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Chief Executive

CABINET AGENDA

Date: Wednesday 22nd January 2020

Time: 7.00pm NB Time

Venue: Council Chamber

This meeting will be webcast live on the internet.

Membership:

| | |
|----------------------------|--------------------------------------------------------|
| Councillor Smith | Chairman - Leader of the Council |
| Councillor Stanley | Finance, Policy and Resources |
| Councillor Mrs Egan | Housing and Council Homes |
| Councillor Hart | Streets, Waste, Floods and Water Management |
| Councillor Isaacs | Neighbourhoods & Safer Communities |
| Councillor Johnson | Youth & Tourism |
| Councillor MacLean | Health & Wellbeing |
| Councillor Mumford | Regeneration & Business Liaison |
| Councillor Sheldon | Commercial Contracts and Commercial Opportunity |
| Councillor Varker | Environment & Leisure |

| | |
|---------------------------|----------------------------------|
| Cabinet Enquiries: | Ann Horgan ext. 2413 |
| Reference: | 7/2019/2020 |
| Publication Date: | Tuesday 14th January 2020 |

AGENDA
PART I
(Business to be taken in public)

1. Apologies

2. Members' Interests

3. Minutes

To approve the Minutes of the meeting held on 20th November 2019.

4. Forward Plan

To review the Forward Plan.

5. Health and Community Safety

5(a) Suicide Policy & Protocol

(Report of the Cabinet Member for Neighbourhoods & Safer Communities)

6. Environment

No matters.

7. Housing and Regeneration

7(a) Revised Tenancy Strategy

(Report of the Cabinet Member for Housing and Council Homes)

7(b) Planning Policy & Regeneration Update

(Report of the Leader of the Council and Cabinet Member for Regeneration and Business Liaison)

8. A Commercial and Democratically Accountable Council

8(a) Planning Improvement Peer Challenge

(Report of the Leader of the Council and Cabinet Member for Regeneration and Business Liaison)

8(b) Authority to Represent the Council

(Report of the Cabinet Member for Finance, Policy & Resources)

8(c) Discretionary Rate Relief – Business Rates

(Report of the Cabinet Member for Finance, Policy & Resources)

9. Matters to be referred from /to Policy & Scrutiny Committees

There are no matters.

10. Matters to be referred from /to the Standing Committees

A report will be made regarding the Petition presented at the Ordinary Council meeting in October seeking the restoration of the knowledge test for private hire drivers.

PART II
(Business to be taken in private)

(Item to be considered with the press and public excluded from the meeting)

There were no items known at the time of preparation of the agenda.

**INFORMAL
CABINET SESSION**



CABINET



20TH NOVEMBER 2019

PRESENT:

| | |
|---------------------|---------------------------------------------------|
| Councillor Smith | Chairman – Leader of the Council |
| Councillor Stanley | Finance, Policy and Resources |
| Councillor Mrs Egan | Housing and Council Homes |
| Councillor Hart | Streets, Waste, Floods and Water Management |
| Councillor Isaacs | Neighbourhoods and Safer Communities |
| Councillor Johnson | Youth and Tourism |
| Councillor Mumford | Regeneration and Business Liaison |
| Councillor Sheldon | Commercial Contracts and Commercial Opportunities |
| Councillor Varker | Environment & Leisure |

APOLOGIES: Councillor MacLean

ALSO PRESENT: Councillors: Acott, Blackwell and Mrs Sach

52. MEMBERS' INTERESTS:

Declarations of Interest were made by Councillors Sheldon, Mrs Egan and Blackwell as Essex County Council Councillors in respect of Item 6(a) Minute 55. Notice of Motion: Proposal to fund the reinstatement of full – coverage street lighting at night across the Borough.

53. MINUTES:

The Minutes of the Cabinet meeting held on 16th October 2019 were approved and signed by the Chairman as a correct record.

54. FORWARD PLAN:

To comply with regulations under the Localism Act 2011, the Leader presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter of 2019. The Plan was reviewed each month. The Leader drew attention to the deferral of the report on the Planning Improvement Peer Challenge to January 2020.

Resolved – To note and approve the Forward Plan.

55. NOTICE OF MOTION – PROPOSAL FOR CASTLE POINT BOROUGH COUNCIL TO FUND THE REINSTATEMENT OF FULL-COVERAGE STREET LIGHTING AT NIGHT ACROSS THE BOROUGH.

The Cabinet considered the report on the Motion to Council on 22nd October 2019 in respect of a proposal for this Council to fund the reinstatement of full-coverage street lighting at night across the Borough which due to its potential financial implications was referred without debate to Cabinet.

Resolved:

That Cabinet reports to Council and recommends that it is not this Council's responsibility to fund the keeping on of street lights throughout the night and that this Council should lobby Essex County Council (ECC) to accelerate its LED replacement programme and utilise the ongoing savings to fund the keeping on of all street lights in the Borough throughout the night.

56. NOTICE OF MOTION – TREE PLANTING CAMPAIGN THROUGHOUT THE BOROUGH

Cabinet considered the report on the Motion to Council on 22nd October 2019 in respect of a Borough wide tree planting campaign, which due to its potential financial implications was referred without debate to Cabinet.

Resolved:

That Cabinet reports to Council and recommends that the Motion be referred to the Environment Policy and Scrutiny Committee to be considered as part of a task to look at what action the Council can take to tackle the growing global threat of climate change and to report back its findings and recommendations to Cabinet.

57. PLANNING POLICY UPDATE - ESSEX COAST RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION STRATEGY (RAMS)

Cabinet considered the report seeking the Council's formal agreement to the Essex coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), Supplementary Planning Document (SPD) to go out for public consultation.

Resolved:

1. That the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) be approved for consultation.
2. The RAMS Strategy is approved by the Council.
3. That the Chief Executive and Head of Place and Policy be authorised to agree minor changes to the draft Supplementary Planning Document should it be necessary prior to the consultation.
4. To report to Council upon the adoption of the new Castle Point Borough Local Plan to approve and adopt the final version of the SPD.

58. COMMUNITY INFRASTRUCTURE LEVY (CIL)

Cabinet considered a report confirming the introduction of the Community Infrastructure Levy (CIL) to be prepared and consulted on, alongside the progression of the new Castle Point Borough Local Plan. (CIL is a charge which can be levied by local authorities on new development in their area. It was an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area.) The report set out in summary the purpose and application of CIL, the process to introduce CIL and the mechanism to set and collect the levy.

Resolved:

1. That the Cabinet confirms the process to introduce CIL
2. That further reports are made to Cabinet on progress, and to Council to approve the draft Charging Schedule and Section 123(Planning Act 2008) Schedule prior to public consultation.

59. PLANNING ENFORCEMENT POLICY

Cabinet considered presenting an updated Planning Enforcement Policy for approval.

Resolved:

To agree and adopt the updated Planning Enforcement Policy as set out in Appendix A to the report.

60. REGENERATION UPDATE

Cabinet considered a revised report updating Cabinet on progress with current regeneration initiatives including Hadleigh Town Centre, various initiatives on Canvey Island; business support and investment; communications and Town Centre Markets. Cabinet was also asked to approve the use of General Fund Reserves to fund the demolition of the Crown Public House, Hadleigh.

Resolved:

1. That Cabinet notes the progress underway on the initiatives set-out within the report.
2. That Cabinet authorises the amount of £160,000 for the demolition of the Crown Public House to be allocated from General Fund reserves for 2019/2020.

61. HOUSING ASSESSMENT MANAGEMENT PLAN

Cabinet considered a report presenting a proposed Housing Asset Management Plan 2019 – 2024 for approval.

Resolved:

To approve the Housing Asset Management Plan 2019 – 2024 and the objectives as detailed in section 5.2 of the report.

62. HOMELESSNESS AND ROUGH SLEEPING STRATEGY

Cabinet considered a report presenting a proposed Homelessness and Rough Sleeping Strategy 2019 – 2024 for approval.

Resolved:

1. To agree in principle to the Homelessness and Rough Sleeping Strategy 2019 - 2024 and the accompanying Equality Impact Assessment.
2. To refer the strategy for further review by the appropriate Policy and Scrutiny Committee.

63. FINANCIAL UPDATE

Cabinet considered the report providing Cabinet with the latest Medium-Term Financial Forecast (MTFF) in respect of the General Fund and updating Cabinet on developments of a financial nature, which might impact on the Council's financial plans in respect of either the General Fund, Housing Revenue Account (HRA) or capital programme.

Resolved - To note the report, and

1. To approve the draw from the Housing Revenue Account reserve to cover the cost of the items detailed in the table at paragraph 5.1 of the report.
2. To approve the changes to the Housing Revenue Account capital programme detailed in the table at paragraph 7.1 of the report.

64. TREASURY MANAGEMENT MID-YEAR ACTIVITY REPORT AND AMENDMENT TO THE 2019/20 INVESTMENT STRATEGY

Cabinet considered as required by the Council's reporting procedures the Treasury Management mid-year activity report. It summarised the Council's Treasury Management activity for the first six months of the current financial year. Supporting information was provided within Annexes A and B to the report.

In addition, Cabinet considered a recommendation from the Strategic Director (Resources) to add two new types of non-specified investments to the approved list of counterparties for 2019/20, and this change in the Investment Strategy required approval by Cabinet and Council.

This report followed an equivalent report approved by Audit Committee on 24 October 2019 which also reported performance for the first six months.

Resolved:

That following scrutiny, the Treasury Management mid-year activity report for 2019/20 is approved and the amendment to the 2019/20 Investment Strategy, is approved and submitted to Council.

65. LOCAL COUNCIL TAX SUPPORT (LCTS) SCHEME FOR 2020/21

Cabinet considered the report, which provided an update to Cabinet in respect of the Proposed Local Council Tax Support scheme for 2020/21.

Resolved:

1. To note the information regarding consultation requirements, summarised in Section 5 of this report.
2. To note the findings regarding the impact of Universal Credit, summarised in Appendix A.
3. To note the content of the Stage 2 Equality Impact Assessment, at Appendix B.
4. To note the impact of the proposed 2020/21 LCTS Scheme, summarised at Appendix C.
5. To recommend to Council that there are no changes to the Local Council Tax Support Scheme for 2020/21.

66. DELEGATED AUTHORITY TO PROCURE MERCHANT ACQUIRING CARD SERVICES

Cabinet considered the report seeking delegated authority to progress the procurement of a new Merchant Acquiring Card Service provider.

Resolved:

To approve the procurement of a new Merchant Acquiring Card Service Provider in line with the recommendations in para 5.9 and based on the indicative expenditure stated in 5.8 of this report.

67. CORPORATE PERFORMANCE SCORECARD QUARTER 2 2019/20

Cabinet considered the report setting out the cumulative performance figures for the Corporate Performance Scorecard for Quarter 2 (from 1st July 2019 to 30th September 2019).

Resolved:

That Cabinet notes the report and continues to monitor performance.

68. MATTERS TO BE REFERRED FROM / TO POLICY & SCRUTINY COMMITTEES

Agenda Item 7(f) (Minute No. 62) – Homelessness and Rough Sleeping Strategy was referred to (Place and Communities Policy and Scrutiny Committee).

69. MATTERS TO BE REFERRED FROM / TO THE STANDING COMMITTEES

There were none.

Chairman



Castle Point Borough Council

Forward Plan

JANUARY 2020

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

JANUARY 2020

This document gives details of the key decisions that are likely to be taken. A key decision is defined as a decision which is likely:-

- (a) Subject of course to compliance with the financial regulations, to result in the local authority incurring expenditure which is, or the savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates subject to a threshold of £100,000; or
- (b) To be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the area of the local authority.

The Forward Plan is a working document which is updated continual

| Date | <u>Item</u> | Council Priority | Decision by Council/ Cabinet | Lead Member(s) | Lead Officer(s) |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------|----------------------------------------------------|
| November 2019 Deferred by the Leader to January 2020 | <u>Planning Improvement Peer Challenge –</u> Consideration of report and approval of Action Plan | Commercial and Democratically Accountable Council and Housing and Regeneration | Council/ Cabinet | Leader of the Council / Regeneration and Business Liaison | Chief Executive/ Transformation Manager (Planning) |
| November 2019/January 2020 | <u>Local Council Tax Scheme 2020 /21 Review –</u> for review & approval | Housing and Regeneration | Cabinet/ Council | Finance, Policy & Resources | Revenues and Benefits Transformation Manager |
| January 2020 | <u>Discretionary Rate Relief – Business Rate Relief</u> | Commercial and Democratically | Cabinet | Finance, Policy & Resources | Revenues and Benefits Transformation Manager |
| January 2020 | <u>Tenancy Strategy –</u> For approval | Housing and Regeneration | Cabinet | Housing and Council Homes | Head of Housing and Communities |
| February 2020 | <u>Housing Management System Procurement –</u> for approval | Housing and Regeneration | Cabinet | Housing and Council Homes Finance, Policy & Resources | Head of Housing and Communities |
| February 2020 | <u>Budget and Policy Framework</u> To make recommendations to Council on the Council tax and budget setting. | All | Cabinet/ Council | Finance, Policy & Resources | Strategic Director (Resources) |

| | | | | | |
|---------------|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------|---------------------------------------------------------|-------------------------------------------------------------------|
| February 2020 | <u>Housing Revenue Account</u> <u>Rent Levels 2020/2021</u> <u>Housing Capital Programme etc</u> - For approval | A Commercially and Democratically Accountable Council Housing and Regeneration | Cabinet | Housing and Council Homes / Finance, Policy & Resources | Strategic Director (Resources) Head of Housing and Communities |
| March 2020 | <u>Housing Allocations Policy –</u> For approval | Housing and Regeneration | Cabinet | Housing and Council Homes | Head of Housing and Communities |
| March 2020 | <u>Private Sector Housing</u> <u>Strategy Report</u> | Housing and Regeneration | Cabinet | Housing and Council Homes | Head of Environment |

CABINET

22nd January 2020

Subject: Suicide Policy and Protocol

Cabinet Member: Councillor Isaacs – Neighbourhoods & Safer Communities

1. Purpose of Report

This report advises Members of a new Suicide Policy and Protocol to assist Council staff dealing with people at risk of suicide or self-harm.

2. Links to Council's Priorities and Objectives

- **Health and Community Safety**

3. Recommendation

The Suicide Policy and Protocol to be adopted and published by the Council following consideration by the Cabinet.

4. Background

There are 4,500 suicides each year in England. Men are three times more likely than women to take their own life. It is also a leading cause of death in young people and men under 50.

This policy and protocol has been developed pursuant to the Government requirement to put effective suicide prevention measures in place and provides practical guidance on responding to and managing people who threaten suicide or self-harm.

Any member of staff could encounter a distressed person threatening suicide or self-harm either in person, on the phone or in writing. This type of personal crisis can be difficult to handle and traumatic for any staff who are engaged by the person in crisis.

The new guidance includes information and links to support agencies to offer practical assistance and professional help to any affected person. It can be used by all staff including those who do not have specialist knowledge and training.

The policy and protocol links to the Council's Safeguarding Vulnerable Adults and Children Policy and supports the local Southend Essex Thurrock (SET) strategy in its ambition to a 'Zero Suicide' approach.

