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**David Marchant** LLB (Hons) BSc (Hons) CEng FICE FCMI  
**Chief Executive**

## **CABINET AGENDA**

**Date:** Wednesday 20th November 2019

**Time:** 7.00pm NB Time

**Venue:** Council Chamber

**This meeting will be webcast live on the internet.**

### **Membership:**

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

**Cabinet Enquiries:**  
**Reference:**  
**Publication Date:**

**Ann Horgan ext. 2413**  
**6/2019/2020**  
**Tuesday 12th November 2019**

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**AGENDA**  
**PART I**  
**(Business to be taken in public)**

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**1. Apologies**

**2. Members' Interests**

**3. Minutes**

To approve the Minutes of the meeting held on 16th October 2019.

**4. Forward Plan**

To review the Forward Plan.

**5. Health and Community Safety**

**6. Environment**

**6(a) Notice of Motion: Proposal for Castle Point Borough Council to fund the reinstatement of full-coverage street lighting at night across the Borough.**

*(Report of the Cabinet Members for Streets, Waste, Floods and Water Management Neighbourhoods & Safer Communities)*

**6(b) Notice of Motion: Tree Planting Campaign throughout the Borough**

*(Report of the Cabinet Member for Environment & Leisure)*

**7. Housing and Regeneration**

**7(a) Planning Policy Update – Supplementary Planning Document for Essex Coast Recreation Disturbance and Mitigation Strategy**

*(Report of the Cabinet Member for Regeneration & Business Liaison)*

**7(b) Community Infrastructure Levy (CIL)**

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

**7(c) Enforcement Strategy Development Control**

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

**7(d) Regeneration Update**

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

**7(e) Housing Asset Management Plan**

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

**7 (f) Homelessness and Rough Sleeping Strategy**

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

**8. A Commercial and Democratically Accountable Council**

**8(a) Financial Update Report**

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

**8(b) Treasury Management Activity Mid-Year Report**

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

**8(c) Local Council Tax Support (LCTS) Scheme for 2020/21**

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

**8(d) Merchant Acquiring Card Payment Services Contract Procurement**

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

**8(e) Corporate Performance Scorecard Quarter 2 2019/20**

*(Report of the Cabinet Member for Commercial Contracts and Commercial Opportunity)*

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

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

There are no matters.

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**PART II**

**(Business to be taken in private)**

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

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**INFORMAL**

**CABINET SESSION**

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## CABINET



**16th OCTOBER 2019**

### **PRESENT:**

Councillor Smith	Chairman – Leader of the Council
Councillor Isaacs	Neighbourhoods & Safer Communities
Councillor MacLean	Health & Well Being
Councillor Mumford	Regeneration and Business Liaison
Councillor Sheldon	Commercial Contracts and Commercial Opportunities
Councillor Varker	Environment & Leisure

**APOLOGIES:** Councillors: Mrs B. Egan, Hart and Stanley

**ALSO PRESENT:** Councillors: Blackwell, Cutler, Fuller, Skipp, Tucker and Wood.

### **41. MEMBERS' INTERESTS:**

Cllr Sheldon declared an interest as a member of Essex County Council and the Chairman of the Local Highways Panel in relation to Minute 46 Essex County Council – Countywide Bus Shelter Project.

### **42. MINUTES:**

The Minutes of the Cabinet meeting held on 18th September 2019 were approved and signed by the Chairman as a correct record.

### **43. 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.

**Resolved –** To note and approve the Forward Plan.

### **44. UPDATE ON COMMUNITY SAFETY INITIATIVES**

The Cabinet considered a report to inform Cabinet about current Community Safety initiatives carried out, by, or supported by, the Council. The report described various Community Safety Initiatives being undertaken through the Community Safety Partnership Action Plan 2019/20 examples included Castle Point Borough Council was now designated as a Hate Crime Reporting Centre; initiatives to deal with domestic abuse - the Sanctuary Scheme and J9 awareness training.

The Cabinet Member also reported on Safer Essex Priorities and Work for example the current week was National Crime Awareness Week. He also reported on the Police, Fire and Crime Commissioner's (PFCC) priorities and work. The PFCC was to hold his annual public meeting for Castle Point on 23.10.2019.

The Cabinet Member highlighted the consultation underway on the Essex County Fire and Rescue Integrated Risk Management Plan.

**Resolved** – To note and agree the report.

**45. PUBLIC SPACES PROTECTION ORDER RESPONSE TO CONSULTATION - RECOMMENDATIONS FROM ENVIRONMENT POLICY & SCRUTINY COMMITTEE**

The Cabinet considered the report back to Cabinet on the results of the public consultation and the responses from the statutory consultees and relevant bodies in respect of a proposal to make a Public Spaces Protection Order (PSPO) which would require dogs to be kept on a lead at Canvey seafront from 1<sup>st</sup> April to 30<sup>th</sup> September each year.

The response had been considered by the Environment Policy and Scrutiny Committee on the 25<sup>th</sup> September 2019 and recommendations from the meeting were before the Cabinet. The Committee having discussed the feedback from the public consultation, was supportive of the introduction of the PSPO and the additional resource required to ensure compliance with the Order which could also be used to enforce other enviro crimes.

The report before the Cabinet set out financial implications of the proposal. Given the nature of the Borough, it was highly unlikely that additional enforcement would be self-financing and would therefore come at an extra cost to the Council. No budget provision had been made for the additional enforcement resource, therefore a growth bid would be required.

**Resolved:**

1. To endorse the making of a Public Spaces Protection Order (PSPO) which would require dogs to be kept on leads on Canvey beaches between 1<sup>st</sup> April and 30<sup>th</sup> September each year; and
2. To support a growth bid for the additional enforcement resource identified as necessary to ensure compliance with the PSPO and which could also be used to enforce other enviro crimes.

**46. ESSEX COUNTY COUNCIL – COUNTYWIDE BUS SHELTER PROJECT**

The Cabinet considered a report, advising Cabinet of the Countywide Bus Shelter Project currently being undertaken by Essex County Council's Integrated Passenger Transport team, in partnership with Essex Borough/District Councils.

Essex County Council (ECC) was seeking to take over the responsibility for all bus shelters across the county and to let a long-term Essex-wide contract to a single supplier, which would require the maintenance, replacement and supply of shelters and permit the generation of advertising income which Essex County Council believed would be sufficient to cover all costs associated with the supply and maintenance of the bus shelter network in its entirety. Ownership of all bus shelters currently owned by this Council would transfer to ECC.

Cabinet was assured that Council owned bus stops such as those with special characteristics for example the Dutch Cottage bus stop would be excluded from the project.

This initiative supported ECC's wider strategic aims to create a better-quality environment and to increase bus patronage to the benefit of all users of the service.

**Resolved** – to note the contents of the report

**47. BUDGET AND POLICY FRAMEWORK FOR 2020/21**

The Cabinet considered the annual report, setting out the proposed Budget and Policy Framework for 2020/21. It took account of the requirements of the Constitution, the Financial Planning Strategy and statutory requirements for calculating the budget requirement and setting the Council Tax.

The agreement of the Budget and Policy Framework provided the Council with a robust framework to improve services to residents by directing resources towards the Council's priorities. Cabinet's attention was drawn to the proposal to approve the Council's annual objectives within the budget framework.

**Resolved** – To approve the Budget and Policy Framework for 2020/21.

**48. EQUALITY SCHEME REVIEW**

The Cabinet considered the report seeking Cabinet approval of the Council's revised four-year Equality Scheme.

**Resolved** - To approve the four-year Equality Scheme.

**49. DEVELOPMENT OF A TOURISM STRATEGY FOR THE BOROUGH**

The Cabinet considered this report, which was deferred from the meeting held in July. The report was to inform the Cabinet of proposals to develop a strategy for tourism for the Borough following the appointment of a Cabinet Member for Youth and Tourism.

The Cabinet Member for Youth and Tourism presented his report and outlined a Council Strategy for Tourism which would include:

- A commitment to promoting the expansion of tourism within our Borough while safeguarding and enhancing our natural environment and heritage

- Increase the awareness and promotion of all the tourism-based attractions we have in the Borough
- Work in partnership with South Essex Development Regeneration Partnership to ensure that we create and maintain the right level of investment in tourism for Castle Point
- Work with key stakeholders in a collaborative manner to ensure that those impacted by the strategies and plans for tourism are adequately considered and consulted
- Encourage and promote sustainable tourism where the concept of visiting somewhere as a tourist is also making a positive impact on our environment
- Seek to develop digital and social media tools to help promote tourism within our Borough
- Ensuring that the Council works in partnership with stakeholders to increase the contribution of tourism to the economy of the Borough

**Resolved:**

1. To note the new role of Cabinet Member for Tourism.
2. To proceed with the development of a comprehensive strategy for Tourism in our Borough.
3. To receive further reports on the progress of this new portfolio as the role of Cabinet Member for Tourism evolves.

**50. MATTERS TO BE REFERRED FROM / TO POLICY & SCRUTINY COMMITTEES**

There were none.

**51. MATTERS TO BE REFERRED FROM / TO THE STANDING COMMITTEES**

There were none.

Chairman



# **Castle Point Borough Council**

## **Forward Plan**

**NOVEMBER 2019**

# **CASTLE POINT BOROUGH COUNCIL**

## **FORWARD PLAN**

**NOVEMBER 2019**

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

<b>Date</b>	<b><u>Item</u></b>	<b>Council Priority</b>	<b>Decision by Council/ Cabinet</b>	<b>Lead Member(s)</b>	<b>Lead Officer(s)</b>
November 2019	<u>Planning Policy Update – Supplementary Planning document for Essex coast Recreation Disturbance and Mitigation Strategy</u> - For approval	Housing and Regeneration	Cabinet	Regeneration and Business Liaison	Head of Place and Policy
November 2019	<u>Regeneration Update Report</u>	Housing and Regeneration	Cabinet	Regeneration and Business Liaison	Head of Place and Policy
November 2019	<u>Financial Update</u> - for review and approval	A Commercial and Democratically Accountable Council	Cabinet	Finance, Policy & Resources	Strategic Director (Resources)
November 2019	<u>Enforcement Strategy Development Control</u>	Housing and Regeneration	Cabinet	Regeneration and Business Liaison	Transformation Manager (Planning)
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	<u>Maintenance of Streetlights – Notice of Motion</u>	Commercial and	Cabinet	Leader of the Council	Head of Environment

		Democratically Accountable Council and Environment			
November 2019	<u>Housing Asset Plan – for approval</u>	Housing and Regeneration	Cabinet	Housing and Council Homes	Head of Housing and Communities
November 2019	<u>Homelessness Strategy – for approval</u>	Housing and Regeneration	Cabinet	Housing and Council Homes	Head of Housing and Communities
November 2019	<u>Housing Update– for approval</u>	Housing and Regeneration	Cabinet	Housing and Council Homes	Head of Housing and Communities
November 2019	<u>Local Council Tax Scheme 2020 /21 Review – for review &amp; approval</u>	Housing and Regeneration	Cabinet/ Council	Finance, Policy & Resources	Revenues and Benefits Transformation Manager
November 2019	<u>Merchant Acquiring Card Payment Services Contract Procurement</u>	Commercial and Democratically Accountable Council	Cabinet	Finance, Policy & Resources	Revenues and Benefits Transformation Manager
January 2020	<u>Clinical Waste – First Year – for review</u>	Environment	Cabinet	Streets, Waste, Floods and Water Management	Head of Environment
February 2020	<u>Housing Management System Procurement</u>	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>	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

**CABINET**

**20th November 2019**

**Subject: Notice of Motion – Proposal for Castle Point Borough Council to fund the reinstatement of full-coverage street lighting at night across the Borough.**

**Cabinet Member: Councillor Isaacs – Neighbourhoods and Safer Communities**

**Councillor Hart – Streets, Waste, Floods and Water Management**

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**1. Purpose of Report**

**To 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.**

**2. Links to Council's Priorities and Objectives**

**This proposal links with the Council's Community Safety priority.**

**3. Recommendations**

**That Cabinet recommends to Council 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.**

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**4. Background**

**A Notice of Motion was submitted by Councillor Blackwell and seconded by Councillor May:**

***‘Canvey Island Independent Party calls upon Castle Point Borough Council to follow Basildon Council and pay for our street lights to stay on all night in the interests of community safety’.***

Essex County Council (ECC) as the Highways Authority is responsible for the provision, maintenance and operation of street lights on adopted highways. Over 70% of the 129,000 streetlights owned by ECC are now operated on a part night lighting basis. Part night street lights are switched off between 1am and 5am, Tuesday to Sunday (midnight until 5am on Monday mornings).

It is ECC’s policy that street lights are only kept on all night where they meet the following exceptions criteria:

- Sites where there are a large number of conflicting traffic movements (e.g. roundabouts) which are on significant routes (generally those lit by columns greater than 6m high).
- Sites where street lights are installed as a result of accident remedial measures.
- Town Centre areas where there is one or more of the following features:
  - Publicly maintained CCTV
  - High proportion of high security premises (e.g. banks, jewellers)
  - Areas of high crime risk
  - High concentration of people at night such as transport interchanges, nightclubs etc.
- Main approaches to town centre areas where there is a mix of development between residential and commercial/industrial (e.g. not exclusively residential).
- Sites where the police can demonstrate that there is likely to be an increase in crime if the lights are switched off during part of the night (or that there will be a decrease in crime if the lights are switched back on).
- Remote footpaths and alleys linking residential streets.
- Where there is a statutory requirement to provide lighting.

Lighting for road signs, traffic bollards etc., are not be affected.

When this policy was first introduced there were serious concerns expressed about the impact that turning the lights off would have on the level of crime. However, Essex Police has confirmed that since the implementation of ECC’s part night lighting policy, there has been no increase in crime levels that can be attributed to the lights being turned off at night.

Whilst there is no evidence that crime levels have increased there is still a public perception that areas are less safe when the lights are turned off. In response to these concerns Harlow Council, and most recently Basildon

Council have decided to pay for all the lights in their area to be kept on at night.

If the Council was to agree to fund the keeping on of lights throughout the night, the responsibility for the maintenance of street lighting would still remain the responsibility of ECC.

## **6. Corporate Implications**

### **(a) Financial Implications**

ECC has confirmed that if this Council wished to pay for street lights to be kept on at night then the estimated energy cost would be £107,066.89/annum, based upon 7182 lights being switched back on. Clarification is being sought on whether this cost includes all the lights that meet their exceptions policy and which are already kept on all night, and also, what the annual cost would be once all the existing lights have been upgraded to LED.

No budgetary provision has been made to fund the keeping on of street lights at night. If Cabinet is supportive of this proposal a growth bid would need to be submitted for 2020/21 and considered and prioritised alongside all the other growth bids that are being prepared in accordance with the agreed budget setting process. This would be a significant increase in discretionary expenditure for the Council which would be very difficult to discontinue at a later date.

The Council must be mindful that to take on additional unfunded functions at this time could make future budget decisions even more difficult.

This Council's financial position means that it is unable to take on responsibility for unfunded functions which belong to another public sector organisation who have themselves deemed them to be low priority in the context of their overall budget without it impacting adversely on the services we provide either on a statutory or discretionary basis.

ECC is upgrading existing lights to LED which are longer-lasting, require less maintenance and use less electricity than other conventional lamps. Any savings achieved from this upgrading programme could potentially be used to offset the cost of keeping lights on throughout the night.

### **(b) Legal Implications**

ECC is the Highways Authority and as such is responsible for the provision and maintenance of street lights.

### **(c) Human Resources and Equality Implications**

None directly associated with this report.

### **(d) IT and Asset Management Implications**

None directly associated with this report.

**7. Timescale for implementation and Risk Factors**

Implementation during 2020/21 would be subject to this Council funding the initiative and formalising the agreement with ECC. Funding beyond 2020/21 would by necessity be subject to further review and affordability. Subsequent withdrawal of funding and cessation of the arrangement would inevitably be seen as a service cut by this Council and result in adverse comments and criticism.

**Background Papers**

None

**Report Author:**

Trudie Bragg, Head of Environment

**CABINET**

**20th November 2019**

**Subject: Notice of Motion – Tree Planting Campaign throughout the Borough**

**Cabinet Member: Councillor Varker - Environment & Leisure.**

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**1. Purpose of Report**

To 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.

**2. Links to Council's Priorities and Objectives**

The Motion to plant trees across the Borough to combat climate change links with the Council's Environment priority.

**3. Recommendations**

That Cabinet recommends to Council 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.

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**4. Background**

Notice of Motion submitted by Councillor Blackwell and seconded by Councillor Anderson:

***'Canvey Island Independent Party calls upon Castle Point Borough Council to embark on a tree planting campaign throughout the Borough to help offset global warming.'***

The climate is changing and will continue to change as a result of the emission of greenhouse gases by human activity.

In the future we can expect:

– hotter, drier summers;

- milder, wetter winters;
- rising sea levels; and
- more extreme weather events i.e. flood and droughts.

The Intergovernmental Panel on Climate Change published its Report on global warming in October 2018 describing the damage that global warming of 2°C above pre-industrial levels would inflict compared with a 1.5°C increase and recommended that net-zero carbon emissions be reached by 2030.

Such is the concern about the impact of climate change on the environment that many authorities have declared a Climate Change Emergency and are developing action plans to help combat/minimise the impact of climate change. The UK Parliament declared an environmental and climate emergency on 1 May 2019, becoming the first country in the world to do so.

Locally, Essex County Council has recently established the Essex Climate Change Commission. This new cross-party working group will look at how the Council can work to reduce its carbon footprint, reduce waste, promote recycling and sustainable transport and work with the community, businesses and suppliers to support them in becoming more environmentally aware and proactive in tackling climate change. It has set aside £250k to support this project which will include the planting of 375,000 trees over the next five years, thereby saving 60,000 tonnes of carbon dioxide emissions.

Whilst a Boroughwide tree planting programme as proposed by the Motion to this Council is one way of helping to reduce net carbon emissions, a more strategic and co-ordinated approach to tackling climate change would ensure that maximum benefit is derived from the resources allocated to addressing it. There is an opportunity for this Council to take a leadership role in this work and to assist households, businesses and agencies in Castle Point to take advantage of the opportunities associated with reducing carbon emissions. It is proposed that the Environment Policy and Scrutiny Committee be requested to review this Council's approach to the threats posed by Climate Change and to make recommendations to Cabinet on future actions it feels are appropriate and necessary for the Council to take in this regard.

## **6. Corporate Implications**

### **(a) Financial Implications**

None directly associated with this report. It is highly likely though that any action plan to further help combat the impact of climate change will have significant financial implications for the Council, but it is not possible to estimate costs in advance of production of the action plan. The cost of a Boroughwide tree planting initiative would be dependent on the number of suitable locations to plant trees and the number of trees it is proposed to plant. However, there are several potential grants/funding streams available that may help to offset the cost.

**(b) Legal Implications**

None directly associated with this report. However, the emerging new Local Plan will be instrumental in promoting high levels of sustainability and resilience to natural and man-made risks through the location and design of development, having regard to the implications of climate change, including flood risk from all sources.

**(c) Human Resources and Equality Implications**

Officers from various departments throughout the Council will need to support this project.

**(d) IT and Asset Management Implications**

None directly associated with this report.

**7. Timescale for implementation and Risk Factors**

It is envisaged that the Environment Policy and Scrutiny Committee will meet early in the New Year and will report back its initial findings to Cabinet in March 2020.

**Background Papers**

None

**Report Author:**

Trudie Bragg, Head of Environment

**CABINET**

**20th November 2019**

<b>Subject:</b>	<b>Planning Policy Update - Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)</b>
<b>Cabinet Member:</b>	<b>Councillor Mumford – Regeneration &amp; Business Liaison</b>

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**1. Purpose of Report**

This report seeks 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

**2. Links to Council's Priorities and Objectives**

**Environment**

- Prevents degradation of vital habitats
- Protects the biodiversity of protected sites on the coast
- Protects endangered species

**3. Recommendations**

- 3.1. That the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)Supplementary Planning Document (SPD) be approved for consultation.**
  - 3.2. The RAMS Strategy is approved by the Council.**
  - 3.3. 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.**
  - 3.4. Report to Council to approve the final version of the SPD for adoption upon the adoption of the new Castle Point Borough Local Plan.**
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## 4. Background

- 4.1. Most of the Essex coastline is designated under the UK Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), this forms part of the European Habitats Directive which was updated in 2017 by the UK. The aim of the Directive is to protect a network of habitat sites across the EU, also known as Natura 2000 sites. Natura 2000 sites provide core breeding and resting sites for rare and threatened species, in particular birds. The specific designated sites on the Essex coast can be found in figure 1 below.

Figure 1: Designated sites on the Essex coast



- 4.2. The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) is made up of two components, the Strategy which is made up of the Technical and Mitigation Reports, and the Supplementary Planning Document (SPD), which sets out how the Borough will administer the Strategy through planning applications. A copy has been placed in each of the Members Group Room and a copy has been placed on the web site.
- 4.3. The aim of the Strategy is to reduce the impact that net additional new homes, and ultimately residents will have on the coast and the protected sites. Through analysis of the most vulnerable sites through the technical work and reducing the impact through the Mitigation Report.
- 4.4. The Essex coastline is an attraction throughout Essex, and increased visitor numbers through increased population can degrade habitats and disturb endangered species, in particular birds.

- 4.5. A number of migratory birds travel from across the world to the Essex coast before moving on to other areas, if these birds are disturbed at key feeding times, it can significantly impact their routine and endanger them further.
- 4.6. The RAMS aims to reduce the impact that expected additional visitors will have to these protected habitat sites, through various mitigation measures, ensuring that visitors and species can sustainably use the Essex coast.
- 4.7. Reason for the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS)**
- 4.7.1. The Conservation of Habitats and Species Regulations 2017 protects ten international and nationally designated habitat sites on the Essex coast for their contribution to wildlife and habitats, this includes a large number of wintering water birds. Particular designations on these sites include:
- Special Areas of Conservation (SAC), are sites that support high quality habitats and species;
  - Special Protection Areas (SPA), these are sites that support rare, vulnerable migratory birds; and
  - Ramsar sites, which are areas of wetland that are designated of international importance under the Ramsar Convention (1971).
- 4.7.2. Of the ten sites along the Essex coastline, one, the Benfleet and Southend Marshes, falls within the Castle Point Borough boundary and is designated as an SPA and Ramsar site, as shown in figure 1.
- 4.7.3. The Regulations require Local Planning Authorities (LPA) to demonstrate that their Local Plans will not adversely affect the integrity of a Habitat site(s) through a Habitats Regulations Assessment (HRA). Similarly, the Regulations require the Council as a 'competent authority' to ensure that planning permission is not granted for development that will have an adverse impact upon a Habitat site(s) in the District or elsewhere, unless appropriate mitigation is sought. Any mitigation is a requirement of legislation so must be delivered.
- 4.7.4. Natural England has identified that a significant amount of new housing is expected to come forward in the Essex Coast area by 2038. In their opinion, the associated increase in residents is expected to have a significant cumulative recreational impact upon the integrity of the Habitats sites, which is contrary to the Regulations.
- 4.7.5. Natural England has identified that a Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) will provide the necessary confidence that mitigation will be delivered in the right places to address the impacts identified, at the right time, as a consequence of new development.
- 4.7.6. New housing in the coastal districts and boroughs of Castle Point, Colchester, Maldon, Rochford, Southend-on-Sea, Tendring and Thurrock will have a likely significant impact to the habitat sites, due to the proximity to the coast and protected sites, However, due to the draw that the Essex coast has, it is

expected that new housing in part, or in its entirety of the non-coastal Councils of Basildon, Braintree, Brentwood, Chelmsford and Uttlesford will also have a likely significant impact to habitat sites. These 12 districts and boroughs make up the authorities involved in implementing the RAMS

- 4.7.7. The RAMS will only mitigate 'in combination' effects of new housing through a tariff. Strategic sites may also generate 'at source' (on site) effects. If a development is required to provide on-site mitigation, the tariff would still be required to address the 'in combination' effects expected to be experienced at the Habitats sites. The type of effect would be identified through a project level HRA undertaken as part of the planning application process for the site.

#### **4.8. RAMS Strategy: Technical Report**

- 4.8.1. The RAMS has been prepared by Essex Place Services. It comprises two sections: the Technical Report and the Mitigation Report. The Technical Report was part of the evidence gathering process and sets out:

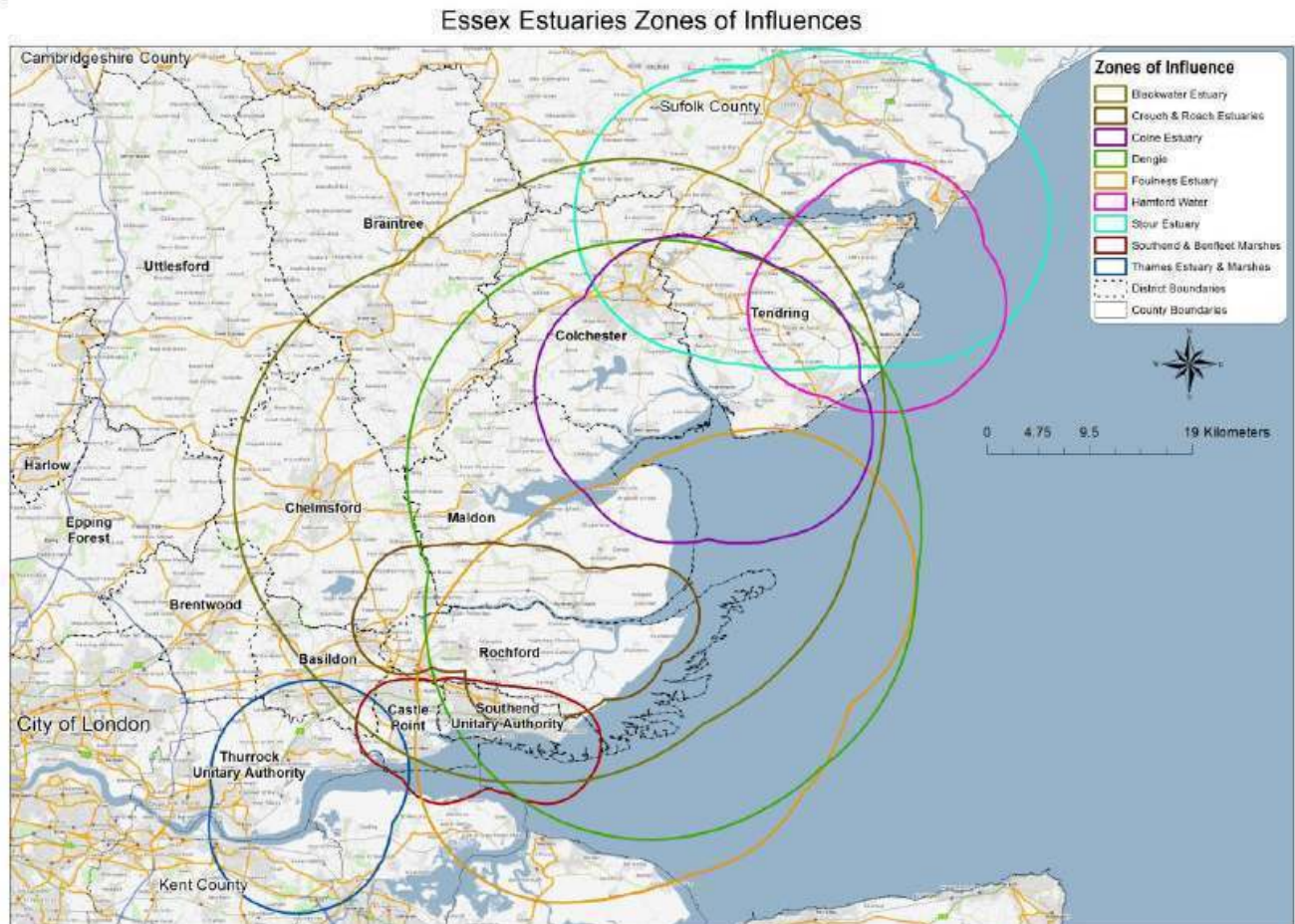
- Why the RAMS is needed;
- The purpose of the Strategy;
- Background evidence and analysis including:
  - Winter and summer visitor survey and results; their location, the survey methodology, questionnaires and results;
  - The approach taken to stakeholder workshops and their outputs;
  - Assessment of published data, reports and studies, such as the Habitats sites Site Improvement Plans, existing mitigation and bird data provided by the Wetland Bird Survey (WeBS); and the zones of influence (Zol).

- 4.8.2. The Zols are important to the strategy as they determine the distance that people are likely to travel to visit the protected sites. This in turn creates the areas within the county that are likely to cause a likely significant impact to the habitat sites and will need to contribute towards mitigation through the strategy. These are based on the postcodes collected through the surveys. The methodology for calculating this distance can be found in Appendix 9 of the RAMS Strategy.

- 4.8.3. Castle Point in its entirety falls within a Zol and therefore needs to mitigate its impact to these specific protected sites. In total there are six Zols that fall within the Borough found in figure 2, these include:

- Benfleet and Southend Marshes;
- Blackwater Estuary;
- Crouch and Roach Estuary;
- Dengie;
- Foulness Estuary; and
- Thames Estuary and Marshes.

Figure 2: Zones of Influence



## 4.9. RAMS Strategy: Mitigation Report

4.9.1. The Mitigation Report utilises the evidence from the Technical Report and identifies how the impacts presented can be mitigated appropriately, using various measures dependant on the issues identified in the Technical Report. This part of the RAMS sets out:

- The overall mitigation package;
- How mitigation will be funded;
- How mitigation will be implemented and broad timescales for delivery;
- Details about monitoring and review;
- The amount of new homes expected to contribute to mitigation;
- The level of tariff recommended.

#### **4.10. Mitigation Package**

- 4.10.1. Avoiding potential conflicts between birds and people is the priority of the RAMS. The Technical Report identifies key broad locations which are more accessible to visitors where recreation is expected to result in disturbance of key bird roosts.
- 4.10.2. To address impacts in these key locations a mitigation package of interdependent projects has been produced, informed by the Technical Report, a precautionary approach and best practice. The mitigation package is required to ensure that an increase in recreational activity on the Coast does not increase the level of bird disturbance that currently exists. Costs are based on those provided by Partners for similar recent projects on the Essex Coast and in similar locations.
- 4.10.3. It is important that the mitigation package is pragmatic and realistic and only mitigates the recreational impacts of new development, and not existing issues. As such, the package and its phasing will need to reflect:
- Which measures will achieve the greatest impact in the most cost-effective way;
  - The complexity of projects: some may require long term planning, feasibility work prior to on the ground delivery etc.; and
  - The phasing of housing and therefore the availability of funding.
- 4.10.4. Four delivery timeframes have been identified: immediate priority (years one – two), short to medium (years three – five), longer term priority (years six – ten) and long term priority (10 years +). However, the precise delivery timeframe for each project will be agreed through the delivery process. As the projects are reliant on the delivery of housing and the impacts evidenced on the coast, as delivery evolves projects may need to be re-prioritised to reflect changing circumstances, the availability of funding from other sources and changing national and local priorities.
- 4.10.5. Full details of the mitigation package are set out in Table 8.1 of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (Appendix 2). The key implications for the Borough are discussed below.
- 4.10.6. Castle Point falls within six Zols and contributions collected in the Borough will need to be related to these sites. Particular mitigation measures, such as the delivery officer, rangers and the website costs are relevant to all of the sites identified in the strategy and through a strategic approach allows all partner LPAs to benefit from contributing towards these mitigations. The charge of £122.30 per dwelling is a set rate and does not increase if the development site falls within more than one Zol. However, this rate may increase or decrease after a review of the RAMS.

#### **Delivery Co-ordinator**

- 4.10.7. To ensure delivery is managed effectively and efficiently a Delivery Co-ordinator will need to be appointed by the Accountable Body (see paragraphs 4.12.4). This officer would be the main contact point for the RAMS and would

ensure that the RAMS is being delivered as approved. They would provide regular updates to the Project Board and steering group (see governance) and will need to ensure that the RAMS complements projects delivered at Habitats sites by other stakeholders e.g. landowners, Essex Wildlife Trust (EWT), the Royal Society for the Protection of Birds (RSPB) and would need to identify opportunities to bring additional benefits through match funding.

### **Bird Aware**

- 4.10.8. The RAMS identifies that communication and education are essential to deliver positive outcomes to the Coast. The Solent RAMS has established Bird Aware, a not-for-profit partnership which is a marketing tool, designed to educate and raise awareness of the birds that spend the winter on the Solent, so that people can enjoy the coast without disturbing the birds.
- 4.10.9. The RAMS recommends establishing Bird Aware: Essex Coast as a cost-effective way to help deliver this key strand of the Strategy. Being involved in an established brand would generate greater awareness – by representing more of the environment, more mitigation and a larger public audience means the brand holds more weight in the statements it makes. This could make the process more credible to developers and the public.
- 4.10.10. Through contributions collected by partner LPAs the Essex Bird Aware website has been launched. It has made available published documents including the Strategy report.
- 4.10.11. It is possible that other mitigation projects, such as the delivery officer, rangers, responsible dog owner campaigns and new signage could be delivered under the Bird Aware brand. However, this would be a decision for the Partners through the governance arrangements.

### **Rangers**

- 4.10.12. Encouraging people to avoid disturbance of birds through face to face education and communication has been identified by other partnerships, such as at Thames Basin Heaths and Dorset Heaths as an effective way to manage visitor behaviour. The RAMS supports this approach and identifies key locations with good visitor access that are likely to result in disturbance of key bird roosts, where rangers should focus their time. This includes Two Tree Island.
- 4.10.13. As the Strategy is rolled out, the work of the Rangers will evolve to include publicity, events, monitoring, reporting and working on some of the longer-term measures.

### **River bailiffs / codes of conduct / byelaws**

- 4.10.14. The RAMS acknowledges the success of river bailiffs elsewhere on the Essex coast and recommends it should be expanded to the Benfleet and Southend

Marshes SPA and Ramsar. The RAMS also recognises that the increasing use of watersports is an area of concern in the Benfleet and Southend Marshes SPA and Ramsar, and that additional enforcement should be funded by the RAMS in this location, in the medium to longer term. Due to the popularity of this area, it should help reduce the degradation of the habitat.

- 4.10.15. Bailiff activity would be most effective at reducing disturbance if backed up by new zoning aimed at reducing disturbance to key locations. The RAMS recommends introducing water sport zones, which could be appropriate in the Benfleet and Southend Marshes. This could reflect the successful 'wildlife refuge zones' used in the Exe estuary where, depending on proximity to roosts, watersports are either not permitted, or are only permitted at certain times of the day (depending on the tide) / year (to reflect the seasons), and/or are restricted to certain types of activity.
- 4.10.16. The RAMS recognises that users will be most likely to alter their behaviour if measures, such as new codes of conduct and/or byelaws are established through close working with watersports groups, such as boating and paddle boarding clubs.

### **Habitat protection**

- 4.10.17. Areas of farmland and grassland outside, but adjoining the Habitats Sites (known as Functionally Linked Land) may be important ecologically in supporting the bird populations for which the Habitats sites have been designated. Many of these are managed by farmers and other landowners under Higher Level Stewardship schemes. A key project is to map these areas and work with landowners ensure their protection.

### **Monitoring / Visitor surveys**

- 4.10.18. The RAMS recognises that the key locations for bird roosts and the status of those species may change over time, as will recreation patterns, with factors such as climate, coastal erosion and the popularity / trends of different activities likely to influence distribution and access. Monitoring is an important element within the mitigation package: it is tailored to pick up 'early-warning' of any new issues and use of key measurable outcomes should ensure that the mitigation measures are effective. As such a detailed monitoring package will be a separate workstream delivered by the Steering Group in due course.
- 4.10.19. Monitoring of bird roosts will continue at regular intervals, through Wetland Bird Survey (WeBS) and volunteer observations across the Coast. This will ensure that trends in bird populations can be identified and impacts managed accordingly. Monitoring of access will be linked to the WeBS data to ensure any trends of recreation impact upon protected species are identified and mitigation projects identified where necessary.
- 4.10.20. The RAMS acknowledges that in some cases the total number of visitors completing visitor surveys for the RAMS was below that considered by Visit Britain guidelines to provide a comprehensive view of recreational activity on the coast. However, Natural England is satisfied that the responses are

acceptable to inform the RAMS, as long as the mitigation package prioritises additional surveys in years one and two. Several locations have been prioritised for summer surveys early in the delivery period. Results would be combined with the existing winter surveys (used for the RAMS) to ensure the ZOI for each Habitats Site remains fit for purpose.

#### **4.11. RAMS Tariff**

- 4.11.1. The 12 Partners are seeking to deliver approximately 73,000 homes in their Local Plans within the ZOI over the plan period 2018-2038. This figure is based on current published housing figures in the RAMS strategy as of February 2019, based on adopted and draft Local Plans – it is expected that as the Local Plans go through the plan-making process or are reviewed this figure will change. The RAMS and its SPD will be reviewed at appropriate intervals to ensure the documents remain up to date, relevant and effective.
- 4.11.2. The RAMS tariff is calculated by dividing the overall cost of the mitigation package (£8,916,448) by the number of dwellings in the Local Plans (without planning permission) which will be built in the Essex Coast Zone of Influence until 2038 (72,907 dwellings). The tariff per dwelling is therefore £122.30. Prior to the adoption of the SPD the housing figures will be re-considered to deduct any houses that have been granted planning permission in the interim. The cost of the mitigation measures will increase with inflation each year in line with the Retail Price Index.
- 4.11.3. All new residential development (where there is a net increase in the number of dwellings) built in the ZOI will be required to make a financial contribution. The RAMS shows that all of the Borough falls within the ZOI. As such, all new housing will be liable to make a financial contribution. The rate of £122.30 per net additional dwelling will be applied, regardless if it falls within one ZOI or more.
- 4.11.4. The detail approach to securing the tariff can be found within the Supplementary Planning Document (SPD).

#### **4.12. Governance**

- 4.12.1. To ensure transparency, governance arrangements are being taken forward by the Partners, rather than by the project consultants, Essex County Council: Place Services. Essentially, the Partners through the Essex Planning Officers Association (EPOA) Chief Officers Group propose to introduce a Project Board / Steering Group model (the draft governance chart is attached as APPENDIX B). This model has been implemented successfully by several partnerships elsewhere including North Kent, Dorset Heathlands and the Solent. Officers consider that the model can easily be transferred to the Essex Coast, however the objectives and priorities it delivers will be those set out by the Essex Coast RAMS.

- 4.12.2. Rather than establishing a new forum it is considered more effective and efficient for the Project Board to comprise the EPOA Chief Officers Group. This Group will make decisions at an operational level, relating to funding allocations, project prioritisation and delivery in line with the mitigation package set out in the RAMS approved by each Council. To ensure transparency and so that delivery is line with the RAMS, an annual financial statement will be reported.
- 4.12.3. Environmental groups such as Natural England, will be invited to meetings where appropriate but will not have voting rights. The existing officer Steering Group will be retained and will provide technical support and reports to the Project Board. A Member Working Group is expected to form part of the overall governance process to inform the Steering Groups approach to specific projects.
- 4.12.4. Additionally, one of the Partners will need to become the Accountable Body for the RAMS. That authority will employ the Delivery Officer, hold and administer funds, provide secretarial support to the Project Board and Steering Group, action commissioning of projects and surveys, collate monitoring information and provide a financial protocol. In principle all authorities have agreed that Chelmsford City Council will be the Accountable Body.

#### **4.13. RAMS SPD**

- 4.13.1. An SPD has been prepared by Essex County Council: Place Services on behalf of the 12 authorities, to provide the planning framework for securing financial contributions to deliver the RAMS.
- 4.13.2. In the draft Castle Point new Local Plan (agreed for consultation on 22 October 2019 by Council), policy NE5 states that relevant developments will need to contribute to mitigation measures set out in the RAMS. The RAMS SPD sets out how an applicant can do that.
- 4.13.3. The RAMS SPD sets out the type and uses that are required to make contributions, the tariff which will be updated in line with the Strategy, when and how the tariff will be paid.

#### **4.14. Consultation**

- 4.14.1. Essex County Council: Place Services will undertake the consultation for the RAMS SPD. This will comply with the current Castle Point Statement of Community Involvement (SCI) as well as all other partner authorities SCIs.
- 4.14.2. Each partner authority needs to take the documents to their relevant Committees, the consultation is expected to take place in early 2020 and run for a period of six weeks.

#### **4.15. Interim guidance**

- 4.15.1. In August 2018 Natural England issued interim advice to ensure that any residential planning applications coming forward ahead of the Essex Coast RAMS that are within the ZOI meet the requirements of the Habitats Regulations. Essentially, Natural England is advising that a fair and proportionate RAMS contribution is required.
- 4.15.2. The evidence from which the Council would identify and justify a financial contribution is within the RAMS. In Spring 2019 the Borough along with four other contributing partner LPAs commissioned legal advice on the RAMS, it found that it is reasonable to use the tariff in the RAMS as the basis for securing financial contributions from new housing where the Local Planning Authority, as a designated Competent Authority, make a judgement that the impacts of new housing would be significant that it would conflict with the Habitats Regulations.
- 4.15.3. In July 2019 the development management team began collecting contributions for all net new dwellings. Once the SPD and Local Plan is adopted the contributions can be used as part of the RAMS mitigation measures.

#### **4.16. Alternative to the RAMS**

- 4.16.1. The Technical report within the Strategy identifies that all net additional new homes within the Borough are likely to have a significant impact to the designated sites and therefore mitigation measures will be necessary for any new development with net additional dwellings.
- 4.16.2. The Strategy identifies a strategic approach to mitigating recreational disturbance as a result of new dwellings across the Essex coast. The cost is the same for any net additional dwelling that falls within a zone of influence throughout the strategy. The projects are costed and will be updated in the Strategy to allow for transparency.
- 4.16.3. If a developer did not want to contribute towards the RAMS, to comply with the Habitats Regulations, they would have to conduct their own project level Habitats Regulation Assessment (HRA). This would include evidence gathering, setting out appropriate mitigation measures, this will have to be consulted with Natural England and once approved, implemented by the developer. This approach is less favoured by developers and the Council as it can take a lot of time, effort and more money than the strategic approach set out in the RAMS.
- 4.16.4. Contributing to the RAMS not only takes away the burden from developers and the Council, it creates a co-ordinated approach through the Strategy to identify and implement larger projects that are unlikely to be funded through smaller project level HRAs.

