.
- 2.5 In February 2017, a Cabinet decision was taken to extend the CAT programme to beyond properties and to offer Play Areas and Open Spaces owned by Milton Keynes Council for potential transfer under a freehold arrangement to parish and town councils only.
- 2.6 Since February 2017, the Council has received eight expressions of interest from parish and town councils for the transfer of play areas and/or open spaces. Approval has been given for a number of play areas and open spaces that fall within Shenley Brook End & Tattenhoe Parish Council, Newport Pagnell Town Council, West Bletchley Council and Campbell Park Parish Council to be entered into the programme for transfer to these respective local councils. The associated services (eg landscape maintenance, play area inspection) will become the responsibility of the individual parish or town council on transfer
- 2.7 There are also situations where MKC will seek a partner to manage/operate in particular a new facility. In these cases (as occurred with the original built assets) MKC will seek expressions of interest from known interested parishes / community partners to manage/operate the facility under a suitable devolution method. (It should be noted that slightly different processes may need to be applied for community partners, to comply with particular requirements in relation to procurement legislation).
- 2.8 The principles enshrined in the **Draft Framework for Local (Parish, Town and Community) Councils to have an Increased Role in Service Delivery**

were approved in February 2018, with an agreement that development of the framework should be ongoing so as to enable capture of information and opportunities as circumstances and aspirations change. The Draft Framework focussed on services being transferred (or topped up) as opposed to assets.

- 2.9 A combination of financial challenges and the move towards more locality working has seen, over the last few years, principal authorities like Milton Keynes shift their focus from being both a provider of services and an enabler. It is becoming increasingly important for different tiers of councils to work well together, avoid duplications and deliver services at the most efficient and effective level.
- 2.10 As the national devolution agenda gathers pace, the Council Plan 2016-22 acknowledges that Milton Keynes Council will be doing less in the future, but confirms that “we will ensure that where we continue to deliver services we will focus on working with citizens, communities, business and partners to meet these challenges”.
- 2.11 Services often work best when they are designed, managed and delivered at the most local level possible, where they can more readily be attuned to local circumstances and local people’s priorities. Over recent years there has been a growing interest in principal authorities (unitary, county and district councils) devolving services and transferring assets with associated services, to parish and town councils within their area. Furthermore many assets are being transferred to parish and town councils and community partners.
- 2.12 Milton Keynes has 48 parish and town councils and is fully parished in both rural and urban areas. This is fairly unique for a unitary authority. Parish and town councils range in size within Milton Keynes. The largest has responsibility for some 10,250 properties/households and the smallest has responsibility for less than 15 properties/households.
- 2.13 Parish and town councils raise different precepts to their residents. The local council that precepts the largest amount raises some £960,000. The smallest precept raised by a local council is around £500. Four local councils do not precept at all. Each of the 48 parish and town councils make a significant and important contribution to enhancing the experience and environment of our residents
- 2.14 Parish and town councils are uniquely placed – they are the closest level of local government to our communities. The reality of the financial challenges within Milton Keynes over the coming years, means that many community based services will only be able to continue if parish and town councils and community partners are encouraged and supported to play a more active role in their local design and delivery
- 2.15 The Asset and Service Devolution Approach sets out how parish and town councils and community partners engage in the ‘devolution agenda’ at **a level that suits them**, from service monitoring and shaping / influencing existing contracts through to enhancing / topping up services or taking over services and assets

- 2.16 The Asset and Service Devolution Approach aims to create a ‘holistic’ long term place based approach, which recognises Milton Keynes eclectic mix of parish communities and their needs

The objectives are to:

- maintain community access to services and assets that might otherwise be at risk
- increase satisfaction with services;
- provide greater local influence over services and assets and where possible maintain and/or enhance standards
- provide greater local influence over services and assets;
- where possible maintain and/or enhance standards;
- enhance the role of local councils and community partners in their communities;
- generate greater community pride in local areas;
- promote engagement of local communities in local government; and achieve value for money

- 2.17 The Asset and Service Devolution Approach has been developed with the Parish Advisory Group (PAG), circulated to all Parish and Town Councils, and community organisations (umbrella groups) for comment. Feedback received from our parish and community partners has been incorporated

- 2.18 The Asset and Service Devolution Approach is contained in Annex A.

3. Options

- 3.1 There are 3 options for consideration.

- (a) Do nothing – this is not a recommended option. As MKC’s budgets reduce, and services are reduced, or stopped, the Council needs to find ways of working collaboratively with parish and town councils and community partners, and supporting them to continue to deliver services and take over assets as they see fit, that meets the needs of their communities.
- (b) Continue with current arrangements - whilst this could be an option to consider, continuing to receive ad hoc approaches by parish and town councils to become more involved or take over assets, without a re-invigorated approach to devolution may not realise the savings needed to meet future requirements
- (c) Adopt the principles detailed in the Asset and Service Devolution Approach to unlock potential savings, avoid future costs and expenditure and focus on local service delivery that meets the needs, requirements and expectations of our communities.

Policy

- 3.2 The Asset and Service Devolution Approach and objectives are firmly embodied within the current version of the Council Plan (2016-2020). ‘...We want to engage our communities...maximise social value; promote community based solutions and innovate new ways to deliver services people value...’ ‘....Supporting parishes, the voluntary sector and communities to get things

done.....’ ‘promote community based solutions and innovate new ways to deliver services people value.....’

- 3.3 The Asset and Service Devolution Approach further provides an approach to enable medium term changes to be developed in accordance with the Co-operative Council principles.

Resources and Risk

- 3.4 MKC is facing the most difficult budget period it has ever had to deal with. Government cuts and a rise in demand for some of our services means it faces difficult times and some tough choices. Over the last eight years it has saved £144.7m. The council spends about two thirds of its overall budget on adult and children’s care, and costs have grown by significantly. So far it has been managing this through:

- reducing costs
- employing fewer people
- putting more services online
- sharing some of its services with other Councils.

- 3.5 While it is clear the Council cannot continue running a wide range of services as it has done in the past, changes need to be made by working with key partners such as parish and town councils and community partners, to redesign service delivery, take over assets and find alternative solutions.

As published in February 2019 – [link here](#), the Council must address a financial gap of £18.9m from 2019/20 to 2022/23. The £18.9m is split as follows:

2020/21	£7.6m
2021/22	£5.4m
2022/23	£5.9m

- 3.6 By taking a delegated decision to agree to the principles contained in Asset and Service Devolution Approach there is an opportunity for all parish and town councils and community partners to take an increased role in service delivery and shaping the future. Furthermore it provides opportunities for parish and town councils and community partners to take over assets that are important to their communities.

N	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	N	Asset Management

Carbon and Energy Management

- 3.7 There are no carbon and energy management implications in this proposal.

Legal

- 3.8 The Asset and Service Devolution Approach has been developed making reference to the principles that were established in the Localism Act 2011.

- 3.9 At the point of any service or asset is considered for transfer to either parish and town councils or community partners, Legal Service support will sought to ensure any potential procurement requirements are considered. Legislative requirement in terms of procurement will differ between parish and town councils and community partners.
- 3.10 Legal Service support, as appropriate, will be sought at the point of any arrangements with parish and town councils that are developed. Advice on TUPE (Transfer of Undertakings – Protection of Employment) implications has already been sought and distributed to P&TC's, in anticipation of alternative working arrangements at points in the future.

Other Implications

- 3.11 Milton Keynes' parish and town councils and community partners vary significantly in their
- working ways and leadership
 - culture
 - ideas
 - behaviours
 - financial ability
 - appetite and ambition
 - capacity and staffing
 - capability and technical knowledge
- 3.12 Such variables present their own challenges for each parish and town council and community partner in terms of responding to the opportunities that the Asset and Service Devolution Approach presents.
- 3.13 Equality issues have been considered and there are no impacts.

N	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers:

- Devo + - A report by the National Association of Local Councils (NALC)
- Modelling devolution – working together to deliver local services – A joint report by the Local Government Association (LGA) and the National Association of Local Councils (NALC)
- Devolution & Localism – are we going forwards or backwards – A discussion paper for the Campaign to Protect Rural England (CPRE) and NALC by Lilian Burns
- Saving Money by Doing the Right Thing – Why 'Local by Default' must replace 'Diseconomies of Scale' – Locality. Org

Cabinet Decision – 9 November 2015 – A Strategic Review of the Community Asset Transfer Programme – Way Forward For The Future [Cabinet - 9 November 2015](#)

Delegated Decision – 7 February 2017 – Open Spaces % Play Areas Transfer to Parish and Town Councils (P&TC's) via the CAT

[Delegated Decision 7 February 2017](#)

Delegated Decision – 20 February 2018 – A Draft Framework for Parish and Town councils to have an increased role in service delivery

[Delegated Decision 20 February 2018](#)

Various examples of good practice – other principal authorities

Annex:

An Approach to Devolution of Assets (Facilities) and Services 2019 – 2029

Working Together: An Approach to Devolution of Assets (Facilities) and Services

2019 - 2029

Doing the best for every local community within Milton Keynes



Version Control

Version	Comments	Date
V1.0 – V1.5a	Kay Pettit / Neil Hanley Cllr Priestly	Nov/ Dec 2018
V1.5b	Neil Hanley	Jan 2019
V1.5c	Maurice Barnes	Mar 2019
V1.6	KP review	Apr 2019
V1.7	PAG review	Apr 2019
V1.7a	Parish and Town Council review	Jun 2019
V1.7b	Legal review	July 2019

Foreword

Parish and Town Councils, as well as the many local partners in Milton Keynes, are playing a really significant role in shaping and improving their local areas. As Cabinet Member for Economic Growth and Community Partnerships I am passionate about communities having even more power, so that they feel more confident about taking ownership of local priorities going forward.

We know that since 2010, the financial pressures for both Milton Keynes Council and our partners has increased - we have taken a long hard look at what we do and how we do it and how we work together with our key local partners. The result of this is that over the last few years we have shifted our focus from being a provider of services to being an enabler. We are committed to creating the right environment for local parish and town councils working alongside their communities to do things for themselves that matter locally. With this shift in focus, I look forward to watching Milton Keynes continue to develop and thrive, with councils and communities taking innovative and bold decisions that can effect real change at the local level. We are committed to supporting our partners in that journey (and working with them to build capacity) and this document provides the blueprint for this. I look forward to working with you as we move ahead with our devolution programme.

Cllr Moriah Priestley

Cabinet Member for Economic Growth and Community Partnerships

Introduction

The Milton Keynes Council (MKC) *Council Plan (2016-2022)* recognises the importance of partnership working and the vital role that parish and town councils, voluntary groups and charities have in shaping the local area and Milton Keynes as a whole. Operating on the principles of a co-operative council, we want to ensure that the services that citizens value can continue to be delivered in a sustainable way and that the people of Milton Keynes have the opportunity to influence and shape their own communities.

MKC recognises that devolution of assets and services to local communities, parish and town councils (given their locality base) makes a significant contribution to enabling local areas to be stronger, more resilient and sustainable. In addition, this provides the opportunity for residents to have greater ownership of local assets and a real say in their future. The fact that parish and town councils are able to set their precepts at the level at which they are required to support communities to achieve what they would like means that this locally based influence and say is greater than it ever has been.

The experience gained from a number of asset and service transfers completed to date has shown that the development of this approach (combining the *Community Asset Transfer Policy* and principles enshrined in the *Draft Framework for Local Councils to have an Increased Role in Service Delivery*) presents significant opportunities to create stronger, more cohesive and sustainable communities. It enhances the role of these partners and enables them to shape their areas and make the improvements that sometimes only local knowledge can provide and respond to, delivering outcomes that match the needs and expectations of local communities. Appendix A details case studies of some of the services and assets transferred over the last five years.

Let's be transparent – reduced central government funding and increased demands for services mean that principal authorities will be working more closely than ever alongside their partners (in particular parish and town councils), in a collaborative, different and creative way to ensure that residents continue to receive services that are important to them. The need for cooperation between tiers of local government has never been greater and the opportunities never more exciting. Each parish and town council is different and faces different barriers and enablers. So, we want to build on what has already been achieved and support all parishes and town councils to consider how to engage in the devolution story. Over a third of parish and town councils in Milton Keynes have either taken over devolved services and assets or have indicated a wish to do so. We are committed to supporting local parish and town councillors and their officers to build

capacity to enable more parish and town councils to consider taking on devolved services over time.

This document sets out the vision for how this might be achieved over the next ten years.

1. Priorities and Principles

We will promote and facilitate the devolution of services and assets (associated or otherwise) as appropriate to **parish and town councils (and other community partners)¹ who want to embrace the devolution agenda**. We recognise that there are many ways to achieve this agenda (including 999 year leases, freehold transfers, management contracts, etc). We recognise the value of enabling local community partners to assume responsibility for local assets and local services and we want to empower these organisations that may be best placed to take on these assets and deliver services. We recognise that **each community is different** and we want to **ensure that each asset and service is placed with the best long term custodian**.

2. Background

Since the adoption of the Community Asset Transfer (CAT) programme in 2012, Milton Keynes Council has largely concentrated on MK's built infrastructure. The focus evolved in February 2017 (policy change) towards considering open spaces / play areas and their associated landscaping within parish and town council borders in an effort to respond to the changing needs and demands of the programme as suggested by participants and also to reflect the financial reality that MKC was facing and the associated need for it to make further savings. Of primary importance in this change was the wish to ensure that these assets remained for the use of communities and run by communities and their partner organisations.

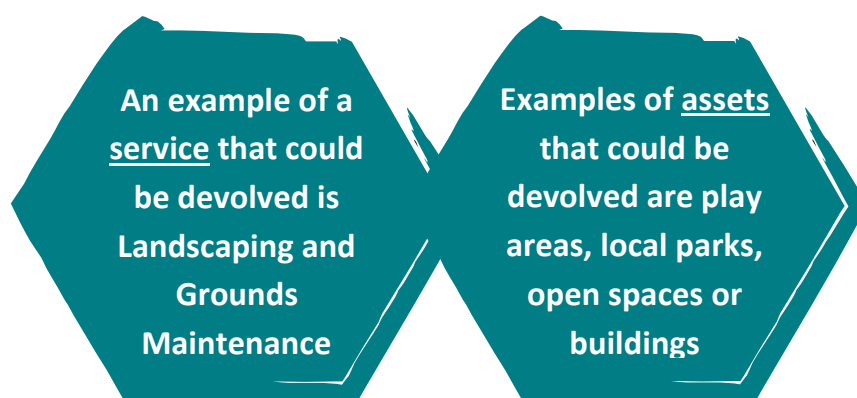
¹ 'Community partner' relates to all third party organisations; in the main, parish and town councils, and also the voluntary and community sector, including charitable and social enterprises, housing associations, local sporting clubs/organisations, schools, and management committees. With this in mind, a preference will exist for such partners to be locally run, locally controlled, non-profit distributing, inclusive, and democratic organisations with a track record and experience of delivering services to the local community.

Since 2016, a number of expressions of interest have been received from parish and town councils to not only manage open spaces, parks, play areas and their associated open spaces but to own them out right. The built infrastructure aspect of the programme (which had been exhausted in terms of the number and scope of assets offered to community partners), switched focus, resource and priorities towards potential large real estate transfers particularly with parish and town councils. The current delivery plan at Appendix B demonstrates this.

All assets in the built infrastructure list have been offered at some point. Out of the 69 that were offered, 27 were completed, and 42 did not transfer. There were a number of reasons for non-transfer which occurred at various stages of the CAT process.

3. Service and Asset Devolution

We recognise that individual parish and town councils / community partners will be at different stages of their thinking in terms of taking over services and assets.



Services could be devolved in isolation of an associated asset or as part of a package containing both a **service** and an **asset**.

There may be strategic or practical reasons why MKC would not be able to devolve an asset or a service, for example:

- Adjoining / surrounding land not being transferred
- Potential for redevelopment
- Historic and / or complex land issues that would make the transfer resource prohibitive to both us and our partners
- Service is part of a wider council contract

4. Assets

MKC have responsibility for land and buildings through various means:

- **Owned assets** – where we hold the freehold interest or a long lease
- **Dedicated assets** – where we have a historical contractual obligation but we do not have the freehold ownership, eg areas of open space or play areas under planning agreements
- **Statutory responsibly** - where we have a duty to maintain assets (and provide services) under legislation, eg highway land

To date, the 27 (freehold) assets that we have transferred have included:

- Community Centres
- Depots
- Meeting places
- Sports Grounds
- Libraries
- Sports Pavilions
- Open Spaces
- Youth Centres

In most cases, once an asset is transferred MKC ceases to be responsible for it. It is highly unlikely that MKC will re-assume responsibility for the asset at any point in the future, even if it is no longer needed for community use, unless there are compelling legal reasons to do so. This means that council and partners considering devolution need to consider not only the immediate impact of transfer but the longer-term sustainability.

5. New Scope for Devolving Assets

The original programme scope for the CAT identified five key programme strands, namely:

1. **Leisure and Community;** meeting places, community centres, leisure centres, pools, and sports grounds
2. **Arts and Heritage**
3. **Libraries**
4. **Youth Centres**
5. **Open Spaces;** parks, landscape depots

the programme in 2012. Due to emerging demands, the priority and focus upon strands going forward will be:

- 1. Amenity Land
- 2. Play areas
- 3. Parks and open spaces
- 4. Seats
- 5. Footway Lighting
- 6. Public Toilets
- 7. Depots
- 8. Bus shelters
- 9. Monuments
- 10. Litter Bins
- 11. Grit Bins

This informs the current delivery plan outlined at Appendix B. We will continue to consider applications for other built assets, this will be limited to those identified through the Corporate Property Strategy.

6. Services

To date, we have devolved ‘full’ landscaping and grounds maintenance services to **6** parish and town councils. These arrangements commenced in 2014. **11** further parish and town councils have committed to delivering their own landscaping services from 2020.

If we transfer a **statutory service** to our partners to deliver, because we remain ultimately responsible for the provision of the statutory service, we will work with our local community partners to draw up a service delegation agreement. MKC will reserve the right to terminate the service delegation agreement at any time if the statutory responsibilities are not being met. We will monitor the service delegation agreement to ensure that our statutory responsibilities are being met.

If we transfer a **discretionary service** to our partners, we will cease to be responsible and accountable for the delivery of the service. Any monitoring will be ‘light touch’ and ‘supportive’. Once we have transferred a discretionary service it is highly unlikely that we will re-assume responsibility at any point in the future.

In the cases of both discretionary services and statutory services, we will **agree a services contract** with our partners over a given number of years. The services contract will detail

any funding (as is relevant) that we give each year. The level of detail with the services contract will vary dependant on the service itself.

It is important to note that there is a difference between transferring a service and transferring a building or asset. By way of illustration, when we transferred the library building to Stony Stratford Town Council, it was just that – the building. The service (albeit a reduced service) continued to be provided by us MKC. The service was ‘topped up’ by the Friends of Stony Stratford Library (FOSSL) using its own volunteers.

