

Democratic Services

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Date: 16th July 2012

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To: All Members of the Housing and Major Projects Policy Development and Scrutiny Panel

Councillor Eleanor Jackson
Councillor Steve Hedges
Councillor Les Kew
Councillor Brian Simmons
Councillor Will Sandry
Councillor Paul Fox
Councillor June Player

Cabinet Member for Sustainable Development - Councillor Cherry Beath
Cabinet Member for Homes & Planning - Councillor Tim Ball

Chief Executive and other appropriate officers
Press and Public

Dear Member

Housing and Major Projects Policy Development and Scrutiny Panel: Tuesday, 24th July, 2012

You are invited to attend a meeting of the **Housing and Major Projects Policy Development and Scrutiny Panel**, to be held on **Tuesday, 24th July, 2012 at 5.30 pm** in the **Council Chamber - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely

Mark Durnford
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Mark Durnford who is available by telephoning Bath 01225 394458 or by calling at The Guildhall, Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Mark Durnford as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Mark Durnford as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. Emergency Evacuation Procedure**

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Arrangements are in place for the safe evacuation of disabled people.

**Housing and Major Projects Policy Development and Scrutiny Panel - Tuesday, 24th July,
2012**

at 5.30 pm in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

Members who have an interest to declare are asked to:

- a) State the Item Number in which they have the interest
- b) The nature of the interest
- c) Whether the interest is personal, or personal and prejudicial

Any Member who is unsure about the above should seek advice from the Monitoring Officer prior to the meeting in order to expedite matters at the meeting itself.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

6. ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

At the time of publication no notifications had been received.

7. MINUTES - 29TH MAY 2012 (Pages 5 - 16)

8. CABINET MEMBER UPDATE

This item gives the Panel an opportunity to ask questions to the Cabinet Member(s) and for them to update the Panel on any current issues.

9. HOUSING SERVICES ENFORCEMENT POLICY (Pages 17 - 32)

This policy sets out the principles of good enforcement practice and how Housing Services will apply these principles. The policy also states how the Service will deal with individuals and organisations who do not comply with the requirements of the Housing Act 2004 and other relevant housing legislation.

10. REFORMING THE RIGHT TO BUY SCHEME (Pages 33 - 38)

The Government, with effect from 2 April 2012, amended the Right to Buy Scheme. The change was implemented by the "Housing (Right to Buy) (Limit on Discount) (England) Order 2012" and Department of Communities & Local Government (DCLG) guidance for local authorities, referred to as "Reinvigorating Right to Buy and One for One Replacement, Information for Local Authorities" published in March 2012. The changes can be usefully grouped into: increasing the discount cap to £75,000; a new affordable home for each one sold statement; and a range of technical changes to how stock owning Councils calculate admin costs and proportion the proceeds between the Treasury and local Councils. As Bath & North East Somerset does not own stock it is only the first point, the raising of the cap that is directly relevant.

11. DEVELOPMENT & REGENERATION OPPORTUNITIES IN THE SOMER VALLEY

The Panel will receive a presentation on this item from the Senior Development Officer.

12. HOUSING & MAJOR PROJECTS UPDATE (Pages 39 - 64)

This report provides an update in respect of housing delivery and the projects currently managed by the Development & Major Projects Directorate.

13. PANEL WORKPLAN (Pages 65 - 72)

This report presents the latest workplan for the Panel (Appendix 1).

The Committee Administrator for this meeting is Mark Durnford who can be contacted on 01225 394458.

BATH AND NORTH EAST SOMERSET COUNCIL

HOUSING AND MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 29th May, 2012

Present:- Councillors Eleanor Jackson (Chair), Steve Hedges (Vice-Chair), Les Kew, Brian Simmons, Will Sandry, June Player and Ben Stevens (In place of Paul Fox)

Also in attendance: John Betty (Strategic Director, Development & Major Projects), Graham Sabourn (Associate Director for Housing), Kaoru Jacques (Planning Officer), Simon Martin (Operations Manager - Project Management), Chris Mordaunt (Housing Services Manager) and David Trigwell (Divisional Director for Planning and Transport)

Cabinet Member for Economic Development: Councillor Cherry Beath

1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

2 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Paul Fox and Councillor Tim Ball, Cabinet Member for Homes & Planning had sent their apologies to the Panel. Councillor Ben Stevens was present as a substitute for Councillor Fox for the duration of the meeting.

4 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

6 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

The Chair announced that she was aware that a member of the public, Mr David Redgewell, wished to make a statement to the Panel on the subject of the Bath Bus Station and Railway Land in Radstock. She confirmed that Mr Redgewell would make his statement when item 13 (Housing & Major Projects Update) was reached on the agenda.

7 MINUTES - 27TH MARCH 2012

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chair.

8 CABINET MEMBER UPDATE

Councillor Cherry Beath, Cabinet Member for Economic Development addressed the Panel. She informed them that a report on London Road Regeneration would be received by the Cabinet at their June meeting.

She announced that at the May Cabinet meeting a decision was taken to redevelop an area of the Guildhall to become a Co-Working Hub.

She stated that talks were on-going with Taylor Wimpey regarding the Somerdale site and that a number of consultation workshops had taken place. She added that a planning application for the site was expected to be submitted to the Council in either October or November 2012.

Councillor Les Kew asked if she was able to give the Panel update on the Welton Bibby & Baron site that Councillor Barry Macrae had mentioned at the previous meeting.

