

# Public Document Pack

## JOHN WARD

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A meeting of the **Cabinet** will be held in Committee Room 2 - East Pallant House on **Tuesday 1 October 2019 at 9.30 am**

MEMBERS: Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr M Bell, Mr R Briscoe, Mrs N Graves, Mrs P Plant and Mr P Wilding

## AGENDA

### 1 **Chairman's Announcements**

The Chairman will make any specific announcements for this meeting and advise of any late items which due to special circumstances will be given urgent consideration under agenda item 13 b).

### 2 **Approval of Minutes** (Pages 1 - 14)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 3 September 2019.

### 3 **Declarations of Interests**

Members are requested to make any declarations of disclosable pecuniary, personal and/or prejudicial interests they might have in respect of matters on the agenda for this meeting.

### 4 **Public Question Time**

In accordance with Chichester District Council's scheme for public question time and with reference to standing order 6 in Part 4 A and section 5.6 in Part 5 of the Chichester District Council *Constitution*, the Cabinet will receive any questions which have been submitted by members of the public in writing by noon on the previous working day. The total time allocated for public question time is 15 minutes subject to the chairman's discretion to extend that period.

**Please note this deadline may move to noon on Thursday 26 September 2019 subject to the decision made on item 16 at the Council meeting on Tuesday 24 September 2019.**

## RECOMMENDATIONS TO COUNCIL

### 5 **Increasing the provision of the Council's Temporary Accommodation at Freeland Close, Chichester** (Pages 15 - 19)

The Cabinet is requested to consider the agenda report and its appendix and make the following resolutions as set out below:

1. That an order is placed with Southern Gas Network (SGN) for the relocation of the gas pipeline, shown in Appendix 1.
2. That Cabinet approves the allocation of up to £120,000 from the Housing Investment Reserve to meet the cost of this work, subject to the urgency procedure (as set out in para 5.2).
3. That delegated authority is given to the Director of Housing and Communities to make changes to the Project Initiation Document (PID), in consultation with the Cabinet Member for Housing, to accommodate approval of a final design and submission of a planning application.
4. That members note the delay in the programme as set out in section 5.4 of the report.

If recommendation 2 is approved the Cabinet is then requested to make the following recommendation to Council as set out below:

That the urgent decision for Cabinet to approve the allocation of up to £120,000 from the Housing Investment Reserve to meet the cost of this work be noted.

### 6 **Review of Street Trading controls in Chichester City Centre** (Pages 21 - 27)

The Cabinet is requested to consider the agenda report and two appendices and make the following resolution and recommendation as set out below:

1. That officers be authorised to undertake the necessary steps to vary the existing designation to further areas within Chichester city centre pursuant to Paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 from prohibited streets to consent streets; and
2. That following that process Council is requested to approve the re-designation.

## KEY DECISIONS

### 7 **Council Tax Review of Locally Defined Discounts and Premia** (Pages 29 - 33)

The Cabinet is requested to consider the agenda report and its appendix and make the following resolution as set out below:

That the Council Tax Discounts and Premia proposed in the appendix to the agenda report be applied for the 2020-2021 financial year.

## OTHER DECISIONS

### 8 **Rumbolds Hill, Midhurst Air Quality Management Area Public Consultation** (Pages 35 - 39)

The Cabinet is requested to consider the agenda report and its appendix and make the following resolutions as set out below:

1. That Cabinet approves in principle the proposed Air Quality Management Area, as illustrated in Appendix 1, in line with the Council's statutory Local Air Quality Management duties.
2. That Cabinet authorises commencement of a public consultation exercise regarding the proposed Air Quality Management Area.

### 9 **Funding Brexit Planning** (Pages 41 - 42)

The Cabinet is requested to consider the agenda report and make the following resolution as set out below:

That delegated authority is given to the Chief Executive to use the remaining government funding of £20k, if required, to mitigate against the potential impact of a No Deal Brexit.

### 10 **Provision of additional CCTV cameras at Westward House** (Pages 43 - 46)

The Cabinet is requested to consider the agenda report and make the following resolutions as set out below:

1. That Cabinet allocates £17,000 from reserves to install additional CCTV cameras at its temporary accommodation at Westward House.
2. That an additional annual sum of £1,700 is included in the Asset Replacement Programme to cover the future replacement costs and a further sum of £250 is included in the Westward House maintenance budget from the 2020/21 financial year to cover the annual maintenance costs of the CCTV system.

### 11 **Temporary Accommodation Out of Area Placement Policy** (Pages 47 - 55)

The Cabinet is requested to consider the agenda report and appendix and make the following resolutions as set out below:

1. That Cabinet approves the 'Temporary Accommodation Out of Area Placement Policy' set out in the Appendix to this report.
2. That Cabinet delegates authority for the Divisional Manager of Housing, following consultation with the Cabinet Member for Housing, to make minor amendments to the policy.

## 12 **Exclusion of the Press and Public**

There are no restricted items for consideration at this meeting.

## 13 **Late Items**

- a) Items added to the agenda papers and made available for public inspection
- b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting

### **NOTES**

- (1) The press and public may be excluded from the meeting during any item of business wherever it is likely that there would be disclosure of 'exempt information' as defined in section 100A of and Schedule 12A to the Local Government Act 1972.
- (2) The press and public may view the report appendices which are not included with their copy of the agenda on the Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless they contain exempt information.
- (3) Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council's Constitution]
- (4) A key decision means an executive decision which is likely to:
  - result in Chichester District Council (CDC) incurring expenditure which is, or the making of savings which are, significant having regard to the CDC's budget for the service or function to which the decision relates or
  - be significant in terms of its effect on communities living or working in an area comprising one or more wards in the CDC's area or
  - incur expenditure, generate income, or produce savings greater than £100,000

### **NON-CABINET MEMBER COUNCILLORS SPEAKING AT THE CABINET**

Standing Order 22.3 of Chichester District Council's Constitution provides that members of the Council may, with the Chairman's consent, speak at a committee meeting of which they are not a member, or temporarily sit and speak at the committee table on a particular item but shall then return to the public seating area.

The Leader of the Council intends to apply this standing order at Cabinet meetings by requesting that members should *normally* seek the Chairman's consent in writing by email in advance of the meeting. They should do this by noon on the Friday before the Cabinet meeting, outlining the substance of the matter that they wish to raise. The word normally is emphasised because there may be unforeseen circumstances where a member can assist the conduct of business by his or her contribution and where the Chairman would therefore retain their discretion to allow the contribution without the aforesaid notice.

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# Public Document Pack Agenda Item 2



Minutes of the meeting of the **Cabinet** held in Committee Room 2 - East Pallant House on Tuesday 3 September 2019 at 9.30 am

**Members Present** Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr M Bell, Mr R Briscoe, Mrs N Graves and Mrs P Plant

**Members Absent** Mr P Wilding

**In attendance by invitation**

**Officers Present** Mr T Ayling (Divisional Manager for Planning Policy), Mr N Bennett (Divisional Manager for Democratic Services), Ms M Burgoyne (Economic Development Manager), Mr K Carter (Divisional Manager, CCS), Mr M Catlow (Group Accountant (Technical and Exchequer)), Mrs K Dower (Principal Planning Officer (Infrastructure Planning)), Mr A Gregory (Project Manager - Estates), Miss L Higenbottam (Democratic Services Manager), Mrs V McKay (Divisional Manager for Growth), Mr P E Over (Executive Director & Deputy Chief Executive), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

## 27 **Chairman's Announcements**

Mrs Lintill greeted members of the public and Chichester District Council (CDC) members and officers and the two press representatives who were present for this meeting.

The emergency evacuation procedure was read out.

Apologies for absence had been received from Mr Wilding.

Mrs Lintill then took the opportunity to thank Mr Dignum who had recently stepped down from the Cabinet due to ill health. Mrs Lintill wished to record thanks for Mr Dignum's considerable contribution to the Cabinet.

Mrs Lintill then announced a number of changes to the Cabinet:

- Mr Wilding to become the Portfolio Holder for Corporate Services, Finance, Revenues and Benefits
- Mrs Graves to become the Portfolio Holder for Housing, Communications and Licensing

- Mr Bell to join the Cabinet as Portfolio Holder for Growth, Place and Regeneration

There were no changes to Mr Briscoe, Mrs Plant or Mrs Taylor's portfolios.

Mr Bell was then invited to join the Cabinet table.

## 28 **Approval of Minutes**

The Cabinet received the minutes of the meeting held on 9 July 2019 which had been circulated with the agenda.

There were no proposed changes to the minutes.

### **RESOLVED**

That the minutes of the Cabinet meeting held on 9 July 2019 be approved.

## 29 **Declarations of Interests**

There were no declarations of interest.

## 30 **Public Question Time**

The following public questions were read out. The responses are indicated in italics.

### **Question 1 from Jane Towers**

Having reviewed the online feedback, the only positive response to the council's local plan review from anyone that isn't a housing developer or site owner, seems to be for the creation of wildlife corridors. Can the council assure residents that all of these wildlife corridors, including some rumoured to be at risk like Nutbourne marshes, will be fully included in the Local Plan in at least their current areas and sizes?

### **Mrs Taylor responded as follows:**

*Thank you for your questions. In relation to the first question, the wildlife corridors identified in the preferred approach version of the Local Plan Review are draft proposals. Further work and ecological studies are being undertaken to inform the location of any final proposed boundaries of the wildlife corridors prior to their identification in the submission version of the Local Plan Review anticipated for next year. At this stage therefore whilst we cannot provide assurances that the boundaries will remain precisely as they are in the draft version we are continuing to develop the evidence to support their inclusion in the next version of the Plan.*

### **Mrs Lintill then allowed the following supplementary question from Jane Towers:**

When and how will the public be given the opportunity to review the finalised wildlife corridors?

**Mrs Taylor responded as follows:**

*Responses to the Local Plan consultation will be discussed at the Cabinet and the Council in November 2019. A report with the latest version of the Plan is scheduled for discussion at the Cabinet and the Council in March 2020.*

**Question 2 from Jane Towers**

Houses in Chichester District cost 14 times the average salary last year, and the SDNP has a 50% affordable new housing target in its local plan. So can the council confirm the rumours are false that it's planning to change its affordable house criteria for new developments from 'at least 30%' to just '30%', because of developer profit concerns?