7. Alternative Solutions to Devolving Assets

We recognise that the freehold transfer of an asset is not always the best solution, given amongst other things, the best value calculation. There are however alternatives to devolving / transferring the freehold of an asset that we are happy to consider, namely:

Long term lease	A long term lease (preferably without MKC revenue or capital funding) to a voluntary sector organisation / community partner or parish or town council, Examples of local long term lease arrangements are Shenley Leisure Centre, Wolverton Pool and Fitness Centre, Bletchley Rugby Club, Milton Keynes Rugby Club, Downs Barn Pavilion and large parts of open green space across the borough (The Parks Trust). In some cases a nominal lease payment is made to MKC.
Community use agreement	A community use agreement with a local organisation or a local school to protect community use access and prices with a preferable position of a zero council subsidy and risk transfer to the third party within a partnership working relationship. An example of this can be found at Oakgrove Academy with Oakgrove Leisure Centre.
Management contract	A long term lease, contract and service specification with a specialist service delivery partner which may link to a capital investment by a third party with a preferable position of zero subsidy or an income to MKC together with full risk transfer. An example of this can be found at Woughton on the Green, Woughton Leisure Centre, Windmill Hill Golf Centre and Bletchley Leisure Centre.
Contract Variation	MKC has a number of contracts for service delivery that afford the ability to vary services/assets into a contract. The existing contract will

often have a contract, specification and lease arrangement and a zero subsidy position is preferred together with user, programming and price protections. An example of this is at Tattenhoe Pavilion.

Lease transfer with council payment Such an arrangement would involve the transfer of an asset under a lease with a payment being made to a local organisation to manage locally more cost effectively. An example of this can be found at Cowper's Alcove.

8. Alternative Solutions to Devolving Services

We recognise that devolving services is not the only option for parishes and town councils / community partners who want to become more involved in service delivery. We are happy to consider and develop alternative approaches, namely:

Influencing Parish and town councils / community partners may wish to request changes to the way existing contracts held by us and/or input in to the requirements when new contracts are retendered. They can also play a role in monitoring existing service delivery in their area.

Topping up Parish and town councils / community partners may choose to enhance an existing service provided by us by funding additional work that exceeds the base level (baseline) service provided. This could be through, for example:

- a) encouraging community participation with support / sponsorship from local businesses
- b) procuring a separate contract (with a 'local' contractor)
- c) employing their own staff / wardens
- d) the use of volunteers / volunteer teams
- e) by purchasing additional services via an existing Milton Keynes contract, eg the SERCO contract, Ringway contract (either direct or via a specially offered 'framework arrangement' by one of Milton Keynes current contractors)

9. Outcomes for Service and Asset Devolution

The overarching desired outcome is the local delivery of services and local management of assets that meet the needs of local communities as well as strategic needs where the service/asset has a wider impact.

We acknowledge that each community is different and that the delivery will be a complex patchwork quilt of local responses to local issues delivered by a sector that has enhanced its skills to deliver the best outcomes.

Our aim is for Milton Keynes' approach to be recognised regionally and nationally as one that supports service and asset devolution to local councils / partners who want to deliver and be responsible for more.

Going forward, accepting the changes in scope and focus around service and asset transfers, MKC wants to work with its partners to ensure some of the key principles of the CAT programme will remain part of our approach, namely:

- Asset transfer will be considered but for this, there will need to be the demonstration that parish and town council / community partner has the ability to suitably manage the asset (although we recognise that organisations may be able to develop this capacity and they will be given the opportunity to do so if commitment and potential can be demonstrated).
- On an asset-by-asset basis an evaluation as to whether an asset should be devolved is undertaken by individual service areas. Services across MKC will assess whether they are needed for direct council service delivery. Other key considerations will include whether the facility / asset serves a wider strategic need.
- The three-test financial assessment process (that was introduced to the CAT programme in 2014) to ensure that MKC would not be adversely affected financially with regards to any freehold asset transfer will remain. The following will be considered:
 - The revenue cost to MKC,
 - The potential future liability in terms of capital investment requirements.
 - Potential development opportunities.

- We **will consider** for transfer assets that generate an income, as we aspire to doing what's best for each local community and above all acting in Milton Keynes best interest.
- No single aspect is considered more important than another but a balanced appraisal will need to be completed. Such an approach facilitates a clear and robust assessment of the assets requested for transfer, in a transparent manner.

State Aid

Our Legal team will continue to closely monitor the impact of any legislation that might affect the progress and will continue to do so in the future. Freehold Asset transfers are for a nominal price of £1 or nil. Under the Local Government Act 1972 a Council is required to obtain the best price reasonably obtainable where transferring ownership of property but may dispose of property for less where (in general terms) to do so benefits the residents of the Borough, and the undervalue is less than £2 million. In each case where property is transferred for less than market value MKC should be satisfied that this does not amount to State Aid. We will need to be mindful of both requirements in all cases, but generally transfers of small properties used by local residents are unlikely to contravene these legal requirements.

Costs

Parish and town councils / community partners will meet their own legal and surveying costs as part of the transfer. Additionally, post-transfer the parish and town council / community partner will be responsible for all statutory property tests and inspections, and we will expect that they have sufficient financial resources to fully maintain the asset.

Staff

When considering asset transfer, we will give consideration to any implications that the transfer may have on staff operating in or for the asset, and work with our Human Resources team to identify the affected employees and the potential implications of any transfer (TUPE).

10. Delivery of services

There are a number of different delivery models that parishes and other partners could consider that could make the management of the asset or service more cost-effective and responsive to local need. These include:

Clustering Parish and town councils / community partners can cluster with each other. Clustering can bring about the following benefits:

- Sharing of resources
- Enable larger parish and town councils to deliver services to smaller parishes who do not have the resources to manage service delivery or work with them in partnership to achieve some economies
- Empower parishes to identify the most suitable form of service delivery for their local area
- Enable shared services models, , for example if one parish and town council / community partner may lead on some service provision whilst another may lead on others
- Ensure that smaller parish councils still benefit from these arrangements

Individual Parish and town councils may want to deliver services for their area only.

Whether in clusters or as individual arrangements, parish and town councils have an opportunity to deliver services in a number of different ways, eg, using their own employees, or through a community interest company, or through commissioning contractors, or through using volunteers or using schemes such as social enterprise / local community schemes.

Funding

In the case of assets, no funding will be devolved. In the case of services, where parish and town councils choose to taken on delivery of a local service, funding will be provided which will be the equivalent to the cost of delivery to us at the point of take on.

There may be opportunities for 'capacity funding' for those parish and town councils and community partners who express an interest in taking on services or assets (or both). Cases for any such funding will be decided on the individual merits of each project.

Parish and town councils are able to seek alternative sources of funding not traditionally available to us as a principal / unitary authority, including:

- Attracting private investment
- Attracting community investment
- Crowdfunding
- Community shares
- Increasing the precept

11. Lessons Learned and Future Capacity Building

Since the beginning of the CAT programme in 2012, all assets in the built infrastructure list have been offered for freehold transfer. Out of the 69 that were offered, 27 completed and 42 did not transfer. There were a number of reasons for the incompleteness which occurred at various stages of the CAT process. Appetite for transfer being one of them, financial feasibility being another. Some assets like Woughton Leisure Centre and Oakgrove Leisure Centre now form part of the 1Life Contract.

The majority of transfers went to parish and town councils. All those that did not transfer went back in to the Property Services portfolio to look at other solutions.

As an alternative approach, we will consider any expressions of interest in any asset or service put forward by parish and town councils / community partners to take over delivery or management/ownership. Appetite varies enormously across Milton Keynes and we will react to and consider any request under this Devolution of Assets (Facilities) and Services Approach.

There are also situations where MKC will seek a partner to manage/operate in particular a new facility. In these cases (as occurred with the original built assets) MKC will seek expressions of interest from known interested parishes / community partners to manage/operate the facility under a suitable devolution method. (It should be noted that slightly different processes may need to be applied for community partners, to comply with particular requirements in relation to procurement legislation).

The Devolution of Assets (Facilities) and Services Approach is all encompassing. Although parish and town councils primarily lead the way forward this does not exclude other community partners, as MKC considers them to be part of the voluntary and community sector, with some of these partners being up to the task of handling these assets and or services.

12. Measuring success

The success of the Devolution of Assets (Facilities) and Services Approach 2019 – 2029 can be monitored through the number of devolution projects delivered and the savings achieved, alongside the ultimate benefits to the community. MKC is committed to working with parish and town councils and community partners to develop a fit for purpose and agile approach that can empower councils and communities in exciting new ways.

Appendix A : Case Studies from the Past Five Years



Stony Stratford Library

The Stony Stratford Town Council Partnership Agreement was signed in March 2013, enabling the town council to take over the ownership of the Stony Stratford Library building previously owned by MKC. Library staff remain employed by MKC. The partnership has led to a yearly saving on revenue costs of £27,500 for Milton Keynes Council and enabled Stony Stratford Town Council to develop the building into a 'centre for learning at the heart of the local and surrounding communities'. The 'knowledge hub' now offers events, activities, lectures and talks that have maximised the use of the building outside the library core opening hours.

Stony Stratford Town Council undertook a study of building user needs to understand each user's requirements to inform the development of a project to reorganise the internal available space, maximising its use. This also looked at a possible extension to the building to enable flexibility of use to be achieved at the same time supporting the future of the library.

Since taking ownership of the asset, the Town Council have:

- Installed a new hot water system
- Completed the replacement program for all windows (This has upgraded the windows and door from single to double glazed units and replaced rotten wooden frames.) and the rear entrance to the building
- Improved lighting, particularly on the first floor
- Brought cleaning of the building back in house, combined with a new caretaking function that provides a flexible service when the building is in use in the evening and at weekends.

Middleton Pool / Willen Road Sports Ground

Middleton Pool and Willen Road Sports Ground were transferred to Newport Pagnell Town Council in March 2014. With the freehold transfer taking place this removed the need for Milton Keynes Council to fund ongoing revenue costs of Middleton Swimming Pool and Willen Road Sports Ground from 1 April 2014 onwards. This amounted to revenue savings of £116,000 per year. Newport Pagnell Town Council immediately leased their newly acquired assets to a Leisure Service Provider (*Places for People Leisure*, a registered charity) who manage the asset on the Town Council's behalf. This arrangement brought significant benefits to the community and Middleton Pool and very quickly saw the following improvements:



- Employment of 7 full-time life guards
- A smarter, corporate look for staff and premises
- A 50 week-per-year book-in facility for swimming lessons with Direct Debit, which makes budgeting and payments much easier for parents
- The introduction of free under-8 swimming when accompanied by a paying adult
- Increased membership for swimming
- A temporary gym installed in the Tickford Centre with over 500 members and rising
- Weekly after-school activities for younger children, supported by *MKC Play Rangers*
- Belly dancing – run in conjunction with *Works for Us*
- MK food bank collection and delivery sessions
- Monthly inter-agency support and advice sessions for local residents, involving *MKC Housing, Mitie, DWP*
- The Council takes frequent weekend bookings for the centre, allowing local residents to celebrate birthdays for young and old with their friends and family

Frank Moran Centre

In early 2012 the Frank Moran Centre was one of the first pilots put forward for transfer. Upon transfer, West Bletchley Council (WBC) took responsibility for the asset, its liabilities and relevant capital investment into the future.



The terms of transfer took some time due the need to renegotiate the pre-school lease, but were finally agreed and approved by both Councils, and WBC took ownership of the centre

in **June 2013**. With the freehold transfer, the Council's Landlord responsibilities fell away resulting in a saving of **£2,294** revenue costs per year.

The Frank Moran Centre had been vacant for some 18 months prior to transfer to WBC. Since the transfer, local residents supported staff from the WBC's Community Resource Centre in Melrose Avenue in organising, running and attending a range of activities that take place on most weekdays.

WBC had improvement and alterations plans prepared professionally and subsequently engaged with a local building contractor to carry out the works. Construction included a new entrance and lobby area, creation of two additional meeting rooms and refurbishment of toilets and kitchen area. Works were completed and the centre officially reopened in November 2013. Activities have since included:

- Social activities for a group of residents aged 55 years plus, supported by *AgeUK MK*.
- Adult "job club" supported by *MK College*.
- Arts and Craft activity sessions for all ages – run by local residents.
- Knitting group.

Medbourne Pavilion

Medbourne Pavilion & Sports Ground transferred in February 2015. Shenley Church End Parish Council (SCEPC) beat several other qualified applicants with a plan for the site which will see its use by the community protected and, where possible, extended in the years to come.



SCEPC took full responsibility for the asset, its liabilities and relevant capital investment into the future. With the transfer of ownership, this resulted in revenue saving for Milton Keynes Council of £36,000 per year.

Since taking ownership the parish council has undertaken much maintenance work. The biggest and probably most noticeable thing was the re-surfacing of the hall floors. The transfer also enabled other investment to take place. The work completed so far includes:

- the installation of a new security alarm system providing easier and more secure access for all hirers
- a deep clean of the whole facility

- fire safety assessments
- maintenance on the heating system

The kitchen has been re-vamped including the installation of a specific hand-wash sink and an oven. The addition of a second entrance into the kitchen made it possible for hirers of both halls to access this facility independently through arrangement with staff during booking. Repairs have taken place to the dividing wall and shutters and the Parish Council have also redecorated. This helped to make the building more welcoming and the environment better for everyone using the building.




Fishermead Sports Ground & Woolstone Sports Ground

Fishermead was once the site of a sports and social club, but the clubhouse was demolished some years ago and public sports pitches were no longer available. Campbell Park Parish Council (CPPC) received frequent enquires about sports pitches in Fishermead and felt it could develop the site to benefit the local community, and had similar ideas about improving Woolstone. Although there was no savings or costs to MKC the redevelopment of this site would have long term benefits to the local community, reinstating a facility for future use.



In the summer of 2013, both sites were transferred to CPPC, and residents witnessed the benefits of their local facilities being upgraded. CPPC addressed several woodland management issues in Woolstone which had caused community safety concerns. The car park was repaired, and benches that had served the sports ground for nearly 30 years were replaced. CPPC consulted with residents on long-term plans for the ground, including a sports wall, trim trail, and exercise track.

With the Freehold transfer taking place at Woolstone sports ground, the Council's Landlord responsibilities fell away resulting in a saving per year of £13,800 in revenue costs.



"We're delighted to have acquired the ownership of Fishermead and Woolstone Sports Grounds. The transfer process itself was straightforward and transparent, and was concluded in a timely manner. The completion of the transfers will ensure the future of the sites for both the current and future generations. The Parish Council looks forward to working with residents to ensure that facilities on the sites reflect the needs of the community."

CPPC

Landscaping Services

In 2014, just before the Council entered into a contract with a contractor to deliver borough wide landscaping services, it offered parish and town councils the opportunity to take on and deliver their own landscaping services. Six parish and town councils (out of a total of 48) now successfully deliver their own landscaping services. MKC provides an amount of funding to these parish and town councils, some of whom deliver the service directly themselves, whilst others have contractual arrangements with local contractors. The borough wide contract is due for renewal / retender in 2020 and the remaining 42 parishes have been offered the opportunity to deliver their own landscaping services. At the time of writing 11 parish and town councils have committed to delivering their own landscaping services from 2020.

APPENDIX B - Delivery Schedule 2019 Onwards

Action	Month	Lead
Continue working with 11 Parish and Town Councils that confirmed their commitment to delivering Landscaping Services from 2020.	January 2019 to March 2020	KP/MB/ NiH
Continue with the 'In progress CATS' (inc Chepstow and 3 play areas to West Bletchley)	Ongoing	NeH
Progress Asset Transfer of Play Areas and Open Spaces for NEWPORT PAGNELL TC (Tranche 1 - 10 that we currently own and 2 key sites of Dove and Kingfisher)	Ongoing to Summer / Autumn 2019	NeH
Progress Asset Transfer of Play Areas and Open Spaces for NEWPORT PAGNELL TC (Tranche 2 - balance that we currently don't own / obtain ownership then transfer)	Ongoing to Summer / Autumn 2020	NeH
Progress Asset Transfer of Play Areas and Open Spaces for SHENLEY BROOK END & TATTENHOE (Tranche 1 - 22 that we currently own)	Ongoing to March 2020	NeH
Progress Asset Transfer of Play Areas and Open Spaces for SHENLEY BROOK END & TATTENHOE (Tranche 2 - 22 that we currently don't own / obtain ownership then transfer)	Ongoing to March 2020	NeH
Progress Asset Transfer of Kernow Crescent Play Area in Fishermead for Campbell Park Parish Council	Ongoing to March 2020	NeH

<p>Accept, for consideration and joint working, requests from Parish and Town Councils and Community Organisations under the Approach</p>	<p>Ongoing</p>	<p>NeH/KP</p>
<p>Explore opportunity to devolve services such as</p> <ul style="list-style-type: none"> • Grit Bin Provision • Cleansing - street scene / litter bin provision • Rights of ways surveys / maintenance • Bus shelter maintenance • Sign cleaning • Weed spraying • Removal of low level graffiti / fly posting fly tipping • Maintenance of street furniture 	<p>January 2019 onwards</p>	<p>KP/SG</p>

Wards Affected:

All Wards.

APPROVAL TO TENDER - LOCAL BUS CONTRACTS

Responsible Cabinet Member: Councillor Gowans – Cabinet member for Planning and Transport

Report Sponsor: Stuart Proffitt (Director Environment and Property)

Author and contact: Stuart Simmonds, Public Transport Technical Lead,
Tel: 01908 252011

Executive Summary:

Contracts for services 24/25, 30/31 and 80 were awarded with an expiry date of October 2019 and the option to extend in multiples of 12 month periods until October 2021 (service 30/31) or October 2022 (services 24/25 and 80).

The current provider has indicated that it does not wish to proceed with the option of extending contracts beyond October 2019.

The services operate in areas and at times where there is no alternative local bus provision and provide a number of unique direct links that are not possible on commercial services. To ensure continuity of service provision a procurement exercise to secure replacement services is required.

The procurement will ensure access to education, work, medical, shopping and social activities and facilities for those without access to private transport. It will also offer a sustainable choice for those who do have access to private transport.

The purpose of this report is to confirm approval of the procurement of 3 replacement bus services and to delegate the authority to award contracts to the Director – Environment and Property. Contracts would commence 27 October 2019 until 24 October 2020.

1. Recommendation(s)

- 1.1 That the commencement of an OJEU open tender process for the procurement of 3 local bus contracts (routes 24/25, 30/31 and 80) be approved.
- 1.2 That the authority to award the contracts for replacement services for a period of 12 months be delegated to the Director - Environment and Property.

2. Issues

- 2.1 Contracts for following services commenced in October 2016 (service 30/31) and October 2017 (services 24/25 and 80). The current contract term is until 26 October 2019 with the option to extend in multiples of 12 months until October 2021 (service 30/31) and October 2022 (services 24/25 and 80):

Service 24/25: Newport Pagnell – Kingston – Bletchley – Westcroft – Central Milton Keynes – Newport Pagnell, hourly Monday to Saturday.

Service 30/31: Bletchley – Stony Stratford – Wolverton – Newport Pagnell, peak time Monday to Friday

Service 80: Stony Stratford – Calverton – Central Milton Keynes, one return journey Fridays only.