Councillor Cherry Beath replied that she was unable to go into precise details, but wished to stress that Midsomer Norton and sites such as this were important to the Council.

The Chair commented that the local Councillors were also concerned about the site and whether it would be used for residential or industrial use.

Councillor Cherry Beath replied that the site was currently a sad loss to the area. She added that she understood that at least one supermarket had shown interest in the site and acknowledged that the site could suit further residential buildings upon it.

Councillor Les Kew requested a substantial update on this site and others within the locality at the next meeting of the Panel.

The Chair agreed with this proposal.

The Associate Director for Housing gave an update to the Panel on behalf of Councillor Tim Ball, Cabinet Member for Homes & Planning. He informed them that Somer Community Housing had formally announced their proposed new structure, governance procedures and change of name to Curo Group.

He added that officers were assessing any possible implications to the Council and would report back to the Panel on this matter in due course.

Councillor Will Sandry commented that the next meeting of the Panel may be too late a date to share those concerns, if any were found.

Councillor Steve Hedges asked if the Council's membership on the Somer Community Housing Trust Board was in jeopardy.

The Associate Director for Housing replied that the new structure proposed the removal of the single B&NES member from the Board.

The Chair of the Panel, Councillor Eleanor Jackson commented that she believed this to be a key matter and suggested it be passed to all Political Group Leaders.

Councillor Les Kew commented that he was surprised that there had been no consultation on this matter.

The Associate Director for Housing replied that Somer had indeed presented some of their proposals at a previous meeting. However, he shared some of the concerns raised and that is why he had asked for the proposals to be put in writing. He added that he had only recently received them.

Councillor Les Kew called for a legal view on the matter to be given as soon as possible.

Councillor Will Sandry suggested that the Corporate Audit Committee be made aware of these proposals so that they can assess if there is any corporate risk to the Council.

The Chair of the Panel proposed the following resolution, which was seconded by Councillor Les Kew and adopted unanimously.

The Housing & Major Projects Panel asks the Corporate Audit Committee to investigate as a matter of urgency the relationship between Somer Community Housing (Curo) and the Council, considering the proposed changes in operation by Somer Community Housing (Curo), especially the proposal to remove the position of a B&NES member from their Board.

The Chair asked if a report on the Government's revival of the 'Right to Buy' could be prepared for the next Panel meeting.

The Associate Director for Housing replied that he could and would do this.

9 HOME HEALTH AND SAFETY POLICY 2012

The Housing Services Manager introduced this item to the Panel. He explained that the policy sets out how Housing Services will provide assistance, including financial assistance, to help low-income, elderly, disabled and other vulnerable residents to undertake essential repairs and adaptations to their homes. He added that under the home improvement loans section there was a proposal to change the eligibility criteria to allow families with dependent children under 16 years of age to apply. A new section of policy is also proposed covering assistance to encourage empty home owners to bring their homes back into use.

Councillor Steve Hedges welcomed the report and commented that he was glad to see the inclusion of the section that addressed children under 16 years of age. He asked how the empty property process was progressing.

The Associate Director for Housing replied that they had exceeded their target for last year and had brought 44 properties back into use.

The Chair commented that she felt that this was an important document. She wished to suggest an amendment to the second bullet point to paragraph 1.7 of Appendix 1. She suggested it should read as follows 'with a limiting long term or terminal illness'.

Councillor Will Sandry asked what the financial implications would be if that amendment were to be made.

The Associate Director for Housing replied that the implications were unlikely to be substantial and that the project had some degree of headroom. He added that this would also be in keeping with the ethos of the policy.

The Chair also suggested an amendment to the wording of paragraph 6.1 of the cover report, under the Equalities section. She proposed that it should read 'Therefore resources are aimed at low income households and, normally aged 60 or over or with a limiting long term illness or disability or have dependent children of 16 years or age or less'.

The Housing Services Manager replied that he would discuss those proposals with the Cabinet Member.

10 COMMUNITY INFRASTRUCTURE LEVY (CIL) - IMPACT ON DEVELOPMENT

The Planning Officer gave a presentation to the Panel in relation to this item, a summary is set out below.

What is CIL?

- ❖ A **levy** on new development to contribute towards the **infrastructure** BANES needs to support the development – a **fixed-rate “tax”** system (£/m²)
- ❖ CIL applies to development
 - comprising **100 m²** or more
 - resulting in the creation **additional dwellings**
- ❖ Based on **net increase** – existing floorspace maybe deducted from the final liability
- ❖ CIL does **not** apply to **affordable housing** and **charitable development**
- ❖ CIL largely replaces the strategic elements of s106 Planning Obligations

What should CIL pay for?

Only spend on providing infrastructure to support new development (Reg.123 list) - not to fill a current deficiency

- Infrastructure includes

- ✓ Open space
- ✓ Recreation and sport
- ✓ Roads and transport facilities
- ✓ Education and health facilities and etc...