**Mrs Taylor responded as follows:**

*The current policy in the adopted local plan seeks 30% affordable housing on site as a starting point for all development of 11 dwellings or more, as well as seeking a contribution or on site provision on sites of 6-10 dwellings in areas designated as rural areas under the Housing Act. In addition, the Council has a policy to consider modest sized proposals for 100% affordable housing under the rural exceptions policy.*

*The emerging Local Plan draft policy seeks at least 30% of all new dwellings to be affordable, with a similar approach to other aspects, (the rural housing and exception sites) as the adopted Plan. That wording is currently subject to further consideration following receipt of representations to the draft policy, emerging evidence on development viability and the need to provide clarity for all parties with what the Council will seek on individual developments, in accordance with national planning policy. The final proposed Plan will take all these factors into account before being published for further consultation. It is worth noting that housing affordability differs across Chichester District – with higher housing costs and land values often found towards the northern part of the district, which may explain why the National Park Authority seeks 50% affordable housing in its area.*

Mrs Lintill did not allow a supplementary question as the question was not related to the original question. Mrs Lintill suggested that Ms Towers submit the question for response at a future meeting.

**Question from Debbie Carter**

In January this year, a group of concerned citizens, came together to form Eco Chi. We are now coming under the umbrella of Transition Chichester, which had worked for over 10 years to promote sustainability & working together in community. Many good projects such as the community garden in the Bishop's Palace Gardens, the Eco cinema, Swap Shop & recently the Brewery field fair have been supported by Transition. In April we set up a market stall for the community in Chichester on

Wednesdays,  
offering a range & ever growing resource around sustainability for communities. The volunteers have given over 600 hours & our website [ecochi.org](http://ecochi.org) has had over 37,000 hits. The volunteers' efforts can effectively be supported through providing a more permanent home to the group. With so many empty shops in Chichester, would you be able to support us to have an empty shop to set up an Eco Hub? The Eco Hub would be for the community, to have available, properly researched scientific-based ways in which could offer examples of living sustainably & cutting carbon admissions and reducing reliance on single-use plastic. With climate change on the horizon being part of a supportive community will help bring people together as history shows us this helps in times of crisis. The Climate Change crisis is so huge and important that the councils cannot possibly work on this on their own. The voluntary sector and the councils need to work together on this together.

**Mrs Lintill responded as follows:**

*Thank you for your question, today's agenda includes consideration of a report regarding 'pop up' shops in Council owned premises. If the recommendation of that report is agreed by Cabinet, this could be an opportunity for Eco Chi. Our Economic Development and Estates teams will be able to keep you updated on potential locations and the application process.*

*In the meantime, you may wish to enquire with the Council's Funding Advisor for Community Groups and Voluntary Organisations who will be able to advise on the councils grants which you could be eligible for. Officers will be able to provide you with the relevant contact details.*

**Question from Valerie Briginshaw**

It is vitally important that divestment is a key part of our climate change agenda now that an emergency has been declared.

I am interested to read the Cabinet report with the analyses of where our £64.3m is invested.

Can the Cabinet advise us what proportion of these monies are invested in brown energy eg coal, gas and fracking and the arms trade if any – industries that are contributing to climate change?

**Mrs Lintill responded as follows:**

*Thank you for your question. The Council's principal goal under its present investment strategy is to safeguard the value of its investments whilst using the return on these funds to support local services. This is achieved within a framework set out in the Council's Treasury Management Strategy and Policy statement. The Council's 2019-20 strategy was approved by Full Council in March this year and is available online on the Council's website.*

*Within the Council's current portfolio at 31 March 2019, the Council had £42m of investments with banks, building societies and other local authorities at year end.*

*The remainder (£22.3m) was invested across a number of external pooled funds where the Council's investment is a small part of a much larger investment fund. These funds make their own individual investment decisions with reference to the larger fund, not the Council's individual investment. Because of this the wider investment fund will often contain many hundreds of different stocks, shares and other investments that the Council cannot control and does not therefore monitor at a detailed level.*

**Mrs Lintill then allowed the following supplementary question from Valerie Briginshaw:**

Given the climate emergency would the Cabinet be prepared to look into finding out more about the investments by seeking professional advice? If so would the Cabinet consider divesting and investing in green energy projects?

**Mr Ward responded as follows:**

*The overriding principle of the Council's investments is to protect the sum invested rather than actively seek a return. If an ethical standard were to be introduced it could potentially wipe out a number of funds available to the council and therefore the officer advice would be to caution against a blanket policy due to that potential for unintended consequences. Last year the council's investments generated £1.2 million to support council services.*

**Question from Paula Chatfield**

I note from Agenda Item 5 that you have plans to add an extra Councillor to the Growth Board.

Given the increasing awareness of the impacts of climate change on the District, and CDC's declaration of a climate emergency earlier this year, please can that new member be chosen to reflect the growing environmental concerns of many members of the public including myself? (You will note that businesses are already responding to consumers' demands by announcing new initiatives and publicising their eco-credentials, and that it is important that public, commerce and Council are pulling in the same direction to address the challenges of climate change and pollution.)

**Mrs Lintill responded as follows:**

*Thank you for your question. The Council notes and acknowledges the importance of the impact of human behaviour on the climate. The declaration of a climate change emergency places a responsibility on all members in whatever role they perform to consider the impact of their actions on climate change. The Council has also established an Environment Panel with specific responsibility to scrutinise activity council wide. I will make the appointment in due course but whoever is chosen will, as with all other members, need to reflect environmental concerns.*

**Mrs Lintill then allowed the following supplementary question from Paula Chatfield:**

Could the Growth Board terms of reference be updated to recognise the importance of the climate emergency?

**Mrs Lintill responded as follows:**

*The Growth Board is a joint meeting with West Sussex County Council and as such it would not be appropriate to make a decision without consultation however the suggestion will be noted for consideration.*

**Question from Maureen O’Grady**

The Real Time Passenger Information screens are extremely useful and do help us bus passengers and I welcome the plan to put in extra screens.

I feel however that the extra news information included would cost considerably more money. Could costs be saved and power consumption reduced by keeping to simple bus updates and not include the extra add-on services?

**Mrs Taylor responded as follows:**

*Thank you for your question. The type of RTPI display that has the option to include news headlines and weather can only be installed in bus shelters. The displays planned for Phase 1 of this project (2019/20) are all post mounted and therefore the type of display to be used does not include the news/weather feature. As a consequence, only bus information will be provided on these displays, thereby avoiding the concerns expressed in your question.*

31 **Chichester District Growth Board - terms of reference**

Mr Over introduced the item. He explained that if agreed the proposed increase to the Chichester District Growth Board’s membership would enable a greater level of public scrutiny of the topics discussed by the Board. He confirmed that West Sussex County Council (WSSCC) agree with the proposal.

*Decision*

The Cabinet then voted unanimously to make the recommendation below.

**RECOMMENDED TO THE COUNCIL**

That the membership of the Chichester District Growth Board be increased from 3 to 4 for both Chichester District Council and West Sussex County Council.

32 **Revised Local Development Scheme 2019-2022**

Mrs Taylor introduced the item. She explained that the Local Development Scheme (LDS) is the statutory requirement to publish an up-to-date timetable that demonstrates the progress of the council’s development plan and supplementary plan documents. The LDS informs all interested parties of progress and provides a method to monitor that progress.

At present the proposed date for the Local Plan Review is June 2020 which although later than originally planned still falls within the required five years from the adoption of the current Local Plan. Mrs Taylor explained that a number of issues came from the preferred approach plan consultation which will require an update to the evidence base. In addition the recent developments relating to the discharge of nitrates has resulted in the need to draft a Nitrates Neutral Policy. Two additional planning documents are also in draft; a Noise Supplementary Planning Document and an Air Quality Supplementary Planning Document.

Mrs Taylor confirmed that a number of member workshops are planned to ensure consultation with the wider membership.

Mrs Lintill then welcomed the new Planning Policy Manager, Mr Ayling to the table.

Mrs Graves requested confirmation of how officers are addressing the issue of nitrates. Mr Ayling confirmed that the issue has, to varying degrees, affected all local planning authorities across the Solent. The council's officers received advice from Natural England regarding how to address nitrates in developments in relation to increased run off and waste water in addition to the measures new developments can bring to offset nitrates into Chichester Harbour.

Mr Briscoe then asked for confirmation from officers that it is essential that all councillors work together to put a Local Plan for inspection in order to avoid additional housing being allocated to the district. Mr Ayling confirmed that if the timetable is not met then it is likely that the number of houses that the Council has to provide for will increase. Mr Frost added that it is essential that members of the council work together collaboratively in order to submit a Plan on time and avoid the potential of losing the districts cap on its housing need figure.

Mrs Lintill then asked how often progress will be benchmarked. Mr Ayling confirmed that the Local Plan Work Programme is under constant review and the next formal milestone will be a report to the Cabinet in November to discuss the consultation responses and an agreed way forward for the Plan.

### *Decision*

The Cabinet then voted unanimously to make the recommendation below.

### **RECOMMENDED TO THE COUNCIL**

That the revised Local Development Scheme be approved.

### **33 Exception to the need to tender**

Mrs Lintill explained that the item was to be noted in line with the Council's Constitution.

### **RESOLVED**

That the exception to the need to tender be noted.

#### 34 **Appointments to Panels**

Mr Bennett introduced the item. He confirmed that the names detailed in the recommendation on the agenda front sheet should be switched to agree Cllr David Rodger's appointment to the Grants and Concessions Panel and Cllr Judy Fowler's appointment to the Chichester District Parking Forum.

##### *Decision*

The Cabinet then voted unanimously to make the resolutions below.

##### **RESOLVED**

1. That Cllr David Rodgers replaces Cllr Judy Fowler on the Grants and Concessions Panel
2. That Cllr Judy Fowler replaces Cllr David Rodgers on the Chichester District Parking Forum

#### 35 **Approval of the draft Infrastructure Business Plan 2020-25 for consultation (with the City, Town and Parish Councils and key Infrastructure Delivery Commissioners)**

Mrs Taylor introduced the item. She explained that purpose of the Infrastructure Business Plan (IBP) is to prioritise strategic infrastructure projects which support the current Local Plan. Projects are identified by the council, WSCC, City, Town and Parish Councils as well as key infrastructure providers. A methodology detailed on the website is used to prioritise and then select projects for Community Infrastructure Levy (CIL) and other funding sources. The projects selected have been considered by the council's officers, WSCC officers, the Chichester District Growth Board and the Development Plan and Infrastructure Panel (DPIP). Mrs Taylor confirmed that the projects identified exceed the funds available and priority has to be given to infrastructure which will facilitate growth.

