

# Private Sector Housing Strategy



**2015-2019**



## FOREWORD



There are two priorities in life after our Health – a job with a basic income and a decent roof over our heads. As we live in a state where we are protected from the very worst aspects of poverty the roof becomes the most important. In South Somerset achieving that priority is daily becoming more of a challenge. Rising house prices, scarcity of accommodation and high rents make it increasingly difficult for people, particularly the young and those on low income, to access suitable accommodation. The number of people looking for housing is increasing year by year and current projections suggest that this trend is likely to continue for the foreseeable future. With house

prices in our area running at up to nine times gross income, affordability is at a critical level. In the past we relied on the Council and other social housing providers to build houses to meet housing need but changing policies from successive Governments has reduced levels of investment in affordable housing and not enough social housing is being built to meet demand. The Government has promised more money for new affordable housing but even this will leave a significant deficit. It is not an overstatement to say that Housing in the South West is in crisis and we must increasingly look towards the private sector to play its part, particularly in Homeless prevention. This strategy has been drawn up to show how we intend to work with the private sector to increase the availability of affordable housing and to improve the existing housing stock to ensure that everyone has a decent home in which to live. The strategy is also aimed at dealing with other issues that are relevant to the private sector such as global warming and social cohesion. The future success of our community and society depends to a large part on the provision of adequate housing. This document lays out how we intend to achieve success through a clear commitment and focus on action from the Council and its partners.

A handwritten signature in black ink, appearing to read 'Ric Pallister', written in a cursive style.

**Councillor Ric Pallister, Leader of the Council**

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## INTRODUCTION

In 2013 SSDC adopted the county-wide Housing Strategy framework, which sets out the direction for all five local housing authorities (the district and borough councils) in Somerset to do with all aspects of housing including social housing, new build and homelessness. This Housing Strategy framework included an Implementation Plan that has recently been updated (2014). As part of that updated Housing strategy and Implementation plan, the continuing importance of the private sector was recognised as was the need to have a more detailed document specifically covering this area of work.



The purpose of this strategy document therefore is to act as an addendum to the Implementation Plan and provide more detailed information about the work we do that affects the private sector and what we hope to achieve. It takes account of numerous legislative and other changes since the publication of the last Private Sector Housing strategy in 2012 and seeks to address present and emerging local needs and priorities. Most of the work associated with this strategy is undertaken by the Housing Standards Team which is part of the Council's Environmental Health Service. However, whilst this strategy outlines the work of that team it should be stressed that the team works in partnership with a range of other council departments to deliver the agreed outcomes including Housing Options, Strategic Housing, Building Control, Housing Benefits and Planning as well as external services such as Social Services to name but a few.

As local housing authority, with responsibility for homelessness, the prevailing housing conditions in the private sector will always be an important issue for the Council. With increased pressure due to high demand for affordable social housing, high property prices and a shortage of available accommodation, the need for a well thought out private sector housing strategy is all the more important. This strategy links to our key corporate policy which is our wish to provide decent housing for all our residents that match their incomes.

In addition to our own concerns, the Government also accepts that poor housing can have a direct impact on the health of the occupants and on the quality of life in an area and states that it is committed to improving the housing quality in all tenures, including the owner-occupied and private rented sector. The Government's aims include the wish to provide better opportunities for home owners to repair and maintain their homes using their own resources whilst targeting help through grants or other financial assistance at poorer home owners, particularly the elderly and disabled. In addition the Government wishes to improve the private rented sector by increased regulation and by encouraging Local Authorities to work in partnership with private landlords to provide good quality affordable accommodation. This is becoming increasingly important, as sufficient new housing is not being built to meet demand.



## 1. OUR AIMS

- To work with the private rented sector to secure access to affordable housing by the homeless and low-income households, particularly the young. To support the landlord and tenant relationship.
- To improve the condition of older property occupied by vulnerable people, ensuring that the decent homes standard is met in most properties.
- To seek to create sustainable homes and communities by addressing fuel poverty, reducing CO2 emissions and promoting independent living.
- To reduce the number of long-term empty homes
- To maintain and improve the quality of our intelligence in order to ensure that our interventions are effective.
- To ensure standards in houses in multiple occupation and other private rented accommodation are met and maintained by amongst other things tackling 'rogue landlords'.

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 (RRO 2002) introduced a general power enabling local housing authorities or third parties to provide financial assistance for housing renewal. The Order enables the local authority to provide assistance to any person including owner-occupiers, landlords or tenants in either the private or social sectors. The power must be used in accordance with an approved strategy that has been adopted and publicised. This private sector housing strategy is therefore essential in helping determining the nature and extent of financial and other assistance that will be provided by the council and for ensuring that such assistance will be appropriate and effective. The council's grants and loans and policy has been based on the information in this and previous similar documents and can be found on the councils website using this link: <http://modgov.southsomerset.gov.uk/documents/s3570/Private%20sector%20grants%20policy%2021015-17%20V6%20130115.pdf>

In the following sections are listed the various areas of policy and activity undertaken by SSDC to support and regulate the private housing sector in South Somerset.

## 2. The Context –what is the legal basis for the strategy?



The work of the Local authority in the private sector is driven by both Government legislation and guidance as well as local and national priorities. Listed below are some of the key legislative and guidance documents concerning private sector housing that have influenced the development of this strategy:

### *The Housing Act 2004*

- 1) The Housing Health and Safety Rating System (HHSRS)*
- 2) Houses in Multiple Occupation (HMO) Licensing*
- 3) Empty Properties*

*Improving the Private Rental Sector and Tackling Poor Practice- A guide for Local authorities DCLG 2015*

*Local Authority Private Housing Services, Delivering Housing Health & Social Care Priorities-CIEH. 2015*

*Public Health and Other Sustainable Community Outcomes (ODPM 2007)*

*Department for Energy and Climate Change's new strategy - Cutting the cost of keeping warm: A fuel poverty strategy for England 2015*

*The Private Rented Sector-It's Contribution and Potential the 'Rugg Review' into private sector housing (June 08)*

*South West Regional Housing Strategy 2005-2016.*

*Empty Homes Network Online*

*Shaping South Somerset: A Strategy for Sustainable Communities (2008-2026)*

*SSDC Housing Strategy and Implementation Plan 2014*

*Health & Wellbeing Strategy for Somerset 2013-18-Housing priority, Public Health, Somerset CC .*

*Effective Strategies and Interventions; Environmental Health and the Private Housing Sector- University of Greenwich, 2013*

*Health & Social Care Act 2012*

*The Marmot Review, Strategic review of health inequalities in England post 2010*