A copy of the Suicide and Self Harm Prevention Policy and Protocol for responding to threats of suicide or self-harm and guide are attached to the report.

5. Corporate Implications

5.1. Financial Implications

Any costs associated with the introduction of the Council's Suicide Prevention Plan and Protocol will be met from existing budgets controlled by the Head of Licensing and Safer Communities.

5.2. Legal Implications

The Council is acting in accordance with a ministerial instruction issued by the Suicide Prevention Minister who is the Parliamentary Under Secretary of State at the Department of Health.

Every local authority is required to put an effective suicide prevention plan in place under a new Government drive to tackle suicide and Whitehall has [published](#) its first ever cross-government suicide prevention plan, which focuses on how social media and the latest technology can identify those most at risk.

5.3. Human Resources and Equality Implications

This protocol applies to all services provided by staff employed by Castle Point Borough Council. It applies to all employees, paid or unpaid, permanent or temporary, casual workers, voluntary workers, work experience students, agency staff, consultants, and other contracted persons within the duration of that contract.

5.4. IT and Asset Management Implications

None

6. Timescale for implementation and Risk Factors

6.1. The policy and protocol will be implemented immediately

7. Background Papers

Councillor E-Brief W/C 4 March 2019

Report Author – Helen Collins – Community Safety Officer – Ext, 2461



Suicide and Self Harm

Prevention policy and protocol for responding to threats of suicide or self-harm

Author: Mrs Melanie Harris MA BSc(Hons) MIOL

Head of Licensing and Safer Communities and Designated Officer for Safeguarding Children and Vulnerable Adults – Published January 2020

Strategy or policy: Protocol for responding to threats of suicide or self-harm

Date adopted: January 2020

Date last revised and reasons for revision: January 2020 – new protocol

Links to Council priorities:

| Council priority | Linked? |
|---------------------------------------------------|----------------|
| Environment | No |
| Housing & Regeneration | No |
| Health & Community Safety | Yes |
| A Commercial & Democratically Accountable Council | No |

Links to other strategies and policies:

- Combined Safeguarding Policy and Strategy for Children, Young People and Vulnerable Adults

SMART action plan included?: No (Protocol only)

Lead officer responsible for implementing the action plan:

Name: N/A

Phone: N/A

E-mail: N/A

Lead Member and Member body responsible for monitoring implementation of the action plan:

N/A

Equality Impact Assessment undertaken?: No

Sustainability appraisal undertaken?: No

Policy register on N Drive updated?: Yes

Purpose

To provide practical guidance on responding to and managing people who threaten suicide or self-harm.

Scope

This protocol applies to all services within the remit of Castle Point Borough Council. It applies to all employees, paid or unpaid, permanent or temporary, casual workers, voluntary workers, work experience students, agency staff, consultants, and other contracted persons within the duration of that contract.

Wider Context

In 2012 the Government published its suicide strategy, **Preventing Suicide in England**. It is a cross government strategy and sets out objectives which guide local prevention strategies.

The Council's local protocol supports the local Southend Essex Thurrock (SET) strategy in its ambition to a 'Zero Suicide' approach.

Acknowledgements

This guide for Castle Point has been largely adapted from the same guide produced and used by other Essex Councils.

Background

Any member of staff could encounter a distressed person threatening suicide or self-harm, either in person, on the phone or in writing. It could be a customer, colleague, family member or friend. This type of situation can be difficult to handle and particularly when those in receipt of the threat are not trained or qualified to help.

There are numerous factors which can lead a person to the point of making such a threat including when a member of staff has to tell a customer something they don't want to hear – especially if it will affect their finances, or home.

Although people often say things that they don't mean, any threats of self-harm or suicide should be taken seriously. All staff have a duty of care to the person, to, as far as possible and practicable, assist them with support to obtain the professional care and assistance that they need. At the same time, staff should ensure their own safety when carrying out business on behalf of the Council.

This document provides guidance on the procedures to be followed in all instances.

What are the warning signs for individuals?

Factors to be aware of that could lead to, or indicate, a decline in a persons' mental health include:

- stressful events such as failing exams; being made redundant; divorce;
- experiencing bereavement or loss;
- feelings of shame, isolation or loneliness;
- loss of self-esteem.
- giving away possessions
- sleep problems – particularly waking up early
- taking less care of themselves, for example eating badly or not caring what they look like
- a sense of uselessness and having no purpose – feeling "What's the point?"
- someone talking about ending their life or about suicide in general
- a significant change of behaviour – someone may appear to be calm and at peace for the first time or, more usually, may be withdrawn and have difficulty communicating.

What will not help someone who is feeling suicidal?

Someone who wants to end their life will not want to:

- feel rejected patronised, criticised or analysed;
- have people change the subject when they are talking about how they feel
- be told that they are wrong or silly
- be told to cheer up or 'snap out of it'
- be told that they should be grateful for having such a good life.

Reassurance, respect and support can help a person recover at this difficult time.

Are people with mental illnesses at greater risk of suicide?

People with mental illnesses *are* generally more likely to feel suicidal and try to take their own lives than people who do not have mental illnesses. A person could be more likely to try to end their own life if they have recently been discharged from a mental health hospital.

Responding to a person threatening suicide or self-harm

There is no universal procedure for these situations and how staff deal with a person who is threatening suicide or self-harm may depend on a range of factors, for example:

- the relationship they may already have with the person;
- if they are a housing association tenant (housing staff may already be aware of their issues or have contact information)
- if there are other factors involved e.g. criminal or anti-social behaviour;
- whether there are children or other vulnerable people present;

- the member of staff's own levels of confidence in tackling such an issue.

Talking about suicidal thoughts doesn't make someone more likely to end their life. If you are faced with this situation one of the most important things you can do is to talk to them about how they feel and listen to them. But do not assume that because someone has talked about suicide they will not try to take their own life.

Try to get an understanding of the person's intentions by asking non-judgemental questions:

- are you having thoughts of ending your life or harming yourself?
- have you tried to end your life before?
- have you made any plans on how to end your life?
- is anyone with you at the moment? (especially if you think they have children)

In all cases you need to follow these procedures

In an emergency

If you are worried that someone is at **immediate risk** of self-harm or danger:

- Advise them that threats of suicide and self-harm are taken seriously by the Council and you will need to refer them to someone who is more qualified to help.
- Get details of the person making the threat if possible: name, address, phone number, doctor details/surgery; their current location (if threat made by phone).
- Call the Police on 999 and ask for a welfare check (especially if you know children are present).
- Encourage them to get immediate help from a friend, family member or contact a relevant support agency (**see useful contacts**)
- If no one is available to help, you can suggest they go to the nearest Accident and Emergency (A&E) department.
- Encourage them to contact their GP or a support worker if they already have one.
- Try and get them to talk to an organisation such as the Samaritans (telephone: **116 123** from any phone, 365 days, 24 hours) to get extra more appropriate (and immediate) support.

If someone has attempted suicide

If you are present when this happens, ring **999** and stay with them until the ambulance arrives.

For non-emergencies

If you're worried that someone **may be at risk**, but is **not in immediate danger**, you should:

- Encourage them to contact their GP for an emergency appointment or the out of hours' service on **111**.
- Find out if they already have contact with any mental health services or support agencies and encourage them to get in touch.
- Offer information on the advice and support services that are available (**see useful contacts, headers are: counselling, rape, drugs and alcohol and debt**).
- Try and get them to talk to an organisation such as the Samaritans (Tel: **116 123** from any phone, 365 days, 24 hours) to get extra, more appropriate (and immediate) support.

In all situations

- If the person refuses to seek support wherever possible get their agreement to contact a support person or service on their behalf.
- Do not attempt to counsel the person or make a judgement about whether you think the person will carry out the threat of suicide or self-harm; refer the matter to appropriately qualified people at the earliest opportunity.
- Let your line manager know as soon as possible, telling them what action you've taken.
- Notify the Council's Designated Safeguarding Lead Officer – Melanie Harris. Refer to the council's safeguarding reporting procedures.

Monitoring and Review

This Protocol will be reviewed annually unless an earlier review is required.

Other relevant documents

Other relevant policies and procedures that are relevant to this Protocol are:

- CPBC Safeguarding Policy (located under safeguarding on the intranet)
- Southend, Essex & Thurrock (SET) – Child Protection Procedures
<http://www.escb.co.uk/>
- Southend, Essex & Thurrock (SET) – Safeguarding Vulnerable Adult Guidelines
<http://www.essexsab.org.uk/>

Useful contacts

Please note: by providing details of these agencies the Council is not endorsing them or providing preference of one over another it is simply for the purposes of offering details of organisations for someone to choose for themselves.

Counselling

Therapy for you (NHS)

Free to access NHS counselling service across South Essex part of EPUT (Essex Partnership University Trust) An IAPT compliant service (Improved Access to Psychological Therapies) Available to anyone registered to a GP surgery within the area.

- Provide support to people with common mental health problems for people aged 18 years and over
- Help to bring about symptom reduction
- Behavioural change
- Generate self-awareness

They provide therapy groups for:

- Anger Management
- Mindfulness
- Later life
- Cognitive Behavioural Therapy (1:1)
- Counselling (1:1)
- Couples counselling
- Eye movement desensitization and reprocessing (EMDR) therapy

They offer a range of psychological interventions depending on clinical presentation including:

- Understanding groups – these are problem specific educational groups
- Depression
- Loss
- Self Esteem
- Post-natal depression
- Managing stress in parenthood
- Stress and anxiety
- Panic
- Mindfulness

Appointment times range from:

Monday - Friday 9am-5pm - Saturdays 9am-12pm

Evening appointments are available Monday, Tuesday and Thursday

Telephone appointments available at point of referral or face to face assessment if required

Referral: Via GP and other professionals, telephone assessment, referral letter or self-referral (patients do not need a GP or professional referral to access the service)

Call **01268 739128** book telephone assessment

South East and Central Essex Mind

The counselling service offered by Essex Mind is suitable for anyone aged 5 and up. The counsellors are trained and experienced in various approaches. There is a cost calculated on a means tested basis.

The specialised trauma project is about supporting people with more than just counselling. From psychoeducation to specific trauma counselling clients work with a support worker and a trauma support group at the end of the process.

Somewhere to Turn can be accessed by clients over the phone, by email, or via dropping into the office for a chat. Clients can use this service to obtain information and advice about where they can get help. Mind also provide a follow up call to see how clients are and if they can offer any further information.

01702 601123

112a Southchurch Road

Southend-on-Sea

Essex

SS1 2LX

www.seandcessexmind.org.uk

registered charity 1148451

Affordable Therapy

Free Assessment

Charges from £10 - £25 dependent on individual circumstances.

Clients must be over 18

presenting issues:

- anxiety
- depression
- relationship issues
- grief
- loss

E: help@affordabletherapy.co.uk

07902 600125

Hamlet Court Rd

Westcliff

SS0 7EY.

Visits by appointment only. Please contact to arrange.

Olive Tree Centre

Offer one to one counselling, couples counselling, children and family counselling.

Can help with a range of issues including:

- Bereavement

- Trauma
- Loss
- Depression
- Physical, mental, sexual abuse
- Stress & Anxiety
- Marriage
- Drug/Alcohol addiction
- Depression

The Office is open 9.30-1.30pm Mon-Friday

Counselling is available from 9am -9pm Monday-Friday (some Saturdays)

All counsellors are professionally trained and use a range of recognised models. Some counsellors are in training. There is an expectation that clients will contribute to the cost but if clients feel unable to pay anything the centre will not turn away genuine cases of hardship.

To contact the centre simply call on **01702 524346** or mobile **07817 106295**.

Or email enquiries@olivetreecentre.org.uk or visit www.olivetreecentre.org.uk

The centre operates at two locations:

Nobles Green Rd, Eastwood, Leigh-on-Sea SS9 5PY

Clarence Road Baptist Church, 6 Clarence Road, Southend-on-Sea, SS1 1AN

Abacus Counselling and Support

A registered charity offering counselling sessions for individual, couples and families.

Affordable costs – negotiable based on client's ability to pay. Able to work with children (age 10+), teenagers and adults of all ages.

Offers support for issues relating to:

- Low self-esteem
- Anxiety
- Stress
- Friendship/school issues/bullying
- Domestic abuse
- Bereavement
- Anger management
- Family breakup/communication problems/relationship issues

Telephone **07910 261780**

email info@abacuscounsellingandsupport.co.uk

Facebook: [abacuscounsellingandsupport](https://www.facebook.com/abacuscounsellingandsupport)

Care of: Shoeburyness and Thorpe Bay Baptist Church

90 Thorpedene Gardens

Shoeburyness

SS3 9JD

Relate South Essex

Relate are a registered independent local charity and have over 65 years experience of helping individuals, couples and families to develop positive intimate, personal and work-based relationships. As members of the Relate federation, we are the largest providers of relationship support in the country.

Support provided:

- Individual, couples, young persons and family counselling
- Relationship issues such as birth of a child, issues within families, bereavement, loss of job, change in status plus more
- Sex therapy services
- Family mediation service with public funding for those on low income
- Young person's counselling available for young people aged 14-21 years both in school and at Relate's premises
- Peer mentoring/listening workshops in schools
- Marriage preparation courses
- Workshops for the communities of South Essex.

Therapy services are offered face to face, on the phone or through Skype. There is no upper age limit to clients.

Relate are a self-funding charity so a financial contribution is asked for from all clients. Relate use this money, to partially fund counselling for those unable to contribute in full and significantly fund young person's counselling. If service users work or have worked for certain organisations such as the Grocery Trade, Civil Service, Banking Sector or Armed Forces there may be some funding available for this service.

Telephone **01702 342901** to book a counselling appointment or **01268 270479** for the mediation service.

www.relatesouthessex.co.uk

Two locations:

29 Harcourt Ave, Southend-on-Sea SS2 6HT and 4 Cherrydown West, Basildon, Essex SS16 5AT

Therapy for Life

Support provided:

- Life coaching
- Hypnotherapy
- Holistic approaches
- Empathic healing
- Therapeutic counselling
- Shamanic healing

Affordable counselling with a mature student at £15 per session

For issues such as:

- Depression
- Loss & Grief
- Anxiety
- Phobias
- Addictions and Compulsions
- Identity issues and more.

Contact: Samantha MNCS (Accred) **07546 917252**

Email: sam@therapyforlife.co.uk

website: www.therapyforlife.co.uk/index.html

Prittlewell House, 30 East Street, Southend on Sea, SS2 6LH

Block A, Weston Chambers, Suites 12,14 & 15, Weston Road, Southend on Sea, SS1 1AU

Rape

SOS Rape Crisis

SOS Rape Crisis is a specialist service that is dedicated to supporting women, men, transgender persons, young people, and children, who have survived sexual abuse and violence in Southend, Castle Point, and Rochford. The service provides confidential and non-judgemental support for survivors of any form of sexual abuse that has occurred at any time in their lives – whether it has happened recently, a long time ago or is still happening.

