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DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Executive

Date: Monday 7 April 2025

Time: 6.30 pm

Venue: 39 Castle Quay, Banbury, OX16 5FD

Membership

**Councillor David Hingley
(Chairman)**

Councillor Tom Beckett
Councillor Jean Conway
Councillor Ian Middleton
Councillor Rob Pattenden

Councillor Lesley McLean (Vice-Chairman)

Councillor Chris Brant
Councillor Nick Cotter
Councillor Robert Parkinson

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

4. Minutes (Pages 5 - 8)

To confirm as a correct record the Minutes of the meeting held on 19 March 2025.

5. Chairman's Announcements

To receive communications from the Chairman.

6. Annual Delivery Plan and Performance Measure 2025/2026 (Pages 9 - 20)

Report of Assistant Director Customer Focus

Purpose of report

To agree the council's Annual Delivery Plan and Performance measures for 2025/26.

Recommendations

The Executive Committee resolves:

- 1.1 To approve the council's Annual Delivery Plan and Performance Framework for 2025/26.
- 1.2 To delegate the responsibility for finalising the milestones and the Key Performance Indicators to the Assistant Director for Customer Focus in consultation with the Portfolio Holder for Corporate Services.

7. Local Authority Housing Fund Round 3 (Pages 21 - 26)

Report of Assistant Director Wellbeing and Housing

Purpose of report

To seek approval for the expenditure of the capital grant received from the Local Authority Housing Fund (LAHF) Round 3.

Recommendations

The Executive resolves:

- 1.1 To approve a capital grant to South Oxfordshire Housing Association (SOHA) for the delivery of new social housing within Cherwell from the grant received from MHCLG; Local Authority Housing Fund Round 3.
- 1.2 To approve the increase to the Council's capital programme of £1.4m that arises from the report.

8. Discretionary Housing Payments Policy (Pages 27 - 50)

Report of Assistant Director Finance (Section 151 Officer)

Purpose of report

To inform Executive of the reviewed policy for Discretionary Housing Payment (DHP) and proposed updates.

Recommendations

The Executive resolves to:

- 1.1 Note the contents of the reviewed policy for Discretionary Housing Payments.
- 1.2 Approve the policy for Discretionary Housing Payments.

9. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221534 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

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This agenda constitutes the 5-day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

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Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Shiraz Sheikh
Monitoring Officer

Published on Friday 28 March 2025

Republished on Wednesday 2 April 2025 (amended Appendix 1 to item 6)

Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 19 March 2025 at 5.00 pm

Present:

Councillor David Hingley (Leader of the Council & Portfolio Holder for Strategic Leadership) (Chairman)
Councillor Lesley McLean (Deputy Leader of the Council and Portfolio Holder for Finance, Property & Regeneration) (Vice-Chairman)
Councillor Chris Brant, Portfolio Holder for Corporate Services
Councillor Jean Conway, Portfolio Holder for Planning and Development Management
Councillor Nick Cotter, Portfolio Holder for Housing
Councillor Ian Middleton, Portfolio Holder for Neighbourhood Services
Councillor Robert Parkinson, Portfolio Holder for Safer Communities

Apologies for absence:

Councillor Tom Beckett, Portfolio Holder for Greener Communities

Also Present:

Councillor Dr Isabel Creed, Chair, Overview and Scrutiny Committee
Councillor John Broad

Also Present Virtually:

Councillor Barry Wood

Officers:

Gordon Stewart, Chief Executive
Michael Furness, Assistant Director Finance & S151 Officer
Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer
Alex Rycroft, Strategic Finance Business Partner
Curtis Leung, NMT Graduate
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Ian Boll, Corporate Director Communities

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Declarations of Interest

There were no declarations of interest.

114 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

The Chairman welcomed non-Executive Councillors to the meeting and asked they indicate if they wished to speak.

115 **Minutes**

The minutes of the meeting held on 3 March 2025 were agreed as a correct record and signed by the Chairman.

116 **Chairman's Announcements**

The Chairman advised that this was the last Executive meeting to be held at Bodicote House. The next Executive meeting on 7 April would take place in the council's new offices at Castle Quay.

117 **Local Government Reorganisation Options**

The Corporate Director Resources and Transformation submitted a report to provide an overview of the interim plan and each of the proposal for local government reorganisation in Oxfordshire, prior to submission to the Government on 21 March 2025.

In introducing the report, the Chairman advised that there were revised recommendations to those that had been published (revisions in italics):

"The Executive resolves to:

1.1 Note the receipt of the statutory invitation received from the Minister of State for Housing, Communities & Local Government on 5 February 2025.

1.2 *Approve the interim plan developed collaboratively by Oxfordshire councils (county, city and districts) as set out in Appendix 1 and the emerging options for local government reorganisation set out in Appendices 2-4 for submission to Minister of State for Local Government and English Devolution.*

1.3 *Approve that the Leader of the Council write to the Minister of State for Local Government and English Devolution to express support for [preferred option once discussed] ."*

The Chairman advised that all Oxfordshire councils (county, city and districts) had coordinated in producing the report and options set out in the appendices. This had included several meetings of Council Leaders and Chief Executives. Each Cabinet / Executive was also meeting today or the following day to agree their response.

With regards to recommendation 1.2, the Chairman explained that he had no issues with the submission of the joint response as an interim report on progress and options for Oxfordshire as it was a reflection on the position at the present time.

With regards to recommendation 1.3 and submission of support for an option, the Chairman explained that he had given much consideration and, given the timescales, had been considering a draft a response in anticipation, subject to the views of Executive. The Chairman advised that he hoped the response could be submit such a letter in coordination with West Oxfordshire District Council, with whom there had been close coordination given the proximity of the districts and that in each model Cherwell and West Oxfordshire would move.

The Chairman explained that, at this point he did not consider a three unitary option was not a desirable option for multiple reasons including it not being built on existing boundaries a feasible option and was not clear of the on the geography it would adopt. The one unitary option was possible, but it was quite large and risked losing the local connection to communities there currently was.

The Chaiman advised that, in his view, a two unitary option was the most credible option for local government reorganisation in the area and highlighted positive consideration, including the size or the proposed authority met the met the Government's guidelines approach of a population of half a million, greater focus on communities at the local level, a consequent ability to deliver services building on collaborative working to meet the financial challenges ahead and giving the area a greater voice in the new devolution framework helping harness local views and driving sustainable growth locally.

The Chairman advised that whilst the letter would be from the Executive, there had been cross party engagement, including the establishment of a Leaders' Advisory Group for Local Government Organisation and devolution, which had met earlier this month and the approach was being informed by these discussions. It was important that cross-party engagement continued over the coming months.

In considering the options, Executive members endorsed the Chairman's comments and agreed that a two unitary option was the most credible option and support for this should be expressed in the letter from the Leader to the Minister of State for Local Government and English Devolution.

Resolved

- (1) That the receipt of the statutory invitation received from the Minister of State for Housing, Communities & Local Government on 5 February 2025 be noted.
- (2) That the interim plan developed collaboratively by Oxfordshire councils (county, city and districts) and the emerging options for local

government reorganisation (Option one – single unitary council; Option two – two unitary councils; Option three – three unitary councils) be approved for submission to Minister of State for Local Government and English Devolution.

- (3) That it be approved that the Leader of the Council write to the Minister of State for Local Government and English Devolution to express support for option two, two unitary councils.