*Lifetime Homes, Lifetime neighbourhoods: A National Strategy for Housing in an Aging Society (DCLG 2008)*

*Dealing with Rogue landlords, A guide for Local authorities, DCLG 2012*

*Changes to Planning Regulations for Dwelling Houses and HMOs-DCLG 2010*

*Beyond Decent Homes, Forth Report of House of Commons Session 2009-10, DCLG 2010*

### 3. Key Factors influencing the development of our Private Sector Housing Strategy

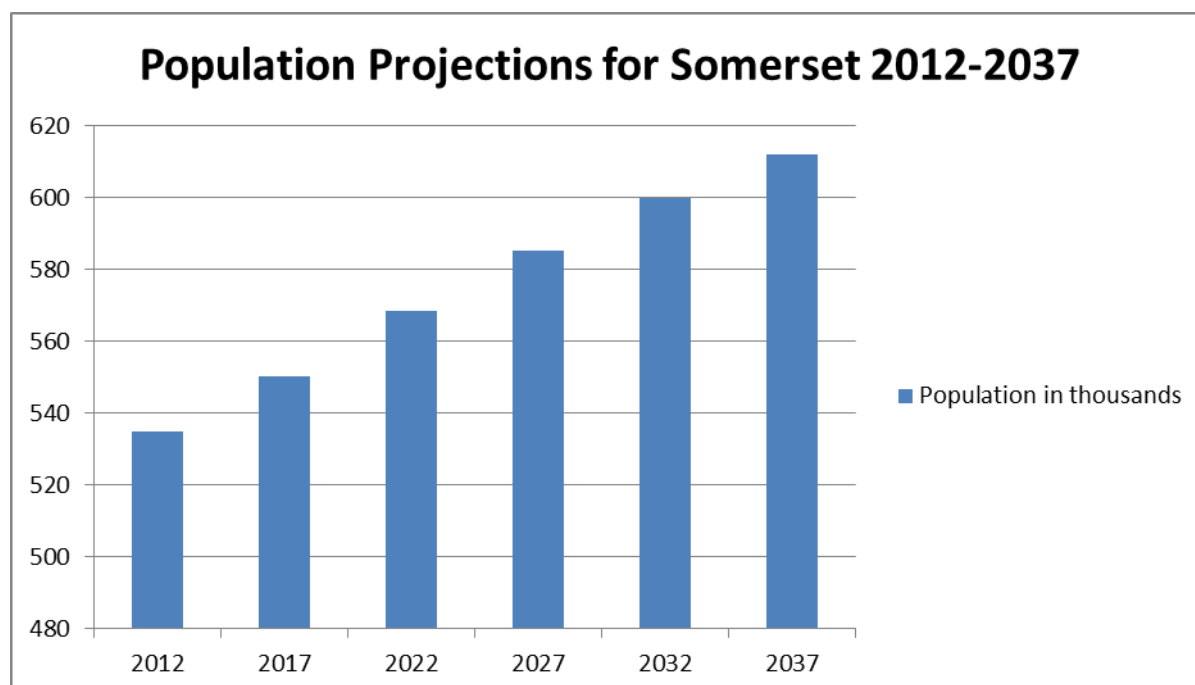
There are over 72,000 homes in the district, of which 74% are owner occupied, 15% are owned by Registered Providers and the remainder privately. The total is expected to rise to 83,154 by 2035

- South Somerset has a relatively old population partly as a result of people retiring to the South West. Many elderly residents are on low fixed incomes and a significant number have homes in disrepair. Many are said to be 'asset rich but income poor'.
- Nearly 25% of the population are aged between 60 and 85 and this proportion is expected to increase to over 28% by 2016. This will result in continued demand for DFG's as well as home improvement agency services.
- There are an estimated 10,000 adults with mobility difficulties in South Somerset, and increasing numbers of people with health related issues such as diabetes.
- There are 600 -700 empty properties registered with the Council (June 2015) but the figure does vary considerably from year to year.
- The high demand for and the lack of affordable rented accommodation in the private sector leads to sharing and overcrowding and places increased pressure on the regulatory framework. A new report from accountancy firm PWC UK predicts that more than half of people under 40 will be in the private rented sector by 2025. House price rises of 5% a year and a lack of affordable homes are just two of the reasons why levels of home ownership continues to decline.
- There are estimated to be 600 Houses in Multiple Occupation in the District.
- Over 4,500 of privately owned homes in the District fail to meet the decent homes standard.
- The population of South Somerset has grown, with continued significant levels of internal migration, by 1% a year for the past 10 years and is expected to reach at least 178,000 by 2030. Overall the UK population is expected to increase from 64.6 million in 2015 to 73 million by 2037. This has major implications for housing and already one has seen the return to 'Dickensian' conditions of overcrowding and multi-occupancy in some of our larger cities, a trend that could emerge here if the sector is left unchecked.
- In recent years there has been a significant influx of migrant workers from the EU into the District many from Portugal and Poland. This has put extra demands on the rented sector.



- The Housing Act 2004 introduced new powers and responsibilities for the Council concerning the licensing of certain HMOs and the introduction of the Housing Health and Safety Rating system.
- Homelessness continues to be a major cause for concern in the District and there are currently over 2000 people on our Housing Register with over 10000 across the rest of Somerset.

On 29th May 2014, the ONS released new population estimates projected to the year 2037 based on the 2012 mid-year estimates. The Somerset population is projected to rise by around 77,000 (14%) to 612,000 by 2037 (see chart below)



Projected growth amongst the 65+ age group is even greater, at around 69%, and the number of people aged 75 or more is projected to double in the same period to 112,000.

The under-16 population is projected to plateau in the 2020s before dipping slightly in the following decade. The next 25 years is projected to witness a decrease in the working age population. In particular, the 35-49 age group is projected to fall by 7% by 2037, although the total is expected to be even lower in 2022 before recovering during the following decade or so. By contrast, the number of 50-64 year-olds is projected to increase by 2022, then shrink sharply by 2037 to a level 6% lower than in 2012

## 4. Evidence base –sources of evidence used for this strategy

In our previous strategy we relied heavily on the BRE house condition survey carried out in 2007 for housing data. Since then, due to financial constraints, we have not carried out a further survey and much of that data is now out of date. Instead we have been relying on the county wide housing data that can be found within the Joint Strategic Needs Assessment (JSNA).