- Women and men's support and advocacy
- 18+ years (ISVA) specialist counselling service
- Young person's service including 1:1 counselling for girls and young men as well as therapeutic group support
- 17 years and under advocacy support (CHISVA) operate flexible hours to meet the needs of victims with appointments between 8 am and 7 pm Monday to Friday
- Specialist under 11's play therapy

Telephone **01702 667 590**

20-22 Clarence Road

Southend On-Sea

Essex

SS1 1AN

Email: info@sosrc.org.uk

Website: www.sosrc.org

Drugs and Alcohol

YPDAT (Young People's Drug and Alcohol Team)

YPDAT are the providers of specialist substance misuse treatment for young people in Southend.

YPDAT provide advice, information and treatment to young people up to the age of 21 who are looking to address their drug and/or alcohol use. YPDAT provide tailored support to young people, including 1-1 key working.

Telephone: **01702 534786**

Young Person's Drug and Alcohol Team (YPDAT)
Civic 2,
Victoria Avenue,
Southend-on-Sea,
Essex,
SS2 6ER

Email: ypdat@southend.gov.uk

STARS (Southend Treatment and Recovery Service)

STARS are the providers of adult specialist substance misuse treatment in Southend. STARS provide advice, information and treatment to anyone over the age of 18 who is looking to address their drug and/or alcohol use. STARS provide a range of services including structured support groups, 1-1 key working, women-only sessions etc. and can also facilitate access to residential treatment placements where appropriate.

Tel: **01702 431889**

25-27, Weston Road,
Southend-on-Sea,
Essex,
SS1 1BB

Email: southend.referrals@cri.org.uk

Domestic Abuse

Essex Police

Call the dedicated Essex Police domestic abuse non-emergency number 0800 358 0351

www.essex.police.uk In an emergency always dial 999

Changing Pathways

A domestic abuse charity working across the areas of Basildon, Brentwood, Castle Point, Rochford and Thurrock which provides free and confidential services to support people who are currently experiencing or have previously experienced domestic abuse.

- refuge accommodation
- outreach/community-based support
- advocacy services for high risk victims, including those experiencing stalking and harassment
- therapeutic/counselling services
- a range of group programmes

Tel: **01268 729707**

www.changingpathways.org

National Centre for Domestic Violence

- For advice and help with getting an injunction
- Available to everyone
- Free legal injunction advice - injunctions within 24hrs
- Completely confidential
- Legal Aid available

Free phone **0800 9702070** text "NCDV" to 60777

www.ncdv.org.uk

South Essex Domestic Abuse Hub

The South Essex Domestic Abuse Hub is a place to go for help, advice and assistance. The hub includes a range of support services.

South Essex Domestic Abuse Hub has drop-in centres in Basildon, Brentwood, Castle Point, Rochford, and Thurrock.

Each hub is staffed by a team who can offer support by giving:

- Help and advice to find safe accommodation
- Help to remain safe in the home
- Help to access legal advice and assistance
- Money and welfare advice
- Help to access therapeutic and outreach support service

Tel: 01268 729707

M.A.L.E

(Men's Advice Line and Enquiries)

A confidential helpline for men experiencing domestic abuse and violence from their partners or ex-partners.

Tel: **0808 8010327**

Mon-Wed 10am-1pm, 2pm-5pm

Broken Rainbow

(Lesbian, Gay, Bisexual, Transgender)

Tel: **0800 9995428** or **08452 604 460**

Mon 2-8pm

Wed 10-1pm

Thurs 2-8pm

Debt

Step Change Debt Agency

Free, private and confidential service

Tel: **0800 138 1111**

Suicide threats and concerns

Quick Guide for staff

Ask the person if they need help and stay calm and reassuring, you are doing the right thing by asking someone if they need help

If you feel that the person is in Immediate risk of self-harm or danger

Get details of the person making the threat if possible: name, address, phone number, doctor details/surgery; their current location (if threat made by phone).

If you have immediate concern, call the Police on 999 and ask for a welfare check (especially if you know children are present)

Encourage them to get immediate help from a friend, family member or contact a relevant support agency (see useful contacts in the suicide protocol, headers are: counselling, rape, drugs and alcohol and debt). If no one is available to help them, you can suggest they go to the nearest Accident and Emergency (A&E) department.

Encourage them to contact their GP or a support worker if they already have one.

Try and get them to talk to an organisation such as the Samaritans (telephone: **116 123** from any phone, 365 days, 24 hours) to get extra, more appropriate (and immediate) support

If you feel it is a Non-emergency

If you're worried that someone may be at risk, but is not in immediate danger;

Encourage them to contact their GP for an emergency appointment or the out of hours' service on **111**.

Find out if they already have contact with any mental health services or support agencies and encourage them to get in touch.

Offer information on the advice and support services that are available (see useful contacts in the suicide protocol, headers are: counselling, rape, drugs and alcohol and debt).

Try and get them to talk to an organisation such as the Samaritans (Tel: **116 123**) from any phone, 365 days, 24 hours) to get extra, more appropriate (and immediate) support.

If you are a staff member and want to talk to someone, please feel free to contact:

One of the Mental Health First Aiders – Details on Intranet, you can call, email or meet in person. Speak to Human Resources.

CABINET

22nd January 2020

Subject: Revised Tenancy Strategy

Cabinet Member: Councillor Mrs B Egan Housing and Council Homes,

1. Purpose of Report

To update Cabinet on details of a revised Tenancy Strategy and to seek authority to implement a change in policy relating to the issuing of flexible (fixed term) tenancies.

2. Links to Council's priorities and objectives

The work is linked to the priority of Housing and Regeneration.

3. Recommendations

- 1. That Cabinet approves the new strategy including the ceasing of issuing fixed term tenancies (FTT) and the converting of existing FTTs to lifetime tenancies.**
 - 2. Furthermore approves the option of using Introductory (12 month) Tenancies.**
-

4. Background

- 4.1 The Localism Act 2011 (section 150), introduced the duty on all local authorities to produce a tenancy strategy, setting out objectives to be taken into consideration by individual registered housing providers, as they make decisions about their own tenancy policies.**
- 4.2 The Council's first Tenancy Strategy was adopted in November 2012, introducing FTTs for all new general need tenancies. The objective to create flexibility in people moving, creating more vacancies and better use of our stock.**
- 4.3 Since their introduction only around 38% of all general needs tenancies have been on a fixed term. It is our policy to only issue FTTs to new tenants from the housing register and continued to issue secure tenancies for all sheltered housing and transfers of existing tenants. Most tenancies have therefore been secure lifetime tenancies.**

- 4.4 The vast majority of those that have been due for review have been renewed. During this time only 6 tenancies have not been renewed. Of these 2 voluntarily gave up their tenancy when receiving a minded not to renew notice. The remainder were ended using established routes to end tenancies on account of serious criminal behaviour.
- 4.5 The process of reviewing, is labour intensive involving numerous members of staff in each tenancy review and has not delivered the resultant tenancy churn that was envisaged. The intention of all landlords is to sustain tenancies and build communities.
- 4.6 The use of Fixed Term Tenancies by other social landlords has been limited. An Equality Impact Assessment produced by the Department for Communities and Local Government on Lifetime tenancies (May 2016) states that in 2014/15 “only 15% of social housing tenancies were let on a fixed-term basis”.
- 4.7 It should be noted that the Localism Act allowed Housing Associations to convert existing properties from social to affordable rent when issuing FTTs. Despite this option to increase income the take up of using FTTs has been limited.
- 4.8 The Housing & Planning Act 2016 sought to introduce a mandatory requirement on social landlords to issue FTTs. This was due to come into force in the Autumn of 2018. However this was never enacted.

5. Report

- 5.1 The Tenancy Strategy has been reviewed and redrafted to bring it up to date with the relevant regulation and guidance. This is primarily in response to the Government’s Social Housing Green Paper – A New Deal for Social Housing published in August 2018.
- 5.2 The Green Paper was produced following extensive nationwide conversations with residents and service providers. One aspect of the recommendations was a Government announcement that it did not propose to implement the mandatory fixed-term tenancies provision of the Housing & Planning Act 2016, leaving landlords to set their own local policy and context.
- 5.3 It was significant that the Green Paper referred to the consultation exercises that took place around the country with the then Housing Minister Alok Sharma. Residents talked of the stigma of social housing and the lack of community cohesion and people wanting to establish roots and feel secure in their home and community. The constant threat of not knowing if their tenancy would be renewed did not give people a sense of belonging.
- 5.3 A significant number of social landlords who originally introduced them have or have plans to return to issuing lifetime tenancies. The lack of original take up shows that the sector did not view them to manage their stock.
- 5.4 Partners and neighbouring local authorities have been consulted via the South Essex Housing Group, with no negative responses. One housing association confirmed that they had amended their policy on the use of FTTs. The draft strategy has also been reviewed and approved by the Tenant & Leasehold Forum.

- 5.5 In light of the change of policy by Government and the need to consider recommendations from the Green Paper a review of the effectiveness of using FTTs to improve mobility and flexibility was undertaken; it is suggested that we cease their use.
- 5.6 There is the option of using an initial 12-month Introductory Tenancies which will lapse into a lifetime tenancy if no enforcement action is taken. At present we issue 2-year FFT in limited cases where there are mitigating circumstances or concerns relating to individuals past conduct. An introductory tenancy could be used in these sorts of circumstances.

6. Corporate Implications

a. Financial implications

There are no direct financial costs to this change of policy. There will be savings in staff time by not conducting tenancy reviews.

b. Legal implications

There are legal implications ensuring that we comply with relevant housing legislation on ending tenancies.

c. Human resources and equality

There will be no impact on staffing.

d. Timescale for implementation and risk factors

Following Cabinet approval, it is likely that all new allocations will be on lifetime tenancies. Conversion of existing tenancies will require a review process and tenants needing to sign a new tenancy agreement.

7. Background Papers:

None

Report Authors: John Grisley, Housing Services Manager, Craig Watts, Head of Housing & Communities.



castlepoint

benfleet | canvey | hadleigh | thundersley

2020
to 2025

Tenancy Strategy



Index

| Section | Page Number |
|---------------------------------------------------------------------|--------------------|
| 1. Introduction | 2 |
| 2. Summary of Green Paper - A New Deal for Housing | 3 |
| 3. National Context on the use of Fixed Term Tenancies (FTT) | 4 |
| 4. Local Context | 4 |
| 5. Profile of Housing Owned by Castle Point Borough Council | 4 |
| 6. Aims | 5 |
| 7. Fixed Term Tenancies (FTT) | 6 |
| 8. Reviews of FTT's | 6 |
| 9. Vulnerable Groups | 7 |
| 10. Introductory Tenancy | 7 |
| 11. Affordable Rents | 8 |
| 12. Monitoring | 8 |
| Appendix – Market Trends October 2019 | 9 |

1. Introduction

Under the Localism Act 2011, all local authorities have a duty to produce a tenancy strategy, setting out the objectives to be taken into consideration by individual registered housing providers as they make decisions about their own tenancy policies, and if stockholding authorities for their own tenancies. These strategies must explain the local authority's responses to the changes to affordable housing tenures introduced in the Act.

The Council's first Tenancy Strategy was adopted in November 2012 and this document is a revision taking account of changes in the sector since then.

This strategy continues to set out our vision for the council's housing stock and landlords with affordable housing in Castle Point.

The Localism Act has enabled the council as a landlord and landlords to make choices about how they manage social and affordable housing in the future. In summary:

- Landlords may choose to introduce the new 'affordable rent' product.
- Landlords were able to 'convert' a number of existing social rented homes to a higher 'affordable rent'.
- Landlords and the council may choose to introduce the use of fixed term tenancies.
- The council could change who can access social and affordable rented homes. They could decide to limit those who can join the register or could give additional preference to other groups.
- The council may choose to discharge its homelessness duty into the private rented sector.

This strategy provides an overview of how the council will address the issues of rent, tenure reform, and changes to the housing register.

Section 150 of the Localism Act 2011 requires local authorities to prepare and publish a tenancy strategy, setting out the matters which the landlords of social housing for its district are to have regard in formulating policies relating to;

- The kind of tenancies they grant
- The circumstances in which they will grant a tenancy of a particular kind,
- Where they grant tenancies for a fixed term, the lengths of the terms
- The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

The original strategy was developed in consultation with landlords and a wide range of stakeholders. It is important to note that some landlords may have already signed Homes and Communities Agency contracts concerning the development of new

affordable rent products for the delivery of affordable housing until 2015. However, we ask landlords operating in Castle Point to ensure that their policies compliment this tenancy strategy. Ensuring compliance with the Regulatory Framework.

2. Summary of Green Paper - A New Deal for Housing 2018:

Below sets out a summary of key points in the paper. At the time of drafting this revised strategy the White Paper expected to follow at the end of October 2019 had not been published. The key points of the green paper are as follows:

- An announcement that the Government does not intend to implement the Higher Value Assets Levy and forced sale of higher value council housing, proposed under the Housing & Planning Act 2016 and a promise to repeal the relevant legislation when Parliamentary time allows.
- An announcement that the Government does not propose to implement the mandatory fixed-term tenancies provisions of the Housing and Planning Act 2016 leaving landlords to set their own local policy and context.
- A strengthening of the role of the Social Housing Regulator and proposals for a set of performance indicators, which would be reported to the Social Housing Regulator, who would publish them in a set of league tables.
- The canvassing of views on several proposals for reform of arrangements for handling residents' complaints, including statutory requirements on local authority complaints schemes, scrapping or shortening the waiting period before a complaint can be referred to the Housing Ombudsman, training for "designated persons", and raising residents' awareness of how to make and escalate complaints.
- A commitment to tackling the stigma attached to social housing, with proposals for a "best neighbourhood" competition and steps to improve the customer service and neighbourhood management provided by all social landlords.
- The potential re-introduction of stock transfer for council housing to "community led" housing associations, reform of the Right to Manage arrangements, or other measures, in giving tenants more choice and control over the services they receive.
- A question as to whether the Decent Homes Standard needs to be revised or updated in the light of Grenfell and other developments since 2006
- The potential introduction of debt funding and longer term "strategic partnerships" to help housing associations develop affordable housing.
- Further promotion of shared ownership by allowing tenants to purchase as little as 1% share in their home.

It was significant that the green paper referred to the consultation exercises that took place around the country with the then Housing Minister Alok Sharma. Residents talked of the stigma of social housing and the lack of community cohesion and people wanting to establish roots and feel secure in their home and community.

The constant threat of not knowing if their tenancy would be renewed did not give people a sense of belonging.

3. National Context on the use of Fixed Term Tenancies (FTT)

Since the announcement in the green paper that the Government will not be introducing the compulsory requirement to issue FTT there has been a significant shift away from their use. Several landlords have decided to cease to issue them and to convert their existing FTT's to lifetime tenancies.

The use of Fixed Term Tenancies has been limited. An [Equality Impact Assessment produced by the Department for Communities and Local Government on Lifetime tenancies](#) (May 2016) states that in 2014/15 "only 15% of social housing tenancies were let on a fixed-term basis". Those that have are now considering reverting to lifetime tenancies. Reasons include:

- Resource intensive to administer
- Not providing the expected flexibility of use of stock
- Perceptions of tenant concerns over security and sense of belonging
- Have renewed the vast majority of those issued.