Reasons

This proposed option is in line with the guidance from central Government and identifies the submission and members are asked to both note the receipt of the statutory invitation received from the Minister of State for Housing, Communities & Local Government on 5 February 2025, and to note the interim plan update as set out in Appendix 1 to the report and the emerging options for local government reorganisation set out in the Appendices 2, 3 and 4 to the report.

Alternative options

Option 1: The Council may not wish to submit any proposals to Government in which to reorganise local government. Given the Government's stated expectation that areas should submit proposals, this option is not recommended.

118 Urgent Business

There were no items of urgent business.

The meeting ended at 5.22 pm

Chairman:

Date:

This report is public	
Annual Delivery Plan and Performance Measures 2025/2026	
Committee	Executive
Date of Committee	7 April 2025
Portfolio Holder presenting the report	Portfolio Holder for Corporate Services, Councillor Chris Brant
Date Portfolio Holder agreed report	27 March 2025
Report of	Assistant Director Customer Focus, Shona Ware

Purpose of report

To agree the council's Annual Delivery Plan and Performance measures for 2025/2026.

1. Recommendations

The Executive Committee resolves:

- 1.1 To approve the council's Annual Delivery Plan and Performance Framework for 2025/26.
- 1.2 To delegate the responsibility for finalising the milestones and the Key Performance Indicators to the Assistant Director for Customer Focus in consultation with the Portfolio Holder for Corporate Services.

2. Executive Summary

- 2.1 In February this year, Full Council agreed a new vision for the council and four strategic priorities for achieving over the next five years, as part of its new Corporate Strategy. This overarching 5-year strategy is underpinned each year by an Annual Delivery Plan.
- 2.2 The Annual Delivery Plans set out the strategic actions for delivering each year towards achieving the priorities established in its Corporate Strategy.
- 2.3 The Annual Delivery Plan for the new financial year 2025/26 is attached at Appendix 1. The key actions are broken down into major deliverables (where appropriate) and these will be monitored and reported to this committee and Overview and Scrutiny on a quarterly basis.
- 2.4 The council's progress towards achieving its priorities and performance for the year ahead will be through a series of Key Performance Indicators (KPIs). The proposed list of KPIs for 2025/26 are attached at Appendix 2.

Implications & Impact Assessments

Implications		Commentary		
Finance		There are no financial or resources implications arising directly from this report. The financial implications of the new Council Plan were captured as part of the budget setting process and approved by Full Council on 24 February 2025. Joanne Kaye, Head of Finance, 4 March 2025		
Legal		There are no legal implications arising directly from this report. It may be that some of the targets in appendix 2 are prescribed to us, if so, they should be clearly marked as such as CDC will need to put plans in place quickly if we are falling behind in meeting these. Denzil Turbervill, Head of Legal, 5 March 2025		
Risk Management		There are no risk implications arising directly from this report. Having an establish set of objectives, activities and key performance indicators to manage and report on our progress against the Council's Strategy, mitigates several risks, such as of lack of transparency, or risk of not delivering on our commitments to our residents. Celia Prado-Teeling, Performance Team Leader, 28 February 2025		
Impact Assessments		Positive	Neutral	Negative
Equality Impact		x		
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
B Will the proposed decision has an impact upon the lives of people with protected characteristics, including employees and service users?		x		

Climate & Environmental Impact	x			The proposed ADP actions and KPIs aim to have a positive impact from a climate and environment perspective, enabling the delivery of our strategic priority to lead on environmental stewardship and climate action. Jo Miskin, Climate Action Manager
ICT & Digital Impact				N/A
Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	All: <ul style="list-style-type: none"> • Economic Prosperity • Community Leadership • Environmental Stewardship • Quality Housing and Place Making 			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	The draft ADP and performance measures were consulted with the Overview and Scrutiny Committee on 18 March 2025			

Supporting Information

3. Background

- 3.1 The council's new corporate vision and strategy reflects its ambitions for the future, addresses potential challenges and maximises the opportunities to provide better outcomes for its residents and key stakeholders. Its vision is to become: **“A modern council inspiring and enabling positive, lasting change”**
- 3.2 The strategy includes the following four key priorities for the next five years (2025-2030):
- Economic Prosperity
 - Community Leadership
 - Environmental Stewardship
 - Quality Housing and Place Making
- 3.3 These priorities are underpinned by a suite of goals and aims for ensuring clarity and success, which are set out in the Annual Delivery Plan, and supported by the proposed Performance measures (KPIs).

4. Details

Annual Delivery Plan 2025-26

- 4.1 The proposed Annual Delivery Plan 2025-26 in Appendix 1, contains 27 actions for delivering next year across its four corporate priorities, which are further broken down into quarterly milestones.

Key Performance Indicators 2025-26

- 4.2 Following a review, 31 performance measures have been proposed on which 15 are Corporate KPIs (26 quarterly, four yearly and one biannually), and 16 Directorate KPIs.
- 4.3 All Key Performance Indicators will be monitored and reported on a quarterly basis. The tables in Appendix 2 show the level of monitoring that is being proposed for each KPI. Corporate KPIs will be reported to this committee and Overview and Scrutiny on a quarterly basis and Directorate KPIs to the relevant portfolio holder and to the committees on an exception basis.

Overview and Scrutiny Recommendations

- 4.4 The Overview and Scrutiny Committee considered the draft ADP and proposed performance measures at their meeting on 18 March.
- 4.5 The Committee resolved to recommend the following for Executive consideration:
- To retain the KPI on “Number of Homeless Households living in Temporary Accommodation”, in addition to the new proposed indicator “Number of homeless households living in nightly charged (hotel) temporary accommodation (TA)”. This has been included as a Directorate KPI.
 - To amend the milestones for the ADP action to "Host a registered providers forum to improve tenant outcomes" to include the following:
 - Q1) Survey of tenants to analyse and establish a baseline for concerns and needs
 - Q2) Establish a monitoring framework as in Q2 based on the analysis of the above
 - Q3) Hold a registered providers forum
 - Q4) Further survey of tenants to inform actions for 2026/27.
- 4.6 This action remains unchanged for the following reasons:
- It would not be possible to directly survey tenants of registered providers without compromising the Council's general duty to protect data or misusing data that the Council holds for other purposes.
 - The regulator of social housing already requires large, registered providers (over 1000 properties or more) to collect Tenant Satisfaction Measures (TSM's). Similar requirements apply to smaller providers.

- Registered Providers are also required to collect and report annually a suite of performance monitoring measures. These include their performance on complaints, repairs response time, property safety and compliance as well as anti-social behaviour. This information is publicly accessible as it is a requirement of the regulator for this data to be made available on their websites for the tenants to view and understand how their landlord is performing. Larger providers are also subject to routine inspections from the regulator and are provided with ratings for the standards of service they are providing to their residents following the regulatory inspection.

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to have an annual delivery plan and performance framework, however without one, the council cannot monitor its progress towards achieving its desired outcomes and therefore agree any corrective action that might be necessary to keep them on track. This option has therefore been rejected as the council would risk being able to deliver better outcomes for its communities.

6. Conclusion and Reasons for Recommendations

- 6.1 This report sets out a suggested annual delivery plan and framework for measuring and monitoring the council's performance and progress towards achieving better outcomes for its communities.