- 2.2 The contracts were originally awarded with the operator taking the revenue risk following a Most Economically Advantageous Tender (MEAT) evaluation. In common with other local bus services in Milton Keynes patronage and revenue has declined on the services. The decline in revenue on the services has been such that the operator has decided that it does not wish to proceed with the option to extend contracts beyond October 2019.
- 2.3 These services provide a number of unique direct links that are not possible on commercial services. They also operate in to areas that has no nearby alternative local bus provision.
- 2.4 To ensure continuity of service and access to work, education, social and leisure facilities bids will be sought through an OJEU open tender process
- 2.5 Tenders will be evaluated using MEAT criteria of 80% price and 20% quality. The quality questions seek evidence of arrangements for maintaining services at the standard expected including procedures for maintaining vehicles, customer service and record keeping. There will be a minimum quality threshold of 60% when evaluating bids
- 2.6 Consultation
 - (a) Prior to tendering, potential tenderers will be advised of these forthcoming tender opportunities via email and Milton Keynes Council's e-tendering ProContract.
 - (b) Contracts would be awarded for the period 27 October 2019 until 24 October 2020 whilst a network review is undertaken. The review will look at both commercial and contract services. A 12 month period is preferred to align with the intended extension of current contracts to October 2020. This will enable a holistic approach and the coordinated introduction of any changes following the review.

3. Options

- 3.1 Not procuring replacement Services. There is no alternative local bus service provision if the services are not secured and there would be no access to services and facilities for those without access to private transport.
- 3.2 Milton Keynes Council operating the services. Current legislation excludes the Council from holding powers to operate local bus services.
- 3.3 Taking the above into account the preferred option is to secure replacement services through an OJEU open tender process.

4. Implications

4.1 Policy

The Council's Policies for public transport are set out in the Local Transport Plan (2011-2031) adopted by Council in June 2011 and the Mobility Strategy adopted by Council in March 2018. The procurement of the services listed above will assist in implementing these strategies by providing local bus services that complement the delivery of the core commercial network.

4.2 Resources and Risk

The budget for Bus subsidies in 2019/20 is £1,231,820. Bus Service Operators Grant (BSOG), Section 106 funding from developers and Tariff is available to fund local bus contracts in 2019/20. Although there is no certainty that BSOG will be available in 2020/21 section 106 funding and Tariff will continue to be available

Services 24/25, 30/31 and 80, as well as other services, will need to be contained within the funding envelope. Assuming that BSOG is not available beyond 2019/20 it is anticipated that there is sufficient funding from the Bus subsidy budget, S106 funding, and Tariff to secure services to October 2020. A review of the local bus network is currently underway and bids received in response to this tenders will inform this piece of work.

N	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

The key risks associated with this tender are as follows:

Risk	Likelihood	Mitigation	Impact after mitigation
Total bids may exceed budget available	Medium	At the award stage, contracts would only be let within the budget available. Seek to negotiate alternative service provision to ensure basic requirements of service met. Review other local bus contracts to achieve necessary savings required.	Medium
If the award process is challenged there could be a gap in the provision of services.	Medium	Ensure compliance with procurement law requirements and MKC Contract Procedure Rules	Low
If the right operator is not selected through the tender process then the quality of service may be insufficient.	Medium	Minimum quality threshold of 60% when evaluating bids. Robust contract management procedures in place	Medium
No bids received for individual contracts	Low	Operators will be made aware of the tender round.	Low

4.3 Carbon and Energy Management

The provision of local bus services supports the 2019 – 2050 MK Sustainability Strategy and the Imagine MK 2050 Strategy by promoting public transport alternatives. It also supports the Carbon & Energy Management policy which includes an action (9) “Use vehicles with low fuel consumption and pollution-reducing technology and ensure their regular servicing and energy conscious operation. Promote and facilitate the use of alternative modes of transport”.

4.4 Legal

The Council has a duty under the Transport Acts 1985 2000, and the Local Transport Act 2008, to secure bus services in order to meet public transport requirements within the Milton Keynes Council area that would otherwise not be met.

Under the Transport Act 2000, the Council is required to have a Local Transport Plan and has a duty to implement the same. The contracts will therefore help the Council to implement the Council's Local Transport Plan, which includes targets for bus patronage and the Bus Strategy.

The tender price for the contracts to be procured is 80% which is above the minimum requirement of 40%.

4.5 Other Implications

Failure to secure an adequate local bus service network will have a direct impact on the ability to deliver sustainable growth, and will result in increased carbon emissions from private car use.

The provision of local bus services seeks to address equalities and diversity issues by ensuring that all people can afford to move around conveniently and safely regardless of their circumstances. All buses new since 2001 have to be compliant to the disability aspects of the Equality Act 2010, but other improvements that might be desirable (such as on-bus audio announcements) cannot reasonably be included in the tender specification.

Y	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: None.

Wards Affected:

All Wards

ITEM 3**DELEGATED DECISION****30 JULY 2019****DRAFT DOWNSIZING INCENTIVES POLICY**

Responsible Cabinet Member: Councillor Long - Cabinet Member for Housing and Regeneration

Report Sponsor: Michael Kelleher
Director Housing and Regeneration

Author and contact: Eleanor Nickless
Head of Homelessness Prevention and Housing Access, 01908 253032

Executive Summary:

There is an under supply of family homes in Milton Keynes.

The implementation of a Downsizing Incentives Policy would support tenants to downsize from under occupied family Council homes to smaller homes that better meet their needs. Therefore, increasing the number of larger properties that are available to those in need and making the best use of social housing.

This report recommends agreeing the draft Downsizing Incentives Policy for consultation.

Councillor Nigel Long
Cabinet Member for Housing and Regeneration

1. Recommendation(s)

1.1 That an 8 week public consultation of the draft Downsizing Incentives Policy consultation be agreed.

2. Issues

2.1 There are currently 827 households registered for alternative accommodation of 2 bedrooms or more under the Allocation Policy (Bands 1-3). There are 539 Milton Keynes Council tenants subject to bedroom tax for having at least 1 bedroom larger than their housing need.

2.2 Levels of homelessness and the use of temporary accommodation have risen since the introduction of the Homelessness Reduction Act on 3 April 2018. The number of homeless applications received during 2018/19 was 3,436, an increase of 140% on the number of applications received in 2017/18 (1,349).

2.3 There are currently 795 households in temporary accommodation, a rise of 23% on the number in temporary accommodation at 3 April 2018 (646). Of those 795 households in temporary accommodation, 588 require family accommodation of more than 2 bedrooms.

- 2.4 At the same time, the number of affordable social rented properties to let has reduced. Both the available supply of Council properties to let and housing association homes available to the Council for letting have reduced, and the cost of renting a home in the private sector is rising faster than the average household income.

A Downsizing Incentives Policy is required to increase the availability of larger family accommodation and make the best use of social housing to meet demand. A copy of the draft policy is attached at the Annex.

3. Options

- 3.1 Do nothing. This option does not address the increasing need for larger homes for families and the increase in the use of temporary accommodation and length of time families spend in temporary accommodation.
- 3.2 Approve the policy for consultation. This option will give us the opportunity to consult with the public, service users and key partners to develop an effective policy, in order to make best use of social housing and increase the supply of larger family homes.

4. Implications

4.1 Policy

- 4.2 This policy should be considered alongside the Council's Allocation Policy.

4.2 Resources and Risk

- 4.3 If 10% of those registered on the Allocation Policy under occupying Council accommodation took up an incentive to move, the cost would be estimated at £130k. A HRA budget pressure will be presented for 2020/21 budget setting.

- 4.4 It is anticipated that the implementation of this policy would also support a reduction in the use of temporary accommodation for families and therefore the average nightly cost for temporary accommodation would reduce.

N	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	N	Asset Management

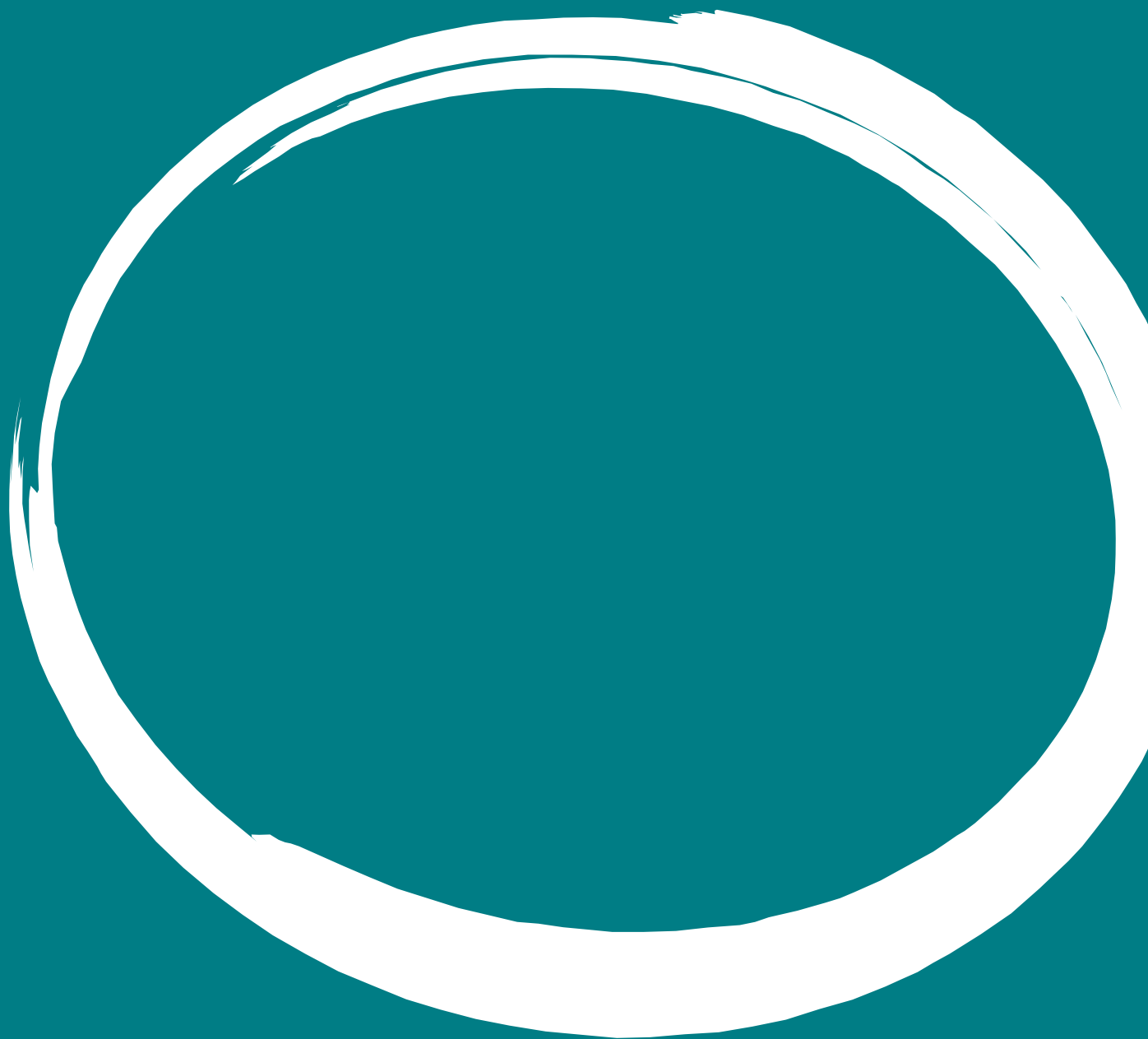
4.3 Other Implications

Y	Equalities/Diversity	N	Sustainability	Y	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Annex: Draft Downsizing Incentives Policy

Draft Downsizing Incentives Policy

2019



milton keynes council



Contents

1.	Policy Statement
2.	Strategic Aims
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5.	Downsizing Incentive Payments
6.	Applications and Assessment
7.	Offers of Accommodation
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9.	Budget Limits
10.	Spare Room Subsidy
11.	Refusal of Incentive Payments
12.	Monitoring
13.	Appendix 1 – Application form

1. Policy Statement

- 1.1 Milton Keynes Council recognises that there is an under supply of family homes within the borough. To increase the number of larger properties that become available each year, the Council will utilise a Downsizing Incentives Policy to support tenants seeking to downsize from family sized Council homes (2 bedrooms and above) to homes that better meet their needs.

2. Strategic Aims

- 2.1 There is a need to make the most effective use of Council housing stock to meet known demand on the housing register and to reduce long term reliance on temporary accommodation for homeless families. This policy should be read alongside the Allocation Policy.

3. Objectives

3.1 The key objectives of the policy are:

- To encourage and assist tenant's to downsize to better meet their needs
- To release family accommodation to maximise occupancy
- To make best use of existing stock
- To contribute towards the costs incurred as a result of moving
- To be sensitive to the needs of the individual tenant or household

4. Eligibility

4.1 Tenants who apply to transfer under the policy will be considered providing the tenant -

- Is a tenant of Milton Keynes Council or holds a tenancy with a registered social landlord, who has agreed to re-let their home to a Milton Keynes Council tenant
- Holds a secure tenancy and has done for minimum of 2 years
- Has kept to the terms of their tenancy agreement
- Is under occupying a general needs family home with 2 or more bedrooms, which is regarded to be in demand when considered against the Housing Register and willing to downsize
- Have no housing related debt with the Council (this is considered as current/former rent arrears, use and occupation charges, housing benefit, court costs, and rechargeable repairs including repayable rent deposits)**
- Have no council tax arrears
- Agree to provide vacant possession of their present home

4.2 *If tenants with housing related debt and/or council tax arrears (but not in excess of the grant limit) agree with the Council that the incentive payment can be used as payment to clear, they may be approved under the policy.

4.3 *In exceptional circumstances, where the debt is higher than the amount of the grant but the property the tenant currently occupies has been found to be unaffordable due to the welfare benefit changes, the Council may exercise its discretion to give approval providing the tenant agrees to adhere to a payment plan following an assessment with Milton Keynes Housing Income Team (The payment plan will be based on what is affordable to repay and may not cover the full weekly shortfall).

4.4 The Council will not accept applications where --

- Any member of the household would be made homeless as a result of downsizing
- The tenant will be making themselves and their household overcrowded
- The tenant has arranged a move under the mutual exchange process
- The tenant has an introductory tenancy
- The tenant is required to downsize following a succession
- The tenant is being 'decanted' due to their current property being part of a redevelopment scheme
- The tenant is not 'a qualifying' applicant on the Housing Register
- The tenant has previously received a downsizing incentive scheme payment from Milton Keynes Council within the last two years

4.5 Those who do not meet the eligibility criteria of the policy but are still under occupying their property may still apply for a transfer in the normal way.

4.6 Offers of accommodation will be made in line with the Allocation Policy.

5. Downsizing Incentive Payments

- 5.1 A payment will be made to match the cash incentive below if a tenant moves from general needs accommodation of 2 or more bedrooms to a smaller property -
- £1000 to be paid per bedroom as a result of downsizing
 - An additional £1000 if a tenant moves to a flat in a sheltered housing scheme
 - Up to £500 towards relocation costs (if required we may be able to pay your removals direct to the removal company and this will be deducted from your final payment)
- 5.2 Downsizing from Council stock to alternative Council stock or to a Registered Provider (Housing Association) nominated by the Council.

Under-Occupancy Incentive Payment Examples				
Current Property Size	New Property Size	Maximum Grant Payable	Removal Expenses	Total Grant
4 bed house	Sheltered Flat	£4,000	£500	£4,500
4 bed house	1 bed flat	£3,000	£500	£3,500
3 bed house	2 bed house	£1,000	£500	£1500
3 bed house	1 bed flat	£2000	£500	£2500
2 bed flat	1 bed flat	£1000	£500	£1500

- 5.3 Removals of your belongings undertaken by the councils appointed removal company (conditions apply).
- Assistance with carpet for your new home (conditions apply)
 - Help with the disposal of unwanted furniture (conditions apply and prior agreement is required)

6. Applications and Assessment

- 6.1 Tenants applying to the downsizing scheme must complete and return the downsizing incentive application form (available on the Council's website) www.milton-keynes.gov.uk/Housingaccess/downsizing)
As well as completing the online housing register application form at www.milton-keynes.gov.uk/housingaccess
The website also provides details of the documentation to be provided to support the application.
- 6.2 The applications will be assessed and notification will be sent to the tenant advising if
- They qualify to the Housing Register *and*
 - They meet the eligibility criteria of the policy *and*
 - The size property they are eligible for.
- 6.3 Applicants will be offered an alternative property that is adequate for their housing need and in line with the Council's Allocation Policy.
- 6.4 Tenants express an interest in suitable void properties by being given a choice of what properties are available (or in the future by bidding via the Council's choice based lettings scheme). Assistance with bidding can be made available under the policy if required.

7. Offers of Accommodation

- 7.1 The number of offers of accommodation under the policy will be made in line with the Allocation Policy.

8. Post Move

- 8.1 Tenant/s will receive the incentive payment via their bank account on completion of the move and receipt of the keys from the home they are vacating.
- 8.2 An inspection of the property will be undertaken and any rechargeable works identified, over and above normal wear and tear, will be deducted from the incentive payment. This also includes the cost of clearing excessive items left in the property or garden without prior agreement with the Council.
- 8.3 If the tenancy is a joint tenancy then the payment will be split equally between the joint tenants but can be paid into one bank account on receipt of written authority from both tenants.
- 8.4 An applicant, who has moved home and received an incentive payment, will not be expected to increase their household size and subsequently overcrowd the new property.
- 8.5 The applicant may apply for a transfer and will be assessed in the usual manner under the Allocation Policy.

9. Budget Limits

- 9.1 If there are more requests for incentive payments than the funding available, priority will be given to those tenants moving from accommodation that is more urgently required. Priority will be decided by the Housing Access Manager and Head of Service.
- 9.2 The Council reserves the right to reduce the incentive payment amount if-
- The amount of any current/former rent arrears, use and occupation charges, housing benefit overpayments, court costs, rechargeable repairs and repayable rent deposits owing to the Council at time of transfer
 - The amount of any council tax arrears outstanding to the council at time of transfer
 - The cost of any works that the council has to undertake to the vacated premises as a result of damage or neglect on the part of the outgoing tenant and/or
 - Any other reinstatement works to bring the work back to the Council lettable standard that are not regarded as fair wear and tear
- 9.3 Payments will be authorised once the tenant has moved and following an inspection of the vacated property. Applicants must be registered before a move takes place and for a payment to be authorised.

10. Spare Room Subsidy – Welfare Reform (assistance with removals)

- 10.1 If the property a tenant currently occupies has been found to be unaffordable due to the spare room subsidy charge, but the tenant does not meet the criteria for the policy, the Council may give consideration to giving assistance by paying the removal costs in this instance.
- 10.2 Consideration will only be given to tenants who –
- Are a tenant of Milton Keynes Council
 - Hold a secure tenancy on their current home
 - Are under-occupying by at least one bedroom and downsizing to alternative family accommodation. In accordance with the Council’s bedroom standard in the Allocation Policy
 - Their transfer application has been approved and is active
- 10.3 Tenants affected by the spare room subsidy who decide to relinquish their Council tenancy and move to the private sector may also be considered for assistance with removals.
- 10.4 Tenants, who previously had a good rent account prior to April 2013, but now have rent arrears due to the spare room subsidy, may be eligible for the removal grant providing the arrears are solely due to the spare room subsidy and they are adhering to a payment plan following an assessment with the Council’s Housing Income Team. The payment plan will be based on what is affordable to repay and may not cover the full weekly shortfall.
- 10.5 Removals of the tenant’s belongings will be undertaken by the Councils appointed removal company (conditions apply).
- 10.6 If there are more requests for assistance with removals than the funding available, priority will be given to those tenants moving from accommodation that is more urgently required. Priority will be decided by the relevant managers.