## **5. Next Steps**

- 5.1. The Essex Coastal Recreational Avoidance and Mitigation Strategy (RAMS) is a joint initiative between 12 Essex authorities to identify the recreational impacts new homes will have on the Habitats sites along the Essex Coast. The RAMS will be reviewed and updated as necessary to ensure that it remains relevant and effective.
- 5.2. The SPD is a joint document and must be consistent across all the participating local planning authorities. Therefore, any changes to the documents before publication for consultation must be agreed by all the Councils.
- 5.3. It is the intention to start consultation in early 2020 for six weeks. The precise date is to be agreed, pending the approval of each Council of the draft SPD.
- 5.4. The consultation will be undertaken by Essex County Council: Place Services who are the consultants for the RAMS project. The consultation will be for all partner authorities and will meet the requirements set out in all partner authorities statement of community involvement.
- 5.5. Post consultation a review of the representations received, and the SPD will need to be made before the final draft is commended to each LPA for adoption. The draft new Castle Point Local Plan refers to RAMS and the SPD in Policy NE5. This provides the policy for the SPD. Whilst the Council can approve the final SPD ahead of the Local Plan adoption (and the requirements of the SPD effectively come into effect), the adoption of the SPD can only take place once the local plan is adopted.

## **6. Corporate Implications**

### **6.1. Financial Implications**

- 6.1.1. Since the RAMS project began in November 2017 the Council has spent or committed payment for c. £11,515.37. This includes survey works, project costs and legal advice.
- 6.1.2. The RAMS fund for the investment programme, plus appointment of the Delivery Officers and rangers, will be the responsibility of a single local Council (The accountable body).
- 6.1.3. The steering group have in principle agreed that Chelmsford City Council will be the Accountable Body.

### **6.2. Legal Implications**

- 6.2.1. As per paragraph 6.1.1 the Council has paid for legal advice in light of the RAMS and SPD, the outcomes of this advice has been implemented into the final documents.

- 6.2.2. The Council will have to collect financial contributions from developers and hold the funds. These will be transferred to the Accountable Body quarterly to administer the funds appropriately.

### **6.3. Human Resources and Equality Implications**

#### **Human Resources**

- 6.3.1. The Council will not directly employ anyone for the RAMS, however the Accountable Body will employ the Delivery Officer and Rangers.

### **6.4. Equality Implications**

- 6.4.1. The investment from the implementation of RAMS can help to improve access to the countryside and improve information sources and methods.

### **6.5. IT and Asset Management Implications**

- 6.5.1. None

## **7. Timescale for implementation and Risk Factors**

- 7.1. Contributions are being collected in the interim, however will not be implemented until the SPD has been approved.

## **8. Background Papers**

Appendix 1: Draft RAMS Supplementary Planning Document

Appendix 2: RAMS Strategy

Bird aware website - <https://essexcoast.birdaware.org/>

**Report Author:** Ian Butt – Head of Place and Policy

**CABINET**

**20th November 2019**

**Subject: Community Infrastructure Levy (CIL)**

**Cabinet Member: Councillor Smith – Leader of the Council;  
Councillor Mumford – Regeneration and Business  
Liaison.**

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**1. Purpose of Report**

To confirm 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. The report sets out in summary what CIL is, what the charging schedule is and how it is set and collecting CIL.

**2. Links to Council's Priorities and Objectives**

**Environment – the introduction of CIL will enable the Council to consider investment in environmental infrastructure to support growth within the Borough.**

**Housing and Regeneration – CIL is an important funding source to deliver infrastructure to support growth and further the aims of regeneration of communities.**

**Health and Community Safety – CIL can be used to improve health facilities and support community safety initiatives.**

**A commercially and democratically accountable Council – CIL will provide a funding source for infrastructure projects, self-fund the resource to manage the collection and management of the levy and will be monitored through an annual infrastructure delivery plan statement.**

**3. Recommendations**

- 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 Schedule prior to public consultation.**

## 4. Background

- 4.1 On 22nd October 2019 Council approved the new Castle Point Local Plan for public consultation under Regulation 19 of the Town and Country Planning (Local Plans) Regulations 2012. In doing so, the Council also agreed under recommendation 3.5 'to note the intention to introduce the Community Infrastructure Levy.'
- 4.2 Paragraphs 7.12 to 7.15 of the Council report set out the need for the Plan to establish a Housing Trajectory and how that informs the Infrastructure Delivery Plan, which can be part funded through and informs the Community Infrastructure Levy.
- 4.3 The introduction of the CIL will enable the Council to maximise funding from development towards infrastructure required to support development and growth. Despite having an infrastructure delivery plan, and the relaxation on the number of developments to which Section 106 can be secured to invest in any one piece of infrastructure, due to viability limits it is not possible to secure all of the infrastructure funding from the strategic allocations in the Local Plan. Therefore, non-strategic developments and windfall developments, might not making any contribution. Whilst on their own, small developments have little impact on the infrastructure demands for the Borough, cumulatively the impact can be significant.

### **What is the Community Infrastructure Levy?**

- 4.4 CIL was first introduced in the Planning Act 2008. This was followed by the Community Infrastructure Levy Regulations in 2010, which provides the regulatory framework for the introduction of CIL and its implementation. These regulations were last Amended in 2019.
- 4.5 In the CIL Planning Practice Guidance (CIL PPG), the Government defines CIL as:

*'The Community Infrastructure Levy (the 'levy') is a charge which can be levied by local authorities on new development in their area. It is an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area.'*

*The levy only applies in areas where a local authority has consulted on, and approved, a charging schedule which sets out its levy rates and has published the schedule on its website.*

*Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy.'*

- 4.6 CIL is supplementary to Section 106 Agreements but differs insofar as the contributions collected do not necessarily have to be spent on infrastructure required to make a specific development acceptable in planning terms. The new Local Plan, with the supporting Infrastructure Delivery Plan, identifies infrastructure specific to allocated sites. CIL will not replace these requirements, nor will it be applied to those developments in such a way to render them unviable.

- 4.7 There are several types of development for which CIL is not payable, and the Council can use its discretion and decide to 'zero' rate certain development. This would apply, for instance, where it is not viable to apply CIL if it is unviable to do. Such an example would be where there are already significant planning obligations to deliver infrastructure.
- 4.8 In addition, there are certain types of development that *can* be subject to an exemption or relief. These include residential annexes and extensions, self-build properties (subject to state aid laws), social housing and charitable development. Any exemptions the Council applies will need to be fully justified and explained in the CIL schedule. In some instances, an exemption must be applied for.
- 4.9 Usually the collection authority is the local planning authority (LPA). In respect of minerals and waste applications, the County Council may collect the levy charged by the LPA, and Homes England may also collect the levy where they grant planning permission.
- 4.10 Ultimately CIL is paid by the landowner. Because the amount is known, its cost should be reflected in the value of land. However, anyone can assume liability to pay the levy. If no one assumes the role, the liability will automatically default to the landowner.
- 4.11 CIL becomes liable when planning permission is given, whether by the LPA, Planning Inspectorate on appeal or the Secretary of State. The levy may also apply on permitted development, including instances of lawful development certificates.
- 4.12 Section 73 applications may alter the liability for CIL. Transitional arrangements will be put in place where a Section 73 application which is liable for CIL is submitted after CIL is introduced but where the parent permission was before the introduction of CIL.

### **Charging Schedules and Rates**

- 4.13 The LPA is the Charging authority and must set out its rates in a charging schedule. The rates are expressed as £X per square metre. A balance must be struck when setting rates between the additional investment needed to support development and viability. Set the rate too high and development may not be viable. Set it too low and the income may not be enough to match the investment required.
- 4.14 It is stated in the CIL PPG that *'this balance is at the centre of the charge-setting process. In meeting the regulatory requirements, charging authorities should be able to show and explain how their proposed levy rate (or rates) will contribute towards the implementation of their relevant plan and support development across their area.'* Evidence is therefore crucial.
- 4.15 In preparing the new Castle Point Local Plan an Infrastructure Delivery Plan (IDP) has been prepared. This aligns development through a housing trajectory with the delivery of infrastructure. The IDP has informed the whole plan viability assessment and therefore, the obligation on allocated sites for delivering infrastructure is strengthened. This will be tested through the local plan examination but provides the basis for establishing a CIL rate.

- 4.16 Crucially the Government state in the CIL PPG that '*charging schedules should be consistent with, and support the implementation of, up-to-date relevant plans.*' In the absence of not having an up-to-date plan the Council has been unable to introduce CIL, but with the emerging plan the Council can do so to coincide with the plan preparation.
- 4.17 The draft the schedule the Council will:
- prepare an evidence base in order to prepare its draft levy rates, and collaborates with neighbouring/overlapping authorities (and other stakeholders);
  - prepare and publish a draft charging schedule for consultation;
  - seek representations on the published draft;
  - consider any representations made to it before submitting a draft charging schedule for examination;
  - have the charging schedule examined in public by an independent person (the "examiner") examines;
  - ensure that examiner's recommendations are published;
  - have regard to the examiner's recommendations and reasons for them; and then
  - approve the charging schedule.
- 4.18 The Council will continue to collaborate with infrastructure providers, including the County Council, health, and environmental providers in establishing the charging schedule. At this stage it is not anticipated that a strategic levy will be introduced, although the strategic infrastructure requirements for South Essex are being considered as part of the South Essex plan and work of the Association of South Essex Local Authorities.
- 4.19 it is the responsibility of the Council to collaborate with the local community, developers and stakeholders to create a realistic and viable charging schedule.
- 4.20 The evidence needed to introduce the levy is similar to that used for the Infrastructure Delivery Plan and it must be robust and fully costed. From December 2020 each local planning authority must produce an annual Infrastructure Funding Statement. This will be a full list of projects and types of infrastructure and how they are to be funded. The draft Infrastructure Delivery Plan and the strategic allocations in the draft new Local Plan do specify the infrastructure requirements for each site. The Council will need to be mindful that some sites, therefore, are already making a significant contribution towards infrastructure and a blanket imposition of CIL on top may render the development unviable. This will be a factor in considering whether some sites may be 'zero rated' or have a lower rate.
- 4.21 At examination into the Charging Rate the examiner '*will need to test that the evidence is sufficient to confirm the aggregate infrastructure funding gap and the total target amount that the charging authority proposes to raise through*

*the levy.*' (CIL PPG). Critical to this evidence will be the viability assessment, which will need to be proportionate, simple, transparent and publicly available in accordance with the viability guidance (published by the Government). They can be prepared jointly with the local plan, and the whole plan viability assessment for the new Local Plan will be used.

- 4.22 The Council may set differential rates to help ensure that the viability of development is not put at risk. These will need to be justified but could relate to geographical zones within the charging authority's boundary; types of development; and/or the scale of development. If there is evidence which shows that a site's viability is low, then the Council should consider a low rate in that area. The Council must also ensure that in setting a differential rate that it is not favouring one development or another, and state aid rules will apply.
- 4.23 The Council will also need to take account of the administrative costs of the levy in setting the rate. This enables the Council to fund the additional burden costs of the levy, although this will need to be appropriate to ensure that it does not render development unviable.
- 4.24 Before examination the draft schedule must be published alongside the evidence and details of other funding sources. The infrastructure delivery plan will do this. It is for the Council to decide how it consults and when introducing the levy for the first time, must do so for at least 4 weeks. Details of how the Council proposes to consult will be set out in a report on the Draft Charging Schedule.
- 4.25 Anyone who makes a representation to the schedule, may as to be heard by the examiner if they wish to be heard. Once the charging schedule has been published the Council should avoid making substantial changes, unless they have also been sufficiently consulted on.
- 4.26 A joint examination with a local plan should be considered and the Council will need to consider this so that it can adopt CIL as soon as the local plan is adopted. It will need to decide once the draft charging schedule has been prepared.
- 4.27 The Charging Schedule will need to be formally approved by a resolution of the full council. It should include the commencement date for the CIL. The charging levy can be subject to indexation. This does not inflate on an annual basis the levy rate, but the index is considered from the index start date and the due date for the payments.
- 4.28 There are no prescriptions on when the schedule needs to be reviewed. This will depend on delivery, market conditions and viability, and a local plan review. The annual Infrastructure Funding Statement will monitor implementation and be used to assess whether a review is needed.
- 4.29 The Council can elect to stop charging and certain procedures will apply on how this is done.

## Collecting CIL

- 4.30 Unless a development is exempt CIL is normally charged before the commencement of development. This is at the discretion of the Council and on larger schemes or multi-phased schemes where the finance costs of paying CIL before commencement may negatively impact on viability, payment schedules can be agreed (known as Phase Credits).
- 4.31 The CIL Planning Practice Guidance and the Regulations set out in considerable details how exemptions are introduced and operate. Details on that will be set out in the draft Charging Schedule, together with how the Council has identified its exemptions.
- 4.32 The CIL PPG states that *'in certain circumstances the internal area of an existing building can be taken into account in calculating the chargeable amount. Each case is a matter for the collecting authority to judge.'* Generally:

- where part of an existing building has been in lawful use for a continuous period of 6 months within the past 3 years, parts of that building that are to be demolished or retained can be considered.
- Where an existing building does not meet the 6-month lawful use requirement, its demolition is not considered.

Full details on this are set out in the CIL PPG.

- 4.33 The Council will usually operate as both the Charging Authority (who sets the levy) and the Collecting Authority (who collects the levy). The following steps are taken to collect CIL (summarised from the CIL PPG):
- Applicants for planning permission should complete an Additional CIL Information form with their application (a different form applies to permitted development schemes);
  - The developer, landowner or another interested party is expected to assume liability for CIL (known as the Relevant Person);
  - Where CIL is to apply, the Council will need to serve a liability notice on the relevant person which sets out the charge due and details of the payment procedure. When this is done depends on the application;
  - The relevant person must submit a Commencement Notice to the Council on when the development will commence (unless the development is exempt);
  - The Council will issue demand notice on those liable to pay the CIL;
  - On commencement payments become due – when the development commences;
  - The Council must issue a receipt for each payment.
- 4.34 The Regulations and CIL PPG set out detail on this procedure. The Council will need to adopt these procedures into the planning application process.

- 4.35 There may be instances where a developer may wish to provide the infrastructure themselves or provide land for such infrastructure rather than make a cash payment – called Payment in Kind. It will be for the Council to consider whether to enter into such arrangements. Guidance is provided in the CIL PPG.
- 4.36 An abatement process exists to ensure that CIL is not charged twice where the development completed or commenced and CIL payments made, is subject to a new planning application.
- 4.37 If payment is not made the CIL will be recovered through the Council's debt recovery procedures. Persistent non-payment can result in the Council applying to the Magistrate's Court to send the liable party to prison for up to 3 months.

### **Spending the Levy**

- 4.38 The Levy can be spent on a wide range of infrastructure projects as set out in Section 216 of the Planning Act 2008 and the Regulations. The CIL PPG defines these to include:
- Transport
  - Flood defences
  - Schools
  - Hospitals and other health and social care facilities
  - Play areas
  - Open spaces
  - Parks and green spaces
  - Cultural and sports facilities
  - Academies and free schools
  - District heating schemes
  - Police stations
  - Other community safety facilities
- 4.39 However, the Council must define the infrastructure as that which supports development in the area. It can be used to expand an existing facility or repair failing existing infrastructure but only if that is necessary to support development.
- 4.40 Where all or part of the levy is collected within an area of a parish council, a proportion of the receipts is passed to the parish council (capped at £100 per dwelling). Where the parish council has a neighbourhood plan, this increases to 25%. These are known as a Neighbourhood Portion. In this regard a Parish Council means one which fulfils the local government function (i.e. sets a precept) and includes a Town Council. In the case of Castle Point Borough,

Canvey Island Town Council will be able to receive the Neighbourhood Portion of receipts collected within its area.

- 4.41 Where there is no Parish Council, the Council should engage with the local community on how the Neighbourhood Portion of the receipts should be spent.
- 4.42 Like the remainder of the CIL, the Neighbourhood Portion must be spent on infrastructure that supports development. Further details on how priorities are identified, joint working between the Town Council and the Council, the timing of payments and other administrative matters will need to be set out in the Charging Schedule.
- 4.43 There may be instances where the infrastructure requirements fall outside the administrative area. Arrangements can be put in place with another administrative area if this is the case if the investment there provides benefits for and supports development within the borough. Such instances should be identified in the IDP.
- 4.44 The Regulations allow the Council to spend up to 5% of the levy receipts on administrative expenses. This includes the 'costs of the functions required to establish and run a levy charging schedule...and include levy set-up costs, such as consultation on the levy charging schedule, preparing evidence on viability or the costs of the levy at examination.' (CIL PPG). They also include ongoing functions like establishing and running billing and payments systems, enforcement, legal costs and monitoring and report.
- 4.45 The Council may not borrow against future levy income. The Council could use the levy to repay expenditure on infrastructure that has already been incurred, but not any interest.
- 4.46 Liable parties can appeal against a community levy charges and the process for doing so is set out in the CIL PPG and the Regulations.

#### **CIL and Section 106 Planning Obligations (S106)**

- 4.47 Although CIL was perceived as a replacement to S106, this is not the case. CIL is not intended to make individual planning applications acceptable in planning terms. As a result, some site-specific mitigation may be required and secured through a Section 106 agreement.
- 4.48 The use of Section 106 agreements and CIL can operate together but the Council must make clear to developers which will apply and what CIL liabilities will be. A new development, for example, may trigger the need for a new school and a planning obligation may apply to the development to provide the school. CIL could also then be applied to other development in the area to also contribute towards that school.
- 4.49 If a Section 106 agreement exists and the Council considers that paying a full levy would have an unacceptable impact on the development's viability, and subject to State Aid rules, the Council may apply Exceptional Circumstances Relief. Any consideration of Exceptional Circumstances relief must be made when a Section 106 is in place and cannot be applied once the development has commenced.

- 4.50 CIL cannot be used to secure affordable housing, which remains under a S106 agreement.
- 4.51 The 2019 Amendments to the CIL Regulations removed the pooling restrictions on S106 agreements. This means that '*subject to meeting the 3 tests set out in the CIL regulation 122, charging authorities can use funds from both the levy and section 106 planning obligations to pay for the same piece of infrastructure regardless of how many planning obligations have already contributed towards an item of infrastructure.*' This increases the certainty of infrastructure being delivered.

### **Monitoring and Reporting**

- 4.52 The Council will need to set up a thorough CIL and S106 monitoring system. This enables the Council to track income and expenditure, match income (particularly S106) to when the expenditure is needed and highlight risks or delays. It also enables the Council to align infrastructure planning with its own and partners' capital programmes.
- 4.53 The Canvey Island Town Council will need to prepare an annual report.
- 4.54 Any local authority receiving CIL or Section 106 for the financial year 2019/20 onwards, must publish online an Infrastructure Funding Statement by 31<sup>st</sup> December 2020 and every 31<sup>st</sup> December thereafter and for the previous financial year.
- 4.55 The Government recommends interim reports be prepared. Details on the monitoring and reporting of CIL and Section 106 will be set out with the draft Charging Schedule.

### **General matters**

- 4.56 As stated above, State Aid rules apply in respect of CIL, around relief and exemptions. The Council should seek legal advice on its Charging Schedule and may need to do so when considering some applications for exemption or relief.
- 4.57 The Government has prepared several template forms relating to CIL.

## **5. Corporate Implications**

### **(a) Financial Implications**

The Council has already commissioned a large body of work on the Infrastructure Delivery Plan and Whole Plan Viability to support the introduction of CIL. These should form the basis for CIL, but further work is required to assess the appropriate CIL Charging Levy rate or rates. This cost can be recovered through CIL receipts.

**(b) Legal Implications**

As set out in the report there are several legal implications associated with CIL, State Aid in particular. A legal opinion will be taken on the draft Charging Schedule and procedures to ensure compliance with the law.

**(c) Human Resources and Equality Implications**

The Council will need a dedicated resource to set up and administer CIL (and Section 106 planning obligations) and monitoring. This will be funded through the 5% of receipts the Council can retain for administration, subject to an assessment on the timing of CIL receipts. This will be reported with the draft Charging Schedule.

**(d) IT and Asset Management Implications**

The Council will need to modify the planning application element of its website and make a number of changes to provide information for applicants.

**6. Timescale for implementation and Risk Factors**

CIL will be introduced alongside the new Castle Borough Local Plan as set out in the Local Development Scheme.

**7. Background Papers**

Community Infrastructure Levy Regulations in 2010  
CIL Planning Practice Guidance (MHCLG)

**Report Author:**

Ian Butt – Head of Place and Policy

**CABINET**

**20th November 2019**

**Subject: Planning Enforcement Policy**

**Cabinet Member: Councillor Mumford - Regeneration & Business Liaison  
(Cabinet Liaison Member Planning)**

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**1. Purpose of Report**

**To share with Cabinet an updated Planning Enforcement Policy.**

**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:**

**That Cabinet agrees and adopts the updated Planning Enforcement Policy as set out in Appendix A to the report.**

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**4. Background Information**

The Planning Enforcement Policy sets out the Council's approach to planning compliance and enforcement and is a framework for how the Council will handle reports of unauthorised development or breaches of planning control.

The Council's previous 'Enforcement Policy' was approved in March 2006. It mostly continues to be relevant however the new Policy reflects latest Government Guidance and more clearly sets out the priorities and the process for dealing with planning enforcement matters.

**5. Planning Policy and Guidance**

The National Planning Policy Framework (NPPF) February 2019 sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 58 of the NPPF is the only section that deals with planning enforcement and states: "Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is

appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate“.

National Planning Practice Guidance (NPPG) – Enforcement and Post Permission Matters was updated in July 2019; this document replaces previous national guidance on planning enforcement. It is a useful document which provides a comprehensive overview of the planning enforcement process, the powers available to local authorities, and the circumstances under which it is appropriate to use them.

The intention of the Planning Enforcement Policy is to supplement existing planning policies and to set out how enforcement action will be taken in Castle Point.

## **6. Enforcement**

The Planning Service in Castle Point receives on average 150 enforcement complaints per year.

In the majority of cases, there will be no breach of planning control or no formal action will prove to be necessary, however the process of investigation and research, legal interpretation and advice, professional planning assessment, and negotiation, can be complex, contentious, and time-consuming.

Resources are limited, and decisions must be made which will often not be welcomed by persons with conflicting interests and opinions. The purpose of the Planning Enforcement Policy is to set out the Council's approach to dealing with alleged or suspected breaches of planning control to help customers understand the process and principles which guide what will happen when an enforcement service request is received.

Taking planning enforcement action is a discretionary function for Local Planning Authorities to undertake but the Council, as a Local Planning Authority, has a duty to investigate breaches of planning control that occur within its area. Furthermore, if the Council fails to take action against breaches of planning control that are harmful it undermines the public's confidence in the planning system.

The preparation and adoption of a local enforcement policy in line with National Guidance is important because it:

- Sets out the priorities for enforcement action, which will inform decisions about when to take enforcement action
- Provides greater transparency and accountability about how the local planning authority will decide if it is expedient to exercise its discretionary powers
- Provides greater certainty for all parties engaged in the development process.

The proposed Planning Enforcement Policy is attached at Appendix A.

**7. Review of Policy**

The Policy will be reviewed at a minimum every five years or in line with changes to legislation and guidance.

**8. Monitoring and performance**

To ensure the effectiveness of our enforcement and regulatory functions, we will measure our success rates at enforcement appeals and prosecutions across the service.

**9. Corporate Implications**

**a. Financial Implications**

The adoption of the Policy has no direct financial implications. Enforcement decision/action can be challenged just like any other planning decision can. Therefore, any increase in enforcement action could lead to appeals, court hearings and associated costs.

**b. Legal Implications**

None

**c. Human resources/equality/human rights**

There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, Castle Point local planning authority will, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.

**Timescale for implementation and risk factors**

The Policy will be implemented immediately on approval.

**9. Background Papers:**

Planning Enforcement Strategy 2016

National Planning Policy Framework (NPPF)

MHCLG Enforcement and post permission guidance



# **Planning Enforcement Policy**

**2019 – 2024**

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## **1. INTRODUCTION**

1.1 Planning enforcement plays an important role in monitoring development and investigating potential breaches of planning control. Effective enforcement is important to maintain the integrity of the decision-making process and to maintain public confidence in that process.

1.2 This document sets out the Council's approach to planning compliance and enforcement and is a framework for how the council will handle reports of unauthorised development or breaches of planning control, the approach to investigation and the means by which it will seek to resolve them.

## **2. LEGISLATIVE AND POLICY CONTEXT**

2.1 This policy has been prepared in accordance with the advice contained within the National Planning Policy Framework (NPPF) which states that :-

“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.”

2.2 Powers to enforce planning controls are given by Parts VII and VIII of The Town and Country Planning Act 1990 (as amended) and Part IV of the Planning (Listed Buildings and Conservation Act 1990).

## **3. AIMS AND OBJECTIVES**

3.1 The Council's aim is to carry out its investigations in a helpful and courteous manner, applying the principles of proportionality, consistency and transparency and encouraging negotiation where appropriate.

3.2 The key objectives of the service are:-

- To provide a service that maintains confidence in the planning system
- To provide a service that is prioritised according to the harm caused by the breach
- To achieve a reasonable balance between the protection of the public interest and allowing development to remain.
- To provide a service that seeks to appropriately remedy the effects of unauthorised development.

## **4. WHAT IS PLANNING ENFORCEMENT?**

4.1 Most types of development, such as building works or changes of use require planning permission from the Council. In the event that somebody carries out works without getting the correct permission or consent, enforcement action may be taken.

4.2 Planning legislation seeks to strike a balance between a land owner's freedom to alter their property as they wish whilst at the same time protecting the environment of their neighbours and conserving historic buildings and conservation areas. Therefore, whilst the council takes a serious view of unauthorised and unlawful works, it will make every attempt to reach an agreement with owners/occupiers on how the breach of planning control can be satisfactorily dealt with prior to using its enforcement powers

## **5. WHEN IS ENFORCEMENT POSSIBLE?**

5.1 The objective of the Council in exercising its enforcement function is to provide a comprehensive and fair service. It will investigate complaints and can take action where appropriate. The most common complaints include the following:

- Unauthorised changes of use e.g. residential to commercial use.
- Unauthorised development e.g. construction of a building.
- Breaches of planning condition(s).
- Putting up unauthorised advertisement hoardings and signs.
- Unauthorised works to a listed building.
- Unauthorised demolition in a conservation area.
- Failure to repair and maintain a listed building.
- Unauthorised works to a protected tree.
- Land adversely affecting neighbourhood amenity, such as untidy sites.

## **6. WHAT MATTERS ARE NOT BREACHES OF PLANNING CONTROL?**

6.1 If an enforcement complaint is made that is not a relevant breach of planning control it will not be investigated or allocated a case reference number. The following are examples of activities which are NOT considered breaches of planning control:

- On-street parking of commercial vehicles in residential area
- Operating a business from home where the primary use is still residential and there is no adverse impact on amenity
- Parking a mobile home within the grounds of a dwelling, provided that it is not used as a separate dwelling.
- Clearing land of undergrowth, bushes
- Felling of trees, as long as they are not protected by a Tree Preservation Order or in a conservation area.

- Undertaking works that are permitted development. Not all development requires planning permission, certain building works and some changes of use may be undertaken without planning permission.

## **7. INSTANCES WHEN WE CANNOT TAKE ACTION**

7.1 In some cases the Council may be unable to take enforcement action that is reported by members of the public. For example, when;

- the works do not constitute development under Section 55 of the Town and Country Planning Act 1990.
- the works or change of use fall within 'permitted development' defined by the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended).
- an advertisement benefits from 'deemed consent' under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- immunity from enforcement action has occurred by way of a use being established continuously for a period of 10 years (four years for a self-contained dwelling) or if building works have been completed more than four years ago.
- the matter is a trivial or technical breach of planning control that causes no harm to the local environment or the amenity of people living nearby.
- the works are considered too minor to fall within the scope of planning control – this is described by the Latin term "*de-minimis*."
- the issues relate to boundary positioning and land ownership disputes.
- retrospective planning permission has regularised a previous breach.

7.2 Where enforcement action cannot be taken we will endeavour to find or recommend an alternative solution to resolve the matter. This may involve forwarding the matter to other relevant Council departments or by pointing to possible external bodies or remedies if apparent.

## **8. SHOULD ENFORCEMENT ACTION BE TAKEN?**

8.1 The enforcement system is complicated, and it should be noted that even when enforcement action can technically be taken the council has to decide in each case whether formal action would be 'expedient'.

8.2 The Council will not condone willful breaches of planning control. It is important to note however that the power to take enforcement action is discretionary. In practice Castle Point Council resolves many alleged breaches of planning control and secures compliance with approved plans, planning regulations and policies without needing to take formal enforcement action.

8.3 In considering whether it is expedient to take enforcement action the Council will take into account relevant planning policies and other material considerations including relevant appeal decisions and case law. The objective of planning enforcement is to remedy not punish and as such and in accordance with government guidance the council will encourage its officers to work with those in

breach to achieve favourable outcomes if possible, without having to issue a formal notice.

## **9. POSSIBLE OUTCOMES**

9.1 The main options for action are summarised as follows:

- Negotiation to sort out breaches. Government advice is that formal action should be seen as a last resort.
- 'No further action' where the breach is thought to cause little or no harm or it is not considered expedient to take formal action.
- Asking for a planning application to be submitted. Applications are sometimes requested when more information is required e.g. flood risk assessments or noise-related issues.
- Enforcement notice to remedy the breach. The varying types of enforcement notice are listed at Appendix A
- When the harm is so severe as to warrant immediate action, a stop notice, or a temporary stop notice may be issued.

## **10. REPORTING A PLANNING BREACH**

10.1 Planning breaches should be reported using the [ONLINE FORM](#) on the council's website. When reporting a planning breach, you must provide your name, address and contact details.

10.2 All complaints received will be treated in the strictest confidence, however sometimes complainants may be asked to provide evidence to assist officers in their investigation to establish whether a breach of planning control has occurred. This evidence may then, with their consent, be used at appeal or as part of a criminal prosecution

10.3 Other than in exceptional circumstances the complaint will only be investigated if it is sufficiently detailed. As much information about the suspected breach must be provided as is possible. This could include the following;

- When activities or building work began
- The reason why it is believed to be a breach; e.g. no planning permission / not complying with a planning condition
- A detailed description of the problem identified
- Dates and times of the activities carried out
- Names and address of those involved
- Dimensions of the alleged breach
- Photographs of the breach
- Harm that is considered to be caused

## **11. WHAT HAPPENS NEXT?**

11.1 If the information provided is sufficient, we will send you an acknowledgement by email, the case will be logged, and an officer allocated to investigate. If you have not submitted sufficient information, we may contact you for further detail.

11.2 The enforcement officer will investigate using various means such as visiting the site, checking records and entering into discussions to determine the most relevant course of action.

11.3 Reaching a conclusion on enforcement matters can be very complex and can take some time. The council does not provide any updates during its investigations. If you have reported a potential breach you will be informed of the outcome once the council has decided on what action (if any) to take and advised the alleged offender(s) of the course of action.

## **12. PRIORITY OF INVESTIGATION**

12.1 The Council receives approximately 150 complaints each year regarding alleged breaches of planning control. Although many of these cases do not result in formal enforcement action, many involve lengthy investigation therefore we will give priority to those cases where greatest harm is caused.

Priority cases:

- Unauthorised development that causes serious and irreparable harm to the amenities of a neighbourhood or other acknowledged interest of importance or any unauthorised development causing severe disturbance to neighbours.

Second priority is given to:

- A breach causing significant harm to the amenities of a neighbourhood.
- Breaches that are contrary to the development plan or where the time limit for taking enforcement action is about to expire.
- Situations where cumulative breaches are likely to cause serious harm in terms of amenity or undermine policy objectives.

Lower priority complaints are:

- Breaches of conditions unless covered above.
- Breaches where there is judged to be minimal harm to the Council's planning objectives and policies.
- Breaches where planning permission would be likely to be granted.

## **13. RIGHTS OF ENTRY**

13.1 Local Planning Authorities and Justices of the Peace can authorise named officers to enter land specifically for enforcement purposes. There must be reasonable grounds for entering the land for the purpose of obtaining information.

## **14. TIME LIMITS FOR TAKING ENFORCEMENT ACTION**

14.1 Development becomes immune from enforcement if no action is taken:

- within four years of substantial completion for a breach of planning control consisting of operational development;
- within four years for an unauthorised change of use to a single dwelling house;
- within ten years for any other breach of planning control (essentially other changes of use).

14.2 Once these time limits have passed, the development becomes lawful unless there has been a deliberate concealment. In such cases the local planning authority may decide to serve an enforcement notice 'out of time' or apply for a planning enforcement order.

## **15. APPEALS**

15.1 A person upon whom a statutory notice is served has a right of appeal to the Secretary of State in most cases. Appeals are processed in accordance with procedures administered by the Planning Inspectorate.

15.2 During an appeal, enforcement action is held in abeyance and no further action can be taken until the appeal is decided.

15.3 If the appeal is allowed, the enforcement notice is quashed, and the investigation closed.

15.4 If the appeal is dismissed and the enforcement notice is upheld the date of the appeal decision letter becomes the effective date of the notice, with any compliance periods running therefrom. The Council will then use all appropriate means to secure compliance with the notice.

## **Appendix A**

### **Enforcement Notice:**

This is the usual method of remedying unauthorised development. The use of the enforcement notice is an effective tool and such notices will be served fairly early on in cases that cause significant harm or where the transgressor has made clear they are unwilling to remedy the breach. The transgressor has the right to appeal against the notice to the Secretary of State.

### **Section 215 Notice:**

Where the condition of land or a building is adversely affecting the amenity of a neighbourhood the Council may issue a notice under section 215 of the Town and Country Planning Act 1990, requiring the owner or occupier to remedy the condition of the land or building. Failure to comply with the notice is a criminal offence. The Council also has powers, where a notice has not been complied with, to enter the land and carry out the work itself and recover the cost from the owner.

### **Breach of Condition Notice:**

These can be used as an alternative to an enforcement notice and are intended to remedy a breach of a planning condition (s). There is no right of appeal against this notice.

### **Listed Building Enforcement Notice**

This is used to remedy unauthorised works to listed building and there is a right of appeal against the notice.

### **Advertisement Removal Notice**

These can be used to remove unauthorised advertisements which do not have either express or deemed advertisement consent to be displayed. There is a right of appeal against this notice.

### **Discontinuance Notice**

Where an advertisement is being displayed with the benefit of deemed consent, a planning authority may serve a discontinuance notice on the owner and occupier of the land and on the advertiser, requiring it to be removed, where it considers the removal to be necessary "to remedy a substantial injury to the amenity of the locality or a danger to members of the public".

### **Stop Notice**

This has to be used in conjunction with an enforcement notice but should only be used in extreme cases where the breach of planning control is causing serious harm. The stop notice will take effect from the date specified in the notice which can be immediately but is usually between three and 28 days after service of the notice. In such cases where stop notices are issued the Council may be liable to pay compensation if it is later decided that the service of a stop notice was not appropriate.

**Temporary Stop Notice**

These are similar to stop notices (above) but take effect immediately from the moment they are displayed on a site, and last for up to 28 days. A temporary stop notice would be issued only where it is considered that the use or activity should cease immediately because of its effect on (for example) amenity, the environment, public safety etc. It may also be issued even where planning permission has been granted for development, in a case where the developer is not complying with conditions attached to the permission.

**Injunction**

This involves seeking an order from the Court preventing an activity or operation from taking place. Failure to comply with the requirements of an injunction amounts to a criminal offence

**Prosecution**

In cases such as unauthorised demolition in a Conservation Area, severe damage to a listed building, the lopping, felling or destruction of a protected tree, the unauthorised display of an advertisement or non-compliance with an enforcement notice, prosecution action can be taken against the parties deemed responsible for the works.

**Default Powers**

The Council may enter the land and take the necessary action to secure compliance when enforcement notices are in effect. This is only used in extreme cases and when resources allow. The Council will seek to recover all costs associated with carrying out works in default.

**CABINET**

**20th November 2019**

**Subject: Regeneration Update**

**Cabinet Member: Councillor Mumford - Regeneration & Business Liaison**

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**1 Purpose of Report**

**This report is to update Cabinet on progress with current Regeneration initiatives.**

**2 Links to Council's Priorities and Objectives**

**The Council's Regeneration initiatives are directly linked to the Council's Housing and Regeneration priority.**

**3 Recommendations**

**That Cabinet notes the progress underway on the initiatives set-out within this report.**

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**4 Background**

**4.1 At its meeting on the 17<sup>th</sup> April 2019, Cabinet approved the renewal of the Castle Point Regeneration Partnership.**

**4.2 The Regeneration Partnership meets on a quarterly basis, with monthly meetings reserved for urgent matters, to share and report updates from partners on regeneration initiatives underway in the Borough.**

**5 Current Updates**

- 5.1 Hadleigh Town Centre** A feasibility study regarding the regeneration of the Hadleigh Island site is continuing. Essex County Council (ECC) is working with the Council supported by a grant of £84,600 from One Public Estate (OPE) to try to develop a revised development scheme for the Island Site that is financially viable. ECC has recently appointed an architect to support the development of early concepts. Once these initial concepts have been drafted, there is expected to be an iterative process to discuss options to gather feedback to proceed to a final option that aligns viability with other desired outcomes. The initial concepts are expected by the end of December 2019.

- 5.1.1 Planning approval has been granted to demolish the former Crown Public House on the Hadleigh Island Site subject to resolution of a planning condition requiring clarification on the fencing of the site once demolition is complete (Ref: 19/0415/FULCLC). Options and associated costs for the fencing and associated boundary treatment are being sourced and considered. The procurement process for a suitable contractor to undertake the demolition is underway, which includes consideration to the salvage of heritage items including the ironwork and some stonework as well as the return of the children's artworks. A building heritage record will also be undertaken prior to demolition. Works are expected to commence within the next three months.
- 5.1.2 Essex County Council are proposing a sequence of works along London Road. The initial works will involve the creation of a new in/out access at Morrisons followed by highway resurfacing works which are expected to be undertaken in April/May 2020 and form part of ECC Highway's annual works programme. Planning is also underway for a public realm scheme along London Road which will include renewing the paving and changes to the current bus shelter locations to improve pedestrian and traffic flows. Initial designs have been created and are currently being costed. The public realm works are being funded with £425,000 arising from Section 106 agreements that formed part of the Morrisons' development in 2011. The elapsed time since the agreement was created and subsequent inflation has resulted in a reduced scope of works from that originally anticipated. Works associated with the public realm scheme are expected to commence in June 2020 and last approximately eight weeks.

## 5.2 **Canvey Island**

- 5.2.1 *Canvey Seafront* The implementation of a scheme at Thorney Bay supported by £1.52 million funding from the Coastal Communities Fund is progressing to plan. Detailed designs have been developed in consultation with the Canvey Island Coastal Communities Team and a planning application has been submitted. The planning application is expected to be determined in December 2019. We are currently undertaking soft market testing to review and clarify further details on the commercial elements of the project. The next stage of the scheme will involve preparing tender documentation for the construction works. Construction is expected to start in May 2020.
- 5.2.2 The Environment Agency's development of a business case to support the revetment works at Canvey Seafront has continued with completion of investigative works along shoreline. The revetment works are likely to impact the pathway on the landward side of the seawall which will impact the proposed pathway elements of the scheme at Thorney Bay. This is being closely monitored via on-going communication with the Environment Agency.
- 5.2.3 Essex County Council are progressing with their Coastal Communities Funded project called the 'Essex Path to Prosperity'. The current focus for the project is developing wayfinding maps, signage and associated markers to support the visitor economy in Essex. CPBC has been supporting the ECC team by providing details of key locations as requested. The project is due for completion in March 2021.

### *Canvey Town Centre*

- 5.2.4 Completion of the purchase of the Knightswick Centre took place as planned on the 31<sup>st</sup> October. Montagu Evans are undertaking day-to-day management of the centre following completion.

### *Canvey Island General*

- 5.2.5 At its meeting on the 18<sup>th</sup> September 2019, Cabinet approved the establishment of a Canvey Town Centre and Seafront Working group to support the regeneration of Canvey. Progress to establish the group is underway with the development of a framework and terms of reference. The working group will oversee the preparation of master plans for the Town Centre and Seafront, including their adoption as Supplementary Planning Documents and the preparation of a delivery action plan.

## **5.3 Business Support and Inward Investment**

- 5.3.1 The next Castle Point Business Forum is to take place on 13<sup>th</sup> November 2019. The theme for the event is 'Productivity and Business Growth' with presentations scheduled on topics including South Essex 20250, a Castle Point Regeneration Update, Economic Development in Essex, and Supporting Businesses in Essex. The event also launches the Annual Mayor's Award 2020.

The BEST Growth Hub continue to provide business support to businesses in the Borough. At the current time, BEST is helping to co-ordinate the support available for businesses to respond to the implications of Brexit.

## **5.4 Communications**

- 5.4.1 The application for funding for the Local Full Fibre Network (LFFN) project led by Thurrock Council continues to progress through the application gateways set by the Department for Digital, Culture, Media and Sport. The project proposal which will see £4.3 million invested into the network to support public sector premises and facilities, was recently approved at Gateway B and is expected to attempt the final gateway, Gateway C, by the end of October. Gateway C is the final gateway and successful completion will result in approval of the grant funding which will see a number of public sites in Castle Point upgraded to fibre connectivity.

There are currently approximately 17 sites identified within Castle Point Borough as potential recipient sites for the LFFN, including the main Council Offices, housing schemes, CCTV facilities and leisure facilities (although these sites are subject to on-going review). A private contractor will install the infrastructure, and this will significantly increase connectivity at these important sites.

## **5.5 Town Centre Markets**

- 5.5.1 The Go Trade town centre markets project continues, supported by Interreg funding. Matters associated with the acquisition of the Knightswick Centre by the Council mean that a market for Canvey Island is now planned for Spring 2020. A market operator has been shortlisted to provide the new markets. Market research suggests that there is strong demand and support from shoppers and retailers. Options are still be considered for a market in Hadleigh.