The JSNA produced by the Somerset Intelligence Network is continuously updated, in the sense that different data sets are changed as and when the new data becomes available rather than, say, the entire website being changed annually. Information on the website is, then, likely to be more up to date than any data we reproduce here (which will, inevitably, date). Readers are recommended to refer to this website. In addition to this a large amount of statistical evidence is found at the back of the Housing Implementation plan 2014 and readers are also referred to that document. Please refer to the following websites for the most relevant/up to date information;

### **Somerset Intelligence housing information:**

<http://www.somersetintelligence.org.uk/housing.html>

### **Heating and Housing 2011 census data**

<http://www.cse.org.uk/resources/open-data/output-area-level-census-data>

### **JSNA Housing Summary:**

<http://www.somersetintelligence.org.uk/housing-issues-for-2013-14-jsna-summary.pdf>

### **HECA Further Report for South Somerset:**

[http://www.southsomerset.gov.uk/media/471147/heca\\_further\\_report\\_south\\_somersetpdf.pdf](http://www.southsomerset.gov.uk/media/471147/heca_further_report_south_somersetpdf.pdf)

## 5. Public Health and Housing

Changes to the health system in 2012 placed the Director of Public Health (DPH) within Somerset County Council with a new assurance role in relation to health protection within Somerset. Health protection seeks to prevent or reduce harm caused by communicable diseases and minimise the health impact of issues such as poor housing.

Within Somerset there is an integrated model of health protection. The Somerset Health Protection Forum comprises of a number of professional partners who hold health protection responsibilities and has a collective purpose to provide assurance on behalf of the DPH and the Health and Wellbeing Board. The work of the Health Protection Forum is informed by the priorities set out in the Health and Wellbeing Strategy for Somerset 2013-2018 which is approved by the Health and Wellbeing Board. As part of that Strategy there has been developed a Health Protection Strategic Action Plan. That plan has four priorities, one of which concerns housing and is reproduced here below;

### **Priority 4 Improving Housing Conditions**

- *Housing conditions play a major role in determining the health and quality of the resident. Improving housing conditions is identified as a priority of the Health Protection Forum as inadequate housing can have a detrimental effect on health protection matters. Poor housing conditions can have a significant negative effect on many health problems such as respiratory illnesses, hypothermia, and circulatory conditions. The most vulnerable members of the community are predominantly affected by poor conditions as they are directly linked with low incomes, fuel poverty and isolation. Poor conditions include mould, damp, overcrowding, inadequate heating and ventilation, poor energy efficiency, unsafe appliances and many more factors that are a threat to the health of the resident.*

*Already in Somerset, there is the Somerset Strategic Housing Partnership which brings together key stakeholders from all housing and related fields to develop and improve housing services and standards in Somerset. The priorities of the SSHP for 2013-2016 are as followed:*

- *To increase the supply of affordable housing to support economic growth and development.*
- *To make best use of the sub-region's existing housing stock.*

***Public Health Action 4-The Health Protection Forum has committed to working more closely with the Somerset Strategic Housing Partnership and Environmental Health to ensure that the health protection concerns related to poor housing conditions, particularly in the private sector are considered by the Health & Wellbeing Board.***

Environmental Health officers working in the Housing Standards Team have the necessary professional expertise to address public health concerns as well as a broad perspective on how the activities of the local authority and other professionals and agencies can improve health and wellbeing.

Working with social landlords, social care providers, and the private sector, they can pursue their responsibility for the regulation and improvement of housing standards, e.g. in relation to fitness for human habitation and standards for multiple occupation. They can also collaborate with housing and planning professionals to ensure that environmental and health impact assessments are undertaken as part of the appraisal of any new housing or renovation projects. This can include rating for energy efficiency, drinking water supplies, sound insulation, internal layout, safety and security and the use of environmentally and people-friendly materials.

Members of the Housing Standards Team are able to work with other public health professionals, including local GP surgeries, to identify and apply ways to improve situations where inadequate housing facilities or environmental conditions may have a negative impact on health and wellbeing (eg overcrowding). This will include practical steps such as making links to benefits and grants agencies to support vulnerable groups in need of assistance.

**Action1. We will develop a GP referral scheme by January 2016 that allows GPs to refer those patients living in poor housing affecting their health to the council.**

## 6. Working with Landlords in the private sector

Working closely with landlords is crucial in our strategy to improve and develop the private housing sector. We recognise that landlords have considerable skill and experience in developing and letting out property. From our previous experience in working with the Landlords Forum we see the need to focus on the factors that make it commercially attractive for landlords to work with us. Loss of privately rented accommodation is the main cause of homelessness in South Somerset and our Housing Options team works hard with private landlords and tenants to resolve problems and maintain tenancies in the private sector. By providing rent deposits and ensuring that landlords are paid their rent on time we are working to avoid evictions and reduce homelessness. It is essential that our Housing Options team deals with all homelessness applications as quickly as possible and moves people into rented accommodation rather than putting them in B & B. To do this we need to maintain good relations with private sector landlords.

In 2013 we re-launched the Private Sector Landlords Forum and have had well attended meetings twice a year since then. Whilst the Housing Options Team have organised the meetings, they are chaired by the National landlords Association (NLA) and have been very successful. Our local NLA branch is well run and organised and contributes a lot towards good relations between landlords and the Local authority. Meetings have been held to discuss matters of interest to Landlords such as housing benefits, energy efficiency and grants for landlords as well as tax issues and updates on upcoming legislation. A landlord's accreditation scheme has also been developed and rolled-out with to help maintain and improve standards in the private rented sector.



**Action 2. We will continue working with the Housing Options Team and the NLA to organise two Landlords forums each year.**

## 7. Home Loan Scheme - Wessex Resolutions

With ever reducing resources for grant aid and with ongoing increasing demand it has become increasingly important to maximise the use of our capital resources. Over the past 12 years we have worked in partnership with the Wessex Reinvestment Trust and a consortium of 14 other local authorities in the South West to deliver a subsidised home loan scheme. The loans are provided by a subsidiary of WRT called Wessex Resolutions

By working with Wessex Resolutions we can recycle funds as loans rather than giving money away as grants. In addition we can lever in private finance to fund home loans. This coupled with on-going financial support from the local authorities enables a far greater number of unsatisfactory properties to be made decent than would otherwise have been the case.



The loan scheme was originally set up with Government funding of £2.65 million. The scheme has been slowly developing and the number of referrals is increasing all the time.

It is not intended to completely replace the grant regime with loans but rather to use loans as an extra and significant additional tool to tackle disrepair unfitness etc. Loans are primarily intended for people who are above benefit levels and on regular but low incomes who would not ordinarily be able to access High Street loans although a new loan product has recently been developed for those people with little if any financial resources. Loans are currently offered at a 4% fixed rate.