11. Refusal of incentive payments

- 11.1 All applicants who have applied to move under the policy, or under the spare room subsidy removals, assistance will be informed in writing of the decision. If you have been refused an incentive payment, you can ask for this decision to be reviewed by the Head of Service.
- 11.2 We reserve the right to refuse payments under all sections of the scheme because of breaches of conditions of tenancy and any other breaches as appropriate.
- 11.3 The incentives under this policy are only available whilst there are sufficient funds available.

12. Monitoring

- 12.1 The policy will be reviewed yearly and any alteration to the level of assistance paid will be made by the Head of Service in consultation with the Director.

Downsizing Incentive Application Form

The answers that you provide on this form will be used to assess your eligibility for the Downsizing Cash Incentive Scheme. Further Information on the scheme can be found in the policy document available from the Milton Keynes Council website.

Please complete this form in black ink using block capitals and return it to:

MILTON KEYNES COUNCIL
HOUSING ACCESS TEAM
CIVIC OFFICES
1 SAXON GATE EAST
CENTRAL MILTON KEYNES
MK9 3EJ

The information that you supply on this form will be held on computer and used in accordance with the provisions of the Data Protection Act 1998. It will be used for housing purposes and may be passed to Registered Social Landlords and other Council departments.

By signing this form you agree that data on your current and previous tenancies or applications may be cross checked with departments within the Council or other Authorities for the purpose of fraud prevention and detection.

SECTION 1 – ABOUT YOU

Please provide the names of the main and if applicable joint tenants as well as the address of your current property.

Name of main tenant:

Name of joint tenant:

Current address:

Home telephone number:

Mobile telephone number:

Work telephone number:

E-mail address:

SECTION 2 - DETAILS OF THE PROPERTY YOU ARE MOVING FROM

Type of property you currently live in. (please tick relevant box)

Bedsit	Flat	Maisonette	House	Bungalow
--------	------	------------	-------	----------

Number of bedrooms your current property has:

0	1	2	3	4	5
---	---	---	---	---	---

Does your current property have any adaptations?

Yes	No
-----	----

If yes, please indicate what adaptations you currently have:

Does your current property have a garden?

Yes	No
-----	----

Do you have any pets?

Yes	No
-----	----

If yes, please indicate what pets you have:

Section 3 - HOUSEHOLD DETAILS

Name	Date of Birth	Gender	Relationship	Moving with you
			Tenant	

If anyone listed above will not be living with you following your move to a smaller property, please detail their new housing situation:

Please note: You will not be eligible for the Downsizing Incentive Scheme if your application results in the homelessness of a householder presently living with you.

SECTION 4 – TYPE OF PROPERTY YOU WANT TO MOVE TO

Sheltered Flat (aged 55 years and older)	
Bungalow	
Bedsit	
Flat	
House	

Do you have any mobility issues?

Yes	No
-----	----

Can you manage stairs?

Yes	No
-----	----

Do you require any adaptations to be made to the new property? Yes No

Yes	No
-----	----

If yes, please explain what adaptations you consider you need

--

SECTION 5 – BANK DETAILS

Incentive payments are paid direct into your bank account.

Please provide your bank details -

Tenant 1

Name of Bank	
Address	
Sort Code	
Account Number	
Account Name	

Tenant 2

Name of Bank	
Address	
Sort Code	
Account Number	
Account Name	

Please note – payment will be made payable in the names held on the tenancy. If the tenancy is a joint tenancy then the payment will be split equally between the joint tenants but can be paid into one bank account on receipt of written authority from both tenants.

Section 6 - Agreement

We/I have read and understand the Cash Downsizing Incentive Scheme and confirm that the information we/I have given is true to the best of our/my knowledge and that we/I will notify the housing department if any circumstances related to the application change.

We/I understand that any housing related debts (current/former rent arrears, use and occupation charges, housing benefit overpayment, court costs, rechargeable repairs and repayable rent deposits) and any Council Tax arrears will be deducted from the incentive payment and that we/I may not be eligible for the scheme if the level of arrears exceeds the amount of financial incentive we/I am entitled to.

We/I understand checks will be undertaken by the Housing Access Team with other internal departments to establish if we/I have any housing related debts and if the information provided on this application is correct. We/I acknowledge by signing this application form, we/I are giving permission for the information to be shared between departments in relation to this application.

We/I understand that if we/I am granted a tenancy because the information we/I have given is false or misleading or because we/I have withheld information from the Council then the tenancy may be terminated and the incentive payment will need to be repaid to the Council. I/we also agree not to intentionally create overcrowding in the new property.

Tenant Full Name printed	
Tenant Full Name (Signature)	

Joint Tenant Full Name Printed	
Joint Tenant Full Name (Signature)	

Dawn Wilson

dawn.wilson@milton-keynes.gov.uk

01908 254982

Wards Affected:

All Wards

ITEM 4**DELEGATED DECISION****30 JULY 2019****DRAFT TEMPORARY ACCOMMODATION PLACEMENT POLICY**

Responsible Cabinet Member: Councillor Long -Cabinet Member for Housing and Regeneration

Report Sponsor: Michael Kelleher
Director Housing and Regeneration

Author and contact: Eleanor Nickless
Head of Homelessness Prevention and Housing Access, 01908 253032

Executive Summary:

Levels of homelessness and the use of temporary accommodation have risen since the introduction of the Homelessness Reduction Act in April 2018, and this increased demand for affordable accommodation is not being met in terms of housing supply in Milton Keynes.

Due to the lack of supply of affordable suitable accommodation in Milton Keynes, it may be necessary for households to be offered temporary accommodation outside of Milton Keynes.

The draft Temporary Accommodation Placement Policy sets out the Council's proposed approach to the placement of households in temporary accommodation both in and outside of Milton Keynes.

This report recommends agreeing the draft policy for consultation.

Councillor Nigel Long
Cabinet Member for Housing and Regeneration

1. Recommendation(s)

1.1 That a consultation of the Draft Temporary Accommodation Placement Policy for an for an 8 week period be agreed.

2. Issues

2.1 Levels of homelessness and the use of temporary accommodation have risen since the introduction of the Homelessness Reduction Act on 3 April 2018.

2.2 The number of homeless applications received during 2018/19 was 3,436, an increase of 140% on the number of applications received in 2017/18 (1,349).

30 July 2019

- 2.3 There are currently 795 households in temporary accommodation, a rise of 23% on the number in temporary accommodation at 3 April 2018 (646).
- 2.4 At the same time, the number of affordable social rented properties to let has reduced. Both the available supply of Council properties to let and housing association homes available to the Council for letting have reduced, and the cost of renting a home in the private sector is rising faster than the average household income.
- 2.5 Whilst the Council seeks to accommodate homeless households within Milton Keynes and always considers the suitability of the accommodation, due to the shortage of affordable housing locally and rising rental costs it may be necessary for households to be placed outside of Milton Keynes.
- 2.6 It may therefore be necessary to procure temporary accommodation units outside of Milton Keynes. The policy sets out that where possible these units will be in areas surrounding Milton Keynes. However, at times of high demand and limited supply it may be necessary to secure units further away from Milton Keynes. These units would only be procured when all other reasonable options have been exhausted, and prior to placing a household into such accommodation, an assessment would be undertaken to determine that the placement is affordable in cases where travel to employment is a factor.
- 2.7 A Temporary Accommodation Placement Policy is required to set out the Council's approach to the placement of households in temporary accommodation both in and outside of Milton Keynes. A copy of the draft Temporary Accommodation Placement Policy is attached at the Annex.

3. Options

- 3.1 Do nothing. This option does not address the increasing use of temporary accommodation and our approach to procuring and allocating of such accommodation in line with legislation.
- 3.2 Approve the policy for consultation. This option will give us the opportunity to consult with the public, service users and key partners to better inform the policy, which aims to set out the procurement and allocation of temporary accommodation at a time when demand for such accommodation is high.

4. Implications

4.1 Resources and Risk

- 4.2 The implementation of the Temporary Accommodation Placement Policy is not anticipated to incur additional costs.

	Capital		Revenue		Accommodation
	IT		Medium Term Plan		Asset Management

- 4.3 Carbon and Energy Management N/A

4.4 Legal

4.5 The policy covers interim placements made under Section 188 (1) Housing Act 1996 (“HA96”) while homelessness enquires are undertaken, and longer-term temporary accommodation placements for households accepted as homeless under Section 193 HA96.

4.6 The policy also covers the statutory requirements on local authorities in respect of the suitability of accommodation, including the Suitability of Accommodation Orders, Chapter 17 of the Homelessness Code of Guidance 2018 and has regard to the need to safeguard and promote the welfare of children, as required by section 11 of the Children Act 2004.

4.7 Other Implications

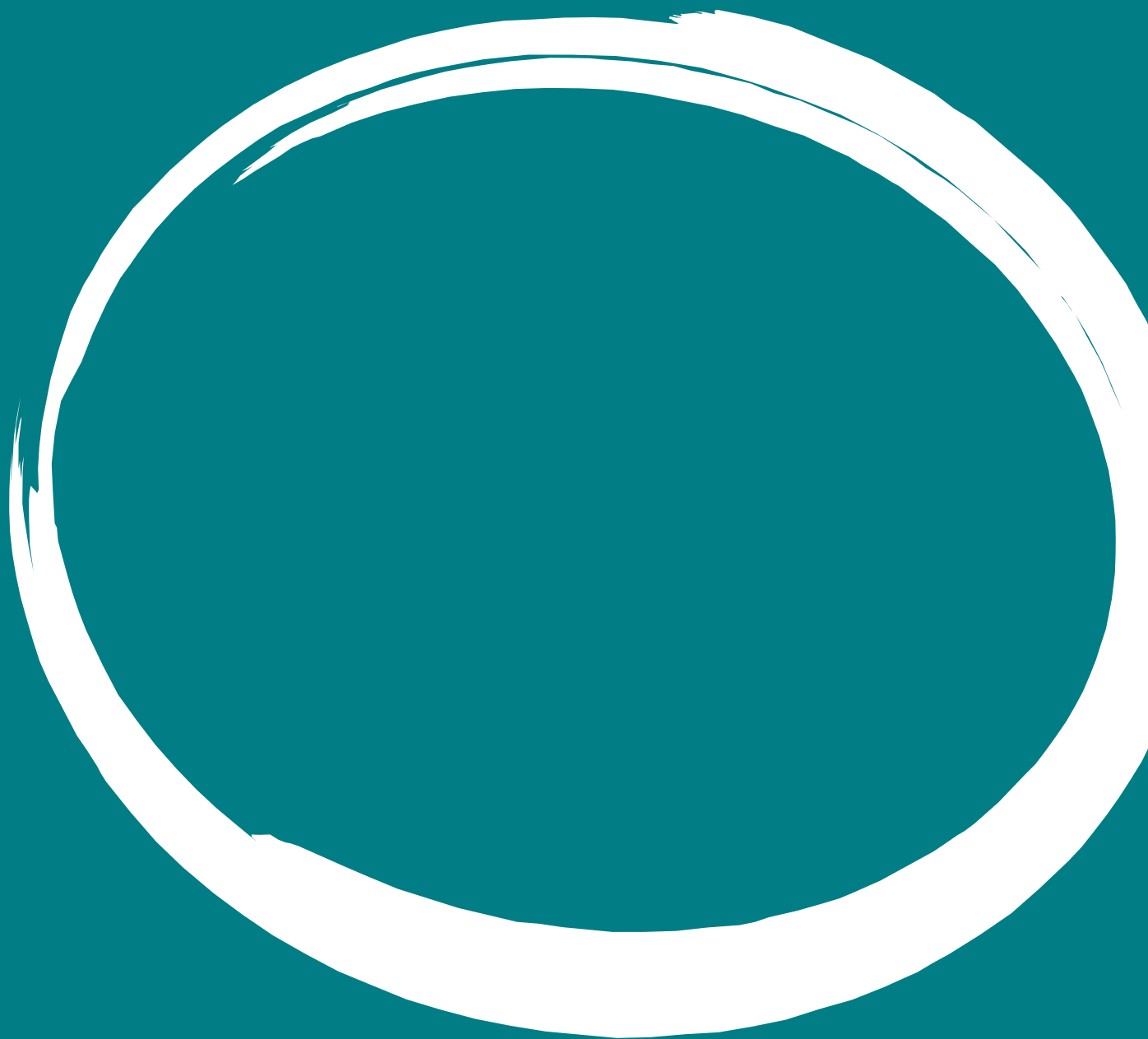
Y	Equalities/Diversity	N	Sustainability	Y	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers:

Annex: Draft Temporary Accommodation Placement Policy

Draft Temporary Accommodation Placement Policy

2019



milton keynes council



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1. Introduction
2. Temporary Accommodation Offers and Refusals
3. Suitability of accommodation – factors to consider
4. Prioritising placements inside/outside Milton Keynes
5. Minimum Size Criteria
6. Prioritising moves between temporary accommodation

1. Introduction

- 1.1 This document sets out our approach to the placement of households in temporary accommodation both in and outside of Milton Keynes. It covers interim placements made under Section 188 (1) Housing Act 1996 (“HA96”) while homelessness enquiries are undertaken, and longer-term temporary accommodation placements for households accepted as homeless under Section 193 HA96.
- 1.2 The policy takes into account the statutory requirements on local authorities in respect of the suitability of accommodation, including the Suitability of Accommodation Orders, Chapter 17 of the Homelessness Code of Guidance 2018, It has also been formulated having regard to the need to safeguard and promote the welfare of children, as required by section 11 of the Children Act 2004.
- 1.3 As per section 208 of the Housing Act 1996, and paragraph 17 of the Homelessness Code of Guidance, so far as reasonably practicable, the Council seeks to accommodate homeless households in Milton Keynes and always considers the suitability of the accommodation, taking into account the circumstances of the individual household. However, due to an acute shortage of affordable housing locally and rising rental costs, an increasing number of households are likely to be placed outside Milton Keynes as it will not be reasonably practicable to provide accommodation within Milton Keynes.
- 1.4 When determining whether it is reasonably practicable to secure accommodation in Milton Keynes, as opposed to simply what is reasonable, the cost of the accommodation is a relevant consideration given the intensive pressures on housing stock in Milton Keynes and a high demand for a range of suitable accommodation with a limited budget.
- 1.5 The Local Housing Allowance (LHA) is used to work out how much housing benefit a tenant will receive to pay their rent. LHA rates depend on who lives in the household, and the area they are making their claim in.
- 1.6 Due to the lack of supply of affordable, suitable temporary accommodation in Milton Keynes, it may be necessary to procure some units outside of Milton Keynes. Where possible, these units will be on the periphery of Milton Keynes, for example in neighbouring towns. However, at times of high demand and limited supply it may be necessary to secure units further away from Milton Keynes. Such units will only be procured when all other reasonable options have been exhausted. Prior to placing a household into such accommodation, an assessment will be undertaken to determine that the placement is affordable in cases where travel to employment is a factor.

1.8 This policy details how applicants will be prioritised for temporary accommodation in and outside of Milton Keynes.

2. Temporary Accommodation Offers and Refusals

- 2.1 Homeless applicants who are housed under the Council's interim duty to accommodate pursuant to Section 188 (1) HA96 may initially be placed into accommodation with shared facilities. Where this is non-Council owned accommodation, families will be moved to alternative accommodation within 6 weeks to comply with the legislation on B&B use.
- 2.3 There is no restriction on the length of time a household can spend in Council owned accommodation with shared facilities. It is also possible that families will be moved to nightly paid self-contained accommodation. This accommodation is increasingly likely to be outside of Milton Keynes. If the Council decides it has a duty to house the household, they may be moved to longer-term accommodation such as a Council owned hostel, Housing Association leased accommodation or other leased accommodation as soon as a suitable property becomes available.
- 2.4 Where the Council decides that applicants housed under Section 188 HA96 are not owed the main homelessness duty, they will be asked to leave following reasonable notice, after being notified of the decision, having regard to the need to safeguard and promote the welfare of any children in the family. The cessation of temporary accommodation will always be notified to Social Services in cases where there are dependent children.
- 2.5 Applicants will be given one offer of suitable interim or longer term temporary accommodation and they will be asked to accept it straight away. There is no obligation upon the Council to enable applicants to view the accommodation prior to acceptance. In making the offer, the household's individual circumstances will be considered, taking into account the factors set out in section 3 of this policy and the Council's criteria on outside of Milton Keynes placements.
- 2.6 If an applicant refuses an offer of temporary accommodation, they will be asked to provide their reasons for refusal and to sign confirming that they understand the consequences of the refusal. This applies to new applicants to whom the Council has an interim duty to accommodate under Section 188 HA96, as well as those being transferred to alternative temporary accommodation. The Council will consider the reasons given and undertake further enquires as necessary. If the Council accepts the reasons for refusal as valid, the offer will be withdrawn and a further offer will be made.

- 2.7 Where applicants refuse suitable emergency accommodation (which may include outside of Milton Keynes placements) and the Council does not accept their reasons for refusal, and considers that the offer is suitable, applicants will not be offered further accommodation and will be required to make their own arrangements.
- 2.8 There is no right of internal review against the suitability of accommodation offered to applicants under Section 188 HA96 (although applicants can apply for judicial review through the courts). For applicants where the Council has accepted a rehousing duty under Section 193 HA96, (s193 duty) there is a right to request an internal review of the suitability decision, pursuant to Section 202 HA96.
- 2.9 In cases where the applicant still refuses a suitable offer of accommodation, the homelessness duty will be discharged. If the applicant is resident in emergency accommodation, they will usually be asked to vacate the property and advised that no further assistance will be provided. If they are already in longer-term temporary accommodation not managed by the Council, the relevant housing provider will be advised that the duty has been discharged so that possession action can be taken.
- 2.10 Under section 188(2A), where an applicant refuses a final accommodation offer or a final Part 6 offer in the relief stage and requests a review under section 202(1)(h) of the housing authority's decision as to the suitability of the accommodation offered, the relief duty to the applicant continues to apply despite section 193A(2), and the housing authority must continue to provide interim accommodation for applicants in priority need until the decision on the review has been notified to the applicant.
- 2.11 Sections 188(3), 199A (6) and 200(5) give housing authorities powers to secure accommodation for certain applicants pending the decision on a review.
- 2.12 Where applicants, towards whom the Council has accepted a s193 duty, refuse a suitable offer and submit a review request, they will only continue to be accommodated during the review period in exceptional circumstances. Each case will be considered on an individual basis:
- 2.13 Housing authorities should consider the following, along with any other relevant factors:
- a. the merits of the applicant's case that the original decision was flawed and the extent to which it can properly be said that the decision was one which was either contrary to the apparent merits or was one which involved a very fine balance of judgment;
 - b. whether any new material, information or argument has been put to them which could alter the original decision; and,

- c. the personal circumstances of the applicant and the consequences to them of a decision not to exercise the discretion to accommodate.

