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A meeting of the **Overview & Scrutiny Committee** will be held Virtually on **Tuesday 15 September 2020** at **9.30 am**

MEMBERS: Mr A Moss (Chairman), Mr K Hughes (Vice-Chairman), Mrs C Apel, Mrs T Bangert, Mr G Barrett, Mrs N Graves, Mr D Palmer, Mr C Page, Mr H Potter, Mrs S Sharp and Mr T Johnson (co-optee)

AGENDA

- 1 **Chairman's Announcements**
Any apologies for absence will be noted at this point.
- 2 **Minutes** (Pages 1 - 14)
To approve the minutes of the Overview and Scrutiny Committee meeting held on 30 June 2020.

To receive an update on progress against recommendations made to the Cabinet and the Council.
- 3 **Urgent Items**
The Chairman will announce any urgent items that due to special circumstances are to be dealt with under the agenda item below relating to late items.
- 4 **Declarations of Interests**
Members and officers are reminded to make any declarations of disclosable pecuniary, personal and/or prejudicial interests they may have in respect of matters on the agenda for this meeting.
- 5 **Public Question Time**
In accordance with Chichester District Council's scheme for public question time the Overview and Scrutiny Committee will receive any questions which have been submitted by members of the public in writing by noon two working days before the meeting.
- 6 **Local Plan Progress and Process** (Pages 15 - 20)
The Committee is invited to note the contents of this report and make any comments
- 7 **Review of the Housing Register and Allocation Scheme** (Pages 21 - 23)
The Committee is invited to consider a range of issues in relation to the Housing Register and Allocation Scheme and consider how members might be involved in the forthcoming review of the Council's policy in this area
- 8 **Housing Standards Financial Assistance and Enforcement Policy 2021-26** (Pages 25 - 160)
That the Committee considers the draft Housing Standards Financial Assistance and Enforcement Policy 2021-26 and make any comments prior to consultation with stakeholders

- 9 **Events Strategy and Events Policy** (Pages 161 - 186)
The Committee is invited to receive and make comments on the draft Council's Events Strategy and Policy to Cabinet
- 10 **Review of Business Improvement District (BID)** (Pages 187 - 210)
- 1 The Committee is requested to note the update relating to Chichester Business Improvement District (BID)
- 2 The Committee is requested to consider the potential outcomes in paragraphs 4.1 to 4.4 and to determine whether these capture CDC's expectations of a Business Improvement District in the future
- 11 **Meeting Timings - Verbal Report**
A recommendation will be made concerning the future timings of the Overview and Scrutiny Committee following consultation with members
- 12 **Affordable Housing Task and Finish Group - Verbal report**
To receive a verbal report on the progress of the Affordable Housing Task and Finish Group
- 13 **Corporate Plan Mid-Year Review Task and Finish Group - Terms of Reference** (Pages 211 - 212)
The Committee is requested to consider and agree the Terms of Reference for this Task and Finish Group, to agree the membership and appoint the Chairman.
- 14 **Forward Plan** (Pages 213 - 226)
Members are requested to consider the latest Forward Plan and whether any items should be added to the Committee's Work Programme.
- 15 **Late Items**
Consideration of any late items as follows:
- 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 reported at the meeting.
- 16 **Exclusion of the Press and Public**
There are no restricted items for consideration.



Minutes of the meeting of the **Overview & Scrutiny Committee** held Virtually on Tuesday 30 June 2020 at 9.30 am

Members Present: Mr A Moss (Chairman), Mr K Hughes (Vice-Chairman), Mrs C Apel, Mrs T Bangert, Mr G Barrett, Mr A Dignum, Mrs N Graves, Mr D Palmer, Mr C Page, Mr H Potter and Mrs S Sharp

Members not present: None

Officers present: Ms P Bushby (Divisional Manager for Communities), Mrs V McKay (Divisional Manager for Growth), Mrs T Murphy (Divisional Manager for Place), Mrs D Shepherd (Chief Executive), Mr J Ward (Director of Corporate Services), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place) and Mr J Mildred (Divisional Manager for Corporate Services)

1 **Chairman's Announcements**

2 **Minutes**

RESOLVED

That the minutes for the meeting held on 21 January 2020 be approved as a correct record.

3 **Urgent Items**

There were no urgent items.

4 **Declarations of Interests**

Mrs Apel declared personal interest as a trustee of Stonepillow.

5 **Public Question Time**

Public Questions were asked and answered as follows:

(a) Mr G Hibberd asked the following question:

I put the following question to the Overview and Scrutiny Committee regarding the Covid Recovery Plan meeting on 30th June:

I note that Chichester District Council is preparing a Covid-19 recovery plan as outlined in your agenda today. I am extremely worried that the plan has no mention of a Green Recovery, no mention of preventing further pandemics and a reversion back to business-as-usual.

Just this week the Climate Change Committee released a report showing that our government is failing on its own embarrassingly unambitious targets of reaching net zero by 2050 and is ignoring the issue of carbon equity whereby we actually need to reach net zero by 2030. They have said that government needs to start preparing for a world where we reach 4 degrees of global heating, which will lead to millions if not billions of human lives lost and irreversible ecological collapse.

I realise that this is the District Council and not the national government, but this recovery plan is equally as embarrassing and utterly out-of-touch as our national plan. We cannot leave everything to national government whilst ignoring our own duties and obligations as a district council to encourage businesses and people to take drastic action to avert the biggest disaster human kind will ever know.

There is no mention of renewable energy, there is no mention of reducing pollution, reducing cars on our roads, reducing air travel, improving renewably powered public transport and walking and cycling routes. There is no mention of a transition to a wholly plant-based, localised and organic agriculture and food system. There is no mention of large-scale retrofitting of boilers and insulation in houses. There is no mention of the ecological crisis and our need to not only reduce biodiversity loss, but actively reverse it.

There is no mention of massively reducing our production and consumption of meat, dairy and eggs to reduce future risks of pandemics. Both the Centre for Disease Control and WHO have warned that our out-of-control consumption of animal products is providing the perfect petri dish for novel zoonotic diseases like Covid-19. We have seen it before with swine flu (from pigs), bird flu (from chickens), mad cow (from cows), MERS, SARS, AIDS and now Covid-19. If we don't actively transition away from animal agriculture, Covid-19 will not be our last pandemic.

There is no hero coming to save us. We need change right now and it needs to start not just at national level, but at personal, family, neighbourhood, town and district level. I urge this District Council to act now.

Response:

The District Council is fully aware that “we can use this opportunity to support and move forward the Green Agenda”, as the main report puts it (para 4.7). The Recovery Plan is a short-term, highly focussed plan to avoid and mitigate serious economic impacts that would themselves hinder or delay much needed actions to address the climate emergency. It does not attempt to repeat or list out the many actions already planned by the authority and contained in several existing Action Plans. However those plans are specifically identified as continued priorities: The Local Plan Review, the full Climate Change Action Plan, the Revised Air Quality Action Plan, the Local Cycling and Walking Infrastructure Plan, and the Green Staff Travel Plan. Those pressing issues listed in the question that fall within the remit of the Council are mentioned frequently and addressed directly in these plans.

Mr Hibbard responded to the Chairman's response.

The Chairman advised that Mr Hibbard would have the opportunity of listening to the debate when the Committee discussed the Covid 19 Recovery Plan and Future Services Framework and hopefully be more heartened at the end of it about the concern others have regarding the economy.

(b) Ms J Towers asked the following questions:

1. In the summary of proposed actions to support recovery for the Housing and Construction industry there are many which advantage developers quite significantly, such as fast track applications and a change in the collection of CIL monies. Given that there are many developers, hovering in the wings, waiting for July 15th before they submit planning applications how can we be sure that this will not be at the expense of local infrastructure, environment and excess development The Interim Policy Statement has not been tested in law and will be rigorously challenged by developers. For those areas, like Chidham and Hambrook, who still do not know the allocation of housing this could be devastating.

Will CDC expedite the distribution of housing so areas like Chidham and Hambrook can proceed with site selection and reduce the risk of having to take excess housing?

Have Chichester joined with other Sussex Councils call to Government to suspend housing land supply requirement and the suspension of the five year land supply to avoid a surge of speculative applications?

2. As you state 'Leisure providers play an important role in ensuring the mental and physical wellbeing and social connectedness of local communities. Engagement in leisure activities also contributes strongly to mental wellbeing, by allowing people to be active and to connect with others'.

Venues and public buildings have been out of use since the beginning of the pandemic and unlikely to open any time soon. Fitness providers have struggled to keep their businesses going. One way has been to use public spaces and parks. Yet rather than support this enterprise as with other businesses you are charging punitive license fees. Will you reverse this decision so that those contributing to the physical well being and healthy lifestyles of residents can continue?

Response

1. The Council is seeking to bring forward a decision on the likely distribution of housing at the earliest opportunity to enable parish councils with proposed strategic allocations to finalise their draft neighbourhood plans. Significant additional work is being undertaken to address issues raised in the previous local plan consultation and parish councils will be kept informed.

Chichester has, with other Sussex Councils written to Government to ask for help to re-establish housing supply in an orderly and sustainable way, including

changes to the 5 year land supply arrangements to acknowledge the lost supply during lockdown and to avoid a surge of speculative applications.

Any changes to the timetable for developers to provide CIL funding and S106 obligations will likely reflect the pace at which the development industry is progressing. It is therefore unlikely that development would proceed ahead of vital infrastructure requirements.

2. The District Council has always provided licenses for commercial activities to operate in our parks to ensure the safety of local people and visitors who use these spaces. Through the licensing process, we can check the qualifications, insurance and risk assessments of the businesses.

Since the lockdown we had been approached by a number of new businesses wishing to use our parks and therefore we added the application process on our website to make it easier for the information to be found.

The licences are offered on a monthly basis, which means that businesses have more flexibility and are not tied to paying for a long licence, as we believe many will return to alternative venues once the lockdown allows.

Leisure providers do play an important role in ensuring the mental and physical wellbeing and social connectedness of local communities. Engagement in leisure activities also contributes strongly to mental wellbeing, by allowing people to be active and to connect with others. We are therefore working closely with leisure providers during this period to assist this where possible.

We actively encourage the use of our parks for people to keep fit and healthy, and to relax and enjoy. It's really important that everyone can access outdoor areas, particularly at the moment, and the licensing process means that everyone has safe access to the parks while fitness classes and training sessions are taking place.

Mrs Towers responded to the Chairman's response.

The Chairman requested that the Planning Team provide Mrs Towers with updates as soon as they were able to in relation to a decision on the likely distribution of housing.

(c) Cllr Polly Gaskin asked the following question:

Why there is no mention of 'sustainable and environmentally responsible' building/development in CDC's position paper 'Planning, health and environmental protection' (Appendix X) under Planning.

Why there is an emphasis on 'how the council can streamline and support the application process so as not to present a barrier to development' and 'inviting developers to intensify and speed up development ... suitable for more intensive development ... to introduce fast-track planning services ...'

CDC have declared a climate emergency and employed a climate emergency officer to draw up a strategy to ensure that Chichester District is 'climate neutral' by 2030.

Building and development over the next ten years are integral to meeting this stated policy, the ideals of CDC set out under 'Planning' fly in the face of this policy. Why?

Response

Protecting the environment during the Recovery Plan period is key priority for the District Council and is stated as such in paragraph 6.3 of the main report. Within the specific action plan on pages 65-68 of the agenda pack, Actions 2, 3, 4 and 6 are there to ensure we do all we can as a Council to make the application processes efficient and effective, but none of those actions require or imply a lessening of policy requirements or sustainability standards. The timely adoption of the Interim Guidance Statement on Housing Delivery (action 1) is an important response in directing development towards sustainable locations and it maintains and strengthens policy requirements for “sustainable and environmentally responsible” development. In the medium term the review of the local plan (actions 5 and 16) will be the mechanism for delivering step change in sustainability standards. This was the case before the Covid-19 pandemic and is reflected in the timescales and the detailed actions within the Council's Climate Change Action Plan, which itself remains a priority for the Council (action 17).

Cllr Polly Gaskin responded to the Chairman's response.

(d) Mr R Evans asked the following question:

In relation to Agenda Item 7 (COVID-19 Recovery Plan) and to Agenda Item 11 (Review of CSP report)

There have been repeated incidents of serious anti-social behaviour (drunkenness, drug-taking, noise, litter, vandalism, urinating on private property, theft) on Quay Meadow, Bosham since the relaxation of the lockdown. Together with a total disregard for social distancing. The police have been called repeatedly.

Through our elected representatives we have suggested to CDC the creation of a Public Space Protection Order for Quay Meadow but for the moment that proposal has not been taken forward

We understand that there have been similar problems in many other recreational areas in the Chichester area. And we are aware that, as Bournemouth and Brighton demonstrate, it is a problem experienced nationally.

The anti-social behaviour is making life increasingly intolerable in Bosham. Local families and younger children are discouraged from using the Meadow – which is a key open space. We understand that residents in a number other communities in the Chichester area are having a similar experience.

How does CDC plan to work with other services (particularly the police and National Trust) to support Bosham and the other local communities affected by anti-social behaviour? And how quickly?

From: Fiona Macfarlane, Douglas MacGregor and Richard Evans

On behalf of adversely affected Bosham residents

Response:

The Council is very aware of the issues of Anti Social Behaviour (ASB) particularly around a number of coastal areas in the district including Bosham Quay. A co-ordinated approach is already being taken with Sussex Police, ourselves and other partners including the National Trust. Regular patrols by Sussex Police, Community wardens (where they exist) Litter Enforcement and Parking Enforcement are being undertaken and targeted on days when the weather is forecast to be good as we know these days are more likely to result in more visitors to the areas.

In relation to Bosham Quay meadow in addition to regular Police patrols we have also liaised with National Trust staff to mitigate some of the issues around littering. We were made aware local people were clearing the area early in the morning and it is hoped the measures being proposed around large wheelie bins and more frequent collections will reduce the problem. We have in consultation with Sussex Police considered the application of a Public Spaces Protection Order. Before any PSPO can be applied for it must meet a number of tests around the behaviour being continuing in nature, unacceptable and be detrimental to the local community. As this area rarely came up as a concern before lockdown it might be prudent to continue the current response and monitor any changes in behaviour as lockdown eases further. Any improvement in behaviour may make it difficult to prove the problem is persistent or will be continuing in nature. A PSPO is not a quick fix and the consultation period would be at least 6 weeks and there are legal costs involved and agencies would need to consider who was best placed to enforce as it would be relatively ineffective without consistent enforcement.

Mr Evans responded to the Chairman's reply. He asked for an urgent meeting to be set up with Sussex Police, the District Council, the National Trust and representatives from the local community.

Mrs Bushby advised that since the response to the public question had been prepared, Sussex Police had advised that they were looking to set up a local action team to include all the representatives requested by Mr Evans. To look at the communities proposals, the powers available and the joint responsibilities the agencies had.

6 **Co-option - Verbal report**

Mr Bennett introduced this verbal report concerning the adoption of Mr Johnson to the Committee.

RECOMMENDED

That Council co-opt Cllr Tim Johnson to the Overview and Scrutiny Committee in a non-voting capacity for the remainder of the 2020/21 Committee Cycle.

7 Covid-19 Recovery Plan and Future Services Framework

Mrs Shepherd introduced this item and outlined the report. The future impact of Covid 19 was uncertain, but there were likely to be long term implications for businesses, the community and for the Council. The report focused on both the Council's immediate need for recovery, as set out in the four recovery plans and the longer term recovery in the form of a Future Services Framework template, which would determine the types and levels of services to be provided from 2022-23. The Corporate Governance and Audit Committee would consider the financial impact, later in the week, and recommend to Cabinet and Council what it considered was a prudent financial position for the Council to take. How quickly the Council eliminated its budget deficit and the additional amount of resources to be allocated to the recovery process was a decision for members.

Mr Ward addressed the Committee regarding the financial impact of Covid 19 on the Council's income streams and the proposed use of reserves. The proposals were reasonable and balanced, and protected frontline services as far as possible until the full impact on the Council's finances was known. Doing nothing to address the situation was not an option, as it would only run down the Council's finances

Mrs Lintill, Leader of the Council, was invited to address the Committee. She fully supported the proposals put forward by Mrs Shepherd and Mr Ward.

Mrs Bangert read out the comments of a resident in her Ward.

Mr Hughes read out the comments of four residents, and business owners at St James Industrial Estate in his Ward.

Mr Brown observing the meeting was invited to address the Committee. He raised concerns regarding the relaxation of development control and member oversight of the planning process.

Members of the Committee went through the thematic work streams in turn and during the course of a wide-ranging discussion made a number of comments and officers provided further information as follows:

Community & Housing Recovery

- The Council was looking at the potential to adjust its affordable housing requirement. It was part of the Local Plan review process and the degree to which it could happen needed to be informed by the evidence, which would inform an appropriate outcome for members to determine where priorities lay. Affordable housing within the Council's control would be looked at as part of the Affordable Housing Task and Finish Group's role.
- The Council was working closely with Stonepillow to create pathways for rough sleepers, which as could be seen from the action plan, was a priority. Following the publication of the report, the Government had announced additional funding to extend stays for rough sleepers. Further details were awaited.
- Concern was expressed that there was not enough mention about the need to ensure there was external consultation about the process, particularly with community groups.

- Mrs O'Kelly, observing the meeting, was invited to address the Committee concerning the overall approach. The green agenda should be joined up and included throughout the Recovery Action Plan as an overarching theme and provided examples.

Economic Recovery

- Miss Barrie, observing the meeting, addressed the Committee and advised that the Economy Recovery Plan should be bold and focused on rebuilding the local economy, enhancing community equality and create a sustainable future based on equality and opportunity.
- Officers responded to concerns that the Recovery Plan did not have a thread through it to encourage the young, and engage the College and University. A recovery group had been set up with key partners, including Chichester College, University of Chichester, and this Council to look at a recovery plan for the wider area. The University had invested in a major science facility at its Bognor Regis campus with future schemes in place for the Chichester campus. Work was taking place with the Local Enterprise Partnership and Coastal West Sussex Sub-Group concerning skills and innovation.
- Broadband provision was a key priority both in the Chichester City and the rural areas.
- It had previously been made clear to members that environmental issues were a "golden thread" running through all Council policies and plans and were at the forefront of officers' minds.
- Mr Hughes agreed not to table his amendment concerning infrastructure projects on the understanding that this matter would be taken as a high level decision and today's discussion was not going into the details of them now.

Planning, Health and Environmental Protection Recovery

- Mr Evans, observing the meeting, addressed the Committee concerning mental health provision.

Organisational Recovery

- The impact of staff working at home was being proactively managed.

Future Services Framework

- Commercialisation of the Council was a key objective in the Council's Corporate Plan and a principle that ran through the Future Services Framework.

Governance

- Mrs Lintill was invited to address the Committee. The informal Recovery Teams were not task and finish groups and most actions were operational. They would enable a wider involvement of members to act as advisors to assist Cabinet members. No decisions had been made on the final membership. She assured the Committee that the recovery teams would ask the more detailed questions, such as the future use of East Pallant House etc. Advisors role would be expected to ask the views of the wider council membership so as to be as inclusive as possible. Membership would have a geographical balance. Mrs Lintill was thanked for her inclusive approach.

Mr Johnson, observing the meeting, made a proposal which the Chairman agreed to table on his behalf, concerning the headings 'Working from Home and ICT' and 'Use of East Pallant House' on pages 69 and 70. However, Mrs Shepherd informed Mr Johnson that this proposal was too detailed at this stage. The recommendation in the report included looking at the Council's office accommodation, which would take into consideration impacts on staff, members and the community. Members were assured that the office accommodation options appraisal and terms of reference would be brought to the Overview and Scrutiny Committee for consideration. No vote was taken.

Mr Ward confirmed it was the Council's intention to include the green agenda as part of the procurement criteria. With regard to the actions in the report, Mrs Shepherd stated that a number of the actions were officer delegated powers. However, policy decisions were ultimately made by members through the appropriate committee route.

Mrs Shepherd stated that the Council had a close working relationship with the employee unions and reference to the implications for staff were included in the report at page 21. Following an email sent to the Committee from Unison Chichester Branch, Mr Mildred advised that the Union was currently being updated on an informal frequent basis. Formal consultation was taking place with the Joint Employee Consultative Panel, to ensure staff were consulted and able to make recommendations at every stage of the recovery process.

Mrs Shepherd confirmed that a number of the suggestions put forward by members were too specific at this stage and many of which were already being dealt with. She assured members that they would have the opportunity to influence those areas of concern, which would be picked up in the Recovery Action plans.

Mrs Sharp proposed an amendment to paragraph 3.1 (a) of the recommendation: that the Members of the Overview and Scrutiny Committee note the serious impact Covid 19 has had on our communities, residents' health, well-being and livelihoods and on the Council's finances. The Overview and Scrutiny Committee believe that the Covid 19 Recovery plan should be green, clean and focused on tackling the climate emergency. The best way to do this is by listening to and consulting with residents and businesses. On being put to a vote this motion was not carried.

Mr Dignum proposed an amendment to paragraph 3.1 (b) of the recommendation: that the Overview and Scrutiny Committee:

- 1) Supports the development of the Covid 19 Recovery Action Plans for the four thematic areas as set out in appendices 1-4;
- 2) Supports the policy options as set out in paragraph 6.4;
- 3) Endorses the future services framework as set out in appendix 5;
- 4) Endorses the governance arrangements as set out in appendix 6. On being put to a vote this motion was carried.

Mr Dignum proposed an amendment to paragraph 3.1(c) of the recommendation: that the progress on the recovery Action Plans and Future Services Framework be reported to the Committee every 3 months instead of every 6 months. On being put to a vote this motion was carried.

Mr Hughes proposed additional text to the Community and Housing section: that the Overview and Scrutiny Committee has agreed the terms of reference for the Local Housing Delivery Task and Finish Group. The group in question is looking into the viability of the council setting up an arms-length housing company. Given the likelihood of an increased need for affordable housing in the district, this group must be adequately resourced and prioritised. On being put to a vote this motion was not carried.

RESOLVED

- 1) That the serious impact Covid 19 has had on the Council's finances be noted and taken into account when considering this report; and

RECOMMENDED TO CABINET

That the Overview and Scrutiny Committee:

- 1) Supports the development of the Covid 19 Recovery Action Plans for the four thematic areas as set out in appendices 1-4;
- 2) Supports the policy options as set out in paragraph 6.4;
- 3) Endorses the future services framework as set out in appendix 5;
- 4) Endorses the governance arrangements as set out in appendix 6; and
- 5) Requests that progress on the Recovery Action Plans and Future Services Framework be reported to the Committee every 3 months.

The Committee adjourned for a lunchbreak from 12.30pm until 1.00pm.

8 Vision Review and The High Street Recovery and Transformation

Mrs Hotchkiss and Mrs McKay outlined the report.

Mr Bell, Cabinet member for Growth, Place and Regeneration was invited to address the Committee in support of the proposal. He advised that he was in agreement to the inclusion of a representative from the Chichester Traders Market to sit on the Chichester High Street Group, as suggested by Mrs Sharp during the discussion of the previous item.

The Committee discussed the visions for Chichester, Midhurst, Petworth, Selsey and East Wittering and Bracklesham in turn and officers responded to members' questions and comments:

- With regard to student involvement although not specifically referenced the College and University were represented on the Chichester Vision Steering Group. Mrs Hotchkiss advised that there was no student representation on the High Street Recovery Group, but this was something that could be considered if required.
- The Chairman referred to a paper received from Midhurst Vision concerning 'Lets shape our future' previously circulated to members and read out an email he had received since.
- Mrs O'Kelly, observing the meeting was invited to address the Committee. She provided her comments on the report and an update on the Midhurst Vision. Mrs

Hotchkiss agreed to let each Vision have details of the names of the partners against their feedback.

- Mr Johnson observing the meeting was invited to address the Committee. He wished to propose an amendment to recommendation 2.4, which the Chairman agreed to table on Mr Johnson's behalf as follows:
 - 1) That support for the High Street recovery and transformation in Midhurst and Petworth is coordinated through the existing Vision Groups/Town/Parish Councils; and
 - 2) The support for the Peninsula will be coordinated by a group with similar Officer support to Chichester, but lead by a Member without Cabinet or similar responsibilities who can be perceived as having a singular focus. The resident population is nearly the same, but is greatly swollen by tourism. The A27 issues mean that it would be preferable if the four significant shopping areas (East Wittering, Bracklesham, High Street, Selsey & East Beach, Selsey) were used, providing they can collectively provide the vibrancy, appeal and diversity to encourage this.

However, during discussion of the proposal members agreed that the parishes affected should be consulted to seek their views on the proposal before a decision was taken and their response brought back to the Committee at a later stage.

On behalf of the Committee, Mr Potter commended officers on the work undertaken.

Later in the meeting it was confirmed that Mr Palmer would be the Overview and Scrutiny Committee's representative on the Chichester High Street Group.

RECOMMENDED TO CABINET

That the Overview and Scrutiny Committee recommends:

- 1) That the Vision work continues to be supported as set out in section 5.1;
- 2) That the Cabinet Member for Property, Growth and Regeneration leads the High Street Group for the City as a sub group of the Chichester Vision, engaging and involving partners, the Chichester BID and high street retailers as set out in section 5.1 to support the recovery and transformation of the High Streets;
- 3) That Cllr Palmer sits on the Chichester High Street Group to assist in the delivery of the High Street recovery and transformation; and
- 4) That support for the High Street recovery and transformation in Midhurst, Petworth, Selsey and East wittering and Bracklesham is coordinated through the existing Vision Groups/ Town/Parish Councils.

9 Asset Transfer Policy

Mrs McKay introduced this item.

Mrs McKay responded to a question concerning how the Council determined the use of land holdings in a commercial fashion. Work on an asset realisation project to provide a detailed analysis of the Council's current land ownership was currently on hold, but would be resumed once officers had been released from Covid 19 work.

The work included analysis of current usage, potential use and whether there were any special opportunities attached.

Mrs Purnell, observing the meeting, was invited to address the Committee. With regard to land that was not commercially viable, she informed the Committee of the "Tiny Forests" carbon capture scheme.

RESOLVED

That the information on the Council's disposals policy and the supporting legislation be noted.

10 Review of Planning Operations and setting up a Task and Finish Group - Verbal report

Mr Dignum introduced this item, identified by members at their meeting in March 2020 as an area the Committee would like to look at.

He advised that before Covid 19 concern was expressed that the planning management function had too much focus on development control; the rigour in which planning contraventions were enforced; and the amount of time it took to complete the compulsory purchase of the Tangmere Strategic Development site. He was pleased to see that a move to development facilitation had been taken on board by Mr Frost and the Development Management Team. He suggested that the matter be kept under review and if members were happy with the change of focus towards facilitating development, as part of the Covid 19 Recovery Plan that would be a good outcome.

Mr Frost concurred that the suggestions put forward were reasonable. There were a number of measures in the Covid 19 Recovery Plan that he and Mr Whitty, Development Management Divisional Manager planned to assess and improve on the effectiveness and efficiency of the way each Team in Development Management worked. He agreed to report back to the Committee at its September 2020 meeting.

RESOLVED

That the verbal report be noted and a further report be brought back to the Committee for consideration at its meeting on 15 September 2020.

Post meeting note: This report will now be taken as part of the Covid 19 Recovery Plan.

11 Community Safety Review Task and Finish Group - Final report

Mr Sutton, Chairman of the Community Safety Task and Finish Group (TFG) presented the report. The TFG was satisfied that the required level of scrutiny had been achieved. The TFG would like to invite Police Crime Commissioner, Katy Bourne, to attend a future meeting of the Overview and Scrutiny Committee. He informed the Committee that the Council was fortunate to have Mrs Bushby as the

lead officer for community safety, who was highly regarded by all involved in the Community Safety TFG and by Sussex Police.

The committee made the following comments and received answers to questions, including the following:

- The Chairman thanked the Communities Team for all the additional work they were undertaking to assist the community during the Covid 19 pandemic.
- With regard to the visible presence of the police community support officers (PCSOs), they were no longer allocated to a specific patrol area. Details were given of planned multi agency community action days in the Witterings. The Council would work with the PCSOs, the local Police Sergeant, Foreshores, Car Parking Services and Litter to ensure.
- The Chairman said that it was up to members to be proactive and liaise with the PCSOs to show them the problem areas. He encouraged members to provide feedback to Mrs Bushby advising where the challenges in their wards were.

The Committee thanked Mrs Bushby for her work. The Committee also thanked Mr Sutton for his report and wished him all the best in his new role as Cabinet member for Housing, Communications, Licensing and Events.

RESOLVED

- 1) That the required level of scrutiny of the Community Safety Partnership (CSP) has been achieved; and
- 2) That the performance of the CSP is good and that evidence of effective partnership working in the District had been demonstrated.

12 Affordable Housing Task and Finish Group Update - Verbal report

Mrs Rudziak introduced this verbal report. Unfortunately it had not been possible to progress the Affordable Housing Task and Finish Group, to look at the viability of setting up a local housing company to deliver affordable housing, as the lead officer, Mr Weston, had been redeployed during the Covid 19 pandemic. However, during this time information was circulated about how the Council dealt with affordable housing in the District and some research information to the TFG. With regard to the financial and legal advice required, this would be undertaken by Mrs Belenger and Mr Bennett respectively, and Mrs Belenger would be the lead officer for the TFG moving forward.

Mr Hughes, Chairman of the Task and Finish Group, considered that it would be useful for the TFG to still have access to Mr Western for his housing knowledge. To assist the TFG external advice would be needed from other council's that had also set up a local housing company. Mrs Graves would fill the current vacancy on the TFG. He would contact the officers involved to arrange a meeting of the TFG. A follow up on progress would be reported to the next Committee meeting.

The verbal update was noted.

13 Overview and Scrutiny Committee 2019-20 Annual Report and 2020-21 Work

programme

The Chairman introduced the report.

RESOLVED

- 1) That the Committee's 2018-2019 Annual Report be agreed.
- 2) That the Committee's 2019-2020 Work Programme be agreed.

RECOMMENDED TO COUNCIL

That the Overview and Scrutiny Committee's 2018-2019 Annual Report be noted.

14 Forward Plan

The Committee considered the Forward Plan for the period 1 July 2020 to 31 October 2020.

It was noted that due to the Covid 19 pandemic the Business Routing Panel would have a second meeting during November 2020.

With regard to the Community Safety Partnership members agreed that the Task and Finish Group would in future meet as an exception, rather than as a standing item, only if the Council had any issues.

15 Late Items

There were no urgent items.

16 Closing Remarks

The Committee thanked the Chairman for the way he had handled today's meeting.

The Chairman thanked the members for their courtesy and attention during the meeting, as well as thanking officers for all the work they had done in the current difficult circumstances.

The meeting ended at 2.20 pm

CHAIRMAN

Date:

Chichester District Council

Overview and Scrutiny Committee

15 September 2020

Local Plan Progress and Process

1. Contacts

Report Author:

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2. Recommendation

2.1 The Committee is invited to note the contents of this report and make any comments.

3. Background

3.1 The Council is bringing forward a review of the Local Plan. This process began with the publication for consultation purposes of the *Issues and Options* document in 2017 and the *Preferred Approach Plan* in 2018. A report on the outcomes of the second consultation was considered by Cabinet and Council in December 2019.

3.2 The Council has a statutory obligation to prepare a Local Development Scheme (LDS). This document sets out the current Development Plan for the Chichester Local Plan area. It provides a profile for each of the Development Plan Documents to be prepared and a timetable for each main stage of documentation production, including public consultation stages.

3.3 In September 2019, the Council adopted a revised Local Development Scheme which set out the following timetable for the Local Plan Review:

Approval of Statutory Public Consultation DPD for consultation (Publication)	Cabinet - March 2020 Council – March 2020
Statutory Public Consultation document (Reg 19) (Publication)	March – May 2020
Submission to Secretary of State	June 2020
Examination Hearings	September 2020
Adoption	March 2021

- 3.4 The previous local plan was adopted in July 2015. It contains, at the direction of the Planning Inspector, an undertaking to review the Plan within five years of adoption. In addition, national planning policy states that where a plan is more than five years old, then housing need should be considered against more recent assessments of Local Housing Need.
- 3.5 The process of reviewing the adopted local plan commenced in 2016 with work on background studies including the production of the Sustainability Appraisal Scoping report. This led to an '*Issues and Options*' consultation in June 2017 which identified the broad options available to the Council for distributing development across the plan area. This was followed by consultation on the *Preferred Approach Plan* in December 2018. During this time, the Site Allocations Development Plan document was also prepared, with a consultation on the draft document in January 2016 and a *Proposed Submission* document in December 2016, with the document being adopted by the Council in January 2019.
- 3.6 The Chichester plan area is subject to a number of challenging environmental and infrastructure constraints which were highlighted in the responses to the Plan consultations and particularly to the Preferred Approach Plan, referred to in paragraph 3.5. In light of the complexities in bringing forward a review of the adopted Local Plan, the Council sought an extension to the five year deadline from the government. No extension was forthcoming but senior officers met with officials from the Ministry for Housing, Communities and Local Government (MHCLG) and the Planning Advisory Service (PAS). A PAS-sponsored advisor met with officers in November 2019 to consider the remaining work to progress the Plan as quickly as possible, and provided advice on the best way forward. In short, the advice received was that submitting a plan in line with the published timetable (i.e. June 2020) was not recommended, as:
- It will increase the risk of the Plan being found unsound at the outset, due to neighbouring authorities or others establishing the duty to cooperate has not been fulfilled;
 - It will result in increased costs and delay for the Council, due to necessary work and additional consultations being undertaken on the Plan post-submission; and
 - The implications for planning decisions through the development management process, as it will extend the period the Council is without an adopted Plan.
- 3.7 The initial advice was presented verbally to the Development Plan and Infrastructure Panel (DPIP) in January 2020, with a full report in February. The report in February 2020 included the recommendation *that DPIP notes the advice received from the Planning Advisory Service with regards to...the implications for the Local Plan Review content and timetable*. Based upon the response by DPIP members it was clear that the Planning Advisory Service advice was considered by them to be persuasive. It should be noted that another decision maker cannot act contrary to a decision of Full Council, but a delay to respond to changing events can be made without needing to return to Council where that second decision is within the delegated authority of a relevant committee or officers as in this case.
- 3.8 Following this, interested parties, including all parish councils and all organisations and individuals who commented upon the previous iterations of the Plan, were

contacted to advise them of the delay. A new Local Plan Timeline page was added to the Council's website providing updates to the anticipated timeframe for the remainder of the process for preparing the Plan, and for each stage, setting out what is needed before the process can proceed to the next stage.

4. Preparing a Plan

- 4.1 Preparing a Plan is a complex, process supported by evidence covering a wide range of social, environmental and economic issues. Unlike many other Council documents and strategies, the Local Plan is the subject of a Public Examination where that evidence is tested against relevant legislation and national planning policy.
- 4.2 Preparing a Local Plan is also an iterative process, informed by an extensive range of evidence and consultation responses at key stages. Not all the evidence and work can be undertaken concurrently – there is a sequence to the process so that each step is informed by evidence. To facilitate the review of the Local Plan timetable, the input of a specialist project planner has been secured to update the project plan and ensure key dependencies are captured.
- 4.3 Since the advice was received from PAS, significant further work has been undertaken, including refining the housing and employment needs of the plan area; the availability and suitability of land to accommodate development; water quality and waste water capacity; and strategic transport options. This work requires liaison with key stakeholders such as Southern Water, the Environment Agency, Natural England and Highways England. In some cases, delays in receiving timely information have slowed progress. However, it should be recognised that the fundamental environmental and infrastructure issues facing development in a highly constrained area like Chichester are the main reason why the Local Plan review is not yet finalised.
- 4.4 Although it is the case that the plan area is subject to significant constraints which require bespoke work to address, it should also be noted that this position is not unique to Chichester. Many planning authorities are in a similar position and this is manifesting itself in protracted Local Plan preparation timescales. It is understood that not one of Chichester's neighbouring Local Planning Authorities adopted a Local Plan review within five years, and the recent White Paper *Planning for the Future* notes it "takes an average of 7 years".

5. Oversight and decision making

- 5.1 Primary oversight of the content and progress of the Local Plan is with the Development Plan and Infrastructure Panel (DPIP). DPIP meets on a regular basis and considers reports on progress. It is consulted upon outcomes of the technical work and its views are sought on ways forward. Typically DPIP will make recommendations to Cabinet on key decisions.
- 5.2 In addition to DPIP, the Local Plan is monitored as a strategic risk. In accordance with the governance arrangements as set out in the Council's Risk Management Strategy and Policy, the Strategic Risk Group (SRG) reviews the strategic and programme board risk registers, and the high scoring organisational risk register bi-annually. The outcome of their review is then reported to the Corporate Governance

and Audit Committee. The most recent Strategic Risk Update Report was considered by the committee in October 2019.

5.3 The primary mechanism for the Council to set the Local Plan timetable is through the Local Development Scheme (LDS). This was most recently considered by Cabinet and Council in September 2019. There is no prescribed standard for updating the LDS – the LPA must revise it *at such time as they consider appropriate*, but it is considered that the requirement to prepare and maintain the LDS means it should be kept up to date. Because of the need for the LDS to be approved by full Council, it is often the case that the document does not contain the most recent information. For that reason planning authorities often supplement this with a more frequently updated “position statement” or note on the website. This is envisaged in the relevant legislation, which requires Local Planning Authorities to make available to the public *up-to-date information showing the state of the authority's compliance (or non-compliance) with the timetables*. The Council now has such a page on its website. Nevertheless, it is anticipated that an update to the LDS reflecting revised timescales for completion of the Local Plan review will be reported to Members by the end of this year.

6. Resource and Legal Implications

- 6.1 Members will be very familiar with the “Wednesbury” case that decision making is required to be lawful, and as for any decision by the authority this means that it has to be made based on proper, logical factual bases, by the right person or group in statutory and constitutional terms and for a proper purpose. The ways in which statutory authority are applied have been the subject of significant court consideration and the broad principle of lawful decision making was stated in a case called **Credit Suisse v Allerdale** that *“Statutory power conferred for public purposes is conferred as it were upon trust, not absolutely – that is to say it can be used only in the right and proper way”*.
- 6.2 Decisions as to who should make decisions is also established by general public law, several specific statutes including the **Local Government Act 2000, the Local Authorities (Functions and Responsibilities) (England) Regulations 2012 (SI 2000/2853) and the Executive Decisions Regulations (as amended)** along with other related legislation.
- 6.3 Operational decisions will be executive decisions to be made by Cabinet or officers in accordance with the scheme of delegation in the Constitution. The need to amend the timetable to comply with the direction of Full Council is an executive decision capable of being made by properly delegated persons. This power of delegation was set out under s.101 of the Local Government Act 1972 as set out in Part 4 of the Constitution.
- 6.4 In the case of the Local Plan there are various constitutional delegations regarding responsibility as to who should make decisions as to the Local Plan. Under the Constitution, Senior Planning officers are authorised to “exercise such powers as are shown in this scheme of delegation including those reasonably implied or reasonably incidental to the matters specified.” This includes decisions to delay or otherwise make necessary amendments to the Local Plan procedure if the context required it.

- 6.5 There are also some overarching responsibilities for decision making, for example Cabinet which the Constitution establishes “*is the part of the Council which is responsible for operational decisions.*” This reflects the broad way in which the “general power of competence” described in the Localism Act 2011 and delegations from Cabinet are set out in the Constitution.
- 6.6 As outlined above, the executive (operational) decisions about the local plan are informed by DPIP through their constitutional oversight role, with consultation as described in this report and with the decisions as to timing made by the Cabinet as outlined at section 5.1, again as above. Senior planning officers considered all of the above information from the Planning Advisory Service, along with members of DPIP within the context of delivering the Local Plan against the decision of Full Council.
- 6.7 The Monitoring Officer has a role in overseeing all decision making. As again described in the Constitution, he must ensure “lawfulness and fairness of decision making.
- 6.8 The Monitoring Officer reviewed the processes as to the decision making and has indicated that he is content that the decision to delay the timetable, by senior planning officers, with the full awareness of members through the DPIP process was a proper use of their express delegated authority to make “reasonably implied” changes.

7. Consultation

- 7.1 The Council has already advised all parties who responded to the previous local plan consultations of the delay in the Local Plan timetable, and has published a new *Local Plan Timeline* page on its website. No further consultation is considered necessary at this time.
- 7.2 As set out at section 5, significant member involvement has been ensured in this process.

8. Community Impact and Corporate Risks

- 8.1 The Local Plan has a direct framing impact upon the community and their built environment, and as a statutory requirement, failure to ultimately deliver a sound local plan would be a significant corporate risk.

Other Implications

	Yes	No
Crime and Disorder The NPPF requires that local plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area, and that planning policies should ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.	x	
Climate Change and Biodiversity The NPPF identifies the mitigation and adaptation to climate change,	x	

and improvements to biodiversity, as fundamental issues to address in order to deliver sustainable development. Local plans are expected to adopt proactive strategies to mitigate and adapt to climate change in line with the provisions and objectives of the Climate Change Act 2008, and to co-operate to deliver strategic priorities which include climate change. Plans should also seek to minimise the impacts on and provide net gains for biodiversity		
Human Rights and Equality Impact – The Equality Act 2010 sets statutory duties on public bodies such as local authorities with regard to promoting equality and reducing inequalities of outcome. To ensure that the statutory requirements are achieved, it is intended to undertake and publish an equality impact assessment which will be published as one of the supporting documents when the Local Plan Review is submitted to the Secretary of State for formal examination	X	
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing The NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places	X	

Chichester District Council

Overview and Scrutiny Committee

15 September 2020

Review of the Housing Register and Allocation Scheme

1. Contacts

Report Author

Ivan Western – Housing Delivery Manager

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2. Recommendation

The Committee is invited to consider a range of issues in relation to the Housing Register and Allocation Scheme and consider how members might be involved in the forthcoming review of the Council's policy in this area.

3. Background

- 4.1 The Council administers a *Housing Register* which is used as the basis for the allocation of social housing in the District. Key elements of the Housing Register, including the definition of groups to whom *'reasonable preference'* in the allocation of housing must be given, are prescribed by law. But within this framework, Councils have a considerable degree of latitude to frame policies which meet local priorities.
- 4.2 Overview and Scrutiny Committee last considered the Housing Allocation Scheme in June 2017. Since then, the Council has adopted a new five year Housing Strategy which contains a commitment to undertake a review of the policy. This is expected to involve changes in a number of areas which are briefly described in paragraph 6.2.

4. Outcomes to be Achieved

- 5.1 At this point, no detailed proposals are put forward. Instead, the report sets out a number of broad areas which the Committee may wish to consider. This is intended to provide the Committee with an early oversight of the issues involved and an opportunity to provide a steer on the emerging proposals.
- 5.2 It is envisaged that more detailed consideration of such issues might most usefully take place within a smaller working group with a brief to agree proposals for change in a number of areas which would in turn become the subject of consultation with Registered Providers and Stakeholders.
- 5.3 The intended outcome is that OSC is able to contribute to the development of the Council's policy in this area and the formulation of a revised housing allocation scheme which will subsequently be the subject of a Cabinet decision.

5. Proposal

- 6.1 The scope for the review is potentially very broad but there are some specific issues which can be highlighted here which require detailed consideration. A number of these issues are listed below, although members may feel that there are additional issues which need to be added.
- 6.2 Issues for Consideration:
1. **Managing Homelessness and the Use of Temporary Accommodation:** this is a key element of the Council's Covid 19 Recovery Plan. The Housing Allocation scheme needs to balance the Council's obligations to homeless households and those in temporary accommodation with other households in housing need. Some authorities achieve this by defining targets for allocations to different categories of applicant, with options to flex these criteria in order to manage the overall numbers of households who are placed in temporary accommodation.
 2. **Rehousing for Residents of Supported Housing:** there are some specific issues concerned with providing opportunities for residents of Supported Housing schemes to move into more permanent social housing properties. This includes a range of groups including former rough sleepers, women in refuges and Care Leavers amongst others. The value of supported housing schemes can be enhanced by the ability of residents to 'move on'. Clearly the Allocation Scheme has the potential to do this which should be further explored.
 3. **Eligibility for the Housing Register:** at present income and savings thresholds are applied to determine eligibility for the Housing Register however in view of rising housing costs these need to be reviewed.
 4. **Local Connection rules:** The District is a very attractive place to live and the Council introduced a raft of rules relating to local connection in 2012 which restricted eligibility. At the same time local connection rules apply to the process of prioritisation of applicants for some types of property. It would be useful to review the impact of these rules and make changes if necessary. One aspect of this to which we are required to give specific attention is the treatment of former service personnel and their families.
 5. **Low Demand and Refusals:** Notwithstanding the very high level of need for affordable housing in the District some types of property attract low levels of interest and are frequently refused. It would be useful to examine this further with a view to longer term decisions regarding both allocations and investment in the social housing stock by Registered Providers.
 6. **The Bidding Process:** Currently properties are advertised to applicants and bids invited through a fortnightly cycle. Currently the portal for this provided by an external provider, Locata. In September the contract for this service will end and transfer to a new provider, Home Connections. It may be useful for members to acquaint themselves with the bidding and advertising process and consider whether options for improvement including perhaps a transition to weekly or even continuous bidding cycles.
- 6.3 Since the number of vacancies in the social housing sector is finite, making changes to the Housing Allocation policy involves a 'Zero Sum game'. Thus it is important to understand the implications for groups who may lose out as well as any unintended consequences of changes being made. This will require a detailed Impact Assessment Appraisal.

6.4 The aim would be to complete the review of the Housing Register during the autumn prior to a Cabinet Member decision and implementation of changes in early 2021. OSC's input to this process might best be achieved by the establishment of a small Task and Finish Group to review the current scheme and make recommendations for changes. Potentially this could be achieved with two TFG meetings bringing back recommendations to a future OSC meeting.

6. Resource and Legal Implications

8.1 There are no specific resource or legal implications arising from this report.

7. Consultation

9.1 It will be necessary to consult widely with affected partners and stakeholders regarding proposals which emerge from this process. This will include:

- a) Registered Providers
- b) Statutory partners such as WSCC Adults and Children's Services
- c) Voluntary sector agencies working with specifically affected groups; e.g. Stonepillow, Safe in Sussex.

8. Community Impact and Corporate Risks

Emerging proposals will be subject to an Impact Assessment Appraisal in due course as referred as indicated at 6.3.

9. Other Implications

	Yes	No
Crime and Disorder		x
Climate Change and Biodiversity		x
Human Rights and Equality Impact – The Housing Allocation scheme has important impacts in this area and the need for a robust Impact Appraisal is acknowledged.	x	
Safeguarding and Early Help		x
General Data Protection Regulations (GDPR)		x
Health and Wellbeing There is a close correlation between public health and housing and housing policies and practice impact directly on health outcomes for many of the most vulnerable people in our community	x	
Other (please specify)		

10. Background Papers

10.1 The current Housing Allocation Policy can be viewed at <https://www.chichester.gov.uk/CHttpHandler.ashx?id=25981&p=0>

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Chichester District Council

OVERVIEW AND SCRUTINY COMMITTEE

15 September 2020

**Housing Standards Financial Assistance and
Enforcement Policy 2021-2026**

1. Contacts

Report Author

Elizabeth Reed, Housing Standards Manager

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2. Recommendation

2.1 That committee considers the draft Housing Standards Financial Assistance and Enforcement Policy 2021-26 and make any comments prior to consultation with stakeholders.

3. Background

3.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 permits local housing authorities to provide financial assistance to private sector residents to enable property repair and improvement providing they first adopt a policy.

3.2 In early 2020 the Council commissioned the Building Research Establishment (BRE) to undertake a housing stock condition survey of all property within the district to establish overall condition and areas of concern that required improvement.

3.3 The stock modelling exercise carried out identified that an estimated 14% (6768) of all private sector stock (rented and owner occupied) and 12% (1281) of the private rented sector had a Category 1 Housing Health and Safety hazard for Excess Cold. Furthermore 13.2% (6,535) of private sector dwellings and 9.9% (1,063) of private rented dwellings in Chichester were estimated to have an Energy Performance Rating below Band E.

3.4 In the private sector stock, there were an estimated 12,107 dwellings with un-insulated cavity walls and 7,232 dwellings with less than 100 mm of loft insulation. Analysis of the energy efficiency variables indicated that the owner occupied stock had the highest average figures for the majority of variables including CO2 produced, energy and heat demands and energy and heat costs.

3.5 Whilst the Council endeavours to assist and support residents to maintain and improve their properties, there may be instances when homeowners or landlords will resist undertaking required works to the detriment of their own, or their tenant's health and safety. Therefore alongside the financial assistance policy it is proposed that a new Housing Standards Enforcement Policy will be introduced to provide inspecting officers with the full range of

powers to help raise property standards. The full draft policy is attached as an appendix to this report

4 Outcomes to be achieved

- 4.1 The committee to consider the draft Financial Assistance and Enforcement Policy and make recommendations prior to stakeholder consultation followed by Cabinet approval
- 4.2 The adoption of a new Financial Assistance and Enforcement Policy which enables financial resources to be made available for those residents most in need, and to improve housing standards.

5 Proposal

- 5.1 That the Overview and Scrutiny Committee make any comments or recommendations on the draft financial assistance and enforcement policy before consultation with stakeholders in October, and final consideration by Cabinet in November.

6 Alternatives Considered

- 6.1 The Council must have an adopted strategy if it wishes to provide financial assistance to residents to assist them with property repairs and improvements. Following the results of the stock modelling survey 2020 it is necessary to review the existing strategy and update the focus to target excess cold and fuel poverty in the worst affected areas.
- 6.2 Another alternative could be to dispense with the financial assistance policy but this would be contrary to the Council's Housing Strategy 2020-25.

7 Resource and Legal Implications

- 7.1 The financial resources required over the five year life of the policy have already been allocated as part of the Housing Strategy approved by Council in March 2020.
- 7.2 The Housing Standards Team consists of Environmental Health Officers, Housing Standards Officers and a Licensing Assistant. As a result of an increase in government funding to deliver disabled facilities grants a new Senior Housing Standards Officer funded by the grant monies was recently appointed. The Licensing Assistant post was introduced in 2018 following a change in legislation causing licence applications to significantly increase and the cost of this post is met by licensing income. The team has two Senior Environmental Health Officers who are primarily responsible for delivering all aspects of housing standards work, and specifically Housing Health and Safety Rating System and enforcement issues in the district. Any significant increase in enforcement action would require additional resources.

8 Consultation

- 8.1 The draft policy is the starting point of the consultation process and the Overview and Scrutiny Committee is being asked to consider the document prior to stakeholder consultation. The final document will then be subject to a cabinet report in November to seek approval for its immediate introduction.

9 Community Impact and Corporate Risks

- 9.1 When the strategy is adopted it will have the potential to have a positive impact on the community by ensuring improvements are made to the quality of the poorest housing stock and reducing fuel poverty.