**Action 3. We will continue to promote the WRT Home Loan scheme to fund the improvement of substandard housing. We will aim to facilitate 25 loans a year.**

## 8. The Decent Homes Standard

The Decent Homes standard is a Government concept that all houses people live in should be decent and suitable for occupation both in the private and public sector. In July 2002 the Government extended the decent homes standard that had previously applied to the social sector to the private sector (under PSA7). This set targets for increasing the proportion of vulnerable households who live in decent housing. By 2008 it became clear that the cost involved in meeting this target could not be met, the target was quietly dropped by the Government. Nonetheless SSDC will still try to achieve this target wherever possible. “Vulnerable households” are those in receipt of means tested benefits and decent housing is defined as one that meets all of the following criteria:

- It meets the current statutory minimum standard for housing (HHSRS standards)
- It is in a reasonable state of repair
- It has reasonably modern facilities
- It provides a reasonable degree of thermal comfort



Our most recent private sector house condition survey suggested that there are approx 4,500 non-decent homes in South Somerset. We can work to reduce the level of non-decent homes by the provision of grants and loans to homeowners (see section 7 & 9) by dealing with fuel poverty (see section 17) and by dealing with complaints (see section 14)

**Action 4. We will work to reduce the number on non-decent homes standard in the district using all the resources available.**

## 9. Financial Resources-grants and loans



Government funding for private sector renewal used to be delivered through Private Sector Renewal Grant (PSRG) but this was ended in 2008 and any money we now spend has to come from the councils own capital resources. All funding spent has to be bid for as part of the council's annual capital bidding round and becomes part of the council's capital programme.

Whilst PSRG funding was ended, Specific Capital grant funding for Disabled Facilities Grants (DFGs) was continued. We currently receive over £500K per year from the Government to spend on DFGs which is the largest part of our spend on the private sector, although this may move to the Better Care Fund of SSC next year which would have significant implications for the council. Spending on DFGs is mandatory whilst all other capital spending on private sector housing is discretionary.

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 allows Local Authorities discretion to provide both grant assistance and loans/equity release packages and to procure such packages from third party providers. Local Authorities are not given discretion to disregard these options. Our current grant and loan policy can be found on the council website at:

<http://modgov.southsomerset.gov.uk/documents/s3570/Private%20sector%20grants%20policy%2021015-17%20V6%20130115.pdf>

<b>Private Sector Housing Capital Programme</b>			
Grant/loan spend (in thousands)	Budget 2014/15 Out turn	Budget 2015/16	Proposed Budget 2016/17
Disabled Facilities grants	680K	598K	£600
Empty Property grants	140K	60K	60K
Home Repair grants	50K	50K	50K
HMO/landlords grants	30K	25K	25K
Home Loan Scheme	50K	50K	
<b>Total</b>	<b>950K</b>	<b>783K</b>	<b>£745K</b>

The main thrust of this strategy is to assist those people in most need wherever they live across the district. Whilst resources are tight, funding for Home Repairs Assistance has been retained as a final safety net for those people in severe need. Such grant aid is directed



towards people in receipt of income related benefit whose properties need essential repairs for wind and weatherproofing. We have also worked hard with Wessex Resolutions to develop loans tailored to meet the needs of such people. To encourage take up, we have carried out direct mail shots to people in receipt of benefits advising them of the availability of grants/loans as well as publicising the help available through DSS and Community Offices, Parish and Town Councils and our website.

Apart from all the social and other reasons for assisting vulnerable people in poor housing one important economic reason is that by providing financial assistance to vulnerable people it enables them to continue living independently in their own homes. If their homes become unfit and they have to be re-housed it becomes much more costly to the public purse. As part of the process we provide comprehensive and tailored support to homeowners and landlords via our Home Aid service to assist them through the property improvement process.



**Action 5. We will seek to maximise the use of all available funds in the form of grants and loans to support our private sector housing strategy.**

## 10. The Empty Homes Strategy

The council's Empty Homes Strategy was developed in partnership with Mendip District Council to help deal with the problem of empty properties and was launched in 2011 and has achieved many social, environmental and economic benefits.

Empty properties are often a focal point for anti-social behaviour, crime, vandalism and drug abuse. Whilst there are estimated to be 300 long-term empty properties in the district, many of these are subject to probate or other legal constraints that mean it can be very difficult to return them to occupation.



By improving empty properties we help reduce the need for building on green field sites, produce good quality affordable homes and help breath life back into town centre locations. When deciding to provide empty property grants we link into other council regeneration initiatives. For instance we have given several empty property grants in the east end of Yeovil as part of the Yeovil East Regeneration Project as well as in town centre locations

in Chard, Wincanton and Langport.

Many new homes have been created from empty and derelict properties using a combination of empty property grants and enforcement action. Where empty property grants are provided, the properties created must be let to council nominated tenants at an agreed fair rent for five years. With changes in the Housing Benefit regulations and the so called 'bedroom tax' there is increased need for smaller one bed and two bed accommodation so we try and create this type of accommodation. We always work with the Housing Options Team to provide the type of accommodation needed. This is a relatively quick and cost effective way of providing homes for homeless people. To provide tenants our Housing Options Team works with landlords to help select suitable tenants. They then work with the landlord and tenant to support the tenancy long term.

It is recognised that in some cases long term empty 'eyesore' properties present particular problems. Whilst extra enforcement powers were introduced in the Housing Act 2004 to deal with long term empty properties, including Empty Dwelling Management Orders (EDMOs) bringing back empties into occupation can often be very slow. We are currently using the 'enforced sale' technique rather than compulsory purchase orders as they are generally deemed to be much more effective and cost effective in bringing properties back into use. In addition we have been working with the planning department and are trialling the use of Section 215 notices to try and bring back empty properties into use. This method has been used successfully elsewhere in the country.

One of the major important issues of our empty property strategy has been the aim to increase new Homes Bonus. Over the past five years we have generated over £2m in New Homes bonus for the council by bring back over 500 properties into occupation. To do this has involved close working with the Housing Benefits team.

Full details of our strategy can be found on the SSDC website:

[\(http://www.southsomerset.gov.uk/housing/your-home/empty-homes-strategy-and-empty-property-loans/\)](http://www.southsomerset.gov.uk/housing/your-home/empty-homes-strategy-and-empty-property-loans/).



**Action 6. We will work to bring as many empty properties back into occupation as possible with a target of 25 per year.**

## 11. The Houses of Multiple Occupation (HMO) Policy

There are about 600 Houses in Multiple Occupation (HMO) in South Somerset providing much-needed accommodation (to for example young single people) but often suffering from under-investment. We have a recently revised (2015) our separate HMO policy document that sets out standards, targets for inspection and enforcement as well as advice on meeting management standards. We work closely with landlords and use our HMO Grant funding to help upgrade substandard HMOs particularly to improve the means of escape in case of fire.