3. Suitability of Accommodation

- 3.1 In offering temporary accommodation, the Council will consider the suitability of the offer, taking into account the following factors:
- 3.2 Location – if suitable affordable accommodation is available in its area, applicants will be housed in Milton Keynes, allowing them to maintain any established links with services and social/support networks. However, when there is a lack of suitable accommodation or there are higher priority households needing accommodation in Milton Keynes, outside of Milton Keynes placements will be used to meet the Council's housing duty (see Section 4). If no suitable accommodation is available in the Milton Keynes, attempts will be made to source accommodation local to Milton Keynes. If this is not available, the provision of accommodation further afield may have to be considered.
- 3.3 Size condition and facilities – accommodation must provide adequate space and room standards for the household and be fit to inhabit. Households in temporary accommodation will often be placed into units with 1 bedroom less than they would be entitled to on a permanent basis, with the expectation that the living room provides dual purpose as a living and sleeping area. In deciding on the fitness of the property, consideration should be given to the length of time needed to complete any necessary repairs and whether it is reasonable to complete these while the property is occupied. The quality of the decoration/furniture, the layout/type of accommodation, provision of parking and lack of access to a garden are extremely unlikely to be acceptable reasons for a refusal.
- 3.4 Health factors – the Council will consider health factors, such as ability to climb stairs, care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in Milton Keynes. If the applicant or a member of the resident household is citing medical grounds that were not identified during the initial assessment, the applicant will be asked to submit medical information. The key test in determining the impact of medical issues is whether the condition itself makes the housing offered unsuitable. Problems such as depression, asthma, diabetes or back pain would not normally make a property unsuitable, as the problems would persist in any sort of accommodation. However, any medical problems will be reviewed in line with the Council's legislative duties.
- 3.5 Education - attendance at local schools will not be considered a reason to refuse accommodation, though some priority will be given to special educational needs and students who are close to taking public examinations in determining priority for placements in Milton Keynes (see Section 4).

- 3.6 Employment –the Council will consider the need of applicants, who are in paid employment, to reach their normal workplace from the accommodation that is secured. This will include having a regard to both travelling time and the costs associated with this travel (see Section 4).
- 3.7 Proximity to schools and Services - The Council will consider the proximity to schools, public transport, primary care services, and local services in the area in which the accommodation is located.
- 3.8 The need to safeguard and promote the welfare of any children in the household – insofar as not already identified, the Council will seek to identify any particular needs of the children in the household. It will have regard to the need to safeguard and promote their welfare in making decisions on whether the offer is suitable.
- 3.9 Any special circumstance - the Council will consider any other reasons put forward by the applicant and come to an overall view about whether the offer is suitable.

4. Prioritising placements inside/outside of Milton Keynes

- 4.1 As a number of applicants may be housed outside of Milton Keynes, it will be necessary to make decisions about the suitability of out of area placements and balance these against the type and location of temporary accommodation that can be offered.
- 4.2 Priority for accommodation within Milton Keynes will be given to households containing*-
- (a) a member that has a severe and enduring health condition requiring specialist medical treatment where a move from Milton Keynes would disrupt that treatment and continuity of care.
 - (b) a member that is in receipt of a significant range of health care options that cannot be easily transferred.
 - (c) a member that has a severe and enduring mental illness and are receiving psychiatric treatment/aftercare provided by community mental health services and have an established support network where a transfer of care would severely impact on their well-being.
 - (d) a child that has a Child Protection Plan in Milton Keynes and are linked to local services and where it is confirmed by social services that moving to another area would adversely impact on their welfare.
 - (e) a child with special educational needs who is receiving education or educational support in Milton Keynes, where change would be detrimental to their well-being.
 - (f) a member that has a longstanding arrangement to provide care and support to another family member in Milton Keynes who is not part of the resident household and would be likely to require statutory health and social support if the care ceased.
 - (g) a member that has a formal arrangement to receive housing related or other support, including addiction help or recovery, and where a move from Milton Keynes would disrupt that support.
 - (h) a child that is enrolled in GCSE, AS or A level courses or post 16 vocational qualifications (for example, BTEC) in Milton Keynes with exams to be taken within the academic year.

* Whilst priority will be given to these placements, this is dependent on such accommodation being available.

- 4.3 Priority for placements within neighbouring boroughs will be given where -
- (a) an applicant or a member of their household works for more than 16 hours per week will not be placed more than one hour travelling distance by public transport from their place of employment. Consideration will also be given to the affordability of the travel arrangements needed to reach the place of employment. This will include women who are on maternity leave from employment.
 - (b) an applicant or a member of their household is in higher or adult education, vocational or professional training, a recognised apprenticeship, self-employed with a business predominantly in Milton Keynes.
 - (c) an applicant or a member of their household have a confirmed start date to commence employment in Milton Keynes or are enrolled in a Milton Keynes work readiness programme.
- 4.4 Applicants who meet none of the above criteria may be offered accommodation outside of Milton Keynes and the neighbouring areas.

5. Minimum Size Criteria

5.1 Accommodation must provide adequate space and room standards for the household and be fit for habitation. Households in temporary accommodation may be placed into accommodation with 1 bedroom less than they would be entitled to on a permanent basis, with the expectation that the living room provides dual purpose as a living and sleeping area. The following minimum size criteria will apply:

5.2 Studio accommodation –

- Single applicants
- Couples
- Lone parents with a child under the age of 12 months.

5.3 One bedroom accommodation –

- Lone parents or couples with 1 child over the age of 1 year (no upper age limit)
- Lone parents or couples with 2 children of the same sex (no upper age limit)
- Lone parents or couples with 2 children of opposite sexes where both children are under the age of 10 years.

5.4 Two bedroom accommodation –

- Lone parents or couples with 2 children of opposite sexes where one is over the age of 10 years.

5.5 Three bedroom accommodation –

- Lone parents or couples with between 3 and 6 children.

5.6 Four bedroom accommodation –

- Lone parents or couples with more than 6 children.

6. Prioritising moves between temporary accommodation.

6.1 Transfers between temporary accommodation will be prioritised in the following order -

1. Temporary accommodation found to be in serious disrepair that poses threat to life
2. Evidenced critical medical need e.g. temporary accommodation accessed by stairs and tenant unable to negotiate
3. From non-Council shared accommodation for families who have been in occupation for at least 5 weeks
4. Temporary accommodation found to be unsuitable following a review
5. From a PSL property at least 5 months beyond lease expiry date
6. Evidenced serious medical need
7. Temporary accommodation found to be in serious disrepair that cannot be rectified while the tenant is in situ
8. From expensive temporary accommodation to cheaper units
9. For overcrowding/under-occupation

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Wards Affected:

Woughton

ITEM 5**DELEGATED DECISION****30 JULY 2019****CONSULTATION ON THE FUTURE OF BUCKLAND LODGE**

Responsible Cabinet Member: Councillor Long -Cabinet Member for Housing and Regeneration

Report Sponsor: Michael Kelleher, Director Housing and Regeneration

Author and contact: Heledd Williams, Head of Neighbourhoods

Executive Summary:

Buckland Lodge is a sheltered scheme comprising 34 flats. Cracks appeared to the rear elevation in 2005 and residents of the flats most directly affected were moved out as a precaution. Following a recent structural survey the cost of returning the flats back into use is estimated in the region of £1.8m. Given the number and size of the flats involved – they are very small compared to modern developments – and the relatively low demand for sheltered housing across Milton Keynes, it is considered that this does not represent value for money. It is, therefore, proposed that the scheme is decommissioned and demolished, and the site used to provide new council housing for rent. Before the Council can formerly decide on the future of Buckland Lodge, it must first consult the tenants of the scheme in accordance with s105 of the Housing Act 1985. In addition to this statutory consultation, the views of the Parish Council and Residents Association will be sought.

Councillor Nigel Long
Cabinet Member for Housing and Regeneration

1. Recommendation(s)

- 1.1 That the secure tenants of Buckland Lodge be consulted about its future in line with statutory requirements;
- 1.2 That the consultation will last six weeks and will take the form of individual meetings with, and a survey of, the secure tenants of Buckland Lodge;
- 1.3 That wider stakeholders, including Woughton Community Council and Netherfield Residents Association have an opportunity to comments on the potential future use of the site; and
- 1.4 That a further report be considered setting out the consultation responses and making a final recommendation for the future of Buckland Lodge.

2. Background

- 2.1 Buckland Lodge is a sheltered housing scheme located on the Netherfield Estate comprising 34 flats. Sheltered housing is accommodation for the elderly (typically those over 60 years of age) consisting of independent units with some shared facilities and a Sheltered Housing officer.

- 2.2 Cracks appeared to the rear elevation in 2005 indicating potential movement of the building. A structural survey was commissioned and confirmed the building was subject to subsidence.
- 2.3 As a precaution, residents of the flats most directly affected were moved out in 2005 and the flats mothballed and secured. The affected area of the building was monitored for a period of time to assess the significance of the subsidence. Further intrusive surveys of individual flats were carried out during the 2005 and 2006 to enable the extent of the damage to be assessed.

3. Issues

- 3.1 The flats remain empty and further flats have become vacant over time. There are currently 20 empty flats.
- 3.2 The demand for sheltered housing in Milton Keynes has fallen and the Council is struggling to allocate sheltered housing units in less popular areas. We currently have 15 void sheltered properties available to let with five flats available in one scheme. In addition to this we have a further nine void sheltered properties expected plus we receive nomination rights to registered providers. Table 1 shows the number of households that are registered for sheltered housing by priority band. The low number of applicants in band 1 (highest priority) means we often end up allocating to applicants in lower priority bands including people living out of area. We also allocate sheltered housing units to homeless people or people in hospital to alleviate bed blocking. We are also maximising opportunity to downsize.

Band	Number of applicants
Band 1	13
Band 2	17
Band 3	37
Band 4	3
Band 5	5

Table 1: number of applicants for sheltered housing by priority band

- 3.3 The number of sheltered properties that have become empty has increased over the years and the number of void properties that have been made available to let each year continues to increase. The table below shows the number of sheltered units that have become available to let each year:

Year	Total number of Sheltered voids becoming available to let
2017/2018	380
2016/2017	306
2015/2016	245
2014/2015	301
2013/2014	266

Table 2: Number of sheltered units available to let by year from 2013

- 3.4 Whilst the rate of subsidence is reducing, the total cost of bringing the mothballed flats back into use is estimated at £1.8m. This includes costs directly associated with the flats themselves and of work to the wider scheme to facilitate this. For example, the entire scheme heating system, including boiler, will need replacing to enable new heating pipework and radiators to be installed in the mothballed flats. A copy of the structural survey is attached at the Annex.
- 3.5 The flats at Buckland Lodge are small one bedroom units, each approximately 33 sqm whilst one bedroom flats currently being built are approximately 51 sqm.
- 3.6 There is a demonstrable need for family sized accommodation throughout Milton Keynes. There are currently 963 households waiting for social housing who are classed as having one or more reasonable preference grounds, i.e. a demonstrable housing need with a local connection to Milton Keynes, the vast majority being larger households.
- 3.7 When combining the issues above, i.e. a relative lack of demand for sheltered housing, the anticipated cost of repairing the building, the small size of the flats and the need for larger family housing, the Council considers demolition to be the most appropriate option.

4. Consulting on the future of Buckland Lodge

- 4.1 The council has a legal obligation to consult its secure tenants on matters of housing management such as changes to the management, maintenance, improvement or demolition of houses let by them, or changes in the provision of amenities.
- 4.2 It is, therefore, proposed that the Council consult the tenants of Buckland Lodge about the future of the scheme.
- 4.3 The legislation does not specify a time frame for consultation or the form the consultation will take. It is proposed that the consultation:
- a) will last for six weeks, and
 - b) will take the form of individual meetings and a survey
- 4.5 The Council acknowledges that the wider community may have concerns and ideas about the future use of Buckland Lodge. As such, relevant stakeholders, namely Woughton Community Council and Netherfield Residents Association,

will be consulted with and asked about their views as to the future use of the scheme. However, priority must be given to representations made by those currently living at the scheme, in line with the Council's statutory obligations.

5 Proposals

5.1 It is proposed that:

- a) Buckland Lodge is decommissioned as a sheltered housing scheme and the building demolished and site cleared;
- b) the site is retained by the Council for the purposes of housing and that new truly affordable council housing is built on the site and held within the Housing Revenue Account;
- c) the type of housing (i.e. flats, houses etc) and size (i.e. number of bedrooms) be agreed in consultation with local residents and the parish council;
- d) consideration is given to forms of supported living on the site;
- e) residents of Buckland Lodge be given priority to move to another council owned property (including a sheltered housing scheme) elsewhere in Milton Keynes that meets their needs; and
- f) in addition to statutory home loss and any right to compensation payable, residents of Buckland Lodge will be given financial support to move (including removals, service disconnections and reconnections and reasonable expenses incurred in respect of decoration etc).

6 Implications

6.1 Policy

Residents affected by any decision made in terms of the future use of the site will be subject to the Council's policy and statutory guidance in terms of consultation and financial compensation in the event of a permanent loss of a home.

6.2 Resources and Risk

Y	Capital	N	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	Y	Asset Management

6.3 Carbon and Energy Management

Any new housing on the site will be in line with prevailing regulations for carbon and energy management, with Milton Keynes planning policy applicable for determining the sustainability of any new dwellings.

6.4 Legal

The Housing Act 1985 under S105(5) states that:

“a landlord authority shall maintain such arrangements as it considers appropriate to enable those of its secure tenants who are likely to be substantially affected by a matter of housing management to which this section applies:

- a) to be informed of the authority’s proposals in respect of the matter, and
- b) to make their views known to the authority within a specified period;

and the authority shall, before making any decision on the matter, consider any representations made to it in accordance with those arrangements.”

6.5 Other Implications

Y	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: None

Annex: Structural Survey

Our Ref: JKK8600



Date: 5 April 2019

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Dear Jason,

VISUAL STRUCTURAL ENGINEERS INSPECTIONS BUCKLAND LODGE, NETHERFIELD, MILTON KEYNES, MK6 4JR

RPS were instructed by Jason Grace to inspect Buckland Lodge, Netherfield to update the Survey Reports that RPS have previously carried out on the building following reports of concerns over further and increased structural movement. A Visit to carry out a visual only inspection of the external areas of the property was carried out by RPS on 21st February 2019. A further visual only inspection of internal areas of two of the flats and the “decommissioned” areas of the building was carried out by RPS on 28th March 2019. The March 28th 2019 visit was carried in the company of Colin Ayre, Mr Ayre has carried out numerous previous visual surveys and instigated most of the other previous intrusive investigations and completed most of the Structural Assessments of the building that RPS have carried out.

RPS have completed a level survey of the DPC around the external perimeters of the building at the end of January 2019.

We comment as follows regarding our inspection, descriptions of left and right and front and back are described as viewing the approximately north facing elevation of the property i.e. viewing the face of the building from the car parking area adjacent to the main entrance of the building off Buckland Drive.

Description of Property and General Surroundings:

Buckland Lodge, Netherfield is a two storey stand alone “care home” building. It is believed the property was built around the late 1970’s.

The building consists of three distinct parts. To the front left hand side is a glazed roof and wall steel framed, single storey, pitched roof entrance structure. The main section of the building is an approximately square in plan two storey masonry building. To the front left hand side of the building, adjacent to the glazed entrance area, is a projecting two storey attached masonry structure that contains a lift.

The four sides of the main section of the building surround an approximately square garden/courtyard area. These four sides generally contain ground and first floor self-contained flats accessed from corridors. At three of the four corners there are stairwells, the fourth corner contains a wardens flat. At ground floor along the front side there is a common room, kitchen, laundry and boiler areas.

The external facades of the building are brickwork, believed to be cavity wall masonry. The four sides of the main section of the building have tiled mono pitched roofs above the first floor, meeting at valley intersections at the corners. The lower edges of the mono-pitched roofs are to the courtyard side, thus

when viewing the elevations of the building from outside of its footprint no roof slope is visible from ground level. Therefore the “street frontage” elevations appear to have 3 storey heights of masonry. The elevations of the building are predominately penetrated by matching pairs of aligning ground and first floor windows.

The elevations of masonry to both the street frontage and courtyard sides are split into sections by straight vertical joints to the brickwork. These joints effectively split the external masonry walls of the building into a number of sections, the corners section separated from the straight side lengths, the side lengths themselves split into sections. Between these section of masonry are “soft” vertical movement joints.

To the right hand and right hand rear sides of the building the ground level immediately outside of the building is lower than the general ground level, there are small slope There are a number of large mature trees to the front right hand corner of the property and rear of the property within open grassed “green space” areas.

There are two areas of the building no longer in use; these being the wardens flat over the ground and first floor that is located to the front left corner of the building and a number of flats again at ground and first floor levels to the rear left hand corner, externally the street frontages to these sealed off areas have shutters or boarding over their windows.

Summary of External Inspection:

Courtyard Elevations

To the second windows along from the left hand side of the front wing section elevation as viewed from the court yard, there is stepped cracking, up from DPC level through mortar joints, around 3 to 4mm wide extending to the brick course above the base of the ground floor level window sill. Extending up from the top left of the solid course detail above this ground floor window, stepping up to the left through mortar joints, to adjacent the right hand side of the masonry under the first floor window is a around 1 to 2mm, becoming around 2 to 3mm crack.

To the around the mid-point vertical movement in this front section wall there is a clear “step” in level between the bed joint level to one side of the joint than the other, from around mid height to the top of the wall, i.e. the joints do not run horizontally across the joint.

To the second windows along from the front end of the right side wing section elevation, to the top front corner of the ground floor window, in and just above the solid course detail, there appeared to have been some repointing of joints previously carried out, some of this repointing is falling out of the joints. From the top of the falling out mortar joints there is an around 1mm wide crack stepping up and to the rear, extending up to the underside of the midpoint of the first floor window above.

Above the right hand side corner of the first pair of windows along from the rear wing, there is some around 1mm wide cracking above the top of the window in the solid course detail.

To the second set of windows from the right of the rear wing, through what appeared to be previously repointed joints there is an around 1 to 2mm wide crack, stepping up from above the top rear corner of the ground floor window to around midpoint of the underside of the first floor window.

To the fifth first floor windows along from the right of the rear wing there is some around 1mm wide cracking extending down and to the left for around seven courses below the sill.

To the last ground floor window to the rear elevation i.e. adjacent to the left hand side wing there are 10 to 25mm wide gaps in “perp end” joints to the right the base of the sill. The top of the window framing to the right hand side of this opening has a clear gap of around 10mm at the top, the gap narrowing as it goes

down the frame height. There is a clear visual dip to the left hand side of the masonry above the ground floor opening and stepped cracking of around 3 to 5mm extending up and to the right. To the right hand side of the ground floor opening there is a wide mortar joint with around 3mm cracking to the last vertical joint to the soldier course and six course down from the top of the window horizontal around 2mm wide cracks in two bed joints. The vertical movement joint in this corner appears to be wider at around mid height of the wall than it is at the base and top of the wall. This is to the rear left hand “decommissioned” area.