Local infrastructure (a meaningful proportion to local communities)

B&NES CIL Timetable

Commence / Evidence gathering – July 2011

1st Consultation – Public consultation on Preliminary Draft Charging Schedule: 18th April – 8th June 2012

2nd Consultation - Public consultation on Draft Charging Schedule – Autumn 2012

Submission – January 2013

Hearings – May 2013

Adoption – September 2013

Evidence base - Setting CIL charges

1. Demonstrate an infrastructure funding gap
 - ❖ need to fund infrastructure and show existing funding stream: *B&NES Infrastructure Delivery Programme*
2. Based on viability of development
 - ❖ *The Viability Assessment prepared by BNP Paribas*

Charging Authorities must “aim to strike what appears to be an appropriate balance between the impact on economic viability and meeting the infrastructure funding gap”.

CIL rates agreed by the Cabinet – Residential development

Residential Zone A (Bath Centre, Bath North and East, Chew Valley West, Bath North/ West/ South, Chew Valley East, Keynsham and Norton Radstock): £100 m2

Residential Zone B (Bath Rural / Bathavon): £200 m2

e.g. One 3 bed room house: 100 m2 x £100 = £10,000

Councillor Steve Hedges thanked the officer for her presentation but commented that he found it to be quite a complicated process.

The Planning Officer acknowledged that it would take time for people to understand the differences in the process.

The Divisional Director for Planning and Transport added that he felt it was a much simpler process for the developers to understand and should act as a benefit to the Council as it will show with a high degree of certainty what the Council expects.

Councillor Les Kew commented that taxation should really be on the landowner. He asked if a new house was to be built that required no additional infrastructure, would CIL still apply.

The Planning Officer replied that a CIL charge would still apply. She added that the income would be placed into a central Council pot.

Councillor Les Kew stated that the thought of an additional £10,000 on a new home scared him.

The Divisional Director for Planning and Transport replied that this figure was very similar in broad terms to Section 106. He added that he had seen a figure of £15,000 per household on some previous Section 106 agreements and that the real issue is that the costs should be passed down to the landowner.

Councillor Brian Simmons asked with regard to Regulation 123, what % of CIL income will go back into the relevant Council services.

The Planning Officer replied that the Council would make a decision on that in due course.

Councillor June Player asked why the CIL was being introduced.

The Divisional Director for Planning and Transport replied that the Government had assessed this matter for some time as to whether an alternative to Section 106 could be found. He added that the CIL will be the mechanism for providing infrastructure to new developments and although the Council does not have to implement it, he believed they would miss a great opportunity if they did not.

Councillor June Player asked how much CIL would cost to implement.

The Divisional Director for Planning and Transport replied that whilst there had of course been officer time, departmental resources and the use of some consultants as part of the process the outcome with regard to cost v return was very simple. The returns will be far greater. He added that the CIL regulations also permits authorities to use CIL receipts to finance administrative expenses in connection with CIL, this includes the costs of setting up and running a CIL.

Councillor Will Sandry asked if the CIL applied to any Council development.

The Planning Officer replied any development proposed by the Council is still subject to CIL accordingly. Only affordable housing and charitable development are exempt from the levy.

Councillor Will Sandry suggested that a lower figure should be applied to the Charging Schedule with regard to Student Accommodation on campus to encourage further development as the Council were looking to reduce the number of HMO's.

The Planning Officer replied that the currently proposed rates are £60 m2 for on Campus and £100 m2 for off campus as recommended by the consultants BNP Paribas. She added that they had undertaken financial viability testing on various rent levels.

The Chair commented that she had attended a number of events relating to this matter and found the presentation to be very informative.

11 EMERGING HOUSING AGENDA

The Chair announced that this item would now be incorporated within item 12 (Development Agenda – Potential Funding Strategies).

12 DEVELOPMENT AGENDA - POTENTIAL FUNDING STRATEGIES

The Development & Major Projects Director gave a presentation to the Panel in relation to this item, a summary is set out below.

He informed the Panel a report on this matter would be presented to the September meeting of the Cabinet.

Our Vision for Bath and North East Somerset

- Vision – placing people at the forefront of the agenda
- Vision built upon strengths:
 - Beauty and Unmatched Heritage – only city in UK with World Heritage Status
 - World Renowned Brand – internationally recognised
 - Good Regional Access
 - Excellence in Sports – Bath Rugby, Team GB at University of Bath
 - Innovative and Entrepreneurial Spirit
- Flourishing economy
 - Our economy is built upon high value businesses
 - We have strengths in Creative Industries and we are home to many international companies including Future Publishing
 - We have strengths in ICT and Microelectronics businesses – Bath company, Picochip was recently sold for \$60million
 - We have a growing the economy, and by 2026 we expect to have grown it by £1.6billion GVA to £3.3billion GVA
 - We are delivering new jobs – 8,500 by 2026
- One of our priorities is to provide new homes that supports our growing economy

Delivery mechanism for Core Strategy

- The Strategy outlines our requirement for over 11,500 new homes
- We have identified locations that meet our vision:
 - Sites that are sustainable
 - Tackles out-commuting

- Supports local retail
- Protects and contributes to existing communities
- Reuse of brownfield sites
- No urban extension
- 35% affordable units

Opportunities

- Historically housing has been delivered on a small scale to date
- **We must enable delivery on larger sites**
- Bath Riverside is off the ground:
 - The Council invested £12.4m into the project
 - Working with our partners, we were able to help secure additional funds from:
 - Somer Housing - £10.3m
 - HCA - £8m
 - 48 affordable homes have already been delivered
- A number of large sites have been granted planning permission
 - K2B, Keynsham – 285 dwellings
- There are a number of projects coming forward including
 - Somerdale – 600 homes
 - Alcan, Radstock
- There are a number of major development sites coming forward:
 - MoD sites at Ensleigh, Foxhill and Warminster Road
 - K2A, Keynsham