## **6 Corporate Implications**

### **(a) Financial Implications**

Where there are financial implications for Regeneration projects, these are considered in separate reports for each project as required, including details of where funding is being provided by ECC, CPBC or other sources.

### **(b) Legal Implications**

Any development proposals, contracts and expenditure mentioned in this report are and will be taken forward in accordance with Council procedures.

### **(c) Human Resources and Equality Implications**

None

### **(d) IT and Asset Management Implications**

There are no IT implications on the Council.

## **7 Timescale for implementation and Risk Factors**

Timescales have been agreed as part of the planning for each project and form part of the overall programme being developed by the Regeneration Partnership.

## **8 Background Papers**

None

Report Author: John Royle, Senior Regeneration Officer

**CABINET**

**20th November 2019**

**Subject: Housing Asset Management Plan**

**Cabinet Member: Councillor Mrs Egan - Housing and Council Homes**

---

- 1. Purpose of Report**  
**To present to Cabinet a proposed Housing Asset Management Plan 2019 - 2024.**
  - 2. Links to Council's priorities and objectives**  
**This is explicitly linked to the Housing and Regeneration Council priorities.**
  - 3. Recommendations**  
**That Cabinet considers and agrees the Housing Asset Management Plan 2019 – 2024 and the objectives as detailed in section 13 of the report.**
- 

**4. Background**

- 4.1** Local authority owned housing faces a number of challenges. Reduction in Council rents over a four-year period has reduced the income to the Housing Revenue Account substantially. Demand for affordable housing continues to grow and there is a significant number of households applying for social housing. For Castle Point, the number of households on the housing needs register was 532 in October 2019, changing little from 544 in December 2017.
- 4.2** In addition there is a significant increase in homeless households. This is illustrated in the figures for the number of people in temporary accommodation which at 30th June 2014 was 59. Government figures published for 31<sup>st</sup> March 2019 demonstrate that 119 households were in temporary accommodation, and of these 92 households had children. A total of 215 children lived in temporary accommodation.
- 4.3** The tragedy of the Grenfell Tower fire on the 14<sup>th</sup> June 2017 has resulted in a scrutiny of building control regulations relating to fire safety and renewed urgency to ensure the approach to health and safety, in particular fire safety, is appropriate for all Council owned housing stock. Consequently, work has been undertaken to replace battery operated smoke alarms with mains operated alarms and to provide carbon monoxide alarms to all households. The Housing Service is also progressing a programme for the installation of Fire Doors which should be completed by the end of this year.

- 4.4 Whilst demand for new social housing and temporary housing for homeless households is high, construction is not without significant difficulties. This is partly related to the availability of the brownfield sites for the housing service, which tend to be ex-garage sites. These often have significant issues, including, for example, individual garages in private ownership, rights of way and location of services such as electrical sub stations and drainage, all of which hinder and can prevent development. In addition, development of garage sites can often incur concerns from nearby residents as well as political resistance and furthermore the funding available for development and construction has been hit by the reduction in revenue from rents.
- 4.5 Like most other Councils, the housing service continues to assess its housing stock against a decent homes' standard, which ensures key aspects of a tenants' home are in place and in reasonable condition. This includes, for example, kitchens, bathrooms, electrical wiring, roofs and boilers. This requires up to date surveys of all housing stock and a capital programme of replacement of items that are in a poor condition or have come to the end of their useful life. This programme is expensive and is often the bulk of the capital works. The Council measures the percentage of homes that are assessed as decent. This year the percentage of Council homes assessed as decent was 98%.
- 4.6 Customer expectations for housing is one of continuous improvement in both the fabric and infrastructure of the housing estate. This includes, for example, improvement to access roads and estate exterior works as well as demands for parking and parking restrictions and additional street lighting. In addition, there is an increasing demand for specialist adaptations to housing such as wet rooms. These works obviously incur considerable expense. These works are largely unmeasured under decent homes criteria.
- 4.7 The challenge for the housing service is to balance all the competing demands, expectations and pressures on the housing stock whilst managing the diminishing revenue on the Housing Revenue Account. This requires a planned approach, and one element of this is to have a Housing Asset Management Plan.

## **5. Report - Housing Asset Management Plan**

- 5.1 The Housing Asset Management Plan is marked as Appendix A and copies have been place in each of the Members Group rooms and on the web site. It sets out considerable detail which includes:
- a. A profile of the Council's housing stock.
  - b. The demands faced,
  - c. Details on housing standard, including the decent homes standard,
  - d. The target for decent homes, and it
  - e. Financial planning and the priorities for future capital improvement works which includes:
    - To maintain expenditure within the current business plan budget;
    - To ensure there is sufficient development of new housing to replace homes sold under right to buy legislation
    - To improve the percentage of homes meeting the minimum requirements for Decent Homes Standard
    - To undertake some limited estate improvements based on a condition assessment.

- f) The plan also sets out the approach to health and safety and for example identifies a programme to install fire doors in all Council housing blocks, as well as provide carbon monoxide alarms to all residents.
- g) Further reference is made in the plan to issues such as energy efficiency, adaptations to homes for people with disabilities and customer involvement.

## **5.2 Objectives**

5.2.1 The Housing Asset Management Plan identifies the following objectives:

1. Enable the development of new good quality housing stock
2. Regenerate Housing Estates and maximise use of existing stock
3. Ensuring Fire Safety requirements are met
4. Maintaining the stock to a standard comparable with that of other well managed Social Landlords and achieve 98% of all Homes at the Decent Homes Standard by March 2019 and maintain this level going forward.
5. Ensure a sustainable approach to stock management that considers the financial resources of the Housing Revenue Account and ensures long term financial stability and energy efficiency.

5.2.2 These objectives form the basis of action planning which is set out in Appendix 4 of the Housing Asset Management Plan. Actions include:

- Construction of a House in Multiple Occupation at Hatley Gardens and 4 homes in Church Close, Canvey Island as well as two homes in Windsor Close.
- Clearing of problem garage sites
- Installation of Fire Safety Doors
- Works to ensure decent homes target is met.

5.2.3 Appendix 5 details the financial value of the capital works programme over the next five years. This is currently under review and will be adapted to ensure the objectives of the Housing Asset management Plan continue to be met.

## **6. Monitoring**

6.1 The actions from the Housing Asset Management Plan are integrated into the service planning arrangements for the Housing Service, which will include highlight reporting to corporate management team and reporting to the cabinet portfolio holder on a regular basis.

## **7. Recommendation**

7.1 That Cabinet considers and agrees the Housing Asset Management Plan 2019 – 2024 as set out in Appendix A.

## **8. Corporate Implications**

### **a. Financial implications**

The impact of the reduction in rent revenue over a four-year period has been considered as part of the development of the Housing Asset Management Plan and the capital programme. The targeting of ensure decent homes standard is met by 98% of properties has carefully considered the available financing.

**b. Legal implications**

Section 4.2 of The Housing Asset Management Plan sets out the significant legislative changes impacting on the Council as a Social Landlord which includes:

- a) Increased focus on 'Right to Buy' with greater discounts being offered to tenants.
- b) Encouragement for Councils to replace housing sold through right to buy with new homes.
- c) Changes to the HRA also included the transfer of all housing stock to local authorities at a price dependant on type of accommodation and condition.
- d) Housing and Planning Act 2016 requires (i) local authorities to establish and maintain a register of brownfield land, including their own land, suitable for housing development (ii) allow development of this land for housing (iii) enable the extension of right- to-buy to housing association tenants (iv) local authorities to ensure 'Starter Homes' are built, with funding diverted from existing affordable housing funding within the planning system.
- e) Welfare Reform and Work Act 2016 reduced tenant's rents by 1% per year for four years from 2016 / 2017.

When procuring services or works to maintain the Council's housing stock to ensure it meets the decent homes standard, the Council is subject to the Council's Contract Procedure Rules as well as EU Public Contracts Regulations 2015. Failure to do so may result in a legal challenge and fines or damages for non-compliance.

**c. Human resources and equality**

There are significant human resource implications for the implementation of the Housing Asset Management Plan and associated capital programmes and these have been carefully considered in its development.

**d. Timescale for implementation and risk factors**

This is set out in the action plan for the Housing Asset Management Plan in Appendix A.

**9. Background Papers:**

None

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2019  
to 2024

## Housing Asset Management Plan



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## 1. INTRODUCTION

### 1.1 Strategic View

This Housing Revenue Account (HRA) Asset Management Plan is referenced to the aims detailed in the Council's Corporate Business Plan: Public Health & Wellbeing; Environment; Transforming our Community and Efficient and Effective Customer focussed services. Further details of how the objectives in this plan link to the corporate aims are set out in section 1.3 of this document.

The plan has also considered the strategic objectives and principles of the council's Asset Management Plan and the Asset Management Group were consulted on the contents and structure of this plan.

### 1.2 Purpose of the Housing Asset Management Strategy & Plan

This Asset Management Plan aims to complement and inform the Council's Corporate Asset Management Strategy as well as the Housing & Communities Service plan and Housing Team Plan and to set out priorities for the improvement of the housing stock.

In common with most Local Authorities, Castle Point Borough Council has finite resources to spend on asset management, which must be managed efficiently to gain maximum benefit to:

- Develop new housing stock and regenerate housing estates
- Keep dwellings in good condition in the most cost-effective ways
- Bring properties up-to-date and in line with current and projected customer expectations and demand
- Ensure works comply with all health and safety requirements and current and prospective regulations
- Provide a balance between response and cyclical repairs and capital investment
- Provide links to lettings, Supporting People, stock improvement and disposals strategies
- Meet the decent homes standard
- Achieve high standards of energy efficiency

### 1.3 Objectives

There are five key objectives related to the management of Housing Assets. These have been developed following the analysis undertaken in chapters 2 to 11 and the summary of key issues in Chapter 12. The suggested Housing Asset Objectives are as follows:

Housing Asset Objective	Links to Council Priorities
1. Enable the development of new good quality housing stock	Housing and Regeneration
2. Regenerate Housing Estates and maximise use of existing stock	Housing and Regeneration

3. Ensuring Fire Safety requirements are met	Health and Community Safety
4. Maintaining the stock to a standard comparable with that of other well managed Social Landlords and achieve 98% of all Homes at the Decent Homes Standard by March 2019 and maintain this level going forward.	Health and Community Safety
5. Ensure a sustainable approach to stock management that considers the financial resources of the Housing Revenue Account and ensures long term financial stability and energy efficiency.	A Commercial and Democratically Accountable Service

#### 1.4 Asset Management Components

There are several components within this plan to ensure the housing stock meets the needs and standards required now and in the future.

- A development and regeneration approach to housing assets, garages and land to provide greater numbers of new homes and regenerate estate of poor condition such as some identified garage blocks.
- Refurbishment and remodelling of dwellings to ensure they remain attractive, meet modern requirements and tenant expectations
- A planned maintenance programme, achieving economies by replacing components just before they would otherwise require response repairs, anticipating changes in minimum acceptable standards, and reducing future requirements for cyclical maintenance
- Cyclical maintenance such as external painting, to prevent deterioration in the physical condition of the stock
- A responsive maintenance service, to ensure that tenants remain satisfied with the standard of repairs to their accommodation and to prevent unplanned deterioration in its condition.
- An efficient and effective voids repair service, helping to speed the repairs process and protect the council's revenue.

## **2 ASSET PROFILE**

### **2.1 Introduction**

Castle Point Borough Council is a Local Authority, established in 1974 and currently (as at August 2019) owns 1,510 permanent rented homes which include 8 supported housing schemes.

### **2.2 Location**

Castle Point Borough Council has a property portfolio covering a geographical area of 45.08 square kilometres. Appendix 1 displays stock by area.

### **2.3 Property Type**

Appendix 2 sets out the number of properties owned and maintained by the Council's Housing Services. As at August 2019 the Council owned a total of 1,510 properties.

- a) The number and percentage of one bedroomed properties (including bedsits) is: 713 units (47.22%)
- b) The number and percentage of two bedroomed properties is: 359 units (23.77%)
- c) The number and percentage of three bedroomed properties is: 428 units (28.34%)
- d) There is an acute lack of four bedroomed properties with just 10 units, or 0.66% of stock.

### **2.4 Age**

Most of the Council owned homes were built after 1945 and before 1980. Appendix 3 details stock owned by age band, and 90.3% of properties were constructed during this period. A significant proportion of homes were constructed between 1945 and 1964 (44.3%) and these are typically homes that have been constructed with limited consideration of thermal warmth and lack, for example, cavity wall insulation. This can result in affordable warmth issues, and consequently the Council has in the past pursued schemes such as loft insulation schemes, to help improve the energy efficiency of the stock.

## **3. DEMAND**

There is a high demand for Social Housing. The Council produced a Tenancy Strategy in 2013 which set out new policy requirements for integration into the Allocations Policy including significant changes to residency requirements. This includes the requirement to have lived in the borough for at least three of the last five years. Nevertheless, 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:

<b>Band A - 126</b>	
1 bedroom	50
2 bedroom	35
3 bedroom	33
4 bedroom	7
5 bedroom	1

<b>Band B - 94</b>	
1 bedroom	45
2 bedroom	21
3 bedroom	22
4 bedroom	5
5 bedroom	1

<b>Band C - 211</b>	
1 bedroom	104
2 bedroom	62
3 bedroom	40
4 bedroom	5

<b>Band D - 101</b>	
1 bedroom	85
2 bedroom	12
3 bedroom	2
4 bedroom	2

## 4. MEETING DEMAND

### 4.1 New Schemes

The Council covers areas where there is a high demand for housing for all tenures and the addition of new homes for affordable rent, either through development by the Council in partnership with a suitable developer, or through enabling development with Housing Associations, where the authority has nomination rights, remains a key objective.

### 4.2 Legislative Changes

Since 2011 several legislative changes have been made which impact on the Council as a Landlord and on the way the Council manages its Housing Revenue Account (HRA). These include:

- a) Increased focus on 'Right to Buy' with greater discounts being offered to tenants. For example for a property with a sale price of £100k, the Council's HRA could expect to obtain an average net receipt of approximately £43k for replacement Housing, £26k for debt compensation and £1k for administration costs (based on sales since 12/13 and after the deduction of the Treasury's required share of receipts averaging £21k and the contribution to the Councils GF of approximately £9k.
- b) Encouragement for councils to replace housing sold through right to buy with new homes. This encouragement is by setting out, through an individual agreement with each local authority; a requirement to replace Council homes sold with new ones within a three-year period or lose the receipt obtained.
- c) Changes to the HRA also included the transfer of all housing stock to local authorities at a price dependant on type of accommodation and condition. Councils were required to in effect take a large mortgage out and purchase

the properties in return for being able to retain any rent collected. Castle Point took out a package of loans to the value of £36.5m in 2011 based on 1,535 homes.

A 30-year business plan has been constructed and sets out the finance required to pay the interest and debt. There is also 'head room' which is an additional capacity to borrow further funding. The maximum allowable debt for the authority is £37.5m which means there is loan head room of £1m, which will increase as the debt is repaid.

Since the new arrangements were put in place, the Council has continued to sell homes under the Right to Buy process but has also acquired and constructed new homes as detailed below. The current housing stock as at August 2019 was 1,510 homes.

#### **4.2.1 Housing and Planning Act 2016**

The Act requires:

- a) Require local authorities to establish and maintain a register of brownfield land, including their own land, suitable for housing development.
- b) Allow development of this land for housing.
- c) Enable the extension of right- to-buy to housing association tenants.
- d) In order to generate revenue to pay for Housing Associations to offer right to buy to their tenants, councils will be required to pay an annual levy to the government based on the value of the estimated sale of Council homes for that year. This will fund Right to Buy discounts for Housing Association tenants across the country. This will result in further reductions in the Housing Revenue Account. The provisions have not yet been implemented and a recent social housing green paper published in August 2018 refers to repealing this element of the legislation.
- e) The Act requires local authorities to ensure 'Starter Homes' are built, with funding diverted from existing affordable housing funding within the planning system.

#### **4.2.2 Welfare Reform and Work Act 2016**

Amongst other provisions, this act reduced tenant's rents by 1% per year for four years from 2016 / 2017. This has a very significant impact on the HRA **requiring costs savings of approximately £1.2m a year every year for the next 30 years.**

Therefore, the Council's financial position to acquire new stock is significantly limited and any acquisitions will need to make good use of section 106 contributions as well as the sale of targeted land and assets to generate the necessary income. It also significantly reduces the amount of capital funding available to improve existing stock and maintain the decent homes standard.

### 4.2.3 November 2017 Budget Provisions

On the 22<sup>nd</sup> November, the Chancellor of the Exchequer announced additional funding to help increase the number of homes developed nationally to 300,000 per annum by the mid 2020's. This included the following:

- **Housing Investment:** the government will provide £1.1bn for a new Land Assembly Fund; a further £2.7bn to the competitively allocated Housing Infrastructure Fund (HIF) in England and a further £630m through the NPIF to accelerate the building of homes on small, stalled sites, by funding on-site infrastructure and land remediation.
- **Housing Revenue Account:** The government will lift Housing Revenue Account borrowing caps for councils in areas of high affordability pressure, so they can build more council homes. Local authorities will be invited to bid for increases in their caps from 2019/20, up to a total of £1bn by the end of 2021/22.

### 4.2.4 Housing Green Paper 2018

In the summer of 2018, the Government produced a Housing Green Paper which outlined several themes for change:

1. *Resident safety and Decent Homes:* The government is looking beyond supply of numbers and more closely at the safety and quality of existing stock. It would like to revisit the Decent Homes Standard to assess if additional regulatory measures are necessary to ensure social homes are safe and decent, and, to test whether the safety measures introduced in the private rented sector may be appropriate for social housing.
2. *Complaints and the customer voice:* The government is proposing to examine the current processes for complaints and has requested more input on how to improve resident clarity on complaints processes and the efficacy of a regulatory Code of Practice for resolving complaints redress to ensure they are "swift and effective". Following the theme of empowering residents, the government would also like to investigate ways residents may have more choice over service contracts.
3. *Stigma and performance:* The government is keen to see stigmatisation of social housing tenants eliminated, and it recognises that landlords should play a role in this, including through anti-stigmatisation initiatives such as the "See the Person" campaign, and best neighbourhood competition. The government would also like to understand the value of introducing Key Performance Indicators for neighbourhood management and Anti-Social Behaviour. It is also interested in innovation pilots.
4. *Empowering the Regulator:* The government is looking at increasing the power and responsibility of the Regulator. One of the new proposed responsibilities includes the annual publication of KPIs of housing providers

(league tables). By comparing landlords in a transparent and direct manner, the government proposes that residents will be better able to understand how their organisation is doing. They are also exploring how to hold landlords to account using these KPIs, including by informing their Affordable Homes Programme bid assessments and future strategic partnerships. The government is also interested in exploring how effective regulation is across the sector's landlord types, including for local authorities, ALMOS and TMOs who fall out of the remit of the Regulator's economic standards.

5. *Strategic partnerships:* The green paper indicates clear support for community-led initiatives for the development, regeneration and management of social housing. The paper reinforces the place for housing companies but also proposes greater focus on the transfer of social stock from local authorities to community-led housing associations. It also raises the question of allocations policies, suggesting that they may be revised to ensure existing social housing is used for those who need it most and as a 'springboard' to home ownership.
6. *The role of local authorities & housing associations in increasing supply:* Reflective of their vision for "a new generation of council homes", the government announced an increase in local authority borrowing by £1 billion in areas of high affordability pressure to promote local authority housebuilding. The government also acknowledges the roles and responsibilities of housing associations in the supply market, and the paper includes discussion around providing housing associations with more certainty over future development by declaring the rent settlement of CPI +1% to 2025 and by looking at ways of ensuring predictable and stable funding. It is clear, however, that stability of funding streams must tie directly to increased development. The support for home ownership, including through shared ownership is supported. But there is also very specific reference to social housing as an important option.

The Council will explore the opportunities provided by the initiatives above as further details are known. It is noted that there are expectations for a more rigorous definition of decent homes. This will have implications on programming works and costs and any developments will be closely monitored.

#### **4.3 Progress in Acquiring and Constructing New Housing Stock**

The Council has made significant progress in acquiring new housing stock with the purchase, in November 2014, of a block of new build flats at Draper Court, Long Road. This resulted in the provision of 25 new flats, including 11 one bedrooomed and 14 two bedrooomed flats.

The Council's Housing Services has undertaken a review of land and assets and has begun a development programme which focuses on garage sites in a poor state of repair to be developed into new homes. To date three new Council homes have

been constructed at St Christopher's Close and a further two are were completed at Lawns Court. A House in Multiple Occupation (HMO) was also acquired and refurbished in April 2016 to house 8 homeless households in Camperdown Road, Canvey Island. Construction of an HMO at Hatley Gardens a development of four new homes at Church Close and 2 new Homes at Windsor Gardens is currently underway. Several additional sites have been identified for development with a mix of Homeless and Council tenancy properties.

#### 4.4 Obsolete Property

Most of the authority's housing stock is fit for purpose and in good condition, with many meeting the DHS. This is due to several years of consistent investment in major repairs and improvements. The remaining homes will be programmed to receive a defined programme of works to ensure they comply with the DHS. There is, however, a need to monitor house types and estates, which may become obsolete or unpopular.

There are a number of reasons why a property may cease to meet the strategic requirements of the Council and become obsolete. These are set out in the table below, together with some proposed factors that will be monitored.

#### Property Obsolescence Review Factors

Reason	Factors to be Considered
A property may need a considerable amount of work to be done to bring it up to the Decent Homes Standard or other relevant standard. It may also occupy large footprint and be suitable for further development or being developed into more than one home in the same plot.	Properties in the identified in the stock condition survey as in need of substantial works will be prioritised for potential re-development if they should become void.  Estate works will be undertaken to identify properties that occupy a large footprint to elicit further development potential.
A property may, over time, cease to meet the needs for which it was originally constructed. For example, a sheltered housing scheme may suffer a loss of demand.	The number of people leaving the property, together with the time taken to re-let empty homes and the level of demand.

The reasons and factors above consequently inform the Council's approach to reviewing property which maybe better suited to re-development.

#### 5. STANDARDS

Listed below are the different standards which the Council must meet to comply with the law and government initiatives.

## 5.1 Minimum standard

Castle Point are legally obliged to maintain property up to the standards covered by the following legislation -

- The Landlord and Tenant Act 1985, section 11(1)
- The Environmental Protection Act 1990 section 79 (1)
- The Defective Premises Act 1972, section 4 (1) and (2)
- The Housing Act 2004, part 1.

It is good practice to meet the following standards relating to repair, long term maintenance and improvement of stock by:

- Having an effective, efficient and responsive repair service to their residents, with published standards.
- Ensuring residents have access to a 24-hour emergency service and inform residents about this policy and the procedures used to provide this service.
- Meeting the requirements of the Right to Repair regulations.
- Monitoring and, at least annually, reporting performance to residents against service standards.
- Ensuring that the housing is in a reasonable and lettable condition, including having an approved lettable standard.
- Having reasonable methods for knowing the condition of the stock and up-to-date information on the condition, including its energy efficiency.
- Having costed plans for future maintenance and improvement of housing.
- Meeting the Council's obligations under the Home Energy Conservation Act 1995.
- Making adequate financial provision for planned maintenance and improvement works.
- Ensuring value for money and probity in the commissioning and execution of repair, maintenance and improvement works.

## 5.2 Decent Homes

The Decent Homes Standard was introduced by the Government in July 2001. The essence of this standard was to create a minimum standard of housing across all Local Authorities and Registered Social Landlords (RSL's).

The standard is broken down into four main criteria (A-D). A decent home is defined as one that meets all the following four criteria:

- **Criterion A - Housing Health Safety Rating System (HHSRS)** - The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales.

- The HHSRS assesses 29 categories of housing hazard. Each hazard has a weighting which will help determine whether the property is rated as having category 1 (serious) or category 2 (other). The criteria quite wide and includes, for example, overcrowding. For the purpose of decent homes condition, the criterion from the HHSRS is condition rather than human related.
- A property will fail the decent homes criteria automatically if it does not meet the HHSRS standards. A property should be free from serious health and safety hazards, which are classed as Category 1 failures and include problems such as damp/mould, asbestos, domestic hygiene, structural failures, electrical hazards, fire hazards and hot surface issues. Following completion of the stock condition survey, approximately 93% of stock were surveyed in 2012 and it was possible to profile the existing stock that have not. Those failing the standard are addressed as a matter of immediate priority. Continuous monitoring is then undertaken through the various inspection regimes associated with planned and reactive maintenance and in keeping the database up to date.
- **Criterion B - It is a reasonable state of repair** - With regards to this criterion, there are two components - key and other. For a key component to fail, one or more component must be old and in a poor condition. Key components include external walls, roof structure, roof covering, windows, doors, chimneys, central heating boilers, gas fires, storage heaters and electrics.

Other components (non-key) will fail if two or more components are older than the following in years and in poor condition:

- > Kitchen which is 30 years or older
  - > Kitchen in a poor condition
  - > Bathroom which is 40 years or older
  - > Bathroom in a poor condition
- **Criterion C - It has reasonable modern facilities and services.** For properties to fail these criteria, if three or more of the following are present at a property it will fail:
    - > A kitchen which is 20 years old or older;
    - > A kitchen with inadequate space and layout;
    - > A bathroom which is 30 years old or more;
    - > An inappropriately located bathroom and wc;
    - > Inadequate insulation against noise;

> Inadequate size and layout of common entrance areas for blocks and flats

- **Criterion D - Provides a reasonable degree of thermal comfort.** Dwellings failing on this point are those without effective insulation and heating. This is an issue for some dwellings constructed after the war and before 1970. In April 2013 the number of dwellings judged to lack a reasonable degree of thermal comfort was 37 (2.45%). However, the Council has historically performed well in the Standard Assessment Procedure (SAP) which is the methodology used by the Government to assess and compare the energy and environmental performance of dwellings. The Decent Homes survey did not include an assessment of the loft insulation, although work undertaken for repairs and maintenance and voids has revealed the following figures:

Property Type	Insulation Depth (Count)		
	50MM	50 - 199MM	>200MM
Bungalow	28	97	231
Bedsit Bungalow			11
Flat	19	103	77
Flat Bedsit		18	38
House	26	153	251
<b>Total</b>	<b>73</b>	<b>371</b>	<b>608</b>

Grants were available to homeowners and private tenants and are part of the Energy Companies Obligation (ECO) and the Green Deal. However, these grants were not available to Council or Housing Association tenants.

Consequently, the Council will work to ensure targeted support for improving thermal efficiency. This includes exploring any funding available to help homes become better insulated any dwelling judged to lack a reasonable degree of thermal comfort and prioritising those properties with loft insulation depth of just 50mm for improvement.

Also note that the recent social housing green paper (August 2018) proposed that there will be a review of the decent homes criteria and social landlords will need to comply with this new criterion.

### 5.3 Garage Sites

In addition to the housing stock, the authority manages 376 garages. The garage sites vary in quality and a number are not fit all for purpose. Several garage sites have been incorporated into a development programme which will look to develop the sites into social or affordable housing.

In addition, there are a number of garage sites that whilst in a poor state of repair, are not suitable for re-development for a variety of reasons. This includes size and location of the garage site, private ownership of garages and rights of way. Consequently, further work is being undertaken to develop a wider programme of garage improvement which will see, for example, the clearing of garages that are not suitable for development.

#### **5.4 Programmed Maintenance**

In order to ensure that properties are maintained to a high standard, a planned programme of maintenance is in place to ensure a high standard of quality living is continued for tenants. These works are detailed and carried out in consultation with tenants as detailed in section 11 of this strategy. The outcomes of the Stock Condition Survey undertaken in 2011/12 is a key driver for this programme going forward.

### **6. STOCK CONDITION SURVEY**

South Essex Homes (SEH) undertook a stock condition survey for the Council during the summer of 2011 to the spring of 2012. This was followed by another stock condition survey in the spring of 2018. SEH also maintain a stock condition database on behalf of the Housing Services and maintain this database with the survey results as well as any work undertaken through planned and cyclical repairs.

#### **6.1 Objective for Meeting the Decent Homes Standard**

As at 31<sup>st</sup> March 2019, the percentage of homes reaching decent homes standard is estimated to be 98.2%.

It is also important to note that to just maintain the Decent Homes Standard; it is necessary to undertake a continual programme of works as for example, kitchens, bathrooms and wiring age and need to be replaced. The Decent Homes survey clarified the current need of the stock and this is further detailed below:

#### **6.2 Current Need**

The information on the current stock condition has been used to identify the repair and replacement needs and estimated budgets for this work. This is profiled in Appendix 4 and some work has been undertaken to reduce significant peaks and troughs up to about 2024 and will be reviewed annually.

#### **6.3 Target for Decent Homes**

The Council wants to ensure that as many homes as possible are at the decent home's standard, although this needs to be balanced with the reduction in capital funding available from the implications of the 1% rent reduction and the need to undertake some wider estate improvements. Programmed works to increase the percentage of decent homes as follows:

Percentage of Decent Homes Profiling (all dates are as at 31<sup>st</sup> March)

2018	2019	2020	2021	2022	2023
95.8%	98%	98%	98%	98%	98%

Consequently, the percentage of non-decent homes is **targeted to decrease from 10% in April 2013 to 2% by March 2019 and to then to continue to be maintained at 98%** based on a housing stock of 1,510 homes (as at August 2019), this does not consider projected right to buy sales of stock.

## 7. FINANCIAL PLAN

### 7.1 Housing Revenue Account

The Housing service has a financial plan that is linked closely to the 30-year business plan which includes a debt of £35.6m on the Council's Housing Stock. The Council's assessment of its stock investment needs must be fully met throughout the duration of the thirty-year loan. It is therefore critical that the Asset Management Planning, and the information that supports it, is viable for the long term and based on good quality information to ensure the needs can be met.

### 7.2 Overall Conclusions

The financial plan looks at the resources required to meet the expenditure on the Council's properties over the next 30 years. This includes expenditure on:

- Responsive Repairs (including voids)
- Gas servicing
- Cyclical Painting and Repairs
- Reinvestment including meeting and keeping the decent homes standard
- Reinvestment that is outside the decent homes' standard
- Costs associated with decreasing rent by 1% from 2016/17 for the next 4 years.

From the stock condition information, a capital works programme incorporating an estate improvement programme has been devised.

The service is targeting improved compliance with the DHS standard and the value of the capital works required decrease the percentage of non-decent homes from 10% in April 2013 to 2% by April 2019 is considered in the profiling.

It should be noted that the significant expenditure for the catch-up was identified as a result of the 2013 stock condition survey illustrating a number of urgent works to be undertaken in such areas as roofs, wall structure and general estates improvements. In addition, significant works were identified for two sheltered Housing Schemes, Gowan Court and Amelia Blackwell, which has resulted in the conversion of the premises to allow for each tenant to have their own bathing facilities.

### **7.3 Priority of Works**

The estimates for compliance with the Decent Homes Standards only allow for the minimum works to comply with the Standards. Thus, for example if a kitchen is old (over 20 years) and in poor condition, this is not a cause for failure of the DHS. However, if there are radiators, or a bathroom in poor condition and over 30 years then this will trigger a failure. The forecasts only allow remedying one of two items of non-key component failure in order to comply with the DHS. This will provide a Decent Home in accordance with the definition.

However, there are other issues for the condition of the Housing Stock, including the general condition of some elements of the wider estate such as alleyways and footpaths, wall finish and condition of stairwells etc, which require prioritisation for future works.

Furthermore, there is a need to develop new housing, as right to buy receipts have increased following the government decision to increase the amount of discount to incentivise right to buys. Furthermore, the Housing service will be required to repay replacement housing capital receipts to government if funding is not used in the construction of replacement homes within three years of the end of the quarter in which the sale took place.

Finally, there is a need to ensure that any capital expenditure is within the financial planning and is part of the 30-year HRA business plan.

Consequently, the priority of future capital improvement works is suggested as follows:

- To maintain expenditure within the current business plan budget;
- To ensure there is enough development of new housing to replace homes sold under right to buy legislation;
- To improve the percentage of homes meeting the minimum requirements for Decent Homes Standard
- To undertake some limited estate improvements based on a condition assessment.

### **7.4 Maximising Use of Assets**

The Council's strategy is to sell property and HRA land where it is not required; however, option appraisals will be carried out on properties with high levels of past and forecast expenditure. Properties that then cannot be converted or used in other ways at viable costs may be disposed of in accordance with the principles contained in the Asset Management Plan.

The Housing service will construct and implement a programme for the sale and disposal or development of garage sites and the Housing Land in 2014 and this will be implemented over several years to assist helping to meet the need to develop new homes to replace those sold under right to buy legislation.

The programme will likely see a mixed economy approach to the disposal of land with some sites developed in partnership with another housing provider, particularly to meet specialist need requirements such as people with learning difficulties, some sold to private developers to provide funding for development and some sites will be developed by the Council in partnership with an appropriate developer. The approach will aim, as far as possible, to ensure the long-term sustainability of the Housing Revenue Account.

Right to Buy (RTB) sales have increased in recent years. Since the new arrangements were put in place, the Council sold 9 homes in 2012/13 and 15 in 2013/14. This reduced the housing stock to 1,509 homes and the corresponding rental income. However, the purchase of a block of flats in 2015 increased the figure to 1,522 in 2016, and it is now down to 1,516 as at December 2017. There is strong demand for Council homes with approximately 530 people on the Housing Needs Register waiting for a variety of different size homes.

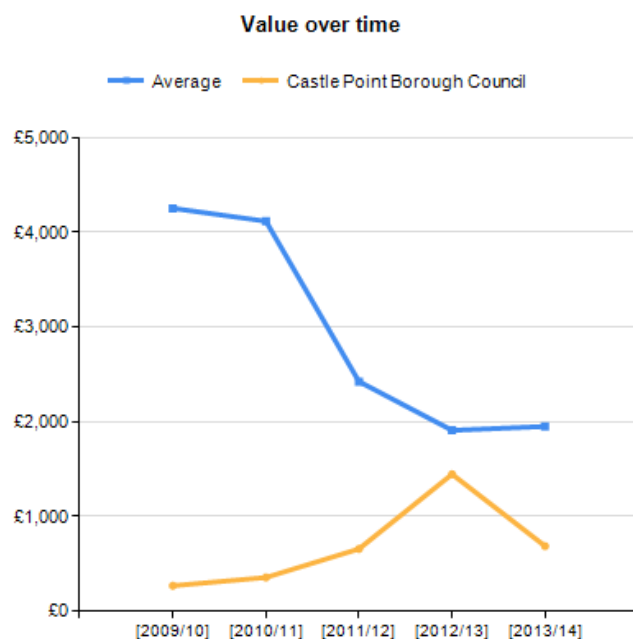
## **7.5 Benchmarking**

The Housing service use Housemark and value for money information produced by the Department for Communities and Local Government using CIPFA data and performance indicators to benchmark cost and performance and to identify and learn from best practice.

Analysis of the value for money information provided by the Audit Commission reveal the following:

In 2010/11, the last year for which national comparative information is available, Castle Point Borough Council spent an average of £11.13 per dwelling per week on repairs and maintenance, which is very low when compared to all other district councils, with the average cost being £16.01. In fact, Castle Point was in the lowest 10% for all district councils.

The expenditure by Castle Point on tackling non decent dwellings has also been historically low, as illustrated by the following graph, which compares Castle Point's expenditure with the average for all district council's in £1,000's:



In short, the Council was not actually spending as much on responsive repairs and capital works when compared to other district councils and needed to identify the condition of its housing stock in order to identify capital works.

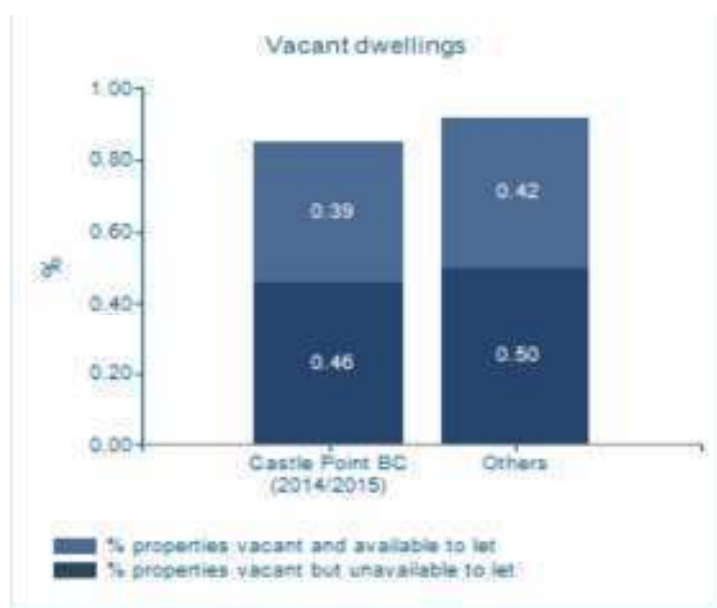
Consequently, the Housing service embarked on a survey of its housing stock and identified a number of issues (such as leaking roofs) which have been subject to planned capital and cyclical improvement works. It is envisaged that this should eventually reflect on reduced calls for reactive repairs based on leaks. The very big investment in capital spend should result in significant reductions in future reactive repairs.

The average SAP rating (based on void information only) was 64, in 2016/17, which is slightly below the national average for Council homes of 65.6 in 2014.

Finally, in 2012/13, the percentage of non-decent council homes was 10.8%, in the 2011/12 worst quartile with the national average at 3.1%, currently the proportion of non-decent homes is 4.2%.

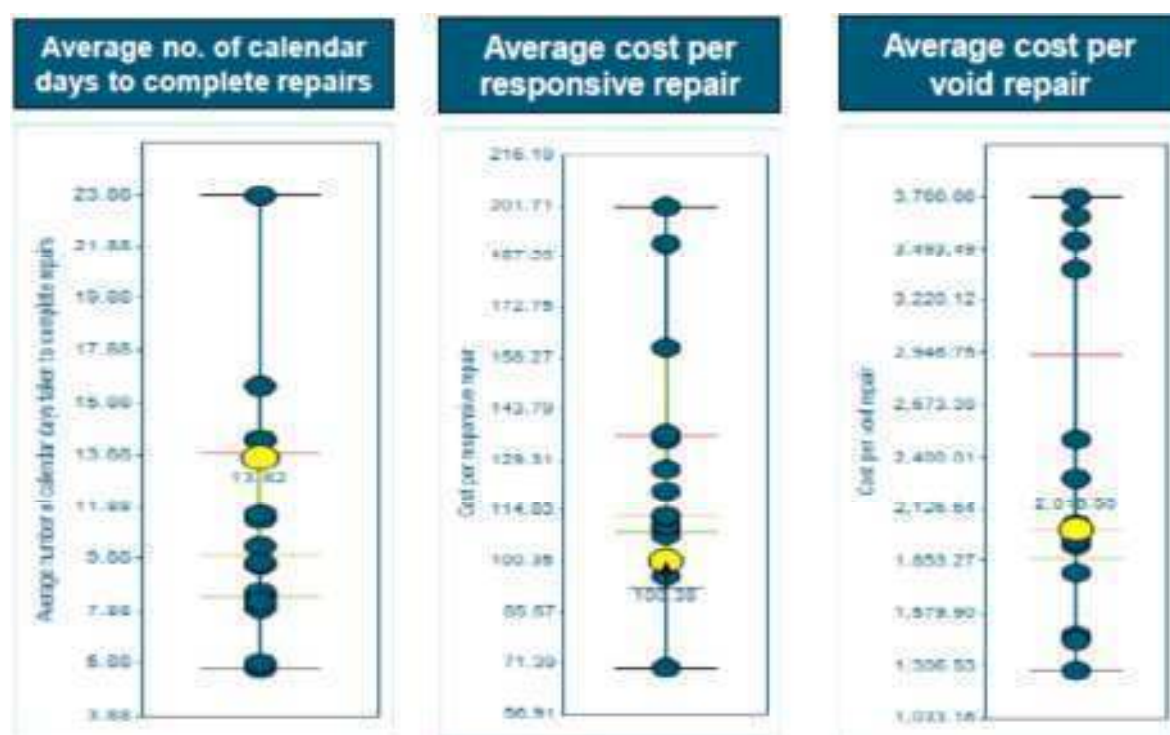
A significant amount of investment has recently been made on the Council's housing stock and the Housing service participated in Housemark benchmarking in 2015. Castle Point was compared to a family group of 16 other local authorities and Housing Associations. A summary of some of the key results are set out below:

## Vacant Properties



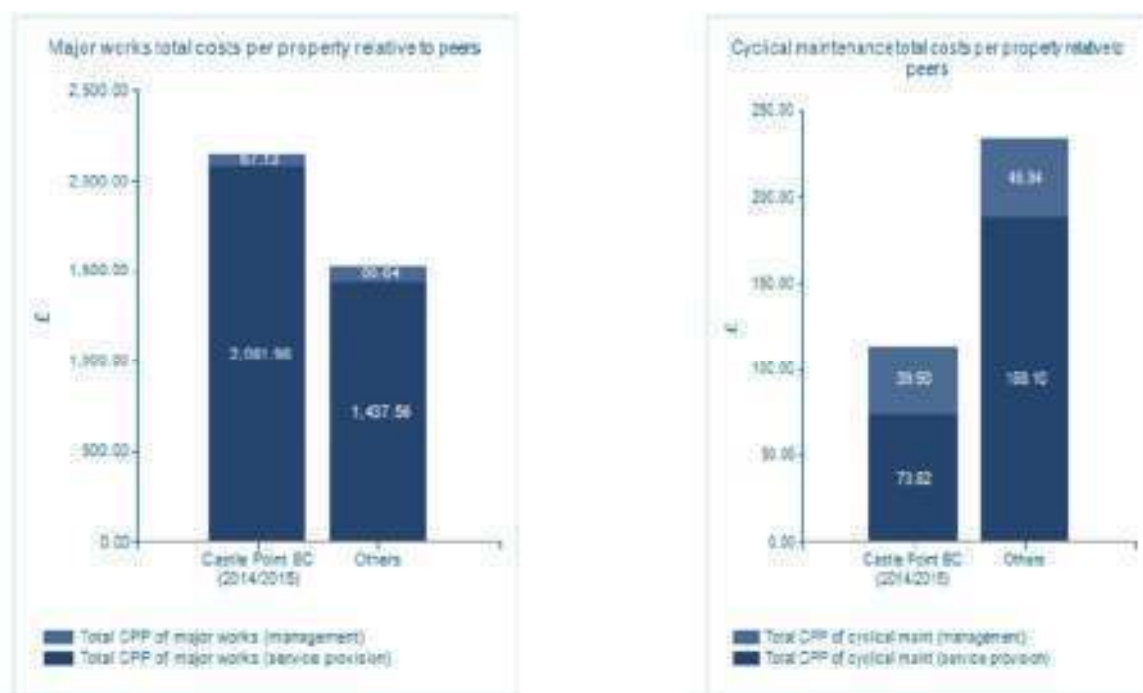
Commentary: Overall the Housing Service is slightly better than average.