10 Other Implications

	Yes	No
Crime and Disorder		√
Climate Change and Biodiversity The new policy will provide an increased funding threshold for the Chichester Warm Homes Initiative to ensure renewable heating options can also be provided under the scheme. There will also be a focus on more targeted projects in the worse affected parishes.	√	
Human Rights and Equality Impact The policy looks to improving housing conditions and address disadvantages affecting those who are vulnerable, of retirement age, disabled or on low income.	√	
Safeguarding and Early Help		√
General Data Protection Regulations (GDPR)		√
Health and Wellbeing It is well known that cold home have a significant impact on health and increases the risks of certain conditions. Every year cold homes are a significant contributor to the level of excess winter deaths in the UK. Therefore by reducing the number of cold homes and fuel poverty improvements in health and wellbeing should be evident.	√	

4. Appendix

- 1.1 Draft Private Sector Housing Renewal and Enforcement Policy 2021-2

5. Background Papers

- 1.1 Chichester Stock Modelling Report 2020

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BRE Client Report

BRE Integrated Dwelling Level Housing Stock Modelling and Database for Chichester District Council

Prepared for: Liz Reed, Housing Standards and Homemove Manager
Date: 18 March 2020
Report Number: P104088-1095 Issue: 1

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Name Rosie Winn, Fiona MacKenzie and Katherine Reid

Position Senior Consultant, Senior Consultant and Consultant, Housing and Health

Date 18th March 2020

Signature

Handwritten signatures of Rosie Winn, Fiona MacKenzie, and Katherine Reid in black ink.

Authorised by

Name Rob Flynn

Position Director, Housing and Health

Date 18th March 2020

Signature

Handwritten signature of Rob Flynn in black ink.

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Executive summary

- Chichester District Council commissioned BRE to assist with gathering intelligence on the housing stock in their area with a particular emphasis on the private rented stock. The resulting project, including this report, was funded by MHCLG's Private Rented Sector Innovation and Enforcement Grant Fund (2019/20). This funding supports new, innovative, or targeted short-term initiatives to tackle criminal landlords and raise the standard of properties in the Private Rented Sector (PRS) including intelligence gathering projects such as this.
- BRE provide this housing stock intelligence down to dwelling level from which it can be aggregated to provide information to any geographical layer e.g. Ward, Authority, Super Output Area. To provide such a large amount of information at dwelling level, modelling techniques (the BRE Housing Stock Models) have already been developed by BRE and been in use since 2003. Applying these well-established models has allowed this project to be delivered in a short timeframe whilst ensuring value for money.
- The BRE Housing Stock Models have been used to provide Chichester with detailed information on the likely tenure, condition and household vulnerability of their stock and the geographical distribution of properties of interest. The information covers the whole of the housing stock providing necessary context to the private rented sector information.
- The models use a range of statistical techniques to predict the likely status of individual dwellings for various condition and energy efficiency indicators. These are described in more detail in **Section 3** but include at the heart of the modelling process an energy model based on SAP which can be used to both predict energy efficiency and model potential improvements.
- Predicting conditions at dwelling level is a challenge, but the increasing availability of dwelling level data which can be used as an input to the models makes this the most logical approach to take. These data include both Experian and Ordnance Survey (OS) data and extensive use is made of these key sources.
- The outputs of the dwelling level models estimate the likelihood of a particular dwelling meeting the criteria for a number of key measures of housing. These outputs can then be mapped to provide the authority with a geographical distribution of each of the variables which can then be used to target resources for improving the housing stock.
- The BRE Housing Stock Models for Chichester District Council also include local data, provided by the council, which have been integrated into the models. The facility to integrate such local data is another key reason BRE have adopted a dwelling based approach to stock modelling.



- These data sources are tenancy deposit scheme data sets. The BRE models also integrate Energy Performance Certificate (EPC)¹ data. As a result of this, for Chichester District Council, it was possible to use observed characteristics from the EPC data within the parts of the model relating to energy. The use of this observed data will lead to more accurate energy models for these cases, which account for 27,855 addresses (48.3% of the total stock) in Chichester. The council also commissioned the inclusion of Land Registry Commercial and Corporate Ownership Data (CCOD) and Overseas Companies Ownership Database (CCOD).
- Alongside this report, BRE provided Chichester District Council with access to the resulting model via an online system known as the Housing Stock Condition Database (HSCD), enabling the council to obtain specific information whenever required.
- The detailed housing stock information in this report and in the HSCD provide the council with a resource for querying and collating information relating to their housing stock. This resource can be used to support the development of strategies and inform housing-related decisions for the area, enabling a targeted intervention approach to improving housing.

Project aims

- The main aims of this work were to provide the council with estimates of:
 - **Dwelling condition and household vulnerability** – more specifically the percentage of dwellings with the presence of each of the Housing Standards Variables (HHSRS² category 1 hazard, excess cold, fall hazard, disrepair, fuel poverty, low income households and SimpleSAP rating) for Chichester overall and broken down by tenure and then mapped by Census Output Area (COA) (private rented stock)
 - **Other information** - relating to Local Authority Housing Statistics (LAHS) reporting for the private sector stock – cost to mitigate category 1 hazards and Houses in Multiple Occupation (HMOs) - and information on EPC ratings
 - **Energy efficiency** variables for the private sector stock (wall and loft insulation)
 - **Energy planning** variables (SimpleCO₂, energy and heat demand, energy and heat cost)
- The headline results are provided on the following page:

¹ EPCs are an indication of how energy efficient a building is - with a rating from A (very efficient) to G (inefficient). They are required whenever a property is built, sold or rented.

² HHSRS is the Housing Health and Safety Rating System – this is a risk assessment tool to help local authorities identify and protect against potential risks and hazards to health and safety deficiencies in dwellings.



Headline results for Chichester

There are 57,685 dwellings in Chichester, 67% are owner occupied, 19% private rented and 14% social rented.

6,768 dwellings in the private sector have category 1 Housing Health and Safety Rating System (HHSRS) hazards. This equates to 14% of properties. *See full results*

1,281 dwellings in the private rented sector have category 1 HHSRS hazards. This equates to 12% of properties in the private rented sector. *See full results*

The highest concentrations of all HHSRS hazards in the private rented sector are found in the wards of Boxgrove, Funtington and Stedham.

The highest concentrations of fuel poverty (Low Income High Costs definition) in the private rented sector are found in the wards of Wisborough Green, Stedham and Bury and for excess cold the highest concentrations are in Boxgrove, Funtington and Stedham.

The average SimpleSAP rating for all private sector dwellings in Chichester is 56, which is worse than both England (60) and the South East (61). For owner occupied stock the figure is 55 and for private rented stock it is 60. *See full results*

Maps by Census Output Area (COA) have been provided for the above Housing Standards Variables for the private rented sector. *See maps*

The total cost of mitigating category 1 hazards in Chichester's private sector stock is estimated to be £23.2 million – with £18.8 million in the owner occupied sector, and £4.4 million in the private rented sector. *See full results*

There are an estimated 1,108 HMOs in Chichester, of which approximately 272 come under the mandatory licensing scheme. *See full results*

13.2% (6,535) of *private sector* dwellings and 9.9% (1,063) of *private rented* dwellings in Chichester are estimated to have an EPC rating below band E. *See full results*

In the private sector stock, there are an estimated 12,107 dwellings with un-insulated cavity walls and 7,232 dwellings with less than 100mm of loft insulation. *See full results*

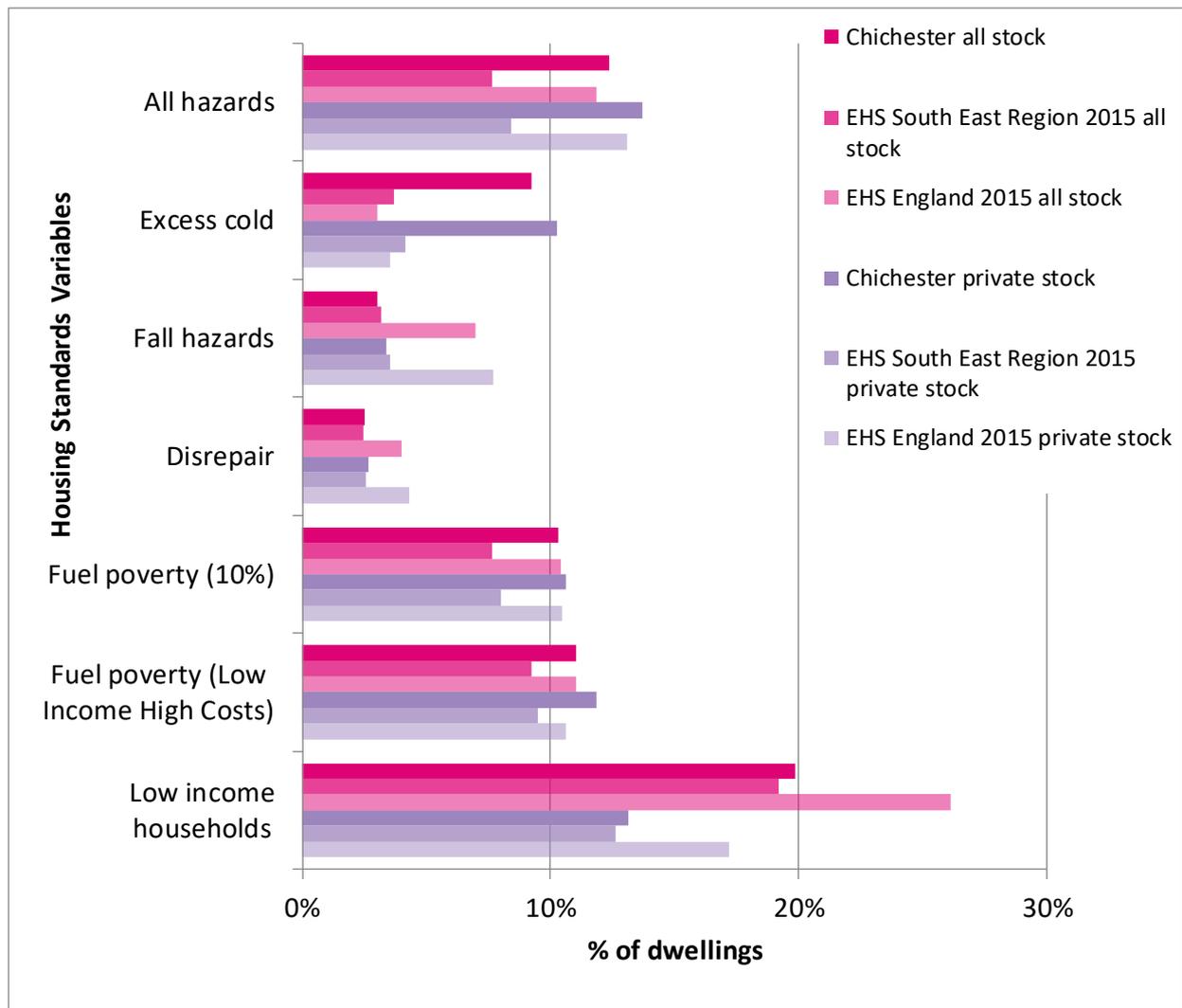
Analysis of the energy efficiency variables indicates that the owner occupied stock has the highest average figures for the majority of variables (SimpleCO₂, energy and heat demand, energy and heat cost). *See full results*



Key illustrations of headline results

- The table below shows the results for 7 of the Housing Standards Variables in Chichester compared to regional data and England (EHS 2015) - split into all stock and private sector stock.

Estimates of the percentage of dwellings with the presence of each of the Housing Standards Variables criteria assessed by the housing stock models and HSCD for all stock and private sector stock – Chichester compared to the South East and England (EHS 2015)





- The table below shows the number and percentage of Chichester’s private rented stock falling into each of the EPC ratings bands (based on SimpleSAP). The number of private rented dwellings in Chichester with a rating below band E (i.e. bands F and G), is estimated to be 1,063 (9.9%).

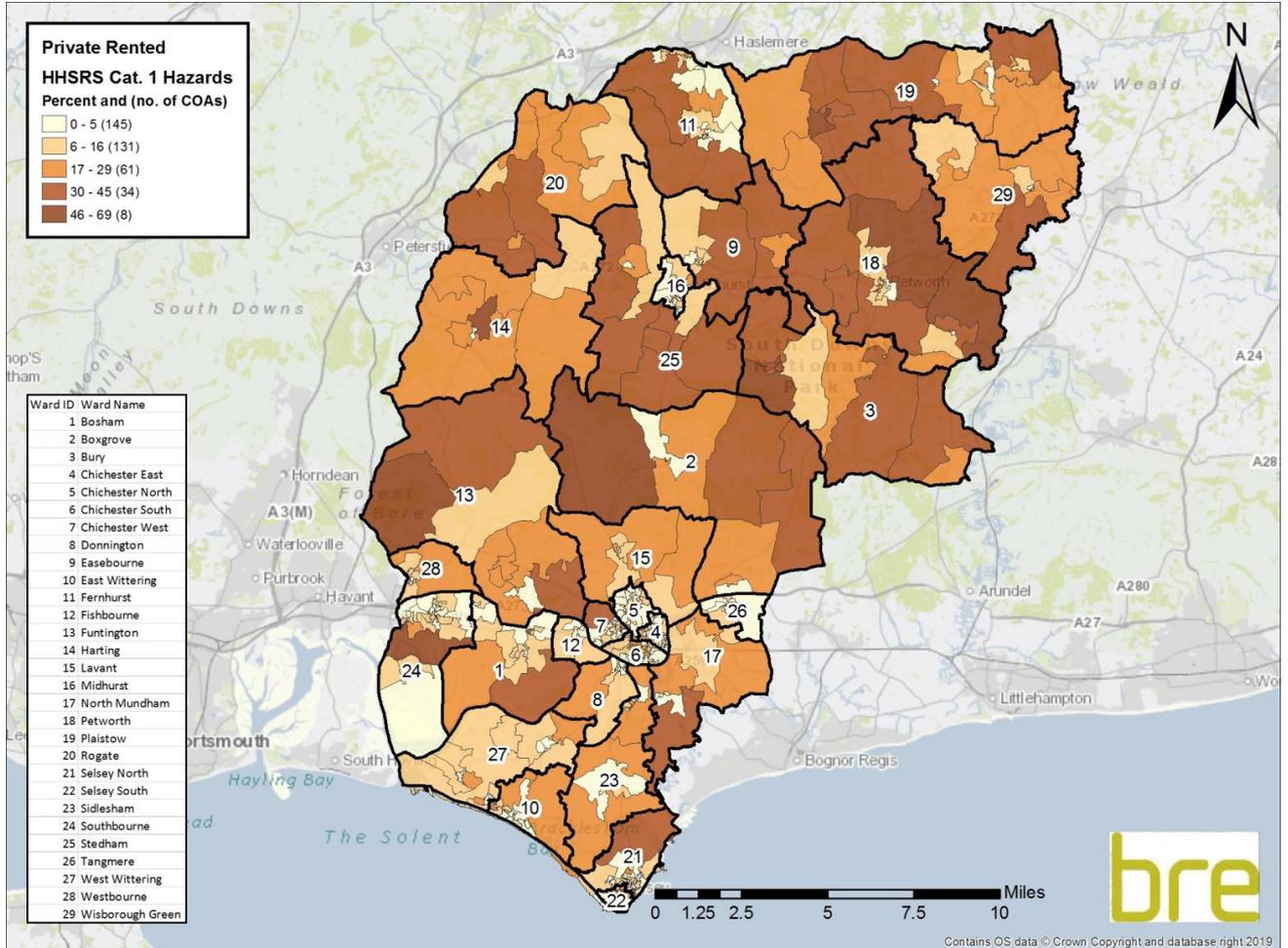
Number and percentage of Chichester’s private rented stock falling into each of the EPC ratings bands (based on SimpleSAP)

		Chichester		2015 EHS England
		Count	Percent	Percent
(92-100)	A	0	0.0%	1.2%
(81-91)	B	182	1.7%	
(69-80)	C	3,261	30.2%	25.3%
(55-68)	D	4,316	40.0%	49.1%
(39-54)	E	1,965	18.2%	18.1%
(21-38)	F	784	7.3%	4.5%
(1-20)	G	279	2.6%	1.8%

- The map overleaf shows the distribution of category 1 hazards, as defined by the Housing Health and Safety Rating System (HHSRS), in the private rented sector. The data behind this map shows that the highest concentrations are found in the wards of Boxgrove, Funtington and Stedham.



Percentage of private rented sector dwellings in Chichester with the presence of a HHSRS category 1 hazard





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1 Introduction

Chichester District Council commissioned BRE to undertake a series of modelling exercises on their housing stock. BRE have integrated data provided by the authority into the models to produce an integrated model and corresponding report. This report describes the modelling work and provides details of the results obtained from the integrated dwelling level model and database. This report, and the work surrounding it, has been funded by MHCLG's Private Rented Sector Innovation and Enforcement Grant Fund (2019/20). This funding supports new, innovative, or targeted short-term initiatives to address criminal landlords and raise the standard of properties in the Private Rented Sector (PRS).

Chichester District Council provided tenancy deposit scheme data sets sourced from the tenancy deposit schemes. This was used to replace some of the modelled data on tenure. The BRE Model also integrates Energy Performance Certificate (EPC) data and, as a result of this, 27,855 addresses have had their imputed energy characteristics replaced with observed characteristics from the EPC data for the purposes of the energy model. The use of this observed data will lead to more accurate energy models for these cases, which account for 48.3% of the total housing stock in Chichester. The council also commissioned the inclusion of Land Registry Commercial and Corporate Ownership Data (CCOD) and Overseas Companies Ownership Database (CCOD).

The BRE Housing Stock Model data is provided to the council via the online Housing Stock Condition Database (HSCD) to enable them to obtain specific information whenever required.

The BRE Housing Stock Models provide the council with dwelling level information on various Housing Standards Variables, focussing on private sector housing, including the private rented stock. These variables provide Chichester District Council with detailed information on the likely condition of the stock and the geographical distribution of properties of interest. These properties are likely to be suitable targets for energy efficiency improvements or other forms of intervention, such as mitigating Housing Health and Safety Rating System (HHSRS) hazards. The variables are split into categories related to house condition, energy efficiency and household vulnerability as shown in **Table 1** (see **Appendix A** for full definitions).

**Table 1:** Housing Standards Variables split into categories

Housing Standards Variable	House condition variables	Energy efficiency variables	Household vulnerability variables
Presence of HHSRS cat 1 hazard	✓		
Presence of cat 1 hazard for excess cold	✓	✓	
Presence of cat 1 hazard for falls	✓		
Dwellings in disrepair	✓		
Fuel Poverty (10% & Low income, High cost definitions)			✓
Dwellings occupied by low income households			✓
SimpleSAP rating		✓	

N.B. Presence of category 1 hazard for falls does NOT include the hazard of falling between levels

The single variables shown in **Table 1** can also be brought together within the HSCD to provide powerful information on the housing stock; for example, dwellings suffering from excess cold and also occupied by households on a low income. This enables council officers to explore the stock and to assess the likely scope of any programmes they might wish to implement.

The information in this report includes estimates relating to the Ministry of Housing, Communities and Local Government's (MHCLG) Local Authority Housing Statistics (LAHS) reporting of costs of mitigating hazards, numbers of Houses in Multiple Occupation (HMOs) as well as providing information relating to Energy Performance Certificate (EPC) ratings.

The Housing Standards Variables and other information are derived from the BRE Dwelling Level Stock Models. These Models have been used for many years to provide key Housing Standards Variables to local authorities. The most recent 2018 models have been updated to make use of the results of the 2015 English Housing Survey (EHS)³. The models also make use of Experian and Ordnance Survey (OS) data. OS AddressBase Plus is used as a basis for the list of all residential dwellings in the authority. OS Mastermap is also linked to OS AddressBase to allow dwelling type and floor area to be determined through geographical modelling⁴. Other national data sources used by the Model include; the age of postcodes (to improve dwelling age data) and data from Xoserve to determine whether the dwelling is on the gas network. These dwelling level models are used to estimate the likelihood of a dwelling meeting the criteria for each of the Housing Standards Variables. These outputs can then be mapped to provide the authority with a geographical distribution of each of the variables which can then be used to target resources for improving the housing stock.

³ 2015 is the latest available data. Prior to the 2018 models EHS 2014 data was used.

⁴ The OS data has been used to update a number of the model inputs – the main value of the OS data is the ability to determine the dwelling type with much greater confidence – see **Appendix B** for more information.



As described above, in this particular case, the database was further enhanced by the addition of local data sources which were identified by Chichester District Council. These local data sources were incorporated into the stock models to produce the integrated model.

The information in the HSCD can be used to ensure the council meets various policy and reporting requirements. For example, local housing authorities are required to review housing conditions in their districts in accordance with the Housing Act 2004⁵.

The detailed housing stock information in this report and in the HSCD provide the council with a resource for querying and collating information relating to their housing stock. This resource can be used to support the development of strategies and inform housing-related decisions for the area, enabling a targeted intervention approach to improving housing.

1.1 Project aims

The main purpose of this project was to provide data on key private sector housing variables for Chichester. The main aims were therefore to provide estimates of:

- The percentage of dwellings with the presence of each of the Housing Standards Variables for Chichester overall, broken down by tenure and mapped by Census Output Area (COA) (private rented stock)
- Information relating to LAHS reporting for the private sector stock - category 1 hazards and HMOs, plus information on EPC ratings
- Energy efficiency variables for the private sector stock (wall and loft insulation)
- Energy planning variables (SimpleCO₂, energy and heat demand, energy and heat cost)

This report looks firstly at the policy background and why such information is important for local authorities. Secondly, it provides a brief description of the overall stock modelling approach and the integration of the local data sources. Finally, this report provides the modelling results for Chichester covering each of the main aims above.

⁵ <http://www.legislation.gov.uk/ukpga/2004/34/contents>

2 Policy background

The detailed housing stock information provided in this report will facilitate the delivery of Chichester District Council's housing strategy and enable a targeted intervention approach to improving housing. This strategy needs to be set in the context of relevant government policy and legislative requirements. These policies either require reporting of housing-related data by local authorities, or the use of such data to assist in meeting policy requirements. The main policies and legislative requirements are summarised in the following sub-sections.

2.1 Housing Act 2004

The Housing Act 2004⁵ requires local housing authorities to review housing statistics in their district. The requirements of the Act are wide-ranging and also refer to other legislation which between them covers the following:

- Dwellings that fail to meet the minimum standard for housings (i.e. dwellings with HHSRS category 1 hazards)
- Houses in Multiple Occupation (HMOs)
- Selective licensing of other houses
- Demolition and slum clearance
- The need for provision of assistance with housing renewal
- The need to assist with adaptation of dwellings for disabled persons

2.2 Key housing strategy policy areas and legislation

2.2.1 Private rented sector

In the report "Laying the Foundations: A Housing Strategy for England"⁶ Chapters 4 and 5 focus on the private rented sector and empty homes.

New measures are being developed to deal with rogue landlords and to encourage local authorities to make full use of enforcement powers for tackling dangerous and poorly maintained dwellings. The report encourages working closely with landlords whilst still operating a robust enforcement regime (e.g. Landlord Forums and Panels across the country).

There has been significant growth in the private rented sector in Chichester in the 10 years between 2001 and 2011 - from 9% of the total stock in 2001 to 17% in 2011⁷ - so that 8% of the stock has changed over that time period to now be private rented. This is similar to the change of 9% seen in England as a whole. The analysis for this current report estimates that 19% of the stock in Chichester is now privately rented.

⁶ Laying the Foundations: A Housing Strategy for England, CLG, 2011

⁷ <https://www.ons.gov.uk/census#censusdataandbackground>



The Private Rented Sector Innovation and Enforcement Grant Fund (2019/20)⁸ has been supplied by the Ministry of Housing, Communities and Local Government (MHCLG) to support new, innovative, or targeted short-term initiatives to tackle criminal landlords and raise the standard of properties in the Private Rented Sector (PRS). The grant also promotes the use of legislative powers within the Housing Act 2004 and the Housing & Planning Act 2016 to take enforcement action against criminal landlords.

2.2.2 Health inequalities

The government's white paper "Choosing Health"⁹ states that the key to success in health inequalities will be effective local partnerships led by local government and the NHS working to a common purpose and reflecting local needs. Housing is a key determinant of health, and poor housing conditions continue to cause preventable deaths and contribute to health inequalities¹⁰. An example in this area is the work carried out by Liverpool City Council in partnership with Liverpool Primary Care Trust – the "Healthy Homes Programme". This has identified over 3,800 hazards and led to an estimated £4.8 million investment by landlords, delivering sustainable health improvements and enhancing community wellbeing.

2.2.3 Integrated care

It has been recognised by central government that to fully address the health needs of the population, services need to become more integrated and there needs to be better communication between different providers. Housing is a key aspect of this:

"Many people with mental and physical disabilities, complex needs, long-term conditions and terminal illness also need to access different health care, social care, housing and other services, such as education, and often simultaneously"¹¹.

It is therefore essential that departments providing or regulating housing work with other council departments and health organisations to provide services that are integrated and take full account of the needs of the individual.

2.2.4 Public Health Outcomes Framework

The Public Health Outcomes Framework "Healthy lives, healthy people: Improving outcomes and supporting transparency"¹² sets out desired outcomes for public health and how they will be measured. Many of the measurements have links to housing, some of the more relevant being:

- Falls and injuries in over 65's
- Fuel poverty
- Excess winter deaths

8

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/844171/PRS_Innovation_and_Enforcement_Grant_Fund_Prospectus.pdf

⁹ Choosing Health: Making healthy choices easier, Department of Health, 2004

¹⁰ The health impacts of poor private sector housing, LACORS, 2010

¹¹ Integrated Care: Our Shared Commitment, Department of Health, 2013

¹² Healthy lives, healthy people: Improving outcomes and supporting transparency, Department of Health, 2013



There have been minor indicator changes for 2019-2022, incorporating moderate to severe falls

2.2.5 Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategies

The JSNA and joint health and wellbeing strategy allow health and wellbeing boards to analyse the health needs of their local population and to decide how to make best use of collective resources to achieve the priorities that are formed from these. The Department of Health document “Joint Strategic Needs Assessment and joint health and wellbeing strategies explained - Commissioning for populations” says “This will ensure better integration between public health and services such as housing and education that have considerable impact on the wider determinants of health”¹³.

2.2.6 Energy Act 2011

The Energy Act 2011 requires that from 2016 reasonable requests by tenants for energy efficiency improvements will not be able to be refused. Furthermore, since 1 April 2018 it became unlawful for landlords to grant a new tenancy or renew an existing tenancy for a property that does not reach a minimum energy efficiency standard (MEES) of Energy Performance Certificate rating band E¹⁴. While there will be various caveats to these powers, they provide a new minimum standard for rented accommodation. If the EPC rating is an F or G, the landlord must improve the rating to a minimum of EPC E or register an exemption (if applicable) before they are able to let the property. From 1 April 2020, the regulations will apply to all domestic rented properties regardless of whether or not there has been a change in tenancy (again exemptions may apply but these must be registered by the landlord on the PRS exemptions register). Part of this current project for Chichester District Council includes provision of a private rented sector variable that should assist in identifying such dwellings.

2.2.7 Empty homes

The need to bring empty private sector dwellings back into use is a key government objective that is part of a wider strategy to tackle housing affordability. It is generally accepted that in a time of housing shortage, empty dwellings represent a wasted resource.

Empty homes brought back into use will qualify for the New Homes Bonus where, for the following 4 years, the government will match the Council Tax raised on long term empty properties brought back into use. This was previously set at 5 years in 2017-19 and 6 years prior to that. Between 2012-15, £100 million of capital funding was available from within the Affordable Homes Programme to tackle problematic¹⁵ empty homes. There is no longer any separate funding for empty homes under the 2015-18 Affordable Homes Programme, although they are legitimate forms of Affordable Rent provision that could be included in bids for the 2015-18 Affordable Homes Programme¹⁶.

There are a number of issues in dealing with private sector vacant dwellings including the transient nature of vacant dwellings and their difficulty of identification. Properties are being continually bought and sold,

¹³ Joint Strategic Needs Assessment and joint health and wellbeing strategies explained: Commissioning for populations, Department of Health, 2011

¹⁴ <https://www.gov.uk/government/publications/the-private-rented-property-minimum-standard-landlord-guidance-documents>

¹⁵ Properties that are likely to remain empty without direct financial support from government.

¹⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343896/affordable-homes-15-18-framework.pdf



let and modernised, which means that at any given time a proportion of the stock will be naturally vacant. The only dwellings that tend to be of most interest to local authorities are those that are not turning over in the normal way.

Whilst the data provided by this project cannot necessarily assist with the actual identification of empty homes, the HSCD would be the logical place for such information to be stored should it be gathered from other sources.

Data for Chichester for 2018, collected by MHCLG¹⁷, identifies 1,193 vacant dwellings across all tenures. This represents a vacancy rate of approximately 2% in Chichester. In 2017 the number of vacant dwellings was 895, and 5 years ago in 2013 the figure was 1,399. Furthermore, around 272 (0.5%) dwellings are long-term vacant (6 months or more) in Chichester (2018 figures).

The Affordable Homes Programme was replaced by the Shared Ownership and Affordable Homes Programme (2016-2021), supporting increased home ownership and aiming to expand supply of affordable homes in England. A total of £4.7 billion is available for the development of Shared Ownership and other affordable homes.¹⁸

2.3 Other policy areas

The following policy areas, whilst not directly relating to environmental health services, will have an effect on demand and local authorities will need to be aware of the possible impact in their area.

2.3.1 The Housing and Planning Act 2016

The Housing and Planning Act 2016¹⁹ introduces legislation for government to implement the sale of higher value local authority homes, starter homes, pay to stay and a number of other measures, mainly intended to promote home ownership and boost levels of housebuilding in England. Although many of the measures have yet to be implemented or come into effect, the following policy changes will have a significant impact on the way councils deliver their Housing Services:

- Extension of the Right-to-Buy scheme to housing associations through a voluntary agreement, funded by the sale of higher value council properties when they become vacant
- The ending of lifetime tenancies – all new tenants will have to sign tenancies for a fixed term up to 10 years although there will be exemptions for people with disabilities and victims of domestic abuse, and families with children under nine years old can have a tenancy that lasts until the child's 19th birthday
- Changes to planning measures so that the government can intervene where councils have not adopted a Local Plan
- To replace the need for social rented and intermediate housing on new sites with the provision of Starter Homes that are sold at a reduced cost to first time buyers
- Changing the definition of 'affordable homes' to include starter homes
- Increasing the site size threshold before affordable housing can be requested

¹⁷ <https://www.gov.uk/government/collections/dwelling-stock-including-vacants>

¹⁸ <https://www.gov.uk/government/collections/shared-ownership-and-affordable-homes-programme-2016-to-2021-guidance>

¹⁹ <http://www.legislation.gov.uk/ukpga/2016/22/contents/enacted/data.htm>



The Act also includes a package of measures to help tackle rogue landlords in the private rented sector. This includes:

- Allowing local authorities to apply for a banning order to prevent a particular landlord/letting agent from continuing to operate where they have committed certain housing offences
- Creating a national database of rogue landlords/letting agents, which will be maintained by local authorities
- Allowing tenants or local authorities to apply for a rent repayment order where a landlord has committed certain offences (for example continuing to operate while subject to a banning order or ignoring an improvement notice). If successful the tenant (or the authority if the tenant was receiving universal credit) may be repaid up to a maximum of 12 months' rent
- Introducing a new regime giving local authorities an alternative to prosecution for offences committed under the Housing Act 2004, including all HMO offences. Effectively, local authorities will have a choice whether to prosecute or impose a penalty with a maximum fine of £30,000. The local authority can also retain the money recovered, which is not currently the case with fines imposed in the magistrates' court

2.3.2 The Welfare Reform and Work Act 2016 and the Welfare Reform Act 2012

The Welfare Reform and Work Act 2016²⁰ gained royal assent in March 2016. The Act introduces a duty to report to Parliament on progress made towards achieving full employment and the three million apprenticeships target in England. The Act also ensures reporting on the effect of support for troubled families and provision for social mobility, the benefit cap, social security and tax credits, loans for mortgage interest, and social housing rents. These include the following:

- Overall reduction in benefits – a four year freeze on a number of social security benefits
- Benefit cap reduction – the total amount of benefit which a family on out of work benefits can be entitled to in a year will not exceed £20,000 for couples and lone parents, and £13,400 for single claimants, except in Greater London where the cap is set at £23,000 and £15,410 respectively
- Local Housing Allowance rent cap – this is the locally agreed maximum benefit threshold for a dwelling or household type within a defined geographical area. Therefore, if rises in rent outstrip growth in income, renters may find it increasingly difficult to pay
- A 1% reduction in social rents per year for 4 years to reduce the housing benefit bill

In addition, the Welfare Reform Act 2012²¹ (which is in parts amended by the 2016 Act discussed above) covers areas of environmental health services – in particular the sections relating to the under occupation of social housing, and the benefit cap. Whilst this will mainly affect tenants in the social rented sector it will undoubtedly have an impact on private sector services. Social tenants may find themselves being displaced into the private sector, increasing demand in this area, and the tenants of Registered Providers (RP's) and some private landlords may have greater trouble affording rent payments. If tenants are in arrears on their rental payments then authorities may be met with reluctance from landlords when requiring improvements to properties.

2.3.3 Localism Act 2011

The Localism Act allows social housing providers to offer fixed term, rather than secure lifetime, tenancies. As with the Welfare Reform Act, this has a greater direct impact on the social rented sector,

²⁰ <http://www.legislation.gov.uk/ukpga/2016/7/contents/enacted>

²¹ <http://www.legislation.gov.uk/ukpga/2012/5/contents/enacted>



however, there is some concern this may lead to greater turnover of tenancies meaning such that some traditional social tenants may find themselves in the private rented sector.

Both of these policy changes above may increase the number of vulnerable persons in private sector properties. If this occurs any properties in this sector in poor condition are likely to have a far greater negative impact on the health of those occupiers.

2.3.4 Potential increase in private rented sector properties

Policies such as the Build to Rent and the New Homes Bonus are aimed at increasing the supply of properties. As the private rented sector is already growing, it is reasonable to assume that many of the new properties being built will be rented to private tenants. Local authorities will need to be aware of the potential impact on the demand for their services and how their perception of their local area may have to change if large numbers of properties are built.

2.4 Local Authority Housing Statistics (LAHS)²² and EPC ratings

The purpose of these statistics is twofold – firstly to provide central government with data with which to inform and monitor government strategies, policies and objectives as well as contributing to national statistics on housing, secondly, to the local authorities themselves to help manage their housing stock. Local authorities are required to complete an annual return which covers a wide range of housing-related issues. Of particular relevance to this current project is “Section F: Condition of dwelling stock” which, amongst other things, requests the following information:

- Estimates of the number of HMOs and the number of mandatory licensable HMOs

Whilst the LAHS no longer requires reporting of total number of dwellings and number of private sector dwellings with category 1 HHSRS hazards and the estimated costs of mitigating these, this information is still of use to understand the extent of these hazards within a local authority.

The LAHS no longer requires reporting of average EPC ratings of the private sector stock and the proportion below a certain rating; however, this information remains pertinent due to the Energy Act 2011. Under this act, from 1 April 2018 landlords must ensure that their properties meet a minimum energy efficiency standard when they grant a tenancy to new or existing tenants - which has been set at band E^{23, 24}. From 1 April 2020, landlords can no longer continue letting a property which is already let if it has an EPC rating of F or G²⁵. Furthermore, from 1 April 2016, tenants in F and G rated dwellings may legally request an upgrade to the dwelling to a minimum of a band E. Results relating to LAHS statistics and EPC ratings can be found in **Section 4.2**.

²² <https://www.gov.uk/government/publications/completing-local-authority-housing-statistics-2012-to-2013-guidance-notes>

²³ <http://www.legislation.gov.uk/ukxi/2015/962/contents/made>

²⁴ Although landlords will still be able to rent out F and G rated properties after this date they will not be able to renew or sign a new contract.

²⁵

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794253/domestic-prs-minimum-standard-guidance.pdf



2.5 The Energy Company Obligation (ECO)

The Energy Companies Obligation (ECO) requires energy companies to assist in the installation of energy efficiency measures in Great Britain to low income and vulnerable households or those living in hard-to-treat (HTT) properties. Under the ECO, energy companies are obliged to meet targets expressed as carbon or costs saved. There have been several ECO schemes to date, with a new scheme set to start in October 2018:

- ECO1 - ran from January 2013 to March 2015
- ECO2 - launched on 1 April 2015 and ended on 31 March 2017
- ECO2t - was an 18 month extension to the ECO2 scheme until September 2018^{26, 27} as a transition period between the end of ECO2 and a new scheme.
- ECO3²⁸- launched in October 2018 and will run for 3.5 years to the end of March 2022

Current scheme – ECO3

ECO3 has 4 phases terminating in March of each year (2019-2022). The scheme focusses on Affordable Warmth (the Carbon Emissions Reduction Obligation – CERO – has been removed) so that low income and vulnerable households are the recipients of the main benefits. The scope of the Affordable Warmth group will be expanded to include other benefits (e.g. Child Benefit, Personal Independence Payment, etc.).

In terms of measures and improvements, the focus is on replacing electric storage heaters with central heating, improving 17,000 solid wall dwellings every year, replacing broken heating systems (maximum of 35,000 per year), encouraging the replacement of heating systems only when also installing certain types of insulation. In addition, Renewable Heat Incentive measures would not be eligible under ECO3, and suppliers will be able to meet up to 10 – 20% of their obligation through “innovative measures”.

Energy companies can also use the local authority Flexible Eligibility mechanism to achieve up to 25% of their obligation – allowing councils to outline personal criteria to maximise inclusion of vulnerable people in funding for domestic heating and insulation upgrades.

The results for the basic energy efficiency variables are covered in this report and assist in the identification of dwellings which may benefit from energy efficiency improvements. Such information also provides a valuable contribution to the evidence base increasingly being required to support competitive funding bids to central government for housing improvements.

²⁶ Energy Company Obligation (ECO): Help to Heat: <https://www.gov.uk/government/consultations/energy-company-obligation-eco-help-to-heat>

²⁷

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/586266/ECO_Transition_Final_Stage_IA_For_Publication_.pdf

²⁸ <https://www.gov.uk/government/consultations/energy-company-obligation-eco3-2018-to-2022>



3 Overview of the BRE Dwelling Level Housing Stock Modelling approach

3.1 Overview

This section provides a simplified overview of the BRE dwelling level housing stock modelling approach. More detail on the methodology is provided in **Appendix B**.

A stock modelling approach has been developed and used by BRE for many years and dwelling level models are used to estimate the likelihood of a particular dwelling meeting the criteria for each of the Housing Standard Variables (and other outputs of interest). These outputs can then be mapped to provide the council with a geographical distribution of each of the variables which can then be used to target resources for improving the housing stock. The process is made up of a variety of data sources, calculations and models.

The models are principally informed by the Ministry of Housing, Communities and Local Government's (MHCLG) English Housing Survey (EHS)²⁹. The EHS dataset is used to identify patterns in the housing stock for those which fail a given indicator, for example HHSRS. This knowledge can be applied, using statistical methods, to impute Housing Standards Variables and energy characteristics from other data available at dwelling level which cover the whole of England. To model the energy efficiency of dwellings, BRE have developed a variant of the BREDEM³⁰ software, named "SimpleCO₂", that can calculate energy outputs from a reduced set of input variables.

The modelled dwelling level data provided for Chichester makes significant use of the Experian UK Consumer Dynamics Database of dwelling and household indicators, as well as OS datasets as inputs to the models.

Chichester District Council also provided additional sources of local data which were incorporated into the BRE Housing Stock Model and Database, as well as the EPC data, to produce an integrated housing stock model and database. The additional data provided and how it was used is as follows:

- **EPC data** – EPCs contain data on key dwelling energy characteristics (e.g. wall type and insulation, loft insulation, heating types etc.) and where these were available they were used in preference to the modelled data. It should be noted that to comply with bulk EPC data licencing requirements the EPC data is only used to inform the energy efficiency aspects of the model.
- **Tenancy deposit data** – the council provided tenancy deposit scheme addresses which were used to inform the tenure variable.

²⁹ The most recent survey used in the housing stock models is 2015.

³⁰ Building Research Establishment Domestic Energy Model, BRE are the original developers of this model which calculates the energy costs of a dwelling based on measures of building characteristics (assuming a standard heating and living regime). The model has a number of outputs including an estimate of the SAP rating and carbon emissions.



- **CCOD & OCOD data** – in addition to the above, HM Land Registry Commercial and Corporate Ownership Data (CCOD) and Overseas Companies Ownership Data (OCOD) was used to inform the tenure variable.

Figure 1 shows a simplified flow diagram of the overall BRE housing stock modelling approach and how the additional data is incorporated to produce the integrated Housing Stock Condition Database (HSCD).

The process is made up of a series of data sources and models which, combined with various imputation and regression techniques and the application of other formulae, make up the final database. The database is essentially the main output of the modelling and provides information on the Housing Standards Variables and other data requirements (e.g. energy efficiency variables). More detailed information on the data sources and models is provided in **Appendix B**, but to summarise:

The data sources are:

EHS, EPC, Experian, Ordnance Survey (OS) MasterMap, other local data (if available)

The Models are:

SimpleSAP, Fuel Poverty, HHSRS (all hazards, falls hazards and excess cold), Disrepair and Low Income Households.

The data sources and models are linked as shown in the flow diagram and the modelling process itself can be divided into “energy inputs” and “other inputs”, which are summarised as follows:

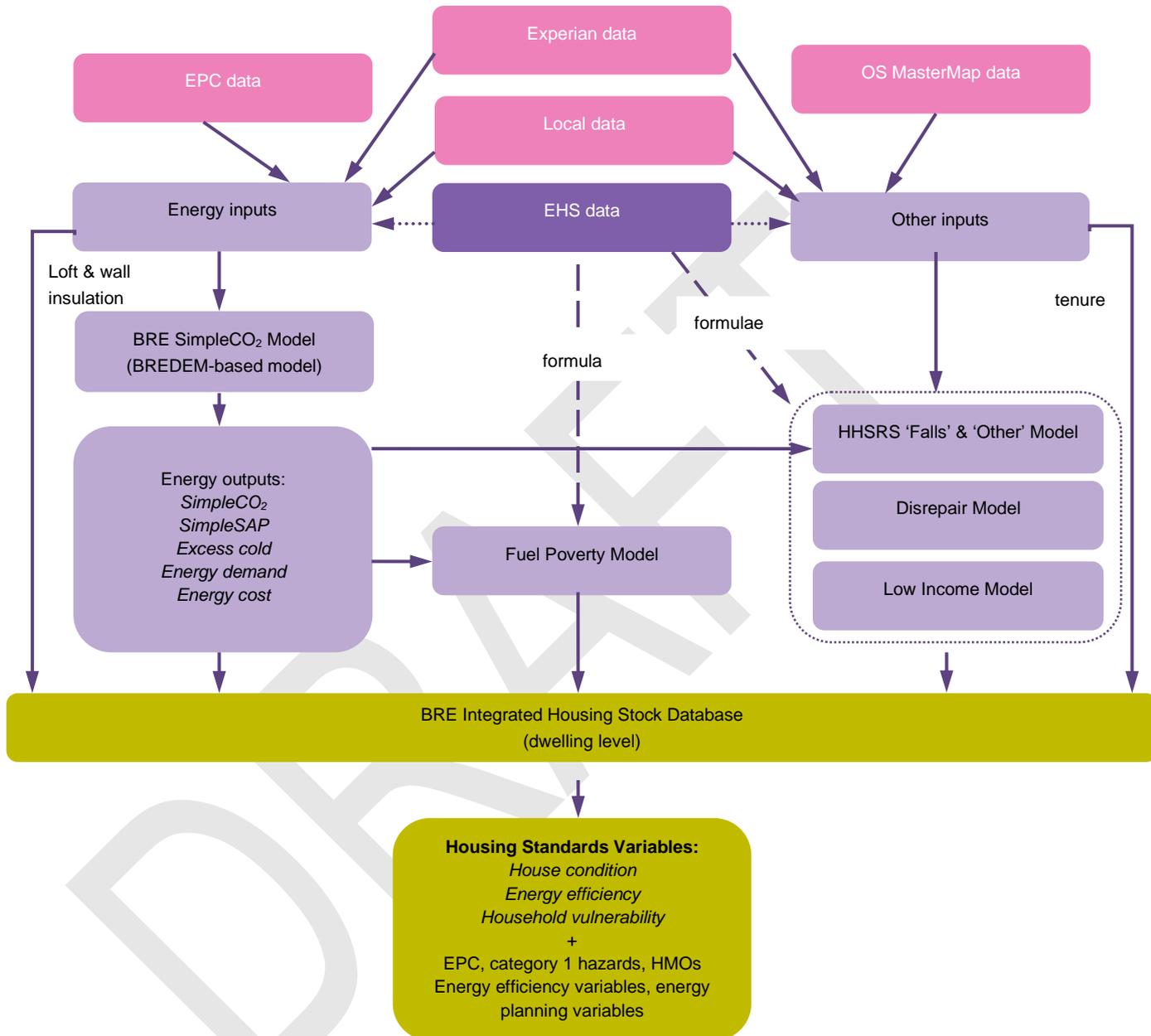
Energy inputs - are developed from Experian, EPC and other local data sources (if available). The EHS data is used to impute (using cold deck imputation³¹) and interpolate where there are gaps in the data. The “energy inputs” are then fed into the SimpleCO₂ Model to produce the “energy outputs” for the database plus information on excess cold for the HHSRS Model and information on energy costs for the Fuel Poverty Model.

Other inputs – are developed from Experian, OS MasterMap and other local data sources. The EHS data is used to impute (using cold deck imputation³¹) and interpolate where there are gaps in the data. The “other inputs” are then fed into the HHSRS, Disrepair, and Low Income Models (note that tenure data is fed directly into the database). Information from the EHS also feeds into the Fuel Poverty, HHSRS, Disrepair and Low Income Models.

³¹ Cold deck imputation is a process of assigning values in accordance with their known proportions in the stock.



Figure 1: Simplified flow diagram of overall BRE housing stock modelling approach (N.B. the EHS data is only used to inform the mathematical algorithms of the model – it does not provide data)



- BRE housing stock modelling process
- Integration of additional data
- Data used for imputation & interpolation
- Outputs
- Data
- Imputed (cold deck)
- Information



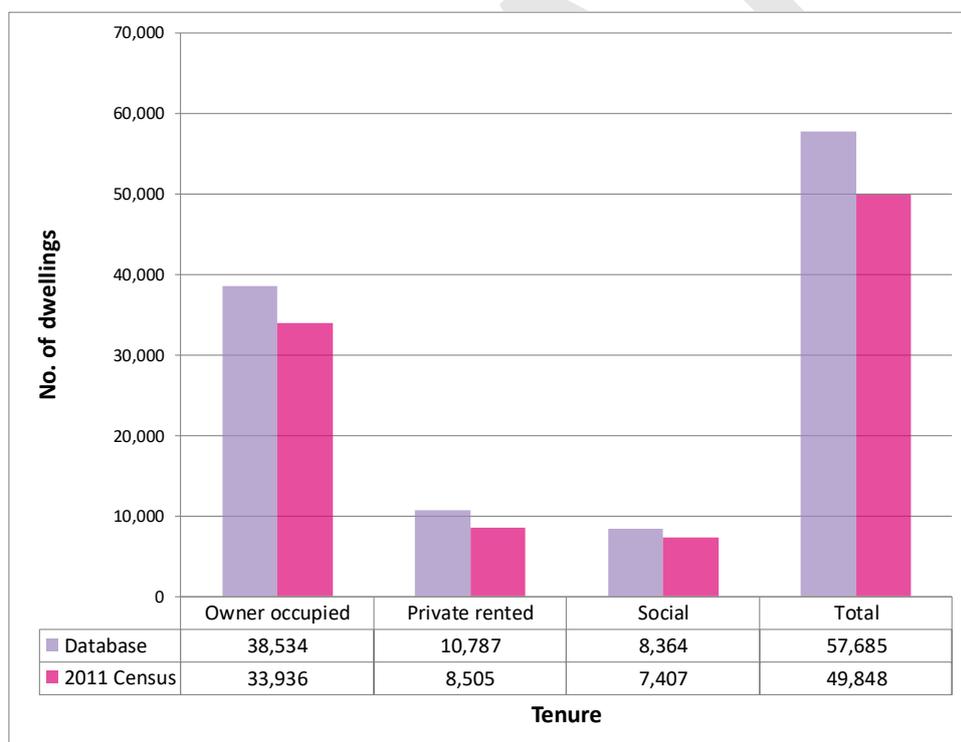
3.2 Breakdown of the housing stock by tenure - validation

Providing the results split by tenure is useful since it can have an effect on how resources and improvement policies are targeted. This report is particularly focussed on private sector stock which is made up of owner occupied and private rented dwellings. The remainder of the housing stock consists of social housing.

The total number of dwellings in Chichester from the integrated housing stock condition database is based on OS AddressBase; therefore the model is based on this value. The tenure split within the integrated database is derived from the purchased Experian tenure variable for addresses where tenure has not been supplied by the council.

Since it is possible for private rented dwellings to become owner occupied and vice versa relatively easily, it is difficult to accurately predict the actual tenure split at any given point in time. A validation process was undertaken to compare the tenure split from the database to the 2011 Census figures³². The results of the validation exercise show the differences between the tenure split from the database compared to the Census figures (see **Figure 2**). Furthermore, **Maps 1** and **2** show the geographical distributions of the private rented sector which give confidence that the integrated database provides a good overview of the housing stock in Chichester.

