



---

<b>PART A:</b>	<b>MATTERS DEALT WITH UNDER DELEGATED POWERS</b>
<b>REPORT TO:</b>	<b>POLICY AND RESOURCES COMMITTEE</b>
<b>DATE:</b>	<b>22 SEPTEMBER 2016</b>
<b>REPORT OF THE:</b>	<b>HEAD OF PLANNING AND HOUSING GARY HOUSDEN</b>
<b>TITLE OF REPORT:</b>	<b>RYEDALE HOUSING STRATEGY ACTION PLAN 2015-2021</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

---

## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 Following the approval of the overarching York, North Yorkshire and East Riding Housing Strategy 2015/21, the draft Ryedale Housing Strategy Action Plan was presented to Members on the 24 September 2015 and was approved for consultation.

### **2.0 RECOMMENDATION(S)**

2.1 It is recommended that:

- (i) The final version of the Action Plan, including Member comments and appropriate revisions be endorsed.
- (ii) the progress update is noted

### **3.0 REASON FOR RECOMMENDATION(S)**

3.1 The Action Plan, with its timetable for implementation, addresses the priority housing issues within Ryedale. It enables the Council to respond to the priorities within the agreed York, North Yorkshire and East Riding Housing Strategy. It provides an effective programme of specific proposals to be undertaken and allows for the monitoring of the effectiveness of the Strategy in meeting housing needs. Progress has been made against the Strategy which has been included in the progress review of the Action Plan.

### **4.0 SIGNIFICANT RISKS**

4.1 The Action Plan identifies appropriate steps to address housing needs within Ryedale. There are no significant risks associated with the recommendations of this report.

## 5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The proposals contained within the Action Plan support the Council's aims of meeting housing need in the District and creating the conditions to create economic success.

## REPORT

### 6.0 REPORT DETAILS

- 6.1 This Action plan replaces the previous action plan developed in 2010, which has been reviewed on an annual basis. Progress has been made over the past five years and details given at the previous meeting of P & R on the 24 September 2015. Progress in 2015/16 is included in the Action Plan Review 2016.
- 6.2 The purpose of the Action Plan is to provide a framework for meeting the housing and housing related needs of the District until 2021.
- 6.3 The Action Plan has been updated to incorporate comments and responses to the draft and the challenges resulting from the Housing and Planning Act 2016 and proposed Welfare changes.

#### 6.3.1 WELFARE REFORM AND WORK ACT 2016

The Act:

- Creates statutory duties for the Government to report on:
  - Progress towards its full employment commitment.
  - Progress against meeting its target of 3 million new apprenticeships in this Parliament.
  - Progress on the Troubled Families Programme.
- On children living in low-income households:
  - Creates a statutory duty for the Government to publish data on children in low-income households.
- On life chances:
  - Amends the Child Poverty Act 2010 to become the Life Chances Act 2010.
  - Removes income related targets and replaces them with new measures to improve the life chances of children.
  - Creates a duty on the Secretary of State to lay before Parliament an annual report containing data on children living in workless households in England and the educational attainment of children in England at the end of Key Stage 4.
  - Reforms and renames the Social Mobility and Child Poverty Commission as the Social Mobility Commission ("the Commission").
  - Removes most other duties and provisions in the Child Poverty Act 2010 including certain duties relating to the devolved administrations.

- Reduces the benefit cap to £23,000 or £15,410 in Greater London and £20,000 or £13,400 elsewhere.
- Freezes certain social security benefits and certain tax credit amounts for four tax years.
- Limits the amount of support provided by child tax credit for families who become responsible for a child born on or after 6 April 2017.
- Limits the child element of universal credit to a maximum of two children and removes the distinction between the first and subsequent children in the rate of the child element.
- Removes the work-related activity component in employment and support allowance and the limited capability for work element in universal credit.
- Changes conditionality for responsible carers in universal credit.
- Replaces current support for mortgage interest payments for benefit claimants with the offer of a recoverable interest-bearing loan.
- Allows the government to recover certain administrative costs incurred in relation to the Motability scheme - and any such scheme that is equivalent in purpose.
- Makes changes in provisions relating to social housing rents.

#### 6.3.1.1 Social housing rents

##### Reduction in social housing rents

After many years of increases in social rents, for the next four years from April 2016, local authority and housing association rents will reduce by 1%. Given that previous policy was to raise rents by CPI inflation + 1% each year, this means that social rents are expected to be 12% lower than they would otherwise have been by 2019–20 and will have a significant adverse impact on business plan projections.