## Costs and Completion of Repairs



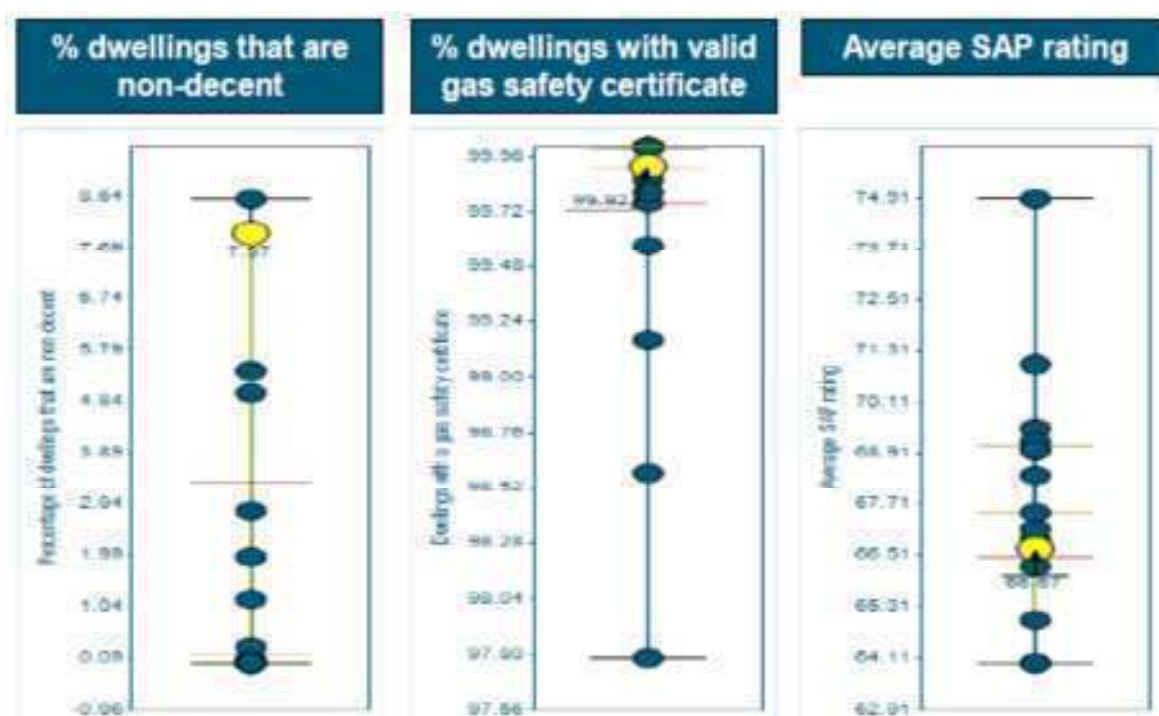
Commentary: The yellow indicates the position of Castle Point. Although the average number of days to complete a repair is above average, the actual costs are below average.

## **Major and Cyclical Works Costs**



Commentary: This helps to illustrate that the Housing Service has recently made significant investment in major capital works following a number of years where investment was much lower.

## **Major Works and Cyclical Maintenance Key Performance Indicators**



addressed in recent years. Furthermore, the decent homes survey undertaken in 2018 did provide further information on the relative thickness of loft insulation and this information is being used to develop a programme of insulation for 2019/20.

## **8. IMPLEMENTATION**

### **8.1 Planned Maintenance and Capital Improvements**

The reinvestment planned and cyclical maintenance programmes are presently delivered through tendering, with contractors installing building components and undertaking external painting, maintenance and refurbishment works.

Programmes for future years will undertake elemental programmes of central heating installations, roof, windows and kitchen/bathroom replacement packages. This approach tackles disrepair and lack of amenity across a larger number of homes.

The authority will continue with this elemental approach to reinvestment programmes of works but will also try to concentrate activity on specific streets, postcodes or locations to bring about better economies of scale and more efficient management of output. Results from the Stock Condition Survey will help with this approach.

Whole Life cycle cost theory has been used to help formulate the costs relating to the condition survey, and to build a picture of potential future expenditure. Following the stock condition survey and as the condition information continues to be fed into the asset management system, a clearer picture will develop. The whole life cycle costing will then evolve to be more specific to properties in accordance with the principles in the Asset Management Plan.

Planned maintenance and capital improvements relates to the objective of Maintaining the stock to a standard comparable with that of other well managed Social Landlords and achieve 98.5% of all Homes at the Decent Homes Standard by March 2020. This work is undertaken by several contractors and monitoring is assisted by staff from South Essex Homes through a Service Level Agreement arrangement.

There are several measures in place to assess performance, and some of the most important include:

- Overall satisfaction with one off heating replacements
- Overall satisfaction with roof replacements
- No of roof replacements undertaken
- No of kitchen replacements undertaken
- No of bathroom/wet room replacements undertaken
- No of electrical tests-inspections undertaken re: re-wire and upgrade programme

## 8.2 Response Maintenance and Voids

Responsive Repairs maintenance is managed by a single contractor, Kier. A separate Service Level Agreement is in place with South Essex Homes who undertake more technical Housing Service requirements including surveying and managing the contract with Kiers and others to ensure an effective responsive repairs and capital works programme.

The responsive repairs service is linked to the objective of providing good quality affordable homes to people in housing need and those requiring care and support.

There are a significant number of measures to monitor the effectiveness of the responsive repairs and maintenance service. Measures of importance include:

- Percentage overall satisfaction with Landlord Housing Services: Leaseholders (Annual Indicator)
- Average void turnaround time (Calendar Voids).
- Overall Tenant satisfaction with repairs & maintenance.
- Dwellings with a valid gas certificate in last 12 months.
- Satisfaction of Property Condition post inspection

These measures are monitored by the Housing service on a monthly basis to ensure to meet the objectives above.

The Council needs to have a higher percentage of the repairs programme being undertaken on a planned rather than responsive basis.

## 8.3 Gas Service Contracts

The service is currently provided by Aaron with contract management undertaken by South Essex Homes on behalf of the Housing Service. There is monthly Key Performance Indicator (KPI) reporting relating to compliance on valid Landlord Gas Safety Records (LGSR) and responsive maintenance and repairs. Management systems are also in place to deal with properties where access cannot be gained to complete LGSR's.

## 8.4 Service Contracts

Service contracts are in place to cover both servicing (preventative maintenance) together with responsive repairs. Contracts are in place for:

- Leasehold Insurance
- Window Cleaning Services
- Sheltered Scheme Alarms
- Laundry Equipment – sheltered schemes

- Careline
- Grounds Maintenance
- Fire Extinguisher testing sheltered schemes
- SLA Property Management
- EPC
- Sheltered Lift Services
- Fire Alarms Sheltered
- PAT testing
- DDA Works
- Electrical upgrade and re-wire
- Asbestos Removal
- Asbestos Consultancy
- Annual servicing of stair lifts
- Gas repair and servicing contract
- One off heating upgrade works
- Water Treatment
- Kitchens and Bathrooms one off replacement
- External Painting
- Responsive repairs and voids contract
- Bramley Court
- Facia, Soffit, Guttering Replacements
- Replacement of Flat roofing to sheltered schemes
- Door Control (Maintenance)
- Internal Fire Doors Renewals – Sheltered Schemes

## 9. HEALTH & SAFETY

The Council has a health and safety policy statement This sets out CPBC position on managing the following risks including roles and responsibilities, monitoring and control provisions and KPI's to obtain re-assurance:

- Fire Safety
- Electrical testing
- Gas Safety
- Asbestos
- Water testing
- Lift and stair lift servicing
- Door and Barrier Servicing

Following the Grenfell tragedy on the 14<sup>th</sup> June 2017 the Housing Service has reviewed its arrangements for Health and Safety and has identified the need for further works, which includes:

- Replacing any battery fire alarms with the installation of mains powered smoke alarms.
- Providing Carbon monoxide alarms to all households.
- Undertaking a programme of Fire Door Replacements.

These works have been substantially progressed. The total number of installations in September 2019 are as follows:

**Fire Safety Door sets:** A total of 314 Fire Door sets are to be replaced by December, and this will complete the upgrade of Fire Door sets for the housing stock. This work is progressing and by the end of August 239 were completed. Each Door set is guaranteed to withhold a Fire for at least 30 minutes.

**Mains Smoke Alarms:** 1,439 installed (including 54 in Private Sector Lease and HMO)

**Carbon Monoxide Alarms:** 1,177 installed (including 54 in Private Sector Lease and HMO). NB: Not all properties require a CO detector if there is no fossil fuel present.

There are relatively few Mains Smoke alarms and Carbon Monoxide alarms to install. These are mostly due to access issues and will be mopped up as part of the annual gas servicing programme over the 2019/20 year period.

Further detail is set out in the action plan attached as appendix 4.

## 10. ENERGY EFFICIENCY

The plans that are in place to improve the energy efficiency of stock support the Council's aim to reduce levels of fuel poverty amongst tenants. The Council's overarching Asset Management Plan underpins this objective.

To assist with this objective, it is necessary to obtain better quality data on energy efficiency of properties. Currently the estimated SAP energy efficiency is 64

### 10.1 Standard Assessment Procedure (SAP)

SAP's are the Government's preferred energy rating for homes and assess if they conform to the requirements of the building regulations.

A home scoring 0 is very inefficient (very expensive to run), whilst a home scoring 100 is very efficient (cheap to run).

The English Housing Survey published in 2017 states:

In 2016, the average SAP rating of English dwellings (private and public) was 62 points, up from 45 points in 1996. This increase was evident in all tenures. However, the increase appears to be slowing and there was no change in the average SAP rating of homes between 2015 and 2016 (in any tenure).

The Council does not have full information on the SAP rating for all dwellings. Instead an assessment has been made from Voids and on this basis the average SAP for the different types housing stock is 64 which is slightly below the national average of 68.9 for all council housing stock. Benchmarking data reveals that Castle Point was 56th out of 74 providers nationally. Further work needs to be undertaken to improve the robustness of data for SAP rating.

The authority will concentrate on those with low values first and introduce energy efficiency measures to increase the energy efficiency of the home. Subject to budget constraints the programme of works will include:

- Ensuring loft insulation is at least 270mm
- Providing more energy efficiency boilers as part of the Council's replacement programme
- Installation of double-glazed windows
- Cavity wall insulation to external walls

In undertaking this work the Council will explore opportunities for external funding and grants and will liaise with the Essex Wide Energy Partnership to maximise impact from ECO projects.

## **10.2 Green Materials**

The maintenance of housing (materials, transport and waste) contributes significantly to the carbon emissions of the council's operations. The use of locally derived and sustainably produced products and materials will significantly reduce this negative impact on the environment.

The Council's policy is to ensure all contractors consider sustainability issues which are further specified in tender documentation. Furthermore, when constructing new homes, tender documentation will include ensuring all building control requirements are met which by the end of 2016 required meeting the equivalent of level 4 of the code of sustainability for new homes. For example, recent new homes constructed have solar panels on their roofs to provide electricity.

## **10.3 Energy Efficiency Grants**

The Council aim to continually monitor grants that may be available and apply for those which are applicable.

# **11. ADAPTATIONS TO HOMES FOR PEOPLE WITH DISABILITIES**

The Council are committed to addressing the needs of all customers and undertake measures such as aids and adaptations in order to enable residents to stay in their homes. In addition, the authority works closely with Occupational Therapists and the local Adult Services departments to identify and address disability issues.

The Council has capital and revenue budgets to provide minor and major adaptations. In 2013/14 from a total of £2.231m capital programme expenditure was provided for Major adaptations of £115k. Similar amounts have continued over time and this is projected to continue with a budget of £120k agreed for 2019/20.

The Council has undertaken a programme of improvements to the communal areas in the sheltered housing schemes to help residents stay in their homes and maintain their independence for longer.

The adaptations and lettings teams work closely to match suitable tenants to fully adapted properties in order to make best use of the stock and offer greater choice.

# **12 CUSTOMER INVOLVEMENT**

## **12.1 Customer Consultation**

The Housing service undertakes biennial consultation with residents to seek their views on how the Council can best improve housing services, including maintenance issues. During 2018, a Housemark STAR survey was undertaken, and summarised results were published in a tenants' newsletter. Some key results include the following:

- 460 residents contacted

- 294 General Needs
- 166 Sheltered
- 31% of total tenant population
- Margin of error only 3.8%
- Split by ward, property type, length of tenure, Age, Gender
- Survey is statistically valid and meets Housemark requirements

The key results are as follows:

- Overall satisfaction with Housing Services was 74% Satisfied or Very Satisfied.
- The percentage of tenants who thought the Council listened to their views and acted on them was 61.2%.
- Satisfaction with the quality of their home was 78%.
- Satisfaction with the neighbourhood as a place to live was 83.9%
- The percentage of tenants who thought the Council housing offered value for money was 89%.
- The percentage of tenants satisfied with repairs and maintenance works was 65% (For tenants that had a repair over the last year).

Whilst the results for most wards were average or better than average, this was not the case for two wards in Canvey, Canvey Island East, and Canvey Island Central, and the key issues included comments regarding repairs and maintenance. As a result, several actions were undertaken, including customer care training for staff and special focussed work in some flat block areas including Ozonia Gardens, Wrackhall Court and Rosberg Road. Works include some repairs to the fabric of the buildings, as well as painting and more intense cleaning. The cleaning has been successful, and as a result more intense cleaning of the facilities is planned.

## **12.2 Customer Feedback**

The Council has various means to contact customers after they have had a responsive repair carried out to check that they are satisfied, and where they are not, appropriate action is taken. Overall tenant satisfaction with repairs and maintenance for the quarter period ending in June 2019 (for tenants with recent repairs) was 98% and represents a general trend of improvement. Where the contractor gets satisfaction ratings below their target, the results of the survey is fed back to the contractor and work is then carried out with them in order to achieve improvements. In response to customer feedback, the Council's approach with its contractors has been to focus on the quality of the work, getting it right first time and setting and meeting appointments that suit the customer. The Council has set performance measures to help ensure that these areas for improvement can be measured.

Customer feedback is being sought on priorities for work for the investment programme through regular consultation and this feedback will be used to ensure that the plan is informed by tenant priorities.

Surveys on the authority's cyclical maintenance and capital programmes are sent out in tranches throughout the programme. This is to ensure that defects and complaints are picked up and actioned as soon as possible after the works are completed. The questionnaire measures consultation prior to the start of works (notification, individual requests and responses from Contractor) and Contractors performance (notification, how the works were carried out and defects).

### **13. ISSUES ARISING**

There are several issues arising from the review of assets in this plan that will need further improvement work. These are grouped under the proposed priority objectives as follows:

#### **1. Enable the development of new good quality housing stock**

- a) There continues to be high demand for social housing of all types, but particularly one and two bedroomed properties.
- b) The right to buy process has been incentivised further, and consequently the Council continues to be compelled to sell homes under this scheme.
- c) If right to buy receipts are not used within 3 years it is returned to central government.
- d) The Housing and Planning Act 2016 requires the Council to sell high value voids and provide the receipt to government, further diminishing housing stock, although this has not yet been implemented.
- e) There are a number of garage sites in a poor state of repair. These have the potential to be further developed for new social housing and an appraisal has been undertaken of targeted garage sites to assess suitability.
- f) The Council has begun to acquire stock with the purchase of 11 one bed and 14 two bed flats at Drapers Court in Canvey in November 2014 and the construction of 3 new homes at St Christopher's Close in July 2016. Two further bungalows at Lawns Court are to be constructed by March 2018. The Housing service has also provided the capacity to acquire and refurbish an 8 bedroomed house in multiple occupation in Canvey in April 2016 and is currently progressing a planning application to construct a nine bedroomed HMO in Benfleet.

Consequently, there is a need for the Council to build new homes for the first time in 30 years. This requires a detailed programme and new skills and knowledge in order to plan, design, project manage and construct new homes. This programme is further detailed in the action plan set out in Appendix 4.

However, the reduction in rent payments for tenants over a 4-year period means that there is now restricted capital available to the HRA.

Consequently, any capital programme will need to be self-funding and will also need to include raising capital by the selling of assets or land in order to help regenerate and develop other housing related assets.

Furthermore, there are some garage sites for which it may not be suitable to develop but which could instead be cleared. Consequently, a programme will be developed to target the clearing of garage sites in a poor state of repair, subject to other priorities for capital expenditure.

## **2. Regenerate Housing Estates and maximise use of existing stock**

- a) The external appearance of some housing estates has deteriorated over time with little cyclical maintenance. The Housing service has recognised this issue and has undertaken targeted improvement works and external and internal refurbishments at Chapman Court resulted in significant improvements and was renamed by residents to Ozonia Gardens. Works have also been undertaken to improve the fabric and highways of blocks at St Guiberts, Middleburg and Church Parade.
- b) Similarly, some sheltered housing schemes are not suitable for modern living with shared bathing facilities. The internal fabric of some facilities has also decayed over time. Consequently, the Council has already undertaken a programme of investment and improvement with two sheltered housing facilities (Gowan Court and Amelia Blackwell) subject to significant improvement works to provide residents with their own bathing facilities. All Sheltered Housing Schemes have undergone refurbishment of some internal areas such as common walkways and carpet replacements.
- c) There is potential to get more use of existing stock. For example, by re-modelling some unused warden flats to be suitable for tenants. Work has been undertaken to develop several previous warden flats to sheltered housing units.

The Council will continue to undertake targeted refurbishments and will seek to utilise opportunities to further develop and maximise stock. Further detail is set out in the action plan in Appendix 4. Again, this will need to reflect the reduced financing of the HRA in future years.

## **3. Ensuring Fire Safety requirements are met**

Following the tragedy at Grenfell, the Housing Service has undertaken an overview of the current arrangements for Fire Safety and can confirm that there are no blocks owned by that have the plastic cladding which has been identified as a fire hazard. However, the service has identified the need for the following:

- Installation of a significant number of fire safety doors in blocks of flats.

- A number of smoke alarms are battery not mains operated and need to be replaced.
- There are no CO alarms installed and whilst not a statutory requirement, it is desirable that these are installed ASAP.

These works were identified in 2017 and have largely been progressed.

**4. Maintaining the stock to a standard comparable with that of other well managed Social Landlords and achieve 98% of all Homes at the Decent Homes Standard by March 2019 and maintain this level going forward.**

- a) The percentage of homes that maintain the Decent Homes standard needs improvement and a capital programme to maintain and improve the percentage of homes is in place with a target of 98%.
- b) The capital works includes consideration of issues that affect the demand on responsive repairs (e.g. roof repairs) and it is envisaged that this will have a positive impact on the percentage of spend on responsive repairs compared to cyclical and planned maintenance in the future.
- c) Programming of capital works has been identified as an issue as there is a need to ensure there are not peaks in works between years as this will have a detrimental impact on capacity and budget programming. Consequently, some work has been undertaken to further develop the capital programme to ensure it is manageable.
- d) In previous years the Council's achievement of the SAP rating was high. However, the Council now lacks this information as part of its stock data. The Council has identified that further work is required to properly understand the degree of thermal warmth and undertake a wider SAP assessment.

**5. Ensure a sustainable approach to stock management that considers the financial resources of the Housing Revenue Account and ensures long term financial stability and energy efficiency.**

The action plan in Appendix 4 sets further detail work to deal with the issues above.

**14. ACTION PLAN**

This report includes a range of targets that have been set for improving the management of the Council's assets and directing investment in the most cost-effective manner. The Housing service will monitor the delivery of the improvement projects detailed in Appendix 4.

The action plan is designed to cover a five-year period and will be refreshed annually and will be subject to a comprehensive review at the end of the five-year period.

## **15. CAPITAL PROGRAMME**

A five-year capital programme is in place and is refreshed every year. The capital programme has been devised to consider the analysis set out in this Asset Management plan, and to identify works that will ensure the Council meets its decent homes target. It also recognises that there is a need to maintain and improve the fabric of the estate and communal areas. Consequently, the Capital programme, attached as Appendix 5, is set out in two tables, planned works to maintain the decent homes standard, and planned works to maintain and improve the fabric of the housing estate.

Appendix 1Table 1 – Stock by Ward

	Appleton	Boyce	Cedar Hall	St Georges	St James	St Marys	St Peters	Victoria	Central	East	North	South	West	Winter Gardens	Total
Bedsit Bungalow	0	0	0	0	0	0	0	0	0	0	1	11	2	0	14
1 bed Bungalow	9	0	20	33	13	4	0	13	55	22	12	11	5	3	200
2 bed Bungalow	1	0	2	1	9	0	0	5	104	10	15	0	12	11	170
3 bed Bungalow	0	0	0	0	0	0	0	0	15	2	0	0	0	0	17
Bedsit Flat	24	0	0	18	2	16	0	0	8	38	0	20	0	62	188
1 bed Flat	18	0	48	18	23	16	0	65	6	16	0	44	0	57	311
2 bed Flat	5	0	6	10	9	18	0	0	22	17	0	12	0	27	126
3 bed Flat	0	0	0	1	0	0	0	1	0	10	0	0	0	0	12
2 bed House	12	0	7	0	0	0	0	6	23	2	0	0	3	10	63
3 bed House	26	0	52	21	4	35	2	8	88	3	42	0	26	92	399
4 bed House	0	0	0	2	0	0	0	0	6	0	0	0	1	1	10
Totals	95	0	135	104	60	89	2	98	327	120	70	98	49	263	1510
%	6.3%	0.0%	8.9%	6.9%	4.0%	5.9%	0.1%	6.5%	21.7%	7.9%	4.6%	6.5%	3.2%	17.4%	100.0%
							Benfleet	38.6%					Canvey	61.4%	

Appendix 2Table 2 – Property by Type

	<b>General Needs</b>	<b>Sheltered</b>	<b>Total</b>	<b>% of stock</b>
Bedsit Bungalow	3	11	14	0.93%
1 bed Bungalow	162	38	200	13.25%
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	399	0	399	26.42%
4 bed House	10	0	10	0.66%
<b>Totals</b>	<b>1217</b>	<b>293</b>	<b>1510</b>	<b>100%</b>

Appendix 3Table 3 – Stock Owned by Age Band

	Construction age bands						
	Pre 1919	1919 to 1944	1945 to 1964	1965 to 1980	1981 to 1990	Post 1990	Total
<b>Bedsit Bungalow</b>	0	0	2	12	0	0	<b>14</b>
<b>1 bed Bungalow</b>	0	0	122	74	2	2	<b>200</b>
<b>2 bed Bungalow</b>	0	1	134	7	28	0	<b>170</b>
<b>3 bed Bungalow</b>	0	0	15	2	0	0	<b>17</b>
<b>Bedsit Flat</b>	0	0	42	146	0	0	<b>188</b>
<b>1 bed Flat</b>	0	0	26	217	50	18	<b>311</b>
<b>2 bed Flat</b>	0	2	44	60	9	11	<b>126</b>
<b>3 bed Flat</b>	0	0	0	11	1	0	<b>12</b>
<b>2 bed House</b>	0	0	48	15	0	0	<b>63</b>
<b>3 bed House</b>	0	17	229	147	3	3	<b>399</b>
<b>4 bed House</b>	0	0	7	3	0	0	<b>10</b>
<b>Totals</b>	<b>0</b>	<b>20</b>	<b>669</b>	<b>694</b>	<b>93</b>	<b>34</b>	<b>1510</b>
	0.0%	1.3%	44.3%	46.0%	6.2%	2.3%	

**Appendix 4 – Action Plan****Objective: 1. Enable the development of new good quality social housing stock****Expected Outcome: Construction of a new HMO at Benfleet by March 2020****Construction of 4 new units at Garage site in Church Close Canvey Island by May 2020****Construction of 2 units at Windsor Gardens Garage site by May 2020**

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
<b>Construction of HMO at Hatley Gardens</b>							
	New HMO constructed	Contractor	Head of Housing and Communities	March 2020	HMO constructed.	Various issues – e.g. satisfying building regs etc	On track.
Good Communication with residents and local Councillors	Communicate with residents and local businesses regarding enabling works and construction.  Regular update reports to Councillors.	Housing Staff  Housing Development and Finance Manager	Project Manager  Housing Development and Finance Manager	Ongoing  Ongoing until project ends.	Reduced concerns and queries from residents.  Members regularly updated.	Residents remain dissatisfied.	To start when works to due to be undertaken, then ongoing.

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
<b>Construction of 4 homes at Church Close</b>							
Good Communication with residents and local Councillors	Communicate with residents and regarding fencing works and construction.  Regular update reports to Councillors.	Housing Staff  Housing Development and Finance Manager	Project Manager  Housing Development and Finance Manager	Ongoing  Ongoing until project ends.	Reduced concerns and queries from residents.  Members regularly updated.	Residents remain dissatisfied.	To start when works to due to be undertaken, then ongoing.
Procure contractor to construct new homes.	Procurement of contractor to construct homes.	Housing Development and Finance Manager	Housing Development and Finance Manager	August 2019	Construction begins	Ability to procure the right contractor in the timescales required.	Contract issued
	New homes constructed	Contractor	Housing Development and Finance Manager	May 2020	Four homes constructed.	Various issues – e.g. satisfying building regs etc	On track
<b>Construction of 2 homes</b>							

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
<b>at Windsor Gardens</b>							
Good Communication with residents and local Councillors	Communicate with residents and regarding fencing works and construction.  Regular update reports to Councillors.	Housing Staff  Housing Development and Finance Manager	Project Manager  Housing Development and Finance Manager	Ongoing  Ongoing until project ends.	Reduced concerns and queries from residents.  Members regularly updated.	Residents remain dissatisfied.	To start when works to due to be undertaken, then ongoing.
	New homes constructed	Contractor	Housing Development and Finance Manager	May 2020	Two homes constructed.	Various issues – e.g. satisfying building regs etc	On track

**Objective: 2. Regenerate Housing Estates and maximise use of existing stock**

**Expected Outcome: Programme for sale of land / Assets and Regeneration of Identified sites in place and Continues to be Refreshed**

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
Map out all HRA assets that can be suitable for development.	Use of Access database and data kept by Housing and to clarify areas that can be sold and areas requiring priority development. (Prioritising to include ease of development as well as condition). Also assess sites for suitable HMO new build.	Housing Services	Housing Development and Finance Manager	Ongoing	Prioritised programme in place.	Funding is the most significant risk. Programme will aim to be self-funding using income from asset sales as well as RTB and S106 receipts	Database to be reviewed by March 2020

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
Clearing of problem garage sites	Develop a programme of clearance of garage sites. To be linked to possible development to allow for displaced people to rent a nearby garage.	Housing Services	Housing Services Manager	November 2019	Analysis undertaken and identified sites part of the programme above.	Costs / affordability for capital programme.	Ongoing work
Identify void homes that can be further developed or sold to obtain income	Ongoing action to assess any voids whose footprint may make them suitable for further development or disposed to assist with construction of new homes.	Housing Services / South Essex Homes.	Housing Services Manager	Ongoing	None.	Planning restrictions need to be considered.	Ongoing.

**Objective: 3. Ensuring Fire Safety requirements are met**

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
Replace all non - compliant fire doors.	South Essex Homes to arrange for procurement of and replacement of all Fire Safety Doors.	Housing Services	Housing Services Manager / SEH	Contract Start November 2018 – To be completed by December 2019.	All non-compliant Fire Safety Doors replaced.	Failure to procure in a timely fashion will result in unnecessary delays and risks.	On Track.
Replace any legacy battery-operated smoke	South Essex Homes to arrange for Aaron boiler contractor to supply and fit.	Housing Services	Housing Services Manager / SEH	From April 2018 – completed June 2019	All battery-operated smoke alarms replaced.	Some issues with unable to access some properties. To be pursued	Work ongoing.

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
alarms with mains operated alarms						during the 2019/20 year.	
Place CO alarms in all properties.	South Essex Homes to arrange for Aaron boiler contractor to supply and fit	Housing Services	Housing Services Manager / SEH	From April 2018 – completed June 2019	New CO alarms in place	Some issues with unable to access some properties. To be pursued during the 2019/20 year.	Work ongoing.

**Objective 4: Maintaining the stock to a standard comparable with that of other well managed Social Landlords and achieve 98% of all Homes at the Decent Homes Standard by March 2019 and maintain this level going forward.**

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
Capital works programme ensures improvement in proportion of homes at Decent Homes Standard.	1. Annual refresh of Capital Programme.  2. Implementation of Capital works targeted to improve achievement of Decent Homes Standard.  3. Robust contract monitoring.	South Essex Homes / Housing Services	Housing Services Manager	1. December 2019  2. From April 2020  3. Monthly SLA meetings;  Pentana performance system	Percentage of Homes at Decent Homes Standard.	Balance of issues and capital works to be addressed.	1. On target  2. Ongoing.  3. Ongoing.

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
Improve the energy efficiency of Council housing stock	<p>1. Work with South Essex homes to identify data held – e.g. insulation thickness in buildings, SAP and identify opportunities to improve the energy efficiency of Council housing stock.</p> <p>Implement a programme of roofing insulation upgrades for targeted properties during 2019/20.</p>	<p>1. Information on stock to be obtained by working with South Essex Homes</p> <p>2. South Essex Homes</p>	<p>1. Housing Services Manager</p> <p>2. Housing Services Manager</p>	<p>1. 31<sup>st</sup> March 2019.</p> <p>2. 31<sup>st</sup> March 2020</p>	Possible roofing insulation programme – small fund inviting tenants to apply.	Large demand or demand too small. This will be established from the response to the project.	Information identified. South Essex Homes requested to undertake a procurement.

**Objective 5. Ensure a sustainable approach to stock management that considers the financial resources of the Housing Revenue Account and ensures long term financial stability and energy efficiency.**

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
Ensure Capital programme is developed to ensure financial sustainability of HRA.	1. Annual refresh of Capital Programme includes financial considerations.	South Essex Homes / Housing Services	Housing Services Manager	December 2019	HRA is balanced whilst considering essential works required for strategy.	Pressure between limited funding and works required.	To be planned in Autumn 2019.
Improve Energy Efficiency of	SEH to provide CPBC with proposals when developing the capital programme to help	South Essex Homes /	Housing Services Manager.	Development of Capital Programme	Average SAP rating of Housing Stock and	Costs and resources may be prohibitive	Insulation programme to target homes

What needs to be achieved (Objective)	How are you going to achieve it (Actions)	Who will be doing the work and are there any costs (Resources)	Who is the lead officer?	By what time do you expect the actions to be achieved?	Are there any performance measures / Outcomes you expect to see from completing the actions?	Are there any Risks that need to be considered?	RAG / Comments
Housing Stock.	improve energy efficiency of housing stock and targeted works to improve.	Housing Services.		December 2017	identification of stock with issues.		with least insulation. Works to begin December 2019.
	Liaise with partners including Essex Energy Partnership to elicit to obtain funding to help improve energy efficiency of targeted dwellings.	South Essex Homes / Housing Services.	Head of Housing and Communities.	Ongoing	N/A	Staff resources to obtain this information.	Ongoing.

**Appendix 5 Capital Programme****To Maintain Decent Homes**

	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
<b>Attribute</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
<b>Central heating boiler</b>	101,538.34	56,734.80	78,832.80	64,707.60	69,660.00
<b>Chimney</b>	11,633.70	6,264.30	4,474.50	5,369.40	-
<b>Electric System</b>	32,519.42	37,947.02	38,658.00	36,239.02	38,091.03
<b>Kitchen</b>	315,000.00	121,800.00	155,400.00	396,122.25	399,312.23
<b>Roof</b>	180,947.00	82,386.76	15,379.06	61,909.40	104,389.00
<b>Bathroom</b>	234,930.80	116,779.31	124,786.85	184,184.16	91,427.47
<b>Wall finish 1</b>	100,077.82	56,217.64	4,374.09	94,400.25	94,384.08
<b>Wall finish 2</b>	3,231.09	-	-	572.72	-
<b>Walls finish</b>	24,096.82	1,159.74	515.44	3,498.37	-
<b>Windows</b>	128,326.30	11,690.40	462,422.00	462,686.80	462,769.00
<b>Totals</b>	<b>1,132,301.29</b>	<b>490,979.97</b>	<b>884,842.74</b>	<b>1,309,689.97</b>	<b>1,260,032.81</b>

**To Maintain the Fabric of Stock and Communal Areas**

	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
<b>Attribute</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
<b>Central heating carcass</b>	79,190.22	105,873.69	136,173.75	92,598.15	76,764.45
<b>Communal</b>	412,070.84	43,059.99	23,063.71	32,337.97	210,227.59
<b>Ext ent doors 01</b>	45,714.78	10,723.22	24,832.72	38,942.22	-
<b>Ext ent doors 02</b>	11,383.80	5,643.80	820.00	8,465.70	-
<b>External lighting</b>	129,223.56	22,909.44	13,602.48	7,159.20	-
<b>Fascia/soffit/barge</b>	211,948.65	95,636.34	88,212.15	47,658.51	3,831.84
<b>Loft insulation</b>	2,340.00	2,880.00	180.00	1,800.00	-
<b>Rainwater goods</b>	124,548.98	76,035.18	69,460.88	39,944.54	26,025.16
<b>Smoke detectors</b>	55,632.21	7,944.24	9,839.17	9,336.14	-
<b>Totals</b>	<b>1,072,053.04</b>	<b>370,705.90</b>	<b>366,184.86</b>	<b>278,242.43</b>	<b>316,849.04</b>



**CABINET**

**20th November 2019**

**Subject: Homelessness and Rough Sleeping Strategy**

**Cabinet Member: Councillor Mrs Egan - Housing and Council Homes**

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**1. Purpose of Report**

**To present to Cabinet a proposed Homelessness and Rough Sleeping Strategy 2019 - 2024.**

**2. Links to Council's priorities and objectives**

**The Strategy explicitly links to the Council priority for Housing and Regeneration.**

**3. Recommendations**

**3.1 That Cabinet considers and agrees in principle to the Homelessness and Rough Sleeping Strategy 2019 - 2024 and the accompanying Equality Impact Assessment.**

**3.2 That Cabinet considers whether to refer the strategy for further review by the appropriate Policy and Scrutiny Committee.**

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**4. Background**

**4.1 Since 2002 each Housing Authority has had a legal duty to develop a homelessness strategy for the authority area. The Government published its national Rough Sleeping Strategy in August 2018 which obliges authorities to have a Homelessness and Rough Sleeping Strategy making explicit provision for tackling rough sleeping.**

**4.2 The previous strategy also required updating to reflect and respond to the implementation of the 2017 Homelessness Reduction Act, the most fundamental change in homeless law since 1977.**

**4.3 The draft Homelessness and Rough Sleeping Strategy Appendix A has been placed in each of the Members Group Rooms and on the web site along with the accompanying Equality Impact Assessment as set out in Appendix B. It has been**

developed through consultation between the Council, other statutory services, the voluntary sector and homeless people.

4.4 Homelessness is defined under S.175 of the 1996 Housing Act (as amended by the 2017 Homelessness Reduction Act) as follows:

- a) A person has no accommodation available to occupy anywhere in the world.
- b) A person has no accommodation that is reasonable to occupy.
- c) A person has no accommodation that they have a legal interest in occupying.
- d) A person has no accommodation that they can secure entry to.
- e) A person lives in a moveable structure and has nowhere to legally station their home.
- f) A person is at risk of homelessness if they are likely to lose their accommodation within 56 days.
- g) A person is at risk of homelessness if they have been served a valid notice to quit (section 21) a private rented tenancy.

4.5 The definition of homelessness is distinct and wider than being roofless. For example, a person could be homeless if they are subject to domestic violence in their mortgaged home, if they are a family whose private landlord is refusing to do essential repairs (such as fixing a broken boiler) and is threatening them with reprisal if they complain or a young person who is 'sofa-surfing' with different family or friends after a relationship breakdown with parents. In each of these examples a person has accommodation that is available to occupy. The issues are whether it is reasonable to occupy, whether they have a legal interest in occupying and whether they will lose the accommodation within a 56-day period.

4.6 Around 99% of people who are homeless/at risk of homelessness do not resort to sleeping rough. The Government defines a person as sleeping rough if they are found to be 'bedded down' or 'about to be bedded down' in the open air (streets/doorways/parks) or in places not designed for human habitation such as bus shelters, cars, car parks, sheds or derelict buildings. The definition covers what a person is doing at a particular point in time. It is not relevant what accommodation a person might have that is available and reasonable to occupy/legal interest in/can secure entry to. If a person, with a council tenancy, is found to be bedded down at night in a shop doorway then they are treated as a rough sleeper.

4.7 Section 1 of the 2002 Homelessness Act requires the Council to develop and publish a Homelessness Strategy at least every five years. The 2018 Homelessness Code of Guidance states (paragraph 2.4) that the strategy should cover the following areas:

- a) Preventing homelessness in the district.
- b) Securing that sufficient accommodation is and will be available for people in the district who are or may become homeless.
- c) Securing the satisfactory provision of support for people in the district who are or may become homeless or who have been homeless and need support to prevent them becoming homeless again.

4.8 The Code of Guidance therefore places an emphasis on plans to wherever possible prevent homelessness. A homeless prevention defined as an intervention on the part of a service that results in a person, who is at risk of losing accommodation,

either being able to stay in their existing accommodation or to make a planned move to alternative accommodation.

## **5. Homeless Reduction Act 2017**

5.1 The Homelessness Reduction Act (HRA) represents the most fundamental change in homeless law since 1977. The key provisions of the HRA are as follows:

- a) Changes the definition of at risk of homelessness from likely to lose accommodation within 56 days – previously 28 days. Also, that a person is at risk of homelessness if they have been issued with a valid notice to quit (section 21) a private rented tenancy.
- b) Ensure that any person who requires it is given information on homeless prevention, securing accommodation, the legal duties of the authority/rights of homeless people, what support services are available and how services can be accessed.
- c) A duty to prevent homelessness for eligible people who are at risk of losing their home: take reasonable steps to ensure that accommodation does not cease to be available. The prevention duty is in place for 56 days.
- d) A duty to relieve homelessness for eligible people who have lost their home: take reasonable steps to ensure that accommodation becomes available with an expectation that it will be available for a minimum of 6 months. The relief duty is in place for 56 days.
- e) Every person to have a Personal Housing Plan setting out the agreed steps, to be taken by the applicant and the authority, to prevent or relieve homelessness.
- f) The authority can discharge the prevention/relief duty if a person has unreasonably or deliberately refused to co-operate with the personal housing plan process. A no co-operation decision could, in some circumstances, end the housing duty owed. The threshold for finding a person to have not co-operated is set at a high level.

5.2 The HRA is framed around the principles of early intervention, prevention and the authority/applicant having a bilateral responsibility to prevent or relieve homelessness. The new duties precede the long-standing duty to secure suitable temporary accommodation, pending longer-term accommodation, if a person is eligible for assistance, unintentionally homeless and in priority need.

## **6. Report – Castle Point’s Homelessness and Rough Sleeping Strategy**

6.1 The Homelessness and Rough Sleeping Strategy sets out considerable detail which includes:

- A Profile of Castle Point
- The Strategic Framework
- National Pressures and Trends for Homelessness
- Regional and Local Issues
- Consultation results

- Summary of Key Issues
- Key Priorities

## **6.2 Objectives**

6.2.1 The strategy identifies the following 4 key priorities:

- Priority 1: Prevention of homelessness
- Priority 2: Improving Access to temporary accommodation
- Priority 3: Providing support to manage health and life issues.
- Priority 4: Maximise the capacity of the service

6.2.2 These priorities form the basis of action planning which is set out in Appendix 1 of the strategy. Actions include:

- Early identification. Identifying people who are at risk of homelessness and ensuring that accommodation and any necessary support is available to them.
- Negotiating with landlords to enable people to retain their tenancies.
- Greater resources to network with landlords and help sustain tenancies.
- Preventing recurring homelessness.
- Prevent households assessed as non-priority from becoming homeless with implementation of schemes to provide small grants to private sector landlords to pay rent arrears etc.
- Reduce Impact of Homelessness Households from Thorney Bay.
- Develop arrangements to deal with the risk of increasing homeless households over a sustained period of time.
- Acquire and Construct Temporary Accommodation.
- Increase the availability of private sector rented accommodation.
- Increase the availability of assured short-term private sector rented accommodation
- Support the work of the South Essex Domestic Abuse Hub.
- Undertake a review of the service to maximise capacity and skills and ensure adequate resources to deal with the service demands and the impact of national legislation.

## **6.3 Consultation**

6.3.1 Consultation has been undertaken including with front line staff, partner organisations, Councillors and clients of the service. The results of the consultation are outlined in Chapter 6 of the strategy. It is important to note that a successful consultation event and workshop was held with partners and Councillors on the 6<sup>th</sup> July, and that the priorities of the strategy were confirmed at that event as appropriate. Selected further considerations raised include the following:

- Undertaking arrangements for Department for Works and Pensions to make payments direct to Landlords for clients receiving Universal Credit
- Prison Service to offer pre-release advice and wider support.
- Peabody to encourage landlords to obtain help before situation deteriorates too greatly with rent arrears.
- Examine guarantor issues for Lettings agents
- Explore future funding post 2021
- Promoting healthy relationships, tenancy sustainment, resettlement advice

- Peer review of front-line services within the partnership. Mystery shopping
- Ensure provision of equality for BME and LGBT and people with complex needs
- Signposting, early identification in schools
- Duty to refer / meet with parents and family / provide housing advice / assist to apply for benefits / fill out forms etc
- Early signposting, recognising need rather than wait for approach (advertise in schools etc)
- Promote Peabody drop in more widely
- Encourage working with Jobcentre / job coach to seek work (ultimately to improve clients housing situation)
- Utilise ECC Education advisers. Need to get information to youngsters on the fact they will eventually want to move out and to lay out the pathway to do it in a managed way.
- Outreach to youths Capturing problem before it's a problem. Directing youths early on. Need to teach life skills.
- Teach about housing/jobs/pensions
- Build on current joint working

6.3.2 The consultation work was very beneficial, and the Housing Options service will look to develop its action planning over the coming months to develop greater joint working with a variety of initiatives. For example, Castle Point is currently working with other South Essex Authorities to develop joint initiatives to obtain greater private sector accommodation.