Development Agenda – Sites

Bath:

Enterprise Area (Bath Quays Sth / Bath Quays Nth / Manvers Street), Bath Riverside, MoD Ensleigh, MoD Foxhill, MoD Warminster Rd

Keynsham:

Town Hall, Somerdale, K2A & B, Riverside

Somer Valley:

NRR, Alcan, Welton Bibby Baron, Old Mills

Enterprise Area and Corridor of Wealth

Within 5 years:

113 new businesses

3,500 new jobs

72,000 m² commercial floorspace

25 years - £292 million business rates

Challenges to address

Strategic flood mitigation

Land remediation
Transportation infrastructure
Detailed masterplan

MoD sites

1,200 new homes

Timetable

Vacate sites - March 2013

Market sites - Autumn 2012

Sold on the open market - March 2013

'Concept Statements'

- The **aspirations** for each individual site.
- The **key planning priorities** and requirements for new development.
- The **process** setting out how developers (once the sites have been sold) should engage with local communities.

Planning and Financing the Future

Delivery model brings together all available tools at the Council's disposal

Modelling

Financial predictions

Focus on investment

Working in Partnership

Understanding the industry

- Demonstrable occupier market
- Predictable timescales
- Certainty of process- Regulation
- Viability
- Exit strategy
 - Occupiers
 - Investors
 - Buyers

The Chair thanked him for the presentation.

Councillor Brian Simmons asked if he had seen the River Corridor report.

The Development & Major Projects Director replied that he had and found it to be aspirational with some good short term opportunities.

Councillor Brian Simmons asked if there was any movement on the Bath Quays South site.

The Development & Major Projects Director replied that there was more interest generally in Bath at the current time than he could recall over the last seven years. He added that the three distinct communities of the Council should look to work together as integration was the key to future success.

13 HOUSING & MAJOR PROJECTS UPDATE

The Chair invited Mr David Redgewell to address the Panel.

He wished to first of all thank John Betty for all of his help whilst he had been in the position of the Development & Major Projects Director.

He stated that it was imperative to provide a comprehensive interchange at Bath Spa Station to act as a local hub for rail, regional bus, and taxi services. As part of the development, a canopy for a covered walk-way should be erected between the adjacent bus & rail station.

Such a project can act as an example for further public transport interchanges that we are hoping to see instated at: Bristol Temple Meads, Trowbridge, Bridgwater, Weston-Super-Mare, and Filton Abbey Wood.

He added that railway land in Radstock must be protected from road/housing development. There is much support for the rapid re-instatement of the Radstock-Frome spur for passenger transit, with a meeting planned for 19:30, 14th June, Methodist Church Hall, Radstock, to develop the prospect. The region's MPs have recognised the great potential for regional connectivity in this project that Halcrow's narrow focus on the corridor to Bath & Bristol overlooked.

The road planned to cut across railway land (Victoria Hall - Charlton's Corner) must not be built. To truncate the permanent way in this manner will set-back a re-instated station from the town centre, and also deny the possibility of the former Somerset & Dorset Joint Railway being reconnected from Midsomer Norton in the South West - There is a strong desire in the S&DR Heritage Trust and New S&DJR group, among many transport planners & campaigners, to have the full Bath - Bournemouth route restored.

Planning permission for housing has not been requested, let alone granted, and Paul Crossley said publicly, "There will be no road without houses, and vice versa."

A representative of the local taxi drivers was present and asked to give a brief statement to the Panel.

He stated that the traffic lights directly outside the train station do not allow the public to easily see or access them.

The Chair offered to contact the relevant officer(s) and asked him to write an email to her with all the points he wished to raise.

The Development & Major Projects Director introduced this item to the Panel. He wished to highlight the following points from within the report.

Housing Delivery

- Specific priorities are emerging in respect of the needs of older people, including extra-care sheltered, and addressing the accommodation needs of the gypsy and traveller communities.

- The Core Strategy identifies a requirement for 11,500 homes between 2006-2026. About 3,000 of these can be secured as affordable housing. The vast majority of development (about 90%) will take place on brownfield sites. To date 2600 units have been delivered (an average of c430 per annum) with a further 8900 (an average of 635 per annum) required by 2026 to achieve our targets. This requires a 47% increase in annual delivery rates to achieve our targets.

Homes & Communities Agency Investment Framework 2011-15

Getting the housing market moving includes several initiatives, including:

- £210m FirstBuy scheme – announced in March 2011 budget to help 10,000 first-time buyers
- Bringing forward publicly held land to provide up to 100,000 new homes
- New Build Indemnity Scheme helping 100,000 homebuyers with up to 95% mortgages
- £420m Get Britain Building Fund to bring forward or restart stalled housing development sites, requiring delivery from June 2012 and completion of eligible dwellings by December 2014.

The Associate Director for Housing introduced the section on Housing Services. He explained that the Service had 27 performance indicators in 2011/12 and that the end of year performance, with a few exceptions, had been good. The missed targets, with the exception of indicator 13, are process targets. These were missed for a number of reasons including staff shortages (P10); unusual demand (P9); lack of demand (P13). The service is currently identifying the reasons for missing P5 & P16. In addition an action plan is being developed to ensure these targets are fully met during 2012/13.