Decision Information

Key Decision	Yes, Financial threshold met, and community threshold met.
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Annual Delivery Plan 2025-26
Appendix 2	Performance Measures 2025-26

Background Papers	None
Reference Papers	Budget Setting for 2025/26 and the Medium-Term Financial Strategy up to 2029/30 http://svc-sql-modg-01:9070/documents/s58425/Budget%20Corporate%20Plan%20Report%202025-26%20UPDATED.pdf
Report Author	Celia Prado-Teeling, Performance & Insight Team Leader
Report Author contact details	Celia.prado-teeling@cherwell-dc.gov.uk , 01295 221556
Corporate Director approval	Stephen Hinds – Corporate Director of Resources – 10 March 2025

Appendix 2 - Corporate Strategy KPIs 2025-26

Delivering quality housing and placemaking						
Measure Name	Corporate or Directorate monitoring	Portfolio Holder	AD/Director	Frequency	Targeted or Monitoring Only	Target
Number of Homeless Households living in Temporary Accommodation (TA)	Directorate	Cllr N Cotter	Nicola Riley Ian Boll	Quarterly	Monitoring	
Number of homeless households living in nightly charged (hotel) temporary accommodation (TA).	Corporate	Cllr N Cotter	Nicola Riley Ian Boll	Quarterly	Targeted	25
Number of affordable homes delivered	Corporate	Cllr N Cotter Cllr J Conway	Nicola Riley David Peckford Ian Boll	Quarterly	Monitoring	Monitoring
% of Homelessness cases successfully prevented rather than relief/main duty being applied	Corporate	Cllr N Cotter	Nicola Riley Ian Boll	Quarterly	Targeted	60%
Average time taken to process Housing Benefit New Claims and council tax reduction	Directorate	Cllr L McLean	Michael Furness Stephen Hinds	Quarterly	Targeted	18 days
Average time taken to process Housing Benefit Change Events and council tax reduction	Directorate	Cllr L McLean	Michael Furness Stephen Hinds	Quarterly	Targeted	8 days
% of Major Planning Applications determined to National Indicator	Corporate	Cllr J Conway	David Peckford Ian Boll	Quarterly	Targeted	60%
% of Non-Major Planning Applications determined to National Indicator	Corporate	Cllr J Conway	David Peckford Ian Boll	Quarterly	Targeted	70%
% of Major Applications overturned at appeal	Corporate	Cllr J Conway	David Peckford Ian Boll	Quarterly	Targeted	10%
% of Non-Major Applications overturned at appeal	Corporate	Cllr J Conway	David Peckford Ian Boll	Quarterly	Targeted	10%
Average time taken for new applications to join the housing register to be responded to within 15 working days	Directorate	Cllr N Cotter	Nicola Riley Ian Boll	Quarterly	Targeted	15 days
Net Additional Housing Completions	Corporate	Cllr J Conway	David Peckford Ian Boll	Biannual September - March	Targeted	1582 (total LP requirement for the year)
% of building control full plans assessed within 5 weeks (or longer with applicant's agreement)	Directorate	Cllr J Conway	David Peckford Ian Boll	Quarterly	Targeted	95%

Leading environmental stewardship and climate action

Measure Name	Corporate or Directorate monitoring	Portfolio Holder	AD/Director	Frequency	Targeted or Monitoring only	Notes
% Waste Recycled & Composted	Corporate	Cllr I Middleton	Ed Potter Ian Boll	Quarterly	Targeted	Changed to less is better Feedback from Ian Upstone: <i>We should always try to increase the recycling % this is a good thing, so bigger is better.</i>
Tonnes residual household waste collected	Corporate	Cllr I Middleton	Ed Potter Ian Boll	Quarterly	Monitoring only	Feedback from Ian Upstone: <i>Yes tonnes collected is better if it is smaller but we must be realistic as each new property generates a tonne of waste so the measure should be per property.</i>
% Reduction in fuel consumption	Corporate	Cllr I Middleton	Ed Potter Ian Boll	Annual	Targeted	
% of Climate Action Plan delivering to target	Corporate	Cllr D Hingley	Ed Potter Ian Boll	Quarterly	Targeted	
% of missed waste containers	Directorate	Cllr I Middleton	Ed Potter Ian Boll	Quarterly	Monitoring only	
Total Greenhouse gas emissions for the year	Corporate	Cllr I Middleton	Ed Potter Ian Boll	Annual	Targeted	
% of Recycling Contamination rate	Directorate	Cllr I Middleton	Ed Potter Ian Boll	Quarterly	Monitoring only	

Driving long-term economic prosperity							
Measure Name	Corporate or Directorate monitoring	Portfolio Holder	AD/Director	Frequency	Targeted or Monitoring only	Target	Notes
% of Council Tax collected, increase Council Tax Base	Directorate	Cllr L McLean	Michael Furness Stephen Hinds	Quarterly	Targeted	Q1 29% Q2 56.33% Q3 82% Q4 97.50%	No change in target for 25/26
% of Business Rates collected, increasing NNDR Base.	Directorate	Cllr L McLean	Michael Furness Stephen Hinds	Quarterly	Targeted	Q1 31% Q2 58.50% Q3 86% Q4 98.50%	No change in target for 25/26
No. of businesses engaged through UKSPF and REPF funded programmes	Directorate	Cllr L McLean	Ian Boll Robert Jolley	Quarterly	Monitoring only	N/A	Funding has been reallocated for 25/26, but allocation has yet to be decided therefore maybe be used for the programmes indicated in the measure in the same way. EG team to advise when decision has been made Reported as a monitoring measure but not suitable for year on year comparison
No. of residents engaged through UKSPF and REPF funded programmes	Directorate	Cllr L McLean	Ian Boll Robert Jolley	Quarterly	Monitoring only	N/A	Funding has been reallocated for 25/26, but allocation has yet to be decided therefore maybe be used for the programmes indicated in the measure in the same way. EG team to advise when decision has been made Reported as a monitoring measure but not suitable for year on year comparison
No of enterprises in the district	Corporate	Cllr L McLean	Ian Boll Robert Jolley	Annual	Monitoring only	N/A	This is a new measure proposed to be show as a monitoring only measure. Measure population can be obtained from central source
Secure non-retail-based key tenants	Corporate	Cllr L McLean	Mona Walsh Stephen Hinds	Annual	Targeted	2	Moved from ADP

Empowering community leadership						
Measure Name	Corporate or Directorate monitoring	Portfolio Holder	AD/Director	Frequency	Targeted or Monitoring only	Target
Number of Visits/Usage of all Leisure Facilities within the District	Directorate	Cllr R Pattenden	Nicola Riley Ian Boll	Quarterly	Monitoring	N/A
Residents who have taken part in programmes contributing to reducing health inequalities	Directorate	Cllr R Pattenden	Nicola Riley Ian Boll	Quarterly	Monitoring	1.335 (year end target)
% of due food hygiene inspections of premises rated A-D completed	Directorate	Cllr R Parkinson	Ian Boll Tim Hughes	Quarterly	Targeted	95%
Number of Illegal Fly Tips	Directorate	Cllr R Parkinson	Ian Boll Tim Hughes	Quarterly	Monitoring	N/A