## **6.4 Equality Impact Assessment**

6.4.1 A draft Equality Impact Assessment is attached as Appendix B. The homeless service deals with a range of vulnerable clients, and it is important to ensure each client is treated as an individual and may have a range of sometimes complex needs. In this regard the Equality Impact Assessment has identified that the application of the strategy should be complemented with detailed procedures which ensure the aims of the policy, and the relevant considerations for all identified groups are met. Consequently, a review of the Housing Options is being undertaken to most effectively implement policy into practice.

## **7. Monitoring**

7.1 The actions from the strategy will be integrated into the service planning arrangements for the Housing Service, which will include highlight reporting to corporate management team and reporting to the cabinet portfolio holder on a regular basis.

## **8. Recommendation**

8.1 That Cabinet considers and agrees in principle to the Homelessness and Rough Sleeping Strategy 2019 - 2024 and the accompanying Equality Impact Assessment.

8.2 That Cabinet considers whether to refer the strategy for further review by the appropriate Policy and Scrutiny Committee.

## **9. Corporate Implications**

### **a. Financial implications**

The increasing demands on the service, along with the service beginning to directly manage its own hostel accommodation in Camperdown Road and soon in Hatley Gardens has resulted in the increasing need for more staff resources. Furthermore, the impact of the new Homeless Reduction Act has added additional complexity and new requirements when assessing clients. This is recognised by central government, and as part of the introduction of the new Act, sometime limited funding of approximately £100k has been made available to the service. This will be used to ensure the service can meet its obligations in relation to the Homeless Reduction Act as well as ensure it achieves the priorities set out in the Homelessness Strategy.

### **b. Legal implications**

Under the Homelessness Act 2002 all local housing authorities must have in place a homelessness strategy which is based on all forms of homelessness in their district. It must be renewed at least every five years. The strategy must set out the local authority's plans for the prevention of homelessness and for securing that sufficient accommodation and support are or will be available for people who became homeless or are at risk of doing so.

### **c. Human resources and equality**

There are significant human resource implications for the implementation of the strategy, and these will be carefully considered through a service review which is currently being progressed.

### **d. Timescale for implementation and risk factors**

This is set out in the action plan for the strategy in Appendix A.

## **10. Background Papers:**

None

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# Castle Point Draft Homelessness and Rough Sleeping Strategy 2019 - 2024

## Foreword

We are all aware of the national pressures which impact on households in difficult economic times and the demands on local services which seek to support them. There has never been a more important time to review and refresh our Homelessness Review and Strategy.

Under the Homelessness Act 2002 every local authority in England is required to publish a plan to show how they will prevent and tackle homelessness in their area. Furthermore, the Homeless Reduction Act 2017 provides for new responsibilities for Local Authorities to ensure the prevention of homelessness.

Homelessness is an extremely stressful experience. There is a very large number of reasons it occurs. A young family may be asked to leave the parental home because there is no longer room for them to live there; a household may have to leave their accommodation because it is no longer safe for them to live in it; a person with a physical disability or illness may find that their home is no longer suitable for their needs; an individual may leave hospital, local authority care or the Armed Forces and have nowhere to go; a household may no longer be able to afford their rent or mortgage payments. Castle Point Borough Council has a strong corporate commitment to both tackling the causes of homelessness and alleviating the impact of the symptoms.

Castle Point is a popular place to live and there is high demand for all types of housing in the borough. Consequently, a high number of households are not able to meet their housing needs by renting or purchasing market-priced housing.

A review of homelessness in Castle Point has been carried out. Based on this, an action plan has been compiled. This is attached as Appendix 2.

We recognise that, in a time of great change, our homelessness and rough sleeping strategy action plan needs to be as agile and responsive as possible. Consequently, we will review the action plan on an annual basis to re-allocate priorities and resources as appropriate. We very much value our partnership working with the range of organisations in Castle Point who also work to prevent and tackle homelessness in the borough. We are confident that we can work together so that we address the challenges ahead to maximum effect.

Councillor Beverley Egan  
Cabinet Portfolio holder for Housing and Council Homes

November 2019

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## **Chapter 1: Setting the Scene**

### **1.1 The Growing Importance of Dealing with Homelessness**

There has been a growing recognition of the importance of preventing homelessness across Government, Local Authorities and within the homelessness sector. Increasingly, it is understood that failing to prevent homelessness is not only costly for the public purse, but hugely damaging and destructive for individuals who end up homeless.

Local authorities have an obligation to prevent, as well as to respond to homelessness. This is longstanding both in law and in good practice advice. Ever since the Housing (Homeless Persons) Act 1977, local authorities have been legally required to take reasonable steps to prevent people who are under imminent threat of homelessness, and classed as 'in priority need', from losing their existing accommodation. Since 1997, central Government has increasingly encouraged local authorities to adopt a more pro-active stance in tackling homelessness. Under the Homelessness Act 2002 local housing authorities must have a strategy for preventing homelessness in their district. This strategy must apply to everyone at risk of homelessness, not just those who fall within a priority need group for the purposes of Part 7 of the Housing Act 1996 (as amended).

### **1.2 The Impact of Homelessness**

*"Homelessness can have significant negative consequences for people who experience it. At a personal level, homelessness can have a profound impact on health, education and employment prospects. At a social level, homelessness can impact on social cohesion and economic participation."*

Homelessness Code of Guidance, 2006.

The number of households applying to Castle Point Borough Council for assistance under homelessness legislation and the number of households being accepted for assistance under homelessness legislation have increased significantly since the last homelessness review and strategy was produced in 2012. Homelessness is not just a housing related problem; it is often the most vulnerable members of the community who are affected, and it often incurs a high cost to other public sector areas such as health, education and welfare benefits.

### **1.3 The challenge of Homelessness**

Homelessness is the opposite of a planned route to settled accommodation. It poses the following problems for households, local authorities and other public sector agencies:

- a) Prior to making a homelessness application a household can be living in poor housing conditions, ranging from overcrowded homes and poor quality,

housing to the worst manifestation of homelessness which consists of sleeping outdoors.

- b) Homelessness incurs substantial costs to local authorities in accommodating households in temporary housing while they await the outcome of their homelessness application or an offer of settled accommodation.
- c) Its sudden nature can dislocate households from support networks, often leading to increased levels of stress and poor health.
- d) It can prevent households from focusing upon education and employment opportunities while they are in temporary accommodation. Homeless households may give up their jobs prior to moving into temporary accommodation because they have had to move further away from their place of work.
- e) High levels of homelessness can concentrate allocations of social housing disproportionately highly to homeless households, while households who attempt to access social housing as part of a planned move to settled accommodation have to wait longer to be allocated accommodation.
- f) Homelessness can impact on the stability of communities, particularly in areas where homelessness is very visible and there is high turnover of housing and population.
- g) There are significant levels of stress caused by housing conditions which lead to homelessness, severe relationship breakdowns, cramped living conditions, poor thermal warmth, fuel poverty and deteriorating levels of personal health.
- h) Homeless households often have severe financial difficulties and have difficulty paying their rent and mortgage, which exacerbates other stresses.

#### **1.4 Homelessness Prevention**

Homelessness prevention has become increasingly important, and a focus in the recent Homeless Reduction Act, which came into effect in April 2018. Homeless prevention is defined by the Government as:

*“Homelessness prevention’ means providing people with the ways and means to address their housing and other needs to avoid homelessness.”*

Homelessness prevention can be categorised as primary, secondary and tertiary as follows:

- Primary homelessness prevention involves action to avoid a household becoming homelessness. This is applied to activities that reduce the risk of homelessness among the general population, or large parts of the population. It is at this level of prevention that general housing policy (supply, access and affordability), and the overall ‘welfare settlement’ (such as the availability of income benefits, housing benefits, employment protection and so on) are most relevant.

- Secondary prevention is defined as action to prevent future homelessness from occurring. It is focused on people at high potential risk of homelessness because of their characteristics (for example, those with an institutional care background) or due to their experience of crisis situations which are likely to lead to homelessness in the near future (such as eviction or relationship breakdown).
- Tertiary homelessness prevention involves measures targeted at people who have already been affected by homelessness. The preventative emphasis at this level is more often focused on minimising 'repeat homelessness', that is, avoiding the occurrence of entirely new homelessness episodes.

The Government's Code of Guidance<sup>13</sup> further identifies three stages at which homelessness can be prevented:

- Early identification. Identifying people who are at risk of homelessness and ensuring that accommodation and any necessary support is available to them.
- Pre-crisis intervention. This can take the form of: advice and mediation services; proactive interventions, such as negotiating with landlords to enable people to retain their tenancies; and targeted services at known risk points, such as those leaving care, prison or the armed forces.
- Preventing recurring homelessness. Ensuring tenancy sustainment is central to preventing repeat homelessness where there is an underlying need for support to keep someone in their home.

### **1.5 Aims for Homelessness**

These have been derived from the review of homelessness in Castle Point and have resulted in identifying our policy approach as four aims:

- a) To **maximise the prevention of homelessness** through effective identification and intervention, assisting households to remain in their current settled home, or to inspire them to follow planned pathways to a settled home and to work in partnership with others.
- b) Where homelessness cannot be prevented, to provide **ensure the availability of good quality and affordable temporary housing** to relieve it and encourage tenancy sustainment.
- c) To work in partnership with organisations in and around Castle Point to provide **support to manage health and life issues**. To monitor and resolve key risks by improving aspects of the lives of homeless households including health, access to education and employment opportunities.
- d) To **maximise the capacity of the service to fulfil all our obligations** including working in partnership with others.

## **1.6 Priorities for Action**

The Homelessness Strategy Action Plan groups actions into four strategic priorities based on the aims set out above as follows:

- a) Prevention of homelessness
- b) Improving access to temporary accommodation.
- c) Providing support to manage health and life issues.
- d) Maximise the capacity of the service

## **Chapter 2: A profile of Castle Point**

### **2.1 Location and Challenges**

There are a number of factors that characterise the area of Castle Point, which is located in South Essex between Basildon and Southend:

Approximately 61% of Castle Point's land is designated as Green Belt. As a result, most of the Borough's population live within one of four towns Benfleet (22%), Canvey Island (43%), Hadleigh (14%), and Thundersley (21%).

The borough benefits from good links to London such as the Fenchurch Street railway line, the dual carriageways of the A13 and the A127, which link within half an hour to the M25 motorway. Castle Point as an area has a long history but is essentially modern in character, there are a few older buildings remaining although major re-development took place mainly between the two world wars. Whilst there has been major residential re-development in the area there remain large areas of public open space and woodland.

The Borough has many challenges:

- I. Low Skilled Economy - The level of out-commuting both impacts on and is influenced by the quality of local employment opportunities. Jobs within the Borough are generally low skilled. There is a high dependence on public sector work and the bulk of employment for local people is outside of the Borough. People who work in the Borough are unlikely to be able to afford to live here; in 2018 the ratio of median house prices to median workplace based (local) gross annual earnings was 10.7.
- II. Ageing Population - The population of the Borough is ageing. The proportion of people over the age of 65 is above average and a 19% increase is expected between 2015 and 2025. By 2030 a total of 30% of the population is projected to be 65 or over. This has implications for accommodation provision and healthcare services.
- III. Young People - Young people (under 20 years) will continue to make up over 20% of the population and it is important that their educational and social needs are met. Between 2015 and 2025, the 5-10 and 11-15-year-old year old

age groups will be the biggest growing age groups for children: an increase of 432 and 420 respectively. School places and services will need to be available to support these changes. There is currently a perception that young people do not have enough to do, resulting in crime and anti-social behaviour. This issue needs to be addressed to achieve greater community cohesion.

- IV. Skills and Qualifications - Castle Point has significantly lower numbers of people qualified at NVQ levels 2, 3 and 4 or above when compared to the national average. Just 17.5% of the population has qualifications at NVQ level 4 or above compared to the average for Great Britain of 38.2%. Pupil attainment in GCSE's is also below average. The percentage of pupils obtaining 5 A-C's in 2015 was 52.2% compared to the average for Essex of 57.6%.
- V. Health – For a variety of health statistics, Castle Point is around the average or better. However, the key issues relate to lifestyle factors including obesity, poor eating habits and below average physical activity. Castle Point has the highest smoking rate in the county (26.9% of the population) and is above the national average for obesity at 64.6% of the population. Castle Point also has the second highest rate of diabetes at 7.3% significantly above the national average at 6.4%.
- VI. Housing - There are 36,467 dwellings in Castle Point. The borough has a very high level of owner occupation with 85% owner occupied, (compared to 64% nationally and 72% for Essex). A further 9% are private rented and 6% social rented. Consequently, there is an acute shortage of affordable housing in the borough.
- VII. Affordability of Housing. Lack of affordable rented housing remains a significant issue in Castle Point. For example, the monthly rental of a one or two bedroomed property is on average £916 in the mainland against £830 (Eastern Esplanade) in Canvey Island. The gross weekly pay of a full time worker in Castle Point is £504.80 per week against a national average of £570.90 per week (2018 figures).

## **2.2 Key Facts**

Area 45.08 km<sup>2</sup> (17.41 square miles)

Rural Land Area 60%

Population 90,070 (Mid 2018 Estimate)

Population Density 1,921.2/km<sup>2</sup> (4,976 / square mile)

Households 37,005 (SHMA DCLG 2014 - p117)

Workforce 44,500 (Nomis 2019)

## 2.3 Unemployment

Approximately 6.7% were receiving main out of work benefits (November 2016). The national average was 8.4%. These figures are changing as Universal Credit is rolled out and it is not possible to undertake accurate comparisons at present.

## 2.4 Ethnicity

White 96%

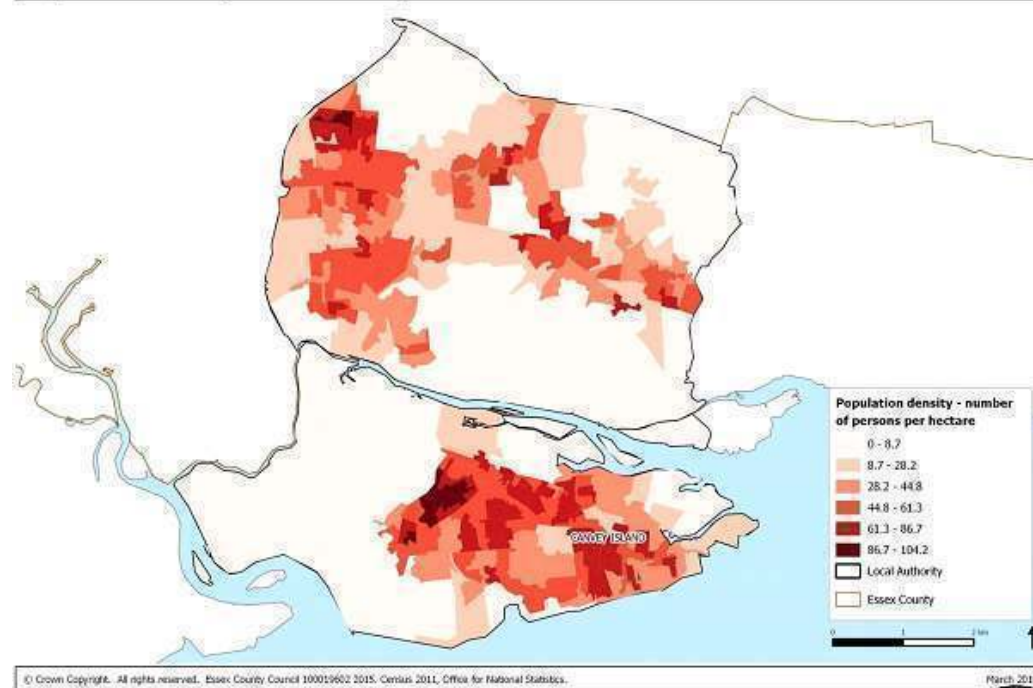
Asian 1.5%

Black 1.1%

## 2.5 Population Density

Castle Point has a population density of 19.21 persons per hectare, the second highest district in the county and considerably above the 4.0 average for the whole of Essex. The population density map below shows the highest rates of population are in the centre/south east of Canvey Island and within the towns of Benfleet and Hadleigh, although there are also expanses of low population density. Just 51% of the Castle Point district is classified as green space, the lowest proportion in the county (the Essex highest figure is 93% in Uttlesford): green spaces are important for wellbeing, community cohesion and for wildlife.

**Population Density in Castle Point, 2011**



## 2.6 Housing

A total of 82.9% of households in Castle Point are people that own their own homes (either with a mortgage or outright), more than nationally (64.2%) and the whole of

Essex (72.0%). There is a very low proportion of social tenants (5.4%), who may be impacted by low stock levels, and low proportion of private tenants (11.8%).

Castle Point Council is the second lowest stockholding Council in the Country with just over 1,500 homes. This results in a shortage of affordable housing for which there is an acute demand.

Lack of affordable housing remains a significant issue in Castle Point, for example 57.4% (November 2017) of households cannot afford a flat based on a mortgage at 3.0 times their income. This is more acute for first time buyers as illustrated in the table below:

### 3 times income

	Castle Point District (B)
	Percent of households priced out of market
FTB households - Flats	64.03%
FTB households - Terraced houses	82.25%
FTB households - Semi-detached houses	89.51%
FTB households - Detached houses	89.51%
Owner occupier - Flats	57.41%
Owner occupier - Terraced houses	74.35%
Owner occupier - Semi-detached houses	82.25%
Owner occupier - Detached houses	85.23%

House prices are increasing and for example lower quartile prices in Castle Point were £163,000 in February 2013 increasing to £244,000 in November 2017, a percentage increase of 49.7% in under five years. Affordable Housing is a generic term and includes rented social housing provided by a local authority or housing association, as well as schemes such as shared ownership and rent to buy (known as intermediate housing) to help people get on the property ladder.

## Chapter 3: The Strategic Framework

This strategy is part of a wider and more complex strategic framework which is expressed at national and regional levels as well as at a local level. The key elements will be explored in more detail within this strategy, whilst the table over leaf provides a summary:

National	Sub National	Local
Localism Act	South East Local Enterprise Partnership	South Essex Vision 2050

Industrial Strategy White Paper	Economic Plan (being refreshed)	Local Development Frameworks / Local Plans
National Planning Policy Framework		Local Regeneration Strategies
Local Growth White Paper		Local Investment Plans
National Housing Strategy	Affordable Homes Programme	Strategic Housing Market Assessment
Housing White Paper	Estate Regeneration Fund	Local Housing Strategies
Social Housing Green Paper summer 2018	Housing Investment Fund	Nomination Agreements
Private Members Bill – Homes (Fitness for Human Habitation & Liability of Housing Standards).	Garden Cities & Suburbs	Best Practice Guide (South Essex spring 2018).
	Planning Delivery Fund	
	Letwin Review of non-take up of planning permissions	
	Lifting HRA borrowing cap	
Department for Work and Pensions (DWP) Welfare Act		Local Homeless Strategy
Homelessness Reduction Act April 2018		
Rough Sleeping Strategy August 2018		Local Homeless Strategy
Health and Social Care Act 2012		Local Tenancy Strategy
Social Housing Green Paper summer 2018		
	Local Transport Plan	

## Chapter 4: National Pressures and Trends for Homelessness

### 4.1 Homelessness Trends

[The Homelessness Monitor: England 2017](#) is produced each year by the Joseph Rowntree Foundation and in 2017 shows that:

- Including informal 'homelessness prevention' and 'homelessness relief' activity, as well as statutory homelessness acceptances, there were 271,000

'local authority homelessness case actions' in 2015/16, a rise of 32% since 2009/10.

- 162 of England's 326 local authorities responded to the survey. Almost two-thirds (64%) are struggling to find social tenancies for homeless people, while half find it 'very difficult' to assist applicants into privately rented accommodation.
- Councils that responded to the survey are finding it particularly difficult to house homeless young people: 85% are having difficulties helping single people aged 25–34 into accommodation, and 94% said they expect greater difficulties in finding accommodation for homeless 25–34 year olds in the next 2–3 years.
- Loss of a private tenancy accounted for 31% of those accepted as homeless in England.

In September 2017 the National Audit Office set out a report on Homelessness which stated:

"Homelessness in England in each of its various forms has increased in recent years. The number of rough sleepers stood at more than 4,000 in the autumn of 2016, having increased from fewer than 1,800 in the autumn of 2010. The number of homeless households in temporary accommodation has also increased, rising from fewer than 49,000 in March 2011 to around 77,000 in March 2017. The use of temporary accommodation is concentrated in London, and 70% of households in temporary accommodation are placed there by London boroughs. 4 In response to increasing homelessness pressures, demand for local authorities' prevention activities has also increased in recent years. The number of prevention cases increased from just under 141,000 in 2009-10 to just under 200,000 in 2016-17. Local authority assistance to prevent homelessness includes support to enable families at risk of homelessness to stay in their own homes, or to secure alternative accommodation."

The level of homelessness has increased nationally over the last few years as has the number of households placed into temporary accommodation. This trend has been mirrored in Castle Point. Since the last homelessness strategy was produced in 2012 the Government has maintained a focus on homelessness prevention while at the same time introducing a range of welfare reforms and annual reductions in government grants to Local Authorities. Welfare reforms have included the introduction and extension of benefit caps (£258 maximum per week for a single person and £385 maximum per week for a household with children) and the roll out of Universal Credit. A main theme that has been consistently stressed throughout this time is the need for partnership working as Local Authorities cannot tackle the issues of homelessness on their own but need to work strategically with others. This was particularly emphasised by DCLG's 2012 publication 'Making Every Contact

Count - A Joint Approach to Preventing Homelessness. This introduced 10 local challenges for authorities to adopt.

A report on Homelessness published by the National Audit Office in September 2017 found that:

“Changes to Local Housing Allowance are likely to have contributed to the affordability of tenancies for those on benefits and are an element of the increase in homelessness. Since 2011, the Department for Work & Pensions has introduced a series of welfare reforms, including capping and freezing Local Housing Allowance. These reforms have been designed to reduce overall welfare spending and to provide incentives for benefit recipients to take up employment. They have reduced the amount of household income that it is possible to derive from benefits where the Local Housing Allowance applies. At the same time, rents in the private rented sector in much of the country — London in particular — have increased faster than wage growth. All of these factors appear to have contributed to private rented properties becoming less affordable, which in turn is likely to be contributing to homelessness caused by the ending of an assured shorthold tenancy.”

During the life of this strategy additional legislation and planned welfare benefit changes have also impacted on the Council and its partners' prevention of homelessness initiatives. All local authorities also have additional statutory duties to prevent homelessness since the implementation of the new Homelessness Reduction Act in 2018. In addition, Universal Credit Housing costs can no longer be claimed by 18-21year olds making claims after 1st April 2017, under 35-year olds in the social and affordable rented sector will be subject to the reduced local housing allowance rates applied currently to private rented dwellings. These changes not only impacted the ability of people to afford to remain in accommodation but also on the Council's abilities to assist them into new accommodation which is affordable to them.

### **Key facts - England (Source NAO September 2017)**

60% increase in households in temporary accommodation since March 2011

77,240 households in temporary accommodation at March 2017

£1.15bn local authority spending on homelessness services during 2015-16

88,410 homeless households that applied for homelessness assistance during 2016-17

105,240 households threatened with homelessness and helped to remain in their own home by local authorities during 2016-17 (increase of 63% since 2009-10)

4,134 rough sleepers counted and estimated on a single night in autumn 2016 (increase of 134% since autumn 2010)



Category	2011	2016	2021	2026	2031	2036	2041
Rough Sleeping	5,000	8,000	10,000	15,000	18,000	27,000	38,000
Hostels	40,000	34,000	34,000	34,000	34,000	34,000	34,000
Unsuitable temporary accommodation	7,000	17,000	18,000	34,000	42,000	70,000	112,000
Sofa Surfing	35,000	60,000	60,000	65,000	80,000	89,000	106,000
Other	16,000	24,000	26,000	34,000	41,000	56,000	75,000
<b>Total</b>	<b>103,000</b>	<b>143,000</b>	<b>148,000</b>	<b>182,000</b>	<b>215,000</b>	<b>276,000</b>	<b>365,000</b>

It is evident that homelessness is set to increase exponentially and will increase by 155% between 2016 and 2041. In the medium term the increase between 2016 and 2026 will be 27%.

### 4.3 National Requirements Relating to Homelessness

There is a range of legislation, including the Housing Act 1996, The Homelessness Act 2002 and the Homeless Reduction Act 2017 as well as a Homeless Code of Guidance for local authorities which can be found on the following web link:

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-2-homelessness-strategies-and-reviews>

This sets out the national requirements and refers to some key legislation which is further detailed in Appendix 1 of this strategy.

## Chapter 5: Regional and Local Issues

### 5.1 Increasing Homelessness Over Time

The impact of austerity and the resulting legislation has, in common with many other areas across the country, resulted in a significant increase in homeless households within Castle Point. This is illustrated in the figures for the number of people in Homeless Accommodation which at 30th June 2014 was 59. As at the end of March 2018 this had increased to 132, a growth of 124%. The number of households, under the threat of homeless, that have approached the authority in the same period has increased from 160 to 265 and the number of homeless applications increased from 98 to 228.

Furthermore, statistics taken from government returns reveals the following:

	2010/2011	2017/2018
Number of cases Unintentionally homeless and in priority need.	37	73
Number of cases where positive action succeeded		

in preventing homelessness.	127	112
Total cases in accommodation arranged by the local authority at the end of the financial year.	61	132
Total number in bed and breakfast or hostel accommodation/shared accommodation at the 31 <sup>st</sup> March.	15	26

This table demonstrates that the number of cases assessed as unintentionally homeless and in priority need has doubled in seven years. Conversely the number of cases with successful action to prevent homelessness has gone down by 22%. The total number of cases in accommodation arranged by the local authority has more than doubled, whilst the total number of cases in bed and breakfast accommodation has increased by a further 11 cases. Bed and Breakfast is used as a last resort and it is unlawful to keep a household in a Bed and Breakfast for more than 6 weeks if pregnant or have dependent children.

The focus of the Homelessness Reduction Act 2017 puts greater emphasis on prevention, and it is evident that more work needs to be undertaken in this area to help reduce the number of people housed in temporary accommodation arranged by the local authority. For example, it is recognised there is a need to develop more access in Private Rented Sector accommodation for those at risk of homelessness.

It is important to note that there is no recorded rough sleeping in Castle Point, and this is a result of the assistance on offer through rent deposits, benefits advice, partnership working and at times with accommodation.

## **5.2 Projections for Homelessness in Castle Point**

The increase in homelessness in Castle Point has been almost double the national trend. Nationally, the number of homeless households accommodated by local authorities was 55,320 in March 2013, compared to 79,880 in March 2018. This is an increase of 44%. The increase in Castle Point was 72 households in March 2013 to 135 in March 2018 an increase of 87.5%.

In the medium term, as set out in paragraph 4.2, the analysis of future increase in homelessness nationally between 2016 and 2026 will be 27%. It is therefore assumed that this will at least be a similar increase in Castle Point. However, given the compact nature of the local authority, the relatively high level of population density, and the demand for housing as illustrated by objectively assessed needs analysis set out in the Local Plan, the increase in homelessness is likely to be significantly greater and can be assumed to be approximately 50%. This does not

include considerations such as the caravan park at Thorney Bay, which could result in a further increase in homeless households as it is re-developed.

### **5.3 Reasons for Homelessness**

Further analysis of the statistics reveals the differing reasons for homelessness which are as follows:

<b>Reason</b>	<b>2017/2018</b>
Parents no longer willing or able to accommodate.	18 24.6%
Other relatives or friends no longer willing or able to accommodate.	6 (8.2%)
Violent breakdown of relationship, involving partner.	8 (10.9%)
Rent arrears in Private sector dwellings.	10 (13.6%)
Termination of assured shorthold tenancy.	12 (16.4%)
Other	19 (20.5%)
Totals	73

The three largest causes of homelessness for which there is a clear definition is households being made homeless from their private sector tenancies at 30% (combination of termination of assured shorthold tenancy and due to rent arrears), followed by young people where parents are no longer willing to accommodate at 24.6%. Domestic violence is the third largest cause of homelessness at approximately 8%. These statistics help illustrate the complexity of individual cases and the differing reasons for homelessness. However, it is clear that nationally there has been an increase in homelessness driven by an increase in the number of households experiencing termination of short-term tenancies. A report by the National Audit Office in September 2017 states:

“The ending of private sector tenancies has overtaken all other causes to become the biggest single driver of statutory homelessness in England. The proportion of households accepted as homeless by local authorities due to the end of an assured shorthold tenancy increased from 11% during 2009-10 to 32% during 2016-17. The proportion in London increased during the same period from 10% to 39%. Across

England, the ending of private sector tenancies accounts for 74% of the growth in households who qualify for temporary accommodation since 2009-10. In addition, it appears likely that the decrease in affordability of properties in the private rented sector, of which welfare reforms such as the capping of Local Housing Allowance are an element, have driven this increase in homelessness.”

Consequently, it can be assumed that the increase in homeless households in Castle Point between 2010/2011 and 2017/2018 demonstrates a similar pattern to that nationally with the ending of private sector tenancies being one of the biggest single drivers for the increase in homelessness.

### **5.5 Profile of Households that are Homeless / Equality Monitoring Data**

Many of the households becoming homeless have dependent children. In 2017/18 a total of 45 households (63.4%) had dependent children. A further 8 households had a member with a physical disability and there were 14 households with a member who had a mental illness or disability. Most applicants (85) were placed in temporary housing for the foreseeable future.

Virtually all applicants are identified as white, as can be seen from the following table:

#### **Clients who were found to be eligible unintentionally homeless and in priority need**

<b>Ethnicity</b>	<b>2010/2011</b>	<b>2017/2018</b>
White	36	70
Not Stated or Recorded	1	1
Black or Mixed		2

### **5.5 Age Profile of Clients**

The age profile of clients during 2018 is as follows:

Total owed a prevention or relief duty			16-17	%	18-24	%
April-June 2018	74	100%	3	4%	16	22%
Assessed as requiring a support need			3		7	
July-September 18	73	100%	2	3%	6	8%
Assessed as requiring a support need			2		4	
Oct-Dec 18	65	100%	1	2%	10	15%
Assessed as requiring a support need			1		6	

25-34	%	35-44	%	45-54	%	55-64	%	65-74
21	28%	15	20%	8	11%	9	12%	0
20	27%	23	32%	12	16%	6	8%	3
23	35%	13	20%	10	15%	4	6%	1

%	75+	%	Not known	%
0%	2	3%	0	0%
4%	1	1%	0	0%
2%	3	5%	0	0%

It should be noted that most 16-24-year olds homelessness are prevented or relieved into supported housing following referrals to EYPP (Essex Young Persons Panel) commissioned and co-ordinated by Essex Social Care. However due to shortage of spaces clients often spend a significant amount of time in interim accommodation.

Castle Point do not have many homelessness care leavers. The social care's "stay put" scheme (a young person in education staying with foster parents when they turned 18) assists with this and the Council's Allocations Policy, allows care leavers to retain their effective application date once a young person becomes 18.

### **5.6 Rough Sleeping in Castle Point**

Rough sleeping in Castle Point is not a significant issue. This is illustrated in the table below, which counts the number of rough sleepers since 2017:

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of Rough Sleepers	1	1	1	2	0	0	0	0	0

### **5.7 Availability of Temporary Accommodation**

The Council sources its temporary accommodation from various areas including the following:

**Bed and Breakfast:** The Council has access to three Bed and Breakfast establishments within a neighbouring authority, also used by other Essex and London authorities.

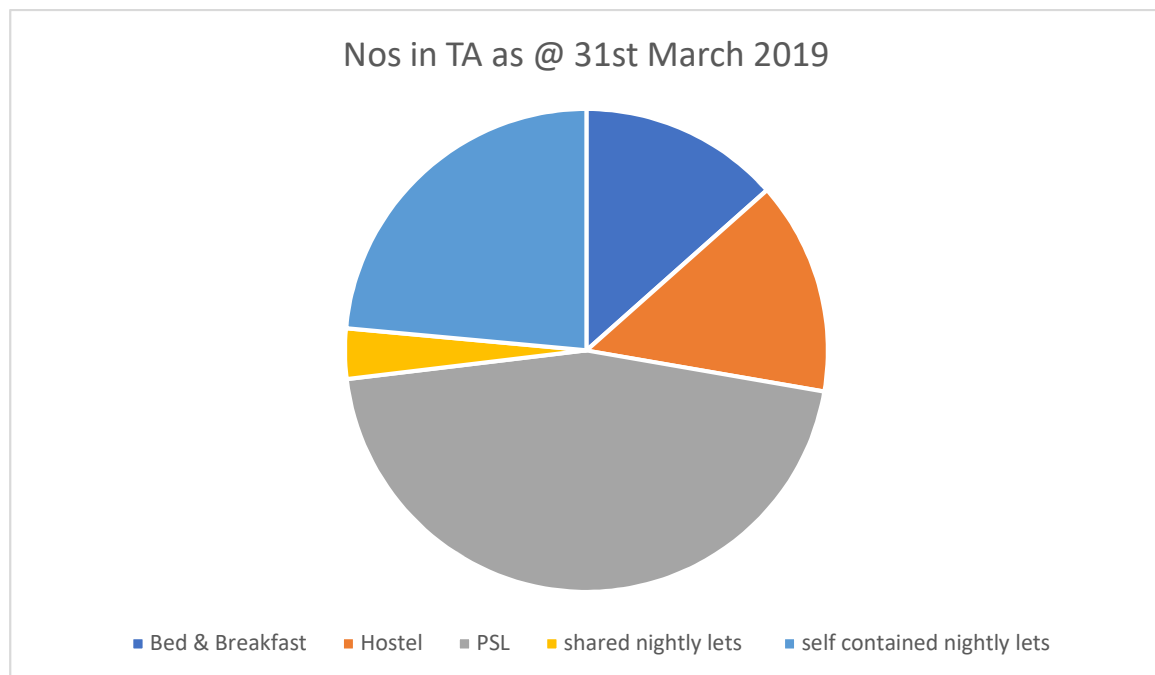
**Hostel:** The Council has access to one privately managed hostel within a neighbouring authority, which is also used by other authorities. In addition, the

Council owns its own facility at 2 Camperdown Road Canvey Island, which includes rooms for 8 homeless people.

Nightly Lets: To avoid the use of Bed and Breakfast/Hostel accommodation, the Council enters into nightly lets agreements via an Agency acting for various landlords within the private sector.

Private Sector Leasing: The Council has access to 59 units, 10 of which are in Basildon.

We will on occasion utilise our existing stock for temporary accommodation when there are no suitable alternatives.



### **5.8 Development and acquisition of multiple forms of Temporary Accommodation**

The Council acquired and refurbished hostel accommodation at 2 Camperdown Road in 2016 consisting of 8 rooms. However, this form of first stage accommodation does not meet the needs for families with two children or more who are housed with accommodation outside the borough.

We have started to construct 9 units of first stage temporary accommodation for homeless households at Hatley Gardens and plans to complete the construction in early 2020 which will better meet the needs of families.

We are reviewing further development opportunities to increase our stock, and this will likely include additional first stage accommodation. The majority of our development is on redundant garages sites.

This will assist in reducing the current burden of out of borough placements.

## **5.9 Preventing Homelessness**

The service works with several agencies to help prevent homelessness. This includes:

Peabody – A range of advisory services are provided and include a site office at Thorney Bay as well as at the Council Offices to help people with advice, guidance and signposting to services that can assist people to retain their home or find alternatives depending on individual circumstances.

The Council also manages a rent deposit guarantee scheme which provides Landlords with a rent deposit and rent in advance that has been loaned to the applicant by the Council. The number of households that have been housed under this scheme in 2017/18 totals 63 and since the implementation of Homelessness Reduction Act 116 household were assisted during 2018/19.

Castle Point is part of the South Essex Domestic Abuse Hub (SEDAH). This is a partnership between Basildon, Brentwood, Castle Point, Rochford and Thurrock Councils, Changing Pathways and South Essex Pate and Incest Crises Centre. The partnership was set up to provide a single point of access to all domestic abuse related services and to safeguard the provision of refuge accommodation.

Additional funding has been secured to expand the work of SEDAH

The Council works very closely within its internal Housing Management Team and Housing Association Partners to sustain existing resident(s) tenancy by co-ordinating appropriate outcome and support via Housing Benefits, Community Engagement Officer (appointed by Castle Point but funded by Department of Work and Pensions), and voluntarily agencies such as Castle Point Association of Volunteers (CAVS).

## **5.10 Implementation of the Homelessness Reduction Act**

Number of changes were undertaken by the Housing Services and these include:

Amalgamation of the Housing Options and Housing Applications service to generate efficiencies, provide greater time for Homelessness advice at the first point of contact and to provide a greater focus on assessments and preventative work.

Small increase in staffing to help cope with the demand requirements to ensure the provisions of the Homelessness Reduction Act is implemented effectively and to design working practices accordingly.

Staff have been on various training courses, including the National Homelessness Advisory Service (NHAS) webinar training on the new legislation. In addition, through the Essex Housing Officers Group staff have attended other training and workshop type events.

Upgraded the Abitras case load ICT management system to deal with the requirements of the new act, including Webinar training to use the new system. The Abitras system also enables the migration of legacy cases into the new system.

The team has also obtained a range of tools from the London Borough of Southwark who were one of the pilot authorities, to adapt for use in delivering the new duties, such as Personal Housing Plans and decision letters.

Whilst the service is based in the main office in Benfleet in the Civic Centre, work has been undertaken to ensure services are accessible to the area of Castle Point. Through working with the Housing Benefit Service, the Department for Work and Pensions, the County Council and the voluntary sector there are a range of preventative services who deliver surgeries from a community centre within a mobile home in Canvey Island.

Staff undertake home visits where there is a risk of parental eviction. As a result, there has been a drop, in acceptances of the main homelessness duty of around 20% from dates 2013.

As Castle Point Council is comparatively small, partnership is essential to broaden capacity. A review of the arrangements was carried out prior to the Homelessness Reduction Act being implemented and it was found that there is a strong partnership working across the public and voluntary sector in Castle Point. A particular focus of partnership working has been in response to concerns about housing and vulnerable people living in the Thorney Bay site on Canvey Island. Through this the Housing Options Service has formed close and positive relationships with key agencies, including the Department for Work and Pensions (DWP), the Police and the County Council, as well as several community and voluntary agencies.”

### **5.11 Caravan Sites**

Under section 124 of the Housing and Planning Act 2016, which amends section 8 of the Housing Act 1985, housing authorities have a statutory duty to consider the needs of people residing in or resorting to their district with respect to sites for caravans and the mooring of houseboats.

Castle Point has a number of caravan sites in the borough, and this is further detailed in the table below:

<b>Site</b>	<b>Total Units</b>	<b>Total Rented Units</b>	<b>Static Holiday Caravans</b>	<b>Park Homes</b>	<b>Chalets</b>	<b>Paying Council Tax</b>	<b>In receipt of Housing Benefit</b>
	<b>(Data provided by site owner/manager)</b>					<b>(CPBC records)</b>	
<b>Thorney Bay Village</b>	817	590	590	-	-	639	263

<b>Kings Park Village</b>	834	59	-	26	33	765	194
<b>Kingsley Park</b>	84	1	-	1	-	76	28
<b>Holehaven</b>	32	26	26	-	-	32	18

The key issue for the borough is the use of static holiday caravans for Leisure use throughout the year. These are designed for Leisure use and have a number of associated housing issues:

**Damp and Mould and Excess Cold** due to potential inadequate heating and insulation, poor thermal insulation and limited heating.

**Potential Overcrowding** due to potential inadequate size rooms for the household, numbers of bedrooms etc.

All the issues above can be associated with static holiday caravans especially those conforming to older versions of the British Standards.

As the caravans are designed for Leisure use, they lack the thermal efficiency of Park Homes. Consequently, they are costly to heat and cannot maintain heat efficiently.

These issues focus primarily on the caravan site at Thorney Bay, which has about 590 static leisure caravans that provide accommodation year-round for families. Almost half of these are in receipt of housing benefit. As the site gradually moves to owner/occupiers, many residents will be displaced. A number of these are vulnerable people including single parent families, elderly etc.

It is understood that the site owners plan to develop the site into a Park Homes site within the next three years. Whilst this will help deal with the issues above, the business model for the development of the site and placement of park homes will inevitably result in a large number of families that currently rent accommodation being made homeless. The biggest risk for the Council is the capacity to deal with a potential influx of a large numbers of homeless people.

Consequently, the Council is currently liaising with the site owners and site management to progress a measured and co-ordinated process to the development and to explore a process which will not result in a sudden influx of homeless households.

## **5.12 Travellers**

Section 175 of the Housing Act 1996 specifically identifies travellers on unauthorised sites as homeless. Within Caste Point, travellers attempting to find sites for illegal encampments are managed by the Essex Countywide Traveller Unit. The Unit is a

partnership of Essex County Council, local councils, Essex Fire and Rescue Service and Essex Police. It aims to support Gypsies and Travellers to access services, including:

- supporting children into school and further education
- health services
- site and home fire safety visits

There are no registered traveller sites in Castle Point, and the nearest registered site is at Hovefield in Basildon Borough Council. The Council is working, through the development of the Local Plan, with other local authorities to help locate further sites in the region.