To the first set of windows along from the left hand side elevation there is hairline cracking running up from the top rear of the ground floor window up and to the front through mortar joints that appear to have previously been repointed.

To both the sixth and seventh sets of windows along from the rear to the left hand side wing, through what appeared to be repointed joints there is stepped up and to the front hairline cracking. To the seventh window in some small lengths of the repointing has fallen out of the joints.

Above the top front corner of the last windows along the left hand side elevation there is some around 1mm wide cracking in the soldier course and first couple of courses of masonry above the ground floor window.

Road Frontage Elevations

To the 5th windows along from the front of the right hand side wing, the wing that faces onto Farthing Grove, there is cracking and falling out of small lengths of mortar through a stepped run of repointed joints, that runs from the top rear corner of the ground floor window to around three quarters the way along the width, from the rear, of the first floor window.

To the 7th windows along from the front of the right hand side wing there is some minor cracking extending up and to the rear for a few courses above the top front corner of the ground floor window.

To the 4th windows from the end of the right hand side wing there is around 2 to 3mm wide stepped cracking extending up from the top front corner of the ground floor window to the bottom rear corner of the first floor window.

To the 2nd windows along from the right hand end of the rear wing there is around 1 to 2mm wide stepped crack running up from the top left hand corner of the ground floor window to around midway along the underside of the first floor window.

To the 3rd windows along from the right hand end of the rear wing there is around 3 to 4mm wide cracking running in a zig zag fashion down through mortar joints from the bottom left hand corner of the first floor window. As this crack extends further down it then becomes near vertical and around 2mm wide, running both through mortar joints and whole bricks, to the top of the ground floor soldier course detail.

To the 6th windows along from the right hand end of the rear wing the soldier course detail and brickwork around the side of the top of the ground floor window appears to have been recently rebuilt, appearing have new bricks and mortar joints. Running up from the top right hand corner of the ground floor window near vertically up through both mortar joints and whole bricks is an around 2mm wide crack, this crack extends up to the underside of the first floor window.

To the 8th windows along from the right hand end of the rear wing there is around 1 to 2mm wide cracking above the middle of the ground floor window extending up to the underside of the middle of the first floor window.

The last two vertical movement joints to the left hand side of have clearly widened. The last but one joint is partly covered over by vertical “cover timber” so cannot be seen for most of its height. The joint closest to the left hand corner is over 50mm wide, the “mastic” sealant is no longer present and the blockwork inner leaf can be clearly seen through the joint. Colin Ayre noted that it was the uncovering of these widened movement joints that had highlighted the significant movements that had occurred to the building when he had first made his visits.

To the 1st windows from the rear of the left hand side wing, for a few courses above the top rear corner of the ground floor window to around 2 to 3mm wide cracking through mortar joints.

To both the vertical movement joints along the left hand side wing that faces The Hide, the width of the joint was distinctly wider at the top than at the base. At the first floor window adjacent to the vertical joint nearest the front to this elevation, there is a horizontal and vertical running crack through the mortar joints of around 10mm in width, that appeared to have been previously repointed, but some of this repointing may have fallen away.

Summary of Internal Inspection:

Corridor in area around Flat 25

To the inner face of the external wall that bounds the courtyard area there is a stepped crack though mortar joints, extending up from right to left, in the face brickwork masonry panel under the window. Colin Ayre noted that this crack has been present throughout the time he had carried out investigations on the building. At the base of the crack there are two crack width survey makers either side of the crack. The width of the vertical width of the crack in the “perpend” joints was simply measured by a ruler during the 21st February 2019 visit at mid-height of the under window panel as 12mm and at just under the corner of the bottom of the window as 4mm.

Adjacent to this corner to the flat side wall of the corridor to the right hand side wing, to the wall of Flat 27 there is an around 3 to 4mm wide crack running through mortar joints adjacent to the top of stairs opening. This crack has three survey markers to the sides of it at one point.

Flat 25

Flat 25 is the last right hand end flat to the first floor to the rear wing. During the RPS visit on 21st February 2019 it was noted by the Warden that the tenant of this flat had reported cracking to the walls of the flat. Below the left hand side corner of the bedroom window, the rear room to the right hand side of the flat, there is a near vertical line of sealant running down the wall to the skirting board level. The flat occupant thought this crack was filled around the middle of 2018. Running along the junction of the left hand side wall of the Lounge and Kitchen of the flat and the flat ceiling is a near horizontal, around hairline to 1mm crack, the tenant noted that he believed this crack had appeared at around Christmas time 2018. The tenant noted that he has reported incidents of the front door into the flat, from the landing corridor, “sticking”.

Flat 9

Flat 9 is the last but one right hand end floor to the ground floor to the rear wing. The tenant of No. 25 had noted that the resident of this flat had indicated some cracking, the tenant was present in the communal areas at the time of the RPS visit, thus the opportunity view the flat was taken.

Around the top and left hand side junctions of the architrave and the wall, to the inner side of the “front” door of the flat into the corridor there is around 2 to 3mm wide cracking. Above the tops of the windows of the flat in the rear wall there were hairline vertical cracks up from the corners of the opening to the ceiling level.

Flat 8

The tenant of Flat 9 noted during our visit that this flat was empty and unused but was accessible. This is ground floor flat adjacent to the closed off section of the rear wing section. Adjacent to the wall to ceiling and wall to wall junctions of bathroom to the wall that separates the flat from the closed off area there are near vertical and horizontal cracks of around 2mm in width. Additionally there are near vertical cracks of similar width extending down from the underside of the bathroom window in the rear wall.

Closed off area

The rear right hand areas of the building is now closed off from other areas of the building by permanent “wall” barriers to both the ground and first floor corridors. This area of the building was viewed to allow Colin Ayre to note any significant changes in the condition of the structure, rather carry out a full visual only inspection of the area. This area has a number of locations that have been subject to intrusive investigation in the past, by opening up of walls and ceiling finishes. Thus some damage seen to walls and floors is not due to historic structural movements only.

Mr Ayre noted that he believed that there were no significant increases in structural damage due to historic movements in this closed off area. He noted that he believed that previously there were a number of horizontal cracks to the walls that divide the rear corner flats, due to a curvature of the wall caused by the uplift heave forces, these crack appeared to be no longer as distinct.

Background information from Colin Ayre discussed during 28th March 2019 visit:

Mr Ayre noted the following outline timeline regarding the work that RPS carried out for their Structural Engineer’s brief for the project:

1. Visual Inspection of reported cracking to walls of the building in May 2005.
2. Given the findings of wide cracks to external wall movement joints and that this may result inadequate bearings for first floor structural elements onto walls, residents of directly affected flats were immediately moved out.
3. Further intrusive investigations showed large gaps between differing spans of floors, bowing of loadbearing walls and possible issues with services integrity due to large movements of structural elements that the services were attached to.
4. Due to movement affecting the first floor corridor and stair areas, the rear left hand stair well was deemed not usable for use, this required, following advice from the Fire Officer, believed due to travel distances to external escape exits, the closing of further ground and first floor flats.

5. Initial causes of structural damage were considered to be a large number of existing trees around the outer perimeter and within the courtyard area of the building, due to clay subsoil, and/or issues with inadequate rainwater guttering causing problems with the wetting of the subsoil.
6. Arboricultural, Geotechnical and Drainage Surveys revealed to assumed causes of the foundation movements and structural damage to be:
 - a. The previous growth and removal of a hedgerow running diagonally across the footprint of the building to the rear left hand corner. The hedge removal was believed to have been carried out long before construction, with the foundation bearing onto a clay subsoil not built to suit such vegetation.
 - b. Foundations on clay subsoil not suitably built to allow for current and potential further growth of trees that were located around the building and within the courtyard.
 - c. The removal of the hedgerow causing damage to underground drainage pipes softening the ground locally to the damage.
7. Along with the closing of areas of the building, the remedial measures have included the removal of trees within the courtyard and around the perimeter of the building, remedial detailing of the rainwater guttering and repairs to damaged underground drainage.
8. Crack width and level survey monitoring had been carried out over a number of years to assess the assumed recovery of building from tree related movements.

Findings of January 2019 DPC Level Survey

The survey carried out by RPS is a relative level survey, i.e. it indicates the level of the Damp Proof Course (DPC) at any point, in reference to other points along it, rather than relating the levels to an absolute datum. This survey data has been used to produce drawings JKK8600_01_BUCKL and JKK8600_02_BUCKL and are attached to this report. This survey shows the rise in DPC level in the area around the wide cracks to the rear left hand corner. Additionally it shows a drop in DPC level along the central part of the external elevation along Farthing Grove compared to the ends and appears to show an external rotation downward compared to the DPC level taken to the courtyard elevation of this wing.

Discussions and Recommendations:

The variation in DPC level to the external elevation along Farthing Grove, Elevation 1, shown in the RPS January 2019 survey appears to suggest a settlement or subsidence along this line. In 2005 along this boundary there was a line of Lime trees, which have now been removed. These Lime trees were noted in the contemporaneous RPS Arboricultural report as being as around 7 to 10 metres tall. The foundation along this elevation noted in the Listers soils investigation report as extending to around 1 metre below ground level. Thus based current NHBC Standards assuming the Lime trees were removed at the height noted, then an around 1.3 to 1.5metre deep foundation would be required. The level surveys carried out between 2007 to 2018 show a level recovery of around 5 to 15mm has occurred to points along this elevation. It is noted that in the Listers Trial pit Logs that the trial pit to the middle of this elevation shows the DPC level at Ground Level rather than at around 200mm above ground level at the ends of the elevation. From the visual inspection the level of cracking seen to this elevation is not consistent with the dipping in level that the DPC Level Survey appears to show.

The level of structural damage in reference to the closed of area i.e. the wide movement joints, opening up gap of the first floor and the bowing and cracking to the walls does not appear to have greatly increased since the Structural Surveys carried out by RPS in 2005 to 2007.

The RPS Interim Report dated September 2007 noted that “ *We therefore consider that the movement of the building due to long term heave to the south east corner, and shrinkage settlement on the west side has stabilised and we can no longer move onto the design of remedial works*”. This report noted “*A further conclusion of the reports was that the foundations as constructed were shallower than would be recommended in 2005 and that after the building has stabilised the building would be subject to seasonal ground movements*”

RPS have carried out Monitoring Reviews based on ongoing level surveying that was carried out at frequencies between two to four times a year from 2010 to 2018. These reviews noted in 2014 “*Over the last 12 months the movement outside has been within the range of 2mm..*” and in 2018 “*The monitoring has continued in its previous trends. Monitoring points within the courtyards have generally stabilised...The external monitoring points have generally continued to show a gentle recovery with some seasonal movement.*”

Excluding the area to the rear left hand corner that has been closed off, the cracking seen to the internal and external walls of Buckland Lodge, based on the author’s 2019 visual only inspection, appear to be from minor structural movements due to ground movement from shallow foundations on a clay subsoil. The structural damage seen to the walls was generally no greater than Category 2 in reference to Table 1 of BRE Digest 251 “*Assessment of damage in low-rise buildings*”. Thus the damage to areas of the building that are not closed off are “*aesthetic*” damage in reference to BRE Digest 251.

Given the aesthetic only nature of the damage seen to the non-closed off areas of the structure, as noted in BRE Digest 251 “*unless there are clear indications that damage is progressing to a higher level it may be expensive and inappropriate to carry out extensive work for what amounts to aesthetic damage*”.

Based on this, for areas of the property away from the rear left hand corner that is closed off, hand repointing of any weathered and cracked brickwork mortar joints and cosmetic repair of internal brittle finishes by redecoration and localised filling would be appropriate.

The current level of damage seen the left hand rear corner is such that the four flats noted previously as being structural unsound for use as habitable accommodation remain so. However given the propping that has been installed and that the level of damage does not appear to have increased such that demolition of the affected areas is imminently required to prevent a catastrophic collapse of the structure. Along with the four flats and stair and link corridors that have been subject to severe structural damage to the left hand rear corner, six other flats, a guest room and a bathroom area are not usable due to restrictions due to the requirements of the Fire Office, assumed to be due to travel distances to external means of escape.

Thus it appears there are the following options for the severely damaged area to the rear left hand corner:

1. Maintain the status quo, allowing that periodic visual inspections of the damage areas are carried out by a suitably qualified Structural Engineer to assess the ongoing structural stability of these areas. It is recommended that such visits are carried out on a yearly basis.
2. Full Remedial Works Scheme to bring all the rooms back into use. RPS holds on file the scope of remedial works and budget estimate for such work completed by the NTN Partnership dated August 2011. From discussions we have had with a Quantity Surveyor regarding updating this budget estimate to “current” 2019 prices they have noted that for such a relatively small size of project it is

not typical to update costs in line with standard pricing indexes as this would not take into account a suitable variation in costs. We request clarification if a “more detailed” update of the costs should be carried out on the scope of remedial works, or is it satisfactory for a simpler multiplier effect to the costs be carried out?

3. Demolition of severely structurally damaged areas, this would be assumed to be the completion of the demolition plus the closing off the structure to the ends of the rear and left hand side wings that would become external walls. This would not bring back into use the six flats that are no longer used due to the restrictions from the Fire Officer.
4. Demolition of Severely Structural Damage areas plus the addition of new escape access to the ends of the rear and left hand side wings. This may enable the bringing back into use of some, if not all of the six flats that are no longer used due to restriction from the Fire Officer. It is assumed that liaison with an Architect would be made to advise further on the escape requirements and on initial design impacts for Building Regulations and Planning for such a scheme.

Regardless of the scheme chosen to limit the ongoing risk of structural damage from clay tree foundation related structural movements, it is recommended that the current trees are subject to an updated Arboriculturist’s survey with the recommendations of the accompanying report carried out.

Whilst outside our brief it was noted on site that there is a pipe leaking water from a tank to the roof area of Flat 21, i.e. to the out of use, first floor, rear left hand corner flat, it is recommended that this pipe is fully capped off to remove the risk of the leak causing damage to the structure.

We trust the foregoing is sufficient for your needs at this time, however should you have any further queries please do not hesitate to contact the author at this office. We would be pleased to provide additional Structural Engineer’s advice regarding any of the above should you require.

Yours sincerely,
for RPS Consulting Services Ltd



Paul Hadley BEng (Hons) CEng MIStructE
Principal Engineer

paul.hadley@rpsgroup.com

cc: Stephen Young, Milton Keynes Council

This report has been prepared for the exclusive use of Mears / Milton Keynes Council It may be shown to other professional advisers, but any liability to a third party is expressly excluded.

This report is limited to elements of structure only. Services, timber decay, and contamination are specialist items and are not covered by this report. Should any of these items be mentioned in this report specialist advice should be sought.

We also confirm that any parts of the structure that were hidden or otherwise inaccessible have not been inspected and therefore cannot be guaranteed to be free from defect.

Our Ref: JKK8600



The opinions and interpretations presented in this report represent our best technical interpretation of the data made available to us.

However, due to the uncertainty inherent in the estimation of all parameters, we cannot, and do not guarantee the accuracy or correctness of any interpretation and we shall not, except in the case of gross or wilful negligence on our part, be liable or responsible for any loss, cost damages or expenses incurred or sustained by anyone resulting from any interpretation made by any of our officers, agents or employees.

Except for the provision of professional services on a fee basis, RPS does not have a commercial arrangement with any other person or company involved in the interests that are the subject of this report.

RPS cannot accept any liability for the correctness, applicability or validity for the information they have provided, or indeed for any consequential costs or losses in this regard. Our efforts have been made on a "best endeavours" basis and no responsibility or liability is warranted or accepted by RPS.

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Our Ref: JKK8600



RPS DRAWINGS JKK8600_01_BUCKL and JKK8600_02_BUCKL

Notes

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1. SURVEY BASED UPON AN ARBITRARY GRID AND DATUM.

Rev	Description	By	CB	Date
A	ORIGINAL DRAWING ISSUE			IMS AHP 01.02.19



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Client MILTON KEYNES COUNCIL

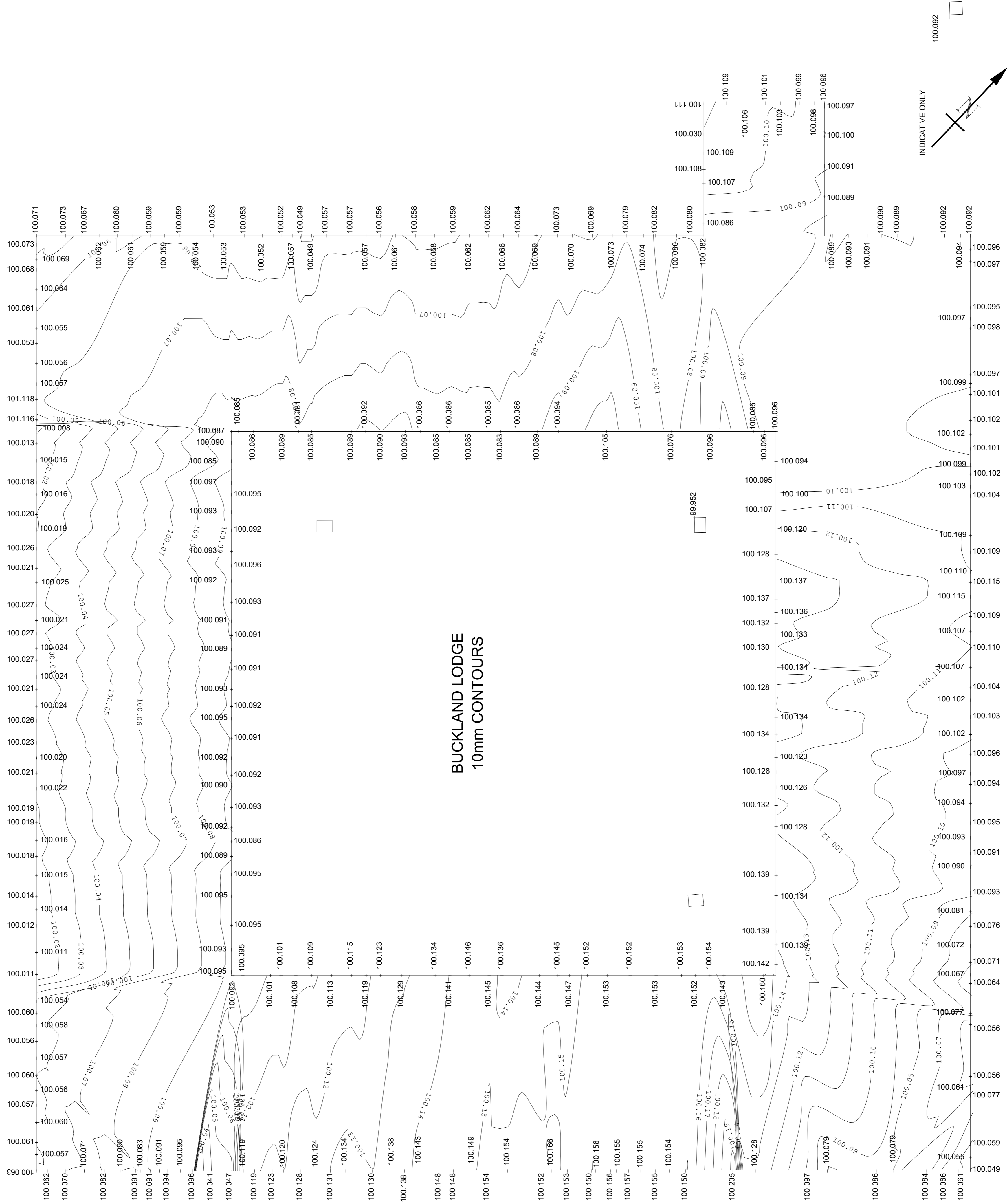
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 BUCKLAND DRIVE,
 MILTON KEYNES.