Organisational

Measure Name	Corporate or Directorate monitoring	Frequency	Targeted or Monitoring only	Target 2024-25	2025-26 Continue / Stop / New	New target for 25-26
BP5.1.01 — Non-ringfenced reserves as percentage of net revenue expenditure (OFLOG)		Annual	Monitoring	N/A	Stop	N/A — monitoring only
BP5.1.02 — Non-ringfenced reserves as percentage of service spend (OFLOG)		Quarterly	Monitoring	N/A	Stop	N/A — monitoring only
BP5.1.03 — Total core spending power per dwelling (OFLOG)		Annual	Monitoring	N/A	Stop	N/A — monitoring only
BP5.1.04 — Level of band D council tax rates (OFLOG)		Annual	Monitoring	N/A	Stop	N/A — monitoring only
BP5.1.05 — Debt servicing as percentage of core spending power (OFLOG)		Annual	Monitoring	N/A	Stop	N/A — monitoring only
BP5.1.06 — Total debt as percentage of core spending power (OFLOG)		Annual	Monitoring	N/A	Stop	N/A — monitoring only
Number of upheld complaints	Directorate	Quarterly	Monitoring	N/A	Continue	N/A - monitoring only

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This report is public	
Local Authority Housing Fund Round 3	
Committee	Executive
Date of Committee	7 April 2025
Portfolio Holder presenting the report	Portfolio Holder for Housing, Councillor Nick Cotter
Date Portfolio Holder agreed report	10 March 2025
Report of	Assistant Director Wellbeing and Housing, Nicola Riley

Purpose of report

To seek approval for the expenditure of the capital grant received from the Local Authority Housing Fund (LAHF) Round 3.

1. Recommendations

The Executive resolves:

- 1.1 To approve a capital grant to South Oxfordshire Housing Association (SOHA) for the delivery of new social housing within Cherwell from the grant received from Ministry of Housing, Communities and Local government (MHCLG): Local Authority Housing Fund Round 3.
- 1.2 To approve the increase to the Council's capital programme of £1.4m that arises from the report.

2. Executive Summary

- 2.1 The LAHF was established by the Ministry of Housing, Communities and Local Government (MHCLG) (then DLUHC) in 2022-23 to help local authorities respond to new and emerging housing pressures faced from resettlement schemes. LAHF round 2 and 3 also included the provision for new temporary accommodation enabled through the grant.
- 2.2 Following successful notification of grant receipt within LAHF Round 3, the report proposes to grant the money received to SOHA for the delivery of 8 new social housing units. These units will either be new houses or new social housing through market purchase. This continues existing arrangements in LAHF Round 2.

Implications & Impact Assessments

Implications		Commentary		
Finance		<p>The Council has received confirmation of £1.4m LAHF R3 to deliver 8 units of social housing. The SOHA approach is already tried and tested under LAHF R2. Any revenue costs as a consequence of the new units will be met by SOHA under the grant agreement. Therefore, there are no financial implications arising from this report.</p> <p>Kelly Wheeler, Finance Business Partner, 10 March 2025</p>		
Legal		<p>Legal Services are working with wellbeing and housing to assist with the preparation of the LAHF 3 grant funding agreements. Legal Services has provided advice in relation to Commuted Sums Agreement including subsidy control, considered and commented on authority for approval. Currently, Legal Services is awaiting a response from the client.</p> <p>LAHF3 comments will be sent to the client shortly but the comments will be similar to those made in connection with the Commuted Sums agreement.</p> <p>Legal Services will continue working with the relevant departments to assist with the implementation of the scheme as required.</p> <p>Denzil Turbervill, Head of Legal Services, 11 March 2025</p>		
Risk Management		<p>There are no new risks arising directly from this report, which outlines to spend grant received in line with grant terms. Related risks will be managed through the service operational risk and escalated to the leadership risk register as and when deemed necessary.</p> <p>Celia Prado-Teeling, Performance Team Leader, 7 March 2025</p>		
Impact Assessments		Positive	Neutral	Negative
Equality Impact		x		
		The outcome of the report will improve the range and nature of social tenancies throughout the district, supporting low-income households		
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?			x	
B Will the proposed decision have an impact upon the lives of people with protected characteristics,		x		
		Low-income households will be better provided for		

including employees and service users?				
Climate & Environmental Impact		x		The highest EPC ratings will be encouraged for the units purchased and delivered through the grant
ICT & Digital Impact		x		Not applicable
Data Impact		x		Not applicable
Procurement & subsidy		x		Not applicable
Council Priorities	Housing that meets your needs			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	None			

Supporting Information

3. Background

- 3.1 The LAHF was established by the Ministry of Housing, Communities and Local Government (MHCLG) (then DLUHC) in 2022-23 to help local authorities respond to new and emerging housing pressures faced from resettlement schemes.
- 3.2 The Council has successfully accessed Round 1 and 2 of this funding. It has plans to deliver 56 units as part of these two schemes. This includes the refurbishment of Town Centre House, Banbury.
- 3.3 A third iteration of LAHF has been made available and the Council was successful in an initial bid and a later top up bid. The total capital is £1.4m.

4. Details

- 4.1 The proposed partnership with SOHA is an expansion of existing similar schemes funded through previous LAHF Round 2 and a scheme using Council Section 106 commuted sums. It involves a grant contribution towards the purchase price of the accommodation. In return, SOHA manage the property and provide it for our usage. Our usage is for temporary accommodation, relieving homelessness pressures, or for resettlement families that are being assisted through the various government resettlement pathways.

- 4.2 The grant of £1.4m will provide 8 units of accommodation with 4 units to be used as temporary accommodation for households owed a homelessness duty by the Council, and 4 units to be initially let (at first let only) to those on Afghan resettlement schemes. These units will all be delivered by the end of March 2026 in accordance with grant conditions.
- 4.3 Ongoing revenue costs for management of property will be met by SOHA as part of the grant agreement.

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to transfer the grant to SOHA. The Council is under time pressure to deliver units as conditions of the grant. The government have provided the grant based on the Council's assurance to deliver quickly. To use an alternative delivery method, which is not currently known, risks non-delivery and repayment of the grant. This is therefore rejected.

6. Conclusion and Reasons for Recommendations

- 6.1 Delivering more social housing in district is a key objective and providing suitable, self-contained, housing for those in temporary accommodation is important. Accepting this grant is a way in which the Council can enable more housing delivery, easing pressures, without significant financial expenditure or risk.

Decision Information

Key Decision	Yes, financial threshold met
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All Wards

Document Information

Appendices	
Appendix 1	None
Background Papers	None
Reference Papers	None
Report Author	Richard Smith – Head of Housing

Report Author contact details	richard.smith@cherwell-dc.gov.uk 01295 221640
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Ian Boll, Corporate Director – Communities, 11 March 2025

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This report is public	
Discretionary housing Payments Policy	
Committee	Executive
Date of Committee	7 April 2025
Portfolio Holder presenting the report	Portfolio Holder for Finance, Regeneration and Property, Councillor Lesley McLean
Date Portfolio Holder agreed report	20 February 2025
Report of	Assistant Director for Finance (Section 151 Officer), Michael Furness

Purpose of report

To inform Executive of the reviewed policy for Discretionary Housing Payment (DHP) and proposed updates.

1. Recommendations

The Executive resolves to:

- 1.1 Note the contents of the reviewed policy for Discretionary Housing Payments.
- 1.2 Approve the policy for Discretionary Housing Payments.