With increasing housing pressure, the lack of affordable housing and recent welfare benefit changes particularly affecting young people, shared accommodation will probably become more prevalent. People under 35 in receipt of housing benefit now only get a single room allowance and are forced to live in HOM/shared accommodation. Continued efforts will be required to ensure this housing sector is properly regulated and that standards are maintained.



© Nigel Andrews 2002  
SSDC ENVIRONMENTAL HEALTH BEDSIT CONVERSION FEATURES 240 U2002: a typical semi-detached residence suitable for conversion into bedsit accommodation. Photo by: Nigel Andrews

Further details of our HMO Policy can be found on the SSDC website (<http://www.southsomerset.gov.uk/housing/housing-solutions/houses-of-multiple-occupation/>).

One particular area of concern is to do with HMOs concerns their insulation. Although HMOs are required to have suitable heating systems and an EPC for the whole building, they are not required to have an EPC (Energy Performance Certificate) certificate for each bedsit/let. To date, the Government has not taken any opportunity to address a loophole. Recent changes to eviction procedures however now mean that landlords require an EPC to evict under Section 21 procedures where an AST is in place. As well as inspecting existing HMOs the Housing Standards Team also works with landlords to convert underused property to provide good quality HMOs. Grant and loan funding can be provided in appropriate circumstances to assist in this process.

**Action 7. We will prioritise high risk premises and inspect 60 HMOs a year. We will increase the supply of shared rented accommodation such as HMO's to respond to Welfare Benefit cuts.**

## 12. Houses of Multiple Occupation (HMO) Licensing

In June 2006 the mandatory licensing of HMO's of three storeys or more and with five or more tenants was introduced. It has involved a considerable amount of work to issue licences, collect fees and inspect HMOs etc. This process is now complete and all known licensable HMOs are licensed. Whilst all the good landlords have co-operated fully in this process we are aware that some landlords prefer not to be licensed and avoid paying the fees. This requires staff having to pro-actively track down unlicensed but licensable Homes. This can involve swapping intelligence with other departments and surveying social media and housing websites. The reason for licensing HMOs is to ensure that the larger HMOs meet standards for repair, amenities, overcrowding and especially means of escape in case of fire. In some cases we come across HMOs that do not have planning permission and need to work with the planning officers to resolve the situation.

The Council does have the ability to introduce across the board schemes to compulsory register all HMOs and landlords but we have decided not to proceed with this. These schemes are more applicable to larger cities and not considered appropriate here. We are keeping a watching brief on the situation and will recommend changes to members if the situation changes.



**Action 8. We will licence all HMOs that require licensing in the district. We will actively seek out and ensure all such properties are found.**

## 13. Dealing with complaints- Ensuring private homes are safe and decent

The council has a policy to tackle the small but dangerous minority of rogue landlords in the private rented sector who make people's lives a misery. These landlords condemn their tenants to living in rundown, unsafe, or overcrowded properties. They often neglect their properties, avoiding making the necessary, legal improvements and/or intimidating those who speak out, threatening them with eviction. It is estimated that up to a third of private rented homes fail to meet the Government's decent homes standards. Serious, category I hazards are present in more than a fifth of rented homes in England that includes serious electrical hazards and damp. This is a significant concern, especially at a time when the private rented sector is housing more vulnerable households and families with children.

The Housing health and safety rating system (HHSRS) is enshrined in Part 1 of the Housing Act 2004. It provides a regulatory framework within which the Housing standards Team work to protect the health of vulnerable occupants. It is the only reliable and proven means of assessing the health and safety standards of housing, including housing in the private rented sector. To deal with unsatisfactory conditions the Housing Standards Team will take enforcement action that will be based on a three-stage consideration:

1. The hazard rating determined under HHSRS
2. Whether the Council has a duty on power to act, determined by the presence of a hazard above or below a threshold prescribed by the regulations (category 1 and category 2 hazards) and
3. The authority's judgement as to the most appropriate course of action to deal with the hazard.

The choice of the most appropriate course of action will be decided having regard to statutory enforcement guidance and to our Enforcement Policy. It is important that we take strict enforcement action where problems arise. If notices aren't complied with within the given time frames then the council will opt for prosecution for failure to comply and undertake work in default in appropriate cases. In cases where there is severe overcrowding we will need to work with the housing options team to rehouse the tenants.

In order to demonstrate our commitment we will publicise all successful prosecutions. Successful prosecutions are publicised by the council's communications team in local newspapers and on the council's website. Having said this however, when considering prosecutions the council's legal team are usually involved and it can be a very time consuming and expensive exercise to get a prosecution to court. Whilst the legal team provide us with excellent advice the court procedure can be long and drawn out.

For further information see <https://www.gov.uk/government/publications/hhsrs-operating-guidance-housing-act-2004-guidance-about-inspections-and-assessment-of-hazards-given-under-section-9>



**Action 9. We will respond to all complaints from the public within five working days and take appropriate action to deal with all unsatisfactory housing found.**

## 14. Discharging our Homelessness duty in the private sector

The law allows SSDC to discharge its duty to eligible homeless persons (in priority need and not intentionally homeless) by allocating people housing in the private rented sector. In so doing, the Housing Options Team must be satisfied that the premises they propose to use meet the necessary standards of health and safety and are suitable for the homeless people concerned. To assist with this process the Housing Standards Team can carry out inspections to ensure such property is up to standard and that the health and safety of homeless persons is not put at risk and to ensure that there is an absence of any Category 1 hazards.

In addition the Housing Standards Team often deal with complaints from people who try to increase their homelessness banding by arguing that their accommodation is unfit for occupation. We therefore need to ensure that any defects found are put right so as to reduce the need to unnecessarily rehouse people.

**Action 10. We will inspect all properties where occupants have complained of poor housing and ensure that all property used to rehouse homeless people is up to standard. We will inspect all properties of people who apply for Gold Band status on the grounds of poor housing and ensure they are brought up to standard to reduce demand for alternative housing.**



## 15. Helping Disabled People

Disabled Facilities Grants (DFGs) fund adaptations and alterations, ranging from small scale works such as replacing baths with showers through to large scale alterations to meet complex needs. DFGs are mandatory and the council has to pay them. Any duly made application must be determined within six months. This grant can prevent unnecessary moves for individuals, enabling the maintenance of family and community support links. It is also very important in preventing “bed blocking” by allowing patients to be rapidly discharged from hospital. We work closely with the Somerset County Council Occupational Therapy team to assess individual need and prioritise cases with joint decision making. Grants typically range from £1,500 to £30,000. When dealing with DFGs we ensure that all clients are kept fully informed of all aspects of the process and we track the end to end time for grants. We have set targets for dealing with different categories of DFGs and have put steps in place to deal rapidly with any delays.