Title DAMP PROOF COURSE
 SURVEY

Status FINAL Drawn By IMS PM/Checked by AHP

Project Number JKK6600_BL Scale 1:100 @A1 Date Created 01.02.2019

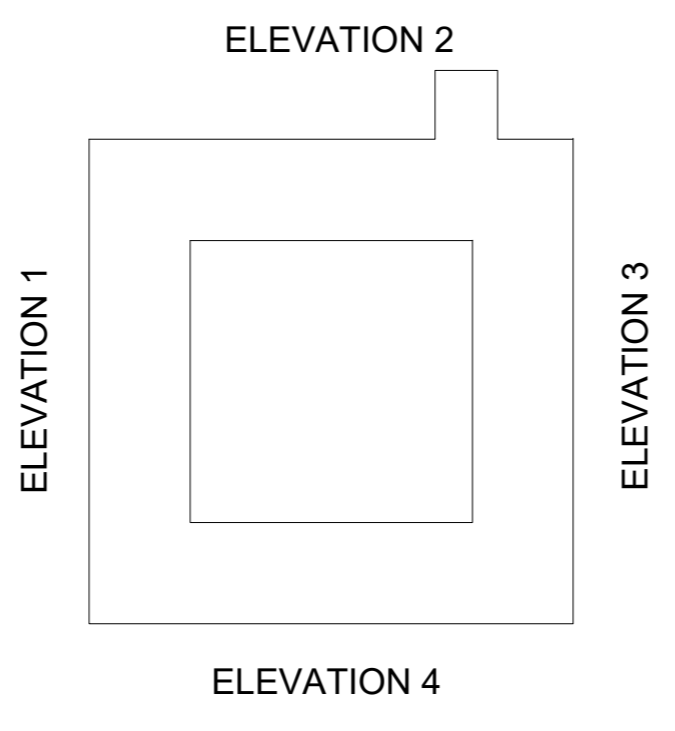
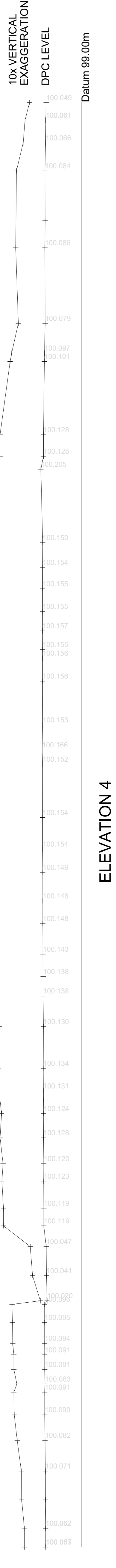
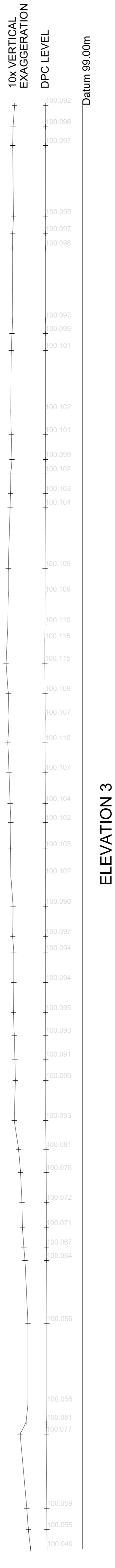
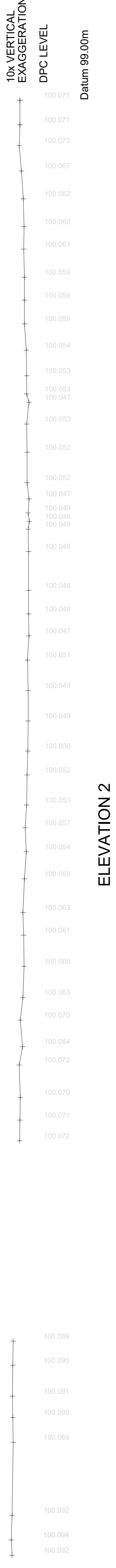
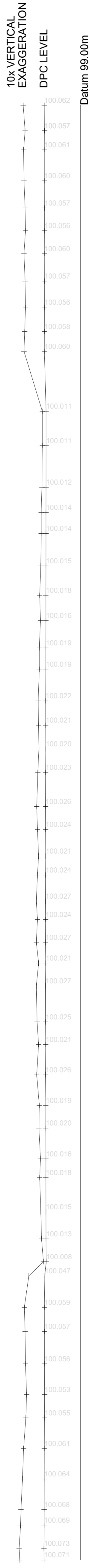
RPS Drawing Figure Number JKK6600 _01_BUCKL Rev A



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SURVEY GRID ELEVATIONS ARE ARBITRARY.



Rev	Description	By	CB	Date
A	ORIGINAL DRAWING ISSUE			AHP DJR 12.03.19



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Client: MILTON KEYNES COUNCIL

Project: BUCKLAND LODGE, NETHERFIELD, MILTON KEYNES.

Title: ELEVATIONAL REPRESENTATION OF DPC SURVEY

Status: FINAL
Drawn By: AHP
PM/Checked by: DJR

Project Number: JKK6600
Scale: 1:75 @A1
Date Created: 12.03.19

RPS Drawing Figure Number: JKK6600 _02_BUCKL
Rev: A

Wards Affected:

All Wards

ITEM 6**DELEGATED DECISION****30 JULY 2019****CONSULTATION ARRANGEMENTS UNDER SECTION 105 OF THE HOUSING ACT 1985**

Responsible Cabinet Member: Councillor Long, Cabinet Member for Housing and Regeneration

Report Sponsor: Michael Kelleher, Director, Housing & Regeneration, Tel: 01908 254167

Author and contact: Jo Trueman, Service Delivery Unit Manager, Housing & Regeneration, Tel: 01908 252296

Executive Summary:

Under Section 105 of the Housing Act 1985 the Council has a legal obligation to consult its secure tenants on matters of housing management such as changes to the management, maintenance, improvement or demolition of houses let by them, or changes in the provision of amenities. There are similar obligations under Section 137 of the Housing Act 1996 for consulting with introductory tenants.

The Statement of Arrangements for Consultation sets out how Milton Keynes Council will consult with secure tenants under Section 105 of the Housing Act 1985 and introductory tenants under Section 137 of the Housing Act 1996.

Councillor Nigel Long**Cabinet Member for Housing and Regeneration****1. Recommendation(s)**

That the Statement of Arrangements for Consultation under Section 105 of the Housing Act 1985 and Section 137 of the Housing Act 1996 be approved..

2. Background

2.1 Under Section 105 of the Housing Act 1985 the Council has a legal obligation to consult its secure tenants on matters of housing management such as changes to the management, maintenance, improvement or demolition of houses let by them, or changes in the provision of amenities.

2.2 There are similar obligations under Section 137 of the Housing Act 1996 for consulting with introductory tenants.

2.3 Once the Section 105 of the Housing Act 1985 consultation with secure tenants, and the Section 137 of the Housing Act 1996 consultation with introductory tenants is carried out and responses considered, the Council has undertaken its

30 July 2019

statutory duty. The Council will consider all representations made before any final decisions on proposals are taken.

2.4 This report seeks approval to adopt the Statement of Arrangements for Consultation, as attached at the Annex.

3. The Statement of Arrangements for Consultation

3.1 The Statement of Arrangements for Consultation sets out the following:

- The Council's obligations to consult with secure and introductory tenants
- How tenants will be informed of the consultation and its outcomes
- How tenants can make their views known

4. Implications

4.1 Policy

There are no immediate policy implications in respect of the proposals set out in this report or the statement of consultation as they merely reflect the prevailing legal position.

4.2 Resources and Risk

Resources: Any costs relating to s105 or s137 consultation can be contained within existing HRA budgets.

Risk: The Statement of Arrangements for Consultation sets a clear framework for consulting with secure and introductory tenants and will minimise the risk of challenge by ensuring that we fulfil our legal obligations.

4.3 Carbon and Energy Management

None noted at this stage.

4.4 Legal

As detailed previously, Section 105 of the Housing Act 1985 places a legal obligation on the Council to consult its secure tenants on matters of housing management. There are similar obligations under Section 137 of the Housing Act 1996 for consulting with introductory tenants.

4.5 Other Implications

Y	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: None

Annex: Statement of Arrangements for Consultation under Section 105 Housing Act 1985 and Section 137 Housing Act 1996

STATEMENT OF ARRANGEMENTS FOR CONSULTATION PURSUANT TO SECTION 105 HOUSING ACT 1985 AND SECTION 137 HOUSING ACT 1996

The Council's obligations

Section 105 of the Housing Act 1985 sets out the legal obligations of a Local Housing Authority to consult with secure tenants on matters of housing management. There are similar obligations under Section 137 of the Housing Act 1996 for consulting with Introductory Tenants. The act sets out how the Council will enable both secure and introductory tenants to be informed of the Council's proposals and how tenants can make their views known to the Council within a specified period.

The obligation applies where any of the Council's secure or introductory tenants, either as a whole or a distinct group, are likely to be substantially affected by a matter of housing management, including changes to;

- the management, maintenance, improvement or demolition of properties let by the Council;
- the provision of services in connection with properties let by the Council;
- the practice or policy of the authority.

How tenants will be informed of the consultation and its outcomes

Milton Keynes Council is committed to ensuring that all consultations are carried out effectively, in an open, transparent and accessible manner.

We will publish details of all consultation arrangements on the Council's website, and a copy of the documents published shall

- (a) be made available at Milton Keynes Council, 1 Saxon Gate East, Milton Keynes MK9 3EJ for inspection at all reasonable hours, without charge, by members of the public, and

(b) be given, on payment of a reasonable fee, to any member of the public who asks for one.

The information published will outline the issues, proposals and options being considered and will include information about when the outcome will be available. Where relevant, it will include financial implications of the proposals. An Equalities Impact Assessment will be prepared for all proposals going to consultation.

How tenants can make their views known

A questionnaire/feedback form will be made available in both online and hard copy formats.

Drop in sessions or meetings may be held for tenants to share their views face to face, depending on the proposal being considered.

During any consultation, the Council will consider all representations made before any final decisions on the proposals are taken.

Consultation period

This will depend on the proposals being considered but will usually be 6 weeks. The period for which the consultation will run will be made clear at the commencement of the consultation, along with any rationale for departing from the usual 6 weeks.

Wards Affected:

All Wards

ITEM 7**DELEGATED DECISION****30 JULY 2019****DRAFT HOUSING STRATEGY FOR MILTON KEYNES**

Responsible Cabinet Member: Councillor Long, Cabinet Member for Housing and Regeneration

Report Sponsor: Michael Kelleher, Director, Housing & Regeneration, Tel: 01908 254167

Author and contact: Jo Trueman, Service Delivery Unit Manager, Housing & Regeneration, Tel: 01908 252296

Executive Summary:

A draft Housing Strategy went out for consultation in the autumn of 2018. Unfortunately there was a very low response rate from the public and from our internal and external partners. Around the same time, there were some national policy changes such as the publication of the Housing Green Paper and the abolition of the HRA debt cap which needed to be reflected in the strategy. We therefore took the opportunity to redevelop the strategy to take these changes into account, and to carry out some internal consultation to ensure the strategy effectively dovetailed with and complemented related MKC priorities, strategies and policies, in particular the Housing Delivery Action Plan.

The revised draft Housing strategy sets out a clearer direction for all those involved in building or managing homes in Milton Keynes.

The amended strategic priorities are:

- High quality Placemaking, creating great places to live
- Increase the delivery of new homes, including truly affordable housing, along with the infrastructure to meet housing need
- Ensure that everyone has access to appropriate, safe and secure housing that meets their needs
- Ensure high quality homes and landlord services

Councillor Nigel Long

Cabinet Member for Housing and Regeneration

1. Recommendation(s)

- 1.1 That the draft Housing Strategy 2019 to 2024 be approved for public consultation for a period of 12 weeks.
- 1.2 That it be noted that a final Housing Strategy for the period 2019 to 2024 will be considered by the Cabinet for approval and adoption following public consultation.

2. Background

- 2.1 Whilst having a housing strategy is not a statutory requirement, it is considered best practice and necessary to set out how we aim to meet the housing challenges facing us and to set key priorities for action.

- 2.2 A draft Housing Strategy went out for consultation in the Autumn of 2018 but due to a very low response rate, the Community & Housing Scrutiny Committee recommended that further consultation take place (Minute CH13 refers). Around the same time, there were some national policy changes which needed to be reflected in the strategy. We therefore took the opportunity to redevelop the strategy, carrying out some internal consultation to ensure the strategy effectively dovetailed with other key MKC priorities, strategies and policies.
- 2.3 This report seeks approval to begin a second 12 week period of public consultation on the revised draft Milton Keynes Housing Strategy 2019 – 2024. The consultation period will give the Council’s residents, partners and stakeholders the opportunity to inform the development of the final strategy to be approved and adopted by Cabinet in December 2019. A copy of the draft Housing Strategy is attached at the Annex.

3. **The draft strategy and consultation**

3.1 A draft Housing Strategy was considered by the Cabinet on 10 July 2018 (Minute C66 refers) for approval and to request consent to go out to consultation. This report also included the evidence base. Click [here](#) for full details.

3.2 The revised draft strategy continues to propose a clear and simple vision for housing in Milton Keynes:

To provide good quality housing that meets everyone’s needs, is truly affordable and supports the creation of great places to live. Such truly affordable housing must meet local priority needs.

3.3 The amended priorities are:

- High quality Placemaking, creating great places to live
- Increase the delivery of new homes, including truly affordable housing, along with the infrastructure to meet housing need
- Ensure that everyone has access to appropriate, safe and secure housing that meets their needs
- Ensure high quality homes and landlord services

3.4 Under each priority, the strategy sets out its key aims and what the Council and its partners need to do to achieve those aims.

3.5 During the 12 week public consultation period, we will proactively promote the consultation and will seek to engage with key stakeholder groups including internal and external partners, and a range of user groups.

3.6 The consultation will ask the following questions:

- a) Do you agree with our vision?
- b) If no, what do you think the vision should be?
- c) Do you agree with our priorities?
- d) If no, which of the priorities do you not agree with, and why?
- e) What do you think our priorities should be?

3.6 Once the final strategy has been approved following consultation, a detailed action plan will be developed in collaboration with all key delivery partners. Progress will be reported to Cabinet annually.

4. Implications

4.1 Policy

One of the three key aims in the Council Plan 2016 – 2022 is to create communities that can attract, retain and enable people from every background. It notes that Milton Keynes has been built on meeting the aspirations of people to live in a good home at a price they can afford to rent or buy and that we will promote more affordable and accessible good quality housing.

4.2 Resources and Risk

The cost of developing the strategy itself is contained within existing resources. The cost of delivering the strategy will be developed once the Council has agreed its priorities and worked with partners to understand their contributions. Any resulting plans will be brought forward as part of the Council's Medium Term Financial Strategy. The risk of not developing a strategy is that the Council will not be able to meet the housing needs of local people.

4.3 Carbon and Energy Management

None noted at this stage.

4.4 Legal

Section 8 of the Housing Act 1985 requires local authorities to consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation.

4.5 Other Implications

Y	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: Minute C66 [Cabinet Meeting 10 July 2018](#)
[Minute CH13 Community & Housing Scrutiny Committee 14 November 2018](#)

Annex: Draft Housing Strategy

Milton Keynes Housing Strategy 2019-2024



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Foreword by Councillor Long

This strategy provides a clear vision of how we can, with the public and other stakeholders achieve our shared aspiration in providing housing that meets the needs and requirements of Milton Keynes. It reflects how vital good housing is to the health and wellbeing of residents, the role it plays in building and maintaining strong communities and how housing is entwined with the economic prosperity of Milton Keynes.

Not everyone in Milton Keynes can access affordable, sustainable and good quality housing and yet this is central to residents being able to live prosperous, healthy and happy lives. Pressures of a growing and aging population will create additional demand. This strategy sets out possible solutions and approaches to overcoming these challenges.

We need to design and build houses that people want to live in and that bring benefits to new and existing communities. We need to meet the requirements of groups with specific needs, from providing a wider choice of housing options for young people struggling to get onto the housing ladder, to future-proofing homes to support our ageing population, enabling them to remain in their own homes for as long as possible.

But the council cannot solve this problem alone. We will work with housing associations, developers and others to tackle the shortage of affordable housing in new and innovative ways.

MK Council as a landlord: The Housing Strategy reaffirms the Council's long term commitment to being a high quality landlord with a growing stock of homes, whilst recognising the need to modernise the service to become more customer focused. The strategy commits the Council to increasing choice through the introduction of Choice Based Lettings. We see choice and control for tenants and leaseholders as central to a modernised MK Council landlord service.

MK Council as a Planner: The Housing Strategy is central to the delivery of PlanMK which sets out the vision and framework for the future development of Milton Keynes, addressing issues such as housing, the economy, infrastructure, the environment, adapting to climate change and securing good design. We are committed to developing a close working relationship with the planning service and will seek early involvement in discussions on all major housing developments.

Regeneration: We remain committed to regeneration, but want to move to a focus on jobs, skills and better life chances. We want to ensure that regeneration proposals are financed from a range of sources and that communities define their regeneration needs and priorities. We also aim, through the delivery of the Housing Revenue Account (HRA) Business Plan 2019/20 - 2048/49 to create a Milton Keynes Housing Standard and to reintroduce an annual capital investment programme for long term investment in our housing stock.

Homelessness: The delivery of secure, truly affordable housing will also help us to tackle the problem of homelessness and reduce the use of temporary accommodation. The needs of rough sleepers will continue to be addressed through our Housing First service which puts the provision of an independent home first, followed by personalised, wraparound support.

Despite the economic and social challenges ahead, I am confident that this strategy will succeed in its aim of providing a blueprint for progress over the next few years in delivering the homes we need, as well as identifying additional opportunities for further progress in this important area.

Cllr Nigel Long - Cabinet Member for Housing and Regeneration

Executive Summary

The Milton Keynes Housing Strategy is a high level document that sets out the strategic direction for housing activity in Milton Keynes. Its purpose is to set the context as to how we aim to meet the housing challenges facing us, setting out key priorities for action. It supports the ambitions of the Council through its Council Plan, Plan:MK and the Housing Delivery Action Plan.