#### 6.3.1.2 Local Housing Allowance rates

There are significant changes to housing benefit rules which will impact on local authorities.

The main change is the amount of rent that housing benefit will cover in the social sector will be capped at the relevant local housing allowance (LHA), which currently applies to private rented sector claims.

Although this may not be an immediate major concern in Ryedale we have met with Yorkshire Housing and there could be a significant impact for the Under 35s.

In addition, it has a potentially big impact on the 'removal of the spare room subsidy' (bedroom tax) and its administration.

What is not yet clear is how this proposal will operate in practice. For example, is the 'relevant' LHA rate to be used for the actual size of claimant's property, with the 14% or 25% deduction then applied in respect of any spare room(s), or will the relevant LHA rate be that for the size of the claimant's household, in the same way as currently applies in private rented sector claims?

The background documents say that "this measure will include the Shared Accommodation Rate for single claimants under 35 who do not have dependent children".

This suggests that social rented sector claims will be treated in the same way as private sector claims, leaving a question mark over whether the 15% and 25% spare room deductions will no longer be applicable.

The Chancellor said that this reform will mean that "Housing Benefit will no longer fully subsidise families to live in social houses that working families cannot afford," and will better align the rules in the private and social rented sectors. It will also ensure that housing benefit costs "are better controlled" and "will help prevent social landlords from charging inflated rent for their properties."

The measure will only apply to housing benefit claims from April 2018 for new tenancies signed after 1 April 2016.

#### 6.3.1.3 Temporary Accommodation

The third, and potentially most significant change for local authority finances, is the proposal to change the arrangements for calculating housing benefit for homeless persons placed in temporary accommodation.

The proposal involves, from 2017/18, removing the temporary accommodation management fee paid in the current housing benefit subsidy arrangements to local authorities involving a weekly management fee of £60 (£40 in London).

This will be replaced with a new annual grant paid directly to local authorities. The chancellor said this annual grant will be of £10m, paid to allow authorities "to better manage temporary accommodation pressures." It also brings the treatment of temporary accommodation in housing benefit in line with how universal credit is designed to operate.

Already, however, some authorities are saying this is a significant cut compared with the amount paid under the current housing benefit subsidy management fee arrangements, which is estimated to cost over £40m in London alone.

Local authority homeless budgets could therefore be impacted by this change as, although the current arrangements are closely linked to the number of actual homeless persons placed in temporary accommodation, the new direct grant arrangements will not be so closely linked.

Additional discretionary housing payment funding will be made available to local authorities to protect the most vulnerable including those in supported accommodation.

#### 6.3.1.4 Funding

On the funding for new housing, the chancellor has doubled the budget to £2b as part of a five stage plan.

This plan is intended to "re-focus support for housing towards low cost home ownership for first time buyers" rather than new affordable accommodation for rent. The plan involves the building of 400,000 new 'affordable' homes for sale or shared ownership by 2020/21.

The measure contains further incentives under the help to buy scheme but also provides for additional stamp duty to be paid by those purchasing second homes or buy to let properties, which could lead to higher private rented sector rents.

### 6.3.2 HOUSING AND PLANNING ACT 2016

The Act is intended to support the delivery of the Government's commitments as put forward in the Conservative Party manifesto and the productivity plan 'Fixing the Foundations; Creating a more prosperous nation'. Through this Act, the Government aims to take forward the proposals to build more homes that people can afford, give more people the chance to own their own home, and ensure the way housing is managed is improved.

This Act seeks to achieve this, in part, by implementing reforms that will make sure the planning system does not add any unnecessary obstacles to the delivery of new homes.

This Act is made up of nine parts, but the **key issues that affect local authorities are the Voluntary Right to Buy, local authority sales, high income social tenants, the role of the Homes and Communities Agency (HCA), local planning and permission in principle, starter and affordable homes.**

**There has been a the lack of progress relating to the secondary legislation needed in order to give effect to the Housing and Planning Act.**

A summary of these parts and their contents is provided in attached Annex 3.