Changes in the means testing regulations concerning disabled children in 2006 helped to push up the expenditure rate. We currently receive a subsidy of £560K a year from DCLG to offset our expenditure but the overall cost of DFGs exceeds this. It is difficult to predict demand as we are dependent on disabled people coming forward and asking for grant aid but it is possible that expenditure will increase as the elderly population increases. Expenditure is currently running at about £600K per year, representing the largest portion of our total grant expenditure and making us the third highest spending authority in the region.

Many disabled people are dealt with by our Home Aid service (see section 16 below).

**Action 11. We will ensure that all applications for disabled facilities grants are determined within six months. We will ensure that all initial visits to disabled clients are made within five working days of referral from Occupational Therapists dept.**



## 16. Home Aid – our Home Improvement Agency



Home Improvement agencies (HIAs) are recognised as valuable organisations in assisting vulnerable people to improve their living conditions. Over the years our in-house agency, Home Aid, has been instrumental in organising schemes to improve the homes of hundreds of local residents. The main aim of Home Aid is to enable older and disabled people to live independently at home for longer.

Seventy five percent of people over retirement age are owner occupiers and around half of them are living on low incomes. At retirement older people on low incomes face a likely struggle for twenty years or more to repair and maintain their homes. The Government has said that it will “help elderly people live at home for longer through solutions such as home adaptations and community support programmes”.

There is a real need for low cost, high benefit practical housing help in the owner occupied sector. One in three low income home owners live in homes that do not meet their needs in terms of accessibility or adaptations. Small repairs and minor adaptations, or ‘handyperson’ schemes offer a highly cost effective means of enabling older people to continue to live independently. Low cost work can make homes safe, secure and convenient to use and help reduce the strain on NHS and social care budgets. Just £35,000 can provide help with minor adaptations for 200 older people – it costs approximately the same amount for one older person to live in a care home for a year. Disabled Facilities Grants provide adaptations and facilities to enable disabled people to continue to live at home. Social Services also have a responsibility to fund low cost minor adaptations and equipment for eligible people under the Chronically Sick and Disabled persons Act 1970.

**Action 12. We will make maximum use of the Home Aid service and refer all eligible clients to the service within five working days.**

## 17. Fuel poverty and carbon reduction

A fuel poor household is one that cannot afford to adequately heat its home at reasonable cost. In brief, a fuel poor household is one that cannot afford to adequately heat their home at reasonable cost. The original definition of a fuel poor household was one that needed to spend over 10% of its income on fuel but this has recently been reviewed and refined. The new definition of a fuel poor household is one where they have fuel costs above the national average and, where they spend that amount, are left with a residual income below the official poverty line.

The private rented sector has significantly lower levels of energy efficiency than other housing sectors (see reference to HMOs in section 11). It has the lowest levels of cavity wall insulation, loft insulation and double glazing and its overall average energy efficiency rating is considerably lower than the social housing sector. DECC estimates that 42% of private rented households in F or G rated homes are in fuel poverty. If the private rented sector is to bear the burden of meeting homelessness allocations, we need to address the issue of cold homes. Excess cold is the second most frequently identified Category 1 hazard. Moving vulnerable people into poorly insulated homes with high energy bills will have a big impact on their residual disposable income and their health and wellbeing.

The council works with the Centre for Sustainable development (CSE) in Bristol to improve the energy efficiency of homes across the district. CSE run an energy advice line for us and deal with any queries we have from the public on energy grants/fuel efficiency etc. They have also run the Warm Homes In Somerset (WISH) project to insulate homes in south Somerset. Their website has a host of information on energy efficiency related information-see [www.cse.org.uk](http://www.cse.org.uk). In addition we will support the work with other local groups such as the Ilminster Home Energy Centre to improve energy efficiency.

Tackling the problem in South Somerset will require a broad approach but the main emphasis is seen as the improvement of energy efficiency in the home. To achieve this aim we:

- Work with CSE on home insulation schemes for traditional and 'hard to treat' properties.
- Utilise Home Repairs Assistance Grants for energy efficient measures where appropriate.

- Promote the free phone energy advice line 0800 0800 2234
- Encourage the uptake of loans for energy efficiency.
- Seek to work with other community/volunteer groups to improve energy efficiency/home insulation across the district.

Separate to fuel poverty is the issues of carbon reduction. The UK has to achieve legally binding carbon emission reduction targets, the first of which is to reduce its carbon footprint by 34 percent by 2020 from the 1995 level. Twenty seven percent of carbon emissions come from the housing sector, and older private sector housing accounts for a substantial part of this. The collapse of the Government's Green Deal scheme and recent retraction by the Government on other energy savings initiatives (changes to Building Reg requirements etc) leaves work in this area rather in limbo. Nonetheless the council will continue to do what it can to reduce fuel poverty and improve energy efficiency in the private sector.

Research has shown that householders have a much higher level of trust in schemes led and co-ordinated by local authorities in preference to utilities and other commercial interests so we still have a significant role to play here.



**Action 13. We will work with partners to improve the energy efficiency of as many properties as possible with a commitment to improve at least 100 properties a year**

## 18. Anti-Social Behaviour

Anti-social behaviour (ASB) can be defined as actions that cause harm or a lack of consideration for the well-being of others which has caused or is likely to cause harassment, alarm or distress to one or more persons not of the same household.

It has become a high profile issue in recent years. Where it takes hold, it can pose a serious threat to community life, undermining people's sense of safety, their well-being and, ultimately, their health. Evidence suggests that if swift action is taken to deal with it, it is less likely to recur. Conversely, incidents that may be relatively minor in themselves can have a serious cumulative impact if left unchecked. Small problems can escalate into bigger ones.



Tackling anti-social behaviour is a high priority for national and local government with legislation such as The Crime and Disorder Act 1998 and the more recent the Anti-Social Behaviour, Crime and Policing Act 2014 being brought into to help address problems.

In South Somerset the Yeovil One Team was conceived in September 2014 to deal with issues the central area of Yeovil and involved officers of Avon & Somerset Constabulary, SSSDC and Yeovil Town Council as key partners working with officers of various other partner agencies such as housing associations and social support services. The collaborative working and sharing of information between agencies has led to several successes lessening the burden of anti-social behaviour on communities in this area and it is hoped to expand this type of initiative to other parts of the District.