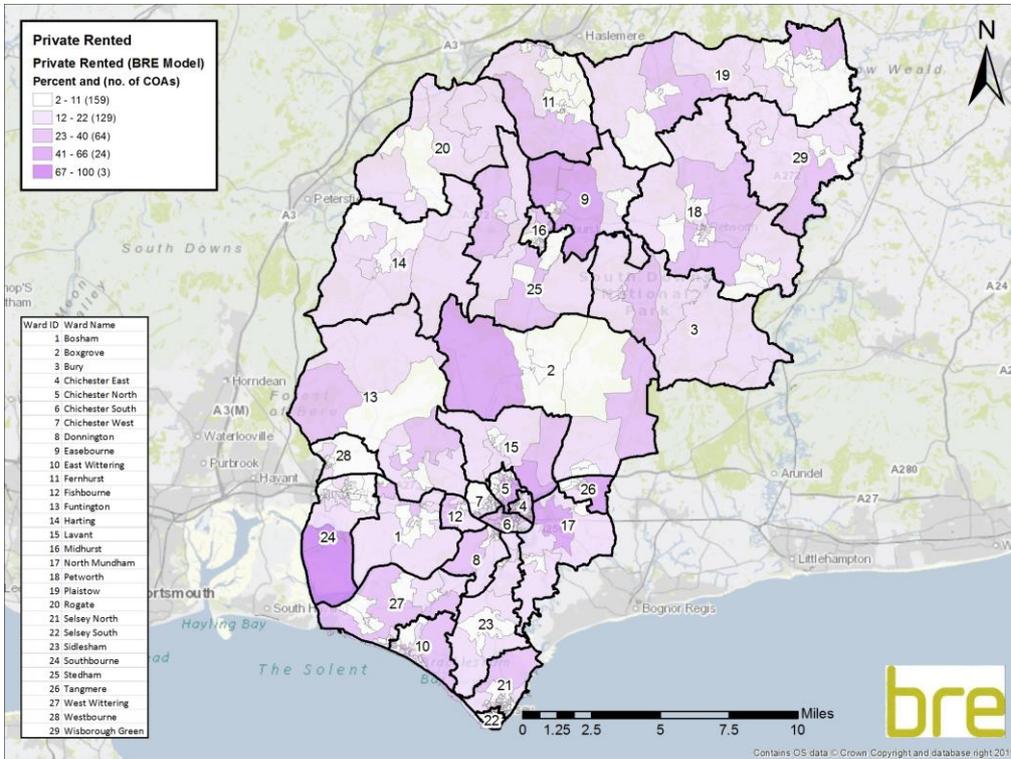
Figure 2: Tenure split – comparison of BRE Housing Stock Condition Database outputs with 2011 Census figures for Chichester



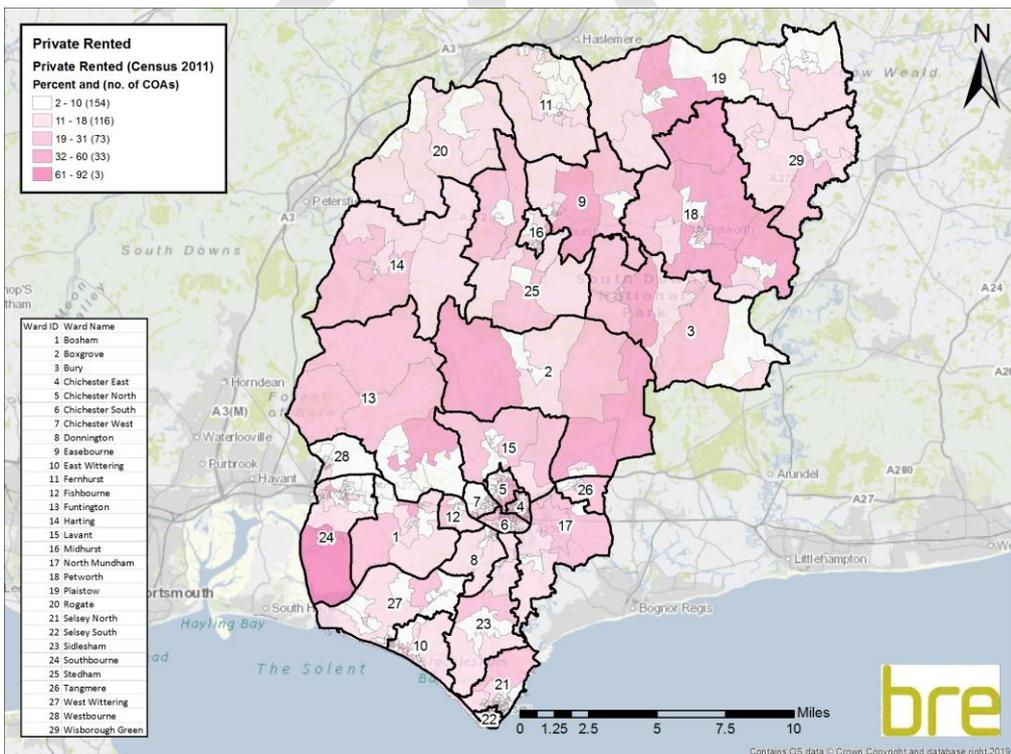
³² <http://www.ons.gov.uk/ons/datasets-and-tables/index.html>



Map 1: Distribution of estimated percentage of private rented dwellings in Chichester – based on database



Map 2: Distribution of estimated percentage of private rented dwellings in Chichester – based on 2011 Census Data (Neighbourhood Statistics)





3.2.1 Other national datasets relating to tenure

In addition to the Census data there are other national datasets available which provide information on tenure; these are MHCLG returns³³ and Office for National Statistics (ONS) data³⁴. These datasets are not used directly in the model but are reported here for the purposes of comparison.

The MHCLG returns provide estimates of the tenure split by private sector and social sector only, with the former being based on projections from the 2011 census as a starting point, and the latter being based on Local Authority Housing Statistics. The tenure split used in the BRE Housing Stock Model is compared to this at an early stage of the project in order to ensure the tenure split is consistent³⁵.

The ONS data provides subnational (local authority level) data on the dwelling stock broken down into tenure. The ONS split between owner occupied and private rented stock is based on their Annual Population Survey (APS)³⁶ which is then benchmarked to the MHCLG returns. The APS is based on “persons who regard the sample address as their main address and also those who have lived in the dwelling for more than 6 consecutive months, even if they do not regard this as their principal dwelling”. This methodology may under-estimate the proportion of private rented dwellings for several reasons:

1. By only including those people who have lived in a dwelling for more than 6 consecutive months, the number of private rented households may be under-estimated as there tends to be a higher turnover in this sector.
2. By only including persons who regard the sample address as their main address there are two groups where this may have an impact on the estimated figures:
 - a. Students renting away from home who assume their parents’ address to be their main residence.
 - b. Commuter areas where households may have a city flat during the week and also have a suburban family home which they class as their first residence. Commuter towns close to large cities may also have higher levels of private rented stock with a high turnover of tenants near rail stations for example.

In addition, the ONS dataset uses EHS data but this is limited to using the occupancy rate to allow for vacant dwellings as their APS is based on individuals and therefore does not account for vacant dwellings.

³³ <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

³⁴

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/researchoutputsubnationaldwellingstockbytenureestimatesengland2012to2015/2017-12-04#methodology>

³⁵ This comparison is checked early on in the project through email correspondence with the authority.

³⁶

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/methodologies/annualpopulationsurveyapsqmi>



It is important to note that the ONS data is not an official statistic and that a disclaimer³⁷ must be used when reproducing the data (note that the “**dwelling stock by tenure**” in the disclaimer refers to the MHCLG returns data).

Table 2 shows the latest tenure splits from the MHCLG data for Chichester. Since the ONS data is benchmarked to the MHCLG returns, the figures for the private sector stock match.

As previously mentioned in **Section 2.2.1**, the proportion of private rented stock in Chichester from the 2011 Census figures³⁸ was 17%, and the BRE Database figure of 19% ties in with this given that there is more likely to have been an increase in the private rented stock since 2011.

Table 2: Comparison of MHCLG, ONS and BRE Database figures on tenure split for Chichester

Tenure	Number of dwellings			% of all stock		
	2017 MHCLG	2017 ONS	BRE Database	2017 MHCLG	2017 ONS	BRE Database
Owner occupied	47,950	38,830	38,534	85%	69%	67%
Private rented		9,120	10,787		16%	19%
Social	8,350	-	8,364	15%	-	14%

N.B. MHDCLG data does not break down private sector into owner occupied and private rented stock and ONS data does not provide an estimate for social stock

³⁷ ONS Disclaimer: “We have published these Research outputs to provide an indication of the tenure breakdown of dwellings within the private sector at the subnational level. Research Outputs are produced to provide information about new methods and data sources being investigated. Official statistics on private dwellings by tenure are currently only available at the country level. Statistics on **dwelling stock by tenure**³³ are available for local authorities but do not provide a breakdown of owner-occupied and privately rented dwellings. These statistics are subject to marginal error as they are estimates based on a survey, therefore users should refer to the coefficient of variation (CV) and confidence intervals when making interpretations.”

³⁸ <http://www.ons.gov.uk/ons/datasets-and-tables/index.html>



4 Results from the BRE Dwelling Level Housing Stock Models and Housing Stock Condition Database (HSCD)

As described in the previous section, the housing stock modelling process consists of a series of different stock models with the main output being the HSCD. The results in this section have been obtained from interrogating the database at the level of the local authority as a whole to give a useful overview for Chichester. Information at ward level, however, is provided in the maps, in **Section 4.2.3** and can also be obtained from the HSCD which has been supplied as part of this project (see **Appendix C** for instructions). The HSCD can be interrogated at local authority, ward, medium super output area (MSOA), lower super output area (LSOA), census output area (COA), postcode or dwelling level.

The first sub-section below provides a map of the wards in Chichester. The results are then displayed in the following sub-sections:

- Housing Standards Variables:
 - Chichester – regional and national comparisons
 - Housing Standards Variables by tenure for Chichester
 - Housing Standards Variables mapped by COA for Chichester private rented sector stock
- Information relating to LAHS reporting and EPC ratings:
 - Category 1 hazards
 - HMOs
 - EPC ratings
- Energy efficiency variables for Chichester private sector stock (wall and loft insulation)
- Energy planning variables for Chichester (SimpleCO₂, energy and heat demand, energy and heat cost)

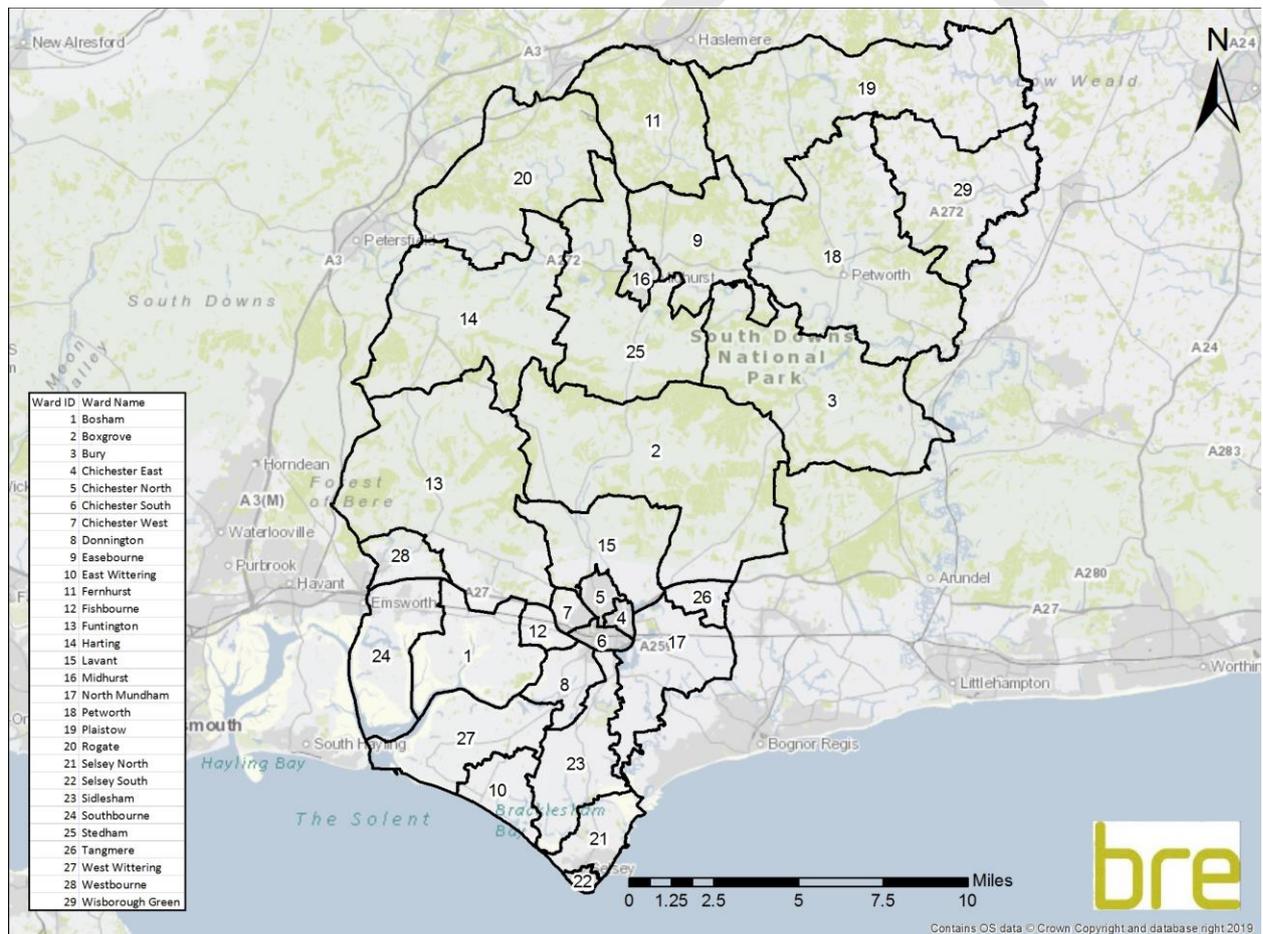


4.1 Overview of Chichester

Map 3 below shows the 29 wards in Chichester. The data in the report is separated into wards and then further divided into Census Output Areas (COAs). These typically comprise around 125 households and usually include whole postcodes, which have populations that are largely similar. Where the COAs are smaller in size on the map this typically represents a more densely populated area since each COA represents a similar number of dwellings.

It should be noted that some residential addresses are not considered suitable for modelling and these have been removed. These include caravans and house boats which, whilst covered by the EHS, are quite uncommon, and the energy models and other key variables were not developed with dwellings such as these in mind. Residential institutions (e.g. care homes) have also been removed as it is not entirely appropriate to apply the usual models to these dwellings. The removal of these addresses may result in a COA not appearing to contain any dwellings due to the fact that all c.125 households are made up of caravans for example.

Map 3: The wards in Chichester





4.2 Housing Standards Variables

4.2.1 Chichester – regional and national comparisons

Table 3 and **Figure 3** show the results for each of the Housing Standards Variables in Chichester compared to the South East region and to England (EHS 2015) and split into all stock and private sector stock. **Figure 4** shows the results of the SimpleSAP ratings.

Table 3: Estimates of the numbers and percentage of dwellings with the presence of each of the Housing Standards Variables assessed by the Housing Stock Models and HSCD for all stock and private sector stock – Chichester compared to the South East and England (EHS 2015)

Variable	All stock				Private sector stock				
	Chichester (no.)	Chichester (%)	2015 EHS Regional (%)	2015 EHS England (%)	Chichester (no.)	Chichester (%)	2015 EHS Regional (%)	2015 EHS England (%)	
No. of dwellings	57,685	-	-	-	49,321	-	-	-	
HHSRS category 1 hazards	All hazards	7,129	12%	8%	12%	6,768	14%	8%	13%
	Excess cold	5,317	9%	4%	3%	5,060	10%	4%	4%
	Fall hazards	1,739	3%	3%	7%	1,667	3%	4%	8%
Disrepair	1,462	3%	2%	4%	1,327	3%	3%	4%	
Fuel poverty (10%)	5,953	10%	8%	10%	5,237	11%	8%	10%	
Fuel poverty (Low Income High Costs)	6,352	11%	9%	11%	5,839	12%	9%	11%	
Low income households	11,462	20%	19%	26%	6,487	13%	13%	17%	

N.B. the information on hazards refers to the number of dwellings with a hazard of the stated type. Because of this there is likely to be some overlap – for example, some dwellings are likely to have excess cold and fall hazards but this dwelling would only be represented once under ‘all hazards’. The number of dwellings under ‘all hazards’ can therefore be less than the sum of the excess cold plus fall hazards.



Figure 3: Estimates of the percentage of dwellings with the presence of each of the Housing Standards Variables assessed by the Housing Stock Models and HSCD for all stock and private sector stock – Chichester compared to the South East and England (EHS 2015)

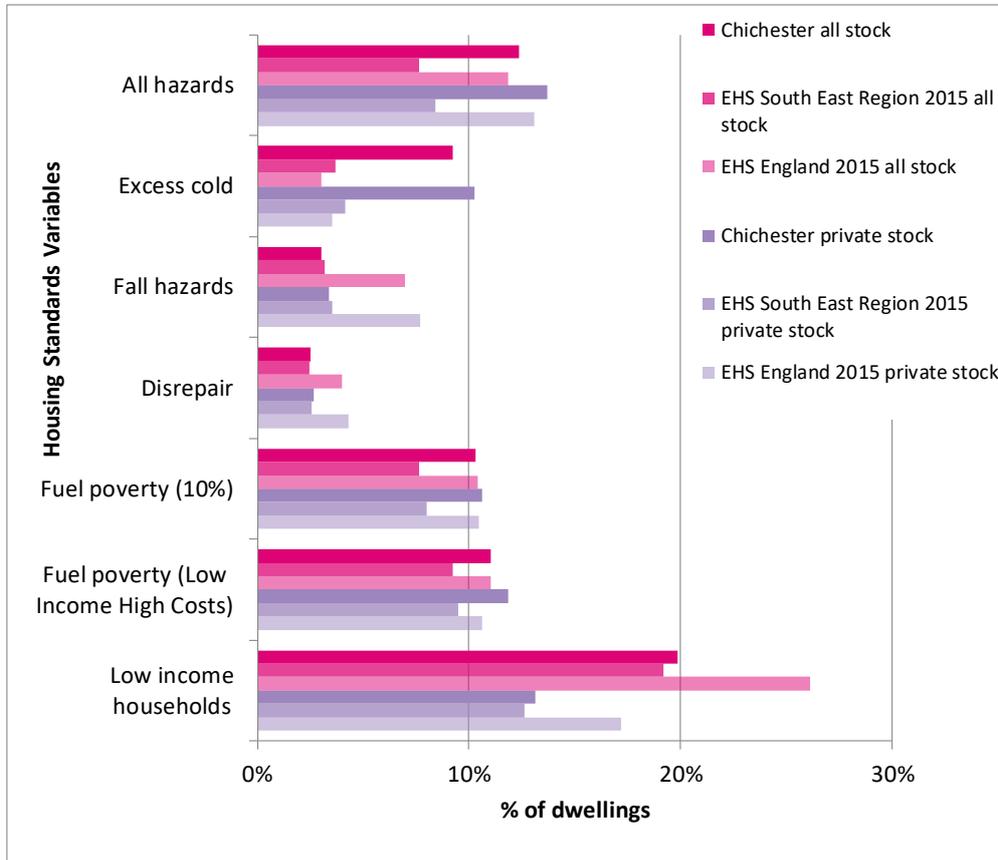
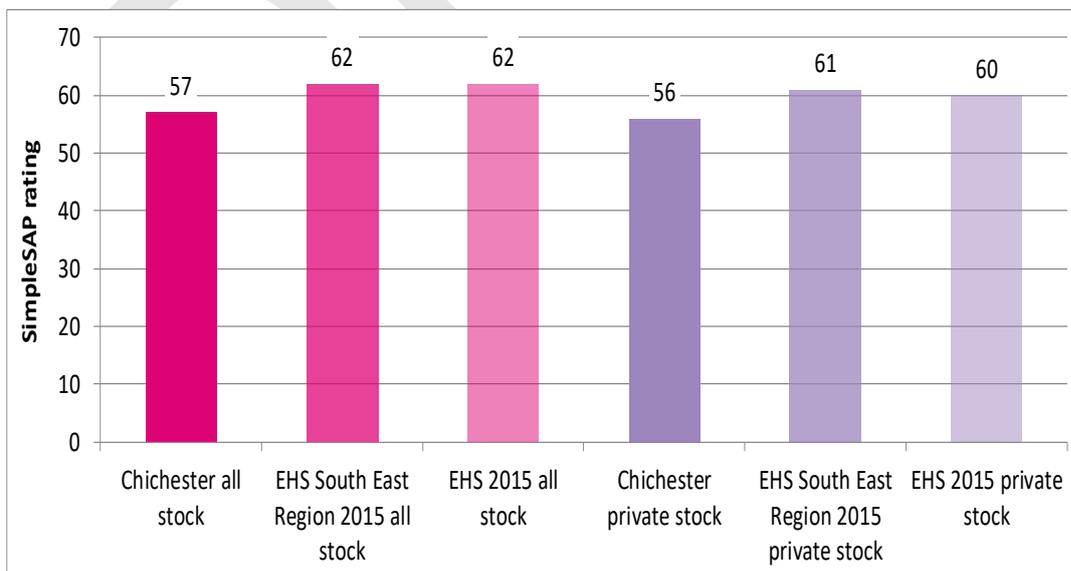


Figure 4: Average SimpleSAP ratings for all stock and private sector stock – Chichester compared to the South East and England (EHS 2015)





4.2.2 Housing Standards Variables by tenure – Chichester

The private sector stock can be further split by tenure – owner occupied and private rented - with the difference between total private sector stock and total housing stock being the social housing stock.

Table 4 and **Figure 5** below show the results for each of the Housing Standards Variables split by tenure and **Figure 6** shows the SimpleSAP ratings by tenure.

Social stock tends to be more thermally efficient than the private stock partly due to the prevalence of flats, and partly due to being better insulated owing to the requirements placed on social housing providers, for example through the Decent Homes Programme.

The social data should be treated with some caution as the social rented stock, particularly when largely comprising stock owned by a single landlord, is more difficult to model than the private sector. This is because the decisions of an individual property owner usually only affect a single dwelling out of the thousands of private sector stock whereas the policies and decisions of a single landlord can have a very great effect on a large proportion of the social stock. The social rented results are therefore best considered as a benchmark which takes account of the age, type, size and tenure against which the landlord's own data could be compared.

Table 4: Estimates of the numbers and percentage of dwellings with the presence of each of the Housing Standards Variables assessed by the Housing Stock Models and HSCD by tenure for Chichester

Variable		Private sector stock				Social stock	
		Owner occupied		Private rented			
		No.	%	No.	%	No.	%
No. of dwellings		38,534	-	10,787	-	8,364	-
HHSRS category 1 hazards	All hazards	5,487	14%	1,281	12%	361	4%
	Excess cold	4,238	11%	822	8%	257	3%
	Fall hazards	1,286	3%	381	4%	72	1%
Disrepair		937	2%	390	4%	135	2%
Fuel poverty (10%)		4,310	11%	927	9%	716	9%
Fuel poverty (Low Income High Costs)		3,734	10%	2,105	20%	513	6%
Low income households		3,737	10%	2,750	25%	4,975	59%

N.B. the information on hazards refers to the number of dwellings with a hazard of the stated type. Because of this there is likely to be some overlap – for example, some dwellings are likely to have excess cold and fall hazards but this dwelling would only be represented once under 'all hazards'. The number of dwellings under 'all hazards' can therefore be less than the sum of the excess cold plus fall hazards.



Figure 5: Estimates of the percentage of dwellings with the presence of each of the Housing Standards Variables assessed by the Housing Stock Models and HSCD by tenure for Chichester

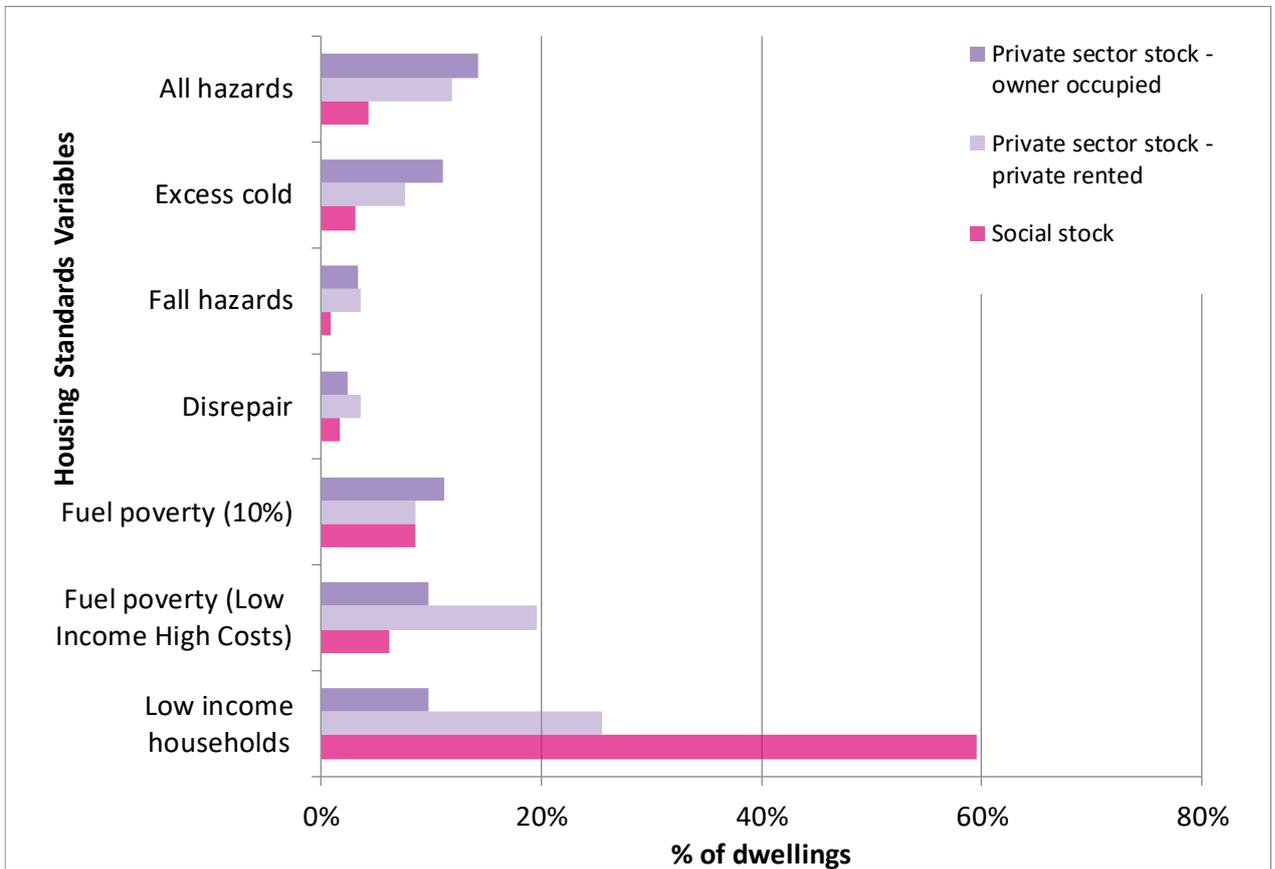
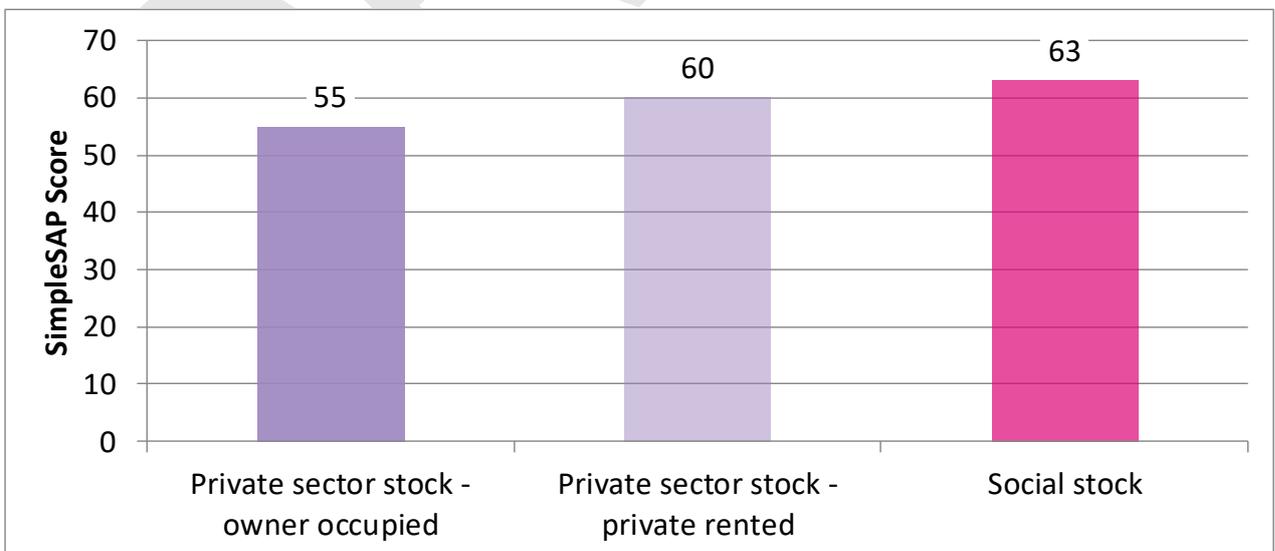


Figure 6: Average SimpleSAP ratings by tenure for Chichester





4.2.3 Housing Standards Variables mapped by Census Output Area (COA) – Chichester private rented stock

Some of the Housing Standards Variables are also provided in map form below along with a brief description of each variable³⁹, thus enabling quick observation of the geographical distribution of properties of interest. The maps show the percentages of private rented sector dwellings in each Census Output Area (COA) that are estimated to have each of the Housing Standards Variables.

The ranges shown in the map keys are defined based on the Jenks' Natural Breaks algorithm of the COA statistics⁴⁰. The outputs in the lightest and darkest colours on the maps show the extreme ends of the range, highlighting the best and the worst areas.

Maps at COA level are provided for the following variables in **Map 4** to **Map 12** below:

- **HHSRS**
 - The presence of a category 1 HHSRS hazard
 - The presence of a category 1 hazard for excess cold
 - The presence of a category 1 hazard for falls
- **Levels of disrepair**
- **Levels of fuel poverty** (Low Income High Costs and 10% definitions)
- **Low income households**
 - Dwellings occupied by low income households
 - Dwellings with a category 1 excess cold hazard that are occupied by a low income household
- **The average SimpleSAP⁴¹ rating**

In addition, maps have been provided for HMOs, EPC ratings, energy efficiency variables (uninsulated cavity walls, solid walls, loft insulation) and energy planning variables (energy demand/cost and heat demand/cost).

These maps are extremely useful in showing the geographical distribution for single variables. Maps can also be produced for a combination of variables, such as dwellings with an excess cold hazard which are also occupied by low income households, as shown in **Map 11**. The HSCD also provides a mapping feature which allows the visualisation of the variables through a variety of geographical levels, tenure and scales against the Google Map background.

³⁹ See **Appendix A** for full definitions.

⁴⁰ The natural breaks classification method is a data clustering method determining the best arrangement of values into different classes. It is achieved through minimising each class's average deviation from the class mean while maximising each class's deviation from the means of the other groups. The method seeks to reduce the variance within classes and maximise variance between classes thus ensuring groups are distinctive.

⁴¹ Important note: Whilst it is possible to provide "SimpleSAP" ratings from the "SimpleCO₂" software, under no circumstances must these be referred to as "SAP" as the input data is insufficient to produce an estimate of SAP or even RdSAP for an individual dwelling that meets the standards required by these methodologies.



The maps are produced at COA level, which is typically made up of 125 households, usually including whole postcodes and having similar sized populations. Using the first map below (**Map 4**) as an example, it can be seen that each ward is split into several COAs and, in this instance there are 8 COAs that have 46-69% of private rented sector dwellings estimated to have the presence of a category 1 hazard.

The maps also highlight the differences between areas, showing that the results for some areas are much worse than for others and these are the specific areas which might warrant attention. The maps also show that even within wards there can be large differences between the results at COA level.

4.2.3.1 HHSRS

The Housing Health and Safety Rating System (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004⁵ and applies to residential properties in England and Wales.

The HHSRS assesses 29 categories of housing hazard. Each hazard has a weighting which will help determine whether the property is rated as having a category 1 (serious) hazard⁴².

Map 4 shows the distribution of HHSRS category 1 hazards. The data behind this map indicates that the wards with the highest levels overall are Boxgrove, Funtington and Stedham.

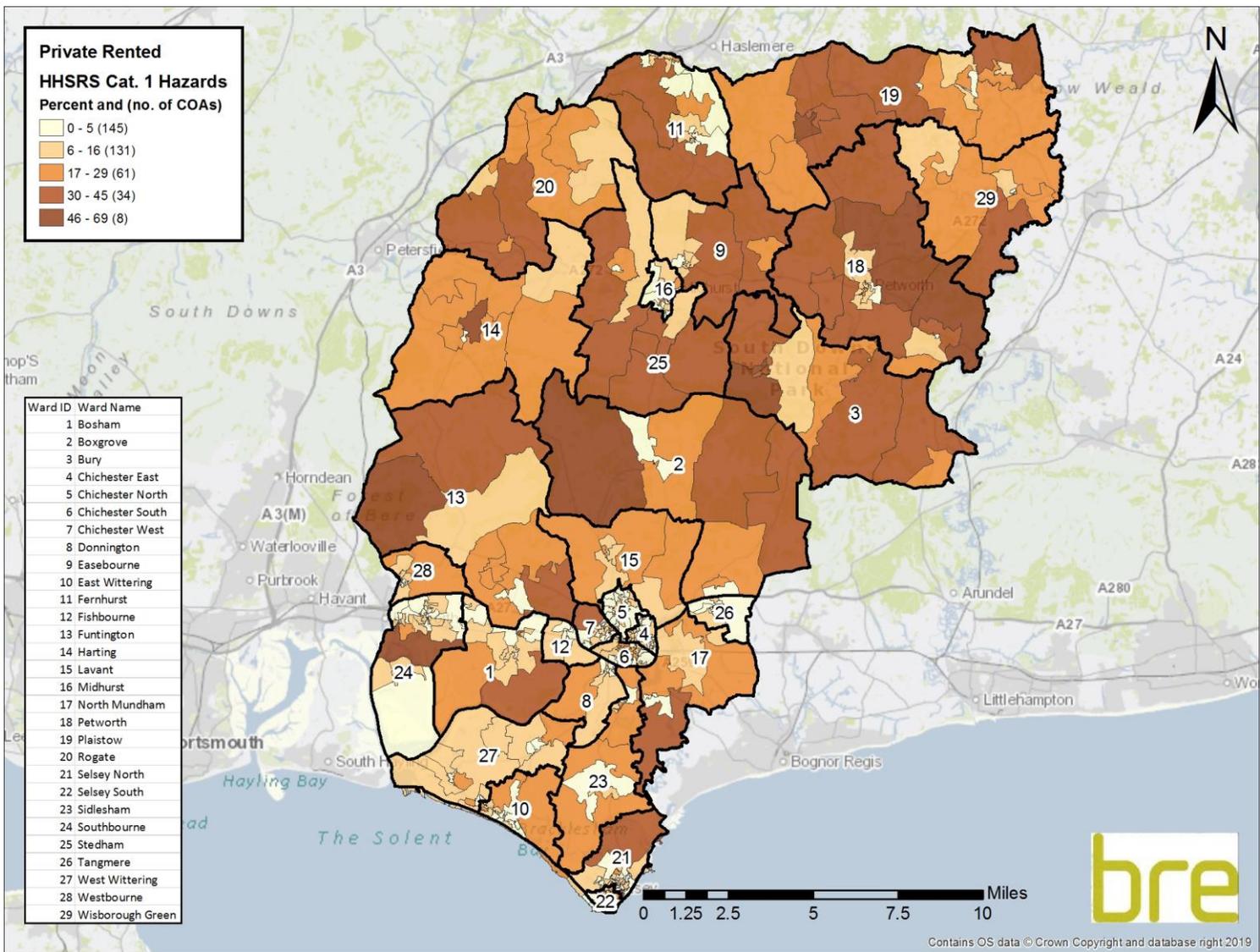
The distribution of excess cold hazards in Chichester is shown in **Map 5**. The data behind the map shows that the highest levels overall are in the wards of Boxgrove, Funtington and Stedham

The distribution of fall hazards is shown in **Map 6** and the background data indicates that higher concentrations are found in Southbourne, Petworth and Funtington wards.

⁴² Housing Health and Safety Rating System Operating Guidance, ODPM, 2006

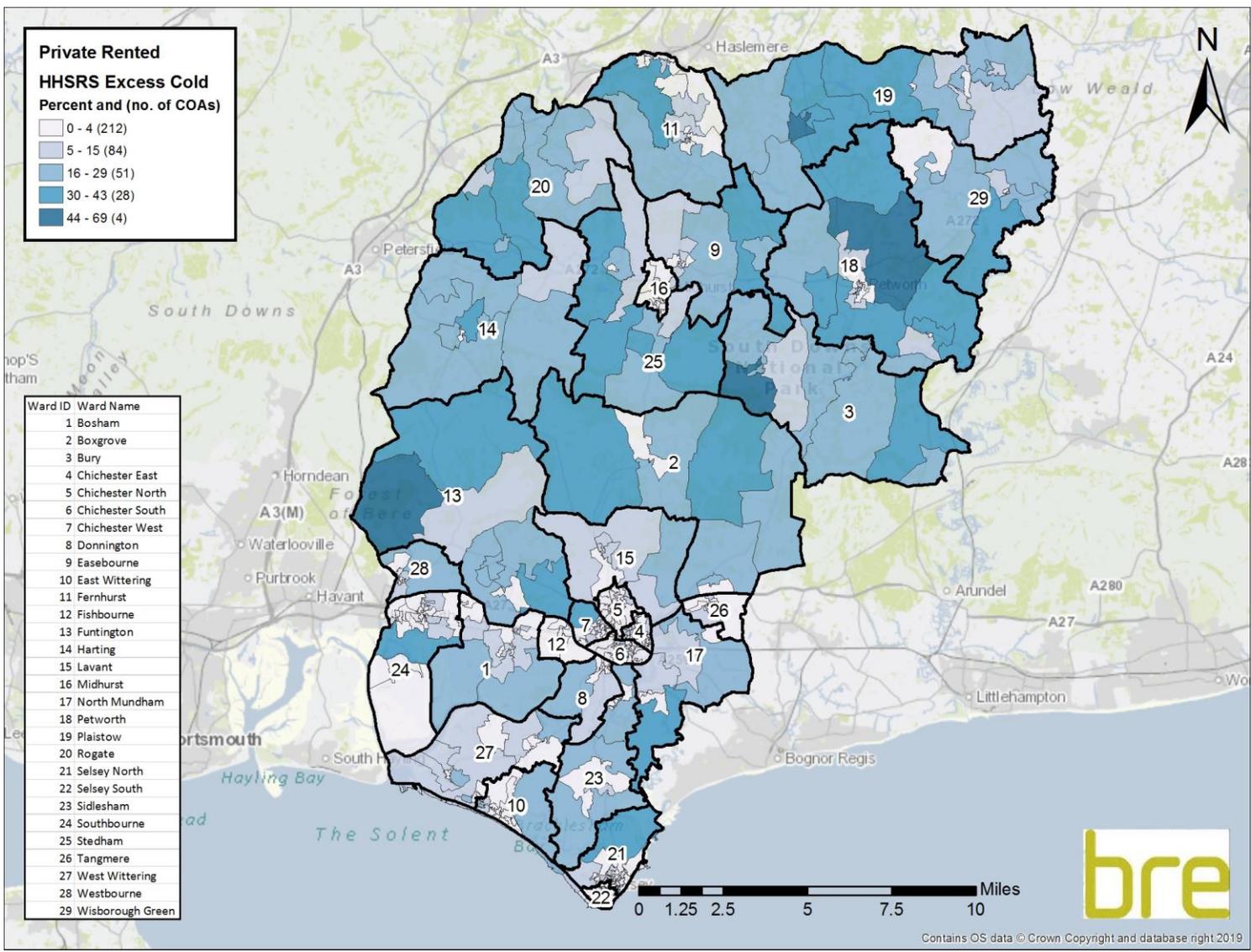


Map 4: Percentage of private rented dwellings in Chichester with the presence of a HHSRS category 1 hazard



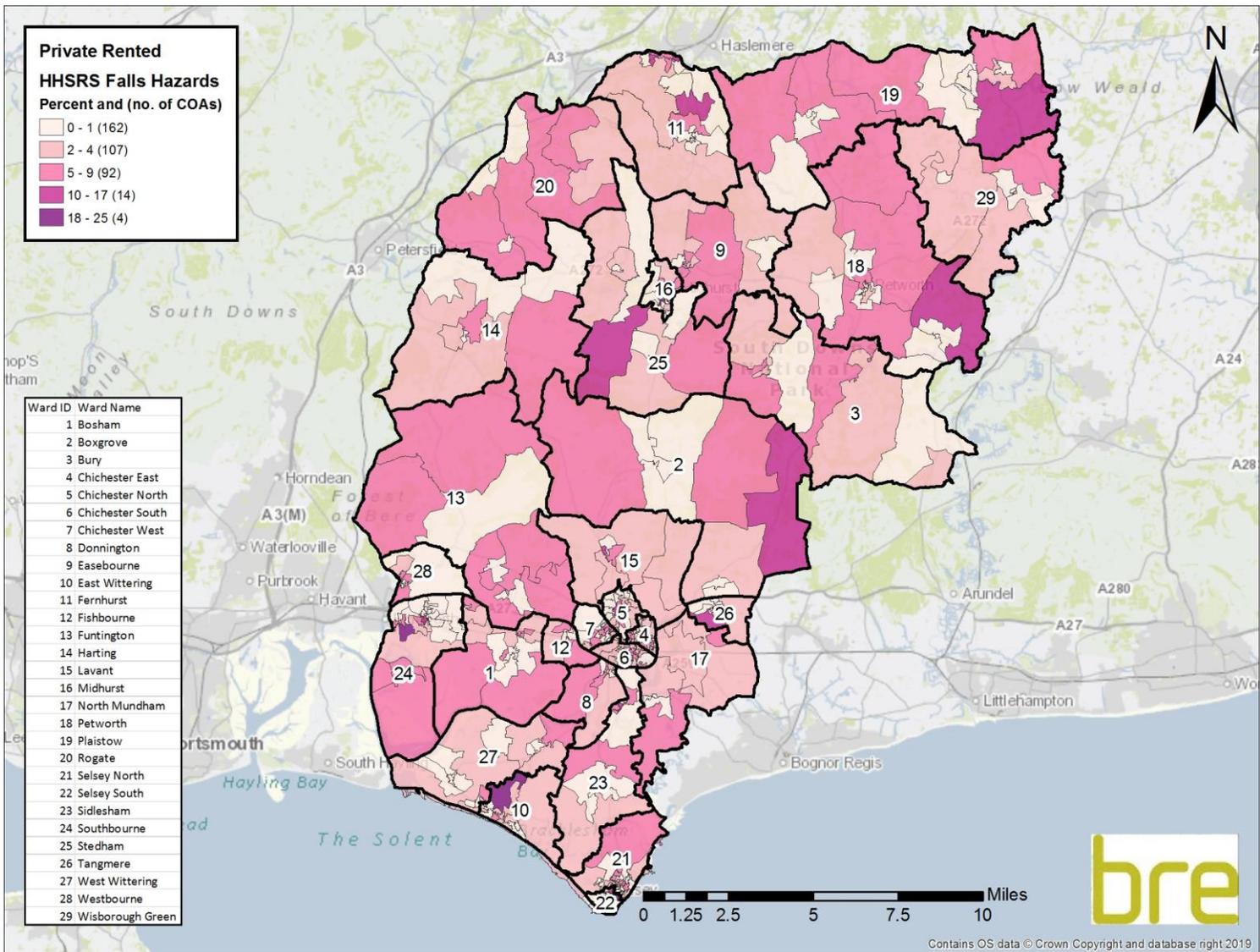


Map 5: Percentage of private rented dwellings in Chichester with the presence of a HHSRS category 1 hazard for excess cold





Map 6: Percentage of private rented dwellings in Chichester with the presence of a HHSRS category 1 hazard for falls





4.2.3.2 Disrepair

The disrepair variable used in this report is based on the disrepair component of the Decent Homes Standard^{43,44}. A dwelling fails the disrepair component if:

- One or more key building components are old and, because of their condition, need replacing or major repair; or
- Two or more other building components are old and, because of their condition, need replacement or major repair.

Key building components are those which, if in poor condition, could have an immediate impact on the integrity of the building and cause further deterioration in other components. They are the external components plus internal components that have potential safety implications and include:

- External walls
- Roof structure and covering
- Windows/doors
- Chimneys
- Central heating boilers
- Electrics

If any of these components are old, and need replacing or require major repair, then the dwelling is not in a reasonable state of repair.

Other building components are those that have a less immediate impact on the integrity of the dwelling. Their combined effect is therefore considered, with a dwelling failing the disrepair standard if two or more elements are old and need replacing or require immediate major repair.

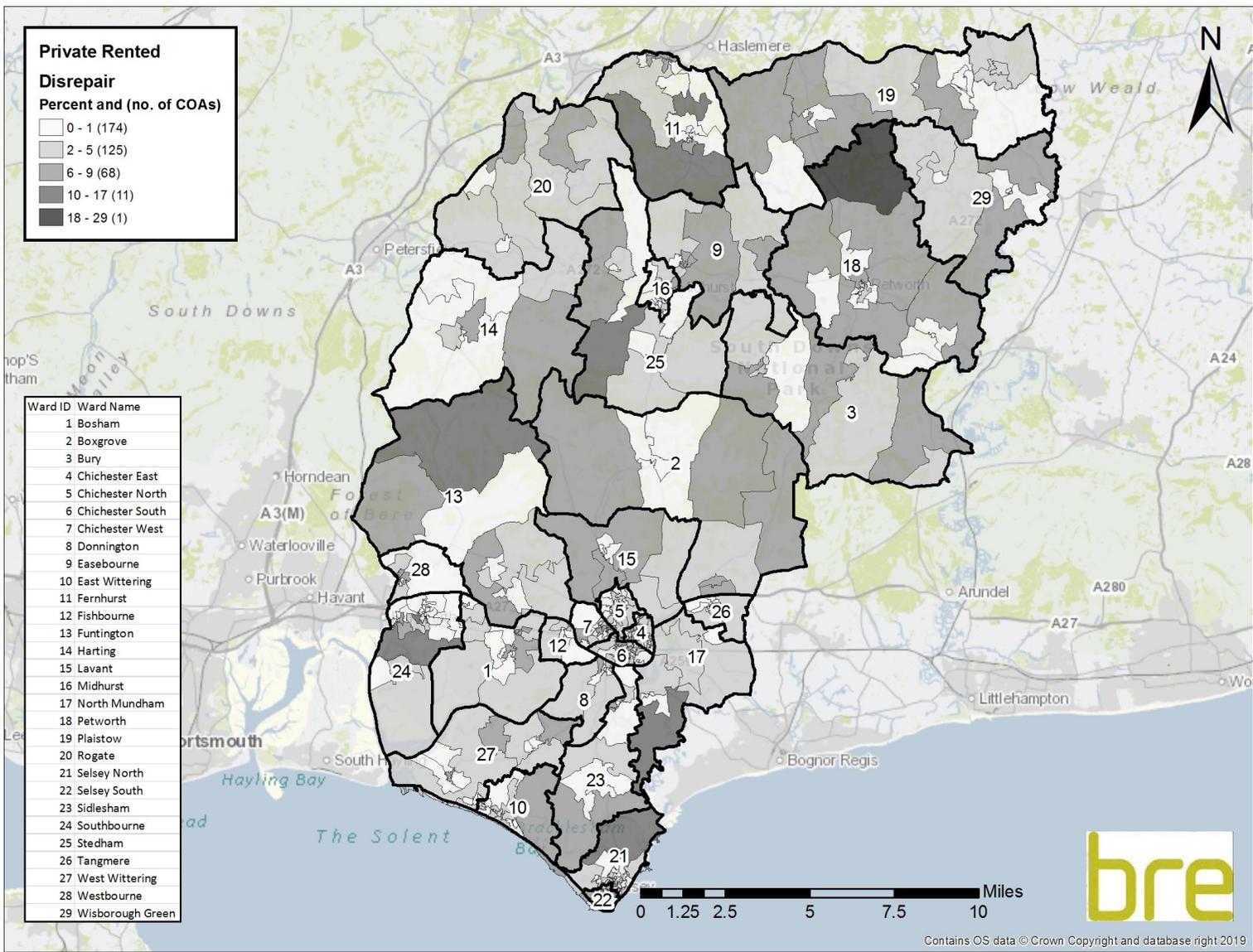
Map 7 shows the distribution of dwellings estimated to be in disrepair in Chichester. The data behind the map shows that the highest levels overall are in the wards of Funtington, Boxgrove and Petworth.

⁴³ <https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>

⁴⁴ There are 4 components to the Decent Homes Standard – HHSRS, disrepair, modernisation and thermal comfort



Map 7: Percentage of private rented dwellings in Chichester in disrepair



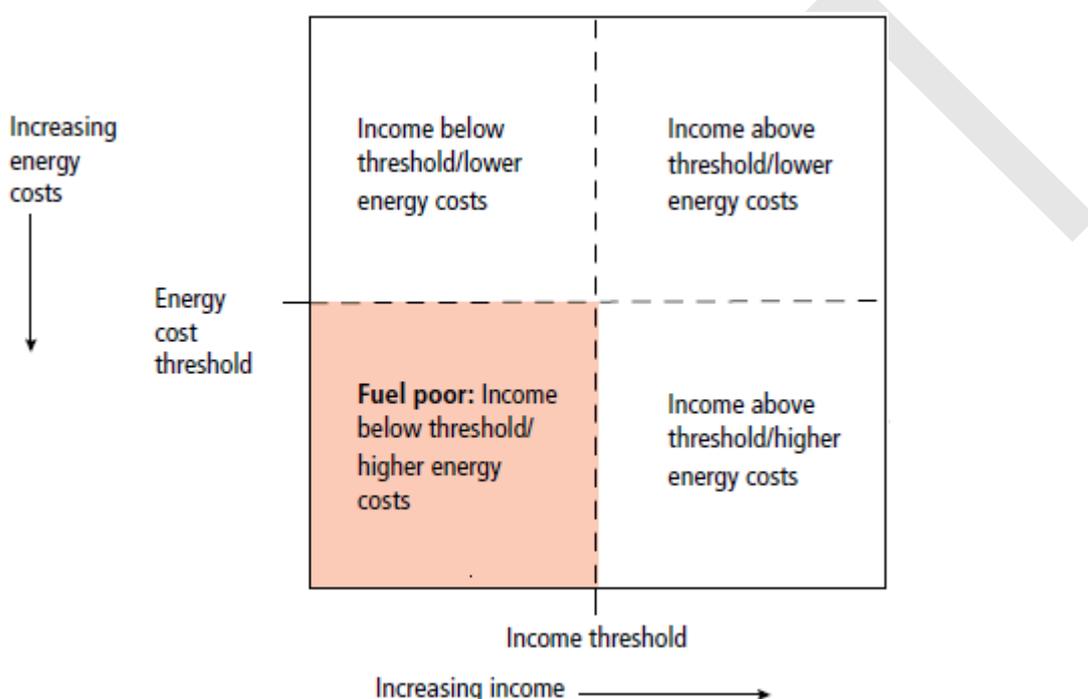


4.2.3.3 Fuel poverty

The current fuel poverty definition is known as the Low Income High Costs variable. This is a dual variable which firstly provides an indication of the number of households in fuel poverty and secondly an indication of the cost (in £) to remove households from fuel poverty – this cost is referred to as the Fuel Poverty Gap⁴⁵.