- 6.4 All these changes may be introduced against a back drop of public sector cuts. However, the Council has and will, where it can continue to both sustain services, provide improvements and new services where possible.
- 6.5 Already Ryedale has seen significant achievements, many through the extensive partnerships that have been formed.
- 6.6 The 2015/21 Action Plan aligns with the focus of the York, North Yorkshire and East Riding Housing Strategy and the Local Energy Partnership, specifically around the stated aim to double house building and triple affordable housing delivery. It also helps to draw out the specific housing issues identified in the Strategic Economic Plan (SEP) and our planned response to these. An update to progress made on the York, North Yorkshire and East Riding Strategy is at Annex 2.
- 6.7 The Council's Action Plan therefore aligns with the overarching strategy and provides the local context. Revised Action Plan for member approval is at Annex 1.
- 6.8 Evidence supporting the proposals within the Action Plan is presented against five main themes
- **Affordability and the supply of homes**
  - **Working within our geography**
  - **The housing needs of our community**
  - **Understanding and improving the quality of our housing stock**
  - **Addressing the needs of homeless households**
  - **Vulnerable households and those with support needs**

6.9 There are 9 priorities within the Sub Regional Strategy and the Action plan puts local proposals forward to meet these priorities.

<b>Issue</b>	<b>Priority</b>
<b>Affordability &amp; Supply</b>	1. Work with partners to increase the supply of good quality new housing across all tenures and locations (in line with Local Plans/site allocations).
<b>Geography</b>	2. Ensure that our housing stock reflects the needs of urban, rural and coastal communities
<b>Demography</b>	3. Ensure that our housing stock meets the diverse needs of our communities at all stages of their lives
<b>Quality</b>	4. Via policy guidance and negotiation, ensure new homes are of high design and environmental quality  5. Continue to ensure that we make best use of our existing stock and that it is of a decent quality and meets the needs of our communities  6. Ensure all homes have a positive impact on health and well being and are cheap to run
<b>Homelessness, Vulnerable Households &amp; Specific Needs Groups</b>	7. Continue to reduce homelessness  8. Ensure Housing is allocated fairly and on the basis of need  9. Provide appropriate housing and support for those with specific housing needs

## 7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

There is currently provision within the revenue budgets to implement these proposed actions which are solely based upon internal funding sources, any changes to the revenue budget may have an effect on this. Some of the actions are dependant on external funding sources, notably the Homeless Prevention Grant (CLG) and Supporting People, the continuation of these could change at any time. The provision of capital funding/borrowing for projects would need to return to Members for authorisation. In addition if there are any financial implications for implementing the Action Plan that are beyond currently agreed budgets these will be brought back to Members for authorisation.

b) Legal

There are no legal implications for the Council in that the proposals within the Action Plan will be consistent with the Council's Strategic responsibility for the provision of housing services.

c) Equality and Diversity

A full equalities impact assessment has been undertaken in respect of the York, North Yorkshire and East Riding Housing Strategy, which this Action Plan seeks to implement.

**Gary Housden**  
**Head of Housing and Planning**

**Author:** Kim Robertshaw, Housing Services Manager  
Telephone No: 01653 600666 ext: 383  
E-Mail Address: [kim.robertshaw@Ryedale.gov.uk](mailto:kim.robertshaw@Ryedale.gov.uk)

**Background Papers:**  
Draft Housing Strategy Action Plan 2015/21  
Progress Report

**Background Papers are available for inspection at:**  
Housing Section, Ryedale House

## **HOUSING AND PLANNING ACT 2016**

### Part 1: New homes in England

- o Starter homes – provides a statutory framework for the delivery of starter homes.

Not enacted yet - awaiting Regulations. Some changes made to the Planning Practise Guidance to advise on the national starter home exception policy introduced by a ministerial statement.

- o Self-build and custom house building – requires local authorities to meet demand for custom-built and self-built homes by granting permissions for suitable sites.

Housing and Planning Act 2016 amends some provisions of the Self-Build and Custom House building Act 2015. The latter was enacted in March 2015. Requirement for the Council to maintain a Register of persons interested in acquiring land. Duty on the LPA to give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom house building. Provisions of 2016 Act come into force 31/10/16.

### Part 2: Rogue landlords and property agents in England

- o Private rented sector – provides greater powers for local authorities to identify and tackle rogue landlords and property agents.

### Part 3: Recovering abandoned premises in England

- o Private rented sector – reforms abandonment to more effectively recycle rented property.