2. Executive Summary

- 2.1 The DHP policy was last reviewed in 2024. It is good practice to periodically review policies to ensure they remain relevant and in line with supporting the delivery of the Council's policies.
- 2.2 The DHP scheme was introduced on 2 July 2001 and allows councils the discretion to help people on a low income with their housing costs where Housing Benefit (HB) or Housing Costs (HC) included in Universal Credit (UC) alone does not meet all their needs.
- 2.3 In 2024/25 total funding amount paid to Cherwell District Council by the Department for Work and Pensions is £187,383.00 and the funding amount for 2025/26 is unchanged and remains at £187,383.00.
- 2.4 Cherwell District Council remains committed to identifying and assisting the most vulnerable residents through effective use of DHP monies in order to offer one-off or ongoing support to families in exceptional need affected by the following changes to HB or UC housing costs:

- Benefit cap
- Changes/restrictions to Local Housing Allowance for claimants who have private sector tenancies.
- Removal of the Spare Room Subsidy for claimants who have social sector tenancies.
- The roll out of Universal Credit Full Service where claimants move from claiming HB to UC housing costs.

2.5 Cherwell District Council is also committed to the Government's recommendation that Local Authorities should give priority consideration to households where substantial disabled adaptations have been undertaken to meet the disability needs for a household member, and where these households have also been adversely affected by Spare Room Subsidy restrictions and for whom it would not be reasonable to expect them move from their homes into smaller accommodation.

Implications & Impact Assessments

Implications	Commentary
Finance	<p>The financial implications are set out within the report. DHP is funded by grants received by the Council. The Council has budgetary provision to administer the grant funding within the Revenues and Benefits team.</p> <p>Comments checked by – Michael Furness Assistant Director of Finance 20 February 2025</p>
Legal	<p>The Discretionary Policy has been reviewed having consideration to the following legislation.</p> <ul style="list-style-type: none"> • The Child Support, Pensions and Social Security Act 2000. • Regulations: Discretionary Financial Assistance Regulations 2001. <p>Amendments to the regulations are covered by the Council Tax Benefit Abolition (Consequential Amendments) Regulations 2013 (which came into force on 1 April 2013) and The Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013, a further set of Universal Credit Consequential Amendment Regulations, which make amendments to the Discretionary Financial Assistance Regulations 2001 which are consequential upon the introduction of Universal Credit.</p> <p>Comments checked by Denzil Tuberville Head of Legal, 20 February 2025</p>
Risk Management	<p>There are no risk management issues arising directly from this report. Any arising risk will be managed through the service operational risk and escalated to the Leadership Risk Register as and when necessary.</p> <p>Celia Prado-Teeling, Performance Team Leader, 10 February 2025</p>

Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact	X			This proposal has been developed in line with our Equalities, Diversity and Inclusion Framework, and it will potentially have a positive impact on upon the lives of our residents within areas of deprivation. Celia Prado-Teeling, Performance Team Leader, 10 February 2025
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			
Climate & Environmental Impact				N/A
ICT & Digital Impact		X		N/A
Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	Promote individual wellbeing and healthy communities. Work to prevent homelessness. Response to cost-of-living crisis.			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	There is no consultation process required			

Supporting Information

3. Background

- 3.1 The DHP scheme was introduced on 2 July 2001 and allows councils the discretion to help people on a low income with their housing costs where Housing Benefit (HB) or Housing Costs (HC) included in Universal Credit (UC) alone does not meet all their needs.
- 3.2 Cherwell District Council is committed to the Government's recommendation that Local Authorities should give priority consideration to households where substantial disabled adaptations have been undertaken to meet the disability needs for a household member, and where these households have also been adversely affected by Spare Room Subsidy restrictions and for whom it would not be reasonable to expect them move from their homes into smaller accommodation.

4. Details

- 4.1 DHP is an award that can be made to claimants who have a shortfall between rental liability and entitlement to HB or UC housing costs element. This would be paid as a weekly 'top up'. this weekly top up cannot exceed the eligible rental liability.
- 4.2 Eligible rental liability means all the payments specified in Regulation 12(1) of the Housing Benefit Regulations 2006 or the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 except those specified in Regulation 12(3)(b)(i) to (iii) of those regulations, i.e. deductions in respect of certain service charges.
- 4.3 A DHP award can also be made as a one-off payment to resolve an issue relating to housing costs.
- 4.4 Housing costs are not defined in the regulations, however, in general, housing costs means rental liability. This can also be interpreted more widely to include:
- Rent in advance
 - Rent deposits
 - Other lump sum costs associated with a housing need such as removal costs.
- 4.5 The claimant must be entitled to HB or UC housing costs at the time they apply for DHP.
- 4.6 Local Authorities are allocated Central Government funding for DHP. Local Authorities can also make an additional local contribution to the fund (up to 2.5 times the Government allocation).
- 4.7 The funding must be awarded to claimants in the financial year it is allocated and once the fund is exhausted no further funding will be available until the following financial year. Any DHP funding not awarded by the end of the financial year must be paid back to the DWP.
- 4.8 For the financial year 2024/25 Cherwell District Council has been allocated £187,383; funding amounts equal to 2024/25 for 2025/26 has now been confirmed by the DWP and will be £187,383 and there is no match funding agreed by Oxfordshire County Council.

- 4.9 The table below details the spend to date and at the time of writing this report was data as at 1 January 2025, spend will continue until 31 March 2025.

Benefit Cap	Removal of spare room subsidy	LHA Reform	Combination	Other (no welfare reform)
£8225.81	£12425.54	£17752.51	£3882.56	£218,787.78

5. Alternative Options and Reasons for Rejection

- 5.1 Returning the funds to Department for Works and Pensions has been rejected as this would not be in line with Cherwell's objectives of continuing to respond to the cost-of-living crisis and working to prevent homelessness.

6 Conclusion and Reasons for Recommendations

- 6.1 Discretionary Housing Payments are vital for residents in the current economic climate and help to support our most vulnerable residents with housing costs. It is recommended that the policy is endorsed by Executive to continue delivering support to these customers.

Decision Information

Key Decision	No
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Discretionary Housing Payments Policy
Background Papers	None
Reference Papers	None
Report Author	Sandra Ganpot – Benefit Services and Performance Manager

Report Author contact details	Sandra.ganpot@cherwell-dc.gov.uk 01295 221721
Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Report of statutory officer – S151 Officer

Discretionary Housing Payments (DHP) Policy 2025-2026

1. Legislation

Primary Legislation: The Child Support, Pensions and Social Security Act 2000.

Regulations: Discretionary Financial Assistance Regulations 2001.

These regulations were amended in 2012 to cover the introduction of Universal Credit and the abolition of Council Tax Benefit from April 2013.

Amendments to the regulations are covered by the Council Tax Benefit Abolition (Consequential Amendments) Regulations 2013 (which came into force on 1 April 2013) and The Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013, a further set of Universal Credit Consequential Amendment Regulations, which make amendments to the Discretionary Financial Assistance Regulations 2001 which are consequential upon the introduction of Universal Credit.

2. Introduction.

Discretionary Housing Payments were introduced in July 2001 and the Local Authority is responsible for administration of the DHP scheme. A DHP may be awarded where the Local Authority determines that a Housing Benefit or Universal Credit claimant requires further financial help towards their housing costs.

There was a significant increase in 2020/21 due to affordability pressures in the private sector. For 2024/25 the funding amount was £187,383.00 allocated via the DWP and this was matched by Oxfordshire County Council (OCC) bringing the total funding to £374,766.00.

The funding allocation from DWP for 2025/26 is £187,383.00

Cherwell District Council remains committed to identifying and assisting the most vulnerable residents through effective use of DHP monies in order to offer ongoing support to families in exceptional need affected by the following changes to Housing Benefit (HB) or Universal Credit housing costs:

- Benefit cap
- Changes/restrictions to Local Housing Allowance for claimants who have private sector tenancies.
- Removal of the Spare Room Subsidy for claimants who have social sector tenancies.
- The roll out of Universal Credit Full Service where claimants move from claiming Housing Benefit to UC housing costs.