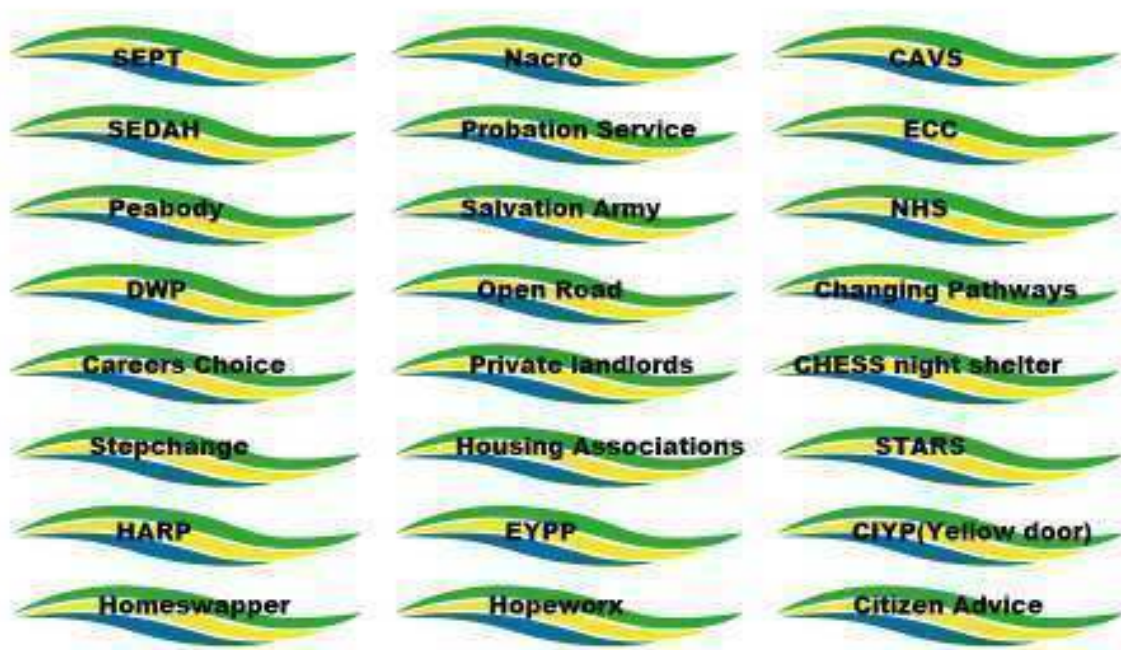
### **5.13 Partnership Working**

Homelessness is not something that a single organisation or local authority can resolve. By its very nature preventing homelessness is a complex series of actions and a 'one size fits all' approach is not an appropriate strategy.

Partnership working and engaging key providers for support is crucial in dealing with people faced with homelessness.

Castle Point currently and will continue to work collaboratively with other housing providers, statutory and voluntary groups to prevent and relieve homelessness.

Our partners include the following:



## Chapter 6: Stakeholder Consultation Results

To help develop this strategy, consultation was undertaken with various partner organisations, councillors and service users. The results of this consultation is detailed below:

### **6.1 Stakeholder Consultation Workshop 6<sup>th</sup> July 2019**

A broad range of organisations were invited, and Councillors also attended. Representations from organisations included:

- Castle Point Borough Council
- Rochford District Council DWP
- Peabody Outreach Support Manager
- Job Centre
- Basildon Council
- Essex County Council
- Badgers supported Housing
- Brentwood Council
- Castle Point Council
- HM prison and probation services
- Moat Housing
- Thurrock Council

The workshop looked at a number of possible priorities, and attendees were divided into groups to examine particular issues and were invited to discuss these and add any further considerations. This included the following:

#### **Issue 1: Loss of privately rented housing:**

The group were informed that the loss of privately rented housing is one of the 3 main causes of homelessness in Castle Point. The Council is planning with the new Strategy to:

- a) Work much more closely with private landlords, letting agents and caravan parks to ensure housing and welfare benefits advice is available to residents much earlier.
- b) Establish an in-house Social Lettings Agency working with private Landlords to manage their properties

The group considered this issue, and concluded that

- Actions are generally appropriate, other considerations relevant to this issue included:
  - Learning from other Local Authorities
  - Arrangements for DWP to make payments direct to Landlords
  - HMP to offer pre-release advice and wider support. Advise which bank of housing is directed towards vulnerable people
  - Peabody to encourage landlords to tap into help before it gets too bad.
  - Lettings agents - problems guarantors. Notices served

- Basildon consider offer of incentives to landlords £1000. Repairs fund. Tenancy sustainment. Stigma. Bond for rent arrears Review of Local Housing Allowance Rates. Longer tenancies. Rent in advance, loans etc
- Lettings: Limited stock, huge demand

## **Issue 2: Improving the offer to the private sector**

The group were asked what the Council can do to improve its offer to private landlords to prevent homelessness and encourage landlords to offer more accommodation to households on low incomes?

Responses included:

- Council could offer support packages.
- Provide more information, newsletter (direct to Local Agencies), forums including South Essex. Incentives to Landlords
- Deposit schemes.
- Pay rent in Advance.
- Bonds.
- Local Housing Allowance Rates
- Families benefit capped.
- Disability
- Suspension of benefits. Irritate landlord who then wants to end tenancy
- Lower rents
- Lower Guarantor amount
- Engage all partners

## **Issue 3: Domestic abuse**

The group were informed that the loss of accommodation due to domestic abuse from a partner is one of the 3 main causes of homelessness in Castle Point. The Council is planning with the new Strategy to continue to work in partnership with the South Essex Domestic Abuse Hub (SEDAH) providing a single point of access for victims and consistency of approach across the partner authorities (Basildon, Brentwood, le Point, Rochford and Thurrock Councils)

The group considered this issue, and concluded that

- The action is generally appropriate, other considerations relevant to this issue included:
  - Explore future funding post 2021
  - Regular liaison with SEDAH and DWP
  - Extending 'Make a stand'
  - More robust on victim / perpetrator. Robust policy
  - Promoting healthy relationships, tenancy sustainment, resettlement advice
  - Peer review of front-line services within the partnership. Mystery shopping

- A provision of equality for BME and LGBT and people with complex needs
- Work on reciprocal arrangement
- Review provision in reception

#### **Issue 4: Parental Eviction**

The group were informed that the loss of accommodation due to parental eviction is one of the 3 main causes of homelessness in Castle Point. The Council is planning with the new strategy to:

- a) Carry out home visits for all young people where they are at risk of eviction from the family home.
- b) Target advice and support services to young people who may be at risk of homelessness before a crisis arises through closer partnership working with Social care and other Statutory and Voluntary agencies.

The group considered this issue, and concluded that

- Actions are generally appropriate, other considerations relevant to this issue included:
  - Signposting, early identification in schools
  - Duty to refer / meet with parents and family / provide housing advice / assist to apply for benefits / fill out forms etc
  - Early signposting, recognising need rather than wait for approach (advertise in schools etc)
  - Better to deal with early at home.

#### **Issue 5: What could the Council do to improve its offer to young people at risk of eviction from the family home?**

Responses from the group included the following:

- Working in schools / colleges
- Promote Peabody drop in more widely
- Get out there
- Encourage working with Jobcentre / job coach to seek work (ultimately to improve their housing situation. /Advisers go into schools, perhaps good idea to have similar from CPBC Housing Officers (early intervention, visit schools/colleges etc.
- Utilise ECC Education advisers – although it can be difficult to reach in schools due to strict curriculum. Need to get info out there to youngsters on the fact they will eventually want to move out and to lay out the pathway to do it in a managed way. Need to demonstrate on how employment is more beneficial than benefits
- Outreach to youths Capturing problem before it's a problem. Directing youths early on. Need to teach life skills.
- Teach about housing/jobs/pensions

## **Issue 6: Tenancy Sustainment**

The group were informed that the loss of accommodation due to tenancy breakdown within both private and social sectors is of great concern in Castle Point. The Council is planning within the new strategy to work closely with partner agencies including social landlords and social care services as well as the voluntary sector to coordinate and ensure the right advice and guidance is provided to clients to minimise the risk of becoming homeless.

The group considered this issue, and concluded that

- The action is generally appropriate, other considerations relevant to this issue included:
  - By building what already happens
  - Behaviour changes
  - DWP relations
  - Early intervention
  - Being on the same page, having a seat around the table
  - Consistent approach
  - Peabody support – affordability
  - Reduce deductions for other debts
  - Affordable payment arrangements
  - Mental Health team, Children's services, police
  - Sharing information – data privacy as well
  - Knowing complex needs. Offering multi agency support.

## **Issue 7: What can the Council do to improve its offer to households struggling to maintain their tenancies and help prevent homelessness?**

Responses from the group included the following:

- Build on current joint working
- Specialities in team
- Additional support and sustainment have been brought in
- Continue to review need
- Local Members involvement
- Landlord incentive scheme
- Rent guarantee scheme
- Affordability – Plan / Peabody / debt Counselling / Post tenancy checks
- Safeguarding community Safety
- Homeless reduction fund
- Tenancy sustainment post
- Rent Deposit Scheme
- Help from education – free school meals
- Rent deposit scheme
- Payment arrangements
- Landlord trust
- PSL's Housing Assoc

- Landlord forum

Finally, the workshop included consideration of 3 identified priorities:

1. Maximise Homelessness prevention
2. Ensure the availability of Good Quality and affordable temporary housing
3. Maximise the capacity of the service to fulfil our obligations and continuously improve our performance

These were considered to be broadly correct. Further work was necessary in some areas. For example, discussion on setting up an in-house Social Lettings Agency had concerns about how such an arrangement worked. It was agreed that the three priorities would be adopted, and further work would be undertaken to consider the additional ideas that had been suggested during the day to help develop robust actions. The action plan is set out in Appendix 2 of this strategy.

## **6.2 Feedback from Clients using the Service**

It is recognised by the Homelessness service that it is important to obtain regular feedback from clients about their experience, including the range of issues such as service access, advice received, quality of accommodation and overall satisfaction. Consequently, an action for obtaining continuous feedback from clients using the service has been identified and is set out in the action plan attached as Appendix 2.

## **Chapter 7: Summary of Homelessness Issues Facing Castle Point**

1. The impact of welfare reforms, capping benefits, and the increase in private sector rents in Castle Point has contributed to a significant increase in the number of homeless households, from **37** in 2010/2011 to **93** in 2016/17.

2. There is a lack of suitable temporary accommodation to house homeless families.

3. More work needs to be undertaken to prevent homeless. For example, 127 cases were successfully prevented in 2010/11. This decreased to 112 in 2017/18. This is in the context of an increasing demand for homeless services and the lack of suitable and/or affordable housing within both the social and private rented sector.

Furthermore, the Homelessness Reduction Act puts new requirements for Council's to prevent homelessness.

4. The Homelessness Reduction Act sets out new requirements in a range of areas. This includes:

- a) Extends the number of days from 28 to 56 if accepted as threatened with homelessness. In addition, people who have received a valid notice under section 21 of the Housing Act 1988 and the expiry date is within 56 days, are treated as being threatened with homelessness.
- b) To provide or secure the provision of free services to give people in their area information and advice on:
  - Preventing homelessness
  - Securing accommodation if homeless
  - The rights of people who are homeless or threatened with homelessness, and

- Any help that is available for people who are homeless or likely to become homeless as well as how to access that help
- c) Legally obliges LAs to assess and provide more meaningful assistance to all people who are eligible and homeless or threatened with homelessness, irrespective of their priority need status.
- d) LAs must aim to reach an agreement with applicants on a personalised plan which must be recorded and should set out the steps the applicant and the authority are required to take to ensure accommodation is secured and/or retained.
- e) LA's must take 'reasonable steps' – with reference to the applicant's assessment - to help them avoid becoming homeless.
- f) Once triggered the relief duty continues for 56 days, unless it is brought to an end via one of the prescribed conditions.
- g) All care leavers under the age of 21 will be considered as having a local connection with an area if they were looked after, accommodated or fostered there for a continuous period of at least two years.

This has required an implementation process as described earlier, such as small increase in staffing, system changes, amalgamation of teams and working practices. It also requires careful monitoring to ensure compliance with all the requirements of the new act. The government provided a grant of £100,318 over three years to partially assist with the implementation of the new requirements.

5. The Caravan park at Thorney Bay rents a total of 590 units. There are plans for the site to be developed into Park Homes over a three-year period and there is a risk of a significant number of households currently living in the site to become homeless. The Council is currently liaising with the site owners to establish a managed process for the transition to the new arrangements.

6. There is a need to develop greater understanding and use of Private Rented Sector accommodation for Homeless People. Some local authorities have set up their own lettings agencies working with private sector landlords to increase the supply of affordable private sector rented accommodation.

7. Following the impact of welfare reforms, there is a need to undertake work to ensure Welfare benefit reforms such as UC are effectively understood by clients and the service continually adjusts to meet those requirements supported through the launch of a South Essex Nominations Best Practice Guide (spring 2018).

9. The combination of the impact of welfare reform, benefit capping and private sector rent increases (along with limitations in the amount of rent that can be paid by housing benefit) and the issues with Thorney Bay and the introduction of UC means there will continue to be increasing numbers of households that are homeless and an increasing demand on services.

10. The implementation of the new and more onerous requirements of the Homelessness Reduction Act, along with the demand pressures facing the service means that resources are stretched and there is a need increase capacity as well as consider Smarter ways of working.

11. The prevention of Homelessness is key to the success of the service going forward. Further work needs to be undertaken to fully explore all possible approaches can be undertaken to prevent homelessness. For example:

- Appropriate advice and information is provided to households threatened with homelessness.
- Early identification to identify people at risk of homelessness.
- Pre-crisis Intervention to effectively prevent a household becoming homeless.
- Preventing recurring homelessness by identifying applicants most at risk.
- Further use of partnership arrangements as appropriate.

12. There is a need to ensure a sufficient supply of accommodation, including increasing supply and access where possible of:

- Social and affordable housing (For example by increasing the numbers by new builds as well as examining and reviewing the allocations policy)
- Temporary Accommodation
- Private Rented accommodation
- Supported and refuge accommodation
- Low Cost home ownership schemes

Given the profile of housing in the borough, with one of the highest owner occupancy rates in the UK, the need for increasing the supply of private rented accommodation is paramount, although other supply sources should be investigated.

13. There is also a need to provide effective support as some homeless households need more than housing but need personal support for issues such as relationship breakdown, domestic abuse, mental health problems, drug and alcohol addiction, poverty and employment. Support should include focus on:

- Single People
- Families
- Victims of domestic abuse.

14. We need to work closely with other agencies to ensure effective homelessness prevention and to ensure clients receive the full range of services they need. There have been cases where clients have been dropped off at Council offices with little or no prior warning to the Housing Options and Advice Service.

## **Chapter 8: Key Priorities**

The following priorities have been identified to deal with the issues identified in this Strategy:

### **1. Maximise the Prevention of Homelessness**

Becoming homeless is a traumatic experience that is hard to escape from, damaging physical and emotional well-being along the way. Also, there is a shortage of settled housing and the costs of temporary accommodation are significant. We need to maximise the prevention of homelessness through the following objectives:

(a) To continue to monitor compliance of the Homelessness Reduction Act.

At the heart of the Homelessness Reduction Act is the prevention of homelessness and the Council will work closely with clients, partners and agencies to ensure all the requirements are effectively embedded in our day to day operations.

(b) Work with private sector landlords to reduce the number of evictions. We will continue to work with private sector landlords and make arrangements', to ensure as much as possible, that households are not made homeless. We will work closely with the caravan parks to look at long term solutions that see the reduction in use of leisure caravans as living accommodation whilst ensuring minimal displacement of households.

(c) Work closely with partner agencies including social care services as well as the voluntary sector to co-ordinate and ensure the right advice and guidance is provided to clients to minimise the risk of becoming homeless.

(d) Work intensively with families to provide mediation and clear pathways into independent living to reduce young people from becoming homeless.

(e) Work with victims of domestic abuse, to ensure that all needs are met by collaborative work with the South Essex Domestic Abuse Hub.

(f) Work with landlords of all tenures to provide tenancy sustainment; particularly with households who are affected by Welfare Reform reductions and Universal Credit transition.

(g) Look to develop our own in-house social lettings agency. We will work with the private sector and in liaison with landlords to identify suitable private sector accommodation. This will include developing agreements and schemes with landlords to provide an assured rent and to manage the accommodation on their behalf.

## **2. Ensure the availability of good quality and affordable temporary housing**

If we cannot prevent homelessness, we need to ensure arrangements are made to house people in accommodation which is both affordable and of good quality. We will undertake work to do this through the following:

- (a) Construct good quality short term accommodation. We expect to construct or acquire an additional 16 units of temporary accommodation by March 2021 and hope to see the first Council owned house in multiple occupation in Benfleet completed by March 2020. We are also acquiring a home in North Avenue for temporary accommodation and will be developing Solby House for furnished temporary accommodation by March 2020.
- (b) Improve access to temporary and short term settled accommodation. We will undertake a project in liaison with other local authorities to establish a managed rents scheme and / or in-house social lettings agency to secure more private sector rented accommodation.

### **3. Providing support to manage health and life issues.**

We need to work closely with partners to ensure sound advice is provided to all our clients to help them manage their housing needs and to provide support to ensure the longer-term sustainability of tenancies such as debt management. This has become increasingly important following the impact of Universal Credit and the requirement for claimants to be responsible for their own budget management.

We will also work closely with partners to ensure more specialist services are in place to help and assist clients in times of crisis and provide refuge for issues such as domestic violence. In summary we will:

- (a) Work with partners to ensure a full and complete advisory service is maintained for all clients seeking advice to prevent homelessness.
- (b) Work with partners to ensure clients are well advised and able to manage the impact of Universal Credit and other Welfare Reforms to minimise homelessness.
- (c) Look for opportunities to work with other partners including Landlords to ensure robust, reliable information and advice is provided as much as possible at the first point of contact to the Housing Options Service

### **4. Maximise the capacity of the service to fulfil all our obligations and to continuously improve our performance.**

We cannot make commitments without ensuring we have the right capacity and skills in place which can either be delivered in-house or through our partnership arrangements. We will seek to maximise our capacity through the following objectives:

- (a) Review the Homelessness Service to ensure there is sufficient staffing capacity in place to meet all our obligations under the Homelessness Reduction Act and to ensure we can meet our performance targets.
- (b) Utilise any additional funding provided by the act to ensure it has a sustainable long-term impact on service delivery.

## **Appendix 1**

### **National Requirements**

#### **1. The definition of Homelessness**

Under Part VII of the Housing Act 1996 homelessness is defined as follows:

*“A person is defined as homeless if he has no accommodation suitable for his occupation in the United Kingdom or elsewhere which he is entitled to occupy by virtue of an interest in it or by virtue of an order of a Court. A person is also homeless if he has accommodation but cannot secure entry to it, or it is not reasonable for him to occupy.*

#### **The duty of local authorities to produce a Homelessness Review and Strategy**

Under Part VII of the Housing Act 1996 and the Homelessness Act 2002 every local authority has a duty to assist persons and households who are homeless. Under the Homelessness Act 2002 all local housing authorities must have in place a homelessness strategy which is based on all forms of homelessness in their district. It must be renewed at least every five years. The strategy must set out the local authority's plans for the prevention of homelessness and for securing that sufficient accommodation and support are or will be available for people who became homeless or are at risk of doing so. (*Homelessness Code of Guidance 2006*).

#### **2. What is a Homelessness Review?**

Under the Homelessness Act 2002, Homelessness Reviews are described as follows:

(1) *“For the purposes of the Act, “homelessness review” means a review by a local housing authority of: -*

- (a) *The levels, and likely future levels, of homelessness in their district.*
- (b) *The activities which are carried out for any purpose linked to the above, or which contribute to their achievement; and*
- (c) *The resources available to the authority, the social services authority for their district, other public authorities, voluntary organisations and other persons for such activities.*

(2) *“The purpose of the Homelessness Review is for:*

- (a) *preventing homelessness in the district of their authority*
- (b) *securing that accommodation is or will be available or people in the district who are or may become homeless.*
- (c) *providing support for people in the district:*
  - (i) *who are or may become homeless; or*
  - (ii) *who have been homeless and need support to prevent them becoming homeless again.”*

### **3. The Requirement for Consultation**

Housing authorities must consult public or local authorities, voluntary organisations or other persons as they consider appropriate before adopting or modifying a homelessness strategy. Housing authorities will also wish to consult with service users and specialist agencies that provide support to homeless people in the district. Section 3(4) of the Homelessness Act 2002 provides that a housing authority cannot include in a homelessness strategy any specific action expected to be taken by another body or organisation without their approval.

In non-unitary districts, where the social services authority and the housing authority are different authorities, section 1(2) of the 2002 Act requires the social services authority to give the housing authority such assistance as may be reasonably required in carrying out a homelessness review and formulating and publishing a homelessness strategy. **Since a large proportion of people who are homeless or at risk of homelessness will be vulnerable adults or have children in their care, it will always be necessary to seek assistance from the social services authority to formulate an effective homelessness strategy.**

### **4. The Need to Identify Current and Future Levels of Homelessness**

The code states that when carrying out the review housing authorities should consider the following as a basis for assessing current and future levels of homelessness in their district:

- (a) homelessness casework records and other local sources of data;
- (b) trends in homelessness approaches and in underlying causes;
- (c) which cohorts may be more likely to become homeless or be threatened with homelessness;
- (d) the profile of households who have experienced homelessness in their district;
- (e) equality monitoring data, including that relating to homelessness applications and outcomes;
- (f) the range of factors that may affect future levels of homelessness;
- (g) the personal and structural factors that may contribute to people becoming homeless; and,
- (h) any planned legislation or local policy changes that are likely to impact on levels of homelessness for particular groups in the district.

Consequently, the review that informs this strategy has sought to obtain the relevant local, regional and national data to inform its approach and has considered the above requirements.

### **5. Formulating the Strategy**

The code provides substantial requirements in this area, and a key requirement for the strategy is indicated as follows:

Under section 3(1) of the 2002 Act a homelessness strategy means a strategy for:

- (a) preventing homelessness in the district;
- (b) securing that sufficient accommodation is and will be available for people in the district who are or may become homeless; and,
- (c) securing the satisfactory provision of support for people in the district who are or may become homeless or who have been homeless and need support to prevent them becoming homeless again.

Further detailed guidance is set out in the code on the elements for each of the three areas above and are considered in the priorities for this strategy.

## **6. Homeless Reduction Act 2017**

The Homeless Reduction Act 2017 came into force from April 2018 and has new requirements for local authorities which are summarised below:

### **6.1 Definition of Homelessness**

Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002, sets out the duties owed by English local housing authorities (LAs) to someone who is homeless or threatened with homelessness. Section 175 of the 1996 Act defines that a person is threatened with homelessness if it is likely that they will become homeless within 28 days. The Homelessness Reduction Act 2017 extends the number of days from 28 to 56. In addition, people who have received a valid notice under section 21 of the Housing Act 1988 and the expiry date is within 56 days, will be treated as being threatened with homelessness.

### **6.2 Duty to Provide Advisory Services**

Section 179 of the 1996 Act places a general duty on English LAs to ensure that advice and information about homelessness, and preventing homelessness, is available free of charge to everyone in their district. Under the 2017 Act, LAs are now required to provide or secure the provision of free services to give people in their area information and advice on:

- Preventing homelessness
- Securing accommodation if homeless
- The rights of people who are homeless or threatened with homelessness, and
- Any help that is available for people who are homeless or likely to become homeless as well as how to access that help

LAs are required to ensure services are designed to meet the needs of particular groups that are at increased risk of becoming homeless, including (but not limited to); care leavers, people leaving prison, people who have left the regular armed forces, victims of domestic abuse, people leaving hospital and people suffering from a mental illness or impairment.

### **6.3 New Duties**

LAs in England are required to make inquiries to establish what duty, if any, is owed to someone seeking homelessness assistance. As part of LAs' investigations, they must determine if an applicant has a 'priority need' for homelessness assistance. Categories of priority need are set out in section 189 of the Housing Act 1996 and are extended by the Homelessness (Priority Need for Accommodation) (England Order) 2002. Those who are found to be in priority need and unintentionally homeless are owed what is referred to as the 'full housing duty' meaning LAs are obliged to secure that suitable accommodation is made available for them. However non-priority households', which are most likely to be single people without children, or childless couples, are owed the 'advice and assistance' duty only. The Homelessness Reduction Act legally obliges LAs to assess and provide more meaningful assistance to all people who are eligible and homeless or threatened with homelessness, irrespective of their priority need status.

### **6.4 Duty to assess all eligible applicants' cases and agree a plan**

The first step in the amended framework is for LAs, once they are satisfied someone is homeless or threatened with homelessness and also eligible for assistance, to carry out an assessment of the applicant's case. These assessments should include the circumstances that have caused homelessness and the housing and support needs of the applicant and their household.

LAs must aim to reach an agreement with applicants on a personalised plan which must be recorded and should set out the steps the applicant and the authority are required to take to ensure accommodation is secured and/or retained. Applicants' assessments and agreements must be kept under constant review until the LA has determined that no other duty is owed to the applicant under part VII of the 1996 Act.

### **6.5 The prevention duty: In cases of threatened homelessness**

If an LA is satisfied that an applicant is threatened with homelessness and is eligible for assistance, they must take 'reasonable steps' – with reference to the applicant's assessment - to help them avoid becoming homeless. Once triggered, the prevention duty continues for 56 days - or longer if a valid section 21 notice has expired and no alternative accommodation has been secured - unless it is brought to an end via one of the prescribed conditions. Applicants have a right to request a review of a decision to end this duty.

### **6.6 The relief duty: In cases where the applicant is homeless**

Under this clause, LAs must take 'reasonable steps' – with reference to the applicant's assessment - to help all homeless eligible applicants to secure accommodation for at least six months unless the applicant is referred to another local authority due to having no local connection to the authority they have applied to. Once triggered, the relief duty continues for 56 days unless it is brought to an end via one of the prescribed conditions. Applicants have a right to request a review of a decision to end this duty.

Interim accommodation duties owed to people under the existing provisions (section 188) continue to apply during this stage – the duty to provide accommodation to people who the LA have reason to believe may be homeless, eligible for assistance and in priority need - pending a decision on whether the council is obliged to provide some form of longer term settled accommodation.

### **6.7 Failure to co-operate by an applicant for assistance**

This provision will place a requirement on all applicants to cooperate with LAs' attempts to comply with their prevention and/or relief duties. If an LA considers that an applicant has 'deliberately and unreasonably refused' to cooperate or take any of the steps set out in the personalised plan, they can serve a notice on the applicant to notify them of their decision as long as the notice explains, what the consequences of the decision are and that they have a right to request a review of the decision. Notice can only be served if LAs have provided a 'relevant warning' to the applicant and a 'reasonable period' has elapsed since the warning was given. Consequences of deliberately and unreasonably refusing to cooperate include the ending of the prevention and/or relief duties and in cases where the applicant would normally be owed the full housing duty (section 193), this duty would be limited to securing that accommodation is made available for their occupation for a temporary period until the applicant either;

- Ceases to be eligible for assistance
- Becomes homeless intentionally from accommodation made available for the applicant's occupation
- Accepts an offer of an assured tenancy from a private landlord, or
- Decides to cease occupation of the accommodation made available to them
- Accepts or refuses a 'final' offer of accommodation

In deciding whether an applicant has deliberately or unreasonably refused to cooperate, LAs must take into account the applicant's particular circumstances and needs. In addition, the Secretary of State may set out regulations to stipulate the procedures for LAs to follow when serving notices under this section.

### **6.8 Care leavers**

All care leavers under the age of 21 will be considered as having a local connection with an area if they were looked after, accommodated or fostered there for a continuous period of at least two years.

### **6.9 Mandatory code of practice**

Currently LAs are required to have regard to the Homelessness Code of Guidance for Local Authorities when carrying out their part VII functions. The Homelessness Reduction Act includes a provision that allows the Secretary of State to provide LAs with 'one or more' codes of practice, that LAs must have regard to, on how they exercise and monitor their functions under Part VII and staff training.

### **6.10 Public authority duty to refer**

Where a “specified public authority” considers that someone they are working with is or may be homeless or threatened with homelessness, they must refer that person’s details to a local housing authority but only if the person agrees to the notification being made.

### **7. National Rough Sleeping Strategy 2018**

In 2018 the government produced a national Rough Sleeping Strategy which has committed to halve rough sleeping by 2022 and to end it for good by 2027. It is backed by £100m of funding and takes a three-pronged approach to ending rough sleeping through prevention, intervention, and recovery.

Key facts from the Strategy include:

- On any given night, there are roughly 5,000 people sleeping on the streets in the UK.
- Rough sleeping is distributed unevenly across the country. Almost half of people identified as sleeping rough in England were in London and the South East. In addition, while urban areas have seen the largest rise in rough sleeping, seaside towns have also experienced large increases.
- 83% of people found sleeping rough are men, while 14% were women. However, women who are sleeping rough are more likely to have multiple and complex needs, and often make themselves less visible.
- 81% of those sleeping rough are aged over 25.
- In London 60% of people sleeping rough are non-UK nationals. Outside of London, this falls to 18%.
- People who are sleeping rough often have significant support needs – 50% have mental health needs, 46% physical health needs, 43% alcohol support needs, and 40% have drug support needs. 31% of people sleeping rough have complex needs.
- People who are sleeping rough are likely to have had experience of institutions such as the care system (11%), prison (36%), or the armed forces (7%).
- Poverty, particularly childhood poverty, is the most powerful predictor of all forms of homelessness. Early childhood trauma and abuse is also common.
- The average life expectancy for someone living on the streets in England is 47 for men and 43 for women.

The strategy has 3 objectives:

**1. Prevention:** understanding the issues that lead to rough sleeping and providing timely support for those at risk.

Actions include:

### **Improving performance and accountability.**

- E.g. A review of legislation around homelessness and rough sleeping, including the Vagrancy Act, expected by March 2020.
- Working with local authorities to rebadge homelessness strategies as homelessness and rough sleeping strategies, by winter 2019.
- Working with the Local Government Association to develop a package of sector-led support by summer 2019.

### **Better Data**

- E.g. establishing data pilots to develop and test an outcomes framework for homelessness and rough sleeping, by summer 2019.

### **Health**

- Requesting that NICE produce guidance to support targeted homelessness prevention, care, and recovery.

### **Prisons and Probation**

- E.g. £3m per year for two years for pilots to support offenders who have been identified as being at risk of rough sleeping on release, started in April 2019.
- Improving prisoners' access to Universal Credit on leaving prison.

### **The Care System**

- E.g. £3.2m for 47 areas to employ specialist advisors to provide support to the most at-risk care leavers in their area.

### **Welfare**

- E.g. conducting a feasibility study to develop a model to assess the effects of government intervention on homelessness, supported by a review on the broad range of factors that might influence levels of homelessness, including housing market and welfare reform.

### **Modern Slavery**

- Extending the period of move-on support from 14 to 45 days.

**2. Intervention:** helping those already sleeping rough with swift support tailored to their individual circumstances.

Actions include:

A total of £30m for 83 local authorities in 2018-19 with the highest level of rough sleeping – the strategy includes additional measures to intervene when someone is experiencing rough sleeping. For example:

- Up to £45m for the Rough Sleeping Initiative in 2019-20.
- Introducing rough sleeping ‘navigators’, who will help people sleeping rough get the right support to access local services.
- Piloting ‘Somewhere Safe to Stay’, this is aimed at people new to the streets and offers rapid support intervention. This will be implemented in 15 locations in 2020, with £17m in funding

**3. Recovery:** supporting people in finding a new home and rebuilding their lives.

Key Actions include the following:

- Exploring whether the current definition of those that have lived in a homeless hostel is still the right one for the purposes of exemption from the Shared Accommodation Rate.
- Launching a prospectus with Homes England for bids for the £50m Move On Fund outside of London. The fund aims to increase the availability of affordable move-on housing for rent to support homeless people and victims of domestic abuse with low and medium needs.
- Allocating up to £135m from dormant accounts to social investment, with the majority going towards housing for vulnerable people, launched in the autumn of 2018.

## **Appendix 2 – Action Plan – To be Reviewed Annually**

<b>Priority 1: Prevention of homelessness</b>						
<b>Objective</b>	<b>Actions</b>	<b>Responsibility</b>	<b>Resources</b>	<b>Date</b>	<b>Expected Outcome</b>	<b>RAG</b>
Early identification. Identifying people who are at risk of homelessness and ensuring that accommodation and any necessary support is available to them.	Targeting services at known risk points, such as those leaving care, prison or the armed forces:					
	<p>1. Ongoing liaison with Social Services, Probation and NACRO</p> <p>2. Development of working procedures and Protocol with partners.</p>	<p>1. Housing Options and Advice Manager</p> <p>2. Housing Options and Advice Manager</p>	<p>1. All Housing Options Staff</p> <p>2. All Housing Options Staff</p>	<p>Ongoing</p> <p>March 2020</p>	<p>Continuation of effective early identification and prevention work.</p> <p>Improved protocol to ensure timely and well-planned communication by partners allowing for services to be ready.</p>	

Pre-crisis intervention.	Continue to provide proactive interventions, such as negotiating with landlords to enable people to retain their tenancies.	1. Housing Options and Advice Manager	1. All Housing Options Staff	Ongoing	Continuation of effective early prevention work to sustain tenancies.	
	Improve the capacity of the service to focus greater resources to network with landlords and help sustain tenancies. Undertake a review of the current staffing arrangements.	1. Transformation Manager / Housing Options and Advice Manager	1. All Housing Options Staff	By March 2020	New structure in place with greater resources to help network and negotiate with Landlords to prevent homelessness and sustain tenancies.	
Preventing recurring homelessness.	1. See above: Improve the capacity of the service to focus greater resources to network with landlords and help sustain tenancies. Undertake a review of the current staffing arrangements.	1. Transformation Manager / Housing Options and Advice Manager	1. All Housing Options Staff	By March 2020	New structure in place with greater resources to help network and negotiate with Landlords to prevent homelessness and sustain tenancies.	

Prevent non-priority households from becoming homeless	1. Prevent households assessed as non-priority from becoming homeless with implementation of schemes to provide small grants to private sector landlords to pay rent arrears etc.	1. Housing Options and Advice Manager	1. All Housing Options Staff	Ongoing	This ensures clients with assessed low priority but nevertheless with complex needs continue to be prevented from becoming homeless.	
Reduce Impact of Homelessness Households from Thorney Bay.	1. Work closely with Environmental Health and other services to develop a new caravan site licence which allows for inappropriate caravan accommodation to be changed for park homes in a phased basis.	1. Head of Housing and Communities / Housing Options and Advice Manager	1. All Housing Options Staff	By March 2020	Inappropriate caravans that are not fit for human habitation are replaced with park homes. This will result in increased number of homeless households that are displaced.	
	2. Develop arrangements to deal with the risk of increasing homeless households over a sustained period of time.	2. Housing Options and Advice Manager	2. All Housing Options Staff	By March 2020	Risk assessed approach to managing the expected increase in the number of homeless households.	
	3. Implement arrangements to manage the increased number of	3. Housing Options and Advice Manager	3. All Housing Options Staff	Ongoing	Ongoing work to manage and monitor the impact of the new	

	clients presenting themselves as homeless.				licensing arrangements.	
<b>Priority 2: Improving Access to temporary accommodation</b>						
Acquire and Construct Temporary Accommodation.	<p>1. See Housing Asset Management Plan. Construct an HMO in Hatley Gardens. Ensure necessary staffing in place.</p> <p>2. To acquire Solby House for temporary furnished accommodation.</p> <p>3. To acquire 60 North Avenue for temporary accommodation.</p> <p>4. Further HMO planned for construction in 2021.</p>	<p>1. Housing Development and Finance Manager.</p> <p>2. Housing Options and Advice Manager</p> <p>3. Housing Options and Advice Manager</p> <p>4. Housing Development and Finance Manager.</p>	<p>1. Housing Development Team.</p> <p>2. All Housing Options Staff</p> <p>3. All Housing Options Staff</p> <p>1. Housing Development Team.</p>	<p>1. February 2020</p> <p>2. October 2019.</p> <p>3. October 2019</p> <p>4. TBC</p>	<p>1. New facility with 9 units in place which is appropriately managed.</p> <p>2. New facility with 4 units in place which is appropriately managed.</p> <p>3. New 3 / 4 bedroomed property available.</p> <p>4. TBC</p>	

Increase the availability of private sector rented accommodation.	<p>Work in partnership with South Essex Authorities to develop a project to pool resources and focus staffing to increase the supply of out of borough housing. E.g. Through a managed rent scheme.</p> <p>1. Project identified.</p> <p>2. Implementation</p> <p>3. Ongoing monitoring</p>	Housing Options and Advice Manager	<p>All Housing Options Staff</p> <p>Other staff in South Essex Authorities.</p>	<p>1. March 2020</p> <p>2. December 2020</p> <p>3. Ongoing</p>	Increased availability of temporary accommodation.	
Increase the availability of assured short-term private sector rented accommodation.	<p>See above.</p> <p>Work in partnership with South Essex Authorities to develop a project to pool resources and focus staffing to increase the supply of out of borough housing. E.g. Through a managed rent scheme or in-house social lettings agency.</p> <p>1. Project identified.</p>	Housing Options and Advice Manager	<p>All Housing Options Staff</p> <p>Other staff in South Essex Authorities.</p>	<p>1. March 2020</p> <p>2. December 2020</p> <p>3. Ongoing</p>	Increased availability of short term assured accommodation, reducing the need for temporary accommodation.	

	2. Implementation 3. Ongoing monitoring					
<b>Priority 3: Providing support to manage health and life issues.</b>						
Ensure sound advice and guidance	1. Continue to work with Peabody to ensure the latest information is known	1. Housing Options and Advice Manager	1. All Housing Options Staff	Ongoing	Liaison with Peabody ensures that up to date housing and debt advice is provided to clients.	
Support the work of the South Essex Domestic Abuse Hub	1. Work to obtain funding to support the hub. 2. Work with partners to increase the supply of refuge places.	1. Housing Options and Advice Manager 2. Housing Options and Advice Manager	1. All Housing Options Staff 2. All Housing Options Staff	Ongoing  Ongoing	1. To continue to enable support for clients experiencing domestic abuse. 2. Expand this support.	
<b>Priority 4: Maximise the capacity of the service</b>						
Undertake a review of the service to maximise	1. Review Begins	Transformation Manager	All Housing Options Staff	1. October 2019	Revised arrangements including procedures,	

capacity and skills and ensure adequate resources to deal with the service demands and the impact of national legislation such as Universal Credit and the HRA.	2. Review Completed 3. Implementation Plan drawn up 4. Review Implemented			2 and 3. February 2020 4. March – September 2020	structure and resources to ensure service has ability to cope with service demands.	
Liaise with ECC Homelessness Prevention Trailblazers resource to elicit additional capacity to assist in prevention work.	1. Liaise with Trailblazers to establish any additional capacity. 2. Consider developing appropriate procedures.	1. Housing Options and Advice Manager 2. Housing Options and Advice Manager	1. All Housing Options Staff 2. All Housing Options Staff	1. January 2020 2. March 2020	Improved assistance as appropriate integrated into procedures.	
Implement ongoing feedback mechanisms to elicit client feedback on issues such as: Service access, advice received, quality of accommodation and overall satisfaction. Ensure service is developed and improved	1. Develop feedback mechanism including survey approach and data analysis. 2. Implement actions to improve the service as a result of feedback received.	1. Housing Options and Advice Manager 2. Housing Options and Advice Manager	1. All Housing Options Staff 2. All Housing Options Staff	1. January 2020 2. March 2020 and ongoing	1. Effective consultation and customer feedback mechanism in place. 2. Actions to improve the service implemented.	

as a result of feedback received.						
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**CABINET**

**20th November 2019**

**Subject: Financial Update**

**Cabinet Member: Councillor Stanley – Finance, Policy and Resources**

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**1. Purpose of Report**

**This report is intended to:**

- **Provide Cabinet with the latest Medium-Term Financial Forecast (MTFF) in respect of the General Fund.**
- **Update Cabinet on developments of a financial nature, which may impact on the Council's financial plans in respect of either the General Fund, Housing Revenue Account (HRA) or capital programme.**

**2. Links to Council's Priorities and Objectives**

**This report is linked to the Council's priority of A Commercial and Democratically Accountable Council. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.**

**3. Recommendations**

**That Cabinet note the report, and**

- 1. That Cabinet approves the draw from the Housing Revenue Account reserve to cover the cost of the items detailed in the table at paragraph 5.1 of this report.**
- 2. That Cabinet approve the changes to the Housing Revenue Account capital programme detailed in the table at paragraph 7.1 of this report.**

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**4. Background & basis of the financial forecast**

**4.1** The Financial Planning Strategy is incorporated within the Policy Framework and Budget report which is approved by Council in February each year. The strategy requires the submission of a MTFF, enabling the Cabinet to monitor latest estimates of future spending and resources, and take appropriate action to ensure that the Council's financial targets are met.

**4.2** There is much uncertainty pending the outcome of the review of the business rates funding mechanism, making medium to longer term financial planning difficult. In the meantime, the Council continues to utilise its resources prudently and maintain

reserves at a level sufficient to enable it to adjust smoothly to any detrimental change to funding which may arise.

## 5. Changes to approved budgets

5.1 The following budget changes have occurred since the September financial update report to Cabinet.

	£000's	Description
		<b>Housing Revenue Account:</b>
1.	12	Service Level Agreement (SLA) with South Essex Homes – ongoing increase in the cost of this SLA following a renegotiation of the contract for repairs and maintenance support.
2.	94	Staff costs - following the implementation of a restructuring within the housing department, overall staff costs have increased.
3.	66	Revenue repairs and maintenance - an overall increase is anticipated across the full year for these budgets. This reflects the additional cost to complete the painting programme combined with increases in cyclical costs such as gas, electrical and fire equipment servicing. There are also additional reactive repairs and works partly covered by insurance claims.
4.	120	Solby House security - additional budget is needed to cover security costs already incurred and predicted for the period of April to December 2019.  The site has been a target for vandalism over this period with repair costs being met by insurance. However, whilst unoccupied the facility remains vulnerable and the engagement of security on a 24-hour basis has been necessary.

## 6. Revenue/Capital budgets “on-watch”

6.1 This section of the report highlights revenue or capital budgets, HRA or General Fund, which are identified by the Strategic Director (Resources) as “on-watch”. This term refers to expenditure and income budgets where there is reason to believe that performance may not meet expectations and where the impact on the Council’s overall financial plan is likely to be material.