4. Local Context

An analysis of the housing trends facing the borough is attached as Appendix 1 and this has helped inform the development of this strategy as well as the Allocations Policy. A profile of the housing owned by Castle Point Borough Council is set out in section 5.

5. Profile of Housing Owned by Castle Point Borough Council

The Council is one of the smallest stock holding local authorities in the country, with a limited supply of just 1,510 homes as illustrated in the table below:

| All | | | | |
|-----------------|---------------|-----------|-------|-------|
| | General needs | Sheltered | Total | % |
| Bedsit bungalow | 2 | 11 | 13 | 0.86 |
| 1bed bungalow | 163 | 38 | 201 | 13.31 |
| 2 bed bungalow | 165 | 5 | 170 | 11.26 |
| 3 bed bungalow | 17 | 0 | 17 | 1.13 |
| Bedsit flat | 64 | 126 | 190 | 12.58 |
| 1 bed flat | 205 | 104 | 309 | 20.46 |
| 2 bed flat | 119 | 7 | 126 | 8.34 |

| | | | | |
|--------------|-------------|------------|-------------|------------|
| 3 bed flat | 10 | 2 | 12 | 0.79 |
| 2 bed house | 63 | 0 | 63 | 4.17 |
| 3 bed house | 398 | 0 | 398 | 26.36 |
| 4 bed house | 11 | 0 | 11 | 0.73 |
| Total | 1217 | 293 | 1510 | 100 |

However, demand for social housing remains strong and there are currently 544 people on the housing needs waiting list. The demand for one and two bedroomed properties is particularly acute as demonstrated by the following figures as at 10/10/2019:

| Band A - 126 | |
|---------------------|----|
| 1 bedroom | 50 |
| 2 bedroom | 35 |
| 3 bedroom | 33 |
| 4 bedroom | 7 |
| 5 bedroom | 1 |

| Band B - 94 | |
|--------------------|----|
| 1 bedroom | 45 |
| 2 bedroom | 21 |
| 3 bedroom | 22 |
| 4 bedroom | 5 |
| 5 bedroom | 1 |

| Band C - 211 | |
|---------------------|-----|
| 1 bedroom | 104 |
| 2 bedroom | 62 |
| 3 bedroom | 40 |
| 4 bedroom | 5 |

| Band D - 101 | |
|---------------------|----|
| 1 bedroom | 85 |
| 2 bedroom | 12 |
| 3 bedroom | 2 |
| 4 bedroom | 2 |

6. Aims

The Council has considered the national context and context of its work with the South Essex Housing Group, Essex Housing Officers Group and Essex Development Group. The proposed aims are as follows:

- Provide social housing to those most in need with household income limits that do not exceed affordability to purchase a home in the private sector
- To ensure social housing is not under or over occupied
- To create and maintain sustainable communities by providing social housing that ensures economically active as well as inactive households and to provide adapted properties where appropriate
- To assist with the mobility of social housing to ensure sustainable communities.

7. Fixed Term Tenancies (FTT)

The Council introduced Fixed Term Tenancies in 2013 to increase flexibility in determining the use of its stock. This included the use of 2-year fixed term tenancies in exceptional circumstances and 5-year terms.

Since 2013 we have issued 941 tenancies. Of which 360 were original fixed term tenancies and a total of 103 have been renewed. The percentage split being 38.3% fixed and 61.7% secure. During this time only 6 tenancies have not been renewed. Of these 2 voluntarily gave up their tenancy when receiving a minded not to renew notice. The remainder were ended using established routes to end tenancies on account of serious criminal behaviour.

The Council recognises that Registered Social Landlords may wish to continue using fixed term flexible tenancies to make more efficient use of their housing stock and to more effectively focus provision on those in most need with an expectation that landlords will renew those tenancies.

Registered Social Landlords may issue FTT across their whole stock or focus on larger homes. The opinion being that over time the family unit may reduce and needs of the remaining occupants would be for a smaller property. Using FTT's will give an opportunity to downsize. Equally landlords offering case incentives to downsize is also an option to free up family homes.

It is the Council's expectation that fixed term tenancies are for a minimum of 5 years with the preference to increasing this to 10 years.

However, it is the Council's view that the use of flexible tenancies for its own stock has not been successful in meeting its aims when first considering this policy. The administration is time consuming with a result of renewing the tenancy. Importantly, the Housing services wish to nurture sustainable communities and an important aspect of this is for a tenant to be in possession of a lifetime assured tenancy.

Consequently, we will cease the use of fixed term tenancies. We also intend to convert existing FTT's to lifetime tenancies. This strategy will free up officer time to work concentrate on core services plus improving our offer to tenants in meeting the aims of the green paper of the Tenant's Voice.

8. Reviews of FTT's

At the end of the fixed term period, we encourage Landlords to review the tenant's circumstances. The Council proposes that within the review process, the following factors should be considered:

Whether the tenant is now under-occupying a property 2) Whether the tenant is occupying a property no longer suitable for their household needs that may be

suitable for other households. For example, if a tenant is living in an adapted dwelling and no longer has a household member with a disability.

If the review determines that the household is now under-occupying their property, or if the property has adaptations that are not being used, we would expect the Landlord to work with the household over a period at least 6 months, providing advice and assistance in order to facilitate a move to a more suitable property.

This can either be another affordable rented property, or a private rented property if it appears the household could afford this. As a guideline in respect of the private rented sector, we would expect the Landlord to demonstrate that at least three private rented properties are available for the household to occupy within a five-mile radius, which they could reasonably afford given their income and circumstances. This is only an indicative distance, and each Landlord will decide on what is appropriate.

9. Vulnerable Groups

There are certain vulnerable groups where the use of fixed term tenancies are not considered appropriate. For example, older people with support or care needs, or adults with learning difficulties or mental health issues may benefit from a different approach.

Consequently, the Council recommends that initially, fixed term tenancies are used only for general needs tenants. Those occupying supported, sheltered or extra-care housing may be better served by lifetime tenancies or existing licensing arrangements.

Landlords may also wish to consider how best to use fixed term tenancies with families with school age children or other households where longer tenancies may be appropriate.

10. Introductory Tenancy

The Council recognises the use and concept of using an introductory tenancy of a 12-month period in certain circumstances. An introductory tenancy can be terminated at the end of the 12-month period if the conditions of the tenancy agreement are not met.

The Council recognises that it is for landlords to determine their own policy on the use of introductory tenancies and should only be issued in certain circumstances such as:

The applicant has a history of:

- Severe rent arrears
- Anti – Social behaviour issues

- Property damage
- Breaching previous tenancy agreements such as sub letting

We propose that if there are no serious breaches of the tenancy agreement during the introductory tenancy period, the tenant is offered either a flexible tenancy or a lifetime tenancy.

The Council is reviewing whether as part of the move back to lifetime tenancies that it introduces introductory tenancies.

11. Affordable Rents

The Government in 2012 introduced the concept of 'affordable rent' as an alternative to 'social rent'. The additional rental income that it can generate is to be used to fund new development in a time of dramatically reduced Homes and Communities Agency (HCA) grant subsidy.

All landlords who have entered into development contracts with the Homes and Communities Agency and received Homes and Communities Agency grant monies are required to charge affordable rents. The Framework specifies that landlords will be able to let a property at an affordable rent (inclusive of service charges, where applicable) of up to 80% of the gross market rent which reflects the property size and location. It also recommends that when setting rents landlords consider the local market context (including the relevant Local Housing Allowance) and wider benefit policy.

Providers with Homes and Communities Agency contracts are also able to introduce affordable rents on a proportion of their re-lets, otherwise known as conversion. In new affordable housing developments that do not receive Homes and Communities Agency grant, providers do not have to develop affordable rent homes and can continue to build cheaper social housing, although this will need to be subsidised by other means.

12. Monitoring

The Tenancy Strategy will be reviewed periodically. It is proposed that the Council will work with the South Essex Housing Group to monitor progress and to assist in reviewing the strategy to ensure its continued effectiveness

Extracts from:

Housing Market Trends Quarterly Report

October 2019

Introduction

This is a sample of data based on Hometrack's online Housing Intelligence System (www.hometrack.co.uk). The overall report looks at national trends and local changes in lower quartile house prices across South Essex (SE) by local authority area for different house types. It also compares cross tenure affordability including private rent over time. The report acts as a supplement to the data in the [SE Strategic Housing Market Assessment \(SHMA\)](#) published May 2016 (with an [Addendum update, May 2017](#)).

Key trends

National Trends

- Annual house price growth in September was up 1.1%.
- Prices were down from the previous month by -0.4%.
- The average house price is now £232,574.
- Average annual house price growth was the lowest since April 2013.
- However, completed sales and mortgage approvals continue to be broadly stable with affordable measures such as wage growth and interest rates remaining favourable.

Local House Prices

- Average house price growth in South Essex was 0.86% in August, marginally up from 0.13% in the previous reporting period May 2018-19.
- Average house prices between August 2018-19 fell in Basildon by as much as £9,800 which was larger than the fall experienced in London over the same period.
- Average house prices have fallen at a higher rate than Lower Quartile prices.

Price of property by bed count

- For 1 bed flats; Castle Point had the highest prices; for 2 bed flats and 2, 3, 4 bed houses it was Rochford, although Southend was not too far behind.

Cross Tenure (for a one bed property)

- The weekly cost of private renting (one bed property) has stabilised following a sharp increase in 2017-18, however private rent has begun to increase in Castle Point and Rochford.
- There remains a significant gap between private renting & the Local Housing Allowance; as much as £55 in Castle Point.
- Whilst the gap between Local Housing Allowance and Intermediate Rent (at 80% market rent) is smaller, it is still significant; ranging from £3 per week in Southend to £21 pw in Castle Point.
- Properties let at Intermediate Rent remain unaffordable in all five SE LA areas for those relying on Universal Credit and not having access to any other source of income.

Affordability

- Six wards in Castle Point Borough Council, namely; Cedar Hall, Victoria, Canvey island North, Canvey Island Central, Canvey Island South and St Mary's all had ratios between LQ house prices and LQ household disposable income of more than 12.50:1.
- In comparison with the neighbouring region of London, the ratio was 17.07:1 and for the East of England 10.54:1.

Percent of households priced out of market

Castle Point

| | |
|---------------------------------------|--------|
| FTB households - Flats | 60.18% |
| FTB households - Terraced houses | 75.39% |
| FTB households - Semi-detached houses | 84.87% |
| FTB households - Detached houses | 84.87% |
| Owner occupier - Flats | 53.69% |
| Owner occupier - Terraced houses | 71.05% |
| Owner occupier - Semi-detached houses | 79.26% |
| Owner occupier - Detached houses | 79.26% |

CABINET

22nd January 2020

Subject: Planning Policy and Regeneration Update

Cabinet Member: Councillor Smith – Leader of the Council;

Councillor Mumford – Regeneration and Business Liaison.

1. Purpose of Report

To update Cabinet on Planning Policy matters including work in progress and to highlight new matters which may be subject to a later decision by the Council.

2. Links to Council's Priorities and Objectives

Environment – through effective planning policy the Council will be able to consider investment in environmental infrastructure to support growth within the Borough.

Housing and Regeneration – planning policy identifies locations for new development as well as the infrastructure required to support growth and further the aims of regeneration of communities.

Health and Community Safety – planning policy works towards improving health and well-being and promote safer communities.

3. Recommendations

- 1 That the Cabinet notes the consultations on the Local Plan and the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)**
- 2 That the Cabinet notes the Brownfield Register 2019/20 and that any additional sites proposed for future registers and or the proposed inclusion of sites for Part 2 Permission in Principle will be reported to Cabinet and in the matter for approval**
- 3 That a report is made to the next Cabinet on the Development Consent Order for the expansion of the Oikos Port Facility on Canvey Island**

- 4 That the Cabinet decision on the 18 September 2019 to establish a Working Group for Canvey Town Centre and Canvey Seafront, is amended to establish two groups: one for Canvey Town Centre and one for Canvey Seafront and to amend the Terms of Reference accordingly.
-

4. Background

New Castle Point Local Plan

- 4.1 Following the decision of Council on 22nd October 2019 to approve the draft Pre-Submission new Local Plan, the consultation started on 16th December 2019. The consultation closes on 14th February 2020.
- 4.3 In accordance with the Council's Statement of Community Involvement, the Council wrote to all residential addresses within the Borough; statutory consultees; non-statutory consultees; and businesses and others who are either on our business list or have expressed an interest to be notified. There has been a small number of returns, mainly from businesses no longer at the address. Where they relate to residential addresses officers are verifying the address, and where possible sending a follow up letter.
- 4.4 The relevant documents are on the Council's website (<https://www.castlepoint.gov.uk/new-local-plan>), including a portal to make representations and guidelines. Postal comments and emails will also be accepted, and a dedicated email address has been established for the plan localplan@castlepoint.gov.uk. In addition, the core documents of the Plan, including the Infrastructure Delivery Plan, Habitats Regulations Assessment and Sustainability Appraisal are also available in each library. All documents are available at the Council offices on request.
- 4.5 Responses are being returned and following the closure of the consultation all responses will be considered and a statement of community engagement will be prepared, and any areas of further work identified.

Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)

- 4.6 Cabinet approved the draft Supplementary Planning Document (SPD) and RAMS Strategy at its meeting on 20th November 2019. This document has been prepared by 12 local authorities across Essex, by Essex Place Services.
- 4.7 Consultation on the SPD Started on 10th January 2020 and closes on 21st February 2020. The responses will be collated and reviewed by Essex Place Services, but it remains that each individual local authority will have to adopt the SPD and undertake the consultation in accordance with their Statements of Community Engagement.
- 4.8 As RAMS is a small cost per new dwelling, interest in this SPD is limited. Therefore, in accordance with the Council's Statement of Community Involvement those most affected by the proposals – statutory consultees, developers, housebuilders and agents – were directly consulted. A press

statement was released, and the consultation promoted on the Council's website.

- 4.9 Responses to the consultation are to be made to Essex Place Services, who will collate and review the Responses on behalf of the 12 Essex Council's involved in the project.

Brownfield Register

- 4.10 In April 2017, the Government published the Town & Country Planning (Brownfield Land Register) Regulations 2017. These require the Council to publish a Brownfield Land Register. The Register can contain two parts; Part 1 shall contain a list of previously developed sites and where residential development is considered suitable, available and achievable. Part 2 shall be a subset of Part 1 and may list those where the Council has decided to allocate the land for residential development ("Permission in Principle").
- 4.11 The first register was published in December 2017, and the second a year later.
- 4.12 For this year, the Register was taken into account in the preparation of the new local plan. The housing land supply for the plan period set out in Strategic Policy HO1 includes 203 units from the Brownfield Register. To avoid duplication, this is a net figure that takes account of any sites which also fall into other categories.
- 4.13 The 2019/20 Brownfield Register has been published and no new sites have been identified. As with previous registers no sites are considered appropriate for Permission in Principle. If in future registers new sites are identified and if any sites are appropriate for consideration for Permission in Principle, a Council decision will be required.