Cherwell District Council is also committed to the Government's recommendation that Local Authorities should give priority consideration to households where substantial disabled adaptations have been undertaken to meet the disability needs for a household member, and where these households have also been adversely affected by Spare Room Subsidy restrictions and for whom it would not be reasonable to expect them move from their homes into smaller accommodation.

3. What is a DHP?

DHP is an award that can be made to claimants who have a shortfall between rental liability and entitlement to HB or Universal Credit (UC) housing costs element. This would be paid as a weekly 'top up', for HB this cannot exceed the eligible rental liability.

Eligible rental liability means all the payments specified in Regulation 12(1) of the Housing Benefit Regulations 2006 or the Housing Benefit (Persons who have attained

the qualifying age for state pension credit) Regulations 2006 except those specified in Regulation 12(3)(b)(i) to (iii) of those regulations, i.e. deductions in respect of certain service charges.

A DHP award can also be made as a one-off payment to resolve an issue relating to housing costs.

Housing costs are not defined in the regulations, however, in general, housing costs means rental liability. This can also be interpreted more widely to include:

- Rent in advance
- Rent deposits
- Other lump sum costs associated with a housing need such as removal costs.

Following the abolition of Council Tax Benefit from April 2013 a DHP can no longer be paid to assist with Council Tax liability. A customer who is receiving Council Tax Reduction (CTR) with no rental liability is not entitled to a DHP award.

The claimant must be entitled to Housing Benefit or UC housing costs at the time they apply for DHP.

Local Authorities are allocated Central Government funding for DHP. Local Authorities can also make an additional local contribution to the fund (up to 2.5 of the Government allocation).

The funding must be awarded to claimants in the financial year it is allocated and once the fund is exhausted no further funding will be available until the following financial year. Any DHP funding not awarded by the end of the financial year must be paid back to the DWP.

For the financial year 2025/26 Cherwell District Council will be allocated £187,383.00 by the DWP.

DWP guidance to Local Authorities states payments from the fund should be made to support claimants affected by key welfare forms:

- Reduction in Housing Benefit or UC housing costs as a result of the Removal of the Spare Room Subsidy
- Reductions in Housing Benefit or UC housing costs as a result of LHA reforms
- Non-dependant deductions in HB, or housing cost contributions in UC
- Rent shortfalls to prevent a household becoming homeless whilst the housing authority explores alternative options
- Income taper reduction
- Policy to limit benefit to two children and
- any other policy change that limits the amount of HB payable, for example the removal of the family premium.

DHP cannot be used to help with:

- Ineligible service charges.
- Increases in rent due to arrears.
- Shortfalls in the Second Adult Rebate.
- Shortfalls in Council Tax Reduction.
- Certain sanctions and reductions in benefit.
- Any reduction in UC due to a sanction as specified under regulation 100 of the UC Regulations 2013
- Shortfalls caused by HB or UC overpayment recovery: when recovery of an HB or UC overpayment is taking place, such shortfalls should not be considered for a DHP.

Further guidance can be found [in Appendix A of the Department for Work and Pensions Discretionary Housing Payments Good Practice Guide](#) (May 2022).

A DHP is not a 'means-tested' entitlement of Housing Benefit. It is a short-term additional award made by the Local Authority to a claimant facing financial hardship in order to alleviate that hardship and reduce the risk of homelessness.

DHP should not be considered as a long-term solution to maintain customers in accommodation they cannot afford based on their rent liability and normal entitlement to Housing Benefit/UC housing costs.

Due to the limit of a DHP award, the DWP recommends claimants are advised by the Local Authority to consider options available to them in order to alleviate their financial and/or housing situation during the period of the award.

4. Cherwell District Council DHP Policy

This policy refers to Cherwell District Council, references within this policy to 'the Council' means Cherwell District Council and references to "decision makers" are also officers of the Council or officers authorised to act on behalf of the Council.

The purpose of this policy is to assist with the administration of DHPs, specifies how the Council will operate the DHP scheme and indicates some factors that will be considered when deciding when to award a DHP.

Each application for a DHP will be treated on its own merits, taking into consideration the guidelines issued by the DWP and those stated in this policy, to ensure all claimants are treated equally and fairly.

The Council is committed to working with social landlords, the local voluntary sector, homelessness prevention agencies, Citizens Advice Bureau and any other partners and stakeholders within the district to maximise publication of the scheme to help as many residents as possible.

5. Statement of objectives

The Council will consider awarding a DHP to claimants who meet the qualifying criteria subject to funding limitations. Before making an award, the Council must be satisfied that the claimant is entitled to:

- HB/UC housing costs element. This includes where the claimant would have been entitled to UC housing costs were it not for the fact that the person occupies specified accommodation or temporary accommodation; and
- Has a rental liability; and
- Requires further financial assistance with housing costs.

The key objectives of this policy in prioritising awards of DHP are:

- Preventing homelessness.
- Alleviating poverty.
- Keeping families together.
- Supporting the vulnerable and elderly in sustaining tenancies.
- Helping those who are trying to help themselves.
- Enabling people to secure new sustainable tenancies.
- Providing financial respite for people in short term difficulty.
- Incentivising people into and maintaining work.
- Supporting young people in education.
- Supporting those who are in affordable housing but at risk of becoming homeless due to being unable to meet their full rental liability due to severe financial difficulties from the effects of the current economic climate.
- Assist persons within the area who qualify for Housing Benefit or Universal Credit Housing Element to move or obtain premises more suitable to their requirements.

6. Claiming a DHP

A claim for a DHP must be made in writing on the following form [Apply](#)

A request for a paper application can be arranged by emailing benefits@Cherwell-dc.gov.uk.

An award can occasionally be extended for a short period without a further claim form being submitted where the Council is satisfied that the claimant's circumstances continue to remain the same, despite the claimant taking all reasonable steps during the period of the original award to alleviate their situation.

A DHP will not be awarded where the Council considers alternative monies, benefits, awards, grants or funds are available or more appropriate for the claimant, for example, the Council's rent deposit scheme, deposit from a previously rented property.

The Council may request any information or documentary evidence reasonable and/or relevant in support of an application for a DHP. All requests for additional information will be made in writing or by email, where possible existing information/documentary evidence will be used to support an application in order to avoid duplication.

If a claimant is in receipt of UC, any information held for local Council Tax Reduction may also be used to process a DHP application and/or change in circumstances.

The Council may verify the information provided by the claimant with authorised agencies, for example, His Majesty's Revenue and Customs (HMRC) and DWP.

Where the claimant is in receipt of Housing Benefit the Council will carry out a claim review, in order to ensure the correct level of Housing Benefit is being awarded, before making a DHP decision.

The claimant will be given one month to provide any additional information/documentary evidence requested. Decision Makers will have discretion to extend the time limit in appropriate circumstances.

However, if information/documentary evidence is not returned within the agreed time limit the Decision Maker will make the DHP decision based upon the information available at that time.

7. The decision-making process

Each decision reached is discretionary and is not governed by means-tested regulations, however, the Council will ensure that all decisions made are consistent, fair and in-line with the objectives of this policy.

On receipt of an approved/signed form the Decision Maker will verify that the claimant is [eligible](#).