A household is said to be in fuel poverty if they have required fuel costs that are above average (the national median level) and were they to spend that amount they would be left with a residual income below the official poverty line (see the shaded area in **Figure 7** below). For the purposes of this report this is termed “fuel poverty (Low Income High Costs)”.

Figure 7: A representation of the Low Income High Costs definition of fuel poverty⁴⁶



As the Low Income High Cost fuel poverty variable is a relative measure, it provides a steady trend in the number of fuel poor households over time. A change in income will only have an impact on fuel poverty if households with low incomes and high costs see relatively larger income changes (increases or decreases) than the overall average change in income.

In contrast, the fuel poverty gap is more responsive to changes in energy prices and the economy, therefore providing a clearer measure of the depth of fuel poverty among those fuel poor households. This measure is therefore more useful for identifying trends in fuel poverty over time.

⁴⁵ DECC, Annual Fuel Poverty Statistics Report, 2016 – England (National Statistics), 20 June 2016

⁴⁶ Hills J, Getting the measure of fuel poverty – Final Report of the Fuel Poverty Review, London: LSE, 2012

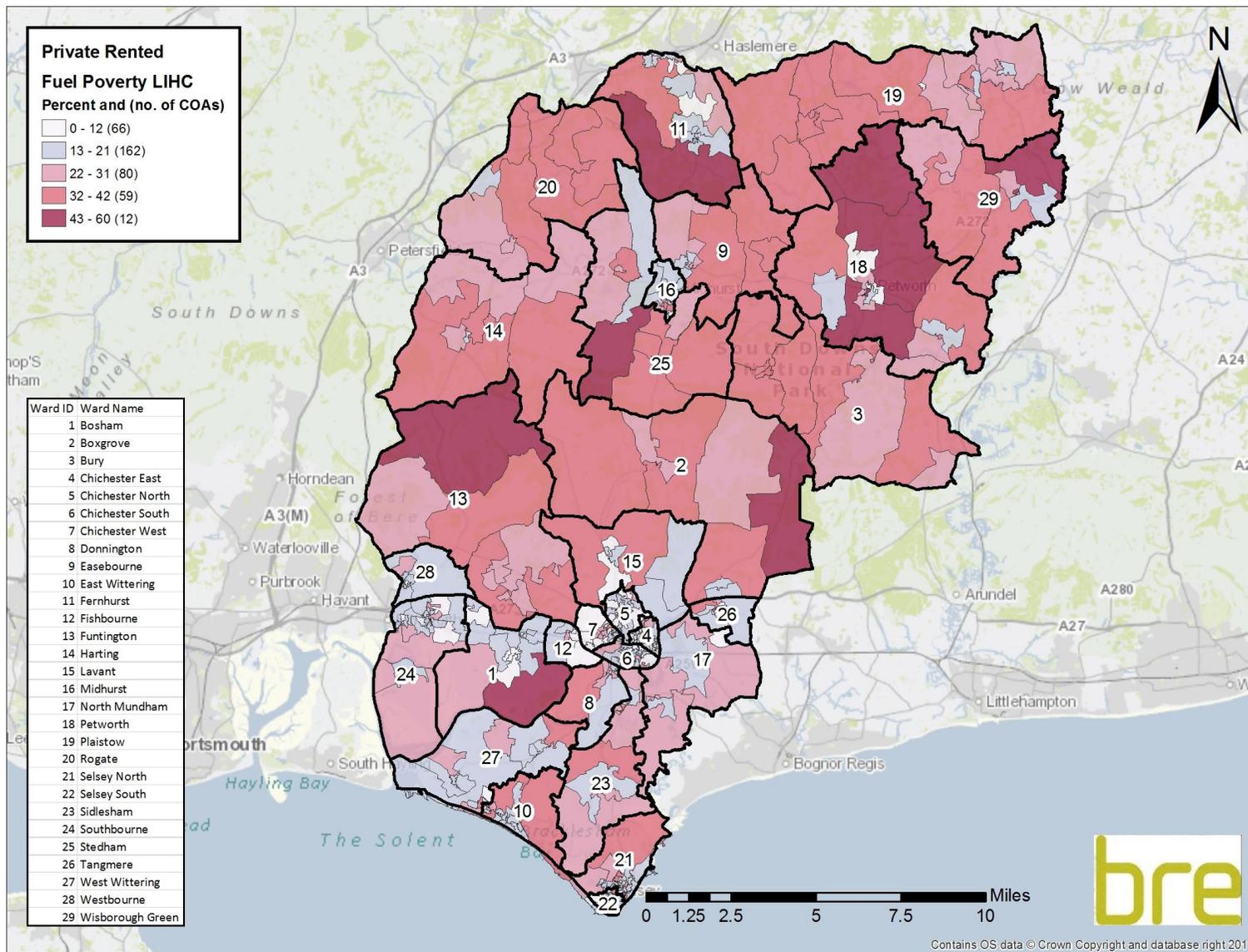


Map 8 shows the distribution of fuel poverty based on the Low Income High Costs definition. The data behind the map shows that the wards with the highest concentrations overall are Wisborough Green, Stedham and Bury.

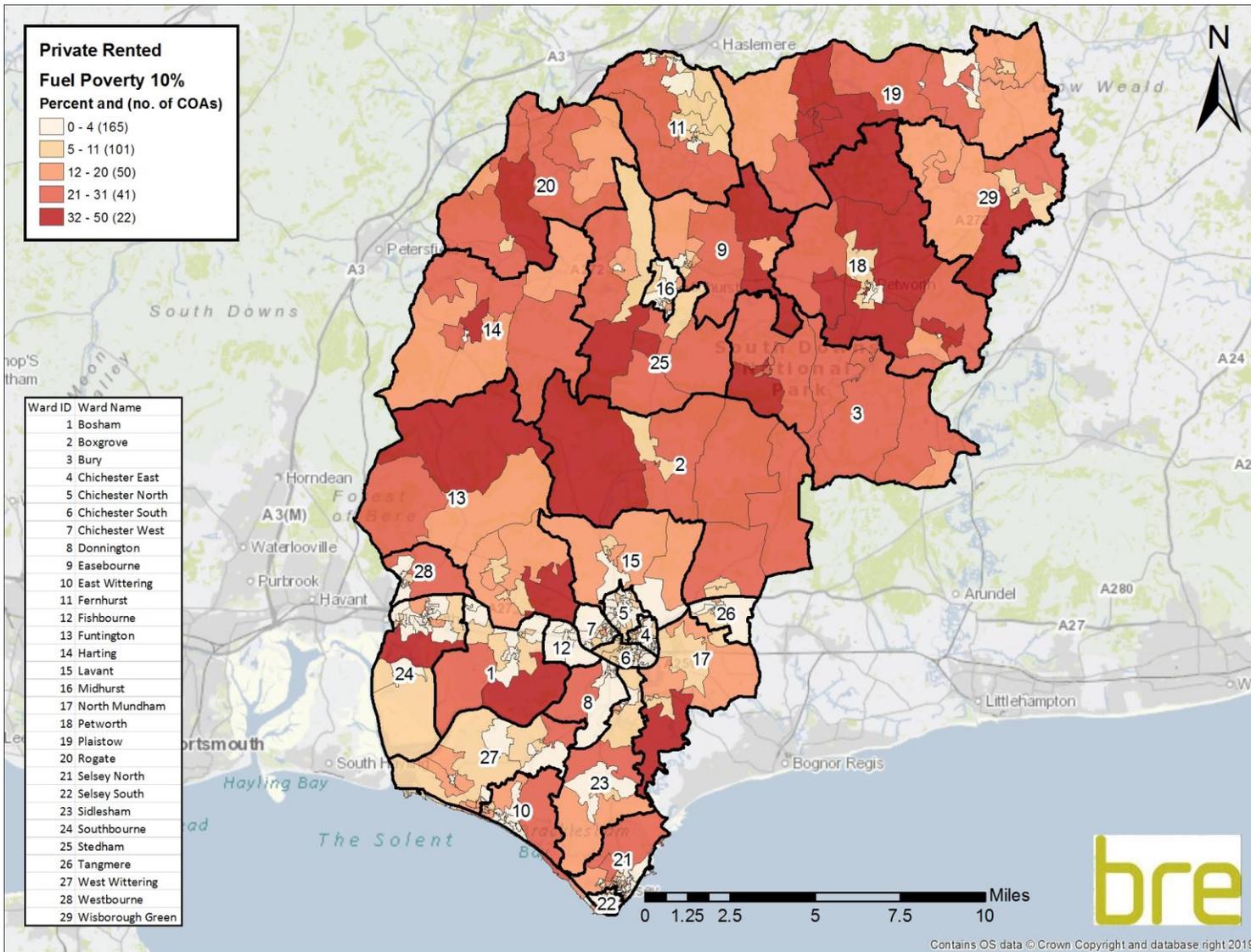
For completeness of information, and comparison with previous data, this report also includes an analysis of fuel poverty using the original definition. This states that a household is said to be in fuel poverty if it spends more than 10% of its income on fuel to maintain an adequate level of warmth (defined as 21°C for the main living area, and 18°C for other occupied rooms in the 2012 Hills Fuel Poverty Review⁴⁶). For the purposes of this report this is referred to as “fuel poverty (10% definition)”. **Map 9** shows the distribution of households in fuel poverty using the 10% definition.

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Map 8: Percentage of private rented dwellings in Chichester occupied by households in fuel poverty - Low Income High Costs definition



Map 9: Percentage of private rented dwellings in Chichester occupied by households in fuel poverty – 10% definition





4.2.3.4 Low income households

A low income household is defined as a household in receipt of:

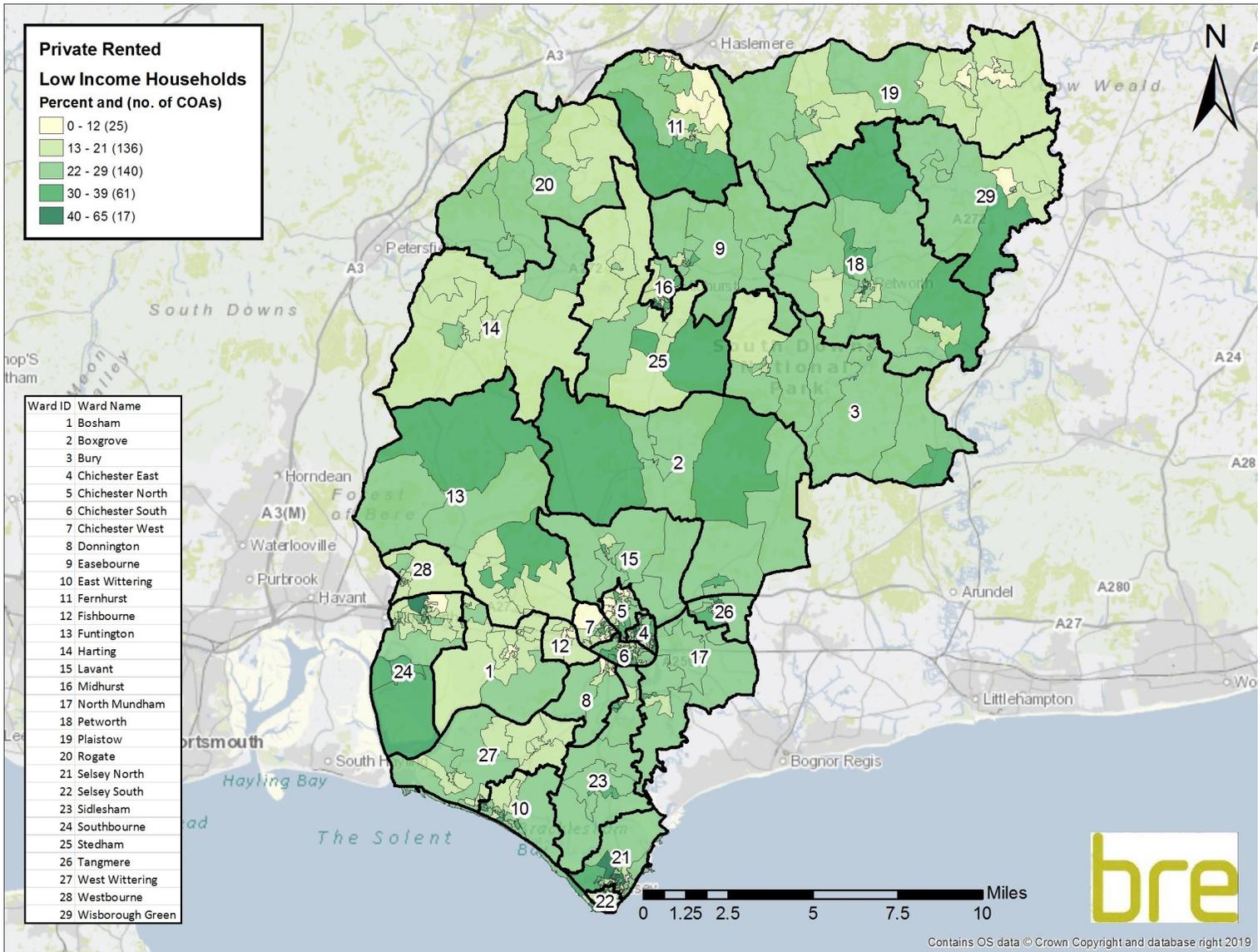
- Means tested benefits or tax credits with a relevant income below the threshold of £16,105
- Attendance allowance
- Disability living allowance
- Personal Independence Payment
- Industrial injuries disablement benefit
- War disablement pension
- Income support or income based Job Seekers Allowance/incapacity benefit that included an income support component
- income based Employment and Support Allowance
- Universal Credit
- Housing related benefits that help pay towards rent
- Any household on a low income that has had their income imputed up to their basic income support entitlement
- Pension credit
- Child tax credit
- Working tax credit

For child tax credit and working tax credit, the household is only considered a low income household if it has a relevant income of less than £16,105.

Map 10 shows the distribution of low income households. The wards with the highest levels overall are Selsey North, Chichester East and Boxgrove.

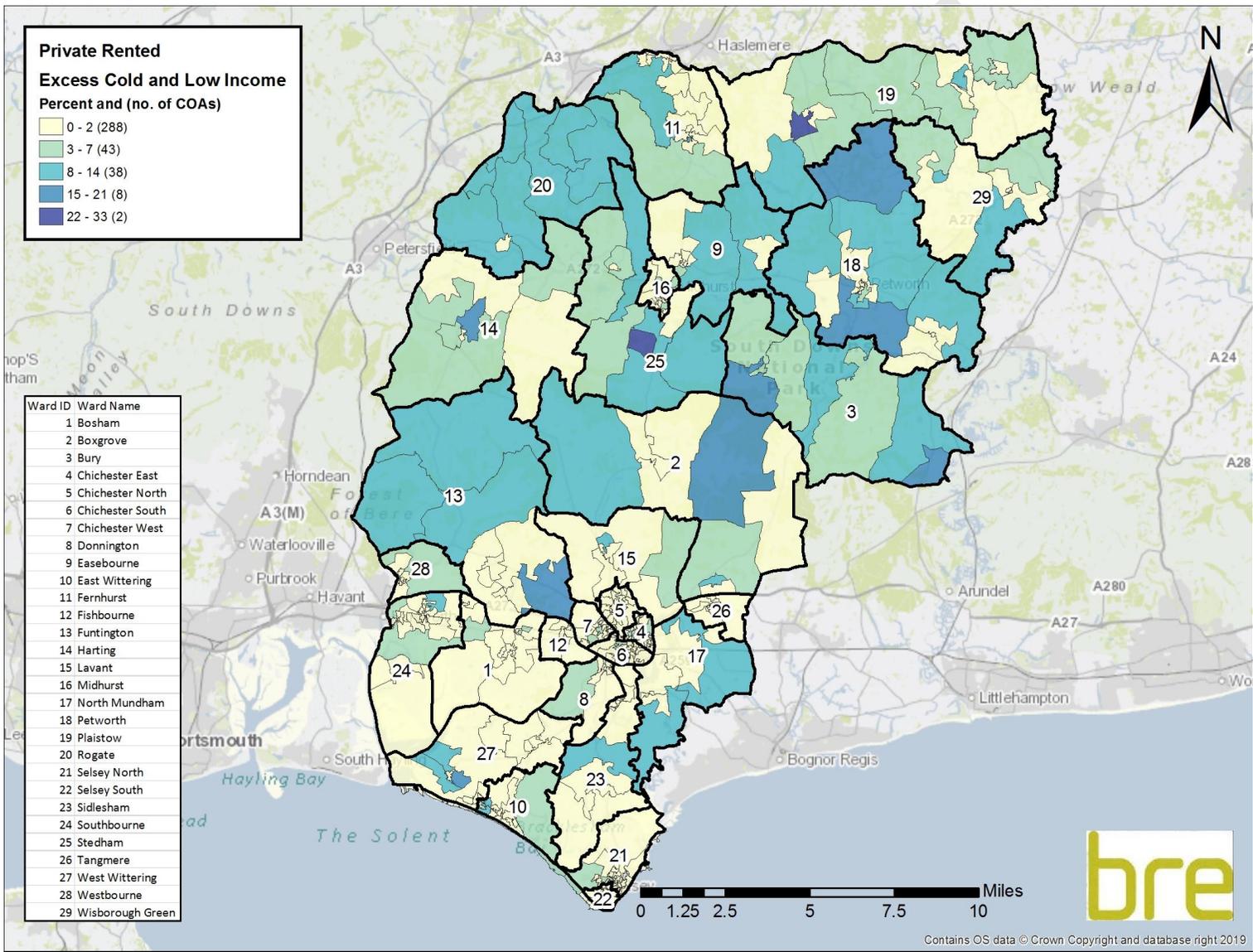
Map 11 provides an additional layer of information, with the data for low income households being combined with HHSRS excess cold data. This provides a vital picture of where vulnerable people are likely to be living in poor housing.

Map 10: Percentage of private rented dwellings in Chichester occupied by low income households





Map 11: Percentage of private rented dwellings in Chichester with both the presence of a HHSRS category 1 hazard for excess cold and occupied by low income households





4.2.3.5 SimpleSAP

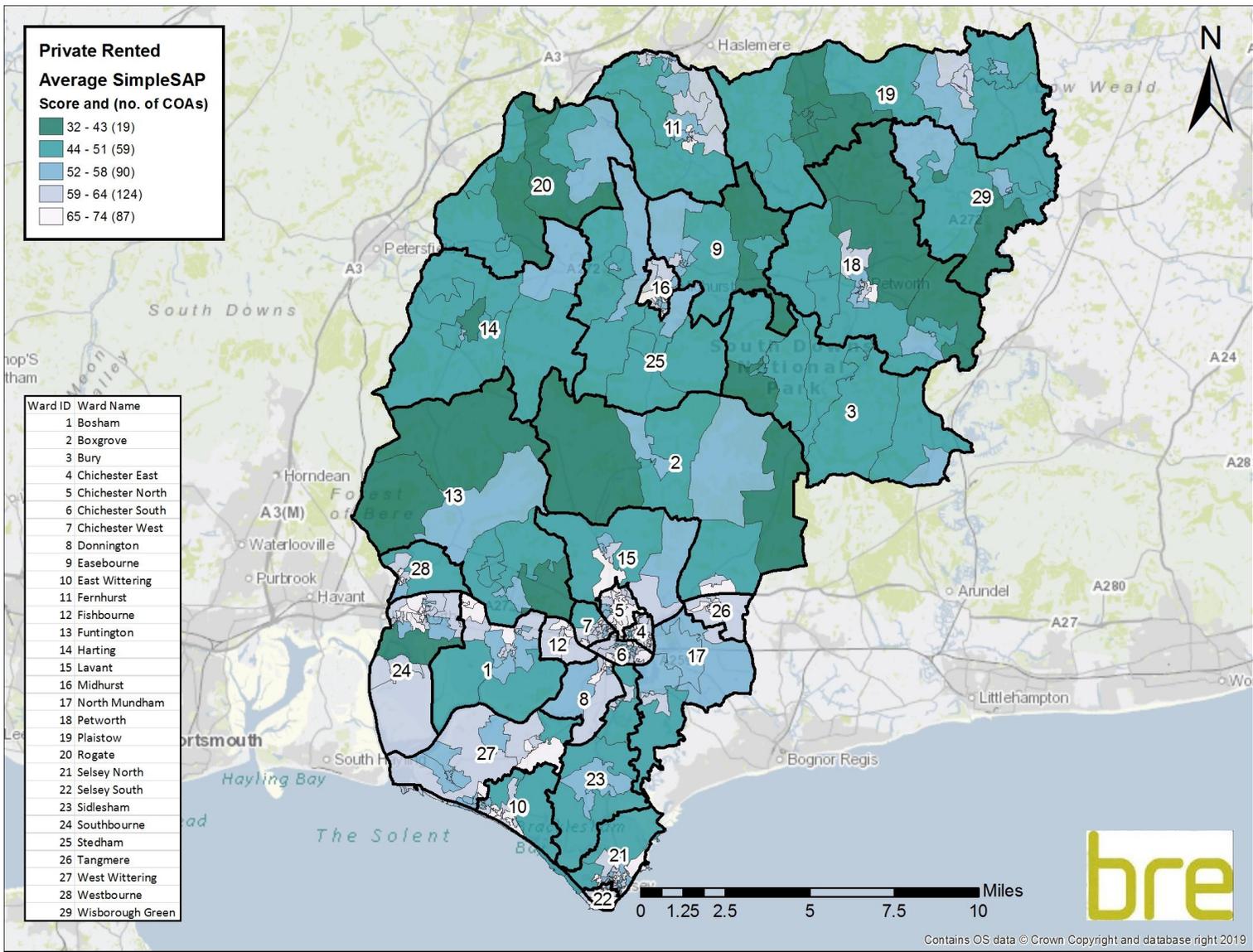
Map 12 shows the distribution of average SimpleSAP ratings. The data behind the map shows that the wards with the lowest average SimpleSAP ratings are Boxgrove, Bury and Funtington.

Lower SimpleSAP ratings can occur in areas with larger, older homes where little work has been done by the occupiers to improve energy performance. The size of the home itself is not a factor in SimpleSAP, but these homes are more likely to be semi-detached or detached, and therefore have larger heat loss areas.

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Map 12: Average SimpleSAP ratings per dwelling in Chichester private rented stock





4.3 Information relating to LAHS reporting and EPC ratings

4.3.1 Cost of mitigating category 1 hazards in the Chichester private sector stock

Table 5 shows the total number of dwellings with HHSRS category 1 hazards in Chichester's private sector stock and the total cost for mitigating all hazards within those dwellings. The costs are based on the average cost of mitigating category 1 hazards for the region using EHS 2015 data. The EHS costs are determined following a surveyor's assessment of the hazard. For each hazard the surveyor is given a range of common treatments that they can specify in order to treat the hazard. Where quantities are required the surveyor may specify them. The treatment recommended by the surveyor is then costed using a standard set of prices.

Table 5: Estimated costs to mitigate all category 1 hazards in private sector stock, split into tenure

Tenure	No. of hazards	Total cost (£)
Private Sector	6,768	23,196,375
Owner occupied	5,487	18,805,927
Private rented	1,281	4,390,449

4.3.2 Houses in Multiple Occupation (HMOs) in the Chichester private sector stock

The Housing Act 2004 introduced a new set of definitions for HMOs in England from 6 April 2006⁴⁷. The definition is a complex one and the bullet points below, which are adapted from web pages provided by the National HMO Network⁴⁸, provide a summary:

- An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet
- A house which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities
- A converted house which contains one or more flats which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more tenants who form two or more households
- A building which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies

The recently published "Houses in Multiple Occupation and residential property licensing reform"⁴⁹ provides guidance to local authorities on changes to rules on licensing HMOs. From 1 October 2018, mandatory

⁴⁷ See Sections 254-258 of the Housing Act (<http://www.legislation.gov.uk/ukpga/2004/34/contents>)

⁴⁸ National HMO Network <http://www.nationalhmonetwork.com/definition.php>



licensing of HMOs was extended to cover all relevant HMOs regardless of the number of storeys (compared to the previous definition which limited this to buildings of 3 or more storeys). Purpose built flats will only require a licence where there are fewer than 3 flats in the block. The requirement for the HMO to be occupied by five or more persons in two or more households will remain⁵⁰. From 1 October 2018, the extension came into effect and those dwellings that fall under the new definition will require a licence.

To be classified as an HMO the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants. Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges.

The LAHS requires estimates of the number of HMOs and the number of mandatory licensable HMOs.

- Number of private sector HMOs
 - Modelled using specific criteria from a number of Experian data sources and information derived from the SimpleCO₂ model. The criteria include privately rented dwellings with 3 or more bedrooms occupied by male/female/mixed home sharers, mixed occupancy dwellings or classified as the following Experian Mosaic classifications:
 - Renting a room
 - Career Builders
 - Flexible Workforce
 - Bus Route Renters
 - Learners and earners
 - Student scene
- Number of mandatory licensable HMOs under the Government's new definition, as of 1 October 2018
 - This has been modelled using the above criteria for HMOs plus the dwelling must have 4 or more bedrooms. This will apply to both houses and converted flats.
 - Purpose built flats where there are up to two flats in the block and one or both have 4 or more bedrooms.

Table 6 summarises the results for the private sector stock in Chichester, while **Map 13** shows the geographic distribution of HMOs and **Map 14** shows the distribution of mandatory licensable HMOs. As previously mentioned, ward level data on HMOs is available in the accompanying Housing Stock Condition Database (HSCD) and **Appendix C** provides guidance on how to use the database.

⁵⁰ In addition, new mandatory licence conditions will be introduced relating to national minimum sleeping room sizes and provision of waste disposal.

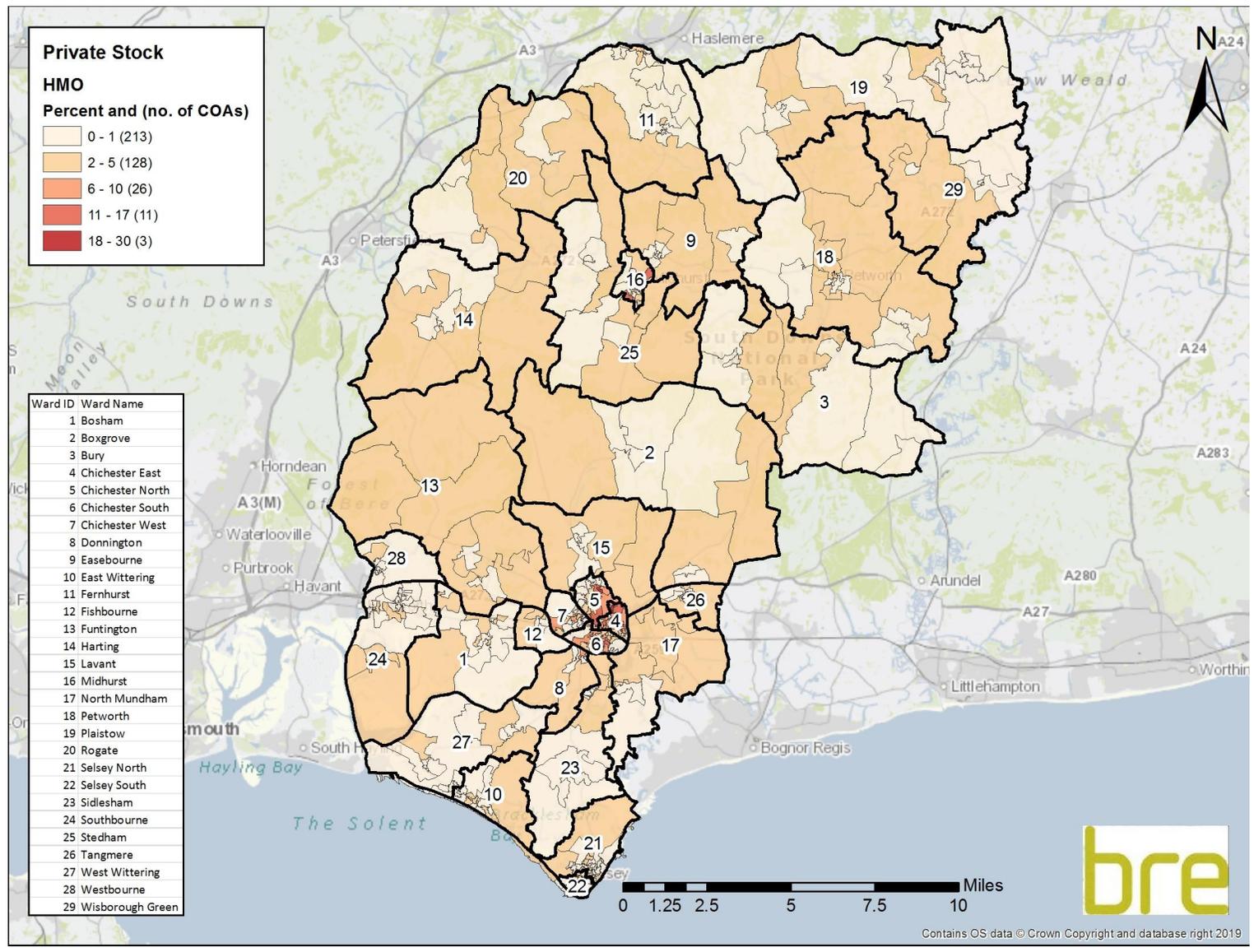
**Table 6:** Summary of HMOs within the Chichester private sector stock

Chichester	No. of private sector dwellings	HMOs	Mandatory Licensing Scheme HMOs
	49,321	1,108	272

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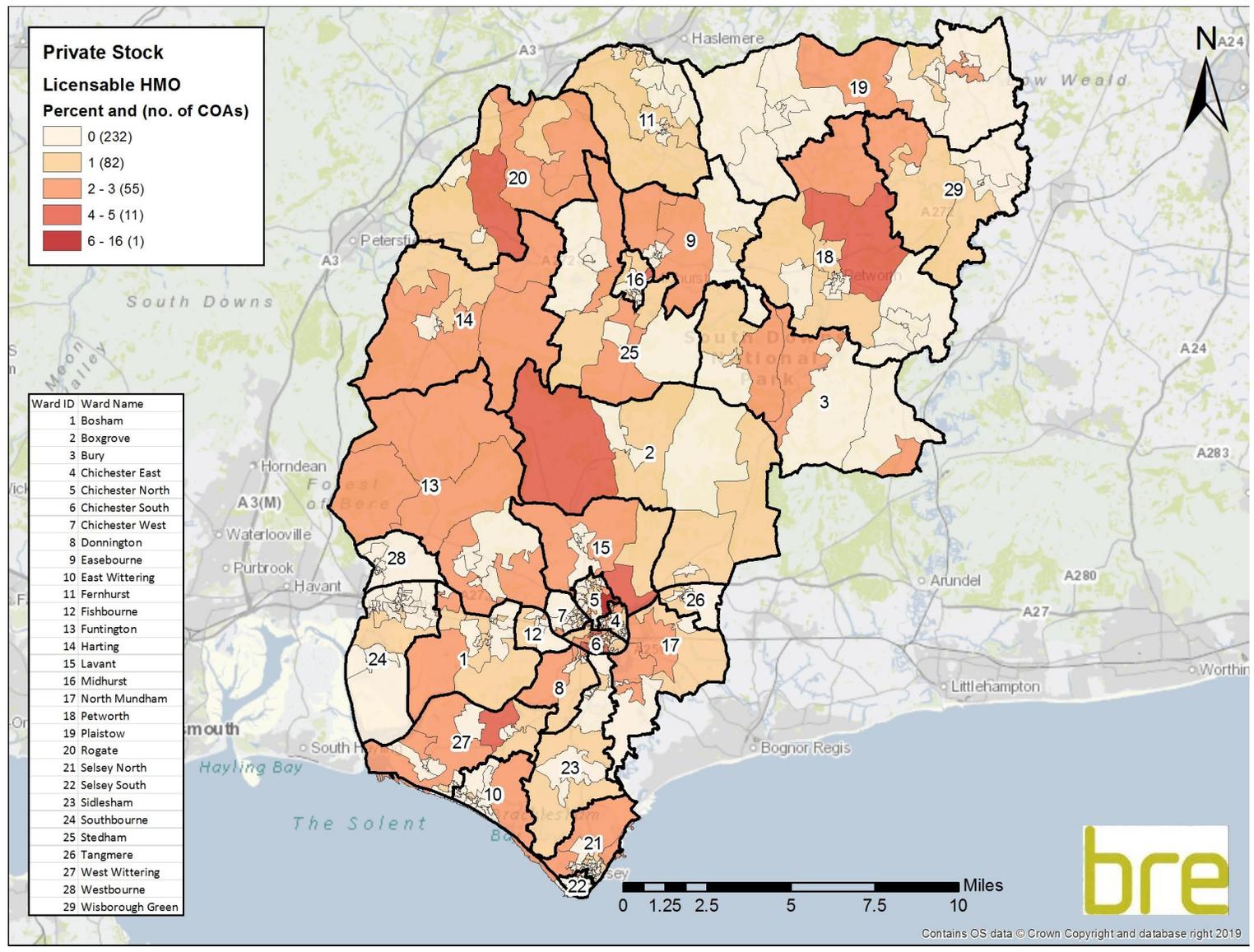


Map 13: Count of HMOs





Map 14: Count of mandatory licensable HMOs





4.3.3 EPC ratings in the Chichester private sector stock

An Energy Performance Certificate (EPC) is required whenever a new building is constructed, or an existing building is sold or rented out. An EPC is a measure of the energy efficiency performance of a building and is rated from band A – G, with A representing the best performance. The EPC ratings correspond to a range of SAP ratings from 1 – 100, with 100 being the best. It is possible, therefore, to give a dwelling an EPC rating based on the SAP rating.

Figure 8 below shows the bands A – G and corresponding SAP ratings in brackets. The first two columns show the number and percentage of Chichester’s private sector stock falling into each of the EPC ratings bands. The third column shows the comparable figures for the private sector stock in England.

The estimated average SimpleSAP for the private sector stock in Chichester is 56 which corresponds to an EPC rating of D. The number of private sector dwellings with an EPC rating below band E is estimated to be 6,535 (13.2%).

Figure 8: Number and percentage of Chichester’s *private sector stock* falling into each of the EPC ratings bands (based on SimpleSAP), compared to England (EHS) figures *N.B. England figures report band A and B together*

	Chichester		2015 EHS England
	Count	Percent	Percent
(92-100) A	0	0.0%	1.1%
(81-91) B	434	0.9%	
(69-80) C	9,830	19.9%	23.2%
(55-68) D	21,362	43.3%	51.9%
(39-54) E	11,160	22.6%	18.5%
(21-38) F	4,943	10.0%	4.3%
(1-20) G	1,592	3.2%	1.1%

Under the Energy Act 2011, from 1 April 2018 landlords have to ensure that when they grant a tenancy to a new or existing tenant, their properties must meet a minimum energy efficiency standard – this is currently set at band E^{14, 51}. From 1 April 2020, landlords can no longer continue letting a property which is already let if it has an EPC rating of F or G⁵².

⁵¹ Although landlords will still be able to rent out F and G rated properties after this date they will not be able to renew or sign a new contract.

⁵² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794253/domestic-prs-minimum-standard-guidance.pdf



Figure 9 shows the breakdown of SimpleSAP results into the A – G bands for the private rented stock only and compared to the figures for this tenure in England as a whole. The number of private rented dwellings in Chichester with a rating below band E (i.e. bands F and G), is estimated to be 1,063 (9.9%).

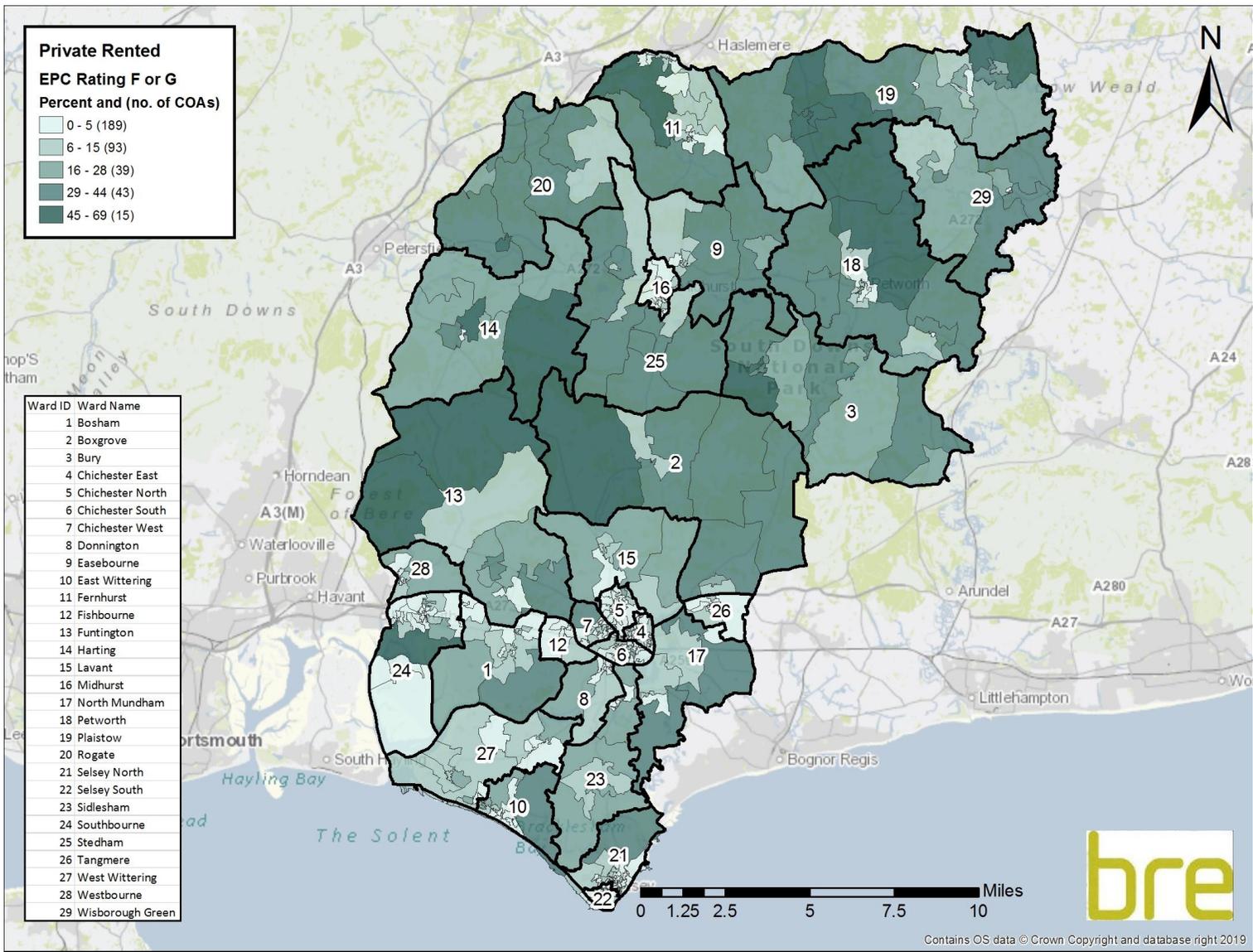
The distribution of dwellings with EPC ratings below band E is shown in **Map 15**. These are for the private rented stock only, since this is affected by the new rules on minimum standards. Under the legislation these properties are not be eligible to be rented out under new or renewed tenancies, and existing tenancies from 1 April 2020.

Figure 9: Number and percentage of Chichester’s *private rented stock* falling into each of the EPC ratings bands (based on SimpleSAP), compared to England (EHS) figures *N.B. England figures report band A and B together*

	Chichester		2015 EHS England
	Count	Percent	Percent
(92-100) A	0	0.0%	1.2%
(81-91) B	182	1.7%	
(69-80) C	3,261	30.2%	25.3%
(55-68) D	4,316	40.0%	49.1%
(39-54) E	1,965	18.2%	18.1%
(21-38) F	784	7.3%	4.5%
(1-20) G	279	2.6%	1.8%



Map 15: Distribution of dwellings with F or G EPC ratings in the private rented stock





4.4 Energy efficiency variables for Chichester

Section 2.5 provides an overview of the ECO policy – two of the main energy efficiency improvements that fall under these policies are insulation of cavity walls and lofts. An understanding of the numbers and geographical distribution of dwellings which would be suitable for such improvements is a useful step in targeting resources in Chichester. The BRE Models have been used to determine the following variables for Chichester:

- Wall type and presence of cavity wall insulation
 - Solid wall
 - Insulated cavity wall
 - Un-insulated cavity wall
- Presence and level of loft insulation
 - No loft
 - Loft with no insulation
 - Level of loft insulation – 50, 100, 150, 200, 250+ mm loft insulation

Table 7 and **Table 8** show the modelled results in terms of the numbers and percentages of dwellings in Chichester's private sector stock for walls and lofts respectively (ward level data can be obtained from the housing stock condition database supplied alongside this report). They also show the percentage figures for the South East region and for England overall to enable comparison. The results indicate that a proportion of the private sector stock in Chichester could benefit from energy efficiency improvements with an estimated 12,107 dwellings (25%) having un-insulated cavity walls. Furthermore, there are an estimated 7,232 dwellings (15% of Chichester's private sector stock) which have less than 100mm of loft insulation with 3,414 (7%) having no loft insulation at all. In Chichester, it is estimated that 79% of the housing stock have cavity walls. These types of dwellings are likely to be of particular interest to ECO providers and the distribution of these private sector dwellings is shown in **Map 16** to **Map 18**.



Table 7: Estimates of the numbers and percentage of dwellings for each of the energy efficiency variables for walls assessed for the private sector stock in Chichester and compared to the South East region and national figure (EHS 2015)

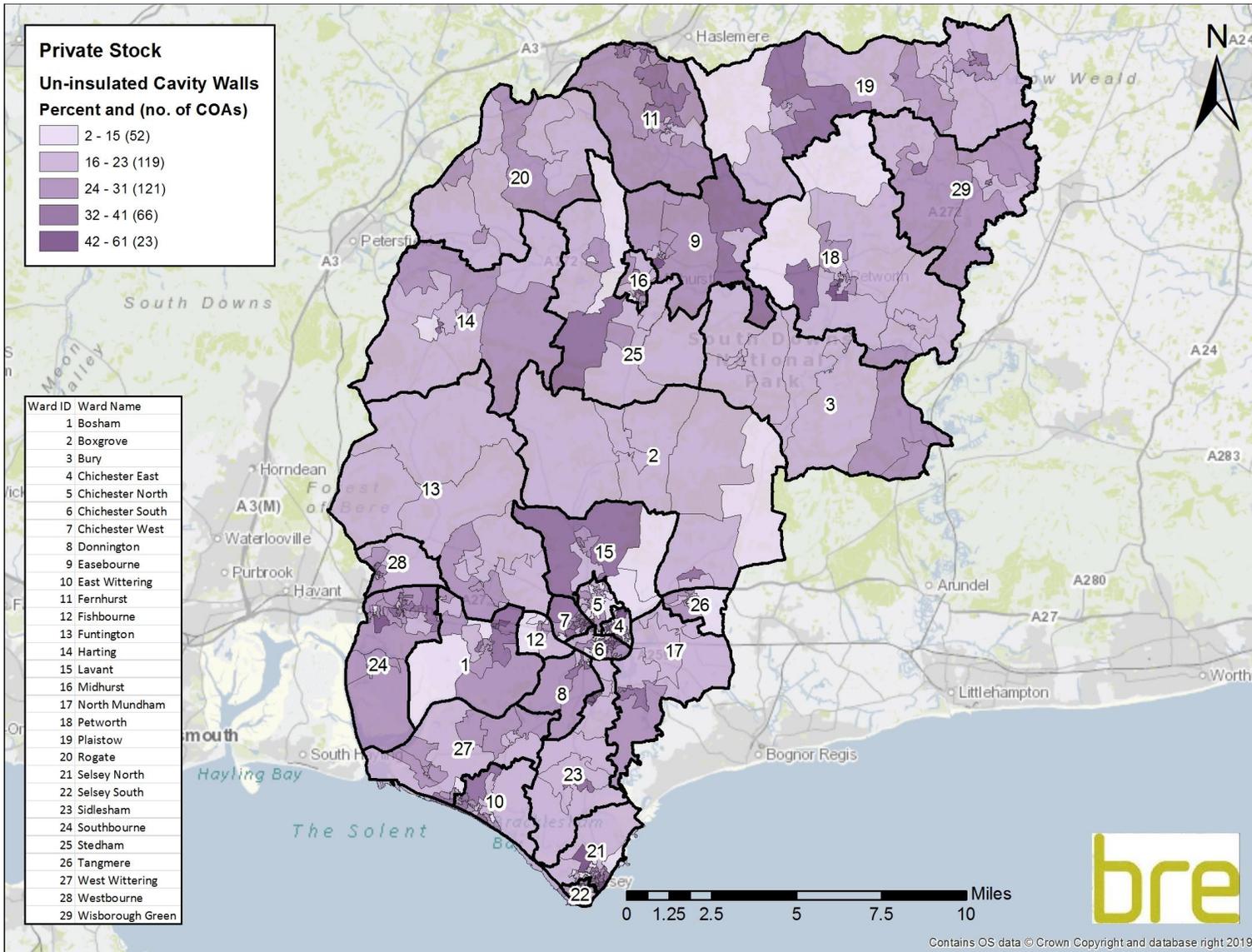
Variable		Private stock		2015 EHS Regional (private stock)	2015 EHS England (private stock)
		No.	%	%	%
No. of private sector dwellings		49,321	-	-	-
Wall type	Solid	8,909	18%	20%	31%
	Insulated cavity	26,718	54%	47%	45%
	Un-insulated cavity	12,107	25%	30%	22%
% of cavity walls only that are uninsulated		-	31%	38%	32%

N.B. in some cases the different wall types do not add up to the total number of private sector dwellings due to the small number of timber-frame and stone buildings

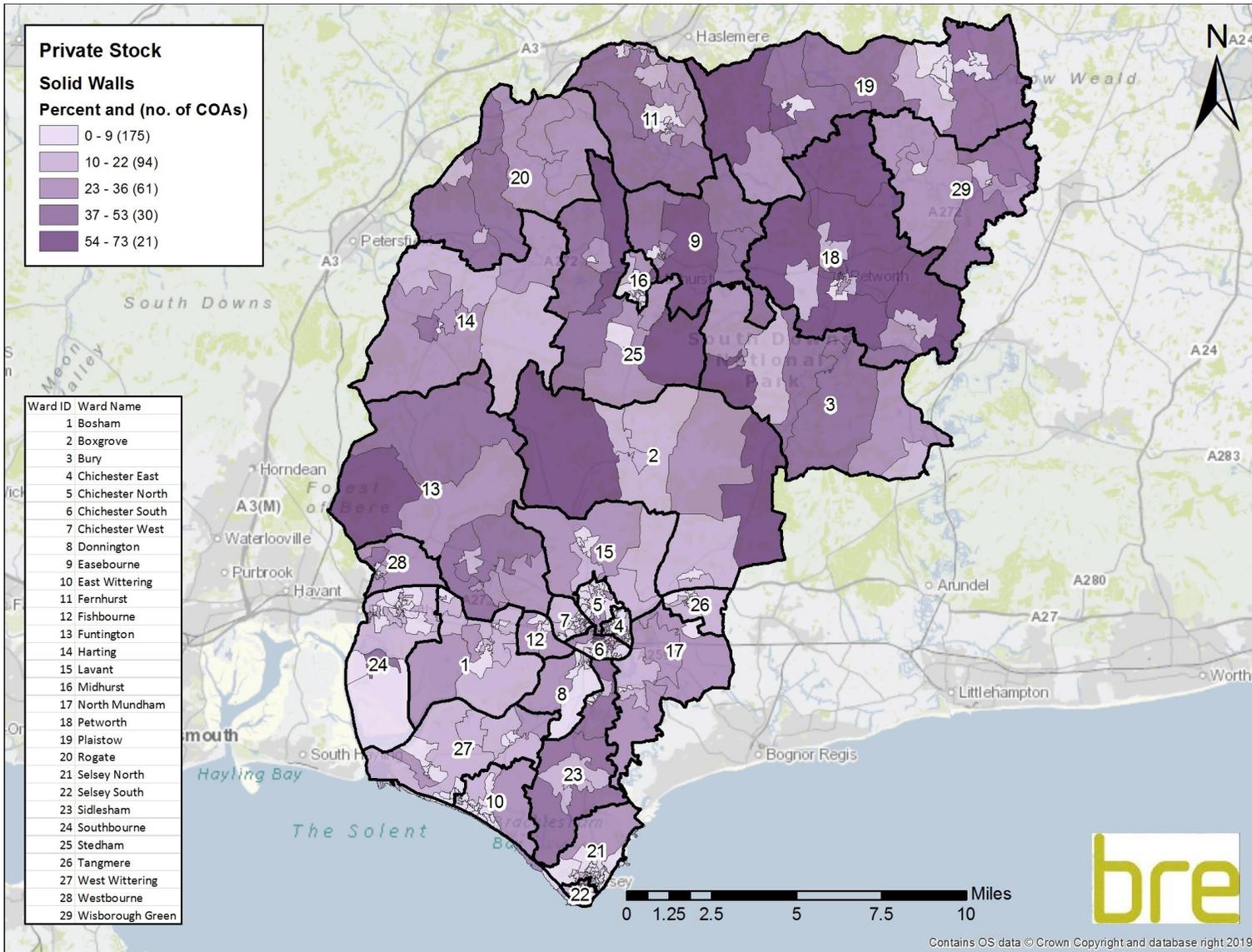
Table 8: Estimates of the numbers and percentage of dwellings for each of the energy efficiency variables for lofts assessed for the private sector stock in Chichester and compared to the South East region and national figure (EHS 2015)

Variable		Private stock		2015 EHS Regional (private stock)	2015 EHS England (private stock)
		No.	%	%	%
No. of private sector dwellings		49,321	-	-	-
Level of loft insulation	No loft	5,500	11%	9%	9%
	No insulation	3,414	7%	4%	3%
	50mm	3,818	8%	5%	6%
	100mm	11,919	24%	29%	25%
	150mm	6,996	14%	23%	19%
	200mm	6,750	14%	12%	14%
	250+mm	10,924	22%	18%	24%
Less than 100mm		7,232	15%	9%	9%

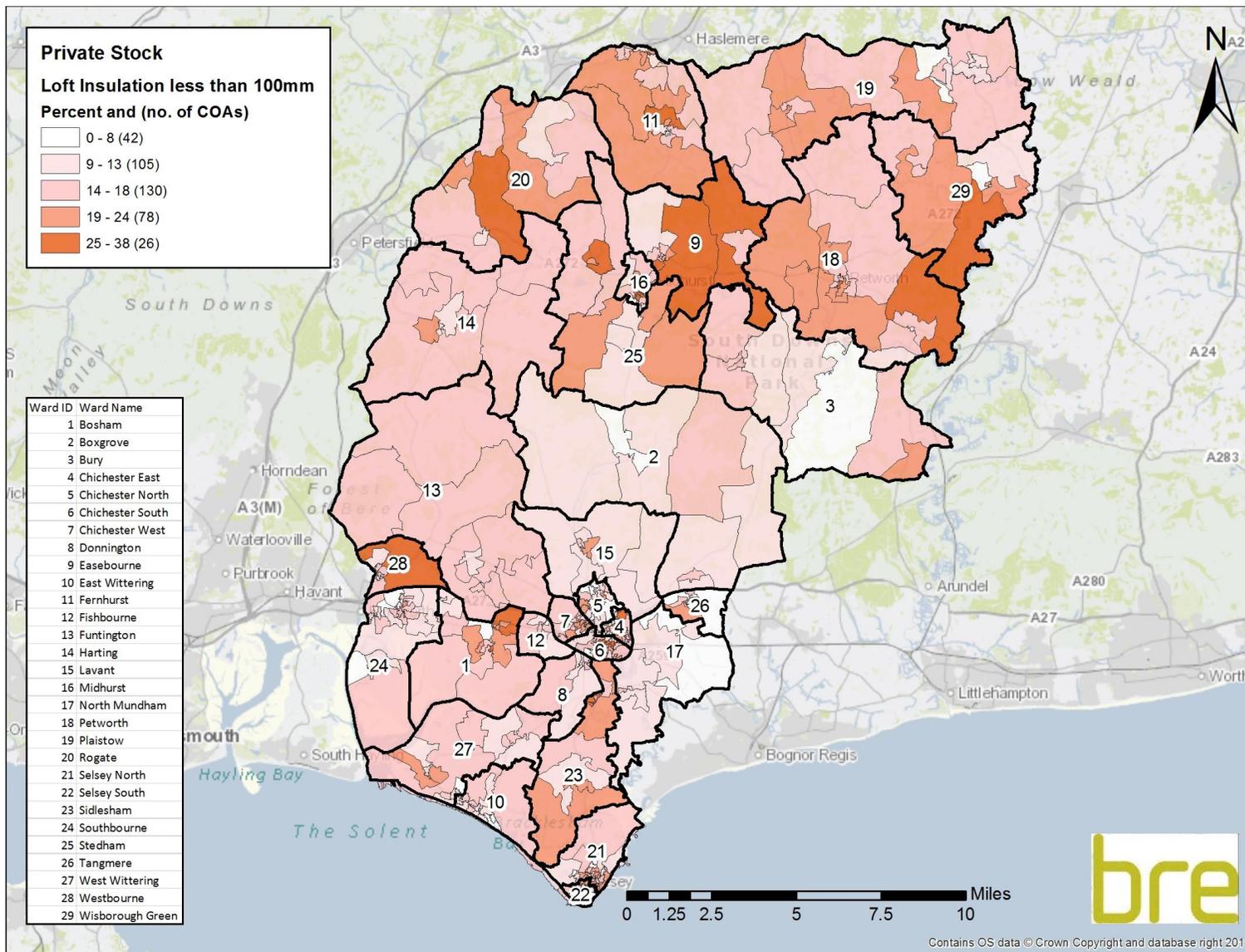
Map 16: Energy efficiency variables - percentage of private sector dwellings in Chichester with un-insulated cavity walls



Map 17: Energy efficiency variables - percentage of private sector dwellings in Chichester with solid walls



Map 18: Energy efficiency variables – percentage of private sector dwellings in Chichester with less than 100mm or no loft insulation





4.5 Energy planning variables for Chichester

In addition to the energy efficiency Housing Standards Variables, the “energy outputs” part of the housing stock modelling approach (see **Figure 1**) provides the database with estimates of a number of other energy efficiency variables. These variables are: SimpleSAP, notional SimpleCO₂, notional energy demand and cost, notional heat demand and cost. **Table 9** shows the energy efficiency variables in terms of the average figure per dwelling in Chichester, split by tenure. Such information provides a useful picture of the local housing stock and can also be useful in planning infrastructure projects such as district heating schemes, or for projects seeking to lever in ECO funding.