Oikos

- 4.14 Oikos have launched the start of the process in the preparation of a Development Consent Order for the expansion of the port facility on Canvey Island.
- 4.15 Development Consent Orders (DCO) were introduced in the Planning Act 2008, to deal with infrastructure applications of national importance. The proposed scale of the expansion legally obligates the applicant to apply for a DCO. These applications are administered by the Planning Inspectorate and not the Council as the local planning authority. The Council is, however, an important consultee and will be heavily engaged throughout the process.
- 4.16 A further report will be made to Cabinet on the DCO – the process, Council's responsibilities, resource implications and the contents of the DCO at the next meeting.

Canvey Town Centre and Canvey Seafront Working Groups

- 4.17 At Cabinet on 18th September 2019, it was resolved to establish a Members Working Group for the Regeneration of Canvey Town Centre and Canvey Seafront. Terms of Reference for the Working Group was set out.

- 4.18 Subsequent to that meeting, further consideration has been given to whether one group would provide enough input to support each project and whether two groups incorporating a wider membership would be more appropriate. This will enable each project to proceed in parallel with greater time through each group to the specific issues of both the town centre and the seafront.
- 4.19 It is proposed, therefore, to amend the previous decision and establish a Working Group for Canvey Town Centre and a Working Group for Canvey Seafront. In accordance with the terms of reference of the previous single working group, the membership of both working groups will be:

Conservative Group 6

Canvey Island Independent Party 6

The Leader of the Council will be Chairman for both. All other elements of the terms of reference will remain the same.

General matters

- 4.20 As a consequence of the General Election, there has been little new legislation or guidance from the Government on planning matters in the last quarter. However, the Government announced in December as part of the Queen's Speech that:
- *To deliver on the homes this country needs, the Government is committed to building at least a million more homes over this Parliament. In the coming months we will set out further steps to achieve this, including an ambitious Planning White Paper and funding for critical infrastructure.*
 - *The Planning White Paper will make the planning process clearer, more accessible and more certain for all users, including homeowners and small businesses. It will also address resourcing and performance in Planning Departments.*
- 4.21 There are no further details on the White Paper, but when they do emerge, they will be reported to Cabinet.

5. Corporate Implications

(a) Financial Implications

The financial implications for new projects or new legislation / regulations associated with planning will be set out in individual reports. Planning policy work for the Borough is supported by the reserve established by the Council, and by on-going revenue budget.

(b) Legal Implications

The legal implications of changes in planning law and regulations or associated with specific projects will be set out in separate reports.

(c) Human Resources and Equality Implications

There are no human resource implications. It is noted that the proposed Planning White Paper is to consider resourcing in planning departments.

(d) IT and Asset Management Implications

There are no IT and asset management implications.

6. Background Papers

New Castle Point Local Plan Pre-submission 2019

Draft RAMS Supplementary Planning Document and RAMS Strategy (2019)

Brownfield Register

Queen's Speech Background Briefing Notes (HM Government) December 2019

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen s Speech December 2019 - background briefing notes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf)

Report Author:

Ian Butt – Head of Place and Policy

CABINET

22nd January 2020

Subject: Planning Improvement Peer Challenge

**Cabinet Member: Councillor Smith - Leader of the Council
Councillor Mumford - Cabinet Liaison Member Planning.**

1. Purpose of Report

To share with Cabinet the report arising from the Planning Improvement Peer Challenge undertaken by Local Government Association (LGA) in co-operation with the Planning Advisory Service (PAS)

2. Links to Council's priorities and objectives

This report is linked to the Council's priorities of a Commercial and Democratically Accountable Council and Housing and Regeneration.

3. Recommendations:

- 1. That Cabinet notes the Peer Challenge Report.**
 - 2. That Cabinet notes the ten recommendations in the Peer Review report.**
 - 3. That Cabinet appoints and approves the terms of reference of the Peer Challenge Framework Delivery Group reporting to the Council and the Cabinet as appropriate.**
-

4. Background: Planning Improvement Peer Challenge

The Peer Challenge is a robust and effective national improvement tool managed and delivered by the Local Government Association (LGA), the Planning Advisory Service (PAS) and a team of Local Government Peers.

The Peer Team reviewed the Development Control Committee processes to determine if there is consistent and transparent decision making in place, this included reviewing behaviours, integrity, commitment to ethical values, and respecting the rule of law.

The Peer Challenge took place between the 1st and the 3rd April 2019. The Peer team consisted of 6 members from the Local Government Association, the Planning Advisory Service, Senior Officers in Local Government and a Senior Councillor.

The Peer Challenge Team met with a number of people during their visit, including a range of Council staff, Councillors, developers and agents, external partners and stakeholders.

Initial feedback was provided at the end of the Peer Challenge team's time on site and the final report was received in May 2019.

The final report sets out in detail the findings and provides detailed feedback and 10 recommendations for the Council to implement.

The Council will need to evidence that the recommendations have been implemented as soon as possible.

5. Key Recommendations

Cabinet are referred to the full feedback report attached as an Appendix to the report. The report contains a number of areas requiring review and action.

Peer Challenge Framework Delivery Group

Recommendations 1, 2 3 and 4 give important emphasis to the cross-party political leadership required to deliver the improvements necessary to address the issues set out in the body of the report. The improvements are founded on the political leadership providing the clear guidance and direction to ensure that the changes have real effect and have political authority. Given that the Council has agreed the Regulation 19 consultation on the New Local Plan it is now even more important that the Council address in an open and transparent manner all of the issues highlighted in the Peer Challenge report.

Accordingly, the Cabinet is requested to appoint a Peer Challenge Framework Delivery Group consisting of at least five members, comprising three Cabinet Members as a minimum, Leader of the Opposition and one other opposition member. Any Member of the Cabinet can become a member of the Working Group. The Working Group will be chaired by the Cabinet Member for Regeneration and Business Liaison and meet as required.

The Terms of Reference of the Group would be to

- Receive the Peer Challenge Report and ensure that the Action Plan effectively addresses all of the issues highlighted in the Peer Challenge Report and monitors the delivery.
- Make such further recommendations it considers necessary to the Cabinet and Council in order to achieve national level best practice.

- Seek guidance and further support from the LGA and the Planning Advisory Service when they consider it necessary in order to deliver the report recommendations.
- Monitor the delivery of the Peer Challenge Action Plan and report to the Council and Cabinet accordingly.
- To consider and make recommendations to Cabinet and Council in respect of new Local Plan delivery arrangements.

8. Corporate Implications

a. Financial Implications

Training resource has yet to be defined and is likely to have a cost. There is a training budget currently which will cover any cost implications.

b. Legal Implications

There are no Legal implications arising from the Peer Review and Action Plan

c. Human resources/equality/human rights

None

Timescale for implementation and risk factors

The report clearly demonstrates the need to act swiftly on recommendations. Timescales for implementation are detailed in the Action Plan.

Failure to implement the Action Plan could result in;

- Applications being called in for decision making by the Secretary of State.
- No involvement in strategic planning applications.
- Additional costs to support the work of the Planning Inspectorate.
- Lack of investment in infrastructure and other growth led funding.
- Extensive reputational damage to the Council as a planning authority.

9. Background Papers:

Peer Review Scope and Background Document

Peer Review Report

Action Plan

Report Author David Marchant Chief Executive



Planning Improvement Peer Challenge

Castle Point Borough Council

01–03 April 2019



1.0 Executive Summary

1.1 The Council finds itself in an incredibly challenging position in relation to the future of plan making and planning decision making in Castle Point. While the political leadership at the Council clearly want to retain self determination and control of its own planning destiny, the Council's actions in consistently failing to produce a Local Plan find it awaiting what form of Government 'intervention' the Secretary of State might take. Community leadership in ensuring that locally elected Members make sure they remain at the heart of plan making and decision making has therefore been weak.

1.2 Without a Local Plan, growth, and especially the development of new homes has fallen well behind the numbers needed to meet identified housing need. At present the area is producing less than half of the homes required. Without the adoption and development of large scale master planning sites in the Local Plan, the planning system is not able to deliver on meeting identified corporate priorities such as affordable homes, new schools, better integrated health facilities, enhanced access to green space, safe walking and cycling routes and improved highway infrastructure. Currently while approximately 100-150 homes are built each year the Borough is missing out on integrated co-ordination and delivery that can lead to wider community gain and is essential for building sustainable communities.

1.3 Castle Point Borough Council (CPBC) urgently needs a Local Plan put in place. We recommend that the Council continue to press the Secretary of State for clarity on what form of intervention will occur and when this is likely to happen. If intervention does not occur in a timely manner we recommend that the Council takes the Local Plan back through Full Council at the earliest opportunity.

1.4 Political and managerial leaders at the Council recognise weaknesses in planning decision making. We agree. We would go much further and say that dysfunctional relationships between some Members and officers are seriously impeding the work of the Council. In some other instances clarity of the Member/officer roles have been unhelpfully blurred. It is vital that these breakdowns in trust and confidence, so crucial in promoting collaboration and a 'one team' approach, are healed. Our report contains some recommendations in this area.

1.5 In addition, we found a widespread perception concerning weaknesses in probity in relation to planning decision making. Such is the level of concern amongst the Executive Management Team (EMT) that two statutory letters have been sent to Members concerning inappropriate behaviour. It is vital that Members act in accordance within acceptable standards in public office as set out in the well respected Nolan principles. Failure to do so places Members and the Council at serious risk of legal action and its planning decisions in disrepute.

1.6 Significant weaknesses exist in the operation of the Development Control Committee (DCC). Key concerns include chairing, respect for the Chair, clarity of stages of decision, weighting of appropriate planning considerations, consistency, probity and consistent referencing of non-planning matters in planning decision making, and over dominant members. We also found a very weak understanding amongst some members and substitutes on DCC of their role and the Codes of Conduct and other Council policies that govern behaviour and practice. Developers and house builders, we spoke to told us that presently they are avoiding investing in Castle Point despite what they saw as the area's obvious locational advantages. They saw making large scale investment decisions in

Castle Point just too risky based on this situation. This is of significant concern and of reputational damage to CPBC and needs to be address urgently.

1.7 There are significant opportunities for the Council to address these issues and recast the DCC to a Strategic Planning Committee with potentially a smaller more focussed group of well-trained Members with key competencies and behaviours to judge development against the development plan and material planning considerations. Our detailed recommendations in this area seek to support the Council in preparing for the eventual adoption of a Local Plan when the number and complexity of large planning applications will increase. We also recommend a stronger focus on the delivery of growth moving forward as the area seeks to deal with meeting the need for far more houses under the Government's Housing Delivery Test (HDT). To achieve this Cabinet members will also need to strengthen their leadership role, including working with officers to articulate and communicate the vision for Castle Point, the benefits of the Local Plan in delivering the Council's strategic priorities and the subsequent benefits of growth to its local communities and businesses.

1.8 We do recognise, and it was encouraging to see, that the Development Control Service performs well in relation to many performance measures concerning speed of decision-making. We also found a good focus on efficiency and accessibility.

1.9 The Council has also shown strong leadership and partnership work with the Association of South Essex Local Authorities (ASELA). The Government has recognised the importance of this work in its recently published 'Government Response to the Thames Estuary 2050 Growth Commission'. This collaborative work in South Essex has also included working with neighbouring authorities to put a Joint Spatial Plan in place for South Essex. CPBC have been at the forefront of this work.

1.10 Developers and agents spoke highly of the professionalism and dedication of planning officers, feeling they were very accessible. Members also commented how positive and helpful planning officers within the service are. This is a key strength that CPBC has, and will need to continue, to build upon as it moves forward to deliver its growth agenda

2.0 Recommendations

R1 Urgently adopt a Local Plan, continue to ensure sufficient resources are allocated to taking it through to adoption, and develop stronger internal processes to secure deeper cross-party ownership to the commitments it contains on housing, employment and infrastructure. The political leadership should ensure they provide the political guidance necessary to ensure the Local Plan is agreed by Council.

R2 Address the issues identified and reconstitute a new modernised strategic Development Management Committee with a strategic focus – including a review of size, composition, behaviours, skills and complete modernisation of processes. Political leaders from all parties should ensure that Members with the appropriate skills and behaviours are appointed to the Committee.

R3. Adopt set of cultural behaviours across the Council that seek to build trust and confidence among officers and Members with support from the LGA, with collective agreement of how the behaviours will translate into actions. The political and managerial Leadership sets the example and demonstrates support for those with

the appropriate skill sets fitting the relevant person specifications to sit on committee.

R4 Ensure the new Local Plan is promoted corporately and politically as the primary tool to drive housing and regeneration delivery in Castle Point. Political leaders from all parties should ensure that all members understand that the Local Plan is the delivery tool for growth.

R5 Proactively use the development of a housing trajectory and delivery action plan immediately. This must be embedded in Local Plan to provide further certainty.

R6 Develop an agreed stronger corporate narrative around the necessity and benefits of growth, and pivotal role of the Local Plan in shaping this, supported by a resourced and shared Communications Strategy to secure balanced communities for the longer-term future of all citizens and to add and build upon the strengths and delivery ambitions of the Association of South Essex Local Authorities (ASELA).

R7 Review the scheme of delegation so that the new strategic Development Management Committee focuses on delivery of the substantially higher number of projected major planning applications required to meet the housing delivery test.

R8 Officers and Members to co-design with external support, a more targeted and structured planning training programme with RTPI/PAS expert led input where necessary and with a stronger focus on probity and compliance with codes of conduct.

R9 Ensure that the new strategic Development Management Committee owns its own performance and sets key performance indicators in relation to speed, quality and delivery, regular performance reports should be presented and planning performance should form part of the Council's wider communication strategy for growth and planning to help build confidence that Castle Point is open for business.

R10 Establish a structured developer/agent forum with the Planning Service at cabinet member level.

3.0 Background and Scope of the Peer Challenge

3.1 This peer challenge is intended to put in place stronger mechanisms to support quality of Committee decision making in place in advance of the adoption of a Local Plan. This should provide the Secretary of State with at least some greater confidence that Castle Point Borough Council is serious about change and modernisation in the delivery of its planning functions

3.2 This report summarises the findings of a planning improvement peer challenge, organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet the individual council's needs. They are designed to complement and add value to a council's performance and improvement. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

3.3 The aims of the peer challenge were to review decision making including the balance of delegations and pragmatism and scrutiny within the decision-making processes. The Council asked the peer team to look at the role of the Development Control Committee in decision making and public engagement and the relationship between Members and Officers generally.

You asked us specifically to focus on:

- Whether members of the Committee fully understand their purpose and role in particular consideration of private proposals vs wider public interest when making decisions for the public;
- Whether members making best use of their time and looking at the right applications;
- How applications are debated, including the rationale applied, the adherence to key policy requirements, the consistency of the decision making, consideration of relevant material planning considerations, rules of debate and voting on applications;
- The working processes including Protocol and Code of Conduct for Planning Matters, call in procedures, report structures, presentations of reports, code of conduct for members;
- Officer/member relations and how the committee is viewed from a "users" viewpoint;
- General communication between members and officers;
- How well the two elements pull together to support the council's growth, regeneration and housing agendas;
- Development Control Committee (DCC) Member training; and
- Committee attendance and use of substitutes.