Where the claimant is not eligible, the Decision Maker will advise the claimant in writing their request has been unsuccessful without requesting further information.

Where the application is made and indicates one or more of the following is the only reason for the claim the DHP will be decided as not eligible:

- Ineligible service charges
- Increases in rent due to arrears
- Shortfalls in the Second Adult Rebate
- Shortfalls in Council Tax Reduction (CTR)
- Shortfall in HB due to recovery of an overpayment
- Reduction in HB due to other benefit sanctions

- HB that has been suspended
- The waiting days applied to Universal Credit claims

Where any of the above applies, the Decision Maker will advise the claimant in writing without requesting further information.

Where the claimant's circumstances are eligible for DHP, the Decision Maker will consider one or more of the following impacts on the claimant's housing costs circumstances and finances in considering an award. The reason for the request is:

- To cover a reduction in eligible rent due to the Removal of the Spare Room Subsidy
- To cover a shortfall in rent due to the Benefit Cap
- To cover a rent restriction imposed by the Rent Officer for private tenancies.
- To cover the difference between the LHA rate and the rental liability
- To cover the difference between the housing costs in the UC award and the rental liability
- To counteract the effect of any non-dependant deduction
- To support a customer back into work
- To prevent homelessness
- Removal costs in relation to obtaining affordable accommodation.
- Rent deposits and rent in advance in relation to obtaining affordable accommodation: a DHP can be awarded for a rent deposit or rent in advance for a property that the claimant has yet to move into if they are already entitled to HB or UC for their present home.
- All other options must be explored prior to a DHP being awarded in this instance, such as Cherwell District Council's rent deposit scheme, deposit from a previously rented property etc. Regard should be given to the Court of Appeal's decision in *R v LB Lambeth, ex parte Garrett* which sets out that any HB already paid towards housing costs must be deducted when calculating the amount of DHP to avoid duplicate provision. The following conditions must also be satisfied:
 - the property is affordable for the tenant; and
 - the tenant has a valid reason to move; and
 - the deposit or rent in advance is reasonable.
- To help with liability to pay rent on two homes: the regulations permit a person to have help through a DHP award with rent due on a property they have moved into when treated as temporarily absent from their home e.g. the claimant has

moved due to domestic violence. If the customer is liable for the rent on both properties and in both cases, there is a shortfall, a DHP could be awarded in respect of both properties subject to the weekly limit on each property.

- If the claimant is liable for payments on one dwelling but is having to pay rent on two, a weekly DHP could be made to assist with the temporary accommodation up to the level of the weekly eligible rent on the dwelling from which they are temporarily absent.

(This list is not exhaustive)

The Decision Maker will then consider if the claimant has:

- Demonstrated financial hardship
- Demonstrated a personal life event that has led to financial hardship, for example, the bereavement of a close relative.
- Demonstrated steps already taken to achieve financial independence, for seeking and accepting advice from the Council's Housing Options team, Tenancy Support Officers or Citizens Advice Bureau.

Applications may be considered unsuccessful if one or more of the following apply:

- Other support/provision has been granted for this need/situation
- Eligibility criteria has not been met
- Exceptional need is not evidenced
- Exceptional financial circumstances are not evidenced
- Applicant has accessible capital/savings
- Applicant has already received DHP either as
- short-term financial support by way of on-going DHP
- rent in advance in lieu of an on-going DHP or
- rent deposit in lieu of an on-going DHP and has not shown that they have taken any relevant steps to help alleviate their situation
- Applicant chooses to cancel any arrangement whereby support/assistance is being provided by another body such as Citizens Advice Bureau, Housing Options or Landlords' Welfare Officers.

The Decision Maker will compare the actual household income and savings compared with essential household expenditure. The Decision Maker will also take account of any other income, grants, discretionary awards and/or benefits that the claimant could be entitled to in order to determine whether the claimant needs further financial assistance to meet their housing costs.

Where the Council considers the claimant may be entitled to other income or benefits the Council may award a DHP to allow time for the claimant to apply for alternative income or benefits.

The Council will refer to the Standard Financial Statement (SFS) trigger figures (April 2024) to determine reasonable expenditure for telephone, housekeeping, and travel.

The Standard Financial Statement trigger figures are widely used in the financial industry as reasonable expenditure levels. This approach is consistent with the financial hardship work undertaken by Citizens Advice.

Where specific expenditure is higher than the trigger figures the Decision Maker will request further information and/or evidence to determine why the figures are higher. Where the claimant is unable to provide satisfactory information to explain the higher figures the expenditure used to calculate any DHP award will be adjusted to the trigger figures.

The Decision Maker will also consider the following in relation to the claimant's household and financial circumstances:

- Whether the property has been substantially adapted for the needs of a disabled customer
- Any steps already taken by the customer to reduce their rental liability.
- The financial and medical or social needs of anyone in the household
- Any steps already taken by the claimant to reduce other expenditure.
- Any steps already taken by the claimant to achieve financial stability.
- Any savings or capital held by the claimant or family members.
- Any steps already taken by the claimant to reduce the level of debt in the household.
- Any exceptional circumstances of the claimant or family members
- The possible impact on the authority of not making such an award, for example, pressure on priority homeless accommodation.
- The possible impact on the claimant of not making such an award, for example, the immediate threat of homelessness.
- The amount available in the DHP budget at the time of the application
- Any special reasons which make it necessary or particularly desirable for the claimant to occupy the dwelling in respect of which the liability arises.
- The risk of becoming homeless due to rent arrears, particularly where any of the household are vulnerable by reason of age, sickness, or disability.

- Action taken by the landlord to recover arrears of rent.
- Legislative change impacts, for example- restrictions to eligible rent, LHA restrictions, size criteria, benefit cap.
- Any other special circumstances brought to the decision maker's attention.

(This list is not exhaustive)

8. Start dates of an award

A DHP will normally be awarded from:

- The Monday following receipt of the application form or
- The Monday following the initial request made where the application form is received within one month of the date of the initial request or
- The date on which entitlement to Housing Benefit or Universal Credit commenced whichever is the most appropriate.

A DHP cannot be awarded for any period outside an existing Housing Benefit or Universal Credit period granted under the Housing Benefit or Universal Credit statutory schemes.

9. Backdating

Claimants may apply for a backdated DHP. However, awards are expected to meet current financial hardship and household circumstances. Whilst there are no restrictions on the Council considering a request for a backdated award, any payment would normally be restricted to the current financial year due to the DWP funding arrangements.

Any application will be considered on a case-by-case basis in accordance with this policy.

10. Period of award

Any DHP award will be made for a period relevant to the claimant's housing and financial circumstances. Consideration will be given to the level of vulnerability of the household and the likelihood of that household circumstances alleviating during the period of award.

The length of the award will vary on a case-by-case basis, as follows:

- There is no minimum period for a DHP award which can be made until a change in circumstances results in that household's ability to afford their rental liability; or
- Maximum period of 12 months in the case of exceptional hardship or if the claimant has limited options in making changes to their circumstances; or.
- Bespoke period based on the individual circumstances of the claimant, for example, to the end of a tenancy; or
- A lump sum award relating to a specific amount, for example, a rent deposit.