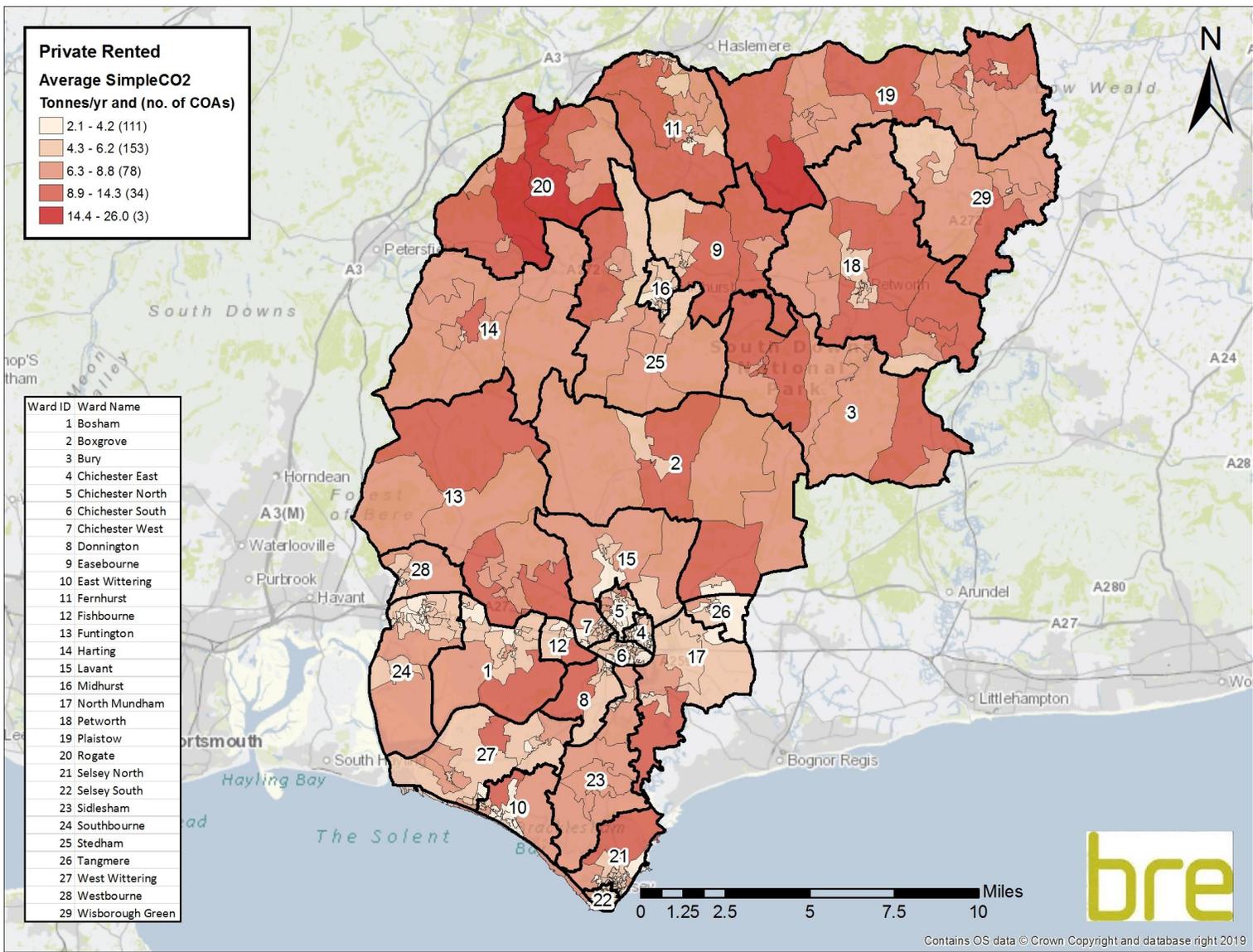
Table 9: Modelled data for average energy efficiency variables per dwelling by tenure in Chichester

Variable	Tenure		
	Owner occupied	Private rented	Social
No. of dwellings	38,534	10,787	8,364
SimpleSAP	55	60	63
SimpleCO ₂ (t/yr)	7.00	5.09	3.69
Energy demand (kWh/yr)	26,581	18,278	12,915
Energy cost (£/yr)	1,359	992	728
Electricity demand (KWh)	2,652	2,857	2,755
Electricity cost (£)	281	290	264
Heat demand (kWh/yr)	16,371	11,220	7,226
Heat cost (£/yr)	960	645	404

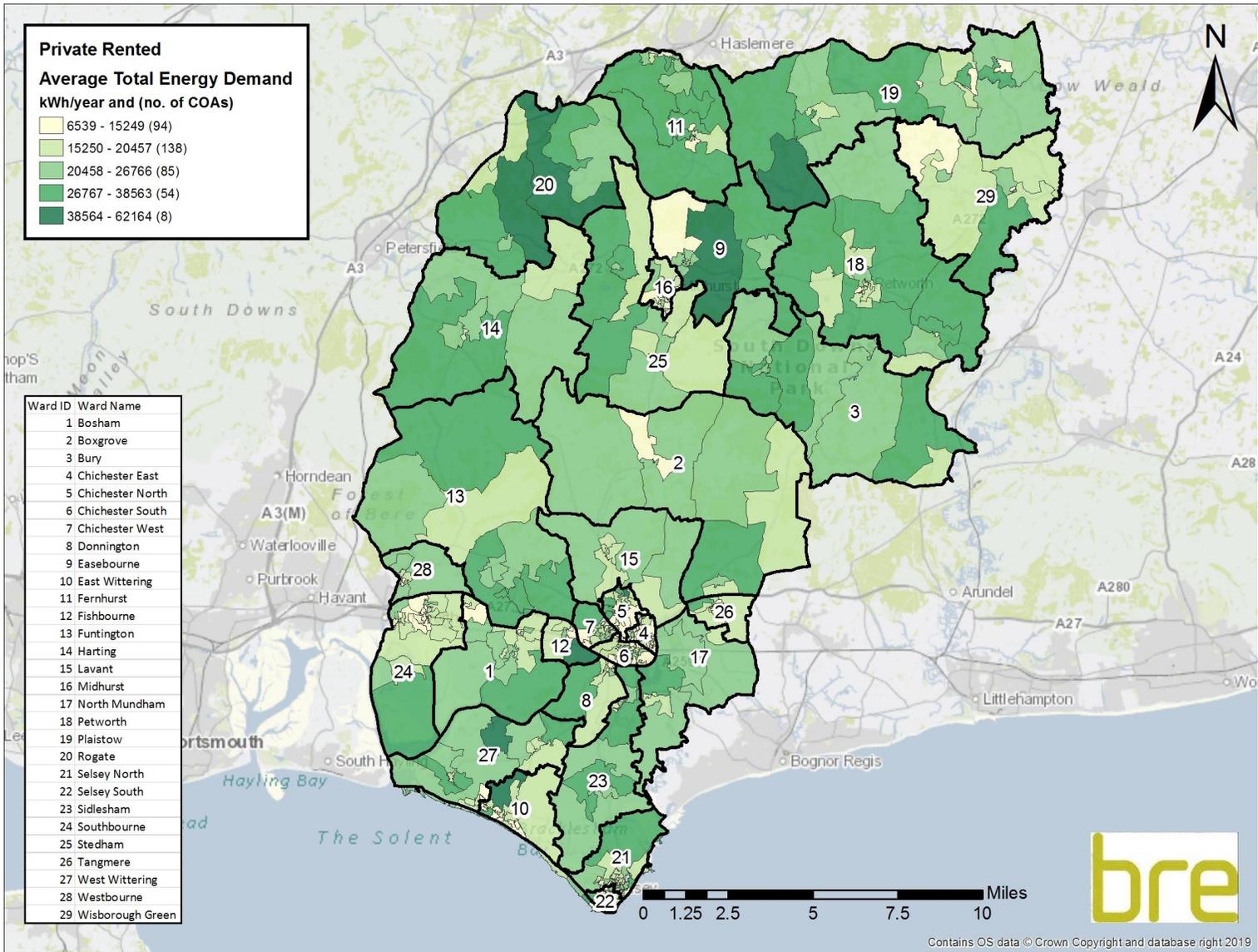
Maps are provided for the private rented sector. **Map 19** shows the average SimpleCO₂ per year for Chichester and **Map 20** and **Map 21** show the average total energy demand and the average total energy cost per year. **Map 22** and **Map 23** show the average total heat demand and the average total heating cost per year for Chichester.



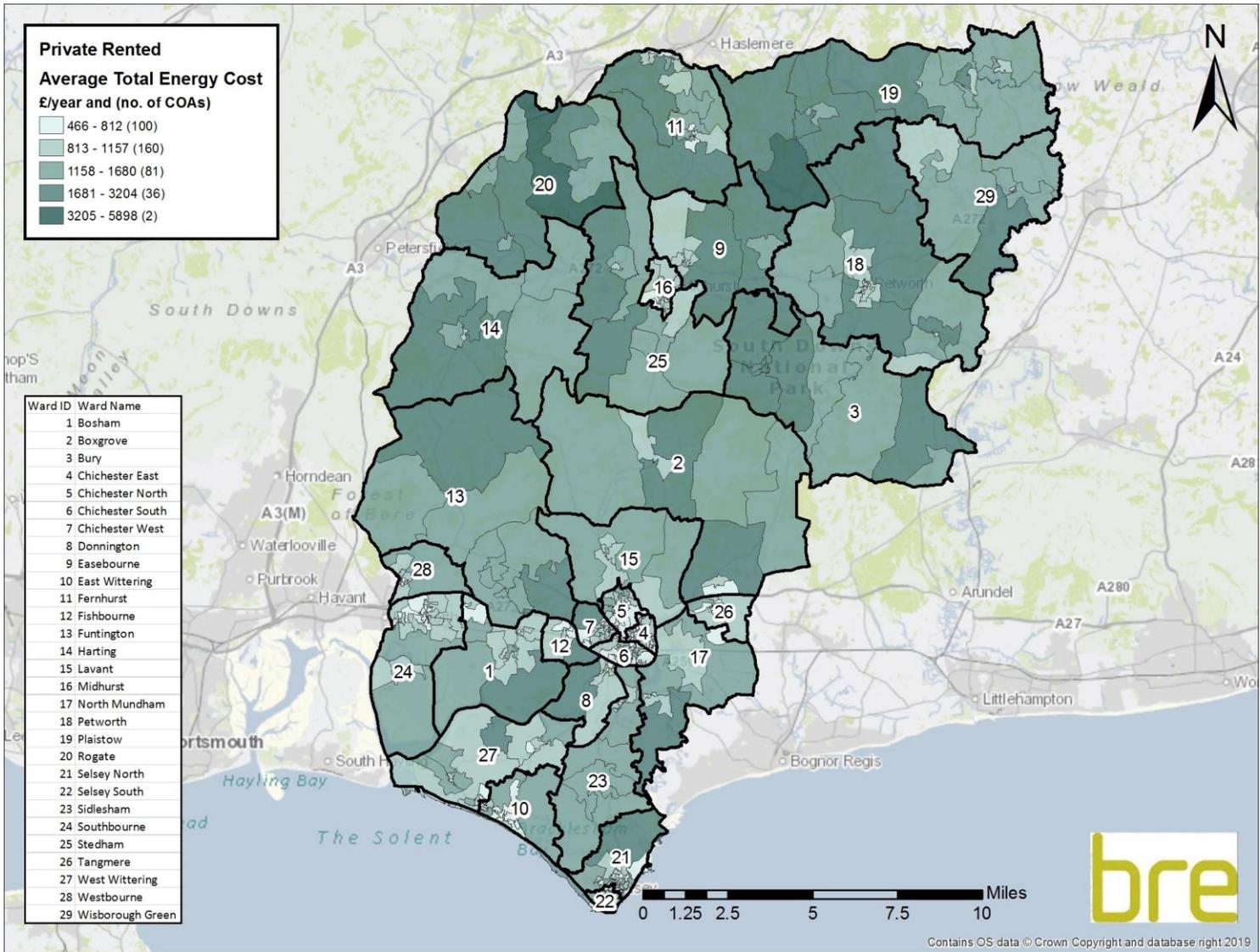
Map 19: Average Simple CO₂ (tonnes/year) – private rented stock



Map 20: Average total energy demand (kWh/year) – private rented stock

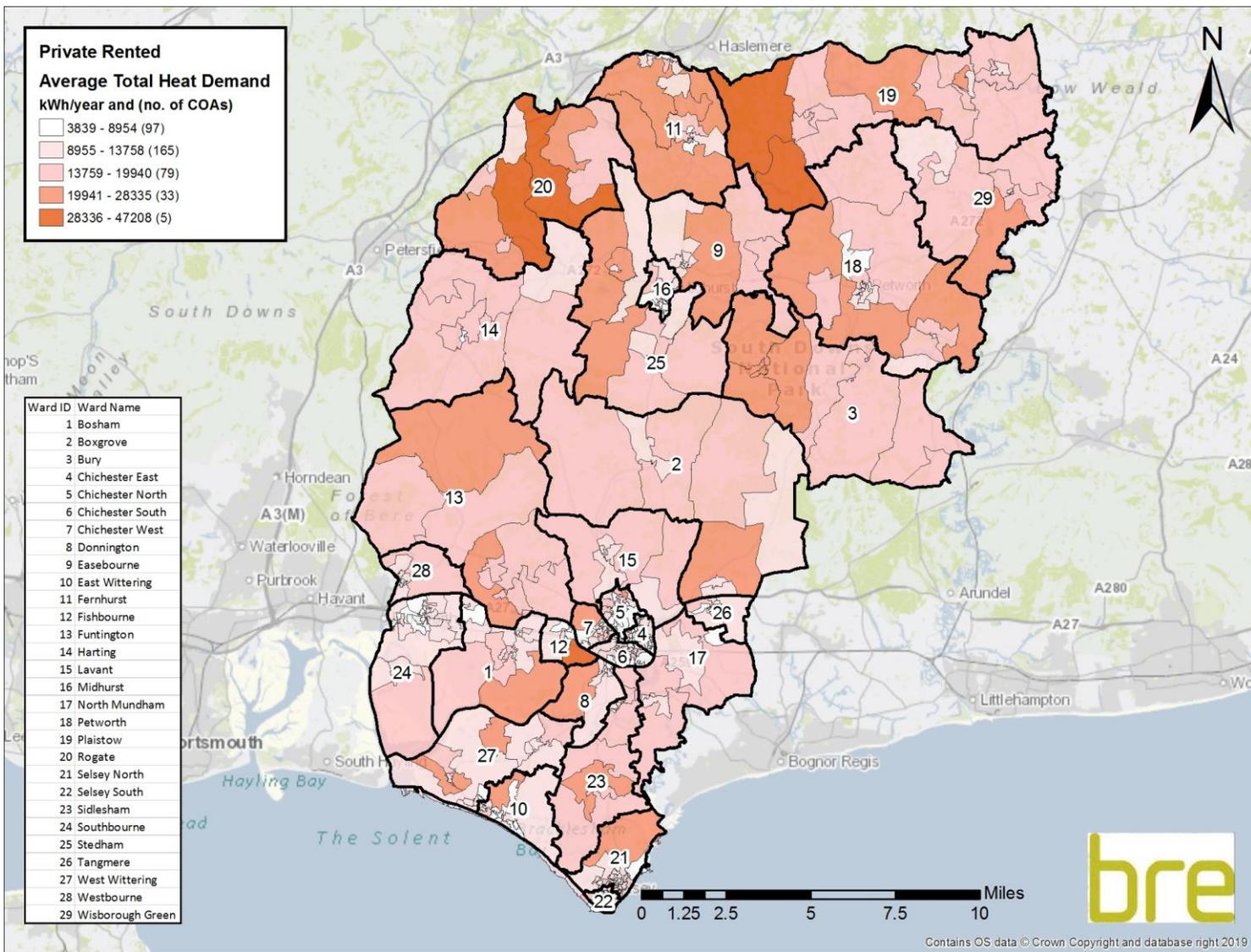


Map 21: Average total energy cost (£/year) – private rented stock



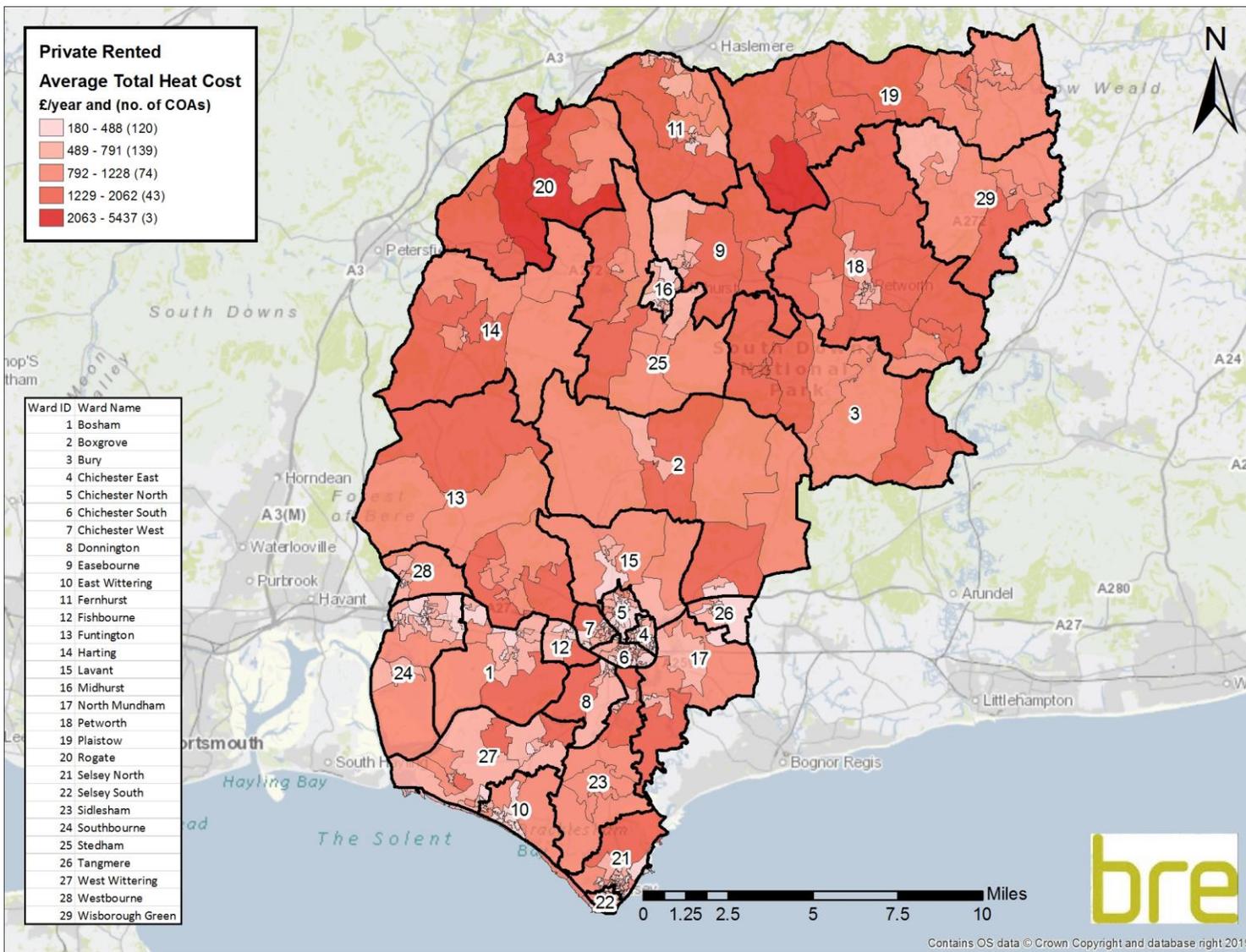


Map 22: Average total heat demand (kWh/year) – private rented stock





Map 23: Average total heat cost (£/year) – private rented stock





5 Conclusion and recommendations

5.1 Conclusion

Chichester District Council commissioned BRE to undertake a series of modelling exercises on their housing stock to provide an integrated housing stock condition database, making use of available local data sources (tenancy deposit scheme data) plus the EPC data which have been integrated into BRE's standard housing stock condition model. The integration of this data source serves to further increase the accuracy of the models by removing the need to rely on imputed data for the 27,855 cases where EPC data is available, and instead using observed data from the surveys. This leads to more accurate SimpleSAP ratings, more accurate excess cold data (and therefore HHSRS data), and more accurate fuel poverty data for around 48.3% of the stock in Chichester. The council also commissioned the inclusion of Land Registry Commercial and Corporate Ownership Data (CCOD) and Overseas Companies Ownership Database (CCOD).

This report, and the work surrounding it, has been financed/funded by MHCLG's Private Rented Sector Innovation and Enforcement Grant Fund (2019/20). This funding supports new, innovative, or targeted short-term initiatives to address criminal landlords and raise the standard of properties in the Private Rented Sector (PRS). This report describes the modelling work and provides details of the results obtained from the dwelling level model and database. The housing stock condition database is also provided to the council to enable them to obtain specific information whenever required. This database is now in an online format, known as the HSCD.

The integrated stock models and database provide the council with dwelling level information, focussing on private sector housing, for the following:

- The percentage of dwellings with the presence of each of the Housing Standards Variables for Chichester overall and broken down by tenure and then mapped by COA (private rented stock)
- Information relating to LAHS reporting for the private sector stock - category 1 hazards and HMOs as well as information on EPC ratings
- Energy efficiency for the private sector stock (wall and loft insulation)
- Energy planning variables (SimpleCO₂, energy and heat demand, energy and heat cost).

Some of the key findings of this report are as follows:

- The performance of the housing stock in Chichester compared to the EHS England average is mixed with Chichester performing notably better for low income households, slightly better for fall hazards and disrepair, very similar for all hazards and fuel poverty (both definitions); but notably worse for excess cold and low income households, similarly for all hazards and fuel poverty (both definitions) but worse for excess cold (9% compared to 3%).
- The private rented sector is generally worse than the social sector with the exception of fuel poverty (Low Income High Costs definition). Compared to the owner occupied sector, the private rented stock is worse for fall hazards, disrepair, fuel poverty (Low Income High Costs definition) and low income households. However, levels of all hazards and excess cold are highest in the owner occupied stock.
- 9.9% of dwellings in the private rented sector are estimated to have an EPC below band E. Under the legislation these properties would not be eligible to be rented out to new or renewal tenancies. From 1 April 2020 this will also apply to existing tenancies.



The detailed housing stock information in this report and in the HSCD provide the council with a resource for querying and collating information relating to their housing stock. This resource can be used to support the development of strategies and inform housing-related decisions for the area, enabling a targeted intervention approach to improving housing.

5.2 Recommendations

Interventions designed to tackle disrepair, for example home improvement and renewal schemes, landlord accreditation schemes or ultimately targeted enforcement action could be considered with a focus on areas of greatest disrepair and category 1 hazards in the private rented sector, such as Funtington and Boxgrove wards. These findings could be combined with local intelligence to help identify areas for targeting assistance for physical improvements to private rented sector stock and the environment. Furthermore, programmes aimed at increasing household income through job creation, benefit entitlement checks and other initiatives should also be considered, with a particular focus on areas containing high proportions of low income households like Selsey North, Chichester East and Boxgrove.

The use of additional local data in this project has enhanced the housing stock models and Housing Stock Condition Database (HSCD). The addition of any further local data, were it to become available, would potentially further enhance the models and database.

Appendix A Definitions of the Housing Standards Variables

1. Housing Standards Variables:

a. The presence of a category 1 hazard under the Housing Health and Safety Rating System (HHSRS) – reflecting both condition and thermal efficiency

Homes posing a category 1 hazard under the HHSRS – the system includes 29 hazards in the home categorised into category 1 – band A to C (serious) or category 2 – band D onwards (other) based on a weighted evaluation tool. Note that this includes the hazard of excess cold which is also included as one of the energy efficiency variables.

The 29 hazards are:

1 Damp and mould growth	16 Food safety
2 Excess cold	17 Personal hygiene, Sanitation and Drainage
3 Excess heat	18 Water supply
4 Asbestos	19 Falls associated with baths etc.
5 Biocides	20 Falling on level surfaces etc.
6 Carbon Monoxide and fuel combustion products	21 Falling on stairs etc.
7 Lead	22 Falling between levels
8 Radiation	23 Electrical hazards
9 Uncombusted fuel gas	24 Fire
10 Volatile Organic Compounds	25 Flames, hot surfaces etc.
11 Crowding and space	26 Collision and entrapment
12 Entry by intruders	27 Explosions
13 Lighting	28 Position and operability of amenities etc.
14 Noise	29 Structural collapse and falling elements
15 Domestic hygiene, Pests and Refuse	

b. The presence of a category 1 hazard for falls (includes “falls associated with baths”, “falling on the level” and “falling on stairs”)

The HHSRS Falls Model includes the 3 different falls hazards where the vulnerable person is over 60 as listed above.

c. Dwellings in disrepair (based on the former Decent Homes Standard criteria for Disrepair)

The previous Decent Homes Standard states that a dwelling fails this criterion if it is not found to be in a reasonable state of repair. This is assessed by looking at the age of the dwelling and the condition of a range of building components including walls, roofs, windows, doors, electrics and heating systems).

2. Energy efficiency variables:

a. The presence of a category 1 hazard for excess cold (using SAP ratings as a proxy measure in the same manner as the English House Condition Survey)

This hazard looks at households where there is a threat to health arising from sub-optimal indoor temperatures. The HHSRS assessment is based on the most low income group for this hazard – persons aged 65 years or over (note that the assessment requires the hazard to



be present and potentially affect a person in the low income age group should they occupy that dwelling. The assessment does not take account of the age of the person actually occupying that dwelling at that particular point in time).

The English Housing Survey (EHS) does not measure the actual temperatures achieved in each dwelling and therefore the presence of this hazard is measured by using the SAP rating as a proxy. Dwellings with a SAP rating of less than 33.52 (SAP 2012 methodology) are considered to be suffering from a category 1 excess cold hazard.

b. An estimate of the SAP rating which, to emphasise its origin from a reduced set of input variables, is referred to as “SimpleSAP”

The Standard Assessment Procedure (SAP) is the UK Government’s standard methodology for home energy cost ratings. SAP ratings allow comparisons of energy efficiency to be made, and can show the likely improvements to a dwelling in terms of energy use. The Building Regulations require a SAP assessment to be carried out for all new dwellings and conversions. Local authorities, housing associations, and other landlords also use SAP ratings to estimate the energy efficiency of existing housing. The version on which the Average SAP rating model is based is SAP 2012.

The SAP ratings give a measure of the annual unit energy cost of space and water heating for the dwelling under a standard regime, assuming specific heating patterns and room temperatures. The fuel prices used are the same as those specified in SAP 2012. The SAP takes into account a range of factors that contribute to energy efficiency, which include:

- Thermal insulation of the building fabric
- The shape and exposed surfaces of the dwelling
- Efficiency and control of the heating system
- The fuel used for space and water heating
- Ventilation and solar gain characteristics of the dwelling

3. Household vulnerability variables:

a. Fuel poverty - 10% definition

This definition states that a household is said to be in fuel poverty if it spends more than 10% of its income on fuel to maintain an adequate level of warmth (usually defined as 21°C for the main living area, and 18°C for other occupied rooms). This broad definition of fuel costs also includes modelled spending on water heating, lights, appliances and cooking.

The fuel poverty ratio is defined as:

$$\text{Fuel poverty ratio} = \frac{\text{Fuel costs (usage * price)}}{\text{Full income}}$$

If this ratio is greater than 0.1 then the household is in fuel poverty.

The definition of full income is the official headline figure and in addition to the basic income measure, it includes income related directly to housing (i.e. Housing Benefit, Income Support for Mortgage Interest (ISMI), Mortgage Payment Protection Insurance (MPPI), Council Tax reduction).



Fuel costs are modelled, rather than based on actual spending. They are calculated by combining the fuel requirements of the household with the corresponding fuel prices. The key goal in the modelling is to ensure that the household achieves the adequate level of warmth set out in the definition of fuel poverty whilst also meeting their other domestic fuel requirements.

b. Fuel poverty - Low Income High Costs definition

The government has recently set out a new definition of fuel poverty which it intends to adopt under the Low Income High Costs (LIHC) framework⁵³. Under the new definition, a household is said to be in fuel poverty if:

- They have required fuel costs that are above average (the national median level)
- Were they to spend that amount they would be left with a residual income below the official poverty line

c. Dwellings occupied by a low income household

A household in receipt of:

- Income support
- Housing benefit
- Attendance allowance
- Disability living allowance
- Industrial injuries disablement benefit
- War disablement pension
- Pension credit
- Child tax credit
- Working credit

For child tax credit and working tax credit, the household is only considered a low income household if it has a relevant income of less than £16,105.

The definition also includes households in receipt of Council Tax reduction and income based Job Seekers Allowance.

⁵³ <https://www.gov.uk/government/collections/fuel-poverty-statistics>

Appendix B Methodology for the BRE Integrated Dwelling Level Housing Stock Modelling approach

This Appendix provides a more detailed description of the models which make up the overall housing stock modelling approach and feed into the housing stock condition database. The process is made up of a series of data sources and Models which, combined with various imputation and regression techniques and the application of other formulae, make up the final Housing Stock Condition Database (HSCD). The database is essentially the main output of the modelling and provides information on the Housing Standards Variables and other data requirements (e.g. energy efficiency variables). An overview of the approach and a simplified flow diagram are provided in **Section 3** of this report.

The models making up the overall housing stock modelling approach are:

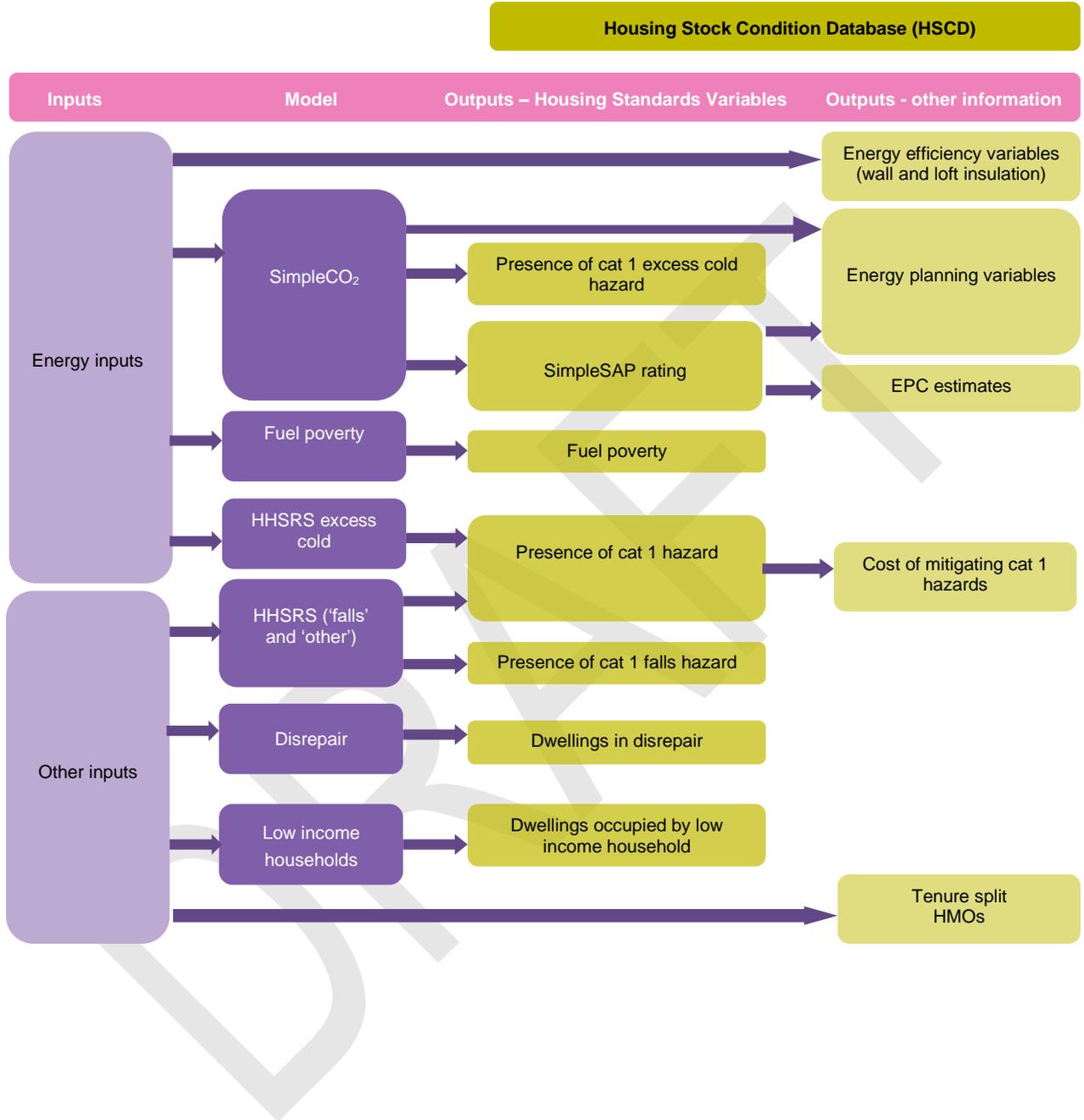
- SimpleCO₂ Model
- Fuel Poverty Model
- HHSRS (all hazards, falls hazards and excess cold) Models
- Disrepair Model
- Low Income Households Model

Figure B.1 shows the data flows for the stock modelling approach, showing which models each of the outputs in the database (split into the Housing Standards Variables and other information) come from. The exception is the energy efficiency variables (if used) which come directly from the energy inputs, and the tenure and HMO data (if used) which come directly from the other inputs.

Section B.1 describes the SimpleCO₂ Model in more detail, **Section B.2** provides more information on the other four models and **Section B.3** gives details of the OS MasterMap/geomodelling approach.



Figure B.1: Simplified data flow for the housing stock modelling approach





B.1 BRE SimpleCO₂ Model

BRE have developed a variant of the BREDEM⁵⁴ software, named “SimpleCO₂”, that can calculate outputs from a reduced set of input variables. These outputs are indicative of the full BREDEM outputs and the minimum set of variables the software accepts is information on:

- Tenure
- Dwelling type
- Location of flat (if a flat)
- Dwelling age
- Number of storeys
- Number of rooms
- Loft insulation
- Level of double glazing
- Main heating type
- Boiler type (if a boiler driven system)
- Heating fuel
- Heating system
- Heating controls
- Water heating
- Hot water cylinder insulation
- Solar hot water
- PV panels
- Internal floor area

The Experian UK Consumer Dynamics Database is used as a source for some of these variables (tenure, dwelling age) and they are converted into a suitable format for the SimpleCO₂ software. The dwelling type is derived using information from OS Mastermap and the number of storeys from OS experimental height data. The remaining pieces of data are inferred from the EHS using other tenure, dwelling age and type, other Experian data (number of bedrooms), other OS data (i.e. dwelling footprint) and data from Xoserve⁵⁵ which indicates whether the dwelling is in a postcode which is on the gas network. As the characteristics of a dwelling cannot be determined through access to observed data, a technique known as cold deck imputation is undertaken. This is a process of assigning values in accordance with their known proportions in the stock. For example, this technique is used for predicting heating fuels because the Xoserve data only confirms whether a dwelling is on the gas network or not. Fuel used by dwellings not on the gas network is unknown, so in most cases this information will be assigned using probabilistic methods. The process is actually far more complex e.g. dwellings with particular characteristics such as larger dwellings are more likely to be assigned with oil as a fuel than smaller dwellings.

⁵⁴ Building Research Establishment Domestic Energy Model, BRE are the original developers of this model which calculates the energy costs of a dwelling based on measures of building characteristics (assuming a standard heating and living regime). The model has a number of outputs including an estimate of the SAP rating and carbon emissions.

⁵⁵ Xoserve is jointly owned by the five major gas distribution Network companies and National Grid's gas transmission business. It provides transportation transactional services on behalf of all the major gas Network transportation companies.



The reason for taking this approach is to ensure that the national proportions in the data source are the same as those found in the stock nationally (as predicted by the EHS or other national survey). Whilst there is the possibility that some values assigned will be incorrect for a particular dwelling (as part of the assignment process has to be random) they ensure that examples of some of the more unusual types of dwelling that will be present in the stock are included.

Whilst this approach is an entirely sensible and commonly adopted approach to dealing with missing data in databases intended for strategic use, it raises issues where one of the intended uses is planning implementation measures. It must therefore be kept in mind at all times that the data provided represents the most likely status of the dwelling, but that the actual status may be quite different. That said, where EPC data has been used, the energy models (which use EPC data) are likely to be more accurate.

It is important to note that some variables have been entirely assigned using cold decking imputation techniques. These include presence of cavity wall insulation and thickness of loft insulation as there is no reliable database with national coverage for these variables.

The “SimpleCO₂” software takes the combination of Experian and imputed data and calculates the “SimpleSAP” rating for each dwelling in the national database. The calculated “SimpleSAP” ratings are the basis of the estimates of SAP and excess cold. How the other key variables are derived is discussed later in this Appendix.

Because the estimates of “SimpleSAP” etc. are calculated from modelled data it is not possible to guarantee the figures. They do, however, provide the best estimates that we are aware can be achieved from a data source with national coverage and ready availability. The input data could, however, be improved in its:

- accuracy for example through correcting erroneous values,
- depth of coverage, for example by providing more detailed information on age of dwellings,
- breadth by providing additional input variables such as insulation.

Improving any of these would enhance the accuracy of the output variables and for this reason it is always worth considering utilising additional information sources where they are available. Using EPC data will go some way towards meeting these improvements by providing more accurate data.

B.2 Housing Condition and Low Income Household Models

This section provides further information on the remaining four models – fuel poverty, HHSRS, disrepair and low income households. These models are discussed together since the approach used for each one is broadly the same.

These models are not based solely on the thermal characteristics of the dwelling, and in some cases are not based on these characteristics at all. A top down methodology has been employed for these models, using data from the EHS and statistical techniques, such as logistic regression, to determine the combination of variables which are most strongly associated with failure of each standard. Formulae have been developed by BRE to predict the likelihood of failure based on certain inputs. The formulae are then applied to the variables in the national Experian dataset to provide a likelihood of failure for each dwelling. Each individual case is then assigned a failure/compliance variable based on its likelihood of failure and on the expected number of dwellings that will fail the standard within a given geographic area. Thus if the aggregate values for a census output area are that 60% of the dwellings in the area fail a particular standard then 60% of the dwellings with the highest failure probabilities will be assigned as failures and the remaining 40% as passes.



The presence of a category 1 hazard failure is the only exception to this as it is found by combining excess cold, fall hazards and other hazards such that failure of any one of these hazards leads to failure of the standard.

B.3 Integrating local data sources

As mentioned in the main body of the report, Chichester identified a number sources of data which were used to update the BRE dwelling level models to provide an integrated housing stock condition database. Their data sources are shown in **Table B.1**.

To allow these data sources to be linked to the BRE Dwelling Level Stock Models, an address matching exercise was required to link each address to the Experian address key. Address matching is rarely 100% successful due to a number of factors including:

- Incomplete address or postcodes
- Variations in how the address is written e.g. Flat 1 or Ground floor flat
- Additions to the main dwelling e.g. annexes or out-buildings

Experience indicates that, for address files in good order, match rates are around 75% - 95%. **Table B.1** provides the address matching results for the data sources provided by Chichester and the resulting impact on the modelling process.

Table B.1: Address matching results and impact on the modelling process

Data source	Total no. of records	No. (and %) of addresses matched	Notes / impact on the modelling process
EPC data	39,100 total records available	27,855 (84.9% of de-duplicated records)	Data de-duplicated for multiple EPCs – 32,823 remaining
Tenancy deposit data	3,515 – total received	2,638 (82.4% of de-duplicated records)	3,202 – remaining records after de-duplication

The Housing Stock Condition Database (HSCD) was also updated using the Ordnance Survey (OS) MasterMap data which enables the measurement of the footprint of the building and provides information on the number of residential addresses within the building, and to see which other buildings each address is attached to or geographically close to.

The stage at which the local data sources are included in the modelling process depends on whether or not the data includes information which can be used as an input into the SimpleCO₂ model. The simplified flow diagram in **Figure 1** in the main report shows how these data sources are integrated into the standard modelling approach.

The following sections consider each of the data sources and how they are used to update the SimpleCO₂ inputs and/or stock model outputs.



EPC data

If there are discrepancies in the energy data for the same dwelling case, arising from different energy data sources, then, if available, the EPC data will be used. If no EPC data source is available for that case, then the data with the most recent date will be taken.

Some of the energy data provided includes tenure data, in which case the housing stock condition database has been updated accordingly. However, EPC cases do not include tenure data, they only include the reason for the EPC.

Therefore:

- If the reason given was a sale then the dwelling was assumed to be owner occupied.
- If the reason given was re-letting and the tenure of the let was specified (i.e. private or social) then the tenure was changed to that indicated.
- If the reason for the sale did not indicate tenure then the tenure was left unchanged.

It is important to note that the modified tenure created from the EPC data should only ever be used for work relating to energy efficiency and carbon reduction. This is a legal requirement stemming from the collection of the data, and is a licence condition of the data suppliers, Landmark. For this reason, the tenure variable supplied in the database is NOT based on EPC data; however, the calculations used to determine the SimpleSAP rating and other energy characteristics of the dwelling do make use of the EPC tenure.

Where the energy data provides information on loft insulation, wall insulation, the location of a flat within a block and floor area this information will be used in favour of any imputed information, as long as the OS data is in agreement with the dwelling type.

Where energy data on wall type is present for a dwelling in a block of flats, terrace or semi-detached, that data is extrapolated to the rest of the block or terrace. If multiple dwellings with energy data are present then the most common wall type is used. Note that where the energy data indicates a wall type that is not the predominant one, this data will not be overwritten with the predominant type – the data reported in the energy database will always be used even if this results in two different wall types being present in a terrace or a block of flats.

For flats it is assumed that all flats in the block will have the same level of double glazing and as the case for which we have energy data for. If there are multiple flats in the block with energy data showing different levels of double glazing, an average will be used.

It is assumed that all flats in a block share the same heating type, boiler type if present, fuel type and heating controls. Where there are multiple types present, the predominant type is used. Flats are assumed to have the same hot water source, and if one flat benefits from solar hot water it is assumed that all flats in the block do.

B.4 OS MasterMap information

OS AddressBase for Wales was then linked to the OS MasterMap Topography Layer. OS MasterMap provides a detailed geographical representation of the landscape in Great Britain, including buildings. Once the OS AddressBase is linked to OS MasterMap it is possible to extract the relevant geographical information for the residential buildings in Wales – this involves looking at information about individual dwellings or blocks of flats such as footprint area and attachment to other dwellings.

Figure B. 2 shows that visual identification of dwelling type can be quite simple. The OS MasterMap of the cul-de-sac 'Prince of Wales Gardens' comprises 10 sets of semi-detached properties. BRE use this type of knowledge to create a model to infer dwelling type, which is described in more detail below.

Figure B. 2: OS MasterMap example (source OS website⁵⁶)

By looking at the number of residential address points (from OS AddressBase) it is possible to determine whether a building is a house or a block of flats⁵⁷. The dwelling type is then determined based on the spatial relationship of the individual dwelling/block of flats with other dwellings. These spatial relationships are outlined for each resulting dwelling type below:

Houses - where the dwelling is a house, the number of other buildings it is attached to can be observed and the dwelling types allocated as follows:

Detached – where a single address is within a dwelling footprint and that footprint is not attached to any other building footprint⁵⁸.

Semi-detached - where a single address is within a dwelling footprint and is joined to one other building footprint.

Terrace - where three or more building footprints are joined to one another.

Mid terrace – where a single address is part of a terrace block and attached to more than one other building footprint.

End terrace – where a single address is part of terrace block and attached to only one other building footprint.

⁵⁶ <https://www.ordnancesurvey.co.uk/business-and-government/products/mastermap-products.html>

⁵⁷ Houses have one residential address point and blocks of flats have two or more

⁵⁸ The area of land over which a building is constructed (i.e. the area of the ground floor only, this does not take into account the number of floors in a building)



Flats - if the building is a block of flats, its exact nature is determined by its age and the number of flats in the block. The following assumptions are made:

Converted flat –if there are between two and four flats in the block (inclusive) and the dwelling was built before 1980 then it is assumed to be a conversion.

Purpose built flat – all other flats are assumed to be purpose built.

DRAFT



Appendix C Using the BRE Integrated Dwelling Level Housing Stock Database

The BRE Housing Stock Condition Database (HSCD) is the final output of the overall stock modelling approach described in **Section 3** and **Appendix B**. The HSCD has been designed to allow local authorities to access their local area data. There are a number of different options for summarising or investigating the data and generating lists of properties of interest.

C.1 Overview

The Housing Stock Condition Database (HSCD) is now online. You can access it in <https://hscd.bregroup.com/login.jsp> with the credentials sent to you by email.

To ensure data security the interface will automatically open on the login page shown in **Figure C. 1**. Should you forget your password details, these can be reset and emailed to you using the function provided on the login page.

Upon login, the home page will open with a dashboard showing the Housing Standards Variables for your housing stock, similar to that shown in

Figure C. 2. The navigation pane is along the top and is visible on all pages; the options shown on the navigation pane will depend upon the options purchased.

Figure C. 1: Login screen

The screenshot shows the login interface for the HSCD. At the top left, it says 'HSCD delivered by bre'. At the top right is the 'bre' logo. Below the header is a grey bar with a help icon and 'Log In' link. The main area has a blue 'Log in' header. Below that, it prompts the user to 'Enter your Email and password'. There are two input fields: 'Username' and 'Password'. Below the password field is a link: 'Forgotten your password? We can reset it for you.' At the bottom right, there is a blue 'Login' button with a play icon.



Figure C. 2 Home page (note screenshot below is sample data)



Please refer to the user guide accessible via the log in page under the [help](#) button.