Mrs Taylor drew attention to IBP 332 and IBP 659 which WSCC have requested be put back to 2020-21 due to the anticipated level of school age children not being reached. Mrs Taylor confirmed that the upgrading of the Westhampnett Waste Transfer Station had been brought forward to 2020-21 due to extensive fire damage. She then explained that a number of green links proposed across the Manhood with the exception of IBP 787 and IBP 808 had been categorised as desirable and therefore not chosen. However IBP 787 and IBP 808 were categorised as high and were selected. IBP 775 and IBP 206 relating to Southern Gateway have also been included in the IBP.

The consultation period for the IBP runs from 7 October 2019 – 18 November 2019. Any amendments will be reported to the Chichester Growth Board followed by DPIP before Cabinet and Council in February 2020.

Mrs Plant then wished to emphasise the importance of CIL and thanked officers for their comprehensive update.

*Decision*

The Cabinet then voted unanimously to make the resolution below.

**RESOLVED**

That the Draft Infrastructure Business Plan 2020-25 (Appendix 1) be approved for consultation (with the City, Town and Parish Councils, neighbouring local authorities including the South Downs National Park Authority and key infrastructure Delivery Commissioners) for a period of six weeks from 7 October to 18 November 2019.

36 **Approval to release funds from the Community Infrastructure Levy to West Sussex County Council to fund project IBP/355 Real Time Passenger Information screens within Chichester City**

Mrs Taylor introduced the item. She explained that the funding for IBP 355 had already been approved. The recommendation to release £60,000 is to facilitate seven new displays at the locations set out in the Appendix.

Mrs Taylor confirmed that the council is committed to modal switch. She explained that a greater certainty of the arrival time of public transport is likely to result in greater public transport use and therefore less car usage.

*Decision*

The Cabinet then voted unanimously to make the resolution below.

**RESOLVED**

That the release of £60,000 from the Community Infrastructure Levy be approved to West Sussex County Council to fund Infrastructure Business Plan project 355 phase 1: the provision of 7 additional Real Time Passenger information screens in Chichester City.

37 **Plot 21, Terminus Road - Ravenna Point**

Mrs Lintill introduced the item. She explained that the Post Project Evaluation (PPE) reviews performance of the project against the original intentions set out in the Project Initiation Document (PID) following the practical completion of the project on 16 January 2019 and subsequent launch of the site as Ravenna Point. She explained that the project has created modern, industrial accommodation for new businesses and brought a Brownfield site back to commercial use. Mrs Lintill confirmed that although the project faced major ground contamination issues an underspend of £96,000 has been achieved. The development has been open for

eight months with two units operational and interest expressed in the remaining four units. Mrs Lintill confirmed that the rental figure achieved to date is higher than envisaged and if the subsequent lettings achieve the rental levels anticipated the key project outcome to secure a 7.25% return on investment should be met or exceeded.

With reference to page 65 of the agenda pack Mrs Plant asked whether any initiatives are being used to encourage tenants. Mr Gregory confirmed that both the Estates team and Enterprise Centre team are actively promoting the units alongside 2 agents.

Mrs Lintill congratulated officers on the delivery of this project and for bringing it in within budget.

*Decision*

The Cabinet then voted unanimously to make the resolution below.

**RESOLVED**

That the Post Project Evaluation (PPE) report in Appendix one for the Plot 21, Terminus Road - Ravenna Point development be approved.

**38 Pop Up Shop Initiative**

Mrs Lintill introduced the item. She explained that the report sets out a proposal for officers to be delegated authority to agree terms of pop-up shops in council owned commercial premises. The initiative seeks to offer uniqueness to the high street. Mrs Lintill confirmed that the average cost to the council for holding a vacant shop unit in Crane Street is £9600 per annum.

Mrs Taylor and Mr Bell welcomed the initiative. Mr Bell then requested the addition of the word 'appropriate' before 'pop-up shops'. Mrs Lintill responded that as the word 'appropriate' is subjective and all requests would be in consultation with the Leader it would not be necessary.

Mr Bell supported that whilst there would be a reduction in the council's rental income to facilitate pop-up shops but rental income could still be achieved from the residential properties the council owns above shops. Mrs McKay confirmed that the residential flats in Crane Street provide a modest ground rent to the council only.

Mrs Lintill then allowed Mr Moss to speak in favour of the initiative. He emphasised the opportunity for innovation.

*Decision*

The Cabinet then voted unanimously to make the resolution below.

## **RESOLVED**

That following consultation with the Leader, the Divisional Manager for Property & Growth be authorised and to agree terms for 'pop up' shop facilities in suitable retail units owned by the District Council.

### **39 Proposal to Participate in County Food Waste Collection Trial**

Mrs Plant introduced the item. She explained that the Government recycling waste target of 50% by 2020 has already been met by WSCC through a number of local initiatives. The higher target of 55% by 2025 and 65% by 2035 need further consideration. Mrs Plant explained that analysis of the residual waste shows at least 20% is food which if collected separately would easily reach the 55% target. Mrs Plant outlined the food waste collection trial commissioned by WSCC and explained that two districts are invited to participate. The proposal was considered by the Waste and Recycling Panel who recommended that the council supports the trial but does not participate at this stage.

Mrs Lintill explained that in the current state of economic climate she supports the recommendation of the report.

#### *Decision*

The Cabinet then voted unanimously to make the resolutions below.

## **RESOLVED**

1. That Cabinet supports the recommendation of the Waste and Recycling Panel at their meeting on 12 October 2018 as set out in paragraph 2.7 of this report (not to participate in the trial).
2. The Environment Panel are tasked with monitoring development in this area, including consideration of the implications for this council arising from the Governments revised Waste Strategy.

### **40 2018-2019 Treasury management 2018-19 Out-turn**

Mrs Lintill introduced the item. She explained that the report provides a summary of treasury management activity for 2018-19. The Corporate Governance and Audit Committee (CGAC) had also considered the report on 25 July 2019 but made no additional comments.

Mrs Lintill outlined the four main elements of the report:

- A summary of treasury activity and performance during 2018-19
- An update on the councils directly owned investment properties
- A compliance report against the limits and indicators set out in the councils treasury strategy

- A general update including Brexit preparations and proposals on additional investments using external pooled funds

Mrs Lintill confirmed that the previous request by CGAC for officers to investigate setting an indicator to measure proportionality of commercial income generated by the council is underway but will require further guidance from the Chartered Institute of Public Finance and Accountancy.

Mrs Lintill then highlighted Table 1 which outlines the increase in treasury investments since 2014 which in part had been driven by New Homes Bonus and CIL receipts. She explained that Table 2 shows the position of the council's external funds as at 31 March 2019. She then confirmed that since the first external investments were made in 2016 the council has earned £2 million in income to support services.

Mrs Lintill explained that the only item subject to further scrutiny is the net capital loss position on the value of the council's external funds. She confirmed that the overall trend is positive and the council remains committed to hold funds in the economic cycle. Mrs Lintill drew attention to Section 5 of the report which sets out the present value of the council's direct property assets. The capital value of the assets remain above the sums originally paid and have generated a 5.6% return.

Mrs Lintill then explained with reference to Appendix C that there had been one reportable exception due to an error in identifying the correct counterparty limit for an investment. The error led to a higher investment being made than permitted by the Council's Treasury Management Strategy. Mrs Lintill confirmed that the investment was paid back in full and no further incidents have taken place.

Mrs Lintill then outlined the council's Brexit preparation steps to reduce the risk of a temporary disruption to the international financial system. Further UK domicile market funds have been opened to hold temporary liquidity and a backstop account has been set up with the treasury which has been tested.

Mr Briscoe wished to thank officers for the report.

With regard to section 8.2 of the report Mrs Plant requested a verbal update on the review of the funds. Mr Catlow confirmed that an officer/member meeting had recently taken place with a representative from Arlingclose (the council's Treasury Management Advisor) to review performance and lessons learnt from the council's external pool funds. Arlingclose were instructed to come back at the end of September with proposals for future investments.

### *Decision*

The Cabinet then voted unanimously to make the resolution below.

### **RESOLVED**

That the summary of the treasury management activities and performance for 2018-2019 be noted.

#### 41 **Implementation of Income Systems upgrade**

Mrs Lintill introduced the item. She explained that the Cabinet is requested to fund £15,400 from reserves to implement essential upgrades to the council's income management systems. She confirmed that the upgrade is required to maintain software and upgrade support in order to ensure the council receives future patches and updates for legislative changes.

Mrs Lintill asked whether the funds could be given a regular allocation. Mr Catlow confirmed that he would be suggesting they are added to the Asset Replacement Programme.

##### *Decision*

The Cabinet then voted unanimously to make the resolution below.

##### **RESOLVED**

That the allocation of £15,400 from reserves to implement essential upgrades to the council's income management schemes be approved.

#### 42 **Late Items**

There were no late items.

#### 43 **Exclusion of the Press and Public**

Mrs Lintill read the part II resolution in relation to agenda item 18 which was seconded by Mrs Taylor.

##### *Decision*

The Cabinet then voted unanimously to go into part II.

##### **RESOLVED**

That with regard to agenda item 18 the public including the press should be excluded from the meeting on the grounds of exemption in Schedule 12A to the Local Government Act 1972 namely Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information) and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

#### 44 **Southern Gateway - Potential Acquisition**

Mr Over introduced the item and outlined the exempt report. He then responded to questions and points of clarification raised by Mrs Lintill, Mr Briscoe, Mrs Taylor, Mr Bell and Mrs Graves.

During the course of the item Mrs Lintill allowed Mr Moss, Mr Barrett, Mr Sutton and Mr Oakley to comment.

#### *Decision*

The Cabinet then voted unanimously to make the resolutions and recommendation below.

#### **RESOLVED**

1. That the agreement of the terms for the purchase of the freehold interest in the property shown edged on drawing no. 5736 (Appendix 1) be delegated to the Deputy Chief Executive/Executive Director, following consultation with the Leader, Portfolio Holder for Growth, Place and Regeneration, the Leader of the Opposition and the S151 officer, subject to the satisfactory completion of due diligence and a back to back arrangement and option to explore a buy back clause with the appointed development partner or the developer underwriting the holding costs.
2. That the Deputy Chief Executive/Executive Director, following consultation with the Leader, Portfolio Holder for Growth, Place and Regeneration, the Leader of the Opposition and the S151 Officer be delegated authority to conclude the purchase and negotiate changes to the heads of terms to reflect due diligence required.