When awarding a DHP to assist the claimant to secure a new tenancy, the Decision Maker will consider the following:

- If the claimant has been offered but not accepted the rent deposit scheme operated by the Council
- If DHP is a more appropriate award than the rent deposit scheme.
- If DHP has been previously paid for a rent deposit or rent in advance.
- The claimant's deposit or rent paid in advance for previous accommodation.
- Ability of the claimant to move to more affordable accommodation with the help of moving costs, rent in advance or rent deposit.
- What steps the claimant has taken to save to contribute towards rent in advance or rent deposits.

11. Level of Award

The Decision Maker will determine the level of award on a case-by-case basis based on the criteria outlined in this policy.

Where the DHP claim is to meet a shortfall between the eligible rent and Housing Benefit award/UC housing costs, the award may be:

- The full amount of the shortfall.
- A part payment of the shortfall

Where the DHP claim is a lump sum payment:

- An amount not exceeding the equivalent of one month's rent for rent deposits and/or rent in advance.
- A part payment taking into account available savings or other monies available to the claimant for rent in advance, rent deposit, moving costs etc.

The Decision Maker will consider the household's overall financial circumstances in determining the award for DHP, this will include any income or benefits fully or partly disregarded in the normal means tested calculation for Housing Benefit/UC housing costs, for example child benefit, maintenance, Personal Independence Payments, Attendance Allowance, Disability Living Allowance.

Where the Council receives information that the claimant's circumstances have been alleviated during the period of award, the DHP end date may be revised, or the level of award reduced for the remainder of the period to reflect this change.

For claimants in receipt of Housing Benefit, the level of the DHP award, calculated on a weekly basis, cannot exceed the eligible rent.

For claimants in receipt of UC housing costs, the level of the DHP award cannot exceed the housing element.

Where a DHP is awarded to recipient of UC, the DHP level of award will also take into account:

- Where an Alternative Payment Arrangement (APA) is in place to the claimant's landlord, the award will be the maximum of the shortfall between the payment to the landlord and the claimant's rent. This amount will be converted from a monthly to a weekly amount.
- Where the APA is not in place, the shortfall will be determined with reference to the claimant's circumstances. The maximum DHP award is also affected by reductions in the UC housing costs component for items such as a maximum LHA rate or non-dependant deductions as form part of the Schedule 4 to the UC Regulations i.e. the UC housing costs component of the UC award notice.
- Where a claimant is in receipt of UC the maximum DHP award that can be made is identified by looking at their UC award notification. Their UC award notice will identify a housing element, and this is the same as the maximum DHP that can be made when calculating a DHP as a monthly award.

Please note that whilst the housing element of the UC award notification may include financial support for mortgage interest payments, owner-occupiers are not eligible to receive a DHP award.

12. Method of payment

The Decision Maker will award the DHP to the most appropriate person to pay on a case-by-case basis from the following:

- The claimant
- Their partner
- An appointee
- Their landlord
- Any third party to whom it might be most appropriate to make payment.

Payment will be made by electronic transfer (i.e. BACS).

For claimants in receipt of HB a weekly DHP award to meet a shortfall will normally be made in line with the frequency and method of payment of their normal Housing Benefit.

For UC housing costs frequency is at the discretion of the Decision Maker, as payments of Universal Credit are made monthly.

13. Notification

The Council will inform the claimant of the outcome of their application in writing either by letter or email. A copy of the income and expenditure used in the calculation will be provided with the notification where that has been used to calculate the amount of the award.

Where the application is unsuccessful, the Council will set out the reasons to explain the decision.

Where the application is successful, the Council will advise:

- The weekly amount of DHP awarded
- The period of the award
- How, when and to whom the award will be paid
- The requirement to report a change in circumstances.

Where the claimant is experiencing financial difficulties due to restrictions implemented as part of welfare reforms associated with their accommodation, their details may be passed to the Council's Housing Options team or Citizens Advice.

Where payment is to be made to a third party, for example a landlord for a rent deposit, the Landlord will also receive a written notification.

The Council will include information about the legal obligations for landlords to protect any deposit paid in a government approved tenancy deposit protection scheme.

Compliance with this requirement will help reduce the need for future help with deposits.

14. Reapplying for a DHP

There are no restrictions on the number or amount of DHP applications that can be made by a claimant, other than the availability of funding.

However, reapplications will take into account previous awards of DHP, steps taken by the claimant during the period of the original award and any barriers that have prevented the claimant alleviating their financial and housing situation.

Where the application is unsuccessful, the claimant may reapply for a DHP at any time (or request [a review of the decision](#)). Where an application is successful the claimant may apply for an increase or additional DHP payment (for example, a rent deposit) during or at the end of their current period of award.

The Council will not contact the claimant at the end of the award unless there are exceptional circumstances, for example the claimant is vulnerable and/or has known difficulties managing their circumstances.

A claimant will need to complete a new application to reapply for DHP at the end of a current award, except in occasional circumstances where the Council is satisfied their circumstances have remained the same. Claimants can submit an application to reapply for a further award up to 4 weeks before the end of the current award period.

15. The right to seek a review

DHP decisions are not subject to the statutory appeals procedure, as they are not awards of Housing Benefit or Universal Credit.

Claimants can request a review of the Council's decision on an unsuccessful DHP, a reduced award, a decision not to backdate a DHP or a decision that there has been an overpayment of DHP.

A request for a review must be submitted to the Council within one month of the date of the DHP notification. The Council may consider requests made after this time period

where the claimant has given specific reasons for the delay and the Decision Maker considers these reasonable.

On receipt of a request for a review:

- A Decision Maker, different to the original Decision Maker, will review the decision and all the evidence, as soon as possible.
- Request any additional evidence/information that may be required.
- Notify the claimant of the outcome of the review in writing.
- Where the Council makes the decision to uphold the original decision, the Decision Maker will notify the claimant of their decision in writing, setting out the reasons for their decision.
- The decision is final and binding and may only be challenged via the judicial review process or by complaint to the Local Government Ombudsman where there is an allegation of maladministration.

16. DHP Overpayments

A DHP overpayment may occur where the Council determines:

- The claimant misrepresented their circumstances or failed to disclose a material fact or change in circumstances, either fraudulently or otherwise, at the start, end or during the period of award.
- DHP was awarded as a result of an error made in determining Housing Benefit or UC housing costs entitlement.

The Council may consider the overpayment to be recoverable.

Overpayments deemed recoverable may be recovered from any ongoing DHP entitlement or future DHP awards.

Where no DHP is in payment the Council will issue an invoice to the claimant or other person considered responsible to repay the overpayment. The Council will consider requests by claimants/other responsible persons who wish to repay a DHP overpayment by instalments on a case-by-case basis.

The Council cannot recover DHP from ongoing Housing Benefit, UC or other attachment of benefits.

17. Publicity

The Council will continue to publicise the DHP scheme, working with key stakeholders and partners using various platforms including using the Council's website. Information about the amount spent will not normally be made available except at the end of the financial year.

Decision Makers will liaise closely with social landlords, volunteer agencies and Housing Options team to ensure the most vulnerable customers are made aware of DHPs and are assisted in claiming them as required.

18. Fraud

The Council is committed to the fight against fraud. Claimants found to have claimed or attempted to claim a DHP by falsely representing their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968, including Sections 17 'False Accounting' and 24A 'wrongful Credit'. Offences may also have been committed under the Fraud Act 2006, the identity documents Act 2010 and the Accessories and Abettors Act 1861. This list is not exhaustive. Where the Council has evidence that such a fraud may have occurred, the matter will be referred for investigation to the Council's Corporate Fraud Team and this may lead to the instigation of criminal proceedings.

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