### Part 4: Social housing in England

- o Implementing the Right to Buy on a voluntary basis – enables the Secretary of State to pay for the cost of Right to Buy discounts for housing association tenants and to set criteria for home ownership against which private registered providers may be monitored.

Effective from 25/5/2016.

- o Vacant higher value local authority housing – requires local authorities to manage their housing assets more efficiently, with the most valuable vacant properties sold to fund an increase in home ownership and overall housing supply.
- o Rents for high income social tenants – requires local authority tenants in social housing on higher incomes (over £40,000 in London and over £31,000 outside London) to pay a proportionate level of rent. The policy is voluntary for housing associations to operate.



- o Reducing regulation of social housing – reduces the regulatory requirements for private registered providers of social housing.
- o Insolvency of registered providers of social housing– allows the Secretary of State or the regulator of social housing with the agreement of the Secretary of State to apply to the Court to appoint a special administrator for private registered providers of social housing that are at risk of entering insolvency proceedings.
- o Secure tenancies etc. – requires local authority landlords to grant new tenants a fixed term tenancy, of between 2 and 10 years generally but up to 19 years for tenants with children and restricting the rights of family members to succeed to local authority tenancies.

Part 5: Housing, estate agents and rent charges: other changes

- o Electrical safety standards - enables the Secretary of State to make regulations to require private sector landlords to meet electrical safety standards.
- o Accommodation needs in England - amends the legislation governing the assessment of housing and accommodation needs of the community, and aims to ensure that the needs of all members of the community are assessed.
- o Housing regulation in England - a more stringent 'fit and proper' person test for landlords letting out licensed properties, such as Houses in Multiple Occupation, to help ensure that they have the appropriate skills to manage such properties and do not pose a risk to the health and safety of their tenants; allows financial penalties to be imposed as an alternative to prosecution for certain offences; and increases the fine for overcrowding to an unlimited level.
- o Housing information in England - requires Tenancy Deposit Scheme data to be shared with local authorities; and gives the secretary of a tenants' association a right to obtain from the landlord contact information for other leaseholders in a shared block provided that leaseholders have individually consented to their information being made available in this way.
- o Administration charges - amends the Commonhold and Leasehold Reform Act 2002 to give courts and tribunals a discretionary power to restrict the ability of a landlord to recover from the leaseholder as an administrative charge the landlord's costs of taking part in legal proceedings.
- o Enforcement of estate agent legislation - amends the Estate Agents Act 1979 to allow the Secretary of State to appoint the lead enforcement authority.
- o Client money protection schemes for property agents - enables the Secretary of State to make regulations to require property agents to join a Client Money Protection scheme.
- o Enfranchisement and extension of long leaseholds – enables the manner in which the valuation of minor intermediate leasehold interests in leasehold enfranchisement and lease extension cases is calculated to be changed by regulations.
- o Rentcharges - allows the method used for calculating the amount needed to redeem a rentcharge to be amended by secondary legislation.

## Part 6: Planning in England

- o Neighbourhood planning - simplifies and speeds up the neighbourhood planning process to support communities that seek to meet local housing and other development needs through neighbourhood planning.

Effective from 1/10/16

- o Local planning - gives the Secretary of State more flexible powers to intervene if Local Plans are not effectively delivered.

Section 143 - Power to direct amendment to LDS - effective 13/7/16

Section 144 - Power to give direction to examiner of a development plan document - effective 13/7/16

Section 145 - Intervention by Secretary of State - effective 25/5/16

Section 146 - Secretary of State default powers - due to become effective 1/10/16

Section 147 - Default powers of Mayor of London or Combined Authority - due to become effective 1/10/16

Section 148 - Costs of independent examination held by Secretary of State - due to become effective 1/10/16

- o Planning in Greater London - enables the Secretary of State to devolve further powers to the Mayor of London.

Commenced on enactment but requires further secondary legislation.

- o Permission in principle and local registers of land - enables the Secretary of State to require local authorities to hold a register of various types of land, with the intention of creating a register of brownfield land to facilitate unlocking land to build new homes; and enables "permission in principle" to be given to suitable housing-led sites identified in the brownfield register and in local and neighbourhood plans, and provides an opportunity for applicants to obtain permission in principle for small sites.

Requires further secondary legislation.