#### **RECOMMENDED TO THE COUNCIL**

That the purchase consideration plus associated costs be funded by the use of reserves.

The meeting ended at 11.50 am

---

CHAIRMAN

---

Date:

**Chichester District Council**

**CABINET**

**1 October 2019**

**Increasing the Provision of the Council's Temporary Accommodation  
At Freeland Close Chichester**

**1. Contacts**

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**Cabinet Member:**

Norma Graves - Cabinet Member for Housing  
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**2. Recommendations**

- 2.1 That an order is placed with Southern Gas Network (SGN) for the relocation of the gas pipeline, shown in Appendix 1.**
- 2.2 That Cabinet approves the allocation of up to £120,000 from the Housing Investment Reserve to meet the cost of this work, subject to the urgency procedure (see para 5.2 below).**
- 2.3 That delegated authority is given to the Director of Housing and Communities to make changes to the Project Initiation Document (PID), in consultation with the Cabinet Member for Housing, to accommodate approval of a final design and submission of a planning application.**
- 2.4 That members note the delay in the programme as set out in 5.4.**

**3. Background**

- 3.1 Over the last 3 years the Council's temporary accommodation at Westward House has been operating at full capacity, subject to turn around voids. The Council has become increasingly reliant on bed and breakfast (primarily out of the district) for temporary accommodation. This is far from ideal for the households involved and incurs significant costs to the public purse. Furthermore it is considered unlawful by MHCLG, to accommodate families in bed and breakfast except in an emergency and for a maximum of 6 weeks.
- 3.2 In late 2016 a single storey building, 22 Freeland Close, was offered to the Council for purchase. The purchase was approved by Cabinet in March 2017. Since then the property has been bought back into use to provide four one bedroom flats as temporary accommodation. A full options appraisal was also undertaken to maximise the full development potential of the property to meet the Councils priority homeless accommodation needs, whilst ensuring that any development of the site was economically viable in terms of build cost and achievable rental income.

- 3.3 In December 2018 Cabinet approved the Project Initiation Document (PID) for redevelopment of the site to expand the accommodation. The Director of Housing and Communities was authorised to proceed with the project to planning stage, to conduct the procurement, invite tenders and take all steps up to, but not including, the award of the construction contract which will be brought back to Cabinet.
- 3.2 Cabinet also approved the allocation of £102,000 from the Housing Investment Reserve to enable the scheme design to be finalised and submitted for planning approval.
- 3.3 In order to progress the development it will be necessary to move a gas main that currently runs through the site, shown in Appendix 1. An estimate of £116k has been received from Southern Gas Network (SGN) for the cost of this work. Payment is due on placement of an order and there is a lead-in period of 16 weeks before any work can be commenced.
- 3.4 Positive pre-application planning advice has been received in respect of the proposed development, a planning application is currently being prepared by the consultant architects and is expected to be submitted within the next month. Following planning approval, the detailed design of the scheme will be completed and tenders invited. If the Council waits to commission SGN to move the gas main until planning has been approved this could introduce a significant delay to the project. An updated estimate will have to be sought and the cost of moving the gas main may increase.

#### **4 Outcomes to be achieved**

- 4.1 That the project is delivered as far as possible in line with the timescales set out in the PID and without undue delay.

#### **5. Proposal**

- 5.1 That an order is placed with SGN for the relocation of the gas main, so that the lead-in time of 16 weeks will run concurrently to the planning application and the detailed design and procurement of the main contract and any delay to the project caused by the relocation of the gas main will be minimalised.
- 5.2 This recommendation would normally be referred onto full Council, however, as Council does not sit until 26<sup>th</sup> November, it is proposed that following Cabinet the urgent decisions procedure is used to expedite the order being placed.
- 5.3 Since the PID was taken to Cabinet in December 2018, a number of queries have arisen in respect of the design of the scheme including the difficulty of managing shared accommodation and the potential for conflict amongst clients. In addition a review of recent and current demand for temporary accommodation has been undertaken which indicated that the biggest growing client group is single people. It was identified that larger households could be adequately accommodated within the existing facilities at Westward House, subject to some reconfiguration work.
- 5.4 Due to pressures on staffing resources, the loss of key staff on the project team and reconsideration of the design, the project programme has slipped. It is now expected that a planning application will be made in the next month. A further report will be

presented to Cabinet following the receipt and analysis of tenders for award of contract in spring 2020.

- 5.5 It is proposed that the Director of Housing and Communities be given delegated authority to make changes to the PID, in consultation with the Cabinet Member for Housing, to accommodate approval of a final design and submission of a planning application.

## **6. Alternatives Considered**

- 6.1 If the relocation of the gas main was commissioned following the grant of a planning approval there is likely to be a considerable delay to the project as the build out of the development will not be able to commence until the order has been placed and removal of the gas main completed. Contractor bids may also be inflated due to the uncertainty as to completion of these works.

## **7. Resource and Legal Implications**

- 7.1 The most recent estimate provided by SGN for the relocation of the gas main is for £115, 615. This is valid for 90 days and SGN reserve the right to charge for a re-estimate. The original estimate of £119,000 supplied by SGN was included in the options appraisal carried out for the PID.
- 7.3 The Council currently holds a Housing Investment Reserve of £765,000 of which £102,000 has already been committed to enable the scheme design ready for invitation of tender. The use of these funds already has approval of Council and meets key objectives of the Corporate Plan. The £120K being requested in this report is an additional allocation from the reserve for the relocation of the gas pipe.

## **8. Consultation**

- 8.1 Pre-application planning advice has been received from Development Management in Planning Services. No major concerns regarding the redevelopment of the premise were raised.
- 8.2 Regular meetings are held with the Council's internal project team for this project including representatives from housing, legal, finance and estates.
- 8.3 The Senior Leadership Team has been briefed on these matters.

## **9. Community Impact and Corporate Risks**

- 9.1 There is a risk that the development is not granted planning permission. If this was the case and the Council decided not to progress further with the development, SGN have advised that if their order were cancelled they would only charge the Council for work actually undertaken. For example, should they require trial holes within the 16 week lead in period, this would be chargeable to CDC, however if no work is undertaken a full refund would be issued.
- 9.3 Relocating the gas main maximises the development potential of the site and will increase the potential value of the site. Should the Council decide not to progress the

development, the relocation of the gas main will have added equivalent value to the site for disposal.

- 9.4 Proceeding with the relocation of the gas main ahead of the main contract will help to de-risk further slippage in the development programme and will ensure that tenders have greater certainty in costing the works.
- 9.5 An equalities impact assessment has been undertaken and concludes that this development will have a positive impact. The proposals will increase the supply of, and access to suitable temporary accommodation for homeless households.
- 9.6 Further risks and mitigation measures were identified in section 13 of the PID attached to the report to Cabinet in December 2018.

## 10. Other Implications

	Yes	No
<b>Crime and Disorder</b>		x
<b>Climate Change and Biodiversity</b>		x
<b>Human Rights and Equality Impact</b>		x
<b>Safeguarding and Early Help</b>		x
<b>General Data Protection Regulations (GDPR)</b>		x
<b>Health and Wellbeing</b>		x
<b>Other</b> (please specify)		No

## 11. Appendices

- 11.1 Plan showing position of gas main and proposed development.

## 12. Background Papers - None



Not to scale

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Chichester District Council

CABINET

1 October 2019

**Review of Street Trading controls in Chichester City Centre**

**1. Contacts**

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**2. Recommendations**

- 2.1 That officers be authorised to undertake the necessary steps to vary the existing designation to further areas within Chichester city centre pursuant to Paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 from prohibited streets to consent streets; and**
- 2.2 That following that process Council is requested to approve the re-designation.**

**3 Background**

- 3.1 The Council's Licensing Team have reviewed the existing Street Trading prohibitions and request that consideration be given to varying the existing designation to further areas of Chichester city centre from 'prohibited streets' to 'consent streets' under the Local Government (Miscellaneous Provisions) Act 1982 (the 'Act').
- 3.2 'Street Trading' is currently prohibited within the city centre of Chichester, other than the pedestrianised areas of East Street, North Street and Crane Street and the part of St Martin's Street from its junction with East Street northwards to adjacent 4 St Martin's Street. These four areas are designated 'consent streets' under the Act and it is therefore only these areas which are currently able to host a consented market under the authority of a Street Trading Consent overseen by the Licensing Team.
- 3.3 Street Trading prohibitions have been in place since 1991 with amendments made by Council in 2006 when approval was given for parts of East Street and North Street to become 'consent streets', and again in 2016 when Crane Street and the part of St Martin's Street were added following a request from the Chichester BID.

- 3.4 A plan illustrating the extent of the current street trading prohibition/consented areas within the city centre is shown at Appendix 1. The possible option for extending the consented areas include streets that are within the current prohibited area. Therefore in order for street trading to occur at these locations the existing designation must be formally changed.
- 3.5 In its simplest form 'street trading' means the selling or exposing, or offering for sale, of any article (including living things) in a street. There are certain exemptions such as;
- Trading as a news vendor/selling periodicals such as '*The Big Issue*';
  - Trading by a person acting as a pedlar who has a pedlars certificate granted by the Police, and
  - Street collections or sales by charities with a Street Collection Permit.
- 3.6 Unless operating under one of these exemptions this means that persons wishing to sell items must obtain a Street Trading Consent from the Council. Without such Consent trading is prohibited.
- 3.7 The Act specifies that a Council shall not pass a resolution to designate a street or part of a street as a 'consent street' unless certain statutory steps have been taken. These include;
- The publication of a notice in a local newspaper setting out the Council's intention to pass such a resolution;
  - Serving a copy of the notice on the Chief Officer of Police for the area(s) in which the street to be designated by the resolution is situated and on any highway authority for that street
  - Advertising the resolution for two consecutive weeks in the local press before any designation takes effect
- 3.8 The Licensing Team is aware of the desire from retailers and event organisers to potentially stage more events in areas of the city which they are currently unable to do so. Therefore in order to achieve this Council must pass a resolution to change the status of certain streets only once certain statutory processes have been undertaken.

#### **4 Outcomes to be achieved**

- 4.1 The purpose of the re-designation is to provide diversity in the shopping facility offered in the city centre whilst providing support for businesses, and to increase trade and vibrancy into further areas of Chichester city centre.
- 4.2 Subject to the process outlined above that Officers report to Council to request a formal resolution seeking the potential variation of the designation of further areas of Chichester city centre from 'prohibited streets' to 'consent streets'
- 4.3 If passed this will present the opportunity to potentially stage new events in areas other than those specified at paragraph 3.2 above, assist with the introduction of an all year round programme of events and support the delivery of the Chichester Vision.