Appendix D Contributions

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Glossary of terms

BREDEM	BRE Domestic Energy Model
Category 1 hazard	Hazards with a HHSRS score of > 1,000. A dwelling with a category 1 hazard is considered to fail the minimum statutory standard for housing
CLG	Department for Communities and Local Government
COA	Census Output Area Designed for statistical purposes, built from postcode units, approximately 125 households
Disrepair	Based on former Decent Homes Standard criteria which states that a dwelling fails this if it is not in a reasonable state of repair – this is based on the dwelling age and condition of a range of building components including walls, roofs, windows, doors, electrics and heating systems
ECO	Energy Companies Obligation Places legal obligations on the larger energy suppliers to deliver energy efficiency measures to domestic energy users
EHS	English Housing Survey A continuous national survey commissioned by the Ministry of Housing, Communities and Local Government (MHCLG). It collects information about people's housing circumstances and the condition and energy efficiency of housing in England
EPC	Energy Performance Certificate Present the energy efficiency of domestic properties on a scale of A (most efficient) to G (least efficient)
Fuel poverty	The original definition of fuel poverty states that a household is in fuel poverty if it needs to spend more than 10% of their income on fuel to maintain an adequate level of warmth (10% definition). The new definition now adopted by government is that a household is said to be in fuel poverty if they have fuel costs that are above average and were they to spend that amount they would be left with a residual income below the official poverty line (Low Income High Costs definition)
GIS	Geographic Information System A system designed to capture, store, manipulate, analyse, manage and present spatial or geographical data
HHSRS	Housing Health and Safety Rating System A risk assessment tool to help local authorities identify and protect against potential risks and hazards to health and safety related deficiencies in dwellings, covering 29 categories of hazards



HIA	<p>Health Impact Assessment</p> <p>A formal method of assessing the impact of a project, procedure or strategy on the health of a population</p>
HMO	<p>Houses in Multiple Occupation</p> <p>An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet</p> <p>A house which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities</p> <p>A converted house which contains one or more flats which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more tenants who form two or more households</p> <p>A building which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies</p> <p>In order to be an HMO the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants. Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges</p>
HSM	<p>Housing Stock Model</p> <p>Desktop based modelling used to determine the condition of the housing stock</p>
Jenks' Natural Breaks	<p>The natural breaks classification method is a data clustering method determining the best arrangement of values into different classes. It is achieved through minimising each class's average deviation from the class mean while maximising each class's deviation from the means of the other groups. The method seeks to reduce the variance within classes and maximise variance between classes thus ensuring groups are distinctive</p>
JSNA	<p>Joint Strategic Needs Assessment</p> <p>An assessment of the current and future health and social care needs of the local community</p>
LACORs	<p>Local Authority Coordinators of Regulatory Services – now renamed Local Government Regulation</p>
LAHS	<p>Local Authority Housing Statistics</p> <p>National statistics on housing owned and managed by local authorities</p>
LIHC	<p>Low Income High Cost</p>



	Measure of fuel poverty, considers a household to be in fuel poverty if required fuel costs are above average, or if they were to spend that amount they would be left with a residual income below the official poverty line
LLPG	Local Land and Property Gazetteer An address database maintained by local authorities
LSOA	Lower Super Output Area Designed for statistical purposes, built from census output areas, approximately 400 households
MHCLG	Ministry of Housing, Communities and Local Government
MSOA	Medium Super Output Area Designed for statistical purposes, built from lower super output areas, approximately 2,000 households
NHS	National Health Service
Older people	People over 65 for the excess cold hazard, people over 60 for the fire and fall hazards (excl. falling between levels)
OS	Ordnance Survey
Poor housing	Dwellings where a category 1 hazard is present
Private sector housing	Housing not owned by the local authority or a housing association
SAP	Standard Assessment Procedure Method system for measurement of energy rating of residential buildings.
SimpleSAP	An estimate of a residential dwelling's likely SAP score, it is not based on the full required range of data for a SAP calculation or a reduced data SAP calculation (RDSAP), it should only ever be considered an estimate of the SAP score, and used as a guide
UPRN	Unique Property Reference Number A unique 12 digit number assigned to every unit of land and property recorded by local authorities as part of their LLPG
Vulnerable persons	Persons who are more likely to be affected by the particular hazard as defined by the HHSRS Operating Guidance

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Housing Standards Financial Assistance and Enforcement Policy 2021-2026

Introduction

Chichester District Council's Housing Strategy 2020-2025 focusses on eight key objectives for action including maintaining and improving the condition of housing in the Chichester District. This is vitally important as poor housing has a direct impact on health and mental wellbeing, and all households should have access to housing that is fit for purpose.

The other issue facing residents are the district's high property prices which have seen first time buyers priced out of the market resulting in a higher reliance on private rented accommodation. This demand is expected to continue as a result of increased unemployment and reduced incomes following the Coronavirus pandemic. Homeowners will also be affected as home repairs and property improvements may no longer be affordable.

The ability to use enforcement action combined with the provision of financial assistance will provide inspecting officers with the tools they require to ensure those living in unsatisfactory conditions, along with the number of empty properties, are kept to a minimum. For those with disabilities and on low income requiring a suitable home where they can live safely and independently, adaptations will be available thereby reducing the need for social care.

This document outlines the Council's policy with regard to the financial assistance it can offer owner occupiers and private sector landlords to encourage and assist them with property improvement. The policy also details the enforcement tools available to our inspecting officers to help improve housing standards.

Statutory Duty

The Council has a duty under section 3 in Chapter 1 of Part 1 of the Housing Act 2004 to review housing conditions in its district. Where housing conditions are found to require improvement financial assistance can be provided under the terms of Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

Housing Stock Modelling 2020

Following a successful joint bid to the Ministry of Housing, Communities and Local Government at the end of 2019, the Council was awarded just over £32,000 to undertake a stock modelling exercise to evaluate the overall condition of the district's housing stock. This work would then enable the appropriate targeting of resources.

The Building Research Establishment (BRE) was commissioned to undertake the stock review involving a desktop housing stock modelling exercise which was completed in March 2020.

The headline findings are summarised below:

- 1. There are 57,685 dwellings in Chichester, 67% are owner occupied, 19% private rented and 14% social rented.*
- 2. 6,768 dwellings in the private sector have category 1 Housing Health and Safety Rating System (HHSRS) hazards. This equates to 14% of properties. 1,281 dwellings in the private rented sector have category 1 HHSRS hazards. This equates to 12% of properties in the private rented sector.*
- 3. The highest concentrations of all Housing Health and Safety Rating System (HHSRS) hazards in the private rented sector are found in the wards of Boxgrove, Funtington and Stedham.*
- 4. The highest concentrations of fuel poverty (Low Income High Costs definition) in the private rented sector are found in the wards of Wisborough Green, Stedham and Bury and for excess cold the highest concentrations are in Boxgrove, Funtington and Stedham.*
- 5. The average Simple SAP rating for all private sector dwellings in Chichester is 56, which is worse than both England (60) and the South East (61). For owner occupied stock the figure is 55 and for private rented stock it is 60.*
- 6. The total cost of mitigating category 1 hazards in Chichester's private sector stock is estimated to be £23.2 million – with £18.8 million in the owner occupied sector and £4.4 million in the private rented sector.*
- 7. There are an estimated 1,108 Houses in multiple occupation (HMO)s in Chichester, of which approximately 272 come under the mandatory licensing scheme.*
- 8. 13.2% (6,535) of private sector dwellings and 9.9% (1,063) of private rented dwellings in Chichester are estimated to have an Energy Performance Certificate (EPC) rating below band E.*
- 9. In the private sector stock, there are an estimated 12,107 dwellings with uninsulated cavity walls and 7,232 dwellings with less than 100 mm of loft insulation.*

10. *Analysis of the energy efficiency variables indicates that the owner occupied stock has the highest average figures for the majority of variables (Simple CO2, energy and heat demand, energy and heat cost).*

Housing Condition Improvements since 2015

The results of the 2020 survey illustrate some stark parallels with the outcomes of the previous survey in 2015. The main challenges remain around the level of Category 1 hazards and the proportion of cold homes resulting in increased levels of fuel poverty, particularly in owner occupied properties.

However there is some good news particularly for the private rented sector where Category 1 hazards have fallen from 22% of the stock in 2015 (1844) to 12% of the stock (1281) in 2020. Furthermore the number of properties with an EPC rating of F or G (lowest rating) has fallen from 2192 (26.4%) to 1063 (9.9%).

There have also been improvements seen with regard to Simple SAP specifically in the private rented sector. Simple SAP is a simplified version of the standard assessment procedure for assessing the energy efficiency of a dwelling. It provides a numerical score for energy efficiency with 0 being the worst and 100 the best.

In 2015 the average Simple SAP rating for the private rented sector was 49, which was worse than England (55). However in 2020 the average Simple SAP rating for the private rented stock is 60, which equals that of England, but marginally worse than the South East (61). Unfortunately for the owner occupied stock the Simple SAP rating is still below the average for England. This result is likely to be down to the age and location of Chichester's stock with many properties having solid walls and located in areas off the gas network making them more expensive to run and challenging to insulate.

In 2015 the total cost of mitigating the category 1 hazards in Chichester's private sector stock was estimated to be £27.1 million, whilst in 2020 despite inflation the estimated cost has fallen to £23.2 million with £18.8 million in the owner occupied sector, and £4.4 million in the private rented sector.

Financial Assistance Policy for Private Sector Housing 2020-25

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 empowers local housing authorities to provide a wide range of assistance for housing renewal, providing they adopt a policy to outline how they will focus their resources.

This Policy sets out how the Council will assist owner occupiers and landlords to improve living conditions, with the main focus being on reducing cold homes and fuel poverty, and also assisting those owners who require essential home improvements but are unable to afford to do so.

The conditions relating to all financial assistances offered by Chichester District Council (CDC) can be found in Appendix 1.

1. Reduce Fuel Poverty and Excess Cold

Fuel poverty occurs when households cannot afford to keep adequately warm because the costs of heating their home are higher than average and paying for those costs leave them below the poverty line. This affects around 12% of private sector households in Chichester, compared to 9% in the South East region, and 11% in the rest of England.

The Council aims to ensure the condition of properties are improved and residents are provided with affordable warmth and healthy homes, with a long-term vision of tackling fuel-poverty with low carbon, sustainable solutions where possible, acknowledging the targets of Chichester District's Climate Emergency Initial Action Plan 2020 – 2025.

This policy aims to tackle Excess Cold and Fuel Poverty in four key ways:

- Improve the condition and energy efficiency of homes
- Reduce energy bills wherever possible
- Maximise household income for those who are eligible for benefits
- Support and harness the able to pay market by providing advice and information and top-up funding as necessary
- Reduce carbon emissions

To co-ordinate this work a Fuel Poverty and Sustainability Project Group will be established to deliver targeted action to tackle those parishes with the highest levels of Excess Cold and Fuel Poverty, reducing EPC F and G rated homes occupied by fuel poor households wherever possible. This work will be delivered ensuring a whole-house and resident-centered approach.

Policy Tools

As a Council we provide financial assistance to those in fuel poverty, as well as supporting services to advise all residents of the help available to them, including government funding.

- **The Home Energy Advising Service**

The service, funded by West Sussex Public Health and delivered by the Council's Wellbeing Team offers a tailor-made home energy support for vulnerable residents in Chichester. The service supports residents to save money, improve energy efficiency and stay warm and well at home. Advice is provided in relation to heating grants, tariff comparisons, crisis support, income maximisation guidance and support.

- **Chichester Warm Homes Initiative**

This initiative has been running since 2016 and is a unique offer across West Sussex. The scheme was introduced with a soft launch to ensure it did not become oversubscribed, and relied on self-referrals by residents. Unfortunately this approach has not provided enough interest and applications have remained low.

Working in conjunction with the Energy Visiting Advisor and the Climate Change Officer the scheme will be relaunched with a fresh ambitious new strategy targeting parishes that are

primarily off-gas where it is known there are properties with high levels of Excess Cold hazards and Fuel Poverty. Gas alternatives including air source heat pumps, batteries and solar photovoltaic panels will be explored and prioritised wherever possible along with full insulation measures to reduce carbon dioxide emissions and energy costs wherever possible.

Financial assistance will be available to homeowners who have low income and only a modest amount of savings, and also landlords with a tenant who meets the eligibility criteria. In the case of tenants, landlords must consider the work as a 'tenant improvement' and must not implement a rent increase as a result of this work. The assistance provided is to fund or top-up the cost of necessary works to eradicate a Category 1 Excess Cold hazard, to increase the EPC rating above F or G, or to lift the occupants out of Fuel Poverty.

The amount of funding available will be dependent on whether the property is on the gas network. See the Financial Assistance and Conditions summary table on page 9 for more details.

- **Discretionary Disabled Facilities Grant (DFG) - Safe, Suitable and Warm Homes Grant**

This offering is part of the West Sussex DFG Policy and is a means tested grant available to disabled residents requiring repairs or a replacement heating system in order to remain safe and independent at home.

- **Partnership working**

Chichester is part of the West Sussex Affordable Warmth Partnership. The partnership includes all West Sussex District and Borough Councils and sets the aims and objectives for tackling fuel poverty across the County under the West Sussex Affordable Warmth Framework for Action 2020 – 2025.

The role of the partnership also involves jointly bidding for funding, outlining local plans of action, intervention and governance structures that contribute to positive partnership working across West Sussex.

- **Increasing Public Awareness of all Energy Efficiency Grants:**

The Council will ensure residents are fully informed and kept up to date with regards to all the central government and Energy Company funding available, which is a regularly changing landscape. In order to deliver this, a new streamlined user-friendly, county-wide webpage will be developed containing all the funding options available, as well as signposting residents to other useful services with a clear link from CDC's website and appropriate social media coverage.

2. Continual improvement of the standard of accommodation in the private rented sector

Throughout the past 5 years significant improvements have been seen in the private rented sector in Chichester with the number of properties with Category 1 hazards and poor energy

performance notably reducing from 22% in 2015 to 12% in 2020. Nevertheless it is important the focus on this sector remains to ensure standards continue to rise and properties are maintained appropriately.

The improvements that have been seen have been achieved through a variety of means including:

- Changes in legislation requiring a larger cohort of multiply occupied properties to require a licence
- Landlords have been required to ensure their properties achieve a certain energy performance.
- Properties that have been accredited as part of the Chichester and Arun Landlord Accreditation Scheme.
- Housing Standards Team intervention through complaint work.

The Council has always had a proud ethos of engaging with landlords and working with them to ensure they improve their properties without the need for formal enforcement action. This strategy has proved highly successful in the case of the Chichester and Arun Landlord Accreditation Scheme. The scheme requires landlords to improve their properties to a standard above the minimum required by legislation, and financial assistance has been made available to assist landlords with this work. Developing robust relationships with our landlords is more important than ever given the need for private rented sector properties to be made available for homeless clients currently being accommodated in temporary accommodation.

Policy Tools

- **Landlord Accreditation Assistance**

In order to continue to incentivise landlords to join this successful scheme we will continue to offer a financial award. The financial assistance given supports landlords to improve and maintain their properties to meet the Council's Landlord Accreditation Assistance Scheme standards, which exceeds the legislative minimum standards.

The assistance will be 50% of the cost of the works up to a maximum of £4,000 throughout a five-year period. Should the landlord for any reason be refused membership of the accreditation scheme or have their membership revoked within five years, for example if they fail to accredit their remaining properties, then the total amount of assistance must be repaid.

- **Empty Property Assistance**

To engage landlords of empty properties, a more attractive financial package will be available. In this instance landlords will receive 100% of the cost of works to bring the property up to accreditation standards and bring it back into use. Funding provided is up to a maximum of £10,000 throughout a five-year period. The property must be let through the Homefinder Scheme for a minimum of five years.

- **Homefinder Assistance**

One of the key priorities of the Council's Covid Recovery Plan is to tackle homelessness and rough sleeping, and to provide a robust pathway from temporary accommodation into more permanent accommodation.

Homefinder is the Council's own property management scheme which aims to increase the amount of private rented accommodation available to those on housing benefits in the district. To ensure Homefinder poses an attractive proposition to landlords, financial assistance at a rate of 100% of the costs of the works required to meet the accreditation standard, up to a maximum of £4000 is available to assist with repairs and property improvements.

3. Reduce the level of Category 1 hazards in the owner occupied stock

In the current climate and with budgets under increasing pressure it is necessary for the Council to evaluate the financial help it offers homeowners, who are essentially responsible for the maintenance of their own homes but are unable to afford to undertake works. The financial help given must be targeted at those in most need and where a Category 1 health and safety hazard exists.

The maximum amount of funding offered will be £40,000 and will be available to remedy category 1 hazards only. Homeowners requiring extensive home repairs will therefore be encouraged to reconsider whether they can feasibly remain in their property, or whether it would be sensible to move to a more suitable, manageable home.

Policy Tool

- Home Repair Assistance

Financial assistance is available to owner-occupiers including those of park homes and long leaseholders who are in financial hardship to remedy Category 1 hazards in their property.

Home Repair Assistance consists of a 0% interest free loan placed as a local land charge on the property, which is repayable on sale. The assistance is up to a maximum of £40,000 for owner-occupiers (excluding park homes).

In the case of park homes help will be available but will be limited to a maximum of £5,000, which will be awarded as a grant.

The decision to offer financial assistance in relation to a park home will be made on a case by case basis and be reliant on whether a Housing Standards Officer confirms whether it is viable to repair the unit to a good standard given the funding limit. Works eligible for help would include roof and boiler repairs/replacement grant.

4. Disabled Facilities Grants (DFG)

Mandatory Disabled Facilities Grants will be administered in accordance with existing legislation and will be available to the current legally specified grant maximum subject to the

statutory terms and conditions. Discretionary grants will be administered in accordance with the West Sussex Disabled Facilities Grant Policy 2020-2024: (www.chichester.gov.uk/warmhomes#disabled)

The Extensions Adaptations Fund is available to meet the needs of overcrowded households in social housing requiring an adaptation to meet their medical needs and an extension to their property where all other housing options have been exhausted.

Financial Assistance and Conditions Summary

Assistance Type		Value	Condition Period from Certified Completion Date	Interest Applied
Chichester Warm Homes Initiative	Owners	Maximum of £10,000 or £25,000 if off-gas	Repaid on sale of property	No
	Landlords	50% of the cost of the works up to a maximum of £8,000 or £12,500 if off-gas	5 years for landlords	
Home Repairs Assistance		£40,000	Repaid on sale	No
		£5000 for Park Homes	No repayment	N/A
Landlord Accreditation Assistance		Maximum of £4,000 (must be match-funded by landlord)	5 years	No
		Empty Properties Maximum of £10,000		
		Maximum of £4000 for Homefinder Gold Properties		
Mandatory DFG		Amount of Grant over £5,000 up to a max of £30,000	10 years	No
Discretionary Top- up DFG		Maximum of £30,000	10 years	No
Extensions Adaptations Fund (social housing only)		Maximum of £40,000	Grant	No

6. Commencement and Transitional Arrangements

- This Financial Assistance Policy 2021-2026 shall take effect from 1st January 2021.
- Financial assistance approved before this Policy comes into force is covered by the terms of the Private Sector Housing Renewal Strategy 2016-2021.

Housing Standards Enforcement Policy

Private housing plays a significant part in the housing provision within Chichester and whilst it is recognised that the majority of landlords and letting agents operate well-managed accommodation of a good standard, the Council has a vital role to play in tackling criminal, rogue and irresponsible landlords, preventing them from profiting from non-compliance with the law.

The Housing Standards Team is committed to ensuring all privately rented accommodation is well managed, properly maintained, safe and habitable. This directly supports the Council's Housing Strategy objective to maintain and improve the condition of housing.

This Policy outlines the Council's enforcement approach and the available powers inspecting officers have to regulate and manage non-compliance in relation to Housing Standards. The policy is designed to be fair but robust.

This policy is intended to be read in conjunction with the overarching Housing and Environment Services Enforcement Policy (renewed every 5 years) which provides a summary of the Council's enforcement powers, the principles of their application and what residents, businesses or visitors can expect from enforcement officers.

Human Rights and Equality Issues

Investigations and any enforcement action will be conducted in a manner which does not conflict with or undermine the fundamental principles of the Human Rights Act 1998.

Enforcement decisions will be fair, impartial and objective and will not be influenced by issues such as the ethnicity or national origin, gender, religious beliefs, political views or sexual orientation of the suspect, victim, witness or offender.

For a copy of Chichester District Council's full equalities policy please visit:

www.chichester.gov.uk/article/24769/Equality-strategy

Delegation and Decision Making

In accordance with the Council's Scheme of Delegation in the Constitution the Director of Housing and Communities (or the person with the equivalent designation at the relevant time) has the delegated authority to authorise officers to take certain action under a range of legislation. The Director of Housing and Communities appropriately delegates these powers to officers who are duly authorised to undertake enforcement duties.

Officers will only be authorised where they have the appropriate level of qualification, training, experience and competence. This applies equally to those who are directly employed, to temporary staff and to those employed as contractors.

Decisions about the most appropriate enforcement action to be taken will be made in line with this policy and based on professional judgment, legal guidelines and advice, statutory

codes of practice and priorities set by the Council and/or central government. Each case will be assessed on its own merits.

A recommendation to instigate a prosecution will be made by the Housing Standards Manager (or the person with the equivalent designation at the relevant time), as delegated by the Director of Housing and Communities. The decision to prosecute lies constitutionally with the Divisional Manager for Legal and Democratic Services (or the person with the equivalent designation at the material time.)

The Council will monitor and review the quality and nature of the enforcement activities undertaken in the Housing Standards Team and recommend changes and improvements as necessary taking into account the resources available. All staff will be fully conversant with this Policy.

Enforcement Approach and Principles

The Council expects full compliance with the law. We will help landlords and homeowners meet their legal obligations by providing clear and concise information about what they need to do to comply. However, we will not hesitate to use our enforcement powers where necessary where property owners fail to comply. Enforcement action will be undertaken in a firm but fair manner, requiring individuals to meet their legal obligations without unnecessary expense.

When discharging its duties in relation to private sector housing, the Council will follow the principles of good enforcement as set out in the following:

- Regulators Compliance Code
- Criminal Procedure and Investigations Act 1996 (CPIA) and associated Code
- Police and Criminal Evidence Act 1984 (PACE) and associated Codes
- The Enforcement Concordat
- Housing Act 2004
- Regulation of Investigatory Powers Act 2000
- Housing and Planning Act 2016
- Chichester Housing and Environment Services Enforcement Policy
- Legislation and statutory guidance relating to the service area

In accordance with section 21 of the Legislative and Regulatory Reform Act 2006 the principles of the Council's enforcement policy are:

Transparent - Enforcement action will be undertaken in accordance with our Policy and procedures. All communications will be easy to understand with clear reasons being given for any enforcement action taken.

Accountable - We recognise that we are accountable to those being regulated and the public for our actions. Enforcement action will be undertaken in a responsible manner that has clear purpose. The Council's Corporate Complaints Policy with further details on complaints and appeals can be found here: www.chichester.gov.uk/complaints

Proportionate – Enforcement action will be proportionate and reflect the nature, scale, seriousness including the history of any breaches or non-compliance.

Consistent - Enforcement action will be undertaken and monitored within the Housing Standards Team to ensure consistency in the interpretation and enforcement of legislation. The Housing Standards Team will also work with other regulatory agencies to share and develop good practice.

Targeted - Regulatory effort is directed primarily towards those who place residents at risk of serious harm. Action will be primarily focused on lawbreakers or those directly responsible for the risk and who are best placed to control it.

In addition, all enforcement action will be carried out having regard to the seven principles specified in the Statutory Code of Practice for Regulators made under section 23 of the Legislative and Regulatory Reform Act 2006.

Powers of entry

The Housing Standards Team will require entry to a property in order to carry out its statutory functions. Inspecting officers will carry official identification and will normally make an appointment and give 24 hours' notice to the occupants, and owners of their intention to enter a property to inspect.

Powers of entry allows an officer, at any reasonable time, to enter a property to carry out an inspection and gather evidence, take someone with them, take appropriate equipment or materials and take any measurements, photographs, recordings and samples as necessary. In some cases, powers of entry will be used to carry out works.

The Housing Standards Team will exercise its statutory powers to gain entry without giving prior notice to investigate non-compliance with housing-related law or to carry out a statutory duty where it is necessary to do so.

Reasons for the use of these powers include:

- Protection of the health and safety of any person or to protect the environment without avoidable delay
- Prevent the obstruction of officers where this is anticipated
- To determine if a property is an unlicensed HMO

The Housing Standards Team will apply to the Magistrates Court for a Warrant to Enter Premises if entry has been consistently refused or refusal is reasonably anticipated.

Enforcement Options

The principal legislation used by the Housing Standards Team is the Housing Act 2004 and the Housing and Planning Act 2016. Enforcement officers will assess the need to take formal action through programmed inspections of multiply occupied dwellings, or in other cases in response to a complaint or request for assistance.

There may be circumstances where other pieces of legislation may be more appropriate in dealing with an identified problem. Officers are expected to use professional judgment in order to determine the most appropriate course of action.

Action considered will include, but is not limited to the following:

- **Informal Action** (including oral or written warnings or referral to another agency for further action)

Informal action will be considered where there is no legislative requirement to serve a formal notice or an order and the circumstances are not serious enough to warrant formal action i.e. past history suggests informal action will achieve compliance; there is confidence in the management or the individual; the consequences of non-compliance will not pose a significant risk to occupiers or others.

- **Service of a Statutory Notice or Order**

The Council may serve a statutory notice requiring works to be carried out within a specify timeframe to remedy a hazard(s) which has been assessed using the Housing Health Safety Rating System contained within Part 1 of the Housing Act 2004. Hazards are categorised as either a Category 1 or Category 2 hazard. The Council has a legal duty to take the most appropriate enforcement action available in relation to Category 1 hazards. This is where the risk to health and/or safety is high. In relation to Category 2 hazards where the risk to health and/or safety is not so significant, the Council may take action.

The Housing Standards Team will serve a statutory notice in the following circumstances:

- Where there are Category 1 hazard(s) present at the residential unit of accommodation
- Where the Category 2 hazard is progressive and will likely become a Category 1 hazard unless preventative action is taken
- Where there are a number of Category 2 hazards which would present a hazard to occupiers as they moved room to room
- In other exceptional circumstances and at the discretion of the Housing Standards Manager (or the person with the equivalent designation at the relevant time)

A statutory notice will clearly set out actions which must be taken to rectify and/or prevent a breach and prevent it recurring. Notices will also include reasonable timescales for compliance, having regard to the seriousness of the defects and/or contraventions. If a statutory notice is to be served all interested parties will be notified e.g. tenants, mortgagees, leaseholders and freeholders.

The types of notice or order that can be served under the Housing Act 2004 include:

- **Hazard Awareness Notice**

A notice advising the person on whom it is served of Category 1 and/or Category 2 hazard(s) at a property. This is used where a hazard has been identified but the circumstances are not necessarily serious enough to require an improvement notice or prohibition order. The notice is a way of drawing attention to the need for remedial action. This notice is not registered as a local land charge and has no appeal procedure.

- **Improvement Notice**

A notice requiring the person on whom it is served to take remedial action as specified in the notice relating to Category 1 and/or Category 2 hazards. The notice is used where

reasonable remedial works can be carried out sufficiently to reduce the hazard. This notice is registered as a local land charge.

- **Prohibition Order**

An order imposing restrictions on the use of the whole or part of a property that is so deficient or hazardous that access must be prohibited for habitation purposes. Orders may be suspended for a certain period of time to allow compliance or until a certain event in the future. This notice is registered as a local land charge.

- **Suspended Improvement Notices or Prohibition Orders**

These notices may be suspended where enforcement action can be safely postponed until a specified event or time. This notice is registered as a local land charge.

- **Emergency Prohibition Order**

This order will take effect immediately and is served when there is an imminent risk of serious harm from a Category 1 rated hazard, and it is not practicable to carry out remedial works.

- **Demolition Order**

An order requiring the demolition of a property can be used in response to Category 1 hazards only. This order is not applicable to listed buildings.

- **Declaration of a Clearance Area**

A Clearance area may be declared where all the residential buildings in the proposed area have at least one Category 1 hazard. The area is then cleared of all buildings.

- **Emergency Remedial Action**

This will be considered where there is an imminent risk of serious harm and the hazard is rated as Category 1. The Housing Standards Team will facilitate the necessary action to reduce the imminent risk and formal action will be taken by the Housing Standards Team to recover the full costs incurred.

- **Suspend, Revoke or Refuse to Renew or Grant a Licence or Authorisation**

This relates to Parts 2 and 3 of the Housing Act 2004 and The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. Where the relevant person does not comply with the prescribed conditions and or is not deemed to be a fit a proper person to hold a licence, this course of action may be considered.

Prospective applicants for a licence will be vetted to determine whether they are a 'Fit and Proper' person to hold a licence. Where a person is found not to be a 'Fit and Proper' person to hold a licence, this information will be stored within the Council's records. The data will be kept and processed in line with the Council's data protection and data retention policy. For further information please see

www.chichester.gov.uk/dataprotectionandfreedomofinformation

Where there is either evidence of non-compliance with a statutory notice or order served under Part 1 of the Housing Act 2004, a failure to appropriately licence a property under Parts 2 and 3 of the Act, or non-compliance with any other legislation enforced by the Housing Standards Team, the following enforcement options will be considered:

- **Formal (Simple) Caution**

Used to deal quickly and simply with less serious offences. There must be sufficient evidence of guilt to give a realistic prospect of conviction and the offender must formally admit to the offence. Simple cautions will be administered by in accordance with the Ministry of Justice – Simple Cautions for Adult Offenders (April 2015).

- **Penalty Charge Notice**

A number of Acts and Regulations provide for the issuing of a penalty charge notice for non-compliance. These include:

- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
- The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

Where the Council decides to issue a Penalty Charge Notice it will follow the same principles as the issuing of Civil Penalties (see below and Appendix 2).

The amount of penalty will be capped at the maximum provided for the offence. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 require that the Council has a statement of principles for its application of penalty charge notices in relation to offences under those regulations (please see Appendix 4). The Civil Penalty process is described in Appendix 2.

- **Civil Penalty**

In accordance with section 249A of the Housing Act 2004 as introduced by the Housing and Planning Act 2016, the Council may decide to impose a financial penalty as an alternative to prosecution for certain housing offences. The Council must be satisfied beyond reasonable doubt that the person's conduct amounts to a relevant housing offence.

The offences under the Housing Act 2004 for which the Council can impose a financial penalty as an alternative to prosecution are:

- Failure to comply with an improvement notice (section 30)
- Offences in relation to licensing of Houses in Multiple Occupation (section 72)
- Offences in relation to licensing of houses under Part 3 of the Act (section 95)
- Offences of contravention of an overcrowding notice (section 139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234)

Under the Housing and Planning Act 2016 the offence of breach of a banning order can also be dealt with by a financial penalty (section 21 (1)). The amount of financial penalty is determined by the Council but must not exceed £30,000.

The Housing Standards Team in consultation with Legal Services will determine on a case by case basis whether to issue a civil penalty or instigate a prosecution in respect of the offences listed above.

Examples of situations where a decision to prosecute may be made are:

- Offences of a particularly serious nature
- Where the offender has committed similar offences in the past

In circumstances where it has been deemed appropriate to issue a civil penalty as an alternative to prosecution, the level of penalty will be calculated having regard to the matrix set out in Appendix 2.

- **Prosecution**

The Council may decide to prosecute in respect of serious or recurrent breaches or where other enforcement action such as a statutory notice has failed to ensure compliance. When deciding whether to prosecute we will have regard to the provisions in The Code for Crown Prosecutors - www.cps.gov.uk/publications/code_for_crown_prosecutors as issued by the Director of Public Prosecutions. Prosecution will only be considered where we are satisfied that we have sufficient evidence to provide a realistic prospect of conviction. This will include consulting any criminal landlord database available to us. In certain cases we will consider the use of civil penalties as an alternative to prosecution where it is felt appropriate to do so. Similarly consideration will be given to the use of rent repayment orders in addition to prosecution and/or civil penalties for Housing Act offences where justified or a duty. We have the power to issue simple cautions as an alternative to prosecution for some less serious offences, where a person admits an offence and consents to the simple caution. Where a simple caution is offered and declined, we are likely to consider prosecution.

Proceeds of Crime

The Proceeds of Crime Act 2002 allows the courts to deprive perpetrators of criminal offences of any proceeds they have accrued as a result of their criminal activity. The Housing Standards Team will use this legislation where appropriate and in consultation with Legal Services.

- **Making of Orders**

The Council will consider the following options independently or collectively with other enforcement action as particular circumstances permit:

- **Rent Repayment Orders (RRO) (Housing Act 2004/Housing and Planning Act 2016)**

The Council is required to consider an application to the First-tier Tribunal for a rent repayment order in cases where a landlord has been convicted of a qualifying offence. An

RRO is a means by which the Council can seek up to 12 months of rent, housing benefit or Universal Credit to be repaid, in addition to other fines where the Council can prove that the landlord is guilty of one of the qualifying offences in relation to licensing, Houses in Multiple Occupation management and Housing and Planning Act 2016 notices. In applying for an RRO the Council will follow the Ministry of Housing, Communities and Local Government's statutory guidance:

<https://www.gov.uk/government/publications/rent-repayment-orders-under-the-housing-and-planning-act-2016>

- **Works in Default**

The Council may consider works in default as an alternative to or in addition to prosecution or issuing a civil penalty under section 249A of the Housing Act 2004. The Council will carry out the works in default and seek to recover the full and associated costs, where necessary through the courts. This will include where applicable administration costs and officer time. There will be full adherence to the financial rules and financial operating procedures of the Council. Where appropriate the costs will be placed against the property as a charge. The Council may seek to use its powers to enforce the sale of the property in order to recover the costs.

- **Rogue Landlord Database**

The database holds details of landlords and managing agents who have been given a banning order or convicted of certain offences. Application to have landlord/agents details entered on the database is a statutory duty where a banning order has been given and is at the discretion of the local housing authority in other circumstances. We will apply to have the landlord's details entered on the database where there is a duty to do so and in other cases where the law allows discretion will be applied on a case by case basis. When deciding whether to make an entry onto the rogue landlord database the Council considers the severity of the offence, any mitigating factors, culpability and serial offending and when it is in the public interest to do so.

- **Banning Orders under the Housing and Planning Act 2016**

A banning order may be considered in addition to prosecution or issue of a civil penalty and will prohibit the undertaking of landlord or managing agent activities for a specified period of time. These orders may be made against landlords and managing agents where they have been convicted of banning order offences under the Housing and Planning Act 2016. These include, for example, failure to comply with an improvement notice. The Council will apply for banning orders to be made where the evidence justifies this course of action and it is considered to be in the public interest to protect against rogue landlords.

When deciding to apply to the First-tier Tribunal for a banning order, the Council will consider the following:

The seriousness of the offence, previous convictions/rogue landlord database entries, the harm caused to the tenant, punishment of the offender and the deterrent needed to prevent others from committing similar offences.

Once granted a banning order remains in place for at least 12 months. Once in place, the local housing authority can take management of all property owned by the landlord receiving the order.

- **Interim and Final Management Orders under the Housing Act 2004**

To ensure adequate management arrangements are in place in a licensable house in multiple occupation (HMO), we have the power to make an interim management order (IMO) in respect of a licensable HMO where a landlord (or their managing agent) fails to obtain a licence or where it is necessary due to the hazardous condition of the property. Upon the expiry of an IMO we can make an application to the First-tier Tribunal (Property Chamber – Residential Property) to make a final management order and take over the management of the property for a period of up to five years. This disables the landlord's ability to manage the property.

Costs of Enforcement

Section 49 of the Housing Act 2004 gives the Council the power to charge for enforcement action and recover these costs.

Charging will apply for enforcement action in the following circumstances:

- Serving an improvement notice under sections 11 or 12
- Carrying out a review under section 17 (review of suspended improvement notices)
- Making a prohibition order under sections 20 or 21
- Review of suspended prohibition orders) or serving copies of the Council's decision on such a review under section 26
- Serving a hazard awareness notice under section 28 or 29
- Taking emergency remedial action under section 40
- Making an emergency prohibition order under section 43 or

In addition charges may be recoverable with regard to making a demolition order under section 265 of the Housing Act 1985.

What can be charged for will depend on the type of action taken. However in most instances it will include:

- The expenses incurred in determining whether to serve a notice/order
- Identifying any action to be specified within the notice/order
- Serving the notice/order

Expenses will be recovered in accordance with section 50 of the Housing Act 2004 via a demand for payment of the charge. As from the time the demand becomes operative until recovered, the sum recoverable will be registered as a local land charge on the premises concerned.

Expenses in respect of which a demand is served carry interest, at such reasonable rate as the Council may determine, from the date of service until payment of all sums due under the demand: para 10 of Part 3 of Schedule 3 to the Housing Act 2004.

The charge for enforcement is separate to the charge associated with a penalty charge or civil penalty issued as an enforcement mechanism to address non-compliance.

Appeals

Any person served with a notice/order has the right to appeal on any grounds set out in the legislation. The main reasons for appeal are likely to be the contents of the notice/order and the schedule of works. Appeals can also be made on the grounds that the notice/order was not served on the correct person or that a different course of action would be more appropriate.

Appeals regarding enforcement action under the Housing Act 2004 are made to the First-tier Tribunal (Property Chamber). Further details on this process are contained in the relevant notice/order.

All other appeals regarding enforcement action taken should be directed to the Magistrates Court or as directed on the notice/order served. The Council will rigorously defend any appeals where the notice/order has been correctly served.

Complaints

The Council provides an effective and timely complaints procedure. The procedure is accessible on the Council's website at:

www.chichester.gov.uk

The complaints process is without prejudice to any formal appeal mechanisms. Where a formal appeal mechanism exists, that mechanism must be used. The complaints procedure cannot be used as a substitution for a formal legal appeal.

Review of the Policy

The Council reserves the right to amend the policy and vary the eligibility criteria specified based on changes to funding, benefits criteria, legislation and national guidance. Minor changes which do not affect the broad scope of the policy may from time to time be made by the Director for Housing and Communities. However for more significant changes Cabinet approval would be sought.

A full review of the Policy will take place in five years.

Data Protection Statement

Chichester District Council (CDC) manages personal data in accordance with the data protection legislation, in particular the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018, and related codes of practice. It is a public authority for the purposes of the GDPR.

CDC's Housing Standards Team (HST) is responsible for processing applications and awarding financial assistance in relation to housing improvement and disabled adaptations.

Furthermore the HST is responsible for enforcing legislation in relation to housing standards and houses in multiple occupation.

Personal data will be processed for the purpose of determining an application for financial assistance, and also for determining the most appropriate course of action in the instance of a breach of housing legislation. This data will also be used for cross-system and cross-authority working for the prevention and detection of fraud and legal non-compliance.

The HST will where appropriate share information including personal data with other departments in CDC to support the aforementioned purposes. Information may also be shared with partner local authorities and when requests are received by legitimate law enforcement bodies carrying out their own public roles.

For more information, please see the data protection policy section on CDC's website via the following link:

<https://www.chichester.gov.uk/dataprotectionandfreedomofinformation>

or contact the HST on 01243 785166.

Glossary

Category 1 hazards -

Hazards with a HHSRS score of > 1,000. A dwelling with a Category 1 hazard is considered to fail the minimum statutory standard for housing. If a property has a category 1 hazard, the local authority has a duty to take action. An example of a Category 1 hazard would be a property with no whole-house controllable heating system.

Category 2 hazard –

A less serious hazard with a HHSRS score of < 1,000. The local authority has a power but not a duty to take action. An example of a Category 2 hazard would be a property with a kitchen in poor repair.

DFG (Disabled Facilities Grant) -

A DFG is a means-tested grant for people with a permanent disability of any sort – including physical and learning disabilities, sensory impairments and mental illness. A DFG will enable applicants to make changes to enable them to continue living at home and remain as independent as possible.

EPC (Energy Performance Certificate) -

An Energy Performance Certificate presents the energy efficiency of domestic properties on a scale of A (most efficient) to G (least efficient)

Fuel Poverty -

The original definition of fuel poverty states that a household is in fuel poverty if it needs to spend more than 10% of their income on fuel to maintain an adequate level of warmth (10% definition). The new definition now adopted by government is that a household is said to be in fuel poverty if they have fuel costs that are above average and were they to spend that amount they would be left with a residual income below the official poverty line (Low Income High Costs definition).

HHSRS (Housing Health and Safety Rating System) -

A risk assessment tool to help local authorities identify and protect against potential risks and hazards to occupants health and safety from deficiencies in a property, covering 29 categories of hazards.

HMO (Houses in Multiple Occupation) -

An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.

OR

A house which has been converted entirely into bedsits or other non self-contained accommodation and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.

OR

A converted house which contains one or more flats which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more tenants who form two or more households.

OR

A building which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.

In order to qualify as an HMO the property must be used as the tenants' only or main residence and should be used solely or mainly to house tenants.

Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges.

Housing Stock Modelling -

A desktop exercise providing local authorities with estimates of key housing and energy variables based on statistical models.

Mandatory Licensed House in multiple occupation (HMO) -

An HMO will require a licence if it is:

- a property occupied by five or more people forming two or more separate households, or
- a purpose-built flat in a block of up to two flats and occupied as an HMO by five or more people

Private rented sector –

Property owned by a landlord and leased to a tenant. The landlord, in this case, could be an individual, a property company or an institutional investor.

Private sector housing –

Housing not owned by the local authority or a housing association

SAP (Standard Assessment Procedure) –

Method system for measurement of energy rating of residential buildings.

Simple SAP -

An estimate of a residential dwelling's likely SAP score, it is not based on the full required range of data for a SAP calculation or a reduced data SAP calculation (RDSAP), it should only ever be considered an estimate of the SAP score, and used as a guide.

Appendix 1 - Financial Assistance Conditions and Operational Matters

<p>General</p>	<ol style="list-style-type: none"> 1. Conditions come into force from the date the assistance is approved so that the Council may recover any interim payments or costs incurred where necessary. 2. Where a condition period is specified, this takes effect from the certified date of completion of the eligible works. 3. Premises (excluding park homes) must qualify as a dwelling for the purpose of payment of Council Tax. Any financial assistance and related conditions will be secured as a local land charge against the property, where breach of conditions would require repayment of the assistance. A charge on a property is binding on any person who is an owner of the property concerned. Charges will only be removed when either the condition period expires or the assistance is repaid. The Council may at its discretion determine not to demand payment or to demand a lesser amount if the recipient of the grant would suffer undue financial hardship (or be unable to make a move necessary for welfare reasons) were s/he required to repay all or any of the grant, taking into account his/her care and medical needs and those of any family member who is disabled or a person at risk. 4. Where a condition is in force, the Council may require the person responsible to provide information to evidence the conditions are being complied with. Failure to comply with this requirement may constitute a breach of conditions and repayment of the assistance may be required. 5. No retrospective application or request for financial assistance will be considered where the relevant work has already started or completed. 6. Unless otherwise specified, all relevant work must be completed, to the satisfaction of the Council, within 12 months of the approval date of the assistance. The Council may permit an extension to this period, but this will only be in exceptional circumstances. 7. Assistance works must be carried out by the contractor who provided the estimate for which the financial assistance was approved. 8. Funding will only be paid once the Council receives an invoice in relation to the work, together with any accompanying documentation e.g. certificates, and once a grants officer has undertaken a final inspection to assess the quality of the works carried out. The applicant must ensure access is provided for this purpose. 9. The approval of financial assistance does not include approval of any other consents that may be required, such as
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Appendix 1 - Financial Assistance Conditions and Operational Matters

	planning permission or Building Regulation consent.			
	Landlord Accreditation Assistance/Empty Homes Assistance/Homefinder Assistance	Home Repair Assistance (check charges against the property on land registry documentation before confirming assistance)	Chichester Warm Homes Initiative	Extensions Adaptations Fund (social housing only)
Applicant qualification	<ul style="list-style-type: none"> • Applicants must be at least 18 years old; • Applicants must be freeholders (owner in fee simple absolute) or leaseholders with at least 10 years to expiry of lease, and with responsibility for carrying out eligible work; and • Applicants must be landlords who have applied to join the Chichester Landlord Accreditation Scheme. 	<ul style="list-style-type: none"> • Applicants must be at least 18 years old; • Applicants must be freeholders (owner in fee simple absolute) or leaseholders with at least 5 years to expiry of lease, and with responsibility for carrying out eligible work; • Applicants must have owned and occupied the property for at least one year as their only or main residence; and • Applicants must EITHER be in receipt of a means tested benefit, Disabled Living Allowance or Personal Independence Payment OR • The household income is less than £20,000 pa and the applicant has less than £16,000 in savings. 	<ul style="list-style-type: none"> • Applicants must be at least 18 years old; • Available to tenants and homeowners or leaseholders with at least 10 years to expiry of lease, and with responsibility for carrying out eligible work; • Available to private sector tenants except excluded tenants (those with a resident landlord) • Owners/tenants must EITHER be in receipt of a means tested benefit, Disabled Living Allowance or Personal Independence Payment OR • have less than £16K in savings and an income of less than £25K per annum; 	<ul style="list-style-type: none"> • The tenant(s) must have either a secure tenancy or an assured tenancy or a fixed term tenancy with at least 5 years to run. • The tenant(s) must not have rent arrears or be under notice as defined by the allocations policy. • The tenant(s) must be in priority need (as defined in the Allocations Scheme) and be eligible for either Band A or B on the basis of overcrowding, or the tenant has been identified as occupying a property with a Category 1 hazard for crowding and space, and the option to move to a larger property is not possible due to the household size and the lack of larger stock. • There is not a suitable

Appendix 1 - Financial Assistance Conditions and Operational Matters

				<p>property in the development pipeline which could meet the household's needs.</p> <ul style="list-style-type: none"> • The council must be satisfied that this is the most financially effective means of resolving the household's housing needs. • The extension will meet the household's needs for a minimum of 5 years following completion. • Priority will be given to tenants who have the highest needs and have been waiting the longest for their housing needs to be resolved.
Property qualification	<ul style="list-style-type: none"> • The works must not be those which could be subject to an insurance claim; • The dwelling must not be owned by a Registered Social Landlord, a local authority, or any other public body; and • In the case of empty properties, the dwelling must have been empty for 	<ul style="list-style-type: none"> • The works must not be those which could be subject to an insurance claim; and • Category 1 hazards must have been identified at the property. 	<ul style="list-style-type: none"> • The works must not be those which could be subject to an insurance claim; • The dwelling must not be owned by a Registered Social Landlord, a local authority, or any other public body; 	<ul style="list-style-type: none"> • The dwelling and plot must be capable of extension or conversion. • The dwelling must meet Decent Homes Standards on completion of works

Appendix 1 - Financial Assistance Conditions and Operational Matters

	a minimum of 12 months.			
Eligible works	<ul style="list-style-type: none"> The eligible works are those required to ensure the property meets the minimum accommodation standards for the Chichester Landlord Accreditation Scheme. 	<ul style="list-style-type: none"> The eligible works are those required to remedy all category 1 hazards in a dwelling. 	<ul style="list-style-type: none"> Funding is available for the cost of: <ul style="list-style-type: none"> A whole-house, efficient heating system Thermal insulation Boiler repair Hot water tank repair/replacement Window repair or replacement Provision of an Energy Performance Certificate (EPC) (for homeowners only) 	<ul style="list-style-type: none"> The eligible works are all those required to convert or extend the property to provide the additional living space required to meet the households needs for a period of at least 5 years following completion. Consultation to be undertaken with tenants and details of work to be formally agreed in advance including a schedule of any additional non-essential works to be paid for by the tenant. Hyde Martlet to underwrite risk of non-payment by tenant. Either at least two estimates must be obtained for the eligible works for each dwelling or if the works are to be carried out by Martlet Build a schedule of works is to be drawn up and approved by the Building Services Team at CDC, to ensure value for money.

Appendix 1 - Financial Assistance Conditions and Operational Matters

<p>Amount of assistance</p>	<ul style="list-style-type: none"> • Landlord Accreditation – The maximum amount of assistance will be 50% of the cost of the works up to a maximum of £ 4,000 throughout a 5 year period or, • Empty Property Assistance - The maximum amount of assistance will be 100% of the cost of the works up to a maximum of £10,000 throughout the 5 year accreditation period. • Homefinder Assistance – The maximum amount of assistance will be 100% of the cost of the works up to a maximum of £4,000 throughout the 5 year accreditation period. This will be available to landlords letting through the Homefinder scheme only. 	<ul style="list-style-type: none"> • The maximum amount of financial assistance available is £40,000 or £5000 for park homes. • The Council must be satisfied that where the assistance provided does not cover the full cost of the eligible works the owner has financial arrangements in place to meet the full cost of the works. 	<ul style="list-style-type: none"> • Assistance would only be available for those who do not qualify for any other forms of funding. Furthermore applications for funding to top-up other grant funding will be considered. This will be determined by the Energy Visiting Advisors. • Owners would be eligible for the full cost of the required works, up to a maximum of £10K or £25K in areas that are off-gas. • Landlords must pay 50% of the cost of the works. The maximum funding available is £4,000 for gas/oil boilers and £12,500 for off-gas properties 	<ul style="list-style-type: none"> • The maximum amount of grant is £35,000 per property of eligible works and associated on-costs (maximum of £500 per property). • The remaining costs will be covered by Hyde Martlet and recouped through the increased rent payable by the tenant. • A grant application form is to be completed for each dwelling to be extended or converted, to be submitted with estimates or priced schedule of works and details of all associated on-costs (maximum £500 per property). • The Council will formally notify Hyde Martlet in writing as to whether the application for each individual dwelling is refused or approved. • If the application is approved, the notification will specify the maximum grant available towards the works. • If the application is
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Appendix 1 - Financial Assistance Conditions and Operational Matters

				refused, the notification will include the reasons for refusal.
Pre-completion conditions	<ul style="list-style-type: none"> • All eligible works must be satisfactorily completed within one year of approval unless specific permission has been granted by the Council for a time extension. • All eligible works must be carried out by one of the contractors whose estimates were submitted as part of the application or by an alternative contractor as agreed in advance by the Council. • The applicant must retain a qualifying interest in the property during the course of the works. • Landlords must ensure all works required to meet the Council's minimum standards are carried out. • Only one application shall be made per property to be accredited. • All approval conditions will be a local land charge. 	<ul style="list-style-type: none"> • All eligible works must be satisfactorily completed within one year of approval unless specific permission has been granted by the Council for a time extension. • All eligible works must be carried out by one of the contractors whose estimates were submitted as part of the application or by an alternative contractor as agreed in advance by the Council. • The applicant must retain a qualifying interest in the property during the course of the works. • All approval conditions will be a local land charge. 	<ul style="list-style-type: none"> • All eligible works must be satisfactorily completed within one year of approval unless specific permission has been granted by the Council for a time extension. • All eligible works must be carried out by one of the contractors whose estimates were submitted as part of the application or by an alternative contractor as agreed in advance by the Council. • The applicant must retain a qualifying interest in the property during the course of the works. • Only one application shall be made per property. • All approval conditions will be a local land charge. 	<ul style="list-style-type: none"> • All eligible works must be satisfactorily completed within one year of approval unless specific permission has been granted by the Council for a time extension. • All eligible works must be carried out by one of the contractors whose estimates were submitted as part of the application or by an alternative contractor as agreed in advance by the Council. • The housing association must retain a qualifying interest in the property throughout the course of the works. • Only one application shall be made per property.
Post-	• The landlord will remain a	• Properties must remain as the	• Owner occupiers are	• All approval conditions will

Appendix 1 - Financial Assistance Conditions and Operational Matters

<p>completion conditions</p>	<p>member of the Landlord Accreditation Scheme for 5 years. Should the landlords application to join the Landlord Accreditation Scheme be refused / revoked the full amount of assistance shall be repaid.</p> <ul style="list-style-type: none"> • The landlord must throughout the 5 year accreditation period conduct regular property checks to ensure the standards are maintained. • For Empty Homes Assistance the applicant must retain a qualifying interest in the property for 10 years. • All assistance will be repayable on sale of the dwelling if the sale occurs within 5 years of the certified completion date of the eligible works. 	<p>applicant's only residence until sold.</p> <ul style="list-style-type: none"> • Householders shall ensure the property is covered by suitable buildings insurance. • All assistance will be repayable on the sale of the dwelling or if it is no longer used as the applicants only residence. 	<p>required to repay the financial assistance on sale of the property.</p> <ul style="list-style-type: none"> • On completion landlords must not introduce a rent increase as a result of the work. • In order to encourage landlords to work with the Council the conditions attached to their assistance would only require repayment if the property was sold within 5 years of approval being issued. Throughout the 5 year condition period, the property must remain tenanted. 	<p>be a local land charge. If the property is sold within 10 years of completion then the grant will either be repayable to the council or funds must be reinvested in affordable housing in Chichester District in agreement with CDC.</p> <p>Throughout the 10 year condition period, the property must remain tenanted.</p> <ul style="list-style-type: none"> • The funding will be paid on receipt of satisfactory invoices and completion inspection of the works, including the appropriate sign-offs by the Planning Department and Building Control.
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Appendix 1 - Financial Assistance Conditions and Operational Matters

Council's Obligations

The Council will ensure all successful applicants receive a copy of the financial assistance conditions with the approval documentation. Please see Appendix A for details of the conditions.