Whilst recognising the National Planning Policy Framework (NPPF) and the Government's definition of affordable housing, this strategy sets out this Council's commitment to delivering truly affordable homes. Milton Keynes Council defines truly affordable housing as housing for sale or rent at below market rates that is available in a variety of tenure and types and at costs that are linked to local incomes. This will provide a choice of homes that will not cost more than a household can afford to pay without being forced to cut back on the essentials or falling into debt.

The strategy recognises the importance of placemaking and how housing needs to complement and integrate with the spaces around it so that people feel part of a community and can easily access the services and amenities they need. One of our priorities is therefore high quality placemaking and creating great places to live.

House building targets for Milton Keynes have been missed every year between 2009/10 and 2017/18 and so demand has continually outstripped supply. Targets were met however in 2018/19 with 1,781 houses delivered against a target of 1,766. The Council's Housing Delivery Action Plan coupled with the growth strategy in Plan:MK will help us meet targets for 2019/20 and beyond.

The failure of the National Planning Policy Framework to deliver affordable housing means that local residents are being let down and the Council and its partners are unable to deliver homes that are truly affordable and meet local priority needs. Whilst the Council has identified sites and planned for growth, actual delivery rates over recent years have not matched those set out in planning policy since 2009/10. Our second priority is therefore to increase the delivery of new homes, including affordable housing. We are also committed to a substantial rise in new council housing to meet core housing need, providing a range of larger properties for families.

Our third priority is to ensure that all people have fair and equal access to safe and secure housing that meets their needs. This includes addressing the specific needs of groups facing housing related challenges, including children and adults with disabilities and complex health issues, care leavers and older people. We will help and support people to prevent them becoming homeless and enable them to secure and maintain good quality, permanent accommodation.

Lastly, as a landlord, MK Council is committed to providing high quality homes and landlord services. We will invest in our housing stock through a long term investment programme. We will work with local communities and put them at the heart of the decision making process to ensure that investment in our housing stock, landlord services and regeneration is shaped and delivered in a way that meets their needs and priorities. We will also strive to drive up standards in the private rented sector.

Introduction

This strategy identifies the key housing challenges facing Milton Keynes and sets out the Council's priorities for tackling them. Our vision is:

To provide good quality housing that meets everyone's needs, is truly affordable and supports the creation of great places to live. Such truly affordable housing must meet local priority needs.

Together with Plan:MK, MK Futures 2050, the Sustainability Strategy 2019-2050 and the Health and Wellbeing Strategy, the Housing Strategy supports the delivery of the Council Plan and provides the strategic framework to deliver our housing priorities.



The Council Plan sets out the overall priorities and programme of work for the period 2016-22. Housing, homelessness and regeneration are key priorities, with an ambition that 'every person can live in a good home, to buy or rent at a price people can afford in a great environment.'

Plan:MK is the Council's new Local Plan. It sets out our growth ambitions between now and 2031 and the level of new homes, jobs and infrastructure needed to support this.

The **MK Futures 2050 Commission** report sets out a vision for Milton Keynes in 2050 and views on how to 'Make a Great Borough Greater.'

The **Milton Keynes Joint Health and Wellbeing Strategy 2018-2028** places our community at the heart of our wish to improve health and wellbeing, and to reduce health inequalities. It recognises the impact that housing quality can have on people's physical and mental health and sets out a priority to tackle the number of rough sleepers and the rise of households in temporary accommodation, and reduce low quality housing.

The **Sustainability Strategy 2019-2050** sets out the long term vision to create a world-leading sustainable city which recognises that it has a vital role in tackling the global challenges of climate change.

The national housing picture

The UK has historically struggled to deliver the number of new homes required. This has resulted in house prices and private sector rents increasing beyond the reach of most households. Since 2010, the Government's policies have reduced the number of affordable houses delivered (by reducing grant levels and imposing a viability constraint within the National Planning Policy Framework that limits affordable housing).

In February 2017 the Government published a housing White Paper, *Fixing our Broken Housing Market*, which included a commitment to council house new build. This was followed in the Budget (November 2017) with the announcement of an additional £880m for local authority house building between 2019 and 2022.

In August 2018 the Government issued its consultation paper on the *Use of receipts from Right to Buy sales*. The consultation paper proposes to grant greater flexibility to councils in how much of receipts can be used to develop new housing, and extend the time period for the retention of current receipts.

The Housing Green Paper, published in August 2018 aims to rebalance the relationship between landlords and residents, tackle stigma and ensure social housing can act as a stable base and support social mobility.

In his Autumn Budget 2018, the Chancellor removed the HRA Debt Cap, freeing councils to borrow more to invest in new housing. It is yet to be understood what the full implications of this will be.

Our Priorities and why they are important

Priority 1: High quality placemaking, creating great places to live

The quality of the environment in which homes are built is as important to our health, wellbeing and prosperity as the buildings themselves. The way in which housing blends with the spaces around it can impact on how much we feel part of a community and how easily we can access the services we need. Neighbourhoods that are inclusive and welcoming, that allow residents to get around and meet people on foot or by cycle, help to protect their residents from a range of avoidable health related issues including physical inactivity, social isolation and depression.

Addressing only the physical aspects of housing in Milton Keynes will not in itself improve the health, wellbeing and prosperity of our communities, or reduce inequalities. Housing poverty in the form of material deprivation (inability to afford basic resources and services such as sufficient food and heating) is a persistent issue within certain localities and communities. If we wish to address this, then the location and energy efficiency of our housing and the built environment around it must also take into account easy access to health and social care, education, employment, transport and healthy food.

Priority 2: Increase the delivery of new homes, including truly affordable housing, along with the infrastructure to meet housing need

An additional 26,500 new homes are needed in the Borough between 2016 and 2031 to meet housing need¹. House builders in Milton Keynes missed the annual housing target every year between 2009/10 and 2017/18, with a total shortfall of 3,185 new homes since 2010/11. This has fuelled price increases as demand has continually outstripped supply. The cost of buying a home in Milton Keynes has increased 69% since 2010, compared to a 46% increase in England². This has led to a drop in home ownership of 8% since 2011, with a comparable increase in the number of families living in the private rented sector. The Council's Housing Delivery Action Plan aims to address these issues and ensure that our housebuilding targets are met or exceeded.

Affordability is rapidly becoming a major issue, exacerbated by the slow rates of build and reduced scale of delivery which are driving prices even higher. In Milton Keynes we have failed to meet the 30% policy requirement for affordable housing since 2009/10. This coupled with the failure of the National Planning Policy Framework to deliver affordable housing means that local residents are being let down and the Council and its partners are unable to deliver homes that are truly affordable and meet local priority needs.

The National Infrastructure Commission (NIC)³ identified the Cambridge - Milton Keynes - Oxford Arc as key to the UK's future economy. However, it noted that a chronic undersupply of homes could jeopardise this. It recommended that the Government should give local areas the powers and resources to shape high quality, well-connected places for new and existing residents⁴. The Council is working with the Government to achieve this.

¹ Strategic Housing Market Assessment 2017: <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/evidence-base-documents>

² Section 7 Evidence Base

³ See <https://www.nic.org.uk/our-work/growth-corridor/>

⁴ The NIC recommended the re-establishment of Milton Keynes as a development location of national significance, through the intensification and expansion of the town to a population of at least 500,000 people.

Between 1981 and 2013, Milton Keynes was the fastest growing economy in the UK⁵. A key driver in future will be knowledge intensive business services such as accountancy and information technology. It is important that we secure the skills in these areas to support growth. The Council is developing a new undergraduate technology university for up to 10,000 students which is due to open in 2023. Provision of new student housing will need to be closely aligned with the growth in university student numbers and consideration given to the scale and impact of any such developments.

Priority 3: Ensure that everyone has access to appropriate, safe and secure housing that meets their needs

The Council faces two distinct challenges in relation to homelessness. The first is the high number of households living in temporary accommodation. The termination of assured shorthold tenancies by private landlords is statistically the number one reason why families become homeless in Milton Keynes, contributing to a sharp increase in homelessness. The number of households in temporary accommodation has increased from 82 in March 2010 to 786 in June 2019. The number of children in temporary accommodation in June 2019 was 1320.

When people become homeless or are moved into temporary accommodation, their health and wellbeing is impacted. The uncertainty of their situation, often combined with poor living conditions, impacts both physically and mentally on homeless individuals and families. Children's schooling and education can also be significantly affected.

The second area and most visible sign of homelessness, is people sleeping rough on the streets. In Milton Keynes, the number of people sleeping rough had risen from 6 in 2012, to 41 in November 2018. The true number is currently estimated to be 30 (May 2019).

Another challenge we face is the lack of appropriate housing for those at greatest risk in our communities including young people, families with young children, care leavers, ex-offenders, those suffering from domestic abuse and asylum seekers. There is also a lack of appropriate housing for other groups of people with specific needs, such as older people, those with physical and/or learning disabilities, and those multiple and complex health and social care needs.

Priority 4: Ensure high quality homes and landlord services

It is estimated that 20% of the UK's housing stock does not meet the decent home standard and that the cost to the NHS of poor quality housing is at least £1.4billion per year¹². A growing proportion of the population now live in privately rented properties. This sector now houses 19% of the population but it has higher levels of damp than other sectors, one in five households are fuel poor; and there are twice as many homes in poor condition.

The English Housing Survey 2016/17 published by the Ministry of Housing, Communities and Local Government puts the average level of non-decent homes in the social housing sector at 13%. In Milton Keynes, a stock condition survey carried out between September 2016 and April 2017 showed that the general condition of council homes is poor and that around 35% are non-decent. The high level of non-decency in Milton Keynes represents a significant investment need in order to

⁵ P12 MK Futures 2050 Commission Report

secure the long term future of the stock and ensure our tenants have access to good quality housing. Work is currently ongoing through the delivery of the HRA Business Plan to ensure that the Housing Revenue Account is sustainable and can viably deliver local priorities.

The Council's RegenerationMK 2030 Strategy identifies seven estates⁶ in the top 15% most deprived nationally. Its three priorities are **People** (people are empowered to take ownership of their future), **Place** (improved surroundings will help improve lives) and **Prosperity** (barriers are removed between people and jobs so ambitions can be realised). The Regeneration Strategy will be reviewed in 2019 and will have a much greater focus on jobs, skills and enhancing people's life chances. The Council is committed to working with local communities and putting local people at the heart of the decision making process to ensure that regeneration is shaped and delivered in a way that meets their needs and priorities.

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⁶ Fullers Slade, Bradville North, Lakes Estate, Tinkers Bridge, Coffee Hall, Beanhill and Netherfield

Our priorities: what we will deliver

Priority 1: High quality placemaking, creating great places to live

This strategy has an important part to play in creating great places. We aim to ensure that all housing, in particular affordable housing is developed alongside the provision of community infrastructure and services.

We will do this by:

1. Continuing to develop partnership working with appropriate internal and external partners, including housebuilders, to ensure joined up delivery of housing and community infrastructure in new and existing local communities.
2. Creating safer living environments through careful neighbourhood design, proactively tackling antisocial behaviour, and addressing the fear and perception of crime in our local communities.
3. Cultivating healthier places to live by designing and shaping neighbourhoods, housing, the local food environment, the natural and sustainable environment and transport, to promote health outcomes.
4. Promoting walkable neighbourhoods through layout and design which will see more people using public transport, cycling and walking and ensuring that all new developments include green energy generation schemes
5. Promoting homes that are well located to services and facilities and well integrated into the community to help combat loneliness and isolation and provide easy access work opportunities.
6. Developing a proposition to ensure all new housing is built with high quality green space to the standards Milton Keynes expects.

Priority 2: Increase the delivery of new homes, including truly affordable housing, along with the infrastructure to meet housing need

We are committed to supporting the Council's growth ambitions as set out in Plan:MK and the Housing Delivery Action Plan, by securing a step change in the number of new homes being built and ensuring enough new homes are provided that meet the needs and affordability levels of local residents. We aim to:

- Increase housing supply, including council housing, by working collaboratively with all key stakeholders, including developers, housing associations and Homes England
- Ensure that affordable homes are truly affordable for local people
- Increase the diversity of affordable housing options and provide choice to those aspiring to own their own homes by increasing the range of intermediate housing products

We will do this by:

1. Securing cross party agreement to deliver more homes and ensure that all relevant Council Service Plans are aligned to this objective. This will include agreement to release more Council owned sites for new housing^{7,8}
2. Negotiating a Housing Deal from government to support Milton Keynes' needs, securing investment to support the delivery of new homes to 2025/26 and beyond.
3. Securing additional inward investment in the provision of new homes by working more closely with Homes England and registered providers to enable the provision and diversity of homes to meet different needs. We will look to support this through the use of our own investment opportunities and land⁹
4. Building 500 new council homes by 2022. In addition we will ensure that 100 new accessible properties are built, both by the Council and by specialist providers.
5. Investigating the establishment of a disruptive council-owned housing company to deliver 2000 new truly affordable homes for local households by 2023, and support alternative delivery models such as Community Land Trusts, housing co-operatives and other forms of mutual housing.
6. Working with Government, Homes England, developers and registered providers to target the provision of an additional 37,500 truly affordable homes by 2050.
7. Developing a model to compulsorily purchase suitable sites such as those in the 'Brown Field Register' and working with a variety of development partners to deliver them.

⁷ Estimated by YourMK as being around 23% of the stock as at March 2017

⁸ As per Cabinet decision 2nd January 2018 – see <http://milton-keynes.cmis.uk.com/milton-keynes/Calendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/5634/Committee/1172/Default.aspx>

⁹ Including Milton Keynes Development Partnership land: the Partnership has recently been charged with delivering 36% affordable housing on its sites.

8. Working with Milton Keynes Development Partnership to explore options to enable council house building on the Council's land in order to offer a greater choice of council housing to our residents
9. Encouraging small and medium enterprises to build by working with local communities to identify small and medium sites for development
10. Continuing to acquire empty properties across Milton Keynes in order to meet local needs and enhance choice across all areas of Milton Keynes.
11. Working with communities through the neighbourhood planning process to ensure that neighbourhood plans have regard to this Strategy.

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Priority 3: Ensure that everyone has access to appropriate, safe and secure housing that meets their needs

We want to ensure that everyone has fair and equal access to housing that is safe, secure, truly affordable and meets their specific needs. We will help and support people to prevent them becoming homeless and enable them to secure and maintain good quality, permanent accommodation. We aim to:

- Promote a range of housing options that enable people to live safely and independently for as long as possible
- Continue to work with relevant partners to improve the integration of housing, health and social care services.

We will do this by:

1. Focussing on homelessness prevention by developing a new Homelessness Strategy aligned to the Homelessness Reduction Act, setting out how we and our partners will help people address their housing needs to avoid homelessness.
2. Being clear about how and when we will use temporary accommodation by developing a Temporary Accommodation Placement Policy that establishes a clear commitment to placing in-borough wherever possible, and clear criteria showing how we will determine whether and in what circumstances placement outside the borough is justified. This policy will take into account the needs and welfare of children, and will aim to minimise changes to schooling as far as possible.
3. Being clear about who can apply for council housing by implementing a new Allocations Policy that will set out the criteria for applying for a council property and how applicants will be prioritised.
4. Developing a housing register to manage the list of people who apply for housing in a clear and transparent way and giving applicants more choice over where they live by introducing Choice Based Lettings.
5. Providing clear guidance to developers and registered providers on the levels of rent the Council supports in order to ensure that homes are truly affordable for local people.
6. Promoting support for first time buyers, key workers and rent to buy to maximise the options available to local residents to access housing
7. Ensuring that new developments meet the Nationally Described Space Standard and provide appropriate housing for disabled people, including requiring developers to build 10% of affordable housing to wheelchair accessible standards, enabling people to live safely and independently for as long as possible.
8. Encouraging all providers to build homes to lifetime standards, and build all new council homes to lifetime standards.

9. Promoting and sustaining independent living by working with partners to plan for the provision of specialist and supported housing and housing related support for a variety of client groups, such as older people, people with physical and mental health problems¹⁰ and those with learning disabilities. This will help us to keep people within the borough rather than placing people out of the area. Where purpose built accommodation is required, we will work with commissioners and developers to secure appropriate accommodation on new developments.
10. Giving a firm commitment to meet the housing needs of our ex-looked after children, to ensure that they are protected from harm and have a stable environment to take up educational, work and other opportunities.
11. Providing at least 1,000 units of student accommodation on site for MK University over each of the three phases of development (anticipating 5,000 students per phase).
12. Working with parish, town and community councils and housing providers to ensure that local lettings plans are only used in exceptional circumstances to meet specific evidence based local circumstances.

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¹⁰ See the Strategic Housing Market Assessment 2017 for more details

Priority Four: Ensure high quality homes and landlord services

The Council is committed to ensuring that existing homes in the social and private sectors are of high quality. The Council is also committed to offering a high quality landlord service, ensuring that tenants are at the heart of everything we do. We aim to:

- Improve management and conditions in the private sector, including Registered Social Landlords
- Manage and maintain our own stock to the highest standards
- Monitor and improve the satisfaction of council tenants with their homes and the services they receive

We will do this by:

1. Identifying and prioritising action required in the private sector for the properties and areas in the worst condition, working with and supporting landlords, tenants and homeowners to improve conditions with advice and flexible home loans
2. Offering our services as managing agent to other landlords in Milton Keynes
3. Being clear about how we use our income to invest in homes and provide services as set out in the Housing Revenue Account (HRA) Business Plan
4. Ensuring we maintain our stock to the highest standards by working with tenants to establish a decent homes standard including energy efficiency, for Milton Keynes, being clear about how we can achieve this and fund the existing backlog of repairs through the introduction of an annual capital investment programme linked to the standard
5. Having a clear Rent Policy that sets out the Council's approach to setting rents in preparation for the end of the Government imposed annual 1% rent reduction and the move to localised rent setting from April 2020
6. Being more community focused and responsive to local needs by developing and implementing a customer focussed, neighbourhood based approach to tenancy and estate management, underpinned by the development of local neighbourhood agreements that provide a guarantee of the service levels that tenants can expect
7. Putting our tenants at the heart of everything we do by working with them to develop a new engagement framework that sets out how they can be involved and engaged in the design, delivery, review and scrutiny of the Council's housing service.
8. Being transparent about levels of customer satisfaction by carrying out and publishing an annual satisfaction survey of tenants and residents and publishing an annual report to tenants.
9. Regenerating our priority estates by working with residents to develop and deliver solutions that meet local needs and priorities, generate new investment, create mixed communities and provide homes that are truly affordable. This will be informed by a review of our regeneration strategy in 2019.

Delivery and Monitoring

The Housing Strategy sets out an ambitious set of priorities and plans for the next five years. These can only be achieved through the collective commitment of the Council and all of its key partners and stakeholders who are involved in building and managing homes, and supporting the people who live in them.

It is important that progress is monitored robustly and transparently, and that barriers to delivery are challenged at the most appropriate level.

We will therefore:

- Develop a delivery plan in partnership with relevant stakeholders to set out in more detail, the actions we will take to achieve our strategic priorities. This will be prepared in time for the first progress report to Cabinet, and will dovetail with the Housing Delivery Action Plan.
- Report progress against the strategic priorities to Cabinet annually and carry out an annual review with stakeholders.
- Publish details of our progress against the strategic priorities on the Council's website.

DRAFT

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