## 5 Proposal

- 5.1 That officers proceed with the necessary actions to change the designation of areas of Chichester city centre from prohibited to consented streets, subject to the necessary statutory processes being completed.
- 5.2 A consultation process will take place with partners including, West Sussex County Council, Chichester City Council, Chichester BID and other relevant departments at Chichester District Council. The map illustrating the option for the extension to consented streets can be found in Appendix 2. Consultees will be asked to comment and a report will be provided to Council on 28 January 2020 seeking the final resolution.

## 6 Alternatives that have been considered

- 6.1 Do nothing – retain the current consented areas only

## 7 Resource and legal implications

- 7.1 Existing resource within Growth and Place, predominantly from the Licensing Team along with input from Legal Services will be required to undertake this exercise.

## 8 Public Consultation

- 8.1 If Cabinet approve the consultation being undertaken the statutory processes will be progressed including the placing of public notices. Comments received will be reported to Council on 28 January 2020 when the necessary resolution will be sought.

## 9 Community impact and corporate risks

- 9.1 Corporate and community risks are considered minimal albeit consideration must be given to the outcome of the consultation and the potential economic and wider impact on Chichester city centre if the proposed areas are designated as 'consent streets'.

## 10 Other Implications

Crime & Disorder:	No
Climate Change:	No
Human Rights and Equality Impact:	No
Safeguarding:	No

## 11 Appendices

Appendix 1 Map illustrating current 'Prohibited Streets' and 'Consent Streets' in Chichester city centre

Appendix 2 Map illustrating potential future consented streets

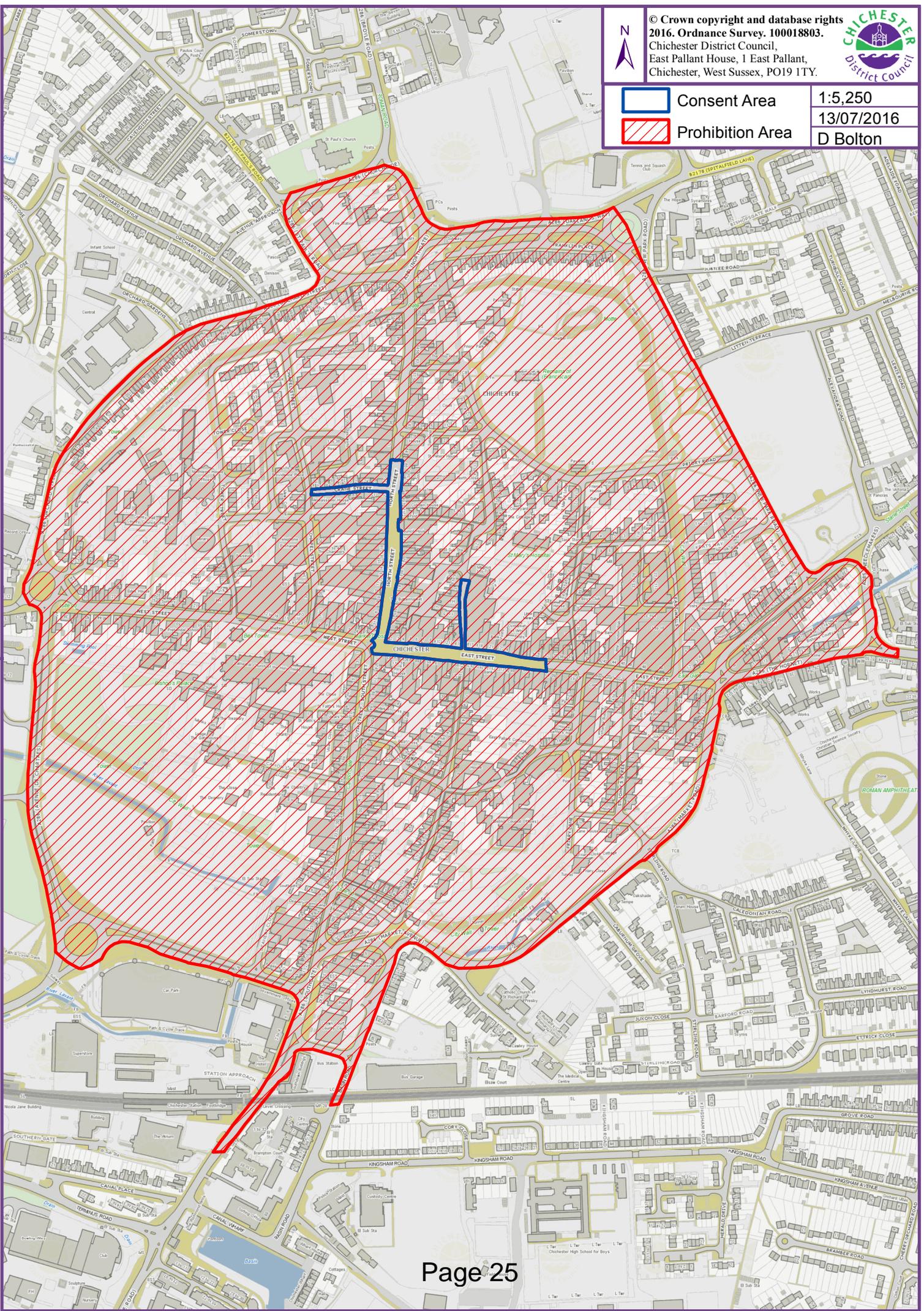
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Chichester District Council,  
East Pallant House, 1 East Pallant,  
Chichester, West Sussex, PO19 1TY.



Consent Area  
Prohibition Area

1:5,250  
13/07/2016  
D Bolton



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-  Prohibition area
-  Proposed consent area



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 Chichester District Council,  
 East Pallant House, 1 East Pallant,  
 Chichester, West Sussex, PO19 1TY.

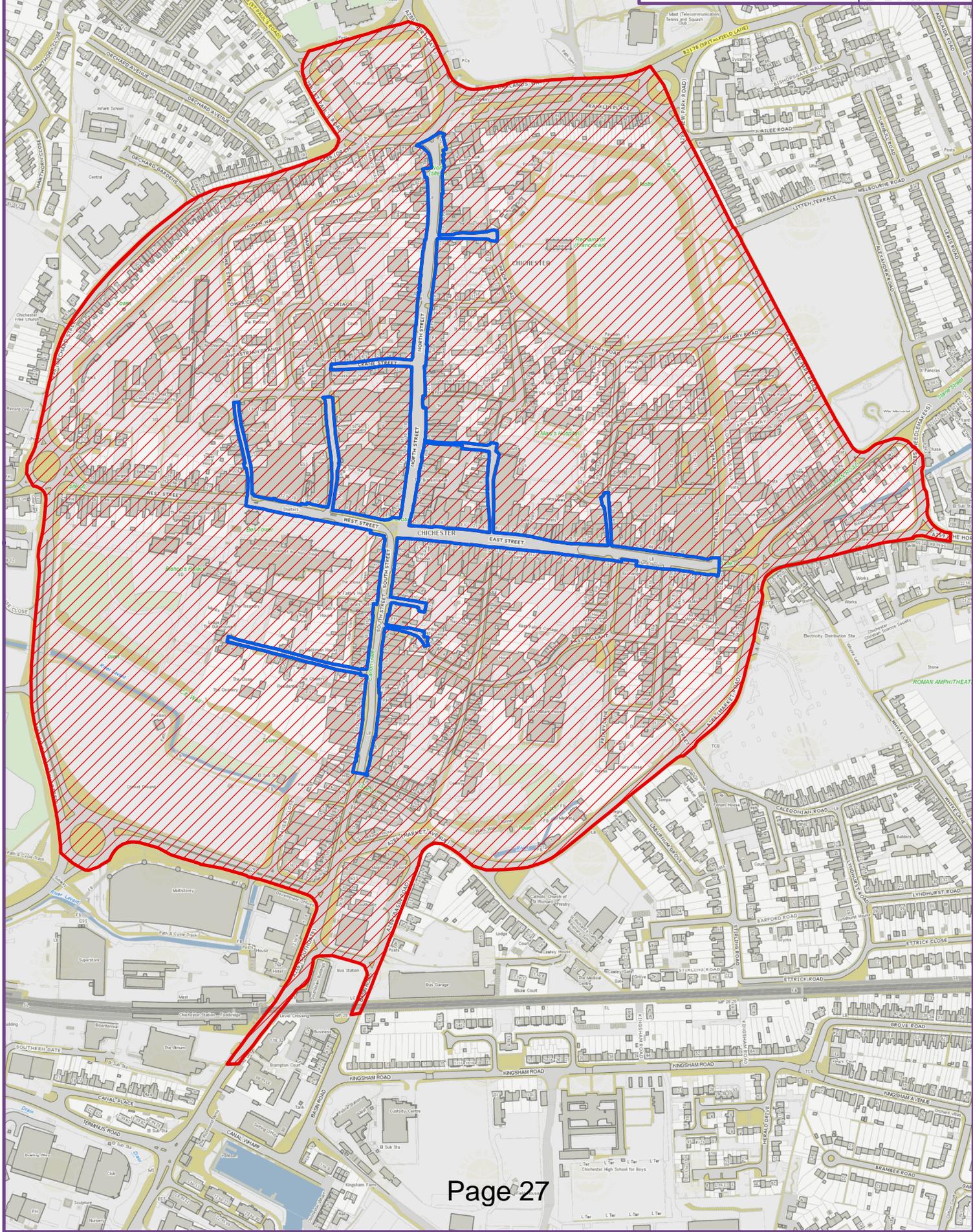


Proposed Street Trading

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D Bolton



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## Chichester District Council

**CABINET**

**1 October 2019**

### Council Tax Review of Locally Defined Discounts and Premia

#### 1. Contacts

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#### 2. Recommendation

- 2.1. That the Council Tax Discounts and Premia proposed in the appendix to the agenda report be applied for the 2020-2021 financial year.**

#### 3. Background

- 3.1. The Local Government Finance Act (LGFA) 1992, as amended by the LGFA 2003 and LGFA 2012, requires the authority to set a taxbase between 1 December 2019 and 31 January 2020. The 2020-2021 taxbase report will be prepared for Cabinet's consideration on the 3 December 2019.
- 3.2. The level of locally defined discounts and empty homes premium impacts on the calculation of the taxbase.
- 3.3. The Local Government Finance Act 2003 provided devolved powers for billing authorities to make decisions on the level of council tax discount which can be applied to certain dwellings. These dwellings must be placed in a prescribed class.
- 3.4. The current prescribed classes are shown below

Prescribed class A	Not a main residence, which is furnished and occupancy is restricted by a planning condition.
Prescribed class B	Not a main residence but remains furnished.
Prescribed class C	Unoccupied and unfurnished. (Vacant)
Prescribed class D	Requires or is undergoing major repair works or is underdoing structural alteration.