6.2 For the purpose of this report, items will be included if they have a full year financial impact of at least **£50k** and / or are felt to be of interest to Cabinet.

	£000's	Description
1.		Co-mingled waste contract. - whilst this item has been reported previously and budget provision increased based on latest information, the waste market remains volatile and the precise cost of this contract going forward is uncertain.
2.		Solby House security - as referred to above.

## 7. Changes to the capital programme

- 7.1 The following changes to the Housing Revenue Account capital programme are required:

	£000's	Description
1.	(260)	Fire Door replacement - following an updated assessment of requirements, the actual number of doors requiring replacement is lower than anticipated therefore the cost to complete the programme is lower than budgeted.
2.	76	Facias and Soffits replacement - during the delivery of the external painting programme it became clear that the condition of some of the facias and soffits was poor and required replacement rather than decoration, which has resulted in additional budget being required.

### Knightswick Shopping Centre (Knightswick)

- 7.2 On 2<sup>nd</sup> October the Council borrowed **£9m** from the Public Works Loan Board (PWLb). A fixed rate of 1.08% was secured, on debt repayable over a 10-year period in equal instalments. Authority to borrow was given by Council at a meeting on 17<sup>th</sup> July 2019. The balance of purchase and associated costs will be funded through "internal borrowing", essentially the authority's cash balances.
- 7.3 The loan will result in overall interest charges of **£510k**, which will be funded by rental income generated by the Centre.
- 7.4 The drawdown of the loan was well timed, as a week later the Treasury increased PWLB rates by 1%, which would have added an additional **£444k** to the total interest payable on the Knightswick loan.
- 7.5 The purchase of the Knightswick was completed on 31<sup>st</sup> October 2019. A breakdown of costs incurred to date are as follows:

Item	Spent £000s	Committed £000s
Purchase cost	11,225	0
Stamp duty land tax	551	0
Land registry fee	1	0
Associated costs to consultants, etc	207	28
<b>Total</b>	<b>11,984</b>	<b>28</b>
<b>Overall total</b>		<b>12,012</b>

- 7.6 At the point of purchase the Council received **£250k** of rental income collected in advance by the previous owners for the period of October 2019 to March 2020. The Council also received **£28k** in rent deposits and **£345k** for the "sinking fund" balance (funds previously collected for future repairs works, etc). These two items will be held and managed by the Council's appointed Managing Agent for the Centre.

- 7.7 The revenue implications for 2019/20 and future years will be incorporated into the Council's financial forecast as part of the Policy Framework and Budget Setting Report due for approval in February 2020.

## **8. Key financial developments**

Updates to key financial developments are provided within the following paragraphs. Information reported in earlier financial update reports is not reproduced below.

### **Essex Region Business Rates Pool**

- 8.1 The Council has expressed an interest in continuing with membership of the pooled arrangement for 2020/21. Membership consists of all Essex authorities and the Fire authority but excludes Thurrock Council.

### **Council Tax Preceptors Sharing Agreement**

- 8.2 Essex authorities are continuing to work together to identify further ways to increase the Council Tax base and Business Rates yield across Essex and ensure that the share back agreement with the precepting authorities continues.

- 8.3 Over the summer period, a significant review of the arrangement was undertaken and as a result all authorities have agreed to increase their focus on:

1. Maximising revenue from business rates by ensuring all rateable premises are identified and included within the valuation list.
2. Reviewing Single Person Discounts to ensure only legitimate claims for discount are applied.
3. Minimising the number of empty homes within the county / adoption of Empty Property Premium (reported to Cabinet in September 2019).

- 8.4 The precepting organisations have agreed to maintain the level of council tax share back at 14% for 2020/21 and this will be reflected in the budget presented to Cabinet/Council in February 2020.

### **2020/21 Budget Process**

- 8.5 The 2019 Autumn Budget was due to be presented by the Chancellor of the Exchequer on 6th November 2019. This has been delayed pending the outcome of the General Election called for 12th December 2019. The budget is anticipated to contain key information relevant for setting the Council's forthcoming budget.

### **Local Plan – Financial Implications**

- 8.6 The Council currently holds a sum of **£500k** in an earmarked reserve to fund costs associated with planning intervention. The recent decision of Council to submit a new local plan to inspection has effectively eliminated the threat of intervention and this sum will be returned to general reserves.

- 8.7 The financial forecast at line 14 indicates the potential costs which the Council may incur in defending planning appeals, during the period where it does not have a local plan in place. These costs will be re-evaluated over the following weeks but until the Local Plan has passed inspection are unlikely to be eliminated.

8.8 The Council also holds funds to fund the preparation of the local plan. The Council will hopefully move to an implementation phase and Officers will evaluate the associated resourcing requirements as part of the current budget process.

8.9 Updates on all of the above will be regularly provided to Cabinet.

**9. Financial risk factors**

9.1 The budget report presented to the Cabinet meeting in February and Council on the same night indicated some risk areas that the Cabinet should be mindful of until the position and risk relating to each has been clarified.

9.2 Two items have arisen over recent months relating to potential risks highlighted within the report. Both items are considered confidential due to their nature. One relates to public liability and the other to a potential contractual dispute. The precise financial implications of either item are not yet known.

**10. Corporate implications**

**a) Legal implications**

This report is presented on behalf of the “Section 151 Officer” – the officer appointed to have responsibility for the Council’s financial administration. It is their duty to ensure that the Council is regularly informed and updated on these matters.

Matters referred to above which require the establishment of agreements between organisations are routinely referred to the Council’s Head of Law and Deputy Monitoring Officer.

**b) Human Resources and equality implications**

There are no Human Resource or equality implications arising directly from this report.

**c) Timescale for implementation and risk factors**

Risk factors inherent in the forecast are set out above.

**Report Author:** Chris Mills, Strategic Director (Resources)

**Background Papers:**

- Policy Framework & Budget Setting 2019/20, incorporating the Financial Planning Strategy.
- Financial update reports to Cabinet – June/September 2019.

## Annexe A – Medium Term Financial Forecast

Medium term financial forecast		2018/19 (out-turn)	2019/20	2020/21	2021/22	Notes
<b>Line</b>	<b>Current policies and service plans</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	
1	Total net expenditure / estimated exp. for future years	9,923	10,406	13,026	10,496	Fluctuations year to year are predominantly caused by phasing of maintenance spend and other expenditure "offset" by earmarked reserves
1b	Changes to budget since February 2019	0	1,288	1,600	7	
1c	Current total net expenditure / estimated exp. for future years	9,923	11,694	14,626	10,503	
	<b>Funding sources</b>					
2	Council Tax	7,628	7,944	8,183	8,428	Offset by a contribution from the NNDR equalisation reserve
3	Baseline Funding Level - Redistributed Business Rates	1,864	1,717	2,283	2,340	
4	Business Rates - Levy on retained income	(233)	(251)	0	0	
5	New Homes Bonus	691	569	218	13	Legacy payment only
6	Capital grants and other grants and contributions	1,701	1,611	1,382	0	NNDR deficit offset by a contribution from the NNDR equalisation reserve
7	Net Collection Fund(s) surplus / (deficit)	5	(68)	0	0	
8	Transfer (to) / from General reserve	633	257	0	0	
9	Transfer (to) / from Earmarked reserves	(2,367)	(85)	1,632	(1,390)	
<b>10</b>	<b>Total funding sources</b>	<b>9,923</b>	<b>11,694</b>	<b>13,698</b>	<b>9,391</b>	
<b>11</b>	<b>Budget / Funding Gap</b>	<b>0</b>	<b>0</b>	<b>(928)</b>	<b>(1,112)</b>	
	<b>General Reserve</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>Minimum recommended balance for General Reserves is £1.9m</b>
12	Balance at start of year	5,673	5,040	3,263	1,135	
13	Contribution (to) / from General Fund (line 9 & 12)	(633)	(257)	(928)	(1,112)	
14	Potential planning appeals & associated legal costs	0	(1,520)	(1,200)	(400)	
<b>15</b>	<b>Balance / (deficit) at end of year</b>	<b>5,040</b>	<b>3,263</b>	<b>1,135</b>	<b>(377)</b>	
	<b>Earmarked Reserves</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	<b>£'000s</b>	
16	Balance at start of year	7,710	10,077	7,874	5,592	The precise timing of the use of earmarked reserves is, due to their nature, generally unknown.
17	Contribution (to) / from General Fund (line 9)	2,367	85	(1,632)	1,390	
18	Total other expected usage of earmarked reserves - not allocated to the detailed budget	0	(2,288)	(650)	(1,001)	
<b>19</b>	<b>Balance at end of year</b>	<b>10,077</b>	<b>7,874</b>	<b>5,592</b>	<b>5,981</b>	Earmarked reserves are reviewed annually to ensure sufficiency and where need has diminished funds will be returned to General Reserves
	<b>Council Tax</b>					
20	Tax at band D	250.56	258.03	263.16	268.38	Target increases within Council Tax referendum limits. The tax at band D does not include the amount charged by Canvey Island Town Council.
<b>21</b>	<b>Increase</b>	<b>2.96%</b>	<b>2.98%</b>	<b>1.99%</b>	<b>1.98%</b>	

**CABINET**

**20th November 2019**

**Subject: Treasury Management Mid-Year Activity Report and Amendment to the 2019/20 Investment Strategy**

**Cabinet Member: Councillor Stanley - Finance, Policy and Resources.**

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**1. Purpose of report**

The Treasury Management mid-year activity report is a requirement of the Council's reporting procedures. It summarises the Council's Treasury Management activity for the first six months of the current financial year. Supporting information is provided within Annexes A and B.

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

The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both codes through regulations issued under the Local Government Act 2003.

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

**2. Links to Council's priorities and objectives**

The scrutiny and approval of the Council's Treasury Management activity is linked to the Council's objective of a Commercial and Democratically Accountable Council through sound financial management.

**3. Recommendation**

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

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## **4. Treasury Management Activity Mid-Year Report 2019/20**

### **4.1 Introduction**

- 4.1.1 Treasury management is:- *“The management of the organisation’s cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”*
- 4.1.2 The Code of Practice requires the Council to set annually a Treasury Management Strategy and Investment Strategy. The strategies for the 2019/20 financial year were approved by Council on 27<sup>th</sup> February 2019.
- 4.1.3 This report confirms that Treasury Management activity during the year to date has been undertaken in accordance with that strategy and in consultation, where appropriate, with the Council’s external adviser, Link Asset Services.

### **4.2 Borrowing**

- 4.2.1 A summary of external borrowing at 2<sup>nd</sup> October 2019 is shown at Annexe A. On this date the Council took out a **£9m** 10-year equal instalment loan from the Public Works Loan Board (PWLB) fixed at just 1.08% to fund the purchase of the Knightswick Shopping Centre on 31<sup>st</sup> October, as approved by Council on 17<sup>th</sup> July 2019. The drawdown of the loan was well timed, as a week later the Treasury increased PWLB rates by 1%, which would have added **£444k** to the total interest payable on the Knightswick loan.
- 4.2.2 Annexe A shows that interest paid on General Fund borrowings and on HRA borrowings for the year to date is as budgeted, although the General Fund interest payable for the full year 2019/20 has increased by **£48k** to **£255k** due to the loan detailed above in paragraph 4.2.1.
- 4.2.3 The Council’s policy on capital expenditure and borrowing is set out in the Capital Strategy section of the annual Policy Framework and Budget Setting Report, and as part of this, the affordability of new capital proposals has to be demonstrated. Borrowing can only be undertaken for the purposes of capital expenditure, and not for day-to-day revenue expenditure. The financial impact on the longer-term budget positions for both the General Fund on the Medium-Term Financial Forecast and the Housing Revenue Account on the HRA Business Plan, would need to be taken in to account. Any new borrowing would result in additional annual interest charges to either the General Fund or HRA, as well as the need to set aside sums from those funds for future repayment of the principal.
- 4.2.4 Although borrowing rates are currently low any potential new borrowing would have to be fully justifiable in terms of the need to borrow. Additional borrowing would be considered for individual projects where for example the business case determines repayment of debt is affordable and can prudently be made out of new revenue generated. No further additional borrowing is currently planned beyond that recently taken out for the Knightswick Shopping Centre.

- 4.2.5 Periodically officers explore the option to reschedule or repay current loans, however at the current time it is not viable for the Council to reschedule its debt in to cheaper loans as repayment of all current PWLB loans would incur significant premiums to do so.

### **4.3 Investments**

- 4.3.1 The investment activity during the year to date conforms to the approved strategy, and the Council has had no liquidity issues. Investments are managed internally using only those institutions which meet the Council's strict investment criteria, within a permissible range of periods, depending on the Council's cash flow and the interest rates on offer.
- 4.3.2 The majority of investments to date in 2019/20 continue to be in AAA-rated Money Market Funds. A Money Market Fund is a pooled source of funds invested in a wide range of short-term investments managed by an independent fund management company. Frequently these are well known banks or investment houses. AAA is the highest investment rating available and means that there is very low credit risk in an entity which is awarded that rating.
- 4.3.3 Funds may be deposited with the Debt Management Office (DMO), an executive agency of HM Treasury, but the facility has not been used this year due to the very low rate of interest.
- 4.3.4 With the exception of the DMO, total investments with any one institution do not exceed **£2.5m**. Internal guidance ensures that at least **50%** of investments at any time are placed with institutions rated AAA (or 40% for up to 5 working days a month).
- 4.3.5 The Council also continues to invest in Government treasury bills. They can achieve slightly better rates of interest and more diversification without significant loss of security and are regularly used by other local authorities. At 30<sup>th</sup> September 2019 the Council held **£4.0m** in treasury bills with a maximum maturity of 6 months. There are also funds invested in other local authorities and at 30<sup>th</sup> September these totalled **£6.5m**.
- 4.3.6 Annexe B summarises the Council's temporary investment activities for the year to date. The amount available for investment varies daily according to the Council's aggregate financial position on all activities. At the end of September 2019, the amount invested was **£33.3m** and the average amount invested for the year to date was **£33.6m**.
- 4.3.7 Annexe B also shows that the amount of interest received on investments to date is **£128k**. This exceeds the profiled budget for the same period by **£58k**. The budget for the full year is **£165k**. Investment rates earned and investment balances are currently both higher than forecast. The average rate is **0.76%**, more than the benchmark 7-day LIBID rate of **0.57%** (LIBID or the London Inter Bank Bid Rate is the rate at which major London banks borrow from each other).
- 4.3.8 Any changes required to the interest budgets will be addressed in the forthcoming budget cycle.

#### **4.4 Benchmarking**

The current position on three benchmark indicators for 2019/20, as explained in the annual Investment Strategy, is reported as follows:

- Security - Weighted Credit Rating Score for the year to date of **6.0** exceeds the target of 4 (the scale goes from 0 to 7).
- Liquidity – Weighted Average Life is at a reasonably liquid level, currently averaging **32 days**.
- Yield – interest received on investments currently exceeds target as reported above.

#### **4.5 Brexit & economic uncertainty**

4.5.1 From August 2016 the Bank of England base rate was at 0.25%. In November 2017 it was raised to 0.50% and in August 2018 to 0.75%. The rate forecast from Link Asset Services shows a predicted increase of 0.25% but not for another year until December 2020. There remains much uncertainty around Brexit, and it is possible base rates could be cut to counter deflationary pressures and prevent recession. Consequently, the Council will probably continue to earn low rates of interests on its temporary investments and may be further restricted in where it can invest funds.

4.5.2 The Council will continue to adhere to strict investment criteria. Security and liquidity remain the priority. The Council will then invest for yield. It is anticipated the overall maturity profile will lengthen from around 1 month to approximately 6 months as the Council invests in longer-term deposits with banks and other local authorities to take advantage of higher rates, as detailed in section 5. Officers will continue to monitor interest rates offered and seek to ensure the best return possible, without compromising security and liquidity, and within limits specified in the Investment Strategy and internal guidance.

#### **4.6 Conclusion**

4.6.1 The results for the six months to 30<sup>th</sup> September 2019 continue to demonstrate prudent and efficient treasury management.

## **5. Amendment to the 2019/20 Investment Strategy to add two new investments to the approved list of investment counterparties**

### **5.1 New Investments**

5.1.1 The portfolio of investments maintained by the Council is very cautious and the yield is below that earned by some other Councils. By investing for longer periods than the current 364-day limit with banks and other local authorities, this should increase the return on investments without significantly compromising security. Accordingly, the Strategic Director (Resources) recommends adding two new types of non-specified investment to the approved list of counterparties for 2019/20, as detailed below. The Council has consulted with its treasury adviser, Link Asset Services, on this amendment to the strategy.

5.1.2 These investments are classified as non-specified investments as they exceed 365 days. Non-specified investments may not have the high credit quality of specified investments.

5.1.3 The Council is continuing to review its Investment Strategy and may add further investment categories to the 2020/21 strategy due to be approved in February 2020. This is to achieve more diversification and yield with new investments, which are used regularly by other councils, whilst maintaining good levels of security. Some non-specified investments are more complex instruments, requiring greater consideration by officers and members, and therefore officers will consult with Link Asset Services and undertake detailed due diligence before seeking approval to add any new types of non-specified investments to the 2020/21 Investment Strategy to ensure all products any associated risks are fully understood.

### **5.2 Local authority longer-term deposits over 365 days**

5.2.1 Many local authorities require borrowing to help with their cashflow or to fund capital expenditure and others have surplus funds to invest so there is a market for inter-local authority lending. Interest rates are generally higher for longer duration deposits so more interest can be earned by investing for more than one year. The Council currently places deposits with other authorities up to a maximum of 6 months duration and now intends on occasion to place deposits over longer terms up to or possibly in excess of 1 year. Local authorities, although generally not credit-rated are perceived as safe as they must balance their budgets and have strict criteria for borrowing. Castle Point's treasury team will carry out thorough due diligence on any potential new local authority counterparties and only invest with those that have sound finances.

### **5.3 Bank longer-term deposits over 365 days**

5.3.1 Interest rates are normally higher for longer duration deposits so additional interest can be earned by investing for more than one year. The Council only invests with the more secure banks and in accordance with the Council's approved credit-rating criteria and limits recommended by the Council's treasury adviser, Link Asset Services. Again, as with other local authority investments, the Council currently places deposits with institutions up to a maximum of 6 months duration and now intends on occasion to place deposits for longer periods. Officers will be mindful of the risks associated with bank insolvency and bail-in legislation where deposits are not guaranteed by Government and customers risk deposits not being repaid in full nor on time. However, following the

banking crisis over 10 years ago and many years of austerity, major UK retail clearing banks are currently relatively strong, since they have been ring-fenced from more risky investment bank activities, and have strengthened their balance sheets and solvency ratios and undergo regular stress testing by banking regulators.

<b>Table 1A - Specified Investments for the financial year 2019/20</b> <b>(Note – unchanged from counterparty list previously approved in February 2019)</b>			
<b>Investment</b>	<b>Counterparty limit</b>	<b>Security / Minimum Credit Rating</b>	<b>Maximum period of investment</b>
<b>Debt Management Agency Deposit Facility (DMADF)</b> (this facility is at present available for investments up to 6 months)	No limit	The Debt Management Office is an agency of the UK Government	6 months (DMO imposed time limit)
<b>Treasury Bills</b> issued by the UK Government (currently maximum 6 month duration)	No limit	The Debt Management Office is an agency of the UK Government	364 days
<b>Term deposits</b> with the UK Government or with UK local authorities (i.e. local authorities as defined under section 23 of the 2003 Act)	The lesser of £5m or 33% of total investments	High quality as either directly invested or via agencies of UK Government. (Although local authorities are not specifically credit rated)	364 days
<b>Term Deposits</b> with institutions, part nationalised by the UK Government	The lesser of £5m or 33% of total investments	long-term A-, short-term F1 (lowest common denominator Fitch, Moody's & S&P)	364 days
<b>Money Market Funds</b> (i.e. a collective investment scheme as defined in SI 2004 No 534). These funds do not have a maturity date	The lesser of £5m or 33% of total investments	Fitch, Moody's or Standard and Poors AAA (Minimum of two ratings)	n/a (repayable on demand)
<b>Current accounts, notice accounts or term deposits</b> with credit-rated deposit takers (UK banks and building societies)	The lesser of £4m or 25% of total investments	long-term A-, short-term F1 (lowest common denominator Fitch, Moody's & S&P)	364 days (Call deposits repayable on demand)
<b>Forward deals</b> with credit rated banks and building societies < 1 year (i.e. negotiated deal period plus period of deposit)	The lesser of £4m or 25% of total investments	long-term A-, short-term F1 (lowest common denominator Fitch, Moody's & S&P)	364 days
<b>Certificates of Deposit</b> issued by UK institutions	The lesser of £4m or 25% of total investments	long-term A-, short-term F1 (lowest common denominator Fitch, Moody's & S&P)	364 days
<b>Covered bonds</b> (maximum 364 day period includes borrower extension option)	The lesser of £4m or 25% of total investments	long-term AA-, short-term F1 (lowest common denominator Fitch, Moody's & S&P)	364 days

<b>Reverse repurchase agreements “repos”</b> (a form of secured lending with enhanced security)	The lesser of £4m or 25% of total investments	long-term AA-, short-term F1 (lowest common denominator Fitch, Moody's & S&P)	364 days
-------------------------------------------------------------------------------------------------	-----------------------------------------------	-------------------------------------------------------------------------------	----------

**Table 1B - Non-specified Investments for the financial year 2019/20**  
(Note – new additions to the counterparty list)

<b>Investment</b>	<b>Counterparty limit</b>	<b>Security / Minimum Credit Rating</b>	<b>Maximum period of investment</b>
<b>Term deposits</b> with the UK Government or with UK local authorities (i.e. local authorities as defined under section 23 of the 2003 Act)	The lesser of £4m or 25% of total investments	High quality as either directly invested or via agencies of UK Government. (Although local authorities are not specifically credit rated)	2 years
<b>Current accounts, notice accounts or term deposits</b> with credit-rated deposit takers (UK banks and building societies)	The lesser of £4m or 25% of total investments	long-term A-, short-term F1 (lowest common denominator Fitch, Moody's & S&P)	2 years

- All Specified Investments listed above must be sterling-denominated.
- All investments are managed in-house.
- No shares or loan capital are held by the Council
- None of the investments are classified as capital expenditure.

## **6 Corporate Implications**

### **a Legal implications**

The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance, including:

- The Local Government Act 2003, and associated Statutory Instruments;
- The CIPFA Prudential Code for Capital Finance in Local Authorities;
- The CIPFA Code of Practice for Treasury Management in the Public Services.

The Council continues to comply with all of the relevant statutory and regulatory requirements.

### **b Financial implications**

Any required changes in interest estimates will be implemented as part of the forthcoming 2020/21 budget cycle.

### **c Human resource and equality implications**

There are no new implications.

### **d Timescale for implementation and risk factors**

A mid-year activity report is now presented to the Audit Committee during September or October each year and then subsequently reported to Cabinet.

**Report Author:** Robert Greenfield, Accountant

**Background Papers:**

- Chartered Institute of Public Finance and Accountancy: *Code of Practice for Treasury Management in the Public Services*.
- CPBC: *Treasury Management and Investment Strategy Statement for 2019/20*.

## Summary of Loan Transactions and Interest Payable (accrued daily) for the period to 2nd October 2019

### Loan transactions activity for the period

	Amount o/s 01/04/2019 £000's	New Loans £000's	Amount o/s 02/10/2019 £000's
<b>Public Works Loan Board</b>			
General Fund	5,250	9,000	14,250
HRA	36,451	0	36,451
<b>Totals for the Council</b>	<b>41,701</b>	<b>9,000</b>	<b>50,701</b>

### Interest payable Comparison of estimate with actual

Budget Profile to 30/09/2019 £000's	Actual Interest to 30/09/2019 £000's	Variance 30/09/2019 £000's
105	105	0 0.0%
547	547	0 0.0%
<b>652</b>	<b>652</b>	<b>0 0.0%</b>

### Interest rates for the period

	Range of loans		Average
	From	To	
General Fund	1.08%	4.10%	2.63%
HRA	2.31%	3.49%	2.98%
<b>Totals for the Council</b>	<b>1.08%</b>	<b>4.10%</b>	<b>2.91%</b>

### Base rate history

08/01/2009	1.50%
05/02/2009	1.00%
05/03/2009	0.50%
04/08/2016	0.25%
02/11/2017	0.50%
02/08/2018	0.75%
30/09/2019	0.75%

## Summary of Temporary Investments and Interest Received (accrued daily) for the period to 30th September 2019

Type of Borrower	Amount Invested 01/04/2019 to 30/09/2019	Amount Made in the Period	Amount Repaid in the Period	Amount Invested 30/09/2019 to 30/09/2019
<b>Investments by Value:</b>				
Treasury bills	3,986	3,989	3,986	3,989
Local Authorities	6,500	6,500	6,500	6,500
Money Market Funds	17,680	49,182	46,562	20,300
Notice accounts	2,000	0	0	2,000
<b>Investments</b>	<b>30,166</b>	<b>59,671</b>	<b>57,048</b>	<b>32,789</b>
Lloyds current account	484	6	0	490
<b>Cash equivalents</b>	<b>484</b>	<b>6</b>	<b>0</b>	<b>490</b>
<b>Total</b>	<b>30,650</b>	<b>59,677</b>	<b>57,048</b>	<b>33,279</b>
<b>Number of Investment Transactions:</b>				
Treasury bills	4	4	4	4
Local Authorities	3	3	3	3
Money Market Funds	23	86	70	39
Notice accounts	2	0	0	2
<b>Investments</b>	<b>32</b>	<b>93</b>	<b>77</b>	<b>48</b>
Lloyds current account	1	0	0	1
<b>Cash equivalents</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total</b>	<b>33</b>	<b>93</b>	<b>77</b>	<b>49</b>

### Interest Received on Temporary Investments for the period to 30th September 2019

£000's	128	Average Interest Rate for the Period	0.76%
Revised estimate	70	Benchmark: Average 7-Day LIBID Rate	0.57%
Variance	58		
	83%		

### Temporary Investments

£000's  
Average Balance for the Period  
33,585

**CABINET**

**20th November 2019**

**Subject: Local Council Tax Support (LCTS) Scheme for 2020/21**

**Cabinet Member: Councillor Stanley – Finance, Policy & Resources**

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**1. Purpose of Report**

To provide an update to Cabinet in respect of the Proposed Local Council Tax Support scheme for 2020/21.

**2. Links to Council's priorities and objectives**

This report is linked to the Council's priority of 'A Commercial and Democratically Accountable Council'. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.

**3. Recommendations**

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

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**4. Background Information**

- 4.1 The former Council Tax Benefits scheme was replaced by a discretionary, Local Council Tax Support scheme (LCTS) in April 2013, following a Government announcement in the 2010 spending review that support for Council Tax would be localised. At the same time, the level of funding provided by government

was reduced nationally by an average of 10% which translated locally to a reduction of 15%.

- 4.2 In December 2012, Council approved the local scheme for Castle Point for 2013/14. The scheme was designed to be cost neutral, based largely on an Essex wide framework developed jointly by Essex Benefit and Finance Officers.
- 4.3 The current scheme is generally still in line with the original 2013/14 scheme, with only minor changes made since then (where necessary) to align it with technical and legislative changes to Housing Benefit and Welfare Reform.
- 4.4 Key aspects of the current scheme are set out in paragraph 6.1.
- 4.5 The Council is required to approve future year's Local Council Tax Support schemes annually by 11<sup>th</sup> March each year, regardless of whether there are proposals to change the scheme or not.

## **5. Consultation**

- 5.1 There is a legal requirement for Local Authorities to consult with residents and other interested parties in relation to the scheme before any changes can be imposed.
- 5.2 Up until last year consultation was routinely undertaken, even where no changes (other than technical) were made to the scheme.
- 5.3 In July 2018 the Council became a Universal Credit "full service" site.
- 5.4 The impact of this change on working age customers and the full migration timetable was uncertain last year, and so no changes or consultation were recommended in respect of the 2019/20 scheme.
- 5.5 Impacts of Universal Credit Full Service (UCFS) have been closely monitored over the past year, and a summary of the impacts and current information with regards to the UC migration timetable is provided at **Appendix A**.
- 5.6 Subsequently no changes to the scheme and no consultation, are proposed for the 2020/21 scheme.
- 5.7 For illustrative purposes, a summary of the impact the proposed 2020/21 scheme may have on residents - in terms of Council Tax payments - is provided at **Appendix C**.

## **6. Proposed Local Council Tax Support Scheme for 2020/21**

- 6.1 The following elements are already incorporated in the 2019/20 scheme for Castle Point:
  - 1 As directed by central government, all pensioners are treated as protected, meaning that the financial impact of changes falls on working age households only.

- 2 The scheme is means tested, using many of the principles of the previous Council Tax Benefit scheme, which enables specific protections to be applied to vulnerable groups, households with children, and households with disabilities.
- 3 The scheme incentivises work by disregarding £25 per week of earned income.
- 4 Child Benefit is counted in full as income when calculating entitlement.
- 5 Claims for Local Council Tax Support cannot be back dated.
- 6 As far as possible the scheme allows for expected growth in demand and is easy to claim and administer.
- 7 Second Adult Rebate, previously available under Council Tax Benefit, is not part of the scheme for working age claimants.
- 8 The savings limit is £6,000, meaning that claimants with capital exceeding this value are not entitled to Local Council Tax Support.
- 9 Non-Dependant deductions, previously applicable under Council Tax Benefit, are not included in the scheme for working age claimants.
- 10 In conjunction with the Council's 'Local War Pensioner' scheme, income received in respect of War Pensions for disablement or bereavement is fully disregarded when calculating entitlement.
- 11 Support is capped at Council Tax band D and at 70% of Council Tax liability for working age claimants, meaning all working age Council Tax Payers are required to pay a minimum of 30% of their weekly council tax bill and those living in properties banded E to H will be assessed as though they are living in a Band D property.
- 12 Underlying Entitlement, previously awarded when an overpayment occurred under Council Tax Benefit, is not applicable in the scheme for work age claimants.
- 13 The Family Premium, previously awarded under Council Tax Benefit, no longer applies to new working age claims made from 1st April 2017 onwards.
- 14 The period for which a person can be absent from Great Britain and still receive Local Council Tax Support is limited to a maximum of 4 weeks (subject to specific exceptions).
- 15 The Severe Disability Premium, previously awarded under Council Tax Benefit, no longer applies where another person is paid Universal Credit (Carers Element) to look after them.
- 16 The Work-Related Activity Component is no longer included when calculating entitlement for new applicants who receive Employment and Support Allowance (ESA) and who fall within the Work-Related Activity Group.

- 17 The number of Dependant Child Applicable Amounts used when calculating entitlement is limited to a maximum of two (subject to specific exceptions).

6.2 It is recommended that the scheme should not be changed for 2020/21.

## **7. Corporate Implications**

### **a. Financial Implications**

#### Funding

- 7.1 The reduced tax yield arising directly from the council tax support scheme discount was originally compensated for by a government grant. With the exception of the Town Council, each precepting organisation received their equivalent grant directly and it was specifically identified within the overall finance settlement. An amount was paid over from this Council to the Town Council based on an estimate of the amount relating to them. From 2015/16 the grant has not been specified separately and the scale of reductions applied to Revenue Support Grant (RSG) means that local authorities are now required to fund this scheme entirely from their own resources.
- 7.2 The overall impact on the Council Tax Base for each financial year since introduction of the scheme is shown in the table below:

Year	Outturn £000s	Projected £000s
2013/14	5,798	
2014/15	5,282	
2015/16	4,874	
2016/17	4,804	
2017/18	4,686	
2018/19	4,666	
2019/20		4,659
2020/21		4,657

- 7.3 The number of discounts awarded under the local scheme has steadily reduced throughout the period since the scheme was launched in April 2013. Caseload will be influenced by changes in the local economy.

#### Collection

- 7.4 On introduction, the scheme resulted in a number of residents receiving full or partial Council Tax bills for the first time and, as expected, some residents have had difficulty in making payment. The Council has seen a reduction in the overall council tax collection rate, and an increase in the number of payment arrangements which extend payment into subsequent financial years.
- 7.5 Financial implications over and above the target cost of the scheme, positive or negative, would be shared with the major precepting organisations.

### Council Tax Reserve

- 7.6 The Council has preserved an amount of **£114k** in an earmarked reserve from scheme underspends in previous years.

### **b. Legal Implications**

- 7.8 The Local Government Finance Act 1992 made provision for local authorities to implement a council tax reduction scheme based on financial need criteria. This legislation also placed responsibility on the billing authority before introducing or implementing changes to their scheme to undertake consultation on the various options enabling consultees to express meaningful views on the proposals. As no changes are proposed since the introduction of the 2019/20 scheme no consultation was required in respect of the 2020/21 scheme.

### **c. Human resources/equality/human rights**

- 7.9 A stage 2 Equality Impact Assessment for the proposed 2020/21 scheme has been completed. A copy is attached at **Appendix B** of this report.

### **d. Timescale for implementation and risk factors**

- 7.10 The 2020/21 Scheme needs to be finalised by 11th March 2020. The new scheme must be operational from 1<sup>st</sup> April 2020.

Key project milestones are as follows:

<b>Milestone</b>	<b>Timeframe</b>	<b>Purpose</b>
Grant published	Nov 19 – Dec 19	
Cabinet Report	20.11.19	Proposed scheme to be recommended to Council
Report to Ordinary Council	15.1.20	Final scheme approval
2020/21 Scheme in place	31.03.20	Adoption and implementation
2020/21 Scheme in operation	01.04.20	Operation

## **8. Background Papers:**

<b>Appendix A</b>	Universal Credit Summary
<b>Appendix B</b>	Stage 2 Equality Impact Assessment
<b>Appendix C</b>	Impact of the Proposed 2020/21 Scheme

### **Report Author:**

Eddie Mosuro – Revenues & Benefits Transformation Manager

### **Summary of Universal Credit Full Service Impacts**

- 1.1 In May 2015 UC Live Service (UCLS), a partially digital model applied to only non-complex single working age households, was introduced in CPBC.
- 1.2 In July 2018 UC Full Service (UCFS), the national full digital model applied to all qualifying working age new claims, was introduced in CPBC.
- 1.3 By December 2018 UC Full Service had been introduced across all Local Authorities nationally.

#### **Impact on Council Tax Collection**

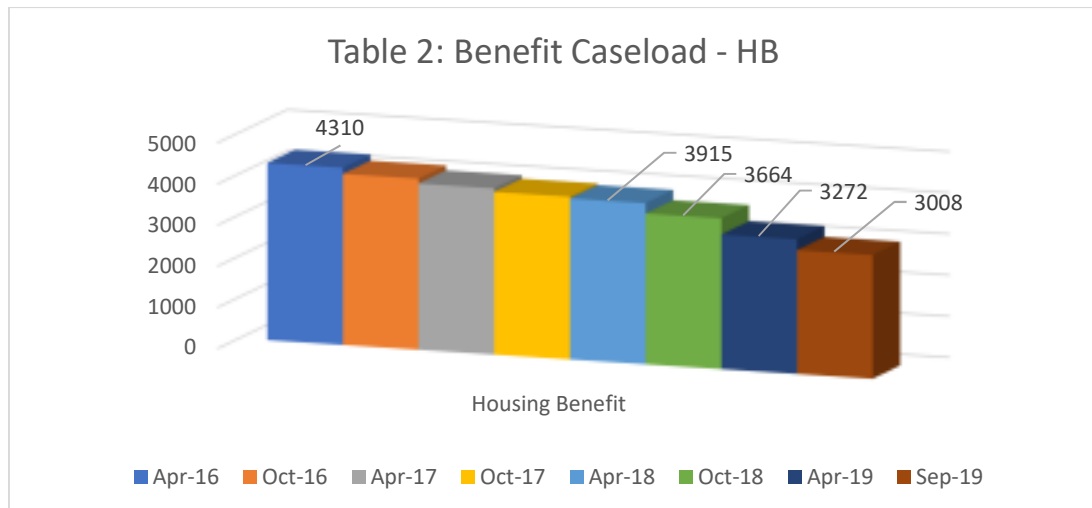
- 2.1 Despite UCFS implementation last year, there are no indications to date to suggest that UCFS has detrimentally impacted the collection rate for Council Tax over the past year.
- 2.2 Council Tax collection rates remain generally in line with previous years and we have not seen an increase in Exceptional Hardship Claims.
- 2.3 The adoption of more realistic payment and recovery arrangements and the use of Peabody and Citizens Advice services have helped in this regard.
- 2.4 Table 1 (below) shows the volume of UC claimants supported by Peabody and Citizens Advice between April and July 2019;

<b>Table 1: UC Support</b>	<b>Citizens Advice</b>	<b>Peabody</b>
Total No. of Customers supported	161	81
No. who received Digital Support	76	45
No. of received Budgeting Support	61	15
No. who received General Support	49	30
<b>Total volume of support provided</b>	<b>186</b>	<b>90</b>

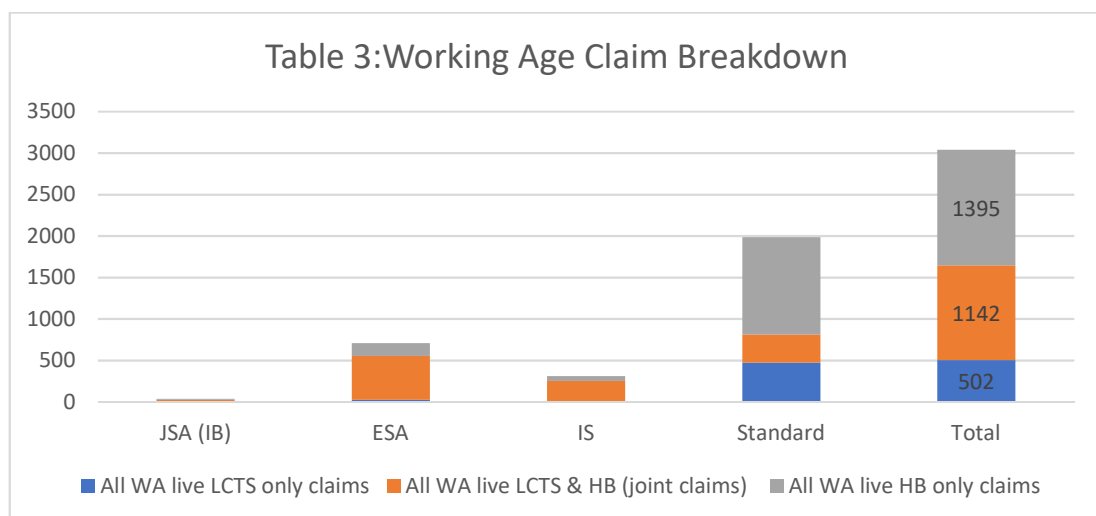
- 2.5 Concerns that customers may fail to claim LCTS when making their claim for UC have been somewhat founded, however Job Centre Plus and Citizens Advice are proactively advising customers to claim and recent monitoring shows this does seem to be having an impact.
- 2.6 In conclusion, current arrangements in respect of mitigating the impacts of UCFS on Council Tax Collection through support and revised enforcement arrangements appear to be working well and changes to the scheme to alleviate any pressures here are not currently deemed necessary.