The Chair asked how likely it was that the Council would face increased demand on their levels of homelessness in the near future.

The Associate Director for Housing replied that it was very likely.

The Chair asked if any update could be given on the Norton Radstock Economic Forum as it appeared to have been quiet for some time.

The Development & Major Projects Director replied that he was aware that some work had been on-going and would be happy to update either via email or at a later meeting of the Panel.

London Road

- A decision on the preferred bidder for 3 & 4 Longacre has been made. Property services have notified the successful and unsuccessful bidders and are expected to instruct solicitors within the next few weeks.
- The future of Caroline House is still being discussed between PfP and the Council and an update will follow in due course London Road budget to

deliver physical regeneration £750k for 2012/13 has been provisionally approved by Council, subject to a detailed project plan being developed and taken through the standard capital approvals process (PID Group / Capital Strategy Group / Cabinet). A paper to agree the budget will be taken to the 13th June 2012 Cabinet meeting.

- A new community group 'The Gateway Group' has been formed to make recommendations to the Sponsoring Cabinet Member of projects to be tested and assessed against agreed criterion. If and when approved, projects will be delivered by a delivery team headed by Development & Major Projects.

The Operations Manager introduced the section on Major Projects and Development. He said that the station works at Southgate were progressing well and were likely to be open to the public in the autumn of 2012. He added that taxis do and will continue to get priority at the lights outside of the station.

He informed the Panel that the temporary crossing for Victoria Bridge was now open.

Councillor Will Sandry wished to thank the officers concerned on behalf of the community for their efforts in hastening the opening alongside those associated with Crest.

14 PANEL WORKPLAN

The Chair introduced this item to the Panel.

The Associate Director for Housing suggested the deferral of one of the Housing reports until the September meeting of the Panel.

After a brief discussion the Panel agreed that the Housing Adaptations report would be deferred until September.

Councillor Will Sandry requested that following the consultation exercise on Article 4 / HMO Licensing the Panel receives a report on the matter prior to it being debated at a Cabinet meeting.

The Panel agreed with this proposal.

The meeting ended at 8.15 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council	
MEETING:	Housing & Major Projects Policy Development and Scrutiny Panel
MEETING DATE:	24th July 2012
TITLE:	Housing Services Enforcement Policy
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report: Housing Services Enforcement Policy 2012	

1 THE ISSUE

- 1.1 This policy sets out the principles of good enforcement practice and how Housing Services will apply these principles. The policy also states how the Service will deal with individuals and organisations who do not comply with the requirements of the Housing Act 2004 and other relevant housing legislation.

2 RECOMMENDATION

The Housing & Major Projects Panel is asked to:

- 2.1 Note and comment on the proposed policy.

3 FINANCIAL IMPLICATIONS

3.1 The maintenance of acceptable housing standards is a statutory function of the Council under the Housing Act 2004. This policy underpins this enforcement work. Whilst Housing Services utilise staff resources for this function, there are no additional resource implications due to the proposed changes to this policy.

4 THE REPORT

4.1 The Enforcement Concordat is promoted by the Cabinet Office and the Local Government Association and sets out what businesses and others should expect from an enforcement authority. It was signed on behalf of the Council on the 10th July 2002.

4.2 Housing Services aim to carry out their enforcement functions in a fair, consistent and helpful manner in accordance with the Enforcement Concordat. The updated Housing Services Enforcement Policy 2012 provides guidance on the types of enforcement action taken by the Council to promote compliance with housing legislation. The policy also refers to rights of appeal and the Councils complaints procedure. The enforcement policy will assist the Council in carrying out good enforcement practice. It will provide guidance to landlords, businesses and others on what enforcement service they can expect to promote compliance with housing law.

4.3 Having recently reviewed the existing policy a number of enhancements are proposed including:

- Replacing the existing initial “straight to informal” approach with a short consultation period for engagement with landlords, tenants and interested parties. After this period a decision will then be made on the most appropriate approach which could be either formal or informal action. This will prevent unnecessary delay created by informal action in the cases where Housing Services do not believe that the landlord will undertake repairs promptly. It will also ensure that we act in accordance with guidance which discourages enforcement authorities from taking inappropriate enforcement action.
- A section on HMO licensing has been added to include the key legislative requirements, process and enforcement options to promote regulatory compliance; and
- The policy has also been synchronized with the references to enforcement in the empty homes policy.

4.4 It should be noted that where a hazard presents an imminent risk to health the policy allows the Council to undertake urgent action, thus avoiding the delay of the consultation period.

5 RISK MANAGEMENT

5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. The risk of unreasonable or disproportionate enforcement action was identified. The revised policy includes a short consultation period before a decision on the type of enforcement action is taken. This will assist in the mitigation of the risk.

6 EQUALITIES

An Equality Impact Assessment (EqIA) has been completed. Adverse impacts were identified and have been mitigated in the following ways:

Landlords are required to consider the needs of disabled occupants living in rented properties when carrying out works to comply with an informal schedule or enforcement notice;

A translation sheet, in 6 of the most common languages spoken in Bath & North East Somerset, is included with formal documents.

Cultural and religious festivals are respected and considered when programming inspections.

7 CONSULTATION

7.1 Cabinet Member; Overview & Scrutiny Panel; Staff; West of England Landlords Panel, Service Users; Section 151 Finance Officer; Monitoring Officer.