Payments

- Interim payments will be available at the discretion of the Council and on receipt of an acceptable invoice.
- Final payments will only be paid upon submission of the final invoice along with any certificates. Certificates to be provided for all gas and electrical installations and guarantees should be passed to the applicant for all damp proofing, dry rot and roofing works.
- Payment will be made directly to the contractor unless in the case of a Disabled Facilities Grant (DFG) when the applicant requests otherwise.

Review of a Decision

- An applicant may request a review of any decision made under the Policy. Review requests should be addressed to the Housing Standards Team and received within 21 days of the date of a decision letter.
- Review requests will be concluded within 10 working days of being received. The applicant will be informed of the decision in writing. Where a review upholds the original decision the applicant will be informed of their rights under the Council's complaints procedure and the Local Authority Ombudsman procedure.

Appendix 2 – Civil Penalties Guidance and Matrix

Civil Penalties Guidance

Section 126 of and Schedule 9 to the Housing and Planning Act 2016 provide local authorities with the power by the insertion of section 249A into the Housing Act 2004 to impose a civil penalty (in the form of a financial penalty) as an alternative to prosecution in respect of certain offences. The standard of proof required to issue a civil penalty is that the local housing authority is satisfied beyond reasonable doubt that a person's conduct amounts to a relevant housing offence (as set out below) in respect of premises in England.

Income received from a civil penalty notice can be retained by the Council provided that it is used to further the local authority's statutory functions in relation to its enforcement activities covering the private rented sector as specified in regulations.

A civil penalty cannot be issued where there has been a conviction for the conduct in question or where a prosecution is currently pending in respect of that conduct.

A civil penalty can be imposed in relation to the following relevant housing offences under the Housing Act 2004:

- 1. Failure to comply with an improvement notice (section 30);**
- 2. Offences in relation to licensing of houses in multiple occupation (section 72);**
- 3. Offences in relation to licensing of houses under Part 3 of the Act (section 95);**
- 4. Offences of contravention of an overcrowding notice (section 139)**
- 5. Failure to comply with management regulations in respect of houses in multiple occupation (section 234)**

The government has issued statutory guidance under Schedule 9 to the Housing and Planning Act 2016. Local authorities must have regard to this guidance in the exercise of their functions in respect of civil penalties. A full copy of the guidance can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/606653/Civil_Penalties_guidance.pdf.

The Council has the power to impose a civil penalty of up to £30,000, with a level of civil penalty imposed decided on a case by case basis in line with this policy. The guidance in this Appendix 2 outlines the Council's policy in setting the level of a civil penalty in each case where it has been determined to issue a civil penalty as an appropriate enforcement option.

Process for imposing a civil penalty

If the decision is to impose a civil penalty, a notice of intent must be served stating the amount of the proposed penalty, the reasons for its imposition and information about the right to make representations. After the expiry of the period for representations the matter

must be reviewed and a decision taken whether to impose a civil penalty and if so the amount of the penalty. Statutory guidance issued by the Ministry of Housing Communities and Local Government in April 2017 sets out the following factors which must be taken into account when deciding on the appropriate level of penalty:

There are several factors that should be taken into account to ensure that the civil penalty is set at an appropriate level in each case:

1. **Severity of the offence.** The more serious the offence, the higher the penalty should be.
2. **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
3. **The harm caused to the tenant.** This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
4. **Punishment of the offender.** A civil penalty should not be regarded as an easy or lesser option compared with prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities.
5. **Deter the offender from repeating the offence.** The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
6. **Deter others from committing similar offences.** While the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.

- 7. Remove any financial benefit the offender may have obtained as a result of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

Determining the Level of Civil Penalty

The Council will determine the level of civil penalty from a review of the case and having regard to the statutory guidance will apply the following five-step approach:

Step 1 – Determining the offence category

To determine the financial starting point, consider the culpability and harm factors in the lists below. Where an offence does not fall squarely into a category, individual factors may require a degree of weighting to make an overall assessment.

Culpability

In determining culpability the local housing authority will have regard to four levels of culpability

Where the offender

- Has the intention to cause harm, the highest culpability where an offence is planned
- Is reckless as to whether harm is caused ie the offender appreciates at least some harm would be caused but proceeds giving no thought to the consequences even though the extent of the risk would be obvious to most people
- Has knowledge of the specific risks entailed by his actions even though he does not intend to cause the harm that results
- Is guilty of negligence

Culpability Levels

Very High	Deliberate failure to comply with legal obligations.
High	Knew or ought to have known that they were in breach of their legal responsibilities, wilful blindness to the risk of offending. Non-compliance over a long period or ignoring concerns raised by regulators, tenants or others
Medium	Offence committed through an act .or omission which a person exercising reasonable care would not commit.
Low	Offence committed with little fault, for example, because: significant efforts were made to address the risk although they

	were inadequate on this occasion, failings were minor and occurred as an isolated incident.
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Harm

In determining the level of harm the local housing authority will have regard to:

- The effect on the tenant i.e. physical injury, damage to health, psychological distress
- To the community i.e. economic loss, harm to public health
- Other types of harm i.e. public concern/feeling over the impact of poor housing condition on the local neighbourhood

The nature of the harm will depend on the personal characteristics and circumstances of the victim e.g. tenant. Where no actual harm has resulted from the offence the local housing authority will consider the relative danger to which persons have been exposed as a result of the offender’s conduct, the likelihood of harm occurring and the gravity of harm that could have resulted.

Factors that indicate a higher degree of harm include:

- Multiple victims
- Especially serious or psychological effect on the victim
- Victim is particularly vulnerable

High	The property conditions pose a high risk of serious adverse effects to the occupants and/or visitors. Vulnerable individuals were put at risk.
Medium	The property conditions pose medium risk of serious adverse effects to the occupants and/or visitors.
Low	The property conditions pose a low risk of serious adverse effects to the occupants and/or visitors.

Step 2 – Offence matrix

Having determined the culpability and harm levels, the appropriate offence matrix should be referred to in order to calculate the starting point for the civil penalty.

Harm	Culpability			
	Very high	High	Medium	Low
High	Band 6	Band 5	Band 4	Band 3
Medium	Band 5	Band 4	Band 3	Band 2

Low	Band 4	Band 3	Band 2	Band 1
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Banding Levels

- The table below provides an indication of the level of financial penalty that is likely to be appropriate taking into account both culpability and harm. The maximum level of fine permitted under the legislation is £30,000.
- The starting point in each band will be the mid-point e.g. in Band 3 the midpoint will be £12,500.

Band 1	£0 - £4,999
Band 2	£5,000 - £9,999
Band 3	£10,000 - £14,999
Band 4	£15,000 - £19,999
Band 5	£20,000 - £24,999
Band 6	£25,000 - £30,000

Step 3 – Consider aggravating or mitigating factors

The Council should then consider further adjustment from the starting point to take into account aggravating and mitigating factors. Set out below is a non-exhaustive list of elements providing the context of the offence and factors relating to the offender. Identify whether any combination of these or other relevant factors should result in an upward or downward adjustment from the starting point.

- The penalty may be increased by £1,000 for each aggravating factor up to a maximum of the top of the band level determined above.
- The penalty may be decreased by £1,000 for each mitigating factor up to a maximum of the top of the band level determined below.

Aggravating factors	Mitigating Factors
History of failing to comply with obligations	Steps taken to remedy the problem
Motivated by financial gain	High level of co-operation with the investigation, beyond that which will always be expected

Deliberate concealment of illegal nature of activity	A history of good communication and compliance regarding work as a landlord
Established evidence of wider/community impact	Co-operation and acceptance of responsibility
Obstruction of justice	Mental disorder or learning disability, where linked to the commission of the offence
Landlord or agent of multiple properties which may include licensed HMOs	Serious medical conditions requiring urgent, intensive or long-term treatment Age and/or lack of maturity where it affects the responsibility of the offender

The penalty may be increased or decreased from the centre starting point within the band to the maximum or minimum level in the band. Issues affecting this decision are detailed in the table below

Step 4 – Case and penalty review

The level of the penalty should reflect the extent to which the offender fell below the required standard. The penalty should be fair and proportionate and meet the objective of being a punishment, deterrent as well as removing any gain derived through the commission of the offence.

Step 5 - Review offender’s ability to pay – prior to any final notice

The level of civil penalty must be proportionate to the seriousness of the offence and the financial circumstances of the offender.

Statutory guidance states that the local housing authority should use its existing powers to, as far as reasonably possible, make an assessment of a landlord’s assets and any income (not just rental income) received when determining an appropriate penalty.

The powers available to the Council include:

- Section 235 of the Housing Act 2004: power to require documents to be produced
- Section 237 of the Housing Act 2004: housing benefit and council tax information
- Section 16 of the Local Government (Miscellaneous Provisions) Act 1976: service of a requisition for information - power to obtain particulars of person’s interested in land

An offender will be assumed to be able to pay a penalty up to the maximum amount unless there is evidence to suggest otherwise or they can demonstrate they are unable to do so. When a person receives a notice of intent to impose a financial penalty they have the right to make written representations about the proposal. We will specifically ask for those representations to include any evidence of the person’s inability to pay the stated penalty. If no representation is received then the assumption will be that the person is able to pay.

Evidence put forward in a representation will be assessed for accuracy against Council-held and public information. Where appropriate further information may be required through service of notice using the powers listed above.

Any evidence relating to the ability to pay will be considered before a final decision is made about the level of the penalty.

Representations and Appeals

A person who receives a notice of the Council's intention to impose a financial penalty may make written representations to the Council. These should be addressed to the Housing Standards Manager (or the person with the equivalent designation at the relevant time) or emailed to:

housingstandards@chichester.gov.uk

A person who receives a final notice requiring a penalty to be paid may appeal the decision to impose a penalty or the level of penalty to the appropriate Chamber of the First-tier Tribunal. The appeal procedure will be included with any final notice.

Recovery

Subject to the inception of any appeal process a penalty must be paid within 28 days beginning with the day after that on which the notice was given. Where a penalty is not paid within 28 days, the Council will seek to recover it through a county court order.

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The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

Statement of principles for determining the amount of a penalty charge

Introduction

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 were introduced on 1st October 2015 and require all landlords to ensure the following are complied with where a tenancy exists on or after this date:

- I. Each storey of the premises on which there is a room used wholly or partly as living accommodation must be equipped with a smoke alarm.
- II. Any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance must be equipped with a carbon monoxide detector.
- III. Checks are made by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy.

Enforcement

If the Local Housing Authority has evidence that a landlord has failed to comply with the requirements of the regulations, they shall serve a Remedial Notice on the landlord detailing the works required in order to ensure compliance. The notice must be complied with within 28 days. Failure to comply with the notice will result in a penalty charge notice being served for the **full sum allowable within the regulations**. The maximum penalty charge is £5,000.

The landlord may request in writing, no later than 28 days from service, that the remedial notice or penalty charge notice be reviewed by the Head of Housing and Environment, who must then consider the representation. A landlord may also subsequently appeal the notice to confirm or vary the penalty charge notice to the first tier tribunal.

Any penalty charge notice served will include the following information:

- the reasons for imposing the penalty charge;
- the premises to which the penalty charge relates;
- the amount of the penalty charge;
- a requirement for the person committing the breach, within a period specified in the notice –
 - i. to pay the penalty charge, or
 - ii. to give written notice to the local housing authority that the landlord wishes the authority to review the penalty charge notice;

- how payment of the penalty charge must be made;
- any reduction for early payment of the penalty charge;
- where applicable the statutory appeals process;
- the contact details for the person to whom a review of the notice be made
- any other information as required by statute.

Mitigating Factors

Fire and Carbon Monoxide represent a clear and significant danger to tenants and alarms provide a cost effective method of managing those dangers. Normally this Council will require a penalty charge of the maximum allowed in the Regulations, £5000 (or £2500 for early payment: see below).

When a Penalty Charge Notice is served, the Council has discretion to apply the following mitigating factors and potentially award a percentage reduction. The percentage scores can be added together and applied to the maximum penalty applicable for the offence.

- No previous history of non-compliance with other Housing legislation – if this is a first breach of any housing related legislation - 20% reduction.
- Any relevant personal circumstances - 20% reduction.
- Financial impact causing hardship – if the fine would cause the offender undue financial hardship such that they may not be able to continue to operate their business - 10% reduction.

In every case it will be the responsibility of the recipient of the notice to provide sufficient evidence to support their representations.

When any review determines a final amount of penalty and this is not paid, the Council will pursue non-payment of the penalty through a court order process.

If payment is made within 28 days then the fine is reduced to £2500 (less any relevant deductions granted by the Council, again at the Council's absolute discretion).

All enforcement action will be undertaken in accordance with both the current Private Sector Housing Enforcement Policy and The Housing and Environment Enforcement Policy.

Chichester District Council

Enforcement Procedure in respect of The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014

The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014 makes it a legal requirement for all lettings agents and property managers in England to join a Government-approved redress scheme.

Chichester District Council (the Council) is the enforcing authority for the Order within their area. The authority to enforce the Order shall be delegated to the Head of Housing & Environment Services.

The Council can impose a fine of up to £5,000 where it is satisfied, *on the balance of probability* that someone is engaged in letting or management work and is required to be a member of a redress scheme, but has not joined.

Government guidance on the enforcement of the Order states that the expectation is that a £5,000 fine should be considered the norm and that a lower fine should only be charged if the enforcement authority is satisfied that there are extenuating circumstances.

The procedure for issuing a fine is as follows;

Step 1: Notice of Intent

The Council will give written notice of their intention to impose a penalty. This will set out:

- (i) the reasons for the penalty;
- (ii) the amount of the penalty; and
- (iii) the 28 day period to make written representations or objections, starting from the day after the date on which the notice of intent was sent.

This written notice will be served within 6 months of the date on which the Council has gathered sufficient evidence and satisfied any internal requirements that a fine is appropriate.

The Council may at any time withdraw the notice of intent or reduce the amount specified in the notice at any time by giving notice in writing.

Step 2: Representations and Objections

The person whom the notice of intent is served has 28 days starting from the day after the date the notice of intent was sent to make written representations and objections to the enforcement authority in relation to the proposed fine.

Step 3: Final Notice

At the end of the 28 day period the Council will decide whether to impose a fine based on the principles of the Housing and Environment Enforcement Policy.

Following consideration of the fine the Council will give at least 28 days for payment to be made. When imposing a fine, the Council will issue a final notice in writing which explains:

- (i) why the fine is being imposed;
- (ii) the amount to be paid;
- (iii) how payment may be made;
- (iv) the consequences of failing to pay;
- (v) the right to appeal against the penalty to the First-tier Tribunal and that any appeal must be made within 28 days after the imposition of the fine.

The Council may withdraw the final notice or reduce the amount specified in the notice at any time by giving notice in writing.

Step 4: Appeals

If an appeal is lodged the fine cannot be enforced until the appeal is disposed of. Appeals can be made on the grounds that:

- (i) the decision to impose a fine was based on a factual error or was wrong in law;
- (ii) the amount of the fine is unreasonable; or
- (iii) the decision was unreasonable for any other reason.

The First-tier Tribunal may agree with the Council's notice to issue a penalty or may decide to quash or vary the notice and fine.

Appeals will be heard by the General Regulatory Chamber, further details on the appeals procedure can be found at the following link:

<http://hmctsformfinder.justice.gov.uk/courtfinder/forms/policy-makers-guidance-eng.pdf>

Step 5: Recovery of the penalty

If the lettings agent or property manager does not pay the fine within the 28 day period the Council will recover the fine with the permission of the court under a court order. If proceedings are necessary for the recovery of the fine, a certificate signed by the Head of Finance and Governance Services stating the fine has not been received within the required timescale will be taken as conclusive evidence.

Chichester District Council Overview and Scrutiny Committee

15 September 2020

Events Strategy and Events Policy

1. Contacts

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2. Recommendation

The Committee is invited to receive and make comments on the draft Council's Events Strategy and Policy to Cabinet.

3. Background

- 3.1 It is recognised that events can provide significant benefits for a host destination and are acknowledged as opportunities to stimulate tourism and economic growth by showcasing the destination and attracting visitors from outside the area. Events can help to boost the local economy by encouraging tourist visits and local people to stay local; raise the profile of an area, highlighting the unique features and benefits; enhance community pride and togetherness.
- 3.2 During 2019 officers began the process of developing the council's Events Strategy to establish a year round programme of events that meets the needs of the District's communities. Promoting Chichester District in order to raise the profile of the area, and positively contribute to the local economy and cultural experience, creating a destination experience in line with council priorities and Visions.
- 3.3 As part of the development of the Strategy, a public consultation exercise was undertaken during the summer of 2019. To gain a more accurate representation of all demographics, specific consultation surveys were carried out with Chichester College (both at the Chichester and Brinsbury campuses) and University of Chichester. The consultation received 296 responses. Of these, 22 said their response represented their organisation/group with the total response capturing the views of 1,613 individuals.
- 3.4 The majority of respondents, 62.8%, felt there are not enough events in Chichester District, and the top three types of event respondents wanted to see were Music, Food & Drink and Arts/Culture. The two most popular places respondents wanted to see more events take place were in parks and green spaces and city/town centres. Of the 224 respondents who ticked parks and green spaces, 186 provided examples of

the parks and green spaces they would like to see more events take place in, with Priory Park receiving 116 mentions and Oakland's Park 79. The summary of the consultation exercise can be found at Appendix 1.

- 3.5 Whilst the over-riding theme of the consultation results is for more events throughout the district, it is important for CDC to engage in and where possible encourage events that complement and bring value to the district. It is also important to consider the infrastructure needs of an event and if the particular host area is able to suitably accommodate that event.
- 3.6 Events have been separated into four categories to bring focus to the actions proposed in the Event Strategy (Appendix 2). These are;
- **Headline:** High profile, large scale events with the purpose being to attract visitors from across the UK (and potentially international), to encourage overnight stays and increase dwell time.
 - **Feature:** Feature events are events with a regional catchment and tend to have a theme, these can be recurring or one-off, and will attract 500+ visitors.
 - **Town & City:** Predominantly aimed at local and district residents as well as visitors from the surrounding counties. They encourage a sense of community, showcase and celebrate the location, heritage, people and culture, and promote the districts towns and cities as community hubs.
 - **Community:** Small events in the district's parks and green spaces, attended by local communities. These are mainly sporting, community or charitable events.
- 3.7 The Council already has robust procedures for hire of land for events on our own land which identifies terms and conditions of hire, health and safety requirements in addition to restrictions imposed on some sites. It was however considered that in addition to the Strategy, an Events Policy was required to provide a clear framework for the programming and operation of events to take place on CDC owned and managed land. The Events Policy can be viewed at appendix 3 and applies primarily to parks and open spaces but also includes car parks and other areas of land owned by the Council.
- 3.8 Noise levels for events were to be included in the Events Policy but it is considered that the current Code of Practice (COP) being used 'The Noise Council's COP on Environmental Noise Control at Concerts (1995) is outdated and not reflective of the music industry in 2020. A national working group has been established to review the COP and council officers are members of this group. Unfortunately the review has been put on hold as a result of Covid-19 but the group are expected to reconvene in early 2021.
- 3.9 The reviewed guidance is likely to give rise to some fundamental changes which are likely to result in different music noise levels. It is also likely to introduce new parameters with regard to bass level measurements and safeguards.
- 3.10 It is therefore suggested that we are not too prescriptive with music noise levels until new guidance is released. The policy therefore includes 'the council shall ensure that event organisers comply with all relevant guidance and legislation relating to the

control of noise and the protection of the immediate and local environment.’ We would also require certain events to produce a noise management plan (NMP) to be approved by the Environmental Protection Team prior to the event going ahead.

3.11 It is proposed that the site specific noise data is included once the review of Noise Council COP has been completed and at this stage we could also consider extending the Policy to also cover some aspects of events held on non-CDC land based on the new guidance.

4. Outcomes to be Achieved

4.1 The desired outcomes of the Events Strategy are set out in the document as four key priorities, namely;

- **Chichester district is a place that welcomes events** – actively promote the district as an events destination and welcoming host, and attract new events. Supporting event organisers, and forming strong relationships so there is a mutual understanding of what is expected and what is needed to hold a successful event in the district.
- **Chichester district is a place that supports events** – ensure the district has the correct support in place and the appropriate facilities and infrastructure to host events.
- **Chichester district establishes a year round calendar of events** – facilitate and support a district wide events calendar which enhances the district’s tourism offer, profile and economy, working collaboratively with event, venue and tourism partners.
- **Create a CDC managed events programme** – introduce events created and managed by CDC, with the aim to create footfall and promote the businesses in the districts city and towns, celebrating the heritage and culture of the district, promote civic pride and provide entertainment for residents and visitors.

4.2 The Events Policy provides a framework to identify what type, scale and number of events can take place on council owned and managed event spaces. This helps to make it clearer for event organisers and also considers the impact events can have on local communities and park users.

4.3 The Events Strategy and Policy naturally relies on working in partnership and building/maintaining relationships with key partners across the district.

4.4 It is important to remember that not all events may include licensable activities but naturally where they do, these are covered by the statutory licencing regime and may also be subject to the Safety Advisory Group (SAG) process.

5. Proposal

5.1 Events can provide significant benefits for the district including stimulating tourism and economic growth by showcasing the destination and attracting visitors from outside the area. Events can also help to boost the local economy, raise the profile of an area, and enhance community pride and togetherness.

5.2 The proposal is for Overview and Scrutiny Committee to receive the draft Strategy and policy and to make any comments to Cabinet which supports the results of the community consultation.

6. Alternatives Considered

- 6.1 Do not adopt the Events Strategy and Policy, continuing as we currently are using the current Hire of Land terms and conditions to authorise events on council land. This does not offer any guidance or support to officers when deciding on the number, scale or type of events acceptable for CDC sites.
- 6.2 This would also not promote that Chichester District Council are keen to welcome events who complement and bring value to the district.

7. Resource and Legal Implications

- 7.1 There is no anticipated additional resource or legal implications associated with this report.

8. Consultation

- 8.1 As set out at paragraph 3.3 above a public consultation was undertaken between May and July 2019 with a summary of the results attached at Appendix 3.

9. Community Impact and Corporate Risks

- 9.1 The development of the events strategy and policy should have a positive impact on the community as it responds to the results of the community consultation, promoting the delivery of events within the district.

10. Other Implications

	Yes	No
Crime and Disorder		X
Biodiversity and Climate Change Mitigation		X
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing		X

11. Appendices

Appendix 1 – Summary of Events Strategy consultation (May to July 2019)

Appendix 2 – Events Strategy

Appendix 3 – Events Policy

12. Background Papers

None

Appendix 1

Events Consultation 2019 Results Summary

Responses Received

296 responses were received, 22 respondents said their response represents more than one person, so if we take these numbers into account **the views of 1,613 individuals were recorded** in this consultation.

54 of the respondents requested that they would like to be involved in an events focus group.

Respondent Profile

48% of the respondents said they live in Chichester City, 7.8% work but do not live in Chichester District, 6.5% Selsey, 6.1% regularly visit but do not live in Chichester district.

39.8% said they live in a two person household, 24.8% live in a four person household and 19% live in a three person household, 10.9% live alone or live in a household with five or more people (5.4%).

The majority of respondents (65.5%) do not have any children under 16 years old living in their household and only 1 individual said they have four or more children under 16 living in their household.

Age profile:

16-24: 4.6% 25-34: 14.1% **35-44: 22.5%** **45-54: 25.2%** 55-64: 18.3% 65+: 15.3%

There were far more female respondents (70%) than male (27.6%).

Survey Results

The majority of respondents (**83%**) **said they already attend events in Chichester District**, of the 244 respondents who currently attend events within the district 180 listed which events, markets and films events were the most frequently mentioned, with theatre, music, sporting events following behind and Novium and Goodwood also featuring high.

Out of the 50 respondents who said they did not attend events in Chichester District 35 provided a comment to explain reasons why. The two most frequent reasons were that people are unaware of events in their area and that there are no events they're interested in.

Most respondents said they hear about events on social media (67%) or through word of mouth (56.7%).

The majority of respondents, **62.8% feel there are not enough events in Chichester District** and 21.5% said they feel there is currently about the right amount of events, 14% said they were unsure how they felt about the number of events and only 0.7% said there are too many events.

The top three types of event respondents would like to see in the district were **Music, Food & Drink and Arts/Culture events.**

The two most popular places respondents would like to see more events take place were parks and green spaces and city/town centres. Of the 224 respondents who ticked parks and green spaces, 186 provided examples of the parks and green spaces they would like to see more events take place in, with **Priory Park receiving 116 mentions and Oaklands Park receiving 79.** Of the 221 respondents who ticked city/town centres, 193 provided examples of which town/city with Chichester receiving 175 mentions, Midhurst 20 and Petworth 12.

The majority of respondents (**86.5%**) would like to see more events during the summer months, **80% would like to see more during Spring**, 66.7% said Autumn and 55.9% said Winter.

When asked what would encourage you to attend an event, 233 provided comments, the top three being; **free/affordable events, family friendly events and 'on a subject I', interested in'.**

Almost half of respondents (47%) would like to see more markets in the district's towns and cities, 28% said they didn't mind and 20.9% said they did not want to see any more markets, with the remaining 5.7% being unsure.

Of the 139 respondents who said they'd like to see more markets, 107 provided more information about the markets, e.g type, location, day etc. **The three top comments were food and drink, craft and weekend markets.**

Events Strategy for Chichester District 2020-2025

Foreword

Chichester District Council has recognised the benefits of establishing a coordinated approach to a programme of events, acknowledging the opportunities associated with hosting events and the benefits these can bring to the district.

The events strategy has been developed to embrace opportunities and raise the profile of the district in order to become a leading visitor destination.

It recognises that the district has a varied landscape with urban, coastal and rural areas, and comes with infrastructure limitations. The aspirations within the strategy are sympathetic to the district's uniqueness and aims to achieve collaboration in forming a coordinated approach to a programme of events.

The strategy is the first of its kind from Chichester District Council and will be used to shape the future of events within the district, and is supported by a public consultation.

It sets out the need to be open for business and ready for events to organisers, but also highlights the opportunity for the council to produce our own range of events to provide an attraction for our local community and economy.

Cllr Alan Sutton

Cabinet Member for Housing Communications, Licensing and Events

Vision

To establish a year round programme of events that meets the needs of the District's communities. Promoting Chichester District in order to raise the profile of the area, and positively contribute to the local economy and cultural experience, creating a destination experience in line with council priorities and Visions.

About this Strategy

Events can provide significant benefits for a host destination and are acknowledged as opportunities to stimulate tourism and economic growth by showcasing the destination and attracting visitors from outside the area. A positive experience for an attendee at an event can prompt them to become a destination advocate.

Events can help to boost the local economy by encouraging tourist visits and local people to stay local; raise the profile of an area, highlighting the unique features and benefits; enhance community pride and togetherness.

The importance of events has been recognised by Parliament with the recent confirmed continuation of the All Party Parliamentary Group (APPG) for the UK Events Industry, the purpose for which is to; represent the UK events industry in Parliament, highlight the value of the industry, engage with politicians and industry representatives and to ensure that the UK benefits from the success of large internationally prominent events. The APPG advocates that events provide a mechanism for attracting visitors without the need for expensive, tourism-based investment and infrastructure.

The Visit Chichester Destination Management Plan 2019-2023 (DMP) also highlights the benefits of events, promoting events-based tourism as a source of delivering local economic and social benefits that outweigh their cost.

The DMP suggests it is important for the district to build a strong destination brand, which includes creating an 'experience' through events and activities, giving people a specific reason to visit an area. The DMP specifically recognises music tourism as an opportunity to build the district offer via events, and sees events generally as a tourism product.

Local authorities are also recognising the strategic importance of major events and plan accordingly to attract investment if required, they understand that events act as a platform for transformation of their area and actively promote and enhance their 'offer'.

"Festivals organised and/or funded by local government and participated in and attended by the local community can be seen as communications vehicles, and viewing them as such helps to clarify their objectives and, therefore, their potential "feel good" factor in the community, through celebration and entertainment, to promoting pride in the region, acceptance of cultures, community cohesion, a feeling of belonging, and more active citizenship (*Derrett, 2002; Quinn, 2005; Richards & Wilson, 2004*).

A robust approach to events in the Chichester District is important as it will:

- Benefit the economy
- Make the district a more attractive place to live, work and visit
- Support the longer term developments of the district

Background

The Chichester Vision is an inspirational document outlining the issues and aspirations of the city and its community, the content of the document was produced from a number of partners and extensive community engagement. One of the areas highlighted from the Vision was the need and desire to establish a year round programme of widely publicised events, festivals and activities, in order to create a leading visitor destination.

The Towns Visions, including Petworth, Midhurst and Selsey also all highlight the importance of events for local economies and communities, the findings of which are from surveys and workshops in the local communities.

Chichester District currently plays host to several events, the most recognised are those that take place at Goodwood, namely Festival of Speed, Revival and the Qatar Goodwood Festival. Similarly other established venues in the district are also well known for the large, well-attended event such as the Gold Cup at Cowdray Park.

CDC owns twelve areas of open recreational spaces where several events take place each year. Depending on the size and nature of the event some may require licenses, and a Safety Advisory Group (SAG) both of which are managed by the Licensing & Events Team. In addition to the regular sporting fixtures approximately 21 events took place in 2019 on council owned land, the most common themes being food or music, and all of which were managed by external operators. Whilst there are already many valuable events in the district, there is potential to host more.

There is also an opportunity for CDC to manage events, expanding on the success of the 2019 Summer Street Party, organised by CDC with support from Chichester BID, the aim of which was to create an exciting summer evening event to attract footfall into the centre and to help support the retail offer, the event was a great success and there is potential for it to grow.

The town councils within the district also host successful events, including the Midhurst Christmas Festival and Summer Carnival procession, the Petworth Christmas event and regular farmers markets and Selsey's Screen on the Green and Selsey Festival.

Whilst Chichester district already has a great calendar of events, there is potential for there to be a more joint up approach across the district, with the town councils and CDC coming together regularly to discuss ways in which the events benefit the district as a whole.

We are at a time where there is an opportunity to bring a distinctive new edge to the district, enhancing the attractiveness of the areas assets, generating an appealing new buzz about the district, ensuring people of all ages feel it's 'theirs'.

To bring focus to the priorities and aims proposed later on in the strategy, events have been categorised as follows:



Headline Events

Headline Events are high profile, large scale events with the purpose being to attract visitors from across the UK, to encourage overnight stays and increase dwell time, and to promote and showcase the district to a large audience.

Feature Events

Medium to large scale events, generally hosted on CDC land and require authorisation under the Licensing Act 2003 and other statutory regulations, and will also require a Safety

Advisory Group(SAG). They tend to have a theme (i.e. food, music, arts, sporting) and can be recurring or one-off, and attract visitors from the district and surrounding counties.

City & Town Events & Markets

City and Town based events which are predominantly aimed at local residents and those from surrounding counties. The events encourage a sense of community, showcase and celebrate the location and promote the districts cities and towns as community hubs and help to create a destination experience.

Community Events

Community events are organised and attended by local communities, including charitable events, primarily neighbourhood focused.

Consultation Results

A public consultation was undertaken between May and July 2019, 296 responses were received to the questionnaire, some respondents said their views represents more than one person, with this taken into account the views of 1,613 individuals were recorded. Another consultation was also conducted with Chichester College, whereby 250 16-18 olds responses were recorded.

- The majority of respondents do not currently attend events in the district, those that do tend to be markets or open air film events. The main reasons for people not attending events is because they are unaware of what's on, or there is not enough interest for them to attend and the most common way people hear about events in the district is through social media or word of mouth
- Respondents feel as there are currently not enough events in the district, music and food and drink were the two most popular types of events people would like to see more of.
- Parks/green spaces and city and town centres were the most popular places people would like to see more events, with less wanting more events in the country or in coastal areas.
- Low cost came out as the as the main factor to attract people to events, and almost half of respondents would like to see more markets across the district specifically food and craft markets.

Evaluation results from the 2019 Chichester Summer Street Party demonstrated that a high proportion of visitors came into the city centre that day especially for the event, demonstrating how events can be used to promote or enhance an area. A large number of those visiting said that they visited High St businesses as a result of attending, and nearly all of those asked would recommend the event to family and friends and would like to see more events like this in Chichester.

Whilst the over-riding theme of the results is for more events throughout the district, it is important for CDC to engage in and where possible encourage events that complement and bring value to the district. It is also important to consider the infrastructure needs of an event and if the particular host area is able to suitably accommodate that event.

The district has its challenges when it comes to hosting events, the following needs to be recognised in order to manage expectations:

- CDC Hire of Land
 - o We have limited number of suitable spaces for events to take place, with the majority of these being in Chichester City Centre
 - o The largest spaces and most suitable spaces are close to residents and a major tourist destination, both of which impact the number, size and type of events we are able to host
- Chichester City Centre
 - o Limited performance space available for large gatherings
 - o Narrow city centre streets don't provide an ideal setting for events
- Restrictions
 - o Strict planning restrictions in the district
 - o The district consists of a large area of natural beauty
 - o Transport links, limited especially to smaller towns

Early consultation is also key for larger events to be a success, keeping all partners/stakeholders informed and involved consistently throughout the whole event process, minimising any potential issues or ramifications further down the line.

Our Priorities

Priority 1: Chichester District is a place that welcomes events

Actively promote the district as an events destination and welcoming host, and attract new events. Supporting event organisers, and forming strong relationships so there is a mutual understanding of what is expected and what is needed to hold a successful event in the district.

Aims:

- 1.1 Work collaboratively with partners to promote the district as an events destination.
- 1.2 Promote the district to potential event organisers; develop relationships with other councils and event organisers to promote the district.
- 1.3 Ensure information is up to date and readily available for organisers, including a dedicated events page on the CDC website and access to the Events & Promotions Officer.
- 1.4 Work with established event venues across the district, such as Godwood to cross promote their calendars, capturing attendees before and after event their events encouraging them to visit more of the district.

Priority 2: Chichester District is a place that supports events

Ensure the district has the correct support in place and the appropriate facilities and infrastructure to host events.

Aims:

- 2.1 Have a consistent approach to use of CDC land through the production of an 'Events Policy: Parks & Open Spaces'. The development of this document will help to

determine what events are suitable for a particular site as well as other factors including; frequency, size and scale, noise allowance etc. and subsequently these factors will determine the appropriate hire fee.

- 2.2 Provide support to enable event organisers to deliver safe and well managed events, with thorough pre-event communications and a robust SAG process.
- 2.3 Ensure current guidelines are fit for purpose, including events information on CDC website and information relating to events including hire of land, licenses, road closures, SAG's and Street Trading.
- 2.4 Evaluate what infrastructure is available to host events and if further infrastructure is required to help promote successful events. For example water and electricity supply to our event spaces.

Priority 3: Chichester District establishes a year round calendar of events

Facilitate and support a district wide events calendar which enhances the district's tourism offer, profile and economy, working collaboratively with event, venue and tourism partners.

Aims:

- 3.1 As a district we will aim to host the following number of events from each of the category's summarised earlier in the strategy, the following are the targets for the next 5 years:
 - Headline – At least 1
 - Feature – 5-10
 - Town & City – 5-10
- 3.2 Work collaboratively with partners via Visit Chichester to determine future events, working closely with Visit Chichester to identify opportunities to develop new events to extend the tourism season.
- 3.3 Work with Visit Chichester to create a non-public facing events calendar that all partners can contribute to, to assist in identifying gaps and avoid potential date clashes.
- 3.4 Work with Visit Chichester to create a public facing 'go to' events calendar for the district.

Priority 4: Create a CDC managed events programme

Introduce events created and managed by CDC, with the aim to create footfall and promote the businesses in the districts city and towns, celebrating the heritage and culture of the district, promote civic pride and provide entertainment for residents and visitors.

Aims:

- 4.1 Establish a series of CDC managed feature events throughout the district that complement the towns and city centres, working closely with local businesses, town councils and other partners.
- 4.2 Following on from the success of the Chichester Summer Street Party 2019 introduce the event model into the districts towns and establish an annual event.
- 4.3 Develop proposals for potential sponsors to fund CDC events.
- 4.4 Creation of a 'Destination Market' with various zones celebrating local producers and makers, with supplementary street food, children's activities and entertainment.
- 4.5 Development of markets within the district, having an agile approach to what markets there currently are and identifying the potential for new markets.

Reviewing Progress

The strategy relies on working in partnership and building relationships with key partners across the district, including Visit Chichester, Chichester BID, Chichester City Council, Petworth, Midhurst and Selsey Town Councils, and all of the vision groups across the district.

An annual action plan will be developed by the Events & Promotions Officer, and progress in delivering the strategy will be reported through the city and towns visions.

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Aims of the Events Policy

To support the vision of Chichester District Council's Events Strategy to establish a year round programme of events that meets the needs of the District's communities. Promoting Chichester District in order to raise the profile of the area, and positively contribute to the local economy and cultural experience, creating a destination experience in line with council priorities and Visions.

The policy will provide a clear framework for the programming and operation of events to take place on Chichester District Council owned and managed land. This policy applies primarily to parks and open spaces but also includes car parks and other areas of land owned by the Council.

Objectives of the Events Policy

- a) Support and enable cultural, educational and leisure activities which widen access to the district's parks and open spaces and increase participation from all sectors of the community.
- b) Encourage events and activities that enhance the quality of life for residents and visitors, encouraging healthy living and promoting diversity.
- c) Enable the Council to offer parks and open space as venues for events within its financial resources.
- d) Encourage the use of local products, services and people where possible to support the local economy.
- e) Attract visitors and event organisers to the district to bring investment, jobs and prosperity to the local economy through the promotion of Chichester District as an event destination.
- f) Manage events so as to protect, preserve and enhance the historic and natural environment of our parks, open spaces and wider district.

The Events Strategy identifies four tiers of events: Headline, Feature, City & Town, and Markets & Community Events.

Headline events are high profile, large scale events with the purpose being to attract visitors from across the UK, to encourage overnight stays and increase dwell time, and to promote and showcase the district to a large audience.

Feature events are medium to large scale events that tend to have a theme (i.e. food, music, arts, sporting) and attract visitors from the district and surrounding counties.

City and Town based events are predominantly aimed at local residents and those from surrounding towns and cities. The events encourage a sense of community, showcase and celebrate the location and promote the districts cities and towns as community hubs and help to create a destination experience.

Markets and community events are organised and attended by local communities, including charitable events, primarily neighbourhood focused.

Events staged on Chichester District Council land vary in scale and audience but fall into five main categories:

- Events organised by registered charities for the purpose of raising money for local and national charities.
- Events organised by voluntary groups or organisations for the purpose of benefiting the local community and/or raising money for local and national charities.
- Commercial events of local, national and international importance or significance that support the aims and objectives of the Events Strategy and promote the district to a wider audience and encourage visitors to the district.
- Events and activities that aim to enhance the environment of the park or open space, educate users, encourage participation and promote the leisure activities or opportunities available.
- Council organised events.

Event Programme

A programme for events for Chichester District Council land will be developed annually. The following priorities will apply to the development of this programme:

- a) Regular annual events will normally be given priority but the Council will not guarantee the provision of a site to any event or organising body based on previous use alone.
- b) The Council will give priority to those events that have a record of being well promoted and managed, offering a safe and high quality visitor experience.
- c) The Council will aim to achieve a well-balanced programme of events across the parks and open spaces, and other sites to minimise disruption to regular users.

Venues

CDC owns twelve areas of open recreational spaces across the district where several events take place each year. These are:

- Oaklands Park, Chichester
- Priory Park, Chichester
- Bishops Palace Gardens, Chichester
- New Park Road, Chichester
- Jubilee Gardens, Chichester
- Sherborne Road, Chichester
- Whyke Oval, Chichester
- Amphitheatre, Chichester
- Florence Road, Chichester
- East Beach, Selsey
- Lifeboat Way, Selsey
- St Annes Hill, Midhurst

In addition, some of the council's car parks and Estates managed land may also be available for some events.

Permitted Events

Each sites suitability for events varies but generally permitted events include the following:

- a) Sporting and recreational events;
- b) Arts and cultural events;
- c) Food and drink events;
- d) Markets
- e) Children's activities;
- f) Music events;
- g) Shows, exhibitions and craft fairs;
- h) Funfairs (operators must be members of the Showman's Guild);
- i) Circuses' (exclusion of live animals);
- j) Drama and theatre performances;
- k) Historic re-enactment;
- l) Military festivals;
- m) Environmental and horticultural demonstrations;
- n) Private hire, where admission tickets are not on sale to the general public;
- o) Other events not included here as approved by the Cabinet Member for Community Services & Culture

Programme Exclusions

The Council will not give approval for events on its land of the following nature:

- a) Any event likely to provoke unreasonable disturbance, public disorder and nuisance.
- b) Any event that includes the use of performing animals, except those which are normally regarded as domesticated in the United Kingdom.
- c) Any event that would cast doubt on the integrity of the Council.
- d) Any event the Council believes may be of questionable public morality or decency.
- e) Balloon and Chinese lantern releases are not permitted for environmental reasons.
- f) The Cabinet Member for Community Services & Culture will have the discretion on determining whether a proposed event falls within the programme exclusions.

Site Specifics

Due to a number of different factors associated with each open space there are some guidelines developed for different areas to be considered when programming events on these sites. This includes number, frequency, scale and type of event which will be considered in line with the following guidelines for each site annually:

Table for each site identifying exclusions to be agreed including numbers of events or policy regarding frequency, noise etc

- Oaklands Park, Chichester
- Priory Park, Chichester
- Florence Road, Chichester
- Sherborne Road, Chichester
- Whyke Oval, Chichester
- New Park Road, Chichester
- Jubilee Gardens, Chichester
- Amphitheatre, Chichester
- Bishops Palace Gardens, Chichester
- East Beach, Selsey
- Lifeboat Way, Selsey
- St Annes Hill, Midhurst

Oaklands Park, Chichester

Restrictions: limit noise due to neighbouring properties including Chichester Festival Theatre, rugby and football played on site during winter season and softball during the summer season.			
Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	Up to 3 per annum	Minimum 6 weeks	*
Feature	Up to 10 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Priory Park, Priory Road, Chichester

Restrictions: limit noise due to neighbouring properties, cricket played on site during summer season, archaeology on site, events in Guildhall, access limitations.

Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	Up to 2 per annum	Minimum 6 weeks	*
Feature	Up to 8 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Florence Park, Chichester

Restrictions: limit noise due to neighbouring properties, football played on site during winter season, limited local parking available.

Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	Up to 4 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Sherborne Road, Chichester

Restrictions: limit noise due to neighbouring properties, football played on site during winter season, limited local parking available.

Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	0	N/A	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Whyke Oval, Chichester

Restrictions: limit noise due to neighbouring properties, football played on site during winter season, limited local parking available.

Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	Up to 3 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

New Park Road, Chichester

Restrictions: limit noise due to neighbouring properties, football played on site during winter season.

Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	Up to 3 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Jubilee Gardens, Chichester

Restrictions: limit noise due to neighbouring properties, limited space due to footpaths and mature planting throughout the site

Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	0	N/A	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Amphitheatre, Chichester

Restrictions: limit noise due to neighbouring properties.			
Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	0	N/A	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Bishops Palace Gardens, Chichester

Restrictions: limit noise due to neighbouring properties, access limitations, permission required from the Bishop for any events within the park.			
Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	Up to 3 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

East Beach, Selsey

Restrictions: limit noise due to neighbouring properties.			
Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	Up to 3 per annum	Minimum 6 weeks	*
Feature	Up to 4 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

Lifeboat Way, Selsey

Restrictions: limit noise due to neighbouring properties.			
Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	Up to 4 per annum	Minimum 4 weeks	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

St Anne's Hill, Midhurst

Restrictions: Access Restricted			
Category	Number of Events	Frequency limit	Music noise level (if applicable)
Headline	0	N/A	*
Feature	0	N/A	*
City & Town	Unlimited	Fortnightly	*
Markets and Community	Unlimited	N/A	*

* The Noise Council's COP on Environmental Noise Control at Concerts (1995) is currently being reviewed but once this work is completed, this information will be included in this policy. In the short term the council shall ensure that event organisers comply with all relevant guidance and legislation relating to the control of noise and the protection of the immediate and local environment

Charges

The following conditions will apply in respect to charges for events held on Chichester District land:

- a. Hire fees and service charges will be levied for the use of Council land and these fees will be reviewed and approved annually by the Cabinet. These fees will be published on the Council's website.

- b. A deposit for use of Council land will be required from all events organiser in advance for refuse removal and/or reinstatements and repairs following events.
- c. Registered charities will be offered the hire of land for raising money for local and national charities at no charge. An administration charge and charges for services supplied by the Council during the event will apply. Other fees may apply such as licensing requirements etc.
- d. Non-profit making and local community groups which are not registered charities will be offered free use of parks and open spaces to stage events to raise money to support their work in the community or for local charities. An administration charge and charges for services supplied by the Council during the event will apply. Other fees may apply such as licensing requirements etc.

Environmental Protection

The parks and open spaces within the district are a valuable environmental resource, therefore the following actions will be taken by the Council to protect them:

- a) The Council shall ensure that event organisers comply with all relevant legislation relating to the control of noise and the protection of the immediate and local environment.
- b) Organisers will be encouraged to work with local residents and the relevant authorities to minimise the impact of events on the local community. Where considered appropriate by the Council, organisers will be required to inform local residents in advance of events that may cause local disruption.
- c) The protection of the park environment will take precedence and will be considered when planning events.
- d) The Council does not allow the release of balloons or Chinese lanterns on any sites due to the environmental impact caused by such an activity.
- e) In the case of severe weather, the Council reserves the right to cancel the event or require the event organiser to introduce additional measures where public safety matters arise and/or to avoid excessive damage to the fabric of the park or open space. Such requirements will be at the event organiser's expense. If it is necessary to cancel an event due to severe weather, the Council will not be liable for any costs. The decision to cancel an event due to severe weather will be taken by the Council following consultation with the Safety and Resilience Team, whose decision will be final.
- f) In the case of severe winds creating dangerous conditions, the Council reserves the right to cancel the event or require the event organiser to cordon off areas where the public may be at risk. Such requirements will be at the event organiser's expense.

Event Promotion and Programming

The following conditions will apply to the promotion of events:

- a) The Council will publicise events in parks and open spaces on it's events page of its website www.chichester.gov.uk where possible.
- b) Promoters and organisers of events remain responsible for the marketing and promotion of their event and shall be required to comply with the relevant licensing and planning legislation.
- c) The Council seeks to offer a wide and varied programme of events to the public in meeting the objectives of this Policy. Applications for events in parks and open spaces will be dealt with on a first come first served basis, excepting that recurring annual events will be given priority if they are staged on regular dates.
- d) The Council will advise prospective event organisers of the forthcoming year's events. The Council will seek to avoid a clash of similar events by creating a district wide events calendar and advising against events of similar character and attraction in the same location at the same time or close timeframe to each other.
- e) The Council will consider events on the basis of those permitted events and prohibited events as referred to above. References may be required and taken up where the content of an event needs further confirmation. The Council accepts no responsibility for the impact of refusing an event.
- f) Flyposting for events will not be permitted and the necessary permissions must be obtained for any promotional banners or posters erected. On the Highway, permission must be obtained from West Sussex County Council as the Highway Authority. The cost of removing any unauthorised promotional material will be deducted from the returnable deposit paid by the event organiser.

Operational Requirements

The following general operational conditions apply for staging events on Chichester District Council land:

- a) Event organisers cannot hold an event on Council land without the Council's written permission. This permission will be granted at the discretion of the Council and only following satisfactory completion of the Event Application documents, compliance with Hire of land Terms and conditions, evidence of insurance and suitable risk assessments. Larger events will also need to submit an event management plan.
- a) The majority of events are held during the period 1 April to 30 September each year but events outside of this time will also be considered.
- b) Operating hours for events will be between 9am to 12am (excluding set-up and set-down). In exceptional circumstances an extension of these hours may be sought from the licensing authority
- c) Events where admission is charged for entry into an event, will be permitted. However, the Council will seek to minimise the impact that these events have on regular park users.
- d) Bonfires are not permitted on Council land as part of any event.

e) The Council will inform local resident associations and park user groups of the event programme for each park and will consider their views during the planning stages for each event. Organisers of larger events will be encouraged to liaise directly with these groups to understand any concerns and limit the impact their event might have on local communities.

Monitoring of Standards and Customer Satisfaction

The following conditions for monitoring standards will apply:

a) Organisers will be required to take appropriate action during their event and for future events to learn from their experiences and seek to improve on the event and the impact on local residents. The Council may require a clear Action Plan setting out the lessons learnt and the improvements to be incorporated in future years before approving subsequent events.

b) No event organiser shall make an assumption that there is any form of agreement or contract with the Council for continuation of annual events.

c) The Council will monitor standards, customer satisfaction and feedback and will liaise with organisers to instigate improvements where appropriate.