The Housing Standards, Environmental Protection and Street Scene Enforcement Teams deal with many of the lower-level manifestations of ASB such as noise nuisance, housing neglect and disrepair, tenant and landlord issues, problems with licensed premises, abandoned cars, graffiti, fly tipping and fly-posting etc. These issues are dealt with by Environmental Health staff who play a key role with the Police in the front line of efforts to protect communities from the impact of ASB. General noise nuisance caused by poorly converted flats (in the previous decades) that allow noise transmission between floors and walls is an on-going problem. We work with Building Control to try and deal with such issues.

**Action 14. We will support the work of the Yeovil One Team by being an active member of the Team and will help to develop work plans and policy.**

## 19. Hoarding

In recent years the problem of hoarding has cropped up more frequently. This can be a difficult issue to deal with and takes up a lot of staff time. Officers from the Housing Standards Team, the Environmental Protection Team and the Housing Options Team can be involved. Often it is necessary to bring in Social Services and the Mental Health team to hold special case conferences to deal with troubled individuals.

Hoarding, described as the collecting of excessive quantities of goods and objects, arguably including animals, coupled with an inability to discard them is surprisingly common in varying degrees. It becomes problematic for the subject when it is extensive enough to inhibit the use of the home or personal function. Even before that point, however, depending on its presentation, it may be causing, or being likely to cause, a hazard to health or a nuisance to others.

The council often has to take enforcement action to clear properties of hoarded material but unless proper support can be put in place for the individual concerned the matter can often revert to it's previous state pretty quickly.



**Action 15. We will continue to deal with all serious cases of hoarding that arise. We will respond to any referrals within five working days**

## 20. Migrant Workers/Equality and Diversity

In recent years we have seen an influx of migrant workers into the District – many from Portugal and Eastern Europe. Concern has in the past been raised about the housing of these and other migrant workers. To address such concerns we have in place a pro-active programme to inspect multi-occupied accommodation often used by such workers to see that it is up to standard and ensure that it is not overcrowded. Migrant workers often do not understand their rights and due to language difficulties could be exploited. It is our policy to ensure their rights are fully protected.

In addition we will work with is the Gangmaster Licensing Authority in appropriate circumstances. The Gangmaster Licensing Authority (GLA) was set up to curb the exploitation of workers in agriculture, horticulture and associated processing and packaging industries. This is a relatively new agency and we will ensure that we foster close working relations with the GLA to ensure such workers are not only working in safe environments but are also provided with safe and secure housing.

**Action 16. We will ensure that the rights of all ethnic groups associated with housing are protected by us as far as it is practicable to do so.**

## 21. Mobile Homes/caravan sites

There are over forty mobile home parks in the district that provide permanent housing for hundreds of families. All such mobile home parks are licensed by the council and are periodically inspected to ensure they meet their licensing conditions. By and large most sites are well managed and maintained although problems do occasionally crop up. Until recently there were a number of issues to do with security of tenure and other matters surrounding the sale of mobile homes that had caused problems for residents. The Mobile Homes Act 2013 which was the biggest shake up in the law on park homes in 30 years introduced a number of changes. It reduced the potential for sale blocking by removing the site owner from the process. A new criminal offence was introduced in connection with sale blocking. Local authorities are now able to prosecute and on conviction site owners can face an unlimited fine or even prison. Pitch fee reviews will need to be more transparent so residents know what they are being asked to pay for and why. Site rules need to be fairer, agreed with residents and certain rules are banned altogether. New site rules will need to be deposited with the local authority. From April 2014 a new licensing regime has applied to park home sites. Local authorities are able to charge site owners an annual fee for administering and monitoring licences. They are able to serve notices requiring works to be carried out to comply with conditions and carry out works in default or in an emergency. Local authorities are able to recover their costs in enforcement action. Site owners who do not comply will face unlimited fines if prosecuted for breach of compliance. This is an on-going area of work for the Housing Standards team. Where gypsies or travellers receive planning permission for permanent sites they are required to have and comply with site licenses.

**Action 17. We will undertake periodic inspections of all mobile home parks to ensure they comply with licensing conditions and will deal with any tenancy issues that arise.**





## 22. Action Plan

<b>Action Plan and Performance Targets</b>		
<b>Action</b>	<b>Target/Measures</b>	<b>Time scale</b>
Action1. We shall develop a GP referral scheme by January 2016 that allows GPs to refer to us patients living in poor housing affecting their health.	To set up a GP referral scheme	By January 2016
<b>Action 2. We shall work with the Housing Options Team and the NLA to organise two Landlords forums each year.</b>	In partnership with the Housing Options Team	By April2016
<b>Action 3 We will continue to promote the WRT Home Loan scheme to fund the improvement of substandard housing.</b>	<b>We will aim to facilitate 25 loans a year</b>	On-going
<b>Action 4 We will strive to reduce the number on non-decent homes standard in the district using all resources available to us.</b>	Reduce the number of vulnerable households living in accommodation with Category 1 hazards by 50. This would be achieved in a number of ways including enforcement and the provision of grants and loans	By April 2016-on going to 2019
<b>Action 5. We will seek to maximise the use of all funding to provide grants and loans to support our private sector housing strategy.</b>	<b>Use all funds available as effectively as possible.</b>	On-going
<b>Action 6. We will work to bring as many empty properties back into occupation as possible with a target of 25 a year.</b>	Provide financial incentive through loan/grant assistance to encourage long-term empty homes to be made available for letting. Use the enforcement powers available, including where appropriate, enforced sale procedures.	By April 2016-on going until at least 2018
<b>Action 7 We shall prioritise high risk premises and inspect 60 HMOs a year</b> We will seek to increase the supply of shared rented accommodation such as HMO's to respond to Welfare Benefit cuts	Use IT based intelligence sources to identify potential HMOs. Pursue a rigorous policy of enforcement activity in the private rented sector following reactive complaints and as part of programmed risk-based inspections of HMOs.	By April 2016-on going to 2019
<b>Action 8 We shall licence all HMOs that require licensing in the district.</b>	<b>We will actively seek out and ensure all such properties are found.</b>	On-going
<b>Action 9. We will respond to all complaints from the public within 5 working days.</b>	<b>within five working days and take appropriate action to deal with all unsatisfactory housing found</b>	On-going
<b>Action 10 We will ensure that all property used to rehouse homeless people is up to standard.</b>	Inspect all properties who apply for Gold Band status on the grounds of poor housing and ensure they are brought up to standard to reduce demand for alternative housing	On-going