In delivering this focus the peer team explored the Planning Improvement Peer Challenge core components of;

- Vision and leadership - how the authority demonstrates leadership to integrate planning within corporate working to support delivery of corporate objectives;
- Management - the effective use of skills and resources to achieve value for money;
- Community engagement – how the authority understands its community leadership role and community aspirations, and uses planning to help deliver them;
- Partnership engagement – how the authority works with partners to balance priorities and resources to deliver agreed priorities; and
- Achieving outcomes - how the authority is delivering sustainable development outcomes for their area.

3.4 Peers were:

- Paul Barnard – Service Director, Strategic Planning & Infrastructure Plymouth City Council;
- Cllr Dale Birch - Conservative Member, Deputy Leader & Planning Committee Member, Bracknell Forest Council;
- Julie Baird - Assistant Director for Growth, West Suffolk Council;
- Stephen Barker – Principal Consultant, Planning Advisory Service; and
- Robert Hathaway - Peer Challenge Manager, LGA associate.

3.5 Where possible, PAS and the LGA support councils with the implementation of the recommendations as part of the council's improvement programme. A range of support is available from the LGA at <http://www.local.gov.uk>. It is recommended that Castle Point BC discuss ongoing PAS support with Stephen Barker, Improvement Manager, Stephen.Barker@local.gov.uk and more corporate support with Gary Hughes, Principal Adviser, Gary.Hughes@local.gov.uk

3.6 As part of the peer challenge impact assessment and evaluation, PAS or the LGA will contact you in 6-12 months to see how the recommendations are being implemented and the beneficial impact experienced.

3.7 The team appreciated the welcome and hospitality provided by Castle Point Borough Council and partners and the openness of their discussions. The team would like to thank everybody they met during the process for their time and contribution.

4.0 Detailed Feedback

4.1 Vision and Leadership

4.1.1 The Council has an up to date Corporate Plan 2018-21 that prioritises key issues to tackle in Castle Point. The Corporate Plan benefits from community consultation and main priorities focus on the acute shortage of affordable housing, the urgent need to build new homes, the need to improve the viability and vitality of the town centres and to improve accessibility to open spaces and good quality parks. An adopted Housing and Regeneration Framework to 2021 supports the achievement of Corporate priorities and focuses on housing underpinned by sufficient social and economic infrastructure.

4.1.2 We found that the Council's Leader, Deputy Leader and Cabinet Member for Planning clearly recognised the importance of advancing the Local Plan in order to make corporate progress on meeting priority actions around housing, regeneration and improved infrastructure. However, the Council's persistent political failure over many years to get a Local Plan in place is damaging the ability of the Council and the wider public and private sector to meet community and corporate priorities for new homes, jobs and improved infrastructure. So, while the Council, as a corporate body has rightly recognised and identified the golden thread between quality of life improvements for its citizens and the Local Plan, the lack of progress is stopping investment and delivery on the ground. The current operation of the DCC and the lack of progress with the Local Plan is severely affecting Castle Point's reputation as a place to do business with. Developers and house builders, we spoke to told us that presently they are avoiding investing in Castle Point despite what they saw as the area's obvious locational advantages. They saw making large scale investment decisions in Castle Point just too risky based on this situation. This is of significant concern and of reputational damage to CPBC and needs to be address urgently.

4.1.3 The Leader and other Cabinet members we spoke to expressed a strong political desire to retain democratic control of all aspects of place making through the Local Plan and through the determination of planning applications locally. We totally agree with the views expressed by the Leader and senior Cabinet members that difficult planning decisions about the future of Castle Point can, and must, be made locally. Planning is an inherently democratic process and is fundamental to the Borough's future. Ceding control of the Borough's planning powers to Government appointed consultants or other Local Planning Authorities, would in our view be a total abdication of the responsibility that should be retained by locally elected Members. However, some Members openly expressed the view that they wished others could make these difficult planning decisions, effectively suggesting local democratic control was of little consequence to them. While, we understand the political challenges Members have to face when determining scenarios for growth, these difficult planning decisions will simply not go away because local politicians try to avoid making them. Political and managerial leadership needs to be strongly demonstrated to ensure Members both understand the challenging policy decisions that must be taken and are able to effectively undertake their roles as leaders of place.

4.1.4 The Council's consistent political failure to adopt a Local Plan since the last Plan was adopted two decades ago in 1998 have placed it in a very perilous position. Indeed, the failure of the Council to adopt the Local Plan at its Special Council Meeting in November 2018 has placed it on the verge of Government intervention and the Council awaits the outcome of the Secretary of State's decision. The reputational damage of this to the

Borough Council cannot be under-estimated and if continued will result in significant harm to the Council including a negative view of the Borough by potential investors and stakeholders, reducing the positive impact of the ASELA work and the potential to lose democratic control.

4.1.5 We recommend in the strongest terms that the Council does all in its power to adopt a Local Plan with it then proceeding to examination urgently. We discussed with both CPBC Members and officers the possibility of the Secretary of State 'directing' the Council to adopt the 2018 Local Plan. If this does not happen expediently, the political leadership should not wait to progress the Local Plan development and should take it back through Full Council in May/June 2019.

4.1.6 We indicated to CPBC that on the basis of the self-awareness of the current position they find themselves in and indeed the preliminary acceptance of our main recommendations for change to the DCC that this would support the Secretary of State in having greater confidence in the Council's ability to improve its plan making role. It was the considered professional opinion of the peer team that the earliest possible direction from the Secretary of State to the Council to approve the 2018 Local Plan and take it to the Regulation 19 stage was the most efficient and effective outcome to secure an adopted local plan that met the Borough's needs.

4.1.7 In order to impress on all Council Members and the electorate the vital importance of Local Plan progression, we see an important opportunity for the wider political leadership and opposition party to develop a coherent long-term growth vision for Castle Point. This needs to contain a stronger narrative around the benefits of growth for residents, businesses and voluntary groups, backed up by a shared and resourced Communications Strategy, which is linked with other partners in South East Essex. This view is based on our findings that outside of Cabinet members and especially among the members of the DCC we heard little of the importance of the need for investment and growth in the area. It is essential that the political leadership is shown to share the understanding that they are the democratically accountable leaders of place and that all political groups promote and articulate the growth benefits to the wider community.

4.1.8 This was accompanied by a generally weak understanding and ownership of how the Local Plan helps deliver the Council priorities. Indeed, nearly all the members of DCC we spoke to did not see the importance of Committee decisions on major applications in delivering on Corporate Plan, Local Plan or Housing and Regeneration Plan priorities. We heard DCC members use terms such as the Local Plan is 'their' (meaning officer's plan). They simply saw their role as deciding individual planning applications. Clearly Members felt detached from the development of the Local Plan. Officers have worked to engage with Members throughout all stages of Local Plan development yet there remains a deep-rooted predilection to revert to a well-used Member statement that the Local Plan is the officer's Plan. This is incorrect and it is crucial that all Members own the Local Plan and are responsible for what happens as a consequence of it. There is a very real need for strategic political leadership in relation to the commitments within the Local Plan and leadership demonstrated by the Leader and Cabinet members is vital in this regard.

4.1.9 To be clear as well, this is not just about building houses but about a wide range of quality of life considerations. It is about creating better places and the Council as the democratically elected community leaders of the Borough taking seriously its 'place shaping role'. Opportunities exist to help shape healthier lifestyles. For example, the Joint Strategic Needs Assessment for Castle Point shows that it is an outlier for the high

percentage of its residents that are obese and inactive. The provision of accessible and safe walking and cycling routes, provision of accessible green spaces and pocket parks and more formal recreation areas can be assisted through the master planning of allocated Local Plan sites. It can also be secured through proactive planning on Section 106 negotiations. Missing out on these opportunities will have significant wider long-term implications for the communities of Castle Point.

4.1.10 In developing a stronger narrative for growth in Castle Point it will be important for the Council to link this to its excellent work in playing a leading role in ASELA in driving forward the ambitions for growth in the Essex Vision 2050. Castle Point Borough Council has been instrumental in this wider strategic work, understanding the challenges and bringing together neighbouring authorities. The risk of not being part of this strategic group extend further than Castle Point itself (see also section 4.5).

4.1.11 The Council has been in a virtual planning policy vacuum for a long time. Local Plan policies are completely out of date in an area of housing pressure and unmet demand. To fill this void, officers and Members are often using the 2019 National Planning Policy Framework which provides generalised planning policy advice for the whole of England. This is a totally unsatisfactory position and does not give residents, voluntary and community groups, businesses or investors any degree of certainty in relation to the future pattern of land use. Developers/agents, officers and some Members told us that this vacuum has led to some policy making “on the hoof” at DCC which has significantly impacted on consistency and transparency. In addition, some felt that this led to inconsistent decision making with new localised terminology seemingly forming the basis of some controversial planning decisions at DCC such as over generous interpretations of ‘previously developed land’ and new descriptions such as ‘virgin green belt’. This needs to be addressed urgently and if continued effective strategic decision-making will be compromised in the light of the behaviours at Committee, inconsistent decision making, inappropriate consideration of non-material matters and consequently decisions which result in the overturn of officer recommendations in this manner are at severe risk of legal challenge and being allowed on appeal.

4.1.12 It is important to note that in the last two years the vast majority of DCC overturns have been in situations where officers’ recommendations have been to refuse housing development in the green belt whereas the Committee has agreed to allow development. If non-material matters are being considered in relation to the decision making it potentially throws doubt on the validity of the debate and decision-making process. Examples that were highlighted to us include ‘Solby Farm’ and ‘The Wheelers’ site where Members have allowed housing against officer advice. Members clearly are allowed to weigh material considerations differently to officers, but it is important to recognise that only material planning considerations can be given weight in decision-making. However, Members routinely consider non-material matters: these behaviours are wrong and once again impact on the integrity of the Committee. Governance, legal and planning officers along with some Members also expressed concerns that DCC decision making was not always clear and as we discuss in section 4.3 of our feedback, we consider in the light of the serious procedural failings and Member behaviours at DCC, alongside serious concerns in terms of transparency of decision making in public, significant improvements urgently need to be made to how the Committee operates.

4.1.13 We found incidences of a significant breakdown in relationships between some Members and senior officers relating to the culture of policy plan making and planning decision making at Castle Point. While we discuss the perception of probity issues in more

detail in section 4.3 this in itself is a serious leadership issue which needs to be tackled at a senior level. It was our impression from the peer review that these dysfunctional relationships are badly affecting morale, draining capacity and leading to negative and defensive behaviours that are getting in the way of productive joint working and acting as 'one team'. In our view as a peer review team (comprising both Members and professional officers) if CPBC is to move forward, action must be taken to create the "one-team" approach we have mentioned.

4.1.14 Examples include significant unease expressed by planning and senior officers concerning conflicts of interest and the resultant need to send statutory letters to at least one Member of DCC and one Cabinet Member which has, we were told, led to a breakdown in trust, confidence and joint working. Some Members however considered senior officers and some planning officers to be overly bureaucratic and seeking to frustrate the legitimate leadership role of Members in the Council. This animosity and mistrust between managerial leadership and political leadership is impeding the delivery of stated priorities. To be clear, the peer team are unequivocal in drawing Member's attention to its own Codes of Conduct and while it is the officer's role to advise it is important that such professional advice and counsel is not easily or lightly set aside in the pursuit of any non-material planning issues.

4.1.15 The peer team are sure the Council recognise that the best performing councils are where Members and officers work as one team but understand and respect the different roles and responsibilities of each other. The peer team also feel it is important to say that recognition of the need to change is key in re-establishing and redefining key relationships at senior levels within the Council. To help foster improved cultures we suggest that the Council consider jointly agreeing and adopting a set of cultural behaviours across the Council that seek to build trust and confidence among officers and members with support from the LGA/PAS. Developing a collective understanding and agreement about the behaviours and how these translate into actions going forward will be key.

4.2 Management

4.2.1 The Council's commitment to producing a compliant evidence base shows that it can clearly focus and deliver on technical issues. While the Local Plan was not able to proceed to the stage of Regulation 19 'Consultation on Publication Plan' following the decision at Full Council in November 2018, we recognise the Council's resourcefulness and its efforts to significantly accelerate the timetable and produce a draft Local Plan for Members to be able to vote on. This involved the Council following Government policy and guidance and working with neighbouring authorities in order to meet the 'duty to co-operate' guidance and commissioning and providing a strong evidence base. The Council in very difficult circumstances managed to enhance the work being undertaken on the duty to cooperate and were integral in bringing together workstreams and evidence bases. This included producing an up to date Strategic Housing Land Availability Assessment, Strategic Infrastructure Framework, Brownfield Land Register, population projections, Strategic Flood Risk Assessment, retail and leisure needs study and a Statement of Common Ground regarding the A127 London to Southend Arterial Road.

4.2.2 The collaboration with planning policy officers from Essex County Council and Basildon Borough Council in supporting the development of the Local Plan evidence base has been very helpful in creating additional capacity and demonstrates an understanding of the effective use of resources and an understanding and strengthening of the capacity of the team. As discussed in section 4.1. the Council is at the forefront of working with neighbouring authorities to put a Joint Spatial Plan in place for South Essex authorities to meet the amended test of soundness concerning strategic matters in plan preparation. The Council's recent appointment of a new Head of Place and Policy offers significant potential to build on existing Local Plan work and also to use his extensive experience in tackling similar delays in local plan adoption at his former council.

4.2.3 The Development Control Service has benefited from dedicated officer resources that has overhauled working processes to ensure that speed of decision making is very strong. For the period 2016-18, the Council decided 97 per cent of major applications and 99 per cent of non-majors within agreed timescales. In the current period the Council continues to perform well with 94 per cent for majors and 99 per cent for non-majors. The high level of delegated decision making to officers of around 95 per cent supports efficient decision making and the proportionate approach evidenced by discussions with a number of officers in their assessment of applications is commendable.

4.2.4 We discussed with planning officers the issue of appeals performance especially in the light of the Government's focus on allowed appeals as indicators of the 'quality' of local decision making. At present it appears that the Council performs within acceptable levels. We recognise that the Council determines a low number of major applications (33 over the most recent relevant two-year period) but this only serves to highlight the importance of it not losing major appeals. Ongoing diagnostics and sharing of lessons learnt for all major decisions with the wider planning team needs to be an integral part of both case officer and the DCC's 'DNA'.

4.2.5 We see clear opportunities for this appeals performance indicator to be more tightly performance managed including reporting on this and other agreed key performance indicators to Cabinet and DCC. Our interviews indicated that this was not being tightly performance managed. We especially feel that there are opportunities for DCC to own its performance levels to provide context for decision making and learning from appeal decisions. This also needs to include specific 'learning' from appeal decisions given the

Government's focus on these as indicators of the quality of planning decision making. It would also be helpful for officers to share the Annual Monitoring Report with DCC and draw the parallels of the role that decisions made have relating to other planning targets and potentially those of other services within the corporate engine, for example Housing. Communication of good performance would be a useful mechanism in building wider stakeholder confidence in both development control and policy which would help support a wider growth message that Castle Point is open for business.

4.2.6 It was encouraging to see that the Development Control Service was sponsoring planning courses to help 'grow your own' staff and provide for elements of succession planning. We also noted a good emphasis of staff taking a sensibly pragmatic and proportionate approach to dealing with planning applications on a risk basis. Examples we note included self-sign off and much shorter reports on small delegated 'householder' and 'other' applications which were non-controversial. This is both effective and efficient and helps provide better value for money and customer service.