- 3.5. Billing authorities have the power to increase council tax on properties which have been unoccupied and substantially unfurnished for over 2 years. This is known as the 'empty home premium'.

- 3.6. At the November 2017 budget, the Chancellor announced the Government's intention to legislate to increase the maximum level of empty home premium billing authorities could charge. The Rating (Property in Common Occupation) and Council Tax (Empty Dwelling) Act 2018 brought in this power with effect from the 2019-20 financial year. The maximum charges are set out below;

Maximum level of Premium	Length of time a property must be empty	Effective date Premium can be charged from.
100%	2 - 5 years	1.4.2019
200%	More than 5 years	1.4.2020
300%	More than 10 years	1.4.2021

- 3.7. At its meeting on 2 October 2018 the Cabinet resolved that for 2019-2020 financial year a 100% premium shall apply for properties that have been unfurnished and unoccupied for more than two years.

#### **4. Outcomes to be achieved**

- 4.1. The approval of the recommendations in this report will provide certainty in respect of the locally defined discounts and empty homes premium when preparing the council taxbase for the 2020-2021 financial year.

#### **5. Proposal**

- 5.1. To encourage owners to bring their properties back into use as soon as possible, the empty homes premium for properties that have been empty for between 2 and 5 years be set at 100% for the 2020-2021 financial year.
- 5.2. To encourage owners to bring their properties back into use, the empty homes premium for properties that have been empty for more than 5 years be set at 200% for the 2020-2021 financial year.
- 5.3. That the locally defined discounts proposed in appendix 1 be applied for the 2020-2021 financial year. It is proposed not to change the level of any local discounts.

#### **6. Alternatives that have been considered**

- 6.1. To continue with the empty homes premium at 100% for all properties over 2 years. This option would not encourage current owners of properties that have been empty for over 5 years to bring their property back into use. There would also be a cost to this in terms of revenue lost to the Council and the precepting authorities.
- 6.2. Reduce the empty homes premium to between 0% and 99%. This option does not encourage owners to bring their empty homes back into use. There would also be a cost to this in terms of revenue lost to the Council and the precepting authorities.

#### **7. Resource and legal implications**

- 7.1. Finance: Increasing the empty homes premium from 100% to 200% for properties that have been empty for over 5 years will generate an estimated additional Council Tax income of £5,500 for Chichester District Council. The empty homes premium

currently set at 100% for properties empty for more than 2 years generates an estimated additional Council Tax income to the Council of £13,200.

- 7.2. Increasing the empty homes premium will cause no additional resource or legal implications.

## 8. Consultation

- 8.1. No specific consultation has been undertaken on the proposals in this report. However a review of the council tax discounts and empty homes premium was considered by the Overview and Scrutiny Committee on 18 September 2018.
- 8.2. The Director of Housing and Communities and the Cabinet member for Revenues and Benefits have been consulted on the level of discounts and premium for 2020-2021 and they are happy with the proposals.

## 9. Community impact and corporate risks

- 9.1. Since April 2013 there has been a reduction in taxbase resulting from implementation of the local council tax reduction scheme. The income generated from locally defined discounts has helped to off-set this loss.

## 10. Other Implications

	Yes	No
<b>Crime and Disorder</b>		No
<b>Climate Change and Biodiversity</b>		No
<b>Human Rights and Equality Impact</b>		No
<b>Safeguarding and Early Help</b>		No
<b>General Data Protection Regulations (GDPR)</b>		No
<b>Health and Wellbeing</b>		No
<b>Other</b> (please specify)		No

## 11. Appendices

- 11.1 Summary of locally defined discounts and premia.

## 12. Background papers

- 12.1. None

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## Council Tax Review of Locally Defined Discounts and Premia

### Appendix 1

Locally defined discounts and premia	2019/2020	Proposal for 2020/2021
Prescribed class A and B second homes to include those with planning restrictions.	Nil discount	Nil discount
Prescribed class C vacant, unoccupied and substantially unfurnished properties.	Nil discount	Nil discount
Prescribed class D properties in need of or undergoing major repair.	Nil discount	Nil discount
Empty homes premium (properties that have been vacant for more than 2 years)	100%	100%
Empty homes premium (properties that have been vacant for more than 5 years)	100%	200%

Prescribed classes A and B relates to unoccupied, furnished properties, i.e. second homes. At its meeting on the 2 October 2018 Cabinet resolved that for 2019/2020 financial year a zero discount shall apply. It is proposed to continue to set a zero discount for 2020/2021, as the Council does not accept that there is a valid reason for treating second homes more favourably than first homes.

Prescribed class C relates to unfurnished properties. At its meeting on 2 October 2018 Cabinet resolved that for the 2019/2020 financial year a zero discount shall apply for unoccupied and unfurnished properties. It is proposed to continue to set a zero discount for the 2020/21 financial year, as local authority services continue to be provided. This will also encourage owners to keep valuable housing stock in use by bringing them back into full occupancy as swiftly as possible.

Prescribed class D relates to properties in need of or are undergoing major repair works to render the property habitable or undergoing structural alterations, or less than six months has elapsed since the completion of such works. On the 2 October 2018 Cabinet resolved that for 2019/2020 financial year a zero discount shall apply. It is proposed to continue to set a zero discount for the 2020/2021 financial year. This will encourage owners to bring properties back into the available housing stock as quickly as possible by refurbishing properties in need of major repair in a timely manner. In terms of structural alterations the Council does not accept that those property owners who are making this type of alteration should be treated more favourably than other property owners in the district.

The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 brought in the power for councils to increase the maximum levels of the empty homes premium.

At its meeting on the 2 October 2018 Cabinet resolved that for 2019/2020 financial year a 100% empty homes premium be charged. It is proposed to maintain the empty homes premium at 100% for properties vacant for between 2 and 5 years. In respect of properties that have been empty for over 5 years it is proposed to increase the premium to 200% for the financial year 2020/2021. Bringing empty properties back into use forms part of the Council's housing strategy and the extra cost of an empty homes premium may encourage owners of long term empty properties to bring them back into use.

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**Chichester District Council**

**CABINET**

**1 October 2019**

**Rumbolds Hill, Midhurst Air Quality Management Area Public Consultation**

**1. Contacts**

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**Cabinet Member:**

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**2. Recommendation**

- 2.1 That Cabinet approves in principle the proposed Air Quality Management Area, as illustrated in Appendix 1, in line with the Council's statutory Local Air Quality Management duties.**
- 2.2 That Cabinet authorises commencement of a public consultation exercise regarding the proposed Air Quality Management Area.**

**3. Background**

- 3.1 Local authorities have a statutory duty to designate those parts of their areas, where any of the nationally prescribed Air Quality Objectives (AQO) are not being achieved or likely to be achieved, as Air Quality Management Areas (AQMA). This applies only to those locations where members of the public might reasonably be exposed. Under Section 83(1) of the Environment Act 1995, local authorities have to designate these AQMA's 'by means of an order'.
- 3.2 The Council has been measuring Nitrogen Dioxide (NO<sub>2</sub>) at Rumbolds Hill, Midhurst since 2015 and recorded non-compliance with the UK annual mean Objective for NO<sub>2</sub> every year. The monitoring data is presented in the Council's statutory 'Annual Status Report 2019'. The Council has recently commissioned computerised air quality modelling for Rumbolds Hill which suggests borderline compliance with the standard until 2025. Nevertheless, good quality monitoring data is always considered of more value than modelling data as evidence of non-compliance with AQO.

**4. Outcomes to be Achieved**

- 4.1 Subject to the subsequent declaration of the AQMA the outcome will be the integration of actions to improve air quality at Rumbolds Hill into a revised Air Quality

Action Plan in 2020.

## 5. Proposal

- 5.1 Given the assessed likely continued non-compliance with the relevant AQO then the declaration of an AQMA is necessary. The proposed area to be covered by the AQMA is shown on the map in Appendix 1.
- 5.2 The consultation period will be four weeks and the list of consultees is identified at Appendix 2.

## 6. Alternatives Considered

- 6.1 Where authorities have evidence that air quality fails an AQO then declaration of an AQMA is a statutory duty. The monitoring data at Rumbolds Hill is unequivocal in suggesting that the declaration AQMA is necessary. As such no alternatives are considered appropriate.

## 7. Resource and Legal Implications

- 7.1 The AQMA consultation, declaration and related revised AQAP are within existing staff resource and financial resources.
- 7.2 Under Section 83(1) of the Environment Act 1995, local authorities have to designate AQMA's 'by means of an order' where any of the prescribed AQOs are not likely to be met.

## 8. Consultation

- 8.1 A full list of consultees is at Appendix 2.
- 8.2 The consultation period will be for four weeks. The results of the consultation will be included in a future report to Cabinet which will include the draft order for declaration of the AQMA.

## Community Impact and Corporate Risks

- 9.2 The proposed declaration of the Rumbolds Hill AQMA is a statutory duty for the District Council. Nevertheless the matter relates to local traffic emissions where WSCC are the relevant Highway Authority. Options for improving air quality in this location will be the subject of future discussion with WSCC nevertheless the AQMA declaration does not guarantee any significant intervention.

## 9. Other Implications

	Yes	No
<b>Crime and Disorder</b>		✓
<b>Climate Change and Biodiversity</b> Once the AQMA is declared then the related AQAP will propose measures to improve air quality in the AQMA. Measures that tackle air pollution generally have a positive impact in tackling	✓	

climate change.		
<b>Human Rights and Equality Impact</b>		✓
<b>Safeguarding and Early Help</b>		✓
<b>General Data Protection Regulations (GDPR)</b>		✓
<b>Health and Wellbeing</b> Actions proposed to tackle air pollution and emissions have a positive impact on health and wellbeing. Non-car modes of travel such as cycling and walking are well documented to be beneficial in relation to a wide range of physical and mental health issues. Reduced emissions are directly linked to lower exposure to pollution and a wide range of beneficial health and environmental effects.	✓	
<b>Other</b> (please specify)		✓

## 10. Appendices

Appendix 1: Proposed geographic extent of the Rumbolds Hill AQMA.  
Appendix 2: List of consultees.