<b>Action</b>	<b>Target/Measures</b>	<b>Time scale</b>
<b>Action 11. We will ensure that all applications for disabled facilities grants are dealt with within 6 months.</b>	All new referrals to be contacted within 5 working days	On-going
<b>Action12 We will make maximum use of the Home Aid service and refer all eligible clients to the service with 5 working days of referral to us.</b>	<b>Due to the current financial constraints however we will not make any commitments to dealing with specific number of clients</b>	On-going
<b>Action 13. Improve the energy efficiency of at least 100 private sector homes improve per annum</b>	Offer enhanced energy efficiency measures, including, where appropriate the use of renewable energy sources, as part of schemes of financial assistance delivered with our partner organisations.	By April 2016-on going to 2019
<b>Action 14. We will support the work of the Yeovil One Team by being an active participant of the Team and will contribute to the development of work plans and policy.</b>	We will work with our partners in Yeovil One and take appropriate action to tackle community based issues of ASB etc.	On-going
<b>Action 15 We will deal with all serious cases of hoarding that arise and will respond to all referrals within 5 working days.</b>	We will work with social services to deal with difficult clients on a case by case basis.	On-going
<b>Action 16 We will ensure that the rights of all ethnic groups associated with housing are protected by us as far as it is practicable to do so.</b>	We will react promptly to any complaints of discrimination or exploitation that re referred to us.	On-going
<b>Action 17 We will undertake periodic inspections of all mobile homes to ensure they comply with licensing conditions and will deal with any tenancy issues that arise.</b>	We will monitor conditions on all our mobile home sites.	On going

Staff resources; The Action Plan above will be delivered by the Housing Standards Team of the Environmental Health service. This is comprised of the Principal EHO, two area EHOs and a technical officer. In addition the Home Aid Team is comprised one full time and one part time technical officer. The achievement of the targets above will depend on the complexity of individual jobs that arise. In addition to the staff above we draw on the services of other staff from CSE, Housing Options etc as and when the need arises. We are not however able to commit their staff resources as part of this strategy.

## 23. Risk Register

In developing this strategy we are mindful that there are many factors that could affect it's delivery. To mitigate for these risks it is important that we work with our partners across Somerset in both professional and NGO groups and seek to ensure that our intelligence on emerging trends and developments is up to date. The following factors should be considered;

1 Staff resources. With reductions in funding to Local Government it may become necessary to reduce staff resources in the next five years and this would affect the delivery of the action plan. Several staff in the Housing Team are also reaching retirement age and this could result in the loss of expertise.

2 Financial resources. Reductions in funding through the capital programme as a result of the Government's economic policy could affect the council's ability to deliver grants and loans. In particular the move of DFG funding from SSDC to the Better Care Fund held by Somerset County Council could have a significant impact. Cutbacks in the funding by Registered Providers in their aids and adaptations budgets in response to their recent reduction in income announced by the Government could also have significant impacts.

3 Changes in legislation. Further changes by the Government to benefit/welfare payments and the tax regime could increase the need for more shared /low cost accommodation. Recent tax changes in the buy to let sector may mean that fewer such properties may become available for rehousing our tenants. Many landlords may exit the rental market. We constantly monitor all changes in housing and associated legislation

4 Increased migration. Increased migration into the district from all sources beyond what is expected could adversely affect the local housing market.

5 External economic factors. Increasing house prices and low wages/unemployment will put more pressure on people and the housing market. Changes in Government economic policy /the autumn statement etc will also have an effect. There could be many unforeseen outcomes in the years to come.

6 Empty properties. Difficulties in dealing with legally complex situations could make the drive to bring more empty properties back into use more difficult.

## 24. Background Papers/reports

- 1 Houses in Multiple Occupation Policy\*
- 2 Strategic Housing Framework Implementation Plan 2014\*
- 3 Gypsy & Traveller Accommodation Strategy (2006 -2009)\*
- 4 Private Sector Housing Strategy (2007 – 2012)\*
- 5 Empty Property Strategy (Jointly with Mendip) (2010)\*
- 6 Temporary Accommodation Strategy (2011)\*
- 7 Council Plan (2012-2015)\*
- 8 Somerset Tenancy Strategy (2012)\*
- 9 Health & Wellbeing Strategy (2012-2015)\*
- 10 Youth Housing Strategy (2012-2015)\*
- 11 Rural Housing Action Plan (2013)\*
- 12 Somerset Homelessness Strategy (2013 – 2016)\*
- 13 The Regional Housing Strategy – available on the Internet at: [www.gosw.gov.uk](http://www.gosw.gov.uk),  
[www.housingcorp.gov.uk](http://www.housingcorp.gov.uk) and [www.southwest-ra.gov.uk](http://www.southwest-ra.gov.uk)
- 14 The South Somerset Local Plan –[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)
- 15 Community Safety Strategy (Crime and Drugs Strategy)  
[www.southsomerset.gov.uk/media/pdf/g/0/Somerset\\_Strategy.pdf](http://www.southsomerset.gov.uk/media/pdf/g/0/Somerset_Strategy.pdf)
- 16 The Decent Homes standard:  
<https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>
- 17 Housing statistics- Home Truths Southwest –National Housing Federation –:  
[www.housing.org.uk](http://www.housing.org.uk)
- 18 ‘Quality and Choice: A Decent Home for All’ –:[www.odpm.gov.uk](http://www.odpm.gov.uk)
- 19 SSDC Enforcement policy\*

\* available on SSDC website

## 25. Contact Points at South Somerset District Council

Private Sector Housing Strategy	Alasdair Bell
Disabilities – grants for aids and adaptations;	Martin Chapman
Empty homes strategy	Chris Malcolmson/Emma Baker
Funding – advice on housing grants	Paul Rees
Gypsies and other travellers/ethnic minorities	Kirsty Jones/Jon Batty Barry Cullimore/Dereck Hurst Ian Potter
Home Aid scheme Housing Benefits Home Energy Conservation	Alasdair Bell
Home Loans	Paul Rees
Homelessness and Housing Advice	Kirsty Jones/Barbie Markie
Housing – conditions in private sector;	Martin Chapman
Houses in multiple occupation (HMOs)	Martin Chapman
Housing Implementation Strategy	Sally McCarthy/Colin McDonald
Mobile Homes	Chris Malcolmson
Social Housing Development/Strategic Housing	Colin McDonald
Supporting People; Supported Housing	Sally McCarthy
Tenancy Sustainment	Carolyn Wilkinson
Welfare benefit information and advice	Alice Knight/Catherine Hansford
<p>E-mail addresses: to e-mail any of the above people please use the following format  <a href="mailto:forename.surname@southsomerset.gov.uk">forename.surname@southsomerset.gov.uk</a> for example  <a href="mailto:colin.mcdonald@southsomerset.gov.uk">colin.mcdonald@southsomerset.gov.uk</a>                      Please telephone 01935 462462 for all staff listed.</p>	

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