- o Planning permission etc - amends the power which enables conditions to be attached to development orders for building operations so that they are consistent with those for change of use; extends the planning performance regime to apply to applications which are not major applications (e.g. smaller applications); puts information about the financial benefits of proposals for development and information about neighbourhood development plans before local authority planning committees; enables local authorities to request alterations to the planning system; and simplifies the Parliamentary process for making changes to planning application fees that affect some authorities but not others.

Some provisions brought into effect over 2016. Others eg. setting of fees requires secondary legislation.

- o Planning obligations - allows the Secretary of State to place restrictions or conditions on the enforceability of planning obligations relating to the provision of affordable housing and provides for the Secretary of State to appoint a person to help resolve outstanding planning obligations issues within set timeframes.

Requires further legislation to be laid before parliament.

- o Nationally significant infrastructure projects – allows developers who wish to bring forward applications for housing relating to a major infrastructure project to apply for consent under the nationally significant infrastructure planning regime.

Commenced on enactment.

- o Powers for piloting alternative provision of processing service - allows the Secretary of State to introduce, by regulations, pilot schemes to test the benefits of introducing competition in the processing (but not determination) of applications for planning permission.

Commenced on enactment but requires further secondary legislation.

- o Review of minimum energy performance requirements – requires a review of minimum energy performance standards for new dwellings.

Commenced on enactment but requires secondary legislation.

- o Urban development corporations and new towns – modernising and speeding up the process for creating Urban and New Town Development Areas and Corporations.

Commenced on enactment but requires secondary legislation.

- o Sustainable drainage – requires a review of elements of the planning system that relate to sustainable drainage.

Due to be brought into effect on 1/10/16.

#### Part 7: Compulsory purchase etc

- o Takes steps to improve the compulsory purchase regime, and make it clearer, fairer and faster.

Most of the provisions brought into effect July 2016.

#### Part 8: Public Authority land

- o Engagement in relation to disposal of land – creates a duty on Ministers of the Crown to engage with local authorities and relevant public authorities when preparing to dispose of land.
- o Duty to report on surplus land – requires relevant public authorities to prepare reports specifying land which they have retained as surplus for longer than two years; or, in the case of property which is wholly or

- mainly residential property, longer than six months. In each instance, the report must set out the body's reasons for retaining the surplus land.
- o Power to direct bodies to dispose of land – builds on existing powers for the Secretary of State to direct bodies to dispose of land. Adds further circumstances under which this power may be exercised.
  - o Reports on efficiency and sustainability of local government estate – creates a new duty on local authorities to prepare an annual report on the efficiency and sustainability of buildings within their estate, including progress towards reducing the size of the estate and efficiency ratings of individual buildings.
  - o Reports on efficiency and sustainability of military estate – creates a new duty on the Minister for Cabinet Office to prepare an annual report on the efficiency and sustainability of buildings within the military estate, including progress towards reducing the size of the estate and efficiency ratings of individual buildings.

Unclear when all provisions come into effect and some will require secondary legislation.

In addition further likely changes will include;

- a new zoning system will be created in England which will grant planning permission automatically (subject to certain “technical details”) on suitable brownfield sites which are identified in a statutory register of brownfield land. This is the Permission in Principle and the Registers of Land sections of the Act;
- tougher action will be taken against local authorities who have not got local plans in place by a set deadline. Ministerial statement set a deadline of early part of 2017. Default power of Secretary of State to prepare a plan is in the Act. Government may put Authorities into special measures but details of this have not been expanded on to date.
- league tables will be published by the Government setting out local authorities' progress in providing plans to deliver housing and jobs locally. Nothing specific in the Act but unclear if they need to make legislative provisions for that;
- significant intervention will be undertaken by central government to the extent that they will arrange, where considered necessary, for local plans to be written (in consultation with local people). Secretary of State default powers are included in the Act (the Local Planning provisions outlined above);
- proposals will be put forward to streamline the process of local plan preparation and to reduce the length of local plans (in both cases of implementing a plan and amending a plan). Nothing specific in the Act;
- proposals to improve co-ordination between local authorities will be introduced and the guidance on the operation of the duty to co-operate on key housing and planning issues will be strengthened. Nothing specific in the Act;
- consideration will be given to how to support higher density housing around key commuter hubs and how national policy and guidance can ensure that unneeded commercial land can be released for housing. Nothing specific in the Act.

Where there is no specific details of the above in the Act, Members will be alerted if and when the Government reconsiders any of these matters or if they are introduced by further legislation, policy changes or changes to guidance.