## 11. Background Papers

None

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## Appendix 1:

### Proposed geographic extent of the Rumbolds Hill AQMA:



Proposed AQMA extent indicated by red polygon (the extent should be treated as indicative at the current time).

## Appendix 2:

### List of consultees:

#### Internal

Development Management and Building Control  
Chief Executive

#### External

DEFRA  
West Sussex County Council  
CDC Members  
South Downs National Park Authority  
Midhurst Town Council  
Midhurst Vision Group  
Members of the public living in, or close to the declared AQMA

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**Chichester District Council**

**Cabinet**

**2 October 2019**

**Funding Brexit Planning**

**1. Contacts**

**Report Author:**

Diane Shepherd, Chief Executive  
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**Cabinet Member:**

Eileen Lintill, Leader of the Council  
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**2. Recommendation**

**That delegated authority is given to the Chief Executive to use the remaining government funding of £20k, if required, to mitigate against the potential impact of a No Deal Brexit.**

**3. Background**

- 3.1 Local authorities are required to have a Plan to mitigate against the consequences of a no deal Brexit and have a nominated senior officer responsible for Brexit planning. The Leader has appointed the Chief Executive to this role. A risk assessment was undertaken and an action plan developed earlier in the year and this plan is being continuously updated as new information arises. The risks of a no deal Brexit is being review and scrutinised by the Council's Strategic Risk Group and the Corporate Governance and Audit Committee.
- 3.2 To date the Council has received £51k from the Government to help prepare for Brexit. At its June meeting Cabinet agreed to release £31K from this funding to pay for a fuel storage tank at Westhampnett depot leaving £20k unallocated.

**4. Outcomes to be Achieved**

That the Chief Executive can make quick decisions on using the funding allocated by Government to prepare and mitigate against a no deal Brexit.

**5. Proposal**

To give the Chief Executive delegated authority to spend the remainder of the funding as necessary for Brexit related expenditure.

**6. Alternatives Considered**

That Cabinet retain responsibility for releasing the funding.

**7. Resource and Legal Implications**

See above

**8. Consultation**

SLT, Divisional Managers and the Emergency Planning Officer.

**9. Community Impact and Corporate Risks**

The purpose of the funding is to reduce the impact on Council services of a no deal Brexit.

**10. Other Implications**

<b>Are there any implications for the following?</b> If you tick "Yes", list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9		
	Yes	No
<b>Crime and Disorder</b>		x
<b>Climate Change and Biodiversity</b>		x
<b>Human Rights and Equality Impact</b>		x
<b>Safeguarding and Early Help</b> WSCC is the main agency responsible for this and plans are in place for both children and vulnerable adults		x
<b>General Data Protection Regulations (GDPR)</b>		x
<b>Health and Wellbeing – potentially but not directly CDC's responsibility. Other agencies have plans in place</b>	x	
<b>Other</b> see action plan		

**11. Appendices**

None

**12. Background Papers**

None

**Chichester District Council**

**CABINET**

**1 October 2019**

**Provision of additional CCTV cameras at Westward House**

**1. Contacts**

**Report Author:**

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**Cabinet Member:**

Norma Graves, Cabinet Member for Housing,  
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**2. Recommendation**

- 2.1 That Cabinet allocates £17,000 from reserves to install additional CCTV cameras at its temporary accommodation at Westward House.**
- 2.2 That an additional annual sum of £1,700 is included in the Asset Replacement Programme to cover the future replacement costs and a further sum of £250 is included in the Westward House maintenance budget from the 2020/21 financial year to cover the annual maintenance costs of the CCTV system.**

**3. Background**

- 3.1. In 2014 a CCTV system was installed at Westward House:
- to protect the Council's investment in the accommodation by acting as a deterrent and by allowing evidence to be gathered if damage is caused at the property.
  - to allow the accommodation to be better managed by providing evidence if residents breach their licence conditions, for example by keeping pets or allowing unauthorised people to occupy the accommodation.
  - to protect the health and safety of staff that work at Westward House and the duty officers who may have to place clients in the accommodation outside of normal working hours
- 3.2. Following changes in homelessness legislation the client group accommodated at Westward House has changed and the biggest growing client group is now single vulnerable men, often with either mental health or drug and alcohol issues. As a result there has been an increase in the number of anti-social incidents at Westward House.
- 3.3. A Security Audit of the scheme was recently commissioned to ensure that all reasonable measures are in place to protect the health and safety of both staff and residents. The report identified that the existing CCTV system provides

only limited coverage and recommended that additional cameras are installed to ensure that all communal areas are fully covered.

- 3.4. There are 47 flats at Westward House, of which only 12 flats are currently directly covered by CCTV at any one time.

#### **4. Outcomes to be achieved**

- 4.1. Additional CCTV coverage should reduce the risk of incidents taking place in the areas currently not covered by CCTV and help protect the health and safety of staff and residents.
- 4.2. Comprehensive CCTV coverage of the communal areas will ensure that evidence is available where there has been an incident on the premises and allow the Council to take the appropriate action.
- 4.3. The eight additional cameras will help provide evidence to the police in regard to anti-social behaviour including assaults and criminal damage.

#### **5. Proposal**

- 5.1. It is proposed to install eight additional CCTV cameras at Westward House to ensure comprehensive coverage of all flats and the communal areas.
- 5.2. The recording capacity of the CCTV system is currently only 10 days. If staff are not aware of an incident which later comes to light, valuable evidence can be lost. Furthermore, the police can often take some time to request copies of CCTV footage. Storage is to be increased from 10 to 30 days in line with the recommendations of the report and industry standard.

#### **6. Alternatives that have been considered**

- 6.1. The proposed option is the only other viable option as if the Council were to do nothing, this could lead to an increased risk to the health and safety of staff, residents, contractors and visitors.

#### **7. Resource and legal implications**

- 7.1. It is suggested that the cost of installation be funded from reserves. The total amount requested is £17,000 excluding VAT.
- 7.2. From 2020/21 an annual sum of £1,700 should be included in the Council's Asset Replacement Programme to cover the cost of replacing the system in 10 years' time when the system is predicted to have reached the end of its useful life. An additional sum of £250 will also be added to the Westward House maintenance budget to cover the annual maintenance cost of the additional cameras and will be met from the licence fees collected for the accommodation.
- 7.3. Appropriate signage, complying with the Regulation of Investigatory Powers Act 2000, is provided ensure that all residents, visitors etc. are aware that CCTV is

in operation and that it may be used as evidence in relation to any legal proceedings.

## 8. Consultation

8.1. There has been no formal consultation regarding the installation of additional cameras, however, the Accommodation Services Manager and staff based at Westward House believe that additional cameras will help protect their health and safety and that of the residents. It will allow staff to manage the accommodation more effectively and deter residents and visitors from anti-social behaviour.

## 9. Community impact and corporate risks

9.1. If additional cameras are not installed it may increase the risk of anti-social behaviour or damage caused by vandalism. It will be more difficult to evict occupiers when they are in breach of their licence agreements and the health and safety of staff and residents will be at greater risk.

9.2. A privacy impact assessment will be completed in respect of the revised CCTV coverage.

## 10. Other Implications

	Yes	No
<b>Crime &amp; Disorder:</b> The installation of a CCTV system at Westward House has the potential to reduce anti-social behaviour, crime and potential criminal damage at the facility.me and Disorder	x	
Climate Change and Biodiversity		x
Human Rights and Equality Impact		x
Safeguarding and Early Help - The eight additional cameras will help provide evidence for children safeguarding issues.	x	
General Data Protection Regulations (GDPR)		x
Health and Wellbeing		x

Other (please specify)		No
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**11. Appendices**

None

**12. Background Paper**

None

**Chichester District Council**

**CABINET**

**1 October 2019**

**Temporary Accommodation Out of Area Placement Policy**

**1. Contacts**

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**2. Recommendation**

**2.1. That Cabinet approves the ‘Temporary Accommodation Out of Area Placement Policy’ set out in the Appendix to this report.**

**2.2. That Cabinet delegates authority for the Divisional Manager of Housing, following consultation with the Cabinet Member for Housing, to make minor amendments to the policy.**

**3. Background**

3.1. The Housing Act 1996, Part 7 (as amended by the Homelessness Reduction Act 2017) sets out the Council’s statutory homelessness duties, including the duty to provide temporary accommodation for certain classes of people and in certain circumstances.

3.2. Section 188 of the Act requires that where the local housing authority has ‘reason to believe’ an applicant may be homeless, eligible for assistance, and have a priority need, it shall secure that accommodation is available for their occupation pending a decision as to the duty (if any) owed to them. This is known as the “interim duty to accommodate in cases of apparent priority need.”

3.3. Section 193(2) of the Act also relates to the provision of temporary accommodation and applies where the Council is satisfied that an applicant is homeless, eligible for assistance, has a priority need, and that the applicant did not become homeless intentionally. In these circumstances, they shall secure that accommodation remains available for occupation by the applicant until the main housing duty can be ended.

3.4. This report is focused on when and how the Council procures and uses temporary accommodation outside of the district in meeting its statutory obligations to homeless people in light of the 2nd April 2015 judgement of the Supreme Court in the case of *Nzolameso v Westminster City Council*.

3.5. The case was concerned with the practice of London Boroughs where homelessness duties are being met through sourcing accommodation outside the local area. Frequently, these placements are made some considerable distance from the respective boroughs. This is not a significant issue for Chichester, however, the resulting judgement suggested that all Councils should have published policies setting out their approach to providing temporary accommodation for homeless people.

3.6. The case concluded that each local authority should:

- Have and maintain a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand from homeless people. The policy should reflect obligations under both the Housing Act 1996 (as amended) and the Children Act 2004.
- Have and maintain a policy for allocating these units to individual homeless households, which includes consideration of how decisions would be taken about placing people out of the local area in the event of a shortfall of suitable accommodation locally.
- Seek approval for the adoption of such a policy by democratically accountable members of the Council.
- Ideally, make the policy publicly available.

#### **4. Outcomes to be achieved**

4.1. That the Council has in place a policy that is effective and complies with its statutory obligations to homeless people.

#### **5. Proposal**

5.1 That the Cabinet approves the 'Temporary Accommodation Out of Area Placement Policy' set out in the Appendix to this report.