7.2 Consultation carried out to date has been through meetings and email. In addition the proposed policy document has been uploaded to the Council's public access E-Consult system. The National Landlords Association, Managing Agents, the Universities, student members of the Accreditation Working Group and Residential Social Landlords will be contacted to draw their attention to the document where they can discuss and leave comments.

8 ISSUES TO CONSIDER IN REACHING THE DECISION

8.1 Legal considerations – The good practice outlined in the Enforcement Policy will assist the Council to successfully carry out statutory functions in relation to Housing.

8.2 Health & Safety - The policy is underpinned by actions in the Housing and Wellbeing Strategy to improve the health, safety and wellbeing of vulnerable households in B&NES.

8.3 Social Inclusion - Good quality, suitable housing increases social inclusion, particularly for children, the disabled and older people on low income. It also assists with the maintenance of good health and comfort, reducing social exclusion caused by poor health and poor living conditions. These factors should reduce the demands on NHS B&NES.

- 8.4 Customer Focus - This policy aims to help meet the needs of vulnerable residents in B&NES living in rented homes with concerns about their housing conditions.
- 8.5 Sustainability - Relatively small scale targeted repairs can prevent housing falling into excessive disrepair. Also energy efficiency improvements reduce carbon dioxide emissions and the likelihood of fuel poverty.
- 8.6 Young People - Good quality suitable housing improves the health and educational outcomes for children and young people.

9 ADVICE SOUGHT

9.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Chris Mordaunt 01225 396282
Background papers	
Please contact the report author if you need to access this report in an alternative format	

Housing Services

Enforcement & Licensing Policy

June 2012

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This document can be made available in a range of languages, large print, Braille, on tape, electronic and accessible formats. Please contact Housing Services. Telephone 01225 396444 or email housing@bathnes.gov.uk

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1. Introduction

Bath and North East Somerset Council is responsible for the enforcement of various areas of housing law including parts of the Housing Act 2004, the Protection from Eviction Act 1977, the Environmental Protection Act 1990, the Housing Act 1985 and the Building Act 1984. Other legislation may also apply. The primary aim of this legislation is to protect the health, safety and welfare of tenants, home owners and the general public. Housing Services regard prevention as better than cure and therefore offer free information and advice to landlords, tenants and others. However, the Service is concerned with the maintenance of minimum housing standards and the fair treatment of tenants. For this reason the Council will take enforcement action where it is considered appropriate to promote compliance with the law.

This document sets out how Housing Services aim to deal with individuals and organisations who do not comply with housing law. It also states the standards of service that can be expected.

Bath and North East Somerset Council Housing Services will aim to be open, act proportionately, and be consistent and helpful in its approach to enforcement. These principles of good enforcement are in accordance with the Government's Enforcement Concordat which the Council has signed up to. Enforcement action includes the service of notices, the issue of formal cautions, prosecution in the Magistrate's Court and carrying out works in default with recovery of costs.

In accordance with the Government's Enforcement Concordat, Bath and North East Somerset Council will apply the following six principles of good enforcement when making its enforcement decisions. When there is an imminent risk to health and safety we will take action immediately as appropriate.

- **Written Standards and Openness** - Where possible we will produce accessible information on minimum housing standards and good landlord practice. In addition, we will be open about our work including how standards are set, any risk rating systems in place and any enforcement charges that we make.
- **Proportionality** - We will aim to ensure that any works required are appropriate to meet the legal standards, are considered in accordance with National Guidance and that any action we take is proportionate to risk. As far as the law allows, consideration will also be given to the circumstances of the case and the attitude of persons involved.
- **Consistency** - We will seek to carry out our duties in a fair, equitable and consistent manner. Housing Services have adopted internal procedures and review systems to promote consistency. Where possible we also adopt risk based rating systems to guide the proactive enforcement of Housing Standards.

- Helpfulness - Unless immediate action is necessary, for example to ensure the health and safety of tenants, we will offer the opportunity to discuss the case before formal action is taken. If a landlord has a history of non-compliance we may go straight to service of a formal notice. Where immediate action is considered necessary an explanation of why such action was required will be given. Advice from officers will be confirmed in writing explaining why remedial action is necessary, over what time scale and making sure legal requirements are clearly distinguished from best practice advice. We will help where we can with explaining works to contractors. In addition, any rights of appeal will be clearly set out when enforcement action is taken.
- Service Complaints Procedure - We have a clear complaints procedure to enable our customers to give feedback.

In accordance with the Regulators' Compliance code we will consider the impact that any regulatory intervention may have on businesses and the business community.

2. Housing Conditions and Standards

The Housing Act 2004 Part 1 is concerned with assessing housing conditions and enforcing housing standards. Bath and North East Somerset Council is under a general duty to take appropriate action in relation to the most dangerous health and safety hazards referred to as Category 1 Hazards (bands A, B or C Hazard rating). The Council has the power to deal with less dangerous Category 2 Hazards (bands D to J).

Following a Housing Health and Safety Rating inspection and assessment of a dwelling, Bath and North East Somerset Council will take enforcement action in relation to Category 1 Hazards (bands A, B and C) that are identified. The Council will normally also take action in relation to Category 2 band D Hazards unless there are any mitigating factors which will be considered before action is taken. The Council may also take enforcement action in relation to Category 2 bands E to J where it makes the judgement that it would be appropriate in the particular circumstances of the case.