### Impact on HB and LCTS Caseloads

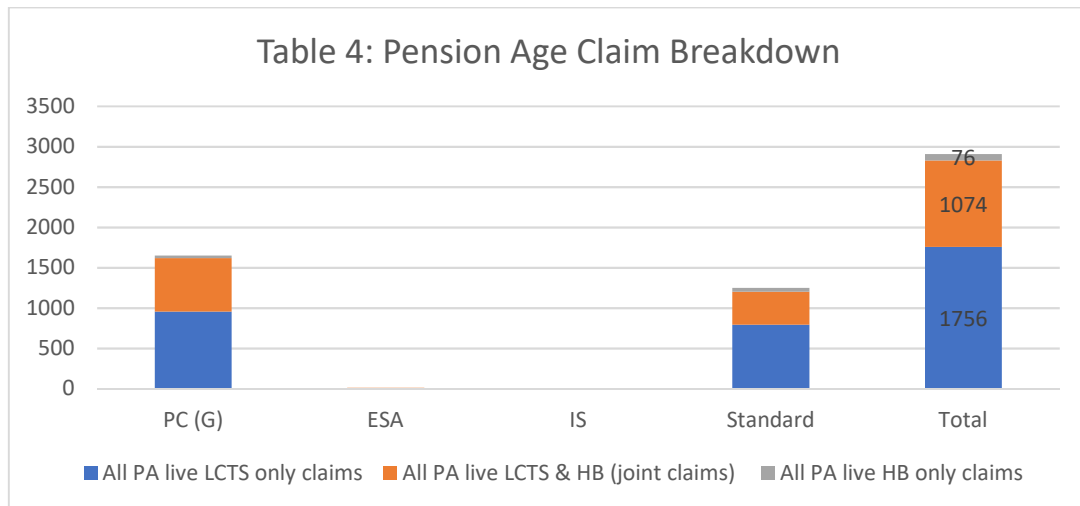
- 3.1 HB caseloads have reduced significantly since UCFS implementation and the volume of work items that require administration has also changed.
- 3.2 Table 2 (below) shows the decline in HB caseload. There was a steady decline between 2016 and 2018 (averaging 99 cases every 6 months), increasing to - 226 cases every 6 months between 2018 and 2019 - coinciding with UCFS implementation. The pace at which cases are declining appears to have slightly slowed since April 2019 – this is in line with national trends;



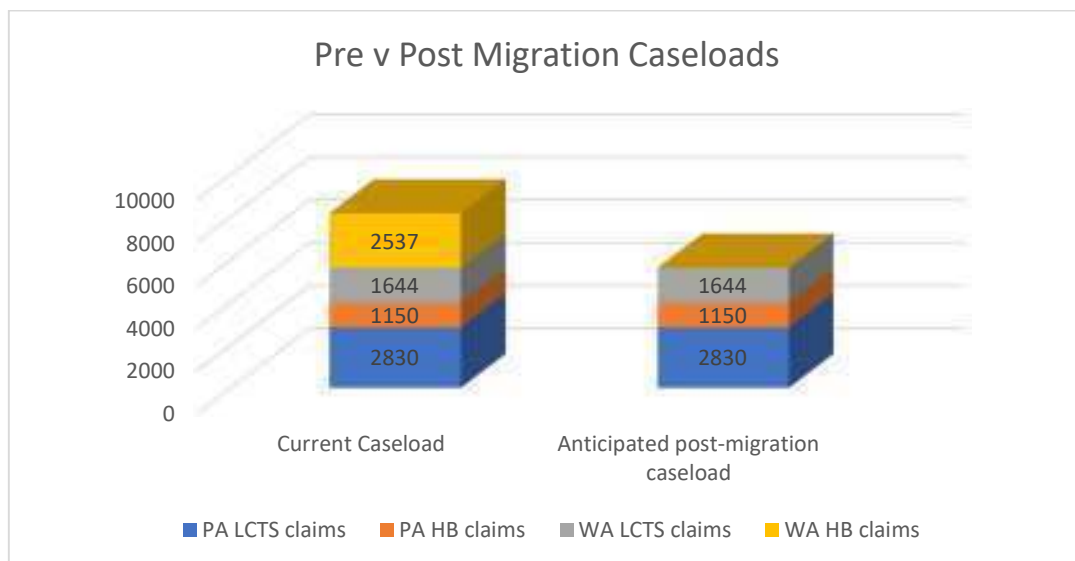
- 3.3 The timetable to 'mass migrate' all remaining working age HB claims to UCFS is still unclear - a 'mass migration' pilot began in Harrogate in July 2019, however this has only seen 2 cases successfully migrated to date, and The Department for Work and Pensions (DWP) continues to predict that mass migration will start in earnest in 2023/24.
- 3.4 Table 3 (below) shows CPBC's current working age (WA) caseload breakdown;



- 3.5 Under mass migration all WA HB claims (1,395 + 1,142) would transfer to UC until they reach pension age, whilst all WA LCTS claims (1,142 + 502) would be retained by the Authority.
- 3.6 The Department for Work and Pensions also recently countered growing speculation about the impact of UC on pensioners, by confirming that there are no plans to transfer pensioner housing costs into UCFS.
- 3.7 Table 4 (below) shows CPBC's current pension age caseload breakdown;



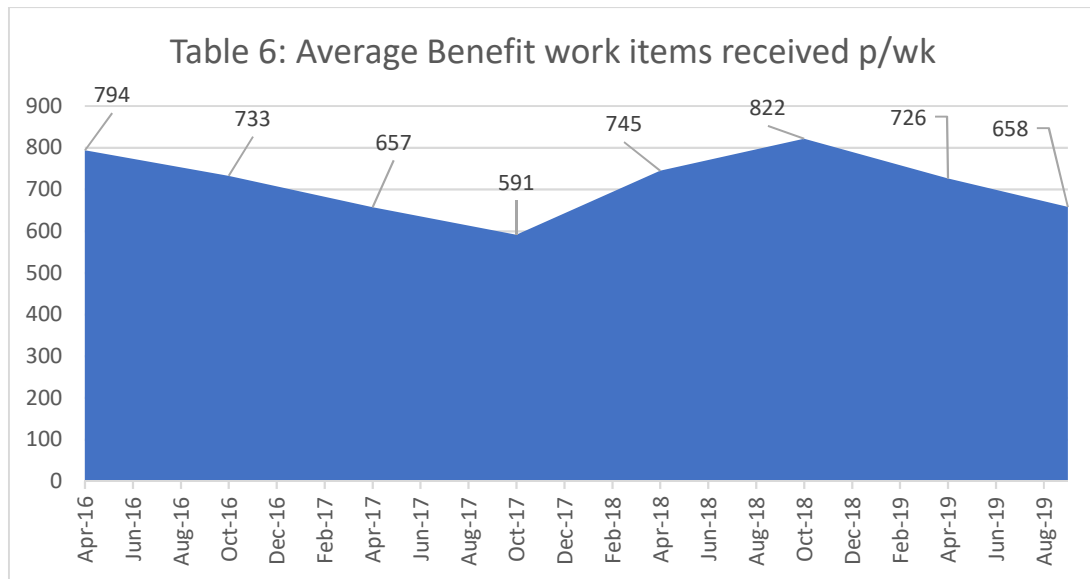
- 3.8 Under mass migration all PA claims (HB and LCTS) will be retained by the Authority
- 3.9 This means a 31% overall anticipated reduction in caseloads pre and post mass migration (from 8,161 claims to 5,624) – see Table 5 (below);



- 3.10 In conclusion, with the continuing high volume of joint HB/LCTS claims and slow progress towards mass migration UC means adapting the LCTS scheme to accommodate these changes is not yet warranted.

### Impact on Workloads & Resources

- 4.1 Table 6 (below) shows that the average number of benefit-related work items received per week peaked in April 16 (following UCLS implementation) and peaked again during 2018 (following UCFS implementation) and is now gradually declining.



- 4.2 The peak in Oct 2018 was mainly the result of the transition to UCFS - Authorities averagely received 4 notifications each time an existing HB/LCTS claimant moved onto UCFS.
- 4.3 Although now on a decline, Authorities continue to see high work volumes due to the 'Real Time Benefit' and other data matching arrangements which are now a fundamental part of the benefit system and part of DWP's wider digital transformation agenda.
- 4.4 Whilst DWP hope to automate all electronic data matches eventually, this is still some way off due to issues with the integrity and quality of data. Consequently, most Authorities still manually process most work items received.
- 4.5 As a result, data matching has added an increased level of complexity to claim administration - with data being received from multiple sources and sometimes going back over several claim periods.
- 4.6 Simplifying claim administration and reducing the impact on resources has consequently become a significant driver for Local Authorities to move towards simpler alternative LCTS schemes.

- 4.7 In conclusion the Benefit Team plans to undertake further work during 2020 to try and automate more DWP electronic data where possible and continues to monitor the impact on resources and alternative scheme options closely with long term objectives to adopt an alternative scheme as and when appropriate.

**Authors:**

Eddie Mosuro – Revenues & Benefits Transformation Manager

Nick Bale – Benefit Manager



## **Local Council Tax Support Scheme 2020-21**

### **Equality Impact Assessment (EqIA)**

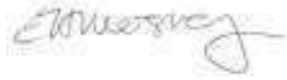

**Nov 2019**

# Strategy and Policy EqIA

All strategies and policies must be initially screened for their positive and negative equality impacts.

This initial screening will determine whether or not it is necessary to carry out a full EqIA for the strategy or policy.

This template has been designed to help you initially screen your strategy or policy and, if necessary, undertake a full EqIA .

<b>Title of strategy or policy:</b>	Local Council Tax Support Scheme
<b>Person undertaking EqIA:</b>	 Eddie Mosuro
<b>Head of Service:</b>	 Craig Watts
<b>Department:</b>	Housing & Communities
<b>Date EqIA completed:</b>	4.11.19

## Strategy and policy overview

Strategy and policy overview	
What is the strategy or policy intending to achieve?	To fulfil the Local Authorities legal obligation under the Localism Act to provide a Localised Council Tax Support Scheme with effect from 1 <sup>st</sup> April 2020.
What are the summary aims and objectives of the strategy or policy?	<p>Since 1<sup>st</sup> April 2013, the Council has maintained a Local Council Tax Support (LCTS) scheme. This replaced the national Council Tax Benefit scheme, which ended on 31<sup>st</sup> March 2013. LCTS helps provide support to council taxpayers who have a low income. It supports the taxpayers by providing a reduction in the actual amount in Council Tax payable.</p> <p>The Council has the ability to determine the level of support given to working age applicants only. The scheme for pension age applicants is determined by Central Government and therefore the ability of the Council to vary that part of the scheme is limited and can only enhance the national scheme in any event.</p> <p>When LCTS was first introduced, Central Government provided a specified level of grant, which was approximately 10% lower than the amounts previously given (pre 1<sup>st</sup> April 2013). This has now been replaced by a general duty to provide a scheme and funding is not separately identified within the grants given to the Council.</p>

	<p>After the original consultation, the Council decided to introduce an LCTS scheme that differed from the original Council Tax Benefit in that instead of granting a maximum level of support of 100% it would limit the maximum support to 70%.</p> <p><b>Changes since 2013</b></p> <p>Since the introduction of LCTS, the overall scheme adopted by the Council has remained broadly the same, with only applicable amounts for Pension Age and Working Age people being up-rated annually in line with Central Government.</p> <p>Some technical changes were introduced in 2017/18 to mirror changes being made within Housing Benefit legislation.</p> <p>Income from Universal Credit is treated in line with non-passported claims and attracts the same disregards, applicable amounts, and premiums detailed below.</p> <p><b>The Proposed Scheme for 2020/21</b></p> <p>The Council is minded not to make changes to the working age scheme for 2020/21.</p> <p>The scheme benefits those on low incomes by providing them with support to pay their Council Tax. In particular it provides full protection to Pensioners (as prescribed within the requirements of the Localism Act) and includes locally determined protections for vulnerable groups and incentives to encourage people into work.</p> <p>This Policy supports the Council's corporate priority of being 'A Commercial and Democratically Accountable Council' by ensuring the Council is 'fit for purpose by meeting national and</p>
Who will benefit from implementing the strategy or policy?	
What are the links to the Council's corporate priorities?	

What are the links to other Council strategies and policies?	local requirements to agreed timescales and to optimum performance standards' and 'ensuring the organisation has the right capacity and resources in place for effective customer focussed services whilst ensuring a balanced budget for 2020/21 and future years'.  Corporate Debt Recovery Policy Exceptional Hardship Policy Homelessness Strategy Action Plan Vulnerability Policy
What are the links to other community strategies and policies?	National Child Poverty Strategy: <a href="https://www.gov.uk/government/publications/a-new-approach-to-child-poverty-tackling-the-causes-of-disadvantage-and-transforming-families-lives">https://www.gov.uk/government/publications/a-new-approach-to-child-poverty-tackling-the-causes-of-disadvantage-and-transforming-families-lives</a>

## Equality Act 2010

The Equality Act 2010 introduces 2 specific statutory duties on public bodies such as local authorities:

- **Socio-economic duty:**
  - Have due regard when making strategic decisions to the need to reduce inequalities of outcome which result from socio-economic disadvantage
- **Single (integrated) equality duty:**
  - Eliminate discrimination, harassment and victimisation or any other conduct prohibited by the Act
  - Advance equality of opportunity between persons who share a “protected characteristic” and those who do not
  - Foster good relations between people who share a “protected characteristic” and those who do not

The Equality Act 2010 brings together all of the different equality strands and refers to them as “**protected characteristics**”:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

## Initial screening

This initial screening template will determine whether or not the strategy or policy requires a full EqlA  
If any of the answers to the 6 screening questions is “yes”, then a full EqlA will be required.

Initial screening		
Does the strategy or policy aim to reduce inequalities of outcome which result from socio-economic disadvantage?	<b>Yes / <del>No</del></b>	The Policy fundamentally aims to provide financial assistance in meeting Council Tax costs for those disadvantaged by socio-economic factors.
Does the strategy or policy aim to eliminate discrimination, harassment and victimisation?	<b>Yes / <del>No</del></b>	The scheme is prescribed for pension age people, however the scheme for working age people is less prescribed. Guidance has been given on treatment of vulnerable groups and work incentives. The design of

## Appendix B

		the working age scheme has sought to eliminate discrimination.
Does the strategy or policy aim to advance equality of opportunity?	<b>Yes / <del>No</del></b>	The Policy fundamentally aims to provide support with Council Tax for those who are socio-economically disadvantaged whilst also encouraging people into work. It has been recognised that in this regard opportunities for some groups may not be equal and therefore the Policy has been designed to provide protection for those groups where advancement of equal opportunity would be restricted.
Does the strategy or policy aim to foster good community relations?	<del>Yes</del> / <b>No</b>	No evidence available – not applicable.
Does the strategy or policy have the potential to make a negative contribution to equality?	<b>Yes / <del>No</del></b>	The scheme may fundamentally make a negative contribution to equality for certain groups – children, families, lone parents etc.
Does the strategy or policy make a positive contribution to equality?	<b>Yes / <del>No</del></b>	Pension age people are specifically protected under Government Regulations.
Initial screening outcome	<b>Full EqIA is required</b>	Initial screening outcome

# Full assessment

Information gathering	
What quantitative and qualitative information is there?	<p>The following paper contains information detailing the changing LCTS caseload and impacts of Universal Credit on the caseload:</p> <p><a href="S:\Corporate\LCTS\Reports\2020 - 21 Scheme Reports\NOV CABINET\Nov Cabinet Report - Appendix A Universal Credit Summary FINAL.docx">S:\Corporate\LCTS\Reports\2020 - 21 Scheme Reports\NOV CABINET\Nov Cabinet Report - Appendix A Universal Credit Summary FINAL.docx</a></p> <p>The following paper sets out the relative financial impact that the proposed scheme will have on Canvey Island Parish Council and non-Parish residents:</p> <p><a href="S:\Corporate\LCTS\Reports\2020 - 21 Scheme Reports\NOV CABINET\Nov Cabinet Report - Appendix C - Impact of Proposed 2020-21 LCTS Scheme FINAL V2.docx">S:\Corporate\LCTS\Reports\2020 - 21 Scheme Reports\NOV CABINET\Nov Cabinet Report - Appendix C - Impact of Proposed 2020-21 LCTS Scheme FINAL V2.docx</a></p> <p>This is based on the assumption that:</p> <ul style="list-style-type: none"> <li>• Council Tax will increase by 5%,</li> <li>• The property is Band D,</li> <li>• A full charge applies,</li> <li>• The customer is entitled to the maximum LCTS award (70%),</li> <li>• No changes are made to the scheme for 2020/21.</li> </ul>
What additional information is required?	No further information is required.
What are the outcomes of any internal and/or external consultation with stakeholders?	As no changes are proposed for 2020/21 no formal consultation was required.
What further consultation is required?	Not applicable.

<p>What examples are there of existing good practice?</p>	<p>Some elements of the current working age scheme (i.e. Band restriction, % liability reduction, removal of Second Adult Rebate) have been agreed as part of the overarching Pan Essex scheme.</p> <p>Other current scheme elements have been designed to meet specific needs within Castle Point.</p> <p>All of the technical changes, previously introduced in 2017/18, mirror changes which have been introduced as part of Central Governments wider Welfare Reforms.</p> <p>Guidance from DCLG outlining good practice with regards to treatment of vulnerable groups (published May 2012) and incentives to work (published May 2012) were previously used to inform the scheme design;</p> <p><a href="http://www.communities.gov.uk/publications/localgovernment/lscvulnerablepeople">http://www.communities.gov.uk/publications/localgovernment/lscvulnerablepeople</a></p> <p><a href="http://www.communities.gov.uk/publications/localgovernment/lscworkincentives">http://www.communities.gov.uk/publications/localgovernment/lscworkincentives</a></p> <p>The Local Government Finance Bill: Localizing Support for Council Tax – Updated Impact Assessment (published Aug 2011) also informed the scheme design;</p> <p><a href="http://www.communities.gov.uk/publications/localgovernment/lgfblocalisingcounciltax">http://www.communities.gov.uk/publications/localgovernment/lgfblocalisingcounciltax</a></p> <p>Each Local Authority is required to adopt their 2020/21 scheme by 11<sup>th</sup> March 2020.</p>
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Making a judgement	
How will the strategy or policy eliminate discrimination, harassment and victimisation?	<p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>People with disabilities will continue to receive additional premiums as part of the calculation of their award and also may receive additional financial support through the Exceptional Hardship Fund.</p> <p>Without these elements the policy could potentially be discriminatory to those who fall within the 'disability' characteristic group.</p> <p>No other impacts on protected groups have been identified.</p>
How will the strategy or policy advance equality of opportunity?	<p>The Policy is compliant with prescribed Regulations that protect Pension Age people. This advances equality of opportunity for those who fall within the 'age' characteristic group (specifically those of Pension age) who would otherwise be disadvantaged by the schemes fundamental incentives to work.</p> <p>Parents will continue to receive a Dependant's Applicable Amount (limited to a maximum of two children in line with other Welfare Reforms) and working parents will continue to receive an earnings disregard, as part of the calculation of their award.</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p>

## Appendix B

	<p>People with disabilities will continue to receive additional premiums as part of the calculation of their award and may also receive additional financial support through the Exceptional Hardship Fund.</p> <p>This advances equality of opportunity for those who fall within the 'disability' characteristic group who would otherwise be disadvantaged and may have less opportunity to improve their financial circumstances through work.</p> <p>No other impacts on protected groups have been identified.</p>
How will the strategy or policy foster good community relations?	No impacts on protected groups identified – not applicable.
<p>Does the strategy or policy have the potential to make a negative contribution to equality?</p> <p>If so, which groups with “protected characteristics” will be affected and what are the reasons?</p>	<p>Working Age people aged over 18 will be required to pay more than those of Pension Age.</p> <p>People with disabilities who are below pensionable age will need to pay more than those above pension age. This is due to the Prescribed Regulations which automatically protect people of Pension Age.</p> <p>The locally funded nature of the scheme that applies to those of working age, compared to the Prescribed Regulations that apply to those of pension age, mean it is not financially viable to completely protect all protected characteristic groups from the full effects of this scheme.</p>
What can be done to address any contribution to inequality caused by the strategy or policy?	<p>Working Age people aged over 18 will be required to pay more:</p> <p>The Council actively supports customers with information and advice on income maximisation, financial capability, and debt</p>

## Appendix B

	<p>management. The Flat Rate earnings disregard has been maintained in the scheme design to incentivise work.</p> <p>People with disabilities who are below pensionable age will need to pay more:</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>A discretionary Exceptional Hardship Fund is available to provide additional financial assistance to those who are particularly vulnerable and suffering exceptional financial hardship.</p>
What can be done to assist understanding of the strategy or policy?	<p>Details of the scheme will be publicised on the council website <a href="http://www.castlepoint.gov.uk">www.castlepoint.gov.uk</a> , and will be provided in hard copy and alternative formats (i.e. Braille, Large Print, Audio) on request.</p> <p>An on-line 'Calculator' is available to assist those who want to find out if they would be entitled to LCTS.</p> <p>First Contact customer service staff are available to explain the scheme to any individuals or organisations who require assistance.</p> <p>Partners, national bodies, and local advice and support agencies are notified of the scheme adopted each year.</p>

## Appendix B

Action plan					
Equality objective	Action(s)	Lead responsibility	Resources	Timescale(s)	Outcome(s)
Assist understanding of the Policy	Refresh website and hard copy information once 2020/21 Final Scheme formally adopted.	First Contact Manager	Staff time & printing costs	Jan '20 – Mar '20	All affected groups fully aware of the Policy and how it will affect them.
Assist understanding of the Policy	Engage with and raise awareness amongst local advice and support groups.	Benefit Manager	Staff time	Jan '20 - Mar '20	All local advice and support groups fully aware of the policy and how it will affect their customers.
Advancing equality of opportunity	Proactively identify suitable cases for Exceptional Hardship awards using internal knowledge of debts identified in 2019/20.	Revenues Manager	Staff time, provision of discretionary funding pot	Apr '20 – Mar '21	Reduce impact of the scheme on those suffering exceptional financial hardship.
Advancing equality of opportunity	Maintain a range of support services and referral arrangements to provide effective assistance with financial capability, budgeting, and/or debt management advice.	Revenues & Benefits Transformation Manager	Staff time, funding pot for services, additional staff resource	Apr '20 – Mar '21	Customers adequately supported and equipped with skills to manage financial impact.

**Impact of the Proposed 2019/20 LCTS Scheme**

In 2018/19 and 2019/20 the overall Council Tax increase was 4.75% and 4.74% respectively.

The Council Tax has not yet been set for 2020/21 so for illustrative purposes only an assumed overall increase of 4.75% has been applied to the following calculation for both mainland and Canvey Island Parish properties.

Using this figure, the impact of a **no change recommendation** for 2020/21 based on a tax payer receiving the highest rate of Local Council Tax Support (70%) and residing in a band D property on a full charge would be as follows: -

**Canvey Island Parish**

	<b>2019/20 £</b>	<b>2020/21 £</b>
Property Band D liability	1,814.49	1,900.68 (4.75% estimated increase)
Maximum LCTS award (70%)	1,270.14	1,330.48
Minimum charge due	544.35	570.20

The tax payer would be required to pay at least £25.85 more in 2020/21, compared to the amount they were required to pay in 2019/20.

This equates to an increase of 50p per week for customers receiving maximum Local Council Tax Support.

**Mainland**

	<b>2019/20 £</b>	<b>2020/21 £</b>
Property Band D liability	1,793.88	1,879.09 (4.75% estimated increase)
Maximum LCTS award (70%)	1,255.72	1,315.36
Minimum charge due	538.16	563.73

The tax payer would be required to pay at least £25.57 more in 2020/21, compared to the amount they were required to pay in 2019/20

This equates to an increase of 49p per week for customers receiving maximum Local Council Tax Support.

**CABINET**

**20th November 2019**

**Subject: Delegated Authority to Procure Merchant Acquiring Card Services**

**Cabinet Members: Councillor Stanley - Finance, Policy and Resources**

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**1. Purpose of Report**

- 1.1 To seek delegated authority to progress with the procurement of a new Merchant Acquiring Card Service provider.**

**2. Links to Council's priorities and objectives**

- 2.1 This report is linked to the Council's priority of 'A Commercial and Democratically Accountable Council'. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.**

**3. Recommendations**

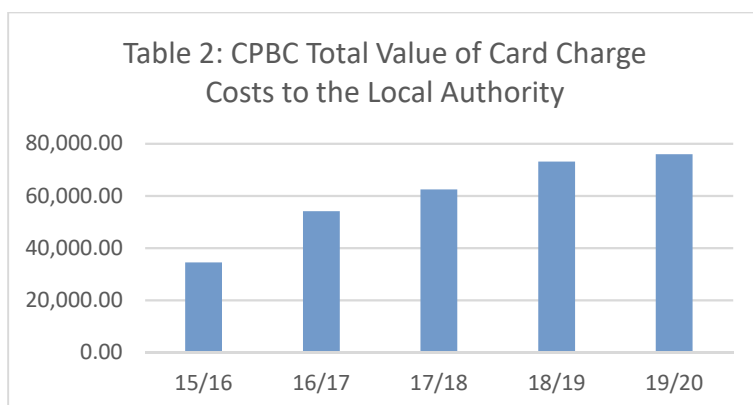
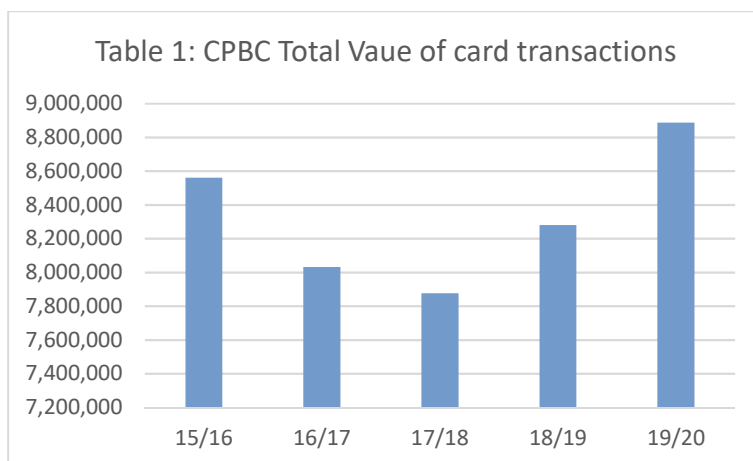
- 3.1 That Cabinet approves the procurement of a new Merchant Acquiring Card Service Provider in line with the recommendations in para 5.9 and based on the indicative expenditure stated in 5.8 of this report.**

**4. Background**

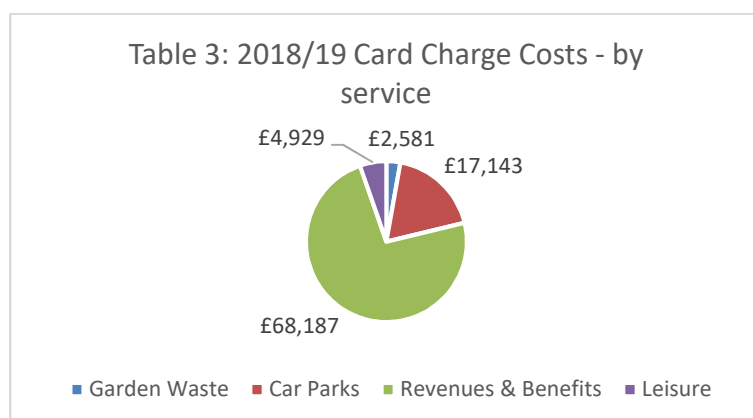
- 4.1 Over the last decade, changes in consumer preferences, innovation in payment methods, and advances in technology have resulted in significant change to the way people choose to pay for things.**
- 4.2 The growth in smart phones, on-line banking, contactless payments, Open Banking, and the continuing evolution of digital services have all contributed to a rise in e-commerce (web) and m-commerce (mobile) transactions – with debit card payments on a national scale, overtaking cash (for the first time ever) as the most frequently used method of payment during the last quarter of 2017.**
- 4.3 In January 2018, following an EU directive, Government also legislated to ban card transaction surcharge fees - effectively stopping all retailers, traders, local and central Government departments, from imposing card charges when taking transactions via Debit or Credit card.**

## Report

- 5.1 As a result of the changes highlighted above, whilst the value of card transactions has increased, card charge costs borne by the Authority have also increased.
- 5.2 The following tables illustrates the transaction and cost trends in respect of CPBC's main Merchant Acquiring Card Service Provider;



- 5.3 The Authority currently operates three separate Merchant Acquiring Card Service contracts; one for garden waste transactions, one for car park transactions, and one for all other transactions (i.e. mainly revenues, benefits, leisure etc.)
- 5.4 The total cost of card charges from all three Providers in 2018/19 was in the region of £93k, with costs split as follows;



- 5.5 Rationalising all three existing Merchant Acquiring Card Services under one central contract would not only streamline contract management/administration but would (more importantly) enable the Authority to procure the service on more favourable terms compared to those currently offered under separate contracts.
- 5.6 A framework to direct award this service under Crown Commercial Services exists (ID RM3702), however it expires on 28th February 2020.
- 5.7 A comparison of CPBC's main Merchant Acquiring Card Service Provider's costs against those available within the framework indicate that the Authority could realise net savings in the region of £40k per annum through procurement.
- 5.8 Indicative costs over a 5-year period places the total value of the contract in the region of £271k.
- 5.9 It is therefore recommended that;
- the Authority rationalises all existing Merchant Acquiring Card Services under one central contract and,
  - that procurement is undertaken via a competitive tender process.

## **6. Corporate Implications**

### **a. Financial implications**

Funding for this procurement and ongoing costs will need to be met from existing budget provision (budgets are currently split between Revenues, Leisure, Car Parks and Environment services).

### **b. Legal implications**

This procurement will comply fully with all relevant legislation and the Council's own internal procurement procedures and financial regulations.

### **c. Human resources and equality**

There would not be any immediate implications on staff resources and minimal impact on resources to implement the new contract.

### **d. Timescale for implementation and risk factors**

A draft Specification has been prepared and the draft timetable for procurement is as follows;

<b>Date</b>	<b>Action</b>
December 2019	Invitation to Tender published
December 2019	Clarifications sought and given
January 2020	Invitation to Tender closes
February 2020	Evaluation of Tenders

February 2020	Successful Bidder Notified
March 2020	Contract Completion
April 2020	Contract commences

**7. Background Papers:**

None

Report Author: Eddie Mosuro – Revenues & Benefits Transformation Manager.

**CABINET**

**20th November 2019**

**Subject: Corporate Performance Scorecard Quarter 2 2019/20**

**Cabinet Member: Councillor Sheldon - Commercial Contracts and  
Commercial Opportunity**

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**1. Purpose of Report**

**To set out the cumulative performance figures for the Corporate Performance Scorecard for Quarter 2 (from 1<sup>st</sup> July 2019 to 30<sup>th</sup> September 2019).**

**2. Links to Council's priorities and objectives**

**The scorecard is explicitly linked to the Council's priorities.**

**3. Recommendations**

**That Cabinet notes the report and continues to monitor performance.**

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**4. Background**

**4.1** The Corporate Scorecard reports on performance indicators for important service outcomes that are relevant to the Council's priorities.

**4.2** The indicators for the Corporate Performance Scorecard for 2019/20 were considered and approved by Cabinet in June 2019.

**5. Report**

**5.1 Summary of Performance**

**5.1.1** The performance summary in Appendix 1 sets out the performance achieved by the Council against the measures in the scorecard. Of the 24 indicators reported – increased by one from last quarter as sickness absence is now split between short and long-term – 17 are at or above target, a further 4 are near target and 1 indicator did not meet the target. The homelessness indicator – split into two parts – has a new definition for 2019/20 and therefore will not have a target until we can establish a baseline of typical performance. Trend in performance shows that there is improving performance in 15 indicators, decreasing performance for 2 indicators and performance levels maintained for a further 3 indicators. The remaining 4 indicators do not have an indication of trend.

5.1.2 Performance is set out against the four priorities in the Corporate Plan as follows:

### ***Environment***

Although the household recycling figure is slightly below target, when combined with household composting (including food waste) the performance is 54.1% and exceeds the combined target of 50%. The service is working to increase recycling rates through additional advertising (especially on social media), redesign of recycling guides and staff training on contamination.

The good performance for street cleanliness continues this quarter with just 8.5% of inspected streets deemed unsatisfactory, down from 10.5% over the same period last year. This is now the fourth consecutive quarter than this target has been met.

Fly tipping and grass verge cutting indicators generally demonstrate strong performance and that the contractual arrangements continue to be effective. The new indicator for 2019/20 about service requests relating to grass verge cutting has improved since the same period last year and is now within target.

### ***Housing and Regeneration***

Tenant satisfaction with repairs and maintenance at 99.2% remains strong. The average void turnaround time was 15.2 days for the quarter; on target and almost half the void turnaround time over the same period last year.

The percentage of planning applications processed within target times has two measures – one for major and one for non-major applications. The method of calculating these planning indicators now mirrors the method used for returns to Government – this gives a longer-term view of performance as it looks over a rolling two-year period. Nationally-set targets have been comfortably achieved and performance has improved when compared with the same period last year.

The Building Control Service ensured all applications were processed within statutory timescales.

Council approved the draft Local Plan for Regulation 19 consultation on 22nd October 2019. The Council also approved the Local Development Scheme (LDS). The LDS requires consultation at Regulation 19 to start in December 2019

Progress of the Joint Strategic Plan as measured against the milestones set out in the LDS is off target. The preparation of the Joint Strategic Plan (JSP) has run concurrent with the development of the wider strategies for South Essex. A new LDS for the plan needs to be approved and this will reset the timescales for this performance indicator.

## ***Health and Community Safety***

The Homelessness indicator was introduced in Q4 2018/19, following the introduction of the Homeless Reduction Act. This indicator looks at the success rate of the homelessness team in preventing and relieving homelessness. Performance is derived from Government-verified statistics which, at the time of publication of this report, have not yet been released. If available, performance will be reported verbally at the meeting.

The percentage of food premises that have been awarded a score of at least 3 on the food hygiene rating scheme was 93% (425 of 457 premises) and exceeded the target of 90% which is strong performance.

Satisfaction with Leisure Services is measured by a Net Promoter Score which can range from -100 (where everybody is a detractor and would not recommend the service) to +100 (where everybody is a promoter and would recommend the service). Waterside Farm achieved an exceptionally high score of 72 with Runnymede achieving a very high score of 68. Both scores are improvements on the same period last year and are above target.

The number of leisure memberships stood at 3,006 at the end of Q2 2019/20, an increase from 2,789 memberships at the same point in 2018/19 and is above target. As well as getting new memberships, the service works hard to retain existing memberships.

## ***A Commercial and Democratically Accountable Council***

The First Contact team continue to deal with queries effectively; 94% of calls received were dealt with at the first point of contact without the need to transfer to the back office. This is just below target this quarter.

The sickness absence indicator has been split between short-term and long-term (4 calendar weeks or more) with targets adjusted to reflect levels seen in previous years as well as some comparative data. At 4.9 days against a target of 4.6 days, short-term absence is just off target and is unchanged from the same period last year. Long-term absence has improved from the same period last year (falling from 4.6 days to 3.9 days) and is on target. All sickness absence is reported to First Care who provide health advice to the employee and management information to the services. This includes alerts when triggers are met and reminders to complete Return to Work Interviews. These processes involve referral to Occupational Health/Counselling when required and management review meetings.

Another new measure for 2019/20 is the number of wheeled bin garden waste subscribers. The service has an annual target of 8,970 subscribers to the wheeled bin garden waste collection service. Performance at the end of Q2 (8,750 subscribers) places the service on track to meet this annual target. There are now just under 1,300 more subscribers than at the same time last year.

The Council is keen to encourage members of the public and businesses to sign up to its e-billing service for council tax and business rates. The number signed up this service is 7,245 which is just five below the Q2 target of 7,250. The service will continue to promote e-billing to customers.

5.1.3 Further information and commentary on performance is set out in the table in Appendix 1.

## **6. Corporate Implications**

### **a. Financial implications**

Good performance on some indicators can lead to reduced costs.

### **b. Legal implications**

There are no direct legal implications at this stage.

### **c. Human resources and equality**

There are no direct human resource or equality implications at this stage.




### **d. Timescale for implementation and risk factors**

Monitoring of the Corporate Performance Scorecard is ongoing throughout the year.

## **7. Background Papers:**

None







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Key	
	More than relative 10% below target
	Less than relative 10% below target
	On or above target

## Appendix 1: Corporate Scorecard 2019/20 (Environment)

Quarter 2: 1<sup>st</sup> July 2019 to 30<sup>th</sup> September 2019

Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated

PI Code & Short Name	Q2 Value 2018/2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
OPS4: Percentage of Household Waste Recycled  Service Manager: Operational Services Manager	22.4%	24.0%	25.0%			Recycling performance has improved compared with the same period in 2018/19 although just below target. The service is working to increase recycling rates through additional advertising (especially on social media), redesign of recycling guides and staff training on contamination. <i>Note: Figures are very early estimates and may be subject to change.</i>
OPS5: Percentage of Household Waste Composted (including food waste)  Service Manager: Operational Services Manager	29.6%	30.1%	25.0%			Performance is above target and an improvement on the same period in 2018/19. <i>Note: Figures are very early estimates and may be subject to change.</i>
SS2 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology.  Service Manager: Contracts Manager	10.5%	8.5%	Less than 10.0%			This is now the fourth quarter in a row that the percentage of streets inspected and deemed unsatisfactory has achieved better than the 10% target (lower % is better performance). Service requests for litter have reduced compared to the same period last year




PI Code & Short Name	Q2 Value 2018/ 2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
SS3: Fly tips removed within one working day  Service Manager: Contracts Manager	100%	100%	90%	↔	✓	All 225 fly tips in the second quarter were removed within one working day, with September showing the lowest number of fly tips, 59, since April 2018.
SS4: Number of default notices served in relation to Highway Grass Verge cutting  Service Manager: Contracts Manager	1	6	Under 90	↓	✓	Consistent grass cutting by Pinnacle and weather conditions slowing growth minimised the number of defaults served. Although there was an increase to 6 default notices, up from the 1 notice served over the same period last year, this is still a small number and comfortably on target.
SS5: Number of service requests received in relation to Highway Grass Verge cutting  Service Manager: Contracts Manager	28	20	45	↑	✓	Service requests were within target and lower than the 28 service requests in the same period in 2018. This was due to consistent cutting by Pinnacle and weather conditions slowing growth.

# Corporate Scorecard 2019/20 (Housing and Regeneration)

Quarter 2: 1<sup>st</sup> July 2019 to 30<sup>th</sup> September 2019

Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated



PI Code & Short Name	Q2 Value 2018 / 2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
<p>HOS1: Overall tenant satisfaction with repairs and maintenance</p> <p>Service Manager: Housing Services Manager</p>	95.8%	99.2% (YTD)	97%	↑	✓	<p>Satisfaction performance this quarter was 100% with 60 responses out of 60 sampled stating they were satisfied with the repairs service.</p> <p>This leaves year-to-date (YTD) performance exceeding target at 99.2%.</p>
<p>HOS6: Average Void Turnaround Time</p> <p>Service Manager: Housing Services Manager</p>	27.9 Days	15.2 Days	20.5 Days	↑	✓	<p>Focus on this area has improved performance considerably compared to the same quarter last year.</p>
<p>Percentage of planning applications processed within target time limits for major and non-major applications</p> <p>Service Manager: Planning &amp; Development Enforcement Manager</p>	96.7%  98.0%	97.7%  99.2% (see note)	<p>Major 60%</p> <p>Non-Major 70%</p>	<p>↑</p> <p>↑</p>	<p>✓</p> <p>✓</p>	<p>This definition of this indicator has changed in 2019/20 to reflect the returns to Central Government. Performance is now shown on a two-yearly rolling basis. Performance determining Major and Non-Major applications has improved since the same period last year and both are comfortably above Government-set targets</p> <p><i>Note: Figures represent performance for 24 months to the end of June 2019 as Government-produced statistics to the end September 2019 are not yet available.</i></p>







PI Code & Short Name	Q2 Value 2018 / 2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
BC1: Percentage of Building Control applications processed within statutory time limits  Service Manager: Building Control Manager	100%	100%	100%	↔		All applications continue to be processed within time limits.
NEW: Progress of Local Plan against the milestones set out in the Local Development Scheme (LDS)  Service Manager: Head of Place and Policy	N/A	N/A	100%	N/A		Full Council approved the draft Local Plan for Regulation 19 consultation on 22 October 2019. The Council also approved the LDS. The LDS requires consultation at Regulation 19 to start in December 2019.
NEW: Progress of the Joint Strategic Plan against the milestones set out in the Local Development Scheme (LDS)  Service Manager: Head of Place and Policy	N/A	0%	100%	N/A		The preparation of the Joint Strategic Plan (JSP) has run concurrent with the development of the wider strategies for South Essex. A new Local Development Scheme (LDS) for the plan needs to be approved.  This new LDS will reset the timescales for this performance indicator.

# Corporate Scorecard 2019/20 (Health and Community Safety)

Quarter 2: 1<sup>st</sup> July 2019 to 30<sup>th</sup> September 2019

Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated




PI Code & Short Name	Q2 Value 2018 / 2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
<p>NEW: Percentage of prevention or relief duties which ended during the quarter with a successful outcome of:</p> <p>a) Homelessness Prevented b) Homelessness Relieved</p> <p>Service Manager: Housing Options Manager</p>	N/A	<p>a) See note b) See note</p>	TBC	N/A	N/A	<p>This is a new measure for 2019/20 and therefore will not have a target until we can establish a baseline of performance.</p> <p><i>Note: Performance is derived from Government-verified statistics which, at the time of publication of this report, have not yet been released. If available, performance will be reported verbally at the meeting.</i></p>
<p>EH2: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme.</p> <p>Service Manager: Environmental Health Operational Manager</p>	91%	93%	90%			<p>93% (425 of 457 premises) rated under the food hygiene rating scheme were awarded 3* or above.</p>



PI Code & Short Name	Q2 Value 2018 / 2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
L1: Leisure satisfaction – Net Promoter Score  a) Waterside Farm b) Runnymede  Service Manager: Leisure and Community Services Manager	a) 63  b) 53	a) 72  b) 68	65	  	a)  b) 	The leisure centres continue to score very highly in the Net Promoter Score with results for both centres showing a further improvement on performance at the same time last year.
L3: Leisure Memberships  Service Manager: Leisure and Community Services Manager	2789	3006	3000			The number of leisure memberships stood at 3006 at the end of Q2 2019/20. This was an increase from the same point in 2018/19 and is above target.

# Corporate Scorecard 2019/20 (A Commercial and Democratically Accountable Council)

Quarter 2: 1<sup>st</sup> July 2019 to 30<sup>th</sup> September 2019

Note: All performance values are cumulative (i.e. from 1<sup>st</sup> April to end of June/September/December/March) unless otherwise stated

PI Code & Short Name	Q2 Value 2018/ 2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
<p>FC1: Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office</p> <p>Service Manager: Revenues &amp; Benefits Transformation Manager</p>	95%	94%	95%	↓		<p>Staff sickness coinciding with planned annual leave has impacted on performance in quarter 2; performance is down 1 percentage point on the same period last year and just below target.</p> <p>Of the 15,188 calls handled received, 14,292 were dealt with at the first point of contact without the need to transfer to the back office.</p>
<p>CORP1: Average number of days sickness absence per FTE staff for all Council Services (rolling year)</p> <p>a) Short term b) Long term</p> <p>Service Manager: Human Resources Manager</p>	<p>a) 4.9 days b) 4.6 days</p>	<p>a) 4.9 days b) 3.6 days</p>	<p>a) 4.6 days b) 3.9 days</p>	<p>↔ ↑</p>	<p> </p>	<p>This measure now shows sickness absence levels split by short-term and long-term (4 calendar weeks or more). Both are reported on a rolling year and targets have been adjusted considering past performance and comparative data.</p> <p>Short-term sickness absence is 4.9 days against a target of 4.6 days, based on levels seen in previous years.</p> <p>Long-term sickness absence is 3.6 days, down from 4.6 days at the same time last year.</p>

PI Code & Short Name	Q2 Value 2018/ 2019	Q2 Value 2019 / 2020	Target	Trend	Status	Comments
						All sickness absence is reported to First Care who provide health advice to the employee and management information to the services. This includes alerts when triggers are met and reminders to complete Return to Work Interviews. These processes involve referral to Occupational Health/Counselling when required and management review meetings.
<p>NEW: Number of wheeled bin garden waste subscribers</p> <p>Service Manager: Operational Services Manager</p>	7472	8750	Annual Target 8970	↑	 (on track)	<p>The service has an annual target of 8970 subscribers to the wheeled bin garden waste collection service.</p> <p>Performance at the end of Q2 places the service on track to meet this annual target. The number of subscribers has increased substantially from the same position in 2018/19.</p>
<p>REV6: Take up of e-billing services for Council Tax and Business Rates</p> <p>Service Manager: Revenues &amp; Benefits Transformation Manager</p>	6767	7245	7250	↑		<p>The number of customers signed up to e-billing was 7245 at the end of quarter 2. Performance is short of target by just 5 (which is less than 0.07%) and the service will continue to promote e-billing to customers.</p>