4.2.7 Given the importance of increasing the Council's capacity to move as efficiently as possible from eventual adoption of a Local Plan to delivery and implementation, it will be important for the Head of Place and Policy to work collaboratively with Development Control managers and officers in preparing to deal with a substantial increase. Preparing and risk managing for what is likely to be a substantial increase in major applications in the coming years is important. Presently the Strategic Developments Officer deals with most major applications but this will not be sustainable moving forward and it will be necessary to avoid a situation of a single point of failure in the system, which this already represents. This also raises a wider issue of the resilience of the service as a whole with the projected increase in the number of major developments that are likely to come forward in the coming years. This peer review reflects the opportunity to also consider service resilience across the whole planning function.

4.2.8 In terms of capacity in the Planning Policy team it will also be necessary to fill the currently vacant posts in order to deal with consultation and examination of the Local Plan and after Plan adoption, master planning, engagement and delivery quickly once the current contractual arrangements with other authorities come to an end. We also suggest that the Council considers greater use of Planning Policy Agreements (PPAs) that can provide amongst other things for dedicated staff resources for example master planning and end to end delivery. As part of a PPA approach it will be important to seek to tie in timely responses from Essex Highways or the Local Flood Authority to pre-application and formal applications as this is clearly an area of delay. Resilience and consistency of approach will need to be strong watch words as the Planning Service looks to the future when a Local Plan is eventually in place.

4.2.9 Partners spoke highly of the accessibility, professionalism and dedication of planning officers. Members also commented how positive and helpful planning officers within the service are. This is a key strength that Castle Point has, and will need to continue, to build upon as it moves forward to deliver its growth agenda. We see opportunities for the Planning Service to do more to communicate the successful turn round of planning applications and the added value it provides in community benefits through section 106 monies and the number of affordable homes it has helped deliver. This could be part of the wider improvement plan building on this peer review. However, there is a need to provide clarity on the overall strategic leadership of the planning function. Consequently, the planning function appeared fractured, with the most senior responsible manager focussed on complaints and member probity issues. We found clear evidence of a separation of

policy from development management. We consider the structure of the planning function should be reviewed to better integrate policy and development management to provide the appropriate senior-level managerial leadership of the whole planning functions to ensure the service can respond to the challenges it faces and can deliver on the political aspirations for the Borough.

4.3 Community Engagement

4.3.1 Decision making at DCC encourages the engagement of planning customers, their advisors, objectors to development proposals and the general public through both public speaking, a suitably sized public gallery and through web casting. The DCC and the understanding of their role, should be in the wider public interest but is often in relation to local interest. This is often played out publicly and clearly demonstrates that wider public interest is not the overriding consideration. This needs to be addressed.

4.3.2 We found DCC well supported by the Council's Governance officers who ensured that applicants and objectors were clear as to their opportunities to speak in public and the necessary arrangements surrounding these. This supports decision making in public being accessible to all.

4.3.3 DCC meets in the Council Chamber based at its main offices in Thundersley which is an accessible location and lies on a bus route and with adequate car parking. DCC is held in the evening at 7.30pm to allow people who work in the day to attend. We attended a DCC and found audibility and visibility to be generally good although the layout does mean that some of the thirteen DCC members have their backs to the public. The peer team felt that there were opportunities for the Chair to introduce himself and his supporting officers and to generally provide some more general overview of how the DCC would proceed. This would particularly help applicants and objectors who more than often are witnessing and taking part in for them a completely new environment. We have already shared with the Council some examples from other authorities who place a real focus on effective public engagement at a planning committee.

4.3.4 We found officer reports to DCC to be comprehensive, setting out the main planning merits of cases and providing the thirteen members on DCC with good advice on which to base their decisions. Members of DCC and the general public have the reports well in advance of the statutory five-day period and this allows members of the DCC at least two weekends to absorb the reports. Given the high level of delegation of planning decisions at the Council, the DCC generally sees somewhere in the region of 80 applications over a calendar year which is a reasonable amount and meetings rarely go beyond 10.00pm which supports staff and Member well-being and public engagement.

4.3.5 However, the peer team's overall view having attended a DCC during our on-site phase and having watched most of the preceding 12 months of the Committee's proceedings is that there are significant weaknesses in its operation and Member behaviours that needs to be tackled urgently. This was backed up by our conversations and meetings with planning customers, officers and Members. Key concerns include:

- chairing and a lack of respect for the Chair;
- consistency and probity in planning decision making;
- clarity of stages of decision;
- weighting of appropriate planning considerations; and
- some over dominant members.

4.3.6 We also found a very weak understanding among some members and substitutes on DCC of their role and the Codes of Conduct and other Council policies that govern behaviour and practice. And this despite the range of Protocol and Code of Conduct for Planning Matters and Code of Conduct for Members, and briefing notes that Governance officers have helpfully produced to guide Member decision making. Examples of what we saw and what we were told included:

- not all DCC members having read the Committee papers beforehand;
- some overly detailed and long officer presentations;
- lack of clarity and structure of stages of decision making including moving and seconding relevant motions and when in 'debate' mode;
- ward members sat with DCC members and it being totally unclear to other people taking part and watching as to what their role was when they were speaking and what part they might play in decision making;
- long discussions on non-material planning issues with the Chair allowing DCC members to make multiple comments many of which were purely repetitive;
- little understanding of the wider role that the DCC plays in implementing the wider vision for Castle Point;
- focussing on non-strategic planning applications including house extensions due to the breadth of the 'Call In' powers and Scheme of Delegation;
- inappropriate informality including use of first names and passing of notes, chit chat and general lack of professional look and feel;
- training not leading to the promotion of high standards of behaviour and adherence to key Codes and Protocols with the need for appropriate Members being on the committee with the correct skill sets. There were also some examples of overly dominant behaviours disrupting training sessions and having a negative impact on other members; and
- a lack of 'one team' approach.

4.3.7 We were also made aware of significant unease among senior corporate and planning officers, local agents and some Members concerning inappropriate behaviour by some senior Council Members as well of some Members of the DCC. We heard on a number of occasion's concerns in relation to closeness and private involvement with planning applicants and developers. Examples of what we were told included applicants seeking to negotiate major section 106 agreements with Members without any officers' present, inappropriate and intense pressure placed on planning officers to take a certain course of action during the determination of applications and a concerning approach to non-declaration of pecuniary and personal interests. This is a real concern and must be addressed immediately by the political leadership of the Council.

4.3.8 There is an urgent need to address this behaviour by identifying and removing Members through clear and strong political leadership. As we discussed earlier, the level of concern about probity in planning has led to the Monitoring Officer and Chief Executive to issue statutory letters to at least two Members. These letters seek to prevent further inappropriate behaviour in order to protect the reputation and integrity of planning decision making in the Council in line with the Council's Code of Conduct and well understood Nolan principles for public service.

4.3.9 Some Members incorrectly considered that officers were seeking to be overly bureaucratic and risk adverse in relation to their role in community leadership. They also saw their role as making sure officers did not delay implementation and that local

developers and builders were able to get on and build houses in the context of low levels of housebuilding.

4.3.10 Our role is not to act as auditors or inspectors and so we have not examined specific planning cases that were brought to our attention. However, (as we indicated in section 4.1.) it is clear to the peer team that some very poor relationships exist with in some cases a breakdown in trust and confidence between some officers and Members. This is totally unproductive and leads to defensive and negative behaviours that work against good joint working. We were told for example that officers and some customers were very reluctant to put things to DCC if at all possible because there could be no certainty of what might happen there (see also section 4.4 on customer attitudes). This is a sad indictment of planning decision-making in Castle Point and needs to be addressed urgently.

4.3.11 CPBC asked the peer review to look at specific areas of operation of the DCC and we fed back to you while on site our high-level findings which pull together some of the themes covered above. These are represented below.

Question - *Whether members of the committee fully understand their purpose and role in particular, consideration of private proposals verses wider public interest when making decisions for the public?*

Headline Response - No understanding of wider role that the DC Committee plays in implementing the wider vision for Castle Point.

Question - *Whether Members making best use of their time and looking at the right applications?*

Headline Response - Committee not presently focused on strategically important applications which will become more important with need for increased delivery. And evidence that members are not reading papers and many unaware of their role on Committee.

Question - *How applications are debated including the rationale applied, the adherence to key policy requirements, the consistency of the decision making, consideration of relevant material planning considerations, rules of debate and voting on applications?*

Headline Response - Unfocused and unstructured discussion. Majority of time spent on non-material planning matters and repetition. No delineation between questions and motions. Fair debate and discussion can be achieved by a professionally structured debate.

Question - *The working processes including Protocol and Code of Conduct for Planning Matters, call in procedures, report structures, presentations of reports, code of conduct for members?*

Headline Response - Codes and protocols comprehensive but opportunities to review and modernise. Call in procedures unclear to some DCC members.

Question - *Officer/member relations and how the committee is viewed from a user's viewpoint?*

Headline Response - Customers don't consider the DC Committee to be efficient and effective. Inappropriate informality at Committee. Some key consultees feel that there was no adequate feedback loop – training issue.

Question - *General communication between members and officers?*

Headline Response - Officers responsive to councillor queries on individual cases.

Question - *How well the two elements pull together to support the Council's growth, regeneration and housing agendas*

Headline Response - No evidence of a one team approach.

Question - *DC Committee member training?*

Headline Response - Need to take a fundamentally different approach to addressing DC members/subs needs in order to modernise the Committee including annual mandatory training on planning committee procedures and policy as a pre-requisite for undertaking their role.

Question - *Committee attendance and use of subs?*

Headline Response – Committee attendance itself did not seem to cause any significant problem. However, when substitutes are used, they need to be used appropriately and need the same level of training as mainstream members of the Committee.

4.3.12 While on site at the Council we also shared with you work produced by the Planning Advisory Service as part of the Local Government Association, that described the top ten characteristics of highly performing Planning decision making committees (Annexe 1). An objective assessment of the current DCC would be that this achieves only 2 of these desirable characteristics at best. To drive improvement, the Council needs to reconstitute a new strategic Development Management Committee with a strategic focus including a review of size, composition, behaviours, skills and modern processes. Some Councils have moved too much smaller planning decision making committees to create better trained Committee members with stronger competencies in strategic decision making. The Council, led by the political leadership, should take these ten characteristics and work together to design the new strategic Development Management Committee

4.3.13 We see the need for step change as soon as possible in order for the new Committee to bed in before a new Local Plan is in place which will inevitably lead to more strategic housing applications. As part of this change in culture we consider that CPBC officers and Members, should work with PAS to identify and deliver an appropriate and comprehensive training package, in line with good practice. Part of this training needs to ensure that substitutes both have access to and are as well trained and as competent as members of the main decision-making Committee. To support this training, there needs to be a library of training materials and a central repository. To be clear, the peer review team

do not consider current training arrangements to be satisfactory and it is our judgement that they need to be completely overhauled.

4.4 Partnership Engagement

4.4.1 We discussed in section 4.1 the strong partnership work with the Association of South Essex Local Authorities (ASELA). The Government has recognised the importance of this work in its recently published 'Government Response to the Thames Estuary 2050 Growth Commission'. This collaborative work in South Essex has also included working with neighbouring authorities to put a Joint Spatial Plan in place for South Essex. This puts the Borough in a good position for the eventual Local Plan to 'nest' under a broader Joint Spatial Plan. Given the environmental constraints of the Borough, travel to work patterns and the equal need for meeting housing demand in surrounding authorities, solid joint working across South Essex will be vital.

4.4.2 We noted that the area benefits from an active and established local building community. This fits with the Government's aims to tackle the "broken housing market" in many parts of the country with a stronger focus on small and medium sized local and self-build builders. This has been important to at least ensure some level of house building in the Borough in the absence of a Local Plan and the lack of a release of large-scale sites. Looking to develop initiatives in relation to small sites will be an important part of the overall housing delivery supply in future and there are numerous examples of where authorities have taken a suite of initiatives to encourage the development of appropriate infill sites.

4.4.3 As we indicated in section 4.1, this peer challenge is aimed to help it put in place stronger mechanisms to support quality of Committee decision making in place in advance of the adoption of a Local Plan. This should provide the Secretary of State with at least some greater confidence that CPBC is serious about change and modernisation in the delivery of its planning functions.

4.4.4 We spoke to a number of developers and planning agents who valued the performance of officers in the Development Control Service and commented specifically on the good accessibility to officers, consistency in follow through from pre-application advice to decision and the management of major applications by the Strategic Developments Officer.

4.4.5 Developers and large national house building firms advised us that Castle Point is regarded as a well-connected location for investment and is an area in which they hold 'land options' and an area that they want to invest in. However, it was extremely concerning to be told that large scale developers and housebuilders generally stay away from the Borough as the culture of local politics is too difficult to deal with. One of the quotes perhaps sums up their overall attitude: "It's a gamble to bring forward investment in Castle Point as you don't know what will happen". Unsurprisingly they were totally frustrated with the inability of councillors to agree a Local plan. Developers and agents also responded generally negatively when asked about their experience at DCC. In particular they felt it was not fit for purpose as the 'shop window' for investors in Castle Point, although they did comment positively about the planning officers. To make multi-million pound investment decisions, investors want certainty, consistency and proactivity; and they are not getting any of these at present in Castle Point. This is a very sad state of affairs and there is an urgent need for the political leadership to address this by ensuring

they address the issues identified and reconstitute a new modernised strategic Development Management Committee with a strategic focus.

4.4.6 We found therefore that the lack of a Local Plan and a lack of trust and confidence in planning decision making is having wider strategic implications on the social, economic and environmental issues facing the area and upon the Council. The Borough and its communities are currently losing out on significant levels of investment and growth. As a result, homes, schools, infrastructure such as roads and safe community routes, improved health premises, parks etc. are not being delivered and this leads to unmet community needs. This needs to be addressed by the political and managerial leadership. They need to clearly understand this and need to demonstrate that they are able to articulate and communicate the positive message of place shaping and growth

4.4.7 Clearly our recommendations on the Local Plan and reconstituting a new strategic Development Management Committee provide the potential to recast some of these concerns. Over the longer term we recommend that the Council consider establishing structured developer/agent forums with the Planning Service with the sponsorship and engagement of the link Cabinet Member for Planning. This provides improved opportunities for engagement and transfer of learning and good practice across the sub region.

4.5 Achieving Outcomes

4.5.1 Unusually in the peer team's experience, we did not sense a strong focus on planning outcomes at Castle Point. This is linked to the lack of a Local Plan. In the absence of one there is no strategic direction or clearly articulated outcomes that the Borough is seeking to achieve. There were very limited examples of where the Service considered that the planning system had added significant value, for example through place shaping or design. This chimes with the emphasis we heard from a number of officers and Members that the Development Control Service is regulatory and a 'sausage machine' which is due to the lack of strategic plan, the types of applications the Council receives and no strategic sites coming forward.

4.5.2 As mentioned previously we appreciate that the lack of focus on outcomes partly reflects the low levels of growth in the Borough. Of the examples we were given these focused on the development of Ashcroft Place, Canvey Island Health Hub at The Paddocks Site that facilitated improved Doctors and health care facilities and a revised approach to surface water attenuation for schemes on Canvey Island.