In determining what type of enforcement action will be taken, factors that will be considered include:

- the specific characteristics of the residential premises concerned;
- the type and severity of the hazard;
- the likely exposure of vulnerable individuals to the hazard;
- the impact of the action on the occupier of the premises concerned;

- the landlords or agents previous history of compliance;
- any adverse health and safety and environmental impact of the action; and
- relevant guidance and protocols that are in place.

Following the identification of a significant Housing Health and Safety Rating Hazard, Bath and North East Somerset Council will seek the views of occupiers, landlords, owners and persons in control, including views on the hazards present and how to deal with them. These views will be taken into account when deciding the most appropriate course of enforcement action. In determining the most appropriate action, regard will also be given to the Listed Building status and the impact any course of action would have on the local environment.

Urgent action without consultation can be taken where health and safety hazards pose an imminent risk to the occupants of premises or other members of the public.

Where an HHSRS hazard for crowding and space is assessed as a Category 1 hazard the appropriate option for enforcement action will usually be a Hazard Awareness Notice in cases where the hazard is created by the actions of the occupier. The full range of options for enforcement action will be considered in cases where the hazard is the result of action by a landlord or where any of the current occupants are considered to be at increased risk of harm.

Housing Act 2004 Part 1 enforcement action includes the following: Emergency Remedial Action; Emergency Prohibition Order; Demolition; Improvement Notice (including Suspended Notice); Prohibition Order (including Suspended Order); and Hazard Awareness Notice.

There is a right of appeal to the Residential Property Tribunal against formal Notices or Orders. Details of how to appeal will always be included with formal Notices or Orders served.

Bath and North East Somerset Council do not currently charge for the service of Notices or Orders although reserve the right to do so.

3. Licensing

The Housing Act 2004 Part 2 is concerned with licensing of Houses in Multiple Occupation (HMOs). This legislation states that certain properties must be licensed with the Council and Housing Services will endeavour to ensure this is the case. Under the legislation certain properties require a mandatory licence to operate. The Council also has the right to designate additional licensing areas and require all HMOs in that area to apply for a licence in

Housing Services Enforcement & Licensing Policy June 2012

order to operate legally. A designation can last for a maximum of 5 years. Failure to comply with this legislation is an offence.

Part 3 of the Housing Act 2004 is concerned with selective licensing of other residential accommodation. The Council has the right to designate a selective licensing area and require all privately rented properties in that area to apply for a licence in order to operate legally. A designation can last for a maximum of 5 years.

Housing Services will charge a fee for all licence applications as detailed in our Licensing Fees document.

When issuing a licence, opportunity will be given for interested parties to make representation to Housing Services against all conditions stated on the licence. If agreement cannot be reached there is a right of appeal to the Residential Property Tribunal. Details of how to appeal will always be sent with a final licence.

Under the Housing Act 2004, licences may be issued for up to a maximum of 5 years and this will usually be the case. However, licences may be issued for shorter periods appropriate to the circumstances of the case.

All licence holders, managers and other persons involved in the management of the property must be deemed a fit and proper person. The Council may also require a Disclosure Scotland check in addition to its fit and proper person checks as considered appropriate. There is a right of appeal to the Residential Property Tribunal against a fit and proper person decision.

The duration of the licence issued may be shortened where the Council has reasonable evidence that the property should have already been licensed. The licence will be shortened with consideration given to the point at which the Council became aware of the property or to where there is sufficient evidence of when the property became licensable. The licence fee will be appropriate to the length of the licence except where there may have been financial or any other gain by not complying with housing legislation, for example, failure to apply for a licence as soon as required to do so. In this case, the fee will not be reduced.

A person's fit and proper person status may be reviewed if they are prosecuted for an offence, if they consistently breach licensing conditions, if there is evidence of poor management or for any other factors deemed relevant by this Authority.

Where Housing Services become aware of a property that requires licensing under Parts 2 and 3 of the Housing Act 2004 but is not so licensed, we will seek to prosecute all persons managing, owning and in control of the property, as appropriate to the circumstances of the case.

4. Protection from Eviction and Harassment

The Protection from Eviction Act 1977 and the Protection from Harassment Act 1977 state the specific legal remedies for illegal eviction and harassment for most types of tenancies.

Illegal eviction and harassment are criminal acts and carry potential penalties of imprisonment and fines. The Housing Act 1988 sets out the liability of landlords who have evicted illegally to pay damages to tenants for the loss of the right to occupy.

5. Powers to Require Documents

Authorised officers have the power to require:

- documents to be provided to enable them to carry out their powers and duties under the Housing Act 2004;
- electrical and gas safety certificates to be provided in relation to Houses in Multiple Occupation;
- any person with an interest in a property to provide details about its ownership or occupation.

It is an offence not to produce the required information. Where information is not provided formal action will be considered such as a simple caution or prosecution if appropriate.

6. Prosecution Policy

Enforcement action includes prosecution in the Magistrates Court for non-compliance with legal requirements, for example, compliance with a legal notice. The Court will then decide on a penalty if the defendant is found guilty. The type of penalty available to the Court is determined by the particular legislation concerned.

The decision to prosecute will be a judgement based on the circumstances of the case and will take account of the Code for Crown Prosecutors.