Licensing

The following conditions will apply regarding the licensing of events staged on council land:

a) If required, in accordance with the Licensing Act 2003, event organisers will be required to obtain Temporary Event Notices or Premises licence for their event.

b) The event organisers will be responsible for ensuring that their event complies with the relevant Temporary Events Notice or Premises Licence. Compliance will be strictly monitored by the Council's Authorised Officers.

c) Organisers, during all licensable activities, shall be required to promote the four licensing objectives: i. The Prevention of Crime and Disorder; ii. Public Safety; iii. The Prevention of Public Nuisance; iv. The Protection of Children from Harm.

d) Organisers shall be required to read, understand and put into practice measures and conditions which may be attached to any relevant permission under the Licencing Act 2003 and supporting legislation or advice.

Insurance

Event organisers shall meet the following insurance requirements:

a) Organisers will be required to obtain and provide evidence to the Council of Public and Employers Liability Insurance to a minimum value of £10 million.

b) This minimum figure is subject to review and may be updated at any time on the advice of the Council's insurers.

c) Event organisers will be responsible for ensuring that all participants and contractors are adequately insured.

Health and Safety

Event organisers shall be required to provide evidence where required by the Council that they are complying with:

- a) All relevant Health and Safety Legislation;
- b) Depending on the nature and/or size of an event, the event organiser may be required to attend/consult with the Safety Advisory Group of the Council. This group is composed of all the Emergency Services, the Highways Authority, Environmental Health and Licensing.

Safeguarding Children and Adults

Event organisers shall meet the following insurance requirements:

- a) Event organisers will need to address safeguarding within their risk assessment and event management plans.
- b) All event organisers will be required as a minimum to provide evidence of procedures for dealing with lost children.

Chichester District Council

OVERVIEW AND SCRUTINY COMMITTEE

15 SEPTEMBER 2020

Review of Business Improvement Business District (BID)

1. Contacts

Report Author

Tania Murphy – Divisional Manager - Place

Telephone: 01243 534701 E-mail: tmurphy@chichester.gov.uk

2. Recommendation

2.1 The committee is requested to note the update relating to Chichester Business Improvement District (BID).

2.2 The committee is requested to consider the potential outcomes in paragraphs 4.1 to 4.4 and to determine whether these capture CDC's expectations of a Business Improvement District in the future.

3. Background

3.1 Business Improvement Districts (BIDs) are business led partnerships operating within a defined area, in which a levy is charged on all business rate payers to fund projects and services which will benefit the BID levy paying businesses. BIDs are created through a ballot process whereby levy-rate payers vote to determine whether the BID goes ahead. The maximum period that a BID levy can be charged is 5 years. Once the term is completed the BID will automatically cease. However, if it wishes to continue its activities it can hold a new ballot to renew the BID for a further five years.

3.2 In 2010, the Council's Economic Development Service worked with Chichester Chamber of Commerce and city centre businesses to propose the establishment of a BID for Chichester City Centre. In 2011, Cabinet (Executive Board) agreed to support the establishment of a City Centre BID. Following a successful ballot, Chichester BID was established in April 2012, to run for five years until 31 March 2017. At its meeting on 12 July 2016, Cabinet approved support to the renewal of the BID. A subsequent ballot was undertaken, with approval being given for BID2 to commence from 1 April 2017 until 31 March 2022.

3.3 Overview and Scrutiny Committee considers the achievements of the BID each year. The current BID is reaching the end of its term and will be seeking to undertake a ballot in October 2021 to potential BID levy payers to determine the level of support for a third term of a BID (BID 3). Prior to this the BID will be required to set out the key actions for delivery over that term.

3.4 Chichester BID will be undertaking a defined process to introduce BID 3, involving a ballot of potential levy payers. The timeline to ballot will be subject to agreement by CDC to ensure all processes are covered and appropriate lead-in times have been considered and agreed. CDC has responsibilities under legislation for the processes, which are summarised as below:

- Being familiar with the BID regulations
- Rating List Holder
- Service Provider – for provision of existing baseline services
- Collection of the BID levy
- Ballot holder for provision of Ballot services
- Notification of Ballot outcome
- Declaring a Ballot void
- Termination procedures

3.5 An indicative timescale for the ballot process is set out below:

- Jan 2021 – BID develop full proposals of the ballot and engage with CDC on the operating agreement and ballot arrangements.
- March 2021 – BID proposal submission
- July 2021 – BID and CDC approve operating agreement
- Summer 2021 – OSC and Cabinet to consider final proposals
- Sept 2021 – Notice of ballot to be sent out by CDC
- Oct 2021 – Ballot undertaken
- Dec 2021 – March 2022 – BID3 launched (if ballot successful)

3.6 The local authority must satisfy itself that the BID proposal does not conflict with any existing local policy nor propose a disproportionate burden on particular businesses by way of an unfair levy charge on a certain 'class' of levy payers, for example by an inappropriate manipulation of the BID boundary. It is sensible to do this prior to allowing the ballot to take place so as to minimise the risk of having to veto the proposals following the ballot. An unfair charge may be a disproportionately higher rate for one sector/group of businesses that isn't reflected in the scope of the BID proposals or perhaps a disproportionately low rate for one sector/group of businesses that in effect means their services are being heavily subsidised by others. An inappropriate manipulation would involve examples such as capturing a high rateable value property, which in geographical terms appears outside the scope of the BID. Regular meetings are held between CDC officers and staff from the BID to discuss projects and consider issues of mutual concern. Chichester BID is also involved in a number of projects which have been agreed through the Chichester Vision.

3.7 The local authority will need to check that the final BID proposals include all of the details stated within Schedule 1 to the BID Regulations (the Business Improvement Districts (England) Regulations 2004) prior to proceeding to ballot. It should satisfy itself that all of these elements have been included in the BID proposals prior to giving the go ahead to the commencement of the ballot process.

3.8 The BID will produce a baseline of services currently provided by local authorities in order that potential BID levy payers can see that the proposals by the BID for the term are in addition to those services which are currently being provided. It is a requirement that the BID set out proposed areas of action for the term.

4. Outcomes to be Achieved

4.1 The existence of a BID can improve partnership working, engage businesses and raise the profile of an area. Best practice BIDs should have strong engagement with

local businesses; enhanced collaboration with local authorities; an understanding of demographics and visitor satisfaction; and be open, transparent and welcoming of new ideas. CDC would expect that these principles are all in place as part of BID3.

- 4.2 The British BIDs National Guiding Principles is a national voluntary code of conduct that all BIDs should adhere to as a minimum standard of development and operating practice. British BIDs offer an accreditation process for which it is recommended that the BID should consider as part of BID3.
- 4.3 It is recognised that more than ever the city requires strong focus. The BID should have in place strong leadership through its Chair, Board and senior officers, with robust BID levy payer participation. Regular consultation with BID levy payers to determine feedback on the actions for delivery and satisfaction of achievements must be undertaken. The BID website must provide enhanced information for BID levy payers which include minutes of Board meetings, along with all background documents and regular updates. BID outputs and results should be recorded and reported through the Board and to BID levy payers and Board meetings must be action focussed.
- 4.4 A successful BID can achieve a number of outcomes which include improved partnerships working with local authorities, local services, business groups, community organisations, city centre businesses and external agencies. It is also intended that there would be an increased profile of the city nationally with higher footfall across the year and increased spend in the city.

5. Resource and Legal Implications

- 5.1 The legislative framework under which Business Improvement Districts are established, renewed and governed is contained in Part 4 of the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004.
- 5.2 The Chairman of Chichester BID and Officers of the BID meet regularly with officers within CDC on a range of matters. The council's revenues team undertake the billing and collection of BID levy payments on behalf of the BID levy payers. The Council's Elections Team assists with the ballot process which is required for the BID.

6. Consultation

- 6.1 Consultation will be undertaken by Chichester BID as part of the process of reviewing the BID. CDC as levy payer will be voting as part of the ballot process.

7. Community Impact and Corporate Risks

- 7.1 The establishment and continuation of the BID supports the objective within the corporate plan to improve and support the local economy and in particular the support to the High Street.
- 7.2 Covid 19 has had an impact on the current BID's capacity to deliver the agreed outcomes within the current BID 2 business plan. The impact may take some time for the BID to recover and may also have an impact on the funding as the amount of BID levy paid is reduce. If there is not enough BID levy funding the BID will need to adjust the level of support that they provide to the businesses within the BID levy area.

8. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change and Biodiversity		X
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing		X
Other		X

9. Appendices

9.1 Appendix 1 – Chichester BID Business Plan

10. Background Papers

None

YOUR **BUSINESS** | YOUR **CITY** | YOUR **VOTE**



BUSINESS PLAN



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- 18** Your vote counts
- 19** How do I vote?

The Chichester Business Improvement District (BID)

Businesses in Chichester now have the opportunity to vote for BID2 and reaffirm Chichester's position and intent to remain at the forefront of successful, business focussed Cities in the UK. **The BID levy currently provides:**

- ✓ **Christmas lights and festivities** which attracted 70,000 people into Chichester on 26 November, including 12,000 people for the switch-on event
- ✓ **City performance measurements** such as the footfall camera, digital foot flow monitors and sales turnover figures show footfall is in line with national trends
- ✓ **Improved safety and security of our City Centre** through Chichester Businesses Against Crime (ChiBAC), significantly reducing criminal activity
- ✓ **Thirteen new City Mapboards, 100,000 City Maps and 51 Dispensers**, actively promoting our attractions, restaurants, pubs and cafés
- ✓ **An attractive and welcoming City environment** with side street improvement projects, hanging baskets, deep street cleaning and celebratory flags projects
- ✓ **A focused and ongoing 'Choose Chichester' marketing campaign** and an Events Marketing Manager to provide support and social media for all BID members events
- ✓ **Co-ordinated City Centre management** via a BID Manager working closely with the Councils, along with a BID Office, business support, website and business directory
- ✓ **Slatted business signs**, listing businesses in all side streets, coming this year
- ✓ **Increased one-to-one BID engagement** through a new BID Ambassador



Farmers Market



ChiBAC



Crane Street project



New City map boards



Christmas 2015 lights

Why Chichester BID..?

There is already an increase in activity since Chichester businesses voted overwhelmingly in favour of having a BID. Our positive message is that Chichester is proactive, open for business, new opportunities and investment.

Over the last five years, in a challenging post recession business environment, **Chichester BID has raised over £1.3m from the BID levy**, which has made a significant contribution to improving the attraction of the City for consumers and businesses.

The Chichester BID Levy has paid for:

Increased marketing and promotion of our City centre

Christmas Lights and festivities attracted **70,000 people** on 26 November 2015 – that's an **additional 78% footfall** (against the year with no lights).

Significantly **a million consumers** chose to visit Chichester in the Christmas period 2015.

Niche markets and a focused and ongoing **'Choose Chichester', campaign promoted the City for shopping, days out, heritage, arts and culture**. Promotional activity in parish magazines, Sussex Life, Heart and Spirit Radio has helped sustain visitor numbers from across the region, supported by a social media presence on FaceBook and Twitter.

Improved organisation of our City Centre

The BID office represents Chichester's businesses which helps deal with important City centre issues such as licensing and consent activity as well as lobbying for change and improvement to local authority policy.

A new **BID Ambassador** to engage with BID members and visitors.

Your BID Levy pays for City performance measurements such as the footfall camera, digital foot flow monitors and retail turnover. This activity provides significant evidence that helps us all monitor the performance of Chichester but also provides actionable insights that help us **make better business decisions to promote our City**.

Keeping our City environment attractive and welcoming

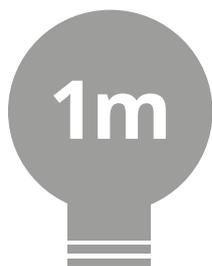
13 new City Mapboards and 100,000 City Maps actively promoting our attractions, businesses, restaurants, pubs and cafés. Located at **over 50 City dispensers**, our City maps are vital wayfinding tools helping visitors navigate their way around our City.

The Crane Street rejuvenation project, and other ongoing side street initiatives, such as business wayfinding signage, helps to support our independents who keep Chichester unique and increase footfall. Deep street cleans **removing 10 years' worth of chewing gum and grime** off the pavements.

Improved the safety and security of our City Centre

Chichester Businesses Against Crime (ChiBAC). Crime Reduction is achieved through a radio link scheme, CCTV, body worn cameras, drug dog operations, cyber-crime training and undercover detectives. These help deter offenders and repeat crime, with **high level police detection rates at circa 65%** as opposed to 35% outside of ChiBAC area.

In 2015 anti-social behaviour dropped by 26% (drug crimes nearly halved), over 100 people were banned from the City and there was a 16% drop in burglaries.



Numbers visiting Chichester for the Christmas festivities 2015



Christmas lights switch-on event increased footfall by 78% in 2015



13 new City Mapboards and 100,000 City Maps



In 2015 anti-social behaviour dropped by 26%

“

The BID is there to make Chichester an even better place than it is already – for both businesses and consumers – and to help bring people to the city to appreciate it. And that’s what it does, working in lots of areas, sometimes independently and sometimes bringing together partnerships. It’s a real force for good in Chichester and we would be much poorer without it.

David Coulthard
Communar Chichester Cathedral

”



New leadership, new vision

Chichester BID2 will have a new Leader, Colin Hicks (pictured right), who is keen to encourage our business partners to work more collectively to develop a more joined-up approach to City centre management, promotion and business opportunity. As central government devolves even greater power to Local Authorities, there is an even greater call to action for BID's to work closer with our local councils.



Advocacy

Businesses are asking for a more joined up approach across County, City and District Councils for City Centre services and policy. Chichester BID has created the opportunity to work more closely with the Chamber of Commerce & Industry and Visit Chichester to strongly represent the views of the private sector going forwards.

Non-Executive Board Directorships

All levy payers can raise issues through the BID champions or board members. The current Board brings together expertise from a broad range of sectors.

Director Representation 2017-2022

Independent consultant – Chair
Independent retailer
Independent eatery
Independent service business
Multiple retailer
Small chain service business
Multiple service business
Culture and heritage
Night time economy
District Council
City Council

Board Advisors

Hospitality
Residents' representative
West Sussex County Council
Major Attractions
Education
One business under threshold



As the economy continues to evolve, the City and the principal players have to evolve with it. The BID is now positioned as an objective and articulate representative of the City's private sector business community. By working in partnership with local authorities, city groups and organisations, we can now achieve outcomes, in collaboration, that refine and improve what cannot, and will not be achieved on our own.



The BID now helps form policy which does, and will, move our City into the new sharing and information-based economy, on both a regional and national scale. By voting for Chichester BID, you have an articulate, objective and business-focused partnership working together to improve, manage and promote Chichester.

Andrew Fynamore
Chair 2012-2017





Working in partnership



BID foot flow counter

Priorities for BID2, 2017–2022

What will we achieve in our second term?

Working collaboratively, our plan will be based on strong leadership to enable an economically sound, safe, attractive and organised City centre. Our team will focus on the **successful promotion of our City**, and the **attraction of increased visitors, customers, businesses, employees and investment**.

The team has listened to the concerns of our BID members and in response, **BID2 will focus more on demand and less on supply**, by improving the customer and business experience and move away from streetscape improvements.

1

Strategic Partnership

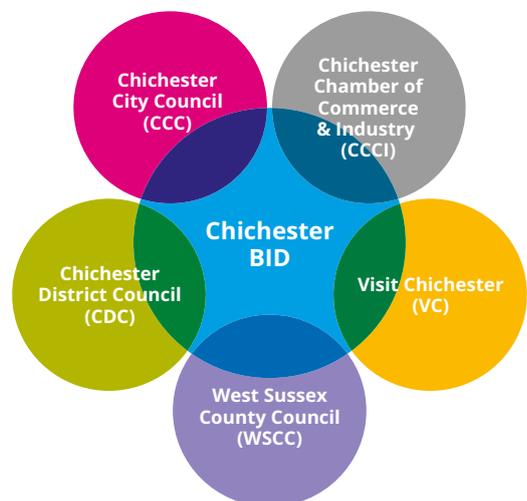
- Representing the private sector voice to West Sussex, District and City Councils, on City works and services and working closely with Chichester Chamber of Commerce & Industry on matters concerning policy and planning through forums, meetings and steering groups.
- The BID has obvious synergies with other bodies in Chichester, as shown below.



Since 2012, Chichester has enjoyed bigger and better Christmas celebrations, signage and renovation projects for side streets to support our independents and crime has been reduced through the excellent ChiBAC (Chichester Business Against Crime) scheme. The BID has also initiated a project to measure the city's overall footfall and sales performance in order to support BID levy payers in their planning and promotional activities.



Brendon Cook
Kiwi Recruitment



Synergies with other bodies in Chichester



2 Business Opportunity

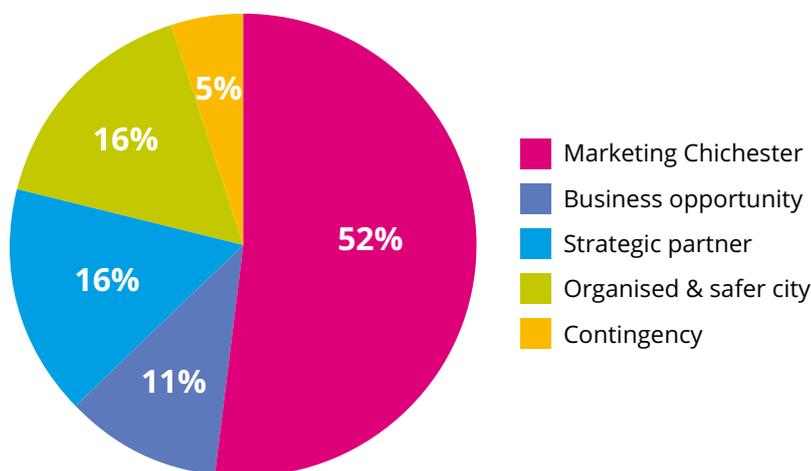
- Networking and promoting Chichester as a key place to invest and 'do business', working closely with the Chichester Chamber of Commerce & Industry.
- Promote Chichester as a vibrant place to live, work and visit.

3 Organised and Safer City

- BID Ambassador, to be the 'eyes and ears' on the street.
- Financing ChiBAC (Chichester Business Against Crime) for crime reduction making Chichester a more welcoming and safer environment.
- Connecting and engaging Chichester with a digital strategy for data collection and consumer and visitor insights.

4 Promoting Chichester

- **Events**
Continued provision of Christmas Lights and Festivities. Enhanced support with social media, organisation and marketing for our BID members on events such as Roman Week and the Festival of Flowers.
- **Marketing**
Creation of a Partnership with Visit Chichester to help brand, market and promote Chichester nationally as a Key Visitor Destination along with continued regional City Centre marketing focused on building brand loyalty for repeat business. Activity will be undertaken through traditional and digital business advertising opportunities.



BID2 expenditure plans

“

It is key that local government and businesses work closely together to achieve continued improvements for our City. The Chichester BID is a great way of doing this and not only helps bring about physical improvements but by working with partners including the District Council it is also an effective way of raising issues identified by BID levy payers. This year the BID and District Council have been working closely with organisations across the City on the Chichester Vision which is looking at the City's needs over the next 20 years. This is an exciting time for Chichester and the BID is a crucial partner to help deliver the Vision and increase tourism to Chichester through events and more effective marketing and communication.

Gillian Keegan
Chichester District Council

”



Consultation and feedback

This business plan has been drawn up after extensive consultation and following discussions with our BID members representing different sectors and areas across the City. **The results showed:**

- **BID members, in particular our Independents, want increased marketing to raise Chichester's profile** and more segmentation across the BID members to create better business opportunities and more street-focused support.
- Events are seen as important and businesses appreciate the support offered from the BID for organisation and promotion of their events, **but more needs to be done to promote our professional services and independents.**
- BID members have requested an **increase in one-to-one engagement to feedback their ideas and concerns.**

We have listened to feedback from our BID members:

1. City Licensing would work better under one central roof.

Chichester BID has created a One Stop Shop proposal for all three Councils to focus their requirements to one central office.

2. The timescale required to achieve CDC Planning and WSCC Highways permissions for improvements should be shortened.

Through a more strategic partnership we will lobby for improvements to planning policy, which must also be aligned with the City Vision plan for Chichester.

3. The best way to engage and share information with BID members is through face-to-face meetings rather than corporate communications.

In Term 2, the BID will employ a City Ambassador to be the eyes and ears on the street and in regular touch with our BID members as well as meeting and greeting our visitors.

4. The loss of small affordable incubator spaces for Independents and offices is having a negative impact on our entrepreneurs and business development in Chichester.

The BID has introduced sector focus groups to help twin businesses with similar target audiences to create more business opportunity, as well as lobbying planning applications to retain our smaller incubation space and to better support new businesses coming into the area.

5. Chichester City Centre is under-promoted both as a destination and a place to do business.

Certain physical attributes of the City Centre were successfully developed in Term 1 but the marketing has not made enough impact. This will be significantly increased in Term 2.

6. Christmas lights and markets attract new visitors, develop brand loyalty and encourage repeat business.

BID2 will build on this success and increase Christmas festivities.

7. The BID, with its focus on the retail sector and improvements to the streetscape, was unnecessarily single-track in meeting its responsibilities to the levy payers. The business-to-business sector missed out.

The BID will focus on creating business opportunities for the business-to-business sector working closely with the Chichester Chamber of Commerce & Industry.

8. BID funding for a safe and secure City through ChiBAC is an investment that has become almost invisible, because it is so effective. Its praises need to be sung.

BID2 will seek to better promote ChiBAC's additional services to our business-to-business community, and support City Angels.

“

Through promotion, marketing and organising many great events plus assisting in the day to day management of Chichester, our BID is helping to attract and encourage people into our unique city at a time when every centre is competing with one another to secure visitor numbers.



Damian Sadler
Goodrowes of Chichester Ltd
(Independent)

”



How will Chichester BID add value to your BID Levy..?

From 2017-2022, we are raising the Levy by 0.25%. Therefore, the BID levy will be fixed at 1.25% of each hereditament's rateable value, for each year over the next five years.

This raise will allow us to deliver your key priorities:

- 1** 50% of the budget to be spent on marketing, events and the promotion of Chichester, 50% of the budget on creating more business opportunity for BID members.
- 2** Most importantly, Chichester BID will use this 0.25% increase of funds (£67,500) to attract match-funding, sponsorship, grants and other funds available nationally.
- 3** The BID can unlock a further £50,000 from Chichester District Council, to brand and actively promote Chichester across the country, in partnership with Visit Chichester.
- 4** The BID will use the funds allocated to business opportunity to work more closely with the Chamber of Commerce & Industry to offer BID members business expertise and support, consultation and networking to create more business opportunities in Chichester.
- 5** Chichester BID will provide leadership in partnership with Chichester Businesses Against Crime (ChiBAC), Visit Chichester and The Chamber of Commerce & Industry to deliver a more joined-up approach to promoting Chichester as a key visitor destination and a safe, welcoming and organised City in which to live, work and do business.

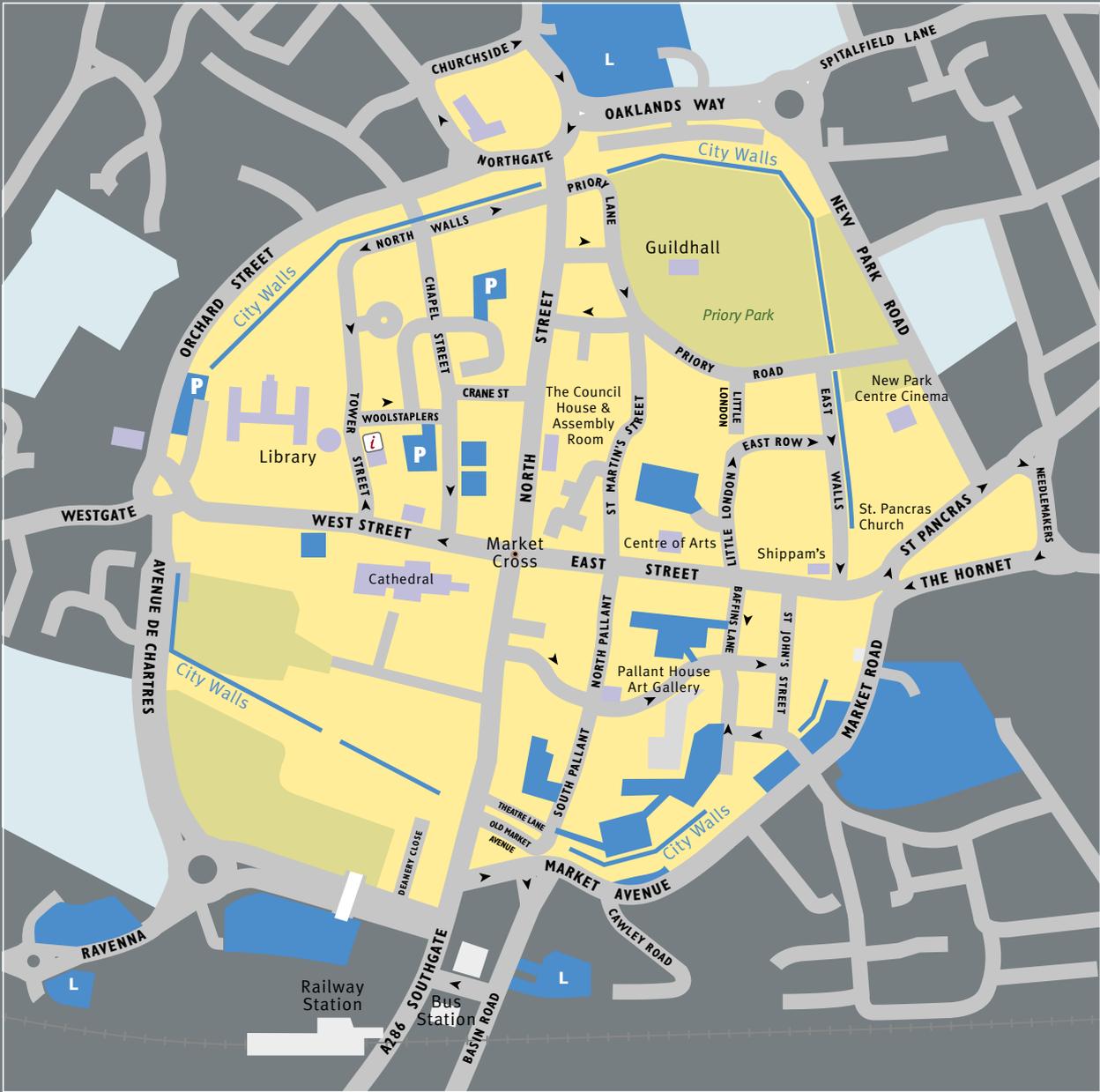
Chichester BID continues to:

- Give local businesses the opportunity to lead the way and decide what they want for their area
- Provide focused and targeted promotion of the City Centre
- Offer networking and collaborative working opportunities with neighbouring businesses
- Offer invaluable advice and assistance in dealing with the Council, Police and other public bodies
- Provide an opportunity to influence funding and decision-making
- Remain a not-for-profit organisation

Who will be part of Chichester BID2?

Chichester BID's geographical area is within Chichester's City walls including Southgate, Northgate, St Pancras and The Hornet.

BID Area



Map (right): © Crown copyright. All rights reserved (100018803) (2006). Map not to scale

2017–2022 Financial Projections

BID Levy at 1.25% of Rateable Value

Revenue	Year 1	Year 2	Year 3	Year 4	Year 5	Total
BID levy income	350,000	350,000	350,000	350,000	350,000	1,750,000
Grants and sponsorship (not including 0.25% match-funding)	5,000	5,000	5,000	5,000	5,000	25,000
Total BID2 levy revenue	355,000	355,000	355,000	355,000	355,000	1,775,000

Less Collection & Renewal Costs (11%)

Collection costs	14,500	14,500	14,500	14,500	14,500	72,500
Non collection contingency	17,500	17,500	17,500	17,500	17,500	87,500
Renewal process	-	-	-	-	40,000	40,000*
CDC ballot process	-	-	-	-	5,000	5,000*
Total costs	32,000	32,000	32,000	32,000	77,000	205,000
Available revenue	323,000	323,000	323,000	323,000	278,000	1,570,000

Expenditure BID2 objectives

A. Marketing Chichester (52%)	168,000	168,000	168,000	168,000	141,300	815,600
B. Business opportunity (11%)	35,500	35,500	35,500	35,500	30,350	173,500
C. Strategic partner (16%)	52,000	52,000	52,000	52,000	44,600	253,750
D. Organised & safer city (16%)	51,000	51,000	51,000	51,000	49,400	79,500
Contingency 5%	16,150	16,150	16,150	16,150	12,350	77,500
BID2 expenditure	323,000	323,000	323,000	323,000	278,000	1,570,000

BID levies for 2017–22

Rateable value	Weekly cost	Annual levy
£5,000	£1.20	£62.50
£10,000	£2.40	£125.00
£20,000	£4.81	£250.00
£50,000	£12.02	£625.00
£100,000	£20.19	£1,050.00
£250,000	£60.10	£3,125.00
£300,000	£72.12	£3,750.00

The BID Contingency

The BID sets aside a sum per annum from its budget to act as a contingency margin to support businesses as required, in addition to a non-collection contingency. If, at the end of the financial year, there has been no call on either contingency fund, then it will be invested in the 4th quarter of each year into the other four main objectives, (either as a lump sum or shared).

*Only payable if Chichester BID seeks a third term for a Business Improvement District

“

I'm backing the BID because like every winning team Chichester Business Improvement District is greater than the sum of its individual parts. As a collective, the BID is able to market and promote the City, and add a return of investment of many thousands of pounds to the 560 plus levy payers. The BID has developed a clear step change in strategy and with new Leadership, can successfully deliver it. Firm foundations have been laid in the BID's first 5 years and with more energy, enthusiasm and expertise available for BID2, there is no limit to what Chichester businesses can achieve.

Lyn Bethan
House of Fraser

”



LEG II
AUGUSTA



Meet the BID2 management team



Charlotte Wickins

BID Manager

Charlotte will report to the BID Board and manage the BID Team, office and projects. She will account for the BID budget and ensure transparency through a variety of BID communications and focus groups.



Jeanette Hockley

Events and Marketing Manager

Chichester BID members' events will be supported by Jeanette Hockley, who will also manage all aspects of marketing and promoting our City Centre, as well as our social media, website and communications.



Colin Hicks

Chair Designate 2017-2022

Colin will use his governance and organisational leadership experience, to Chair the BID Board and steer the BID Team into new strategic partnerships and projects, with clear direction over the next term.

Team Advisors



Chichester Chamber of Commerce & Industry



Visit Chichester



Chichester Advisory Group



Ex Chairman

There will be a **much higher level of engagement with partners and members in BID2**, with our monthly focus group meetings which will help with transparency and **much more effective modes of distributing information** such as our City Ambassadors and digital options. Our BID members all use different ways to communicate and we have to make it as easy as possible for them to keep up to date.



Chichester has plenty on offer to accommodate the changing habits of today's consumers. Not only are we a multiple shopping destination, but a learning city and a place for relaxation and entertainment that is alive with arts, culture and heritage of national importance. This City is ready to be presented to a much wider audience as one of the UK's top places to live, work, shop, discover, learn and just enjoy life.

Working collectively, we can offer our commercial, independent and retail businesses, as well as visitors and citizens, a more connected City that is a place of opportunity to all. The private sector investment in Chichester through the BID is essential to attracting new interests. We are determined to seize the opportunities that are out there to attract additional financing that will match our BID members' aspirations and investment.

Colin Hicks

Chair Designate 2017-2022





Spirit FM promotion



AGM 2015

Your vote counts

For the BID to proceed to another term, more than 50% of those who vote must vote 'yes'. Of those positive votes, the total rateable value must be higher, when added together, than the rateable value of those who voted 'no'.

If Chichester BID2 secures a 'yes' vote, then all businesses within the BID Levy geographical area are **legally obliged to pay the BID Levy for the next 5-year BID term.**

The Chichester BID 2nd Term runs from **1 April 2017 to 31 March 2022.**

Alteration

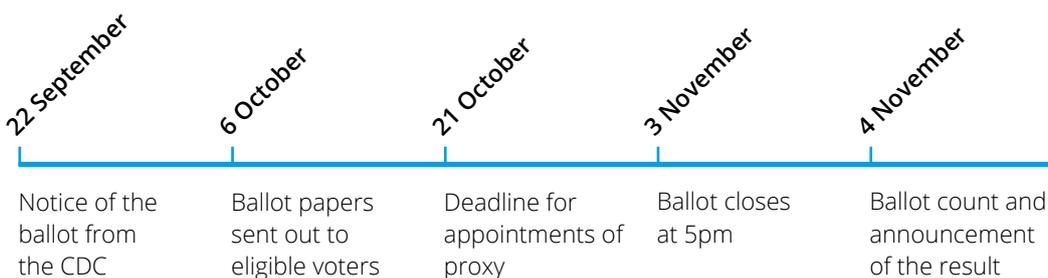
Neither the BID area nor the BID levy percentage can be altered during the BID Term, without an Alteration Ballot. The budget headings and project costs can be altered within the constraints of the revenue received through the BID levy.

BID levy collection

Chichester District Council is obligated to issue invoices and collect the BID Levy from our BID members on behalf of the BID.

Chichester BID then receives the funds raised from the Levy in monthly instalments from the District Council directly, which are **spent against the agreed annual budget to deliver our members' objectives.**

Proposed timescale





The Wrenford Centre volunteers



Crane Street Project

How do I vote?

'Back the BID' by voting Yes during October so we can collectively create the best opportunity for businesses in Chichester.

From 6 October–3 November 2016, eligible businesses will be asked to cast their vote in a secret ballot. To ensure neutrality the ballot will be administered by Chichester District Council.

All defined levy payers (occupiers) are entitled to one vote per hereditament (property space). Therefore, a ballot paper is sent to the occupier of each hereditament with those occupying more than one

hereditament receiving more than one ballot paper. Every ballot paper is a vote that counts.

It is possible to appoint a proxy to vote on your behalf. Proxy applications are to be made to Chichester District Council **by 5pm on 21 October 2016**. Levy payers that have been exempt from paying the BID levy are not eligible to vote.

When you Vote Yes for ChiBID 2 you will have a strong network of private sector partners and a voice at the table of our Local Authorities, where Chi BID is already guiding on policy, planning and investment for the future.



For further information on Chichester BID please contact:

Charlotte Wickins – BID Manager
Chichester BID Office, 82 North Street,
Chichester, West Sussex PO19 1LQ
T: (01243) 773263
M: 07803 698 191
E: cwickins@chichesterbid.co.uk
www.chichesterbid.co.uk

Look out for our **BID BUDDY** volunteers in October, who will be available to answer any queries you may have.

Chichester BID is a member of British BIDS and currently registered as a not for profit limited company, as Chichester City Centre Partnership CIC, at Companies House, Registration no 7961000, along with its Memorandum of Articles and Association and Constitution.

Chichester
Business Improvement District **BID**

VOTE YES



BID2 working together



Follow us on Twitter @ChichesterBID

CORPORATE PLAN REVIEW - TERMS OF REFERENCE, SCOPING OF WORK AND PLAN

Review topic	Corporate Plan Mid-Year Progress Review 2020
Terms of Reference	<ul style="list-style-type: none"> • To consider a mid-year progress report on Corporate Plan key projects and performance indicators for the period April to September 2020. • To identify any further action needed to challenge poor performance and/or reduce any risk to an acceptable level.
TFG members	To be appointed at the Overview and Scrutiny Committee meeting on 15 September 2020.
Officer Support	Mr Buckley, Miss Davis, Mrs Bushby, Mrs Westbrook and service areas where required.
Background	In addition to ongoing projects, new project proposals for 2020/21 were developed via Service Plans to meet the priorities within the Corporate Plan. A review is undertaken mid-way through the year to ensure that the council is achieving satisfactory levels of performance against these key projects and performance indicators.
Outcomes to be achieved	<p>The council's key projects and performance indicators are monitored to support successful delivery and satisfactory performance.</p> <p>Action is taken to address any risks to the Council as a result of poor performance.</p>
Methodology/ approach	As set out in the project plan below.
In scope	Review of progress against 2020-21 Corporate Plan projects and performance indicators.
Excluded from scope	Review of the council's priorities.
Consultation	None required.
Evidence sources	<ul style="list-style-type: none"> • A mid-year performance report on Corporate Plan projects and performance indicators, taken from the Council's performance management system. • Performance updates from services areas. • Action plans to address failing performance.
Site visits	None.
Review completion date	Report to OSC 17 November 2020
How does the review link to strategic aims and priorities?	Links to strategic priorities in the council's Corporate Plan.

PROJECT PLAN

The following Project Plan interprets the above scope into a programme of work.

	Action	Timescale
1	OSC receive Terms of Reference for TFG and appoint TFG Members.	15 Sept 2020
2	TFG meet to receive Corporate Plan Mid-Year progress report. Review report to consider progress against Corporate Plan projects and performance indicators for the period April to September 2020. Identify any areas where improvement is required or poor performance/non-completion is posing a risk to the Council and/or to achievement of the expected project outcomes.	TFG meeting w/c 26 October 2020
3.	If required, a further meeting of the TFG should there be a need to hear from Service Managers regarding progress and issues affecting non-delivery of projects.	Early Nov. 2020
3	Report to Overview & Scrutiny Committee.	17 November 2020

Chichester District Council



CHICHESTER DISTRICT COUNCIL

FORWARD PLAN

**For the period
1 October 2020 to 31 January 2021**

An outline of the decisions expected to be made by the Council's Cabinet

Published 04 09 2020

CHICHESTER DISTRICT COUNCIL
FORWARD PLAN FOR THE PERIOD 1 OCTOBER 2020 TO 31 JANUARY 2021

This Forward Plan outlines the decisions which are expected to be made by the Council's Cabinet during the period of four months from 1 October 2020 to 31 January 2021. On occasions the timetable for reports may change due to unforeseen circumstances. Additionally the Forward Plan also identifies decisions which are likely to be taken by the Cabinet in the coming year beyond the four month period covered by the Plan.

Parts of these meetings may be held in private if the Cabinet considers it likely that there will be disclosure of confidential information or exempt information of a description specified in Part 1 of Schedule 12A to the Local Government Act 1972.

The Forward Plan includes key decisions, which are those which if taken by the Cabinet will have significant financial implications or significant impact in the District, and other decisions which may be of interest to the public.

The Forward Plan includes information on the person to contact to inspect relevant documents.

The Cabinet may also consider other documents or items which are not included in the Forward Plan due to changing circumstances.

The membership of the Cabinet is currently as follows:

Councillors Mrs E Lintill (Chairman), Mrs S T Taylor (Vice Chairman), Mr R Briscoe, Mr A Dignum, Mrs P Plant, Mr A Sutton, Mr P Wilding,

The Forward Plan will be revised each month and rolled forward to the next four monthly period.

Any person who wishes to make representations about any matter in the Forward Plan should contact the report author or Democratic Services, Chichester District Council, East Pallant House, Chichester, PO19 1TY (e-mail democraticservices@chichester.gov.uk) at least a week before the meeting at which the decision is to be made. Any person who wishes to receive a copy of any document relevant to the matters listed in the Forward Plan should contact the same people.

If you have any general queries on the contents of the Forward Plan please contact Fiona Baker, Democratic Services Officer on 01243 534609 (e-mail fbaker@chichester.gov.uk)

Eileen Lintill
Leader of the Council

Topics due to be considered are as follows:

Topic	Page
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CCTV monitoring contract	5
Events Strategy and Policy	5
Low Carbon Chichester Fund	5
Public Space Protection Order (PSPO) Dogs	6
Review of council tax locally defined discounts and premium	6
Section 106 Funding for 3G pitch at Oaklands Park, Chichester	6
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2021-22 Treasury Management & Investment Strategy and Capital Strategy update	13
2 March 2021	
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Approval of an Air Quality Action Plan	13
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September 2021	
Award of Contract for Insurance Services	14

Date of Meeting	6 Oct 2020
Matter in respect of which the decision is to be made	Chichester Harbour Conservancy (CHC) Statutory Consultee Status To consider a request from the CHC to support its proposed change of status to that of Statutory Consultee
Report author	Mr Tony Whitty, Divisional Manager for Development Management twhitty@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	6 Oct 2020
Matter in respect of which the decision is to be made	CCTV monitoring contract Decision required as to renewal of the CCTV monitoring contract when it expires in March 2021
Report author	Ms Pam Bushby, Divisional Manager for Communities pbushby@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	
Date of Meeting	6 Oct 2020
Matter in respect of which the decision is to be made	Events Strategy and Policy To receive and note the Council's Events Strategy and Policy.
Report author	Mrs Sarah Peyman, Divisional Manager for Culture speyman@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	6 Oct 2020
Matter in respect of which the decision is to be made	Low Carbon Chichester Fund To agree the scope of the fund and the criteria to be used in assessing carbon saving projects for approval. The scheme utilises funds being provided via Homes England from the redevelopment of Graylingwell.
Report author	Mr Tom Day, Environmental Coordinator tday@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet

Key Decision	No
Exempt?	Open
Date of Meeting	6 Oct 2020
Matter in respect of which the decision is to be made	Public Space Protection Order (PSPO) Dogs To report the results of the public consultation and seek approval for the draft revised PSPO.
Report author	Mr Simon Ballard, Senior Environmental Protection Officer sballard@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	6 Oct 2020
Matter in respect of which the decision is to be made	Review of council tax locally defined discounts and premium Local Discounts: The Council have devolved powers to make decisions on council tax discounts for certain dwellings such as second homes. The Council also has the power to charge an additional premium for properties that have been empty for than two years. This premium can increase for properties that have been empty for more than five years.
Report author	Mr Paul Jobson, Taxation Manager pjobson@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	6 Oct 2020
Matter in respect of which the decision is to be made	Section 106 Funding for 3G pitch at Oaklands Park, Chichester Release of Section 106 money towards the development of a 3rd Generation Artificial Turf Pitch at Chichester City Football Ground, Oaklands Park, Chichester.
Report author	Mrs Sarah Peyman, Divisional Manager for Culture speyman@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Date of Council Meeting	24 Nov 2020

Matter in respect of which the decision is to be made	Council Tax Reduction Scheme 2021/2022 Council Tax Reduction Scheme 2021/2022 supports people on low incomes to pay their Council Tax. This requires approval by full Council prior by the 11th March 2021 to be in place for the 1st April 2021.
Report author	Mrs Marlene Rogers, Benefits Manager mrogers@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Matter in respect of which the decision is to be made	East Pallant House Options Scope To agree the scope of the options appraisal for the future use of East Pallant House
Report author	Mr Joe Mildred, Divisional Manager for Corporate Services jmildred@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	
Date of Meeting	3 Nov 2020
Date of Council Meeting	24 Nov 2020
Matter in respect of which the decision is to be made	Extension to the Statement of Licensing Policy & Renewal of Policy for Sexual Entertainment Venues To seek an extension to the Statement of Licensing Policy under the Licensing Act 2003, as a result of the on-going Covid-19 pandemic and; to renew the Sexual Entertainment Venue Policy for its next full term.
Report author	Mr David Knowles-Ley, Licensing Manager dknowles-ley@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Date of Council Meeting	24 Nov 2020
Matter in respect of which the decision is to be made	Financial Strategy and Plan 2021-22 The purpose of the report is to update the Council's medium term financial strategy and action plan to help guide the management of the Council's finances, considering Government funding for the

	<p>coming year and potentially future years.</p> <p>The key recommendations from this report will help formulate the 2021-22 budget, and level of Council Tax.</p> <p>Cabinet is asked to recommend to Council the following;</p> <p>(1) The key financial principles and actions of the five year financial strategy</p> <p>(2) That the current five year Financial Model is noted</p> <p>(3) That a minimum level of general fund reserves be set, having considered the recommendations from the Corporate Governance and Audit Committee</p> <p>(4) That the current resources position is noted.</p> <p>Key issue – yes</p>
Report author	Mrs Helen Belenger, Divisional Manager for Financial Services hbelenger@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Matter in respect of which the decision is to be made	Future Customer Services Delivery To discuss proposals over the future of Customer Services delivery
Report author	Ms Kerry Standing, Divisional Manager, Revenues, Benefits and Customer Services kstanding@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	
Date of Meeting	3 Nov 2020
Matter in respect of which the decision is to be made	Future Funding for Community Wardens Decision needed as to how the Community Warden Service will be funded from April 2021 if partner organisations cannot fully fund 50% of Service including the Senior Community Warden post.
Report author	Ms Pam Bushby, Divisional Manager for Communities pbushby@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open

Date of Meeting	3 Nov 2020
Matter in respect of which the decision is to be made	Housing Standards Financial Assistance and Enforcement Policy 2020-25 Proposed new policy detailing capital spending in relation to housing improvement, with a focus on reducing cold homes and fuel poverty, and also improving standards in the private rented sector. The document also includes a new Enforcement Policy providing officers with all the legislative tools available, to enable them to deal with those who fail to maintain their properties to a safe standard, including rogue landlords.
Report author	Mrs Liz Reed, Environmental Housing Manager lreed@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Date of Council Meeting	24 Nov 2020
Matter in respect of which the decision is to be made	Local Development Scheme The Local Development Scheme identifies and timetables the planning documents that the Council will prepare to plan for development in that part of the District which falls outside the South Downs National Park.
Report author	Mr Toby Ayling, Divisional Manager for Planning Policy tayling@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Matter in respect of which the decision is to be made	Provision of Coastal Engineering Service Review of coastal engineering service models
Report author	Ms Alison Stevens, Divisional Manager for Environmental Protection astevens@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Matter in respect of which the decision is to be made	Review of Parking Charges To review the parking charges in Chichester District and consider

	proposals for charges from 1st April 2021
Report author	Mrs Tania Murphy, Divisional Manager for Place tmurphy@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	3 Nov 2020
Matter in respect of which the decision is to be made	Treasury Management 2020-21 mid-year update Required by the Council's Treasury Strategy, this report summarises the Council's Treasury activity for the period 1 April to 30 September 2020, including compliance with approved indicators and limits
Report author	Mr Mark Catlow, Group Accountant (Technical and Exchequer) mcatlow@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	8 Dec 2020
Matter in respect of which the decision is to be made	Approval to Consult on Draft Air Quality Action Plan Consultation on the draft Air Quality Action Plan for Chichester District.
Report author	Mr Simon Ballard, Senior Environmental Protection Officer sballard@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	8 Dec 2020
Matter in respect of which the decision is to be made	Contaminated Land Inspection Strategy To seek approval for the adoption of the revised Contaminated Land Inspection Strategy.
Report author	Mr Simon Ballard, Senior Environmental Protection Officer sballard@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	8 Dec 2020

Matter in respect of which the decision is to be made	Determination of the Council Tax Base 2021-2022 To set the Council Tax base for 2021-2022. The tax base is effectively an estimate of the number of council tax dwellings in the District. This is adjusted for the effect of discounts and exemptions and is expressed as the number of band D equivalent dwellings in the district.
Report author	Mr Paul Jobson, Taxation Manager pjobson@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	8 Dec 2020
Matter in respect of which the decision is to be made	Extension of Litter and Dog Control Enforcement S101 Agreement CDC entered into a three year inter-authority agency agreement with East Hants District Council for litter enforcement and dog control enforcement which is due for renewal in February 2021.
Report author	Mr Simon Ballard, Senior Environmental Protection Officer sballard@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	8 Dec 2020
Matter in respect of which the decision is to be made	Selsey & Wittering Beach Management Plan 2021-26 Seeking approval to proceed with a five year project to protect our coastline from flood / erosion risk, including works schedule, approval to draw down funds from the Environment Agency and delegation of awarding of annual construction contracts.
Report author	Mr Dominic Henly, Senior Engineer (Coast and Water Management) dhenly@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	5 Jan 2021
Matter in respect of which the decision is to be made	Chichester District Climate Emergency Action Plan To approve the full Climate Emergency Action Plan, which is being developed from the Initial Climate Emergency Action Plan that was approved in January 2020
Report author	Mr Tom Day, Environmental Coordinator

	tday@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	5 Jan 2021
Matter in respect of which the decision is to be made	IPPD - Sport and Physical Activity/Wellbeing Strategy Receive the IPPD for the development of a district 'Sport & Physical Activity/Wellbeing Strategy'.
Report author	Mrs Sarah Peyman, Divisional Manager for Culture speyman@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	5 Jan 2021
Matter in respect of which the decision is to be made	Report consultation responses and approve adoption of Local Cycling and Walking Infrastructure Plan To report the results of the earlier Cabinet approved consultation for the Local Cycling and Walking Infrastructure Plan and to recommend its adoption.
Report author	Mr Simon Ballard, Senior Environmental Protection Officer sballard@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	2 Feb 2021
Date of Council Meeting	2 Mar 2021
Matter in respect of which the decision is to be made	Budget Spending Plans 2021-22 & Council Tax Setting To set a net budget requirement and the council tax for the Council for the financial year 2021-22. Set the Council Tax for 2021-22.
Report author	Mrs Helen Belenger, Divisional Manager for Financial Services hbelenger@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	2 Feb 2021

Date of Council Meeting	2 Mar 2021
Matter in respect of which the decision is to be made	The IBP 2021. Recommend to Council, the approval of the consultation responses and approval and publication of the IBP 2021
Report author	Mrs Karen Dower, Principal Planning Officer (Infrastructure Planning) kdower@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	2 Feb 2021
Date of Council Meeting	2 Feb 2021
Matter in respect of which the decision is to be made	2021-22 Treasury Management & Investment Strategy and Capital Strategy update The Treasury Management and Investment Strategies for 2021-22 will be presented for approval in accordance with CIPFA's Treasury Management Code of Practice. An update of the Council's Capital Strategy will also be presented within the same agenda item
Report author	Mr Mark Catlow, Group Accountant (Technical and Exchequer) mcatlow@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	2 Mar 2021
Date of Council Meeting	2 Mar 2021
Matter in respect of which the decision is to be made	Local Plan Review Proposed Submission Local Plan consultation
Report author	Mr Toby Ayling, Divisional Manager for Planning Policy tayling@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	6 Apr 2021
Matter in respect of which the decision is to be made	Approval of an Air Quality Action Plan To report on the results of the public consultation and to adopt the Air Quality Action Plan
Report author	Mr Simon Ballard, Senior Environmental Protection Officer sballard@chichester.gov.uk

List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	No
Exempt?	Open
Date of Meeting	6 Apr 2021
Matter in respect of which the decision is to be made	Westbourne Neighbourhood Plan Decision Statement To consider the Examiner's recommendations made on the Westbourne Parish Neighbourhood Plan. The report will recommend that Cabinet agrees the Decision Statement and the Plan moves forward for referendum.
Report author	Mrs Valerie Dobson, Principal Planning Officer vdobson@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Open
Date of Meeting	September 2021
Matter in respect of which the decision is to be made	Award of Contract for Insurance Services Award of the Council's Insurance Service contract with associated broker contract (if necessary).
Report author	Mrs Helen Belenger, Divisional Manager for Financial Services hbelenger@chichester.gov.uk
List of documents to be submitted to the Cabinet	Report to Cabinet
Key Decision	Yes
Exempt?	Fully exempt