4.5.3 We also recognise that the Government focus as judged by its performance measures often focus on speed, but it is also important for managers and officers to focus on quality outcomes and impact. This will become increasingly important once a Local Plan is in place and once the Borough can benefit from master planning of strategic allocations.

4.5.4 The lack of a Local Plan to guide and manage large scale allocations in a co-ordinated phased manner is inevitably leading to piecemeal development on unallocated smaller sites, often in greenbelt locations. Such small-scale development limits opportunities for Section 106 and the co-ordinated provision of infrastructure improvements. This again militates against development being brought forward in a comprehensive and co-ordinated manner to deliver community priorities. In terms of achieving improved outcomes on the ground for local people and businesses, again, this

points to the need for the Local Plan to be put in place at the earliest opportunity so that there is a firm foundation for infrastructure improvements to be negotiated as part of Section 106 negotiations.

4.5.5 The Council recognises that its housing delivery is well below the 'Objectively Assessed Need' and 'Local Housing Need' and is getting worse with large scale housing delivery failure of the Government's Housing Delivery Test (HDT). Current delivery against target is only at 48 per cent and Castle Point is the joint 10th worst council out of the 343 other councils in England on this measure. Previous housing targets were in the region of 250-280 dwellings per year with delivery in the area of only 100-150 dwellings a year. The Local Housing Needs requirement raises the target to 370 dwellings per year while the non-approved Local Plan aimed for 350 dwellings per year. And if Castle Point continues to miss thresholds for housing delivery its target figures rise, it can be placed under special measures and developers have greater opportunities to promote sites in line with sustainable development principles outside a plan led approach. Again, this would effectively mean by-passing local democratic decision-making on planning applications. Members, therefore, need to be fully accountable and need to retain decision making.

4.5.6 These figures demonstrate the scale of the challenge facing Castle Point if it is to get anywhere near meeting the Government Housing Delivery Test which is designed to promote greater delivery of homes to meet identified needs. A large cultural change focused on delivery will need to be made by the Council and its delivery partners alongside the adoption of a Local Plan.

4.5.7 The peer team were encouraged to see that the Council recognises the need to develop Housing Delivery Action Plans both as part of the Local Plan and as a response to meeting the HDT. We see the need for a piece of work in developing the Council's housing trajectory and creating an active delivery plan which involves a corporate approach which would help build confidence and lay a sound building block for the Local Plan. We suggest that the housing trajectory work would be commissioned by Cabinet and led by the Cabinet Members for Regeneration and Business Liaison and Housing and Council Homes which would help embed the ability for the deliver plan to look at housing need alongside delivery.

4.5.8 This work could be undertaken by a task and finish group which involves a number of key Cabinet members and members of a new Strategic Planning Committee to strengthen the connection between strategy and delivery and develop Member and officer's expertise experience of end to end delivery involving key partners, the community and developers. To address wider corporate priorities and negative perceptions relating to housing the delivery plan could be linked the Councils regeneration framework. This would enable officers and Members to explore the use of the trajectory in delivering the housing priority in the framework but look at options for wider regeneration alongside it for example small scale estate renewal or Community Land Trust or similar initiatives, which may also help attract wider funding mechanisms. It would also help with place shaping and master planning.

4.5.9 We also encourage the Council to start examining other early opportunities for improved delivery to get in front of the adoption of the Local Plan to prepare for its implementation. One example of a council focused on delivery is Plymouth who have embedded housing growth targets in its Plan for Homes initiative (triple winner of RTP1 Silver Jubilee Cup). District councils tackling similar issues include Ashford, Guildford and

Rushcliffe and Harrogate. The Peer team have shared examples of interventions to stimulate delivery with the Council.

5.0 Further Support

5.1 A range of support from the LGA and PAS is available at <http://www.local.gov.uk> and via the [PAS website https://www.local.gov.uk/pas](https://www.local.gov.uk/pas). Costs may vary.

5.2 Planning Advisory Service (PAS) & LGA Support Offers:

Committee Change Programme Support

PAS will provide up to 4 days additional support from an experienced planning officer and committee member to work with Castle Point to take recommendations forward, focusing specifically on helping to produce the content of a detailed, prioritised change programme.

PAS Planning Committee Training & Materials

PAS will work with the authority to deliver to deliver specific training requirements for the new planning committee.

PAS has general materials available on available from the PAS website:

- Development Management - Decision making, committees and probity
- Making Defensible Planning Decisions
- Developer Payments - Community Infrastructure Levy, s106 agreements and Viability
- Getting engaged in pre-application discussions
- Design training for councillors

<https://www.local.gov.uk/pas/pas-support/pas-subscribers/councillor-briefings/councillor-briefing-planning-committees>

PAS worked with Association of Democratic Services Officers (ADSO) to produce some materials for committee clerks. This covers an introduction to planning, decision making, motions and amendments, dealing with the public, interests and probity matters.

<https://www.local.gov.uk/pas/pas-topics/planning-committee/materials-committee-clerks>

Planning Application Quality Designation Support

PAS will work with the council review the current performance on quality of decision-making and help establish an accurate view on the risk of designation;

ALocal Plan Pre Submission Support

PAS can offer advice and support to the council as it progresses a local plan through production, public consultation, submission and adoption.

Housing Delivery Test – Action Planning Support

PAS are delivering support to all local authorities, like Castle Point, that have been "caught" by the recent housing delivery test who now have 6 months in which to make an Action Plan. The council can sign up to access the support at the link below.

<https://www.surveymonkey.co.uk/r/LKQYLS8>

PAS have published some of the sample Housing Delivery Test Action Plans made with the help of a group of pilot councils.

<https://local.gov.uk/pas/pas-topics/monitoring/preparing-effective-action-plan>

Other Local Authority Planning Committee Information

Plymouth planning committee webcasts

<https://plymouth.public-i.tv/core/portal/webcasts>

<https://plymouth.public-i.tv/core/portal/webcasts/enctag/Planning>

Plymouth planning committee public information

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/whathappensafteryoumakeplanningapplication>

<https://www.plymouth.gov.uk/planningcommittee>

Oldham planning application process information

http://www.oldham.gov.uk/info/200399/apply_for_planning_permission/748/about_the_application_process

Havant developer consultation forums

<http://www.havant.gov.uk/development-consultation-forums>

LGA Support

The LGA has a range of practical support available, to enable local authorities to exploit the opportunities that this approach to improvement provides.

This includes support of a corporate nature such as political leadership programmes, peer challenge, LG Inform (our benchmarking service) and more tailored bespoke programmes.

Gary Hughes, Principal Adviser is the LGA's focal point for discussion about your improvement needs and ongoing support and can be contacted at

gary.hughes@local.gov.uk

5.3 As indicated in paragraph 3.8 PAS or the LGA will contact you in 6-12 months to see how the recommendations are being implemented and the beneficial impact experienced.

5.4 For more information about planning advice and support, please contact Stephen Barker stephen.barker@local.gov.uk

Annexe 1

PAS Characteristics of a good planning committee

1. Trust, confidence and respect between officers and members of committee
2. Knowledgeable and regularly trained committee members
3. 9 to 11 committee members
4. Scheme of delegation focused on key strategic applications
5. Committee members separate themselves from their ward member role
6. Good chairing skills: allowing engagement but avoiding heavy repetition and any inappropriate comments and heavy questioning of witnesses.
7. Good accessibility, welcome, audibility, visibility, webcasting with it being clear to the public who the members and officers are
8. Quality of officer reports: Clear, concise, plain English reports that identify material planning considerations.
9. Members involved early in major and controversial applications through non-decision-making briefings
10. Committee owning its own performance



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CABINET

22nd January 2020

Subject: Authority to Represent the Council

Cabinet Member: Councillor Stanley – Finance, Policy and Resources

1. Purpose of Report

The purpose of this report is to approve the authorisation to allow two members of the Council's Law Team employed by the Council to represent the Borough Council in proceedings before the Magistrates' Court and County Court.

2. Links to Council's Priorities and Objectives

This report is linked to the Council's priority a Commercial and Democratically Accountable Council.

3. Recommendations

That the following members of the Law team be authorised to appear before the Magistrates' Court and County Courts to represent the Borough Council in legal proceedings pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984: -

Hayley Morgan– Trainee Solicitor
Tia Ojo – Trainee Solicitor

4. Background

Solicitors who are employed by the Council have automatic rights of audience to appear before the Courts to represent the Council and un-admitted legal staff who are undergoing training to obtain legal qualifications may also appear and represent the Council provided, they are specifically authorised to do so by the Council.

5. Proposals

It would be beneficial for the Council to allow its trainee solicitors to appear to represent the Council in legal proceedings before the Courts and the appropriate authorisation would also allow for the proper training and development of these staff members.

It is proposed that the Trainee Solicitors detailed below be authorised to appear to represent the Council in legal proceedings before the Courts pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984.

- Hayley Morgan– Trainee Solicitor
- Tia Ojo – Trainee Solicitor

6. Corporate Implications

(a) Financial Implications

In some circumstances where no other solicitor or legal officer employed by the Council is available it may be necessary to incur extra costs by instructing Counsel or a solicitor agent to represent the Council at Court.

(b) Legal Implications

Without authorisation from the Council this employee is unable to appear before the Courts to represent the Council in legal proceedings.

(c) Human Resources and Equality Implications

It would assist the management of the Council's legal services for this trainee to be authorised to represent the Council at Court.

(d) IT and Asset Management Implications

There are none to be addressed by this report.

7. Timescale for implementation and Risk Factors

The proposal will be implemented as soon as it is approved by the Cabinet.

8. Background Papers

None.

Report Author:

Fiona Wilson – Head of Law

CABINET

22nd January 2020

Subject: Discretionary Rate Relief – Business Rates

Cabinet Member: Councillor Stanley – Finance, Policy and Resources

1. Purpose of Report

This report sets out an amendment to the Council's Discretionary Rate Relief Policy to reflect Government proposals on increasing the level of Retail Discount relief for occupied retail properties with a rateable value of less than £51,000 in the year 2020-21. Full details of the proposed Retail Discount scheme are set out in a separate addendum, which broadly follows Government guidance.

A relief scheme for public houses is also being reintroduced from 1 April 2020.

2. Links to Council's priorities and objectives

This report links to the Council priority a Commercial & Democratically Accountable Council.

3 Recommendations

That Cabinet notes the content of this report and approves the following changes to the existing Discretionary Rate Relief Policy (subject to formal Government announcement):

- Increase in the Business Rate Retail Discount Scheme from 33% to 50% to take effect from 1 April 2020 in accordance with Government proposals
 - Business Rate Relief Scheme for Public Houses to take effect from 1 April 2020 in accordance with Government proposals.
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4. Background

The Chancellor announced in the Autumn Budget on 29 October 2018 that the Government would provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21. The value of the relief for 2019-20 was one third of the final bill and had to be granted after mandatory reliefs and other discretionary reliefs funded by Section 31 grants were applied. In the Queen's

Speech on 19 December 2019, the Government announced its intention to increase the level of Relief Discount for 2020-21 to 50%.

It was also announced that eligible public houses would receive relief from 1 April 2020.

The details of both reliefs to be in accordance with Government's intentions as due to be announced in the formal budget, likely to be held in February 2020. Approval is sought in advance of the budget in order to prepare and issue the new year Business Rate bills reflecting these changes.

5. Retail Discount and Public Houses Relief

In recognition of the challenges faced by retailers in town centres and high streets, the Government introduced a new business rate Retail Discount from 1 April 2019. This was similar to a scheme that ran between April 2014 to March 2016. The discount in 2019-20 was one third of the final bill for those retail premises with rateable values under £51,000. The level of this relief is now to be one half of the final bill for 2020-21. Betting shops, banks and payday lenders do not get the discount. In line with the previous scheme the relief is to be applied across the whole Borough and not just those retailers that are in the high street or town centres.

Government has also extended the qualifying criteria to include cinemas and music venues for 2020-21.

The Government also announced that all eligible public houses will receive relief from 1 April 2020. Previously this scheme applied to public houses that had a rateable value of less than £100,000 on 1st April 2017 (a reduction of £1,000 was then granted). Pub relief ceased in 2019/20 but will apply again from 1 April 2020 in accordance with government proposals as due to be declared in the budget.

Central Government will fully reimburse local authorities for the cost of relief granted under this scheme.

Guidance has previously been provided as to which types of properties should benefit from this relief and those that should not. The scheme proposed in the addendum follows this guidance and sets out the qualifying criteria with the more recent addition of cinemas and music venues.

6. Corporate Implications

a. Financial implications

Central Government will fully reimburse local authorities for the local share of discretionary relief awarded to those qualifying properties entitled to either Retail Discount or Public Houses using a grant under Section 31 of the Local Government Act 2003, provided the Council adopts the recommended approach when granting relief.

b. Legal implications

The Government is not changing the legislation around the reliefs available to properties and expects Councils to grant the relief under Section 47 of the Local Government Finance Act 1988

c. Human resources and equality implications

None as a result of this report

d. Timescale for implementation and risk factors

Retail Discount and relief for Public Houses will take effect from 1 April 2020.
Relief from taxes, including non-domestic rates can constitute State Aid

7. Background Papers:

Discretionary Rate Relief Policy

Local Government Finance Act 1988

Localism Act 2011

Business Rates – Retail Discount – Guidance issued by the DCLG

<https://www.gov.uk/government/publications/business-rates-retail-discount-guidance>.

Report Author: Gary Burns – Revenues Manager

RETAIL DISCOUNT FROM 1 APRIL 2020

The Government announced in the Queen's Speech 2019 that it will provide a relief of one half of the business rate bill to all occupied retail properties with a rateable value of less than £51,000 in the year 2020-21. The intention is that all retailers (that meet the qualifying criteria) will receive the relief and not just those retailers that are in the high street or town centres.

Qualifying Properties

Properties that will benefit from the relief will be occupied hereditaments with a rateable value of £51,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. Government guidance considers shops, restaurants, cafes and drinking establishments to mean:

A) Properties that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc.)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

B) Properties that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc.)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire
- Car workshops with a direct service provision to the public, such as repairs, MOTs etc
- Car wash premises
- Cinemas
- Music Clubs

C) Properties that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

The list above is not exhaustive and is intended as a guide. Particular properties not listed can still be considered for the relief provided they are broadly similar in nature to those above.

Properties which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief. The test is one of use rather than occupation

Ratepayers that occupy more than one property will be entitled to relief for each eligible property, subject to State Aid de minimus limits.

Properties which would not qualify for relief

A) Properties that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers, arcades*, bingo halls*)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting office
- Kennels, stables
- Day Nurseries
- Gyms, Activity Centres
- Taxi offices
- Call Centres

B) Properties which are not reasonably accessible to visiting members of the public

This is not defined within the government guidance. However, for the purpose of this scheme, this would include properties which do not have a customer facing 'front of house'. The expectation is that, in the normal course of events, members of the public would ordinarily attend the property in person. Examples where relief would not be granted would include skip hire, scaffolding services etc where attendance in person does not normally occur.