The circumstances under which Housing Services will consider prosecution include:

- A breach of a formal legal Notice or Order without reasonable justification;
- Failure to licence a property which is required to be licenced under Part 2 or 3 of the Housing Act 2004;

- Failure to comply with licensing conditions;
- A direct offence under housing law for a breach of a set of regulations;
- Illegal eviction or harassment by the landlord or any other person responsible

and Housing Services consider that:

- the offender has a history of non-compliance or is resistant to improving standards or following good practice; or
- it is necessary to draw attention to the need for compliance with the law.

The following factors will be taken into consideration to inform the decision on prosecution in relation to licensing:

- The degree to which the property is being effectively managed;
- Any previous history of compliance with housing legislation;
- The length of time a licensable HMO has remained unlicensed prior to a valid application being received;
- The condition of the property taking into account Part 1 of the Housing Act 2004 and relevant management regulations;
- Financial or other gain by not complying with housing legislation, for example, failure to apply for a licence as soon as required to do so.

7. Formal Caution

A Formal Caution is an alternative to prosecution. It may be used where it is appropriate to the offence and likely to be effective in preventing further non-compliance with the law. A formal caution may be appropriate for minor offences or where there is a practical expression of regret by the offender. However, a caution will only be given where the offender admits the offence, understands the significance of the caution and gives their informed consent to the caution. A formal caution will be recorded and be used to inform future decisions on prosecution and may be cited in any subsequent court proceedings.

8. Works in Default

Works in Default will be considered in addition to prosecution in the Magistrates Court. This option is available in two circumstances:

- Emergency Remedial action;
- Where works of repair or improvement have been required by a Notice (under any legislation) and have not been completed within the agreed timescale, or, reasonable progress is not being made towards their completion.

Housing Services may organise and carry out the work themselves and recover the cost of works plus all additional costs and administration fees. These costs will be charged to the property owner but can also be placed as a land charge on the property for payment when the property is sold or if money is raised against it.

9. Powers of Entry to a Property

Entry to a property is usually required to enable Housing Services to carry out its statutory functions. We will normally make an appointment to visit in the first instance and will give 24 hours' notice to the occupants and owners of our intention to enter properties to inspect them.

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

The Council will exercise its statutory powers to gain entry without giving prior notice to investigate an alleged offence or to carry out a statutory duty where it is necessary to:

- protect the health and safety of any person or to protect the environment without avoidable delay;
- prevent the obstruction of officers where this is anticipated

Housing Services will apply to the Magistrates Court for a Warrant to Enter Premises if entry has been consistently refused.

10. Owner Occupiers

Enforcement action on owner occupiers and long leaseholders will be based on the health and safety risk to the occupants or other affected persons. However, action will not be taken where a more appropriate contractual remedy exists. Where a Housing Health and Safety Rating inspection identifies a significant hazard, a Hazard Awareness notice may be served unless the Council is confident that the hazard will be removed or reduced to an acceptable level by other means. Where a significant hazard is identified which requires attention, and the person responsible for the property is unable to carry out the recommended works because of financial hardship, they will be made aware of any appropriate financial assistance options available to them from the Council. Where the conditions at one property causes a health and safety hazard or statutory nuisance to the occupants of another property, or the general public, enforcement action will be considered regardless of property tenure.

11. Interim and Final Management Orders

These powers will only be used as a last resort where other attempts to ensure the health safety or welfare of occupiers has failed. Interim management orders (IMOs) can be made where there is no realistic prospect of a licence being granted. In making an IMO the management and rental income from a property is taken away from the current landlord for up to a year. The money is used to carry out necessary works to reduce any significant hazards in the property, to maintain the property and to pay any relevant management expenses, any remainder will be returned to the owner. Following an IMO the Council can apply for a Final Management Order (FMO) to be approved that can last for up to five years. Once a Management Order is made the Council may allocate a private company to manage the property.

In exceptional circumstances and where the health, safety and welfare of occupiers needs to be protected, the council may apply to the Residential Property Tribunal for authority to make an IMO for privately rented accommodation that is not covered by a current licensing scheme.

12. Empty Properties

The Empty Property Policy sets out how Housing Services will work to bring empty properties back into use, including the use of enforcement action. In addition it may also be necessary to take enforcement action under this Enforcement Policy where a property is in such a condition it is creating a health and safety hazard, such as water penetration, to neighbouring properties.

13. How to Make a Complaint

Bath and North East Somerset Council is committed to providing a quality service. To help us we welcome comments, suggestions, feedback, complaints and compliments from anyone to whom we provide a service.

You can make a complaint, or submit a comment or compliment either in person, by telephone, email, letter, online or by using the form within our 'Speak out' leaflet. You can find more details about our Corporate Complaints procedure through our website; www.bathnes.gov.uk or alternatively please contact Housing Services on 01225 396444.

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Agenda Item 10

Bath & North East Somerset Council	
MEETING:	Housing & Major Projects Policy Development & Scrutiny Panel
MEETING DATE:	24th July 2012
TITLE:	Reforming the Right to Buy Scheme
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report: None	

1 THE ISSUE

- 1.1 The Government, with effect from 2 April 2012, amended the Right to Buy Scheme. The change was implemented by the "Housing (Right to Buy) (Limit on Discount) (England) Order 2012" and Department of Communities & Local Government (DCLG) guidance for local authorities, referred to as "Reinvigorating Right to Buy and One for One Replacement, Information for Local Authorities" published in March 