#### **6. Policy implications**

6.1. The draft 'Temporary Accommodation Out of Area Placement Policy' set out at Appendix 1 reflects the existing operational approach to sourcing and allocating temporary accommodation outside of the district. This includes due regard to relevant statute and statutory guidance.

6.2. The 'Temporary Accommodation Out of Area Placement Policy' will contribute to a legally robust approach to meeting homelessness duties.

#### **7. Resource and legal implications**

7.1. There are no financial implications identified within the recommendation made in this paper.

## 8. Other Implications

	Yes	No
<b>Crime &amp; Disorder:</b>		X
<b>Climate Change:</b>		X
<b>Human Rights and Equality Impact:</b> Half of applications received by the Council are from households containing dependent children. A significant proportion of applications also include household members with 'protected characteristics' and therefore owed a duty under the Equalities Act.  The proposal will aid the Council to consider and prioritise households without prejudice or discrimination and secure suitable temporary accommodation in line with legislation, regulations and case law.	X	
<b>Safeguarding and Early Help:</b> The policy gives consideration to section 11 of the Children's Act 2004	x	
<b>Other (Please specify):</b> eg Biodiversity		X

## 9. Appendices

9.1. Appendix – Temporary Accommodation Out of Area Placement Policy.

## 10. Background Papers

None

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## **CHICHESTER DISTRICT COUNCIL: TEMPORARY ACCOMMODATION OUT OF AREA PLACEMENT POLICY**

### **Introduction**

This document sets out the Council's policy for how homeless households will be prioritised for temporary accommodation when there is no temporary accommodation available in:

- a) The local authority area, or
- b) An area within the local authority district that an applicant would prefer to be placed into to access for example, schools, place of work, family

The policy applies to all households placed in temporary accommodation by the Council under Section 188 *The Relief of Homelessness Duty* and Section 193 *The Main Homelessness Duty* arising out of the Housing Act 1996. It also applies to any accommodation:

1. Secured under a power to provide temporary accommodation pending a review or appeal.
2. Secured to meet any duty owed to an intentionally homeless household.
3. Secured to meet any interim accommodation duty pending the outcome of a local connection referral to another local authority.

This document should be read in conjunction with the Council's most recent Homelessness Strategy and action plan as this document sets out how the Council is seeking to develop more local temporary and permanent accommodation options to meet demand for households owed any duty under the Part VII of the Housing Act 1996 as amended by the Homelessness Reduction Act 2017.

This out of area placement policy is compliant with the advice set by the Supreme Court in April 2015 for the case of *Nzolameso and Westminster Council*.

This Temporary Accommodation Out of Area Placement Policy seeks to ensure that all placements are made on the basis of:

- a. A comprehensive assessment of a household's circumstances and needs, and
- b. A balanced assessment of the needs of all households requiring temporary accommodation set against consideration of the type and location of accommodation that is available to be allocated at any given point.

Wherever reasonably practicable, suitable temporary accommodation within the Local Authority area will be provided, however, this is subject to the supply of suitable temporary accommodation being available at the time. Consideration will also be given to a person's links to any area within the district. There may be cases where there is a specific reason why the household should not be accommodated within the district (for example, applicants at risk of domestic abuse or other violence).

The Council is making efforts to ensure that its temporary accommodation portfolio reflects the most common locations for applicants presenting as homeless in our district. Temporary accommodation needs are reviewed on a regular basis and consideration given to facilitating new schemes to increase the number of units within the district where the evidence indicates there may be a shortage of temporary accommodation. The district is primarily rural and covers an area of over 300 square

miles. It is therefore inevitably we cannot always meet the requested location that an applicant presenting as homeless may wish to be temporarily housed in.

### **The out of area temporary accommodation placement policy**

This policy is intended to ensure that priority is given to those who have the greatest need to be accommodated within the district.

In assessing the suitability of the location of any property to be used as temporary accommodation for a homeless household, the Council will consider whether the applicant can afford to pay for their temporary accommodation without being deprived of basic essentials such as food, clothing, heating, transport costs and all other reasonable expenditure. The rent that the household can afford as well as any additional costs, such as travel costs, resulting from the location of the accommodation is taken into account.

The Council will also take account the distance of any offer of temporary accommodation from the last address from which the household has presented as homeless. Consideration will be given to any possible disruption to employment, education or caring responsibilities, accessibility of essential medical facilities and support that is essential to the wellbeing of any household member, and accessibility of local amenities, services and transport.

An assessment of these matters will be completed when an applicant is being matched to any available temporary accommodation unit. A copy of the 'Suitability of temporary accommodation assessment' can be requested.

Any decision regarding an allocation of temporary accommodation will have regard to the Council's obligations under Section 11 of the Children Act 2004 including the need to both safeguard and promote the welfare of children.

This policy fully complies with the requirements of:

- a) Sections 206, 208, and 210 of the Housing Act 1996 as amended by the Homelessness Reduction Act 2017.
- b) The Homelessness (Suitability of Accommodation) (England) Order 2012.
- c) Whether the accommodation is affordable.
- d) The relevant sections of the DCLG Allocations and Homelessness.
- e) The MHCLG Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012 (November 2012). Applicants accommodated under this policy under section 193 of the Housing Act 1996 can request a statutory review of the suitability of any accommodation offered to them, in accordance with section 202 of the Act.
- f) Advice from the Courts to local authorities regarding when temporary accommodation is suitable including the leading case of *Nzolameso* and Westminster Council.
- g) The Equalities Act 2010.

### **Guidelines on the location of accommodation**

For the purposes of making an allocation, all units of temporary accommodation that may be offered to an applicant owed a temporary accommodation duty will be categorised simply as:

*'Within the local authority area (in area), or  
'Outside of the local authority area (outside area) - Defined as Temporary Accommodation located ideally in a neighbouring authority but if this is not possible located no more than 1 hours travelling distance by public transport.*

Where there are insufficient units of temporary accommodation in this Council's geographical boundaries a suitable offer will be made outside of our area.

**Prioritisation of households for an offer of temporary accommodation in the district where there are more applicants requiring a local in area placement, than properties available.**

If there is not a sufficient number of local temporary accommodation units available, a household will be placed in a suitable unit outside of our area, but as close to this local authority's district as possible based on the practicality of sourcing units on any given day.

Relevant facts regarding the household's circumstances will be gathered by officers in the course of their enquiries through completing their assessment of an applicant's circumstances.

Households will be given priority for a placement within the district if they meet the following criteria. However, this does not mean that they are guaranteed to receive an offer of 'in area' accommodation when any temporary accommodation duty arises. It may be that at the time any temporary accommodation duty is owed there are no vacancies in area and, if this is the case, an offer of suitable temporary accommodation will be made as close as possible. Priority will be given to any household that meets one or more of the criteria set out below and households will be given a suitable offer of temporary accommodation within area as soon as is reasonably practicable to do so.

The 'in area placement criteria'

- 1) Households with one child (or more) in secondary school in their final year of Key Stage 4 (generally Year 11) with exams to be taken within the next six months. Wherever practicable households will be placed within area and as close as possible to existing schools to minimise public transport travelling distance and costs.
- 2) Households with one child (or more) who has a Statement of Special Educational Needs who is receiving education or educational support in our area and where a change of schools would be extremely detrimental to their well-being because either the impact of moving on that child or that a similar package of support is unlikely to be available. Wherever practicable households will be placed within area and as close as possible to existing schools to minimise public transport travelling distance and costs.
- 3) Households with significant medical or severe learning disability where a child attends a special school. Households will be placed within area and as close as possible to existing schools to minimise public transport travelling distance and costs.
- 4) Households where one person (or more) has a severe and enduring mental health problem where they are receiving psychiatric treatment and aftercare provided by community mental health services **and** have an established support

network in this area so that a placement outside of this area may severely impact on their well-being.

- 5) Households where one person (or more) is in permanent and settled employment. This group will be prioritised for temporary accommodation as close as possible to their workplace. Where this is not possible the Council will endeavor to place a household no more than 60 minutes by public transport away from their place of employment and will continue to seek suitable accommodation closer to their place of work.
- 6) Households who have a longstanding arrangement to provide care and support to another family member in the local area, and that person would be likely to require statutory health and social care support if that care and support ceased and there are no other relatives willing and able to provide that care and no other suitable alternative arrangements available.

**Please note the following:**

1. The above categories do not mean that no other special circumstances will be taken into account. Whenever an applicant is owed an interim or full temporary accommodation duty a full assessment will be carried out of their household's housing needs and circumstances. Following that assessment it may be decided that an applicant should qualify for a local area offer for a special reason despite not meeting the criteria set.
2. The time likely to be spent in the temporary accommodation will also be taken into account when determining the suitability of any offer of temporary accommodation out of area.
3. Where there are no in area temporary accommodation units immediately available which meets the household's identified needs, a homeless household may be placed on an emergency basis into accommodation in any location where there is availability on that day as long as it has been assessed as being suitable.
4. Households in receipt of welfare benefits or who may be on a low income may be subject to restrictions on the amount of benefit they can receive, which may affect their ability to pay their temporary accommodation rent. Placement in a local area is subject to suitable accommodation being available that the applicant can afford.
5. Given the shortage of available properties, a decision may be required regarding how to prioritise the allocation of a particular property on a particular day where more than one household requires temporary accommodation and more than one household meets the local area criteria set out above. The following circumstances will be taken into account when prioritising between households. Please note the circumstances listed are not in descending order of importance and do not form an exclusive set of criteria as other factors may also be relevant at the time, including:
  - Level of need relating to the welfare and safeguarding of any children in the household
  - Level of educational need
  - Identified risks posed by living in particular areas
  - Permanency/flexibility of employment
  - Access to transport
  - Level of need to be close to services and amenities
  - Level of need to be close to health services
  - Level of need to be close to support networks
  - Level of need to be close to cultural or religious amenities
  - Impact on caring responsibilities
  - Affordability of the accommodation

- Impact of the relocation, and of occupying the accommodation on a continuing basis, on the well-being of household members
- Impact of the relocation, and of occupying the accommodation on a continuing basis, on the well-being of any children in the household, having regard to the Council's duty under the Children Act 2004 to safeguard and promote their well-being

The impact of these and any other relevant circumstances will be considered both individually and cumulatively.

**This 'Temporary accommodation out of area placement policy' has been adopted by the Council on 01 October 2019.**

**To be reviewed: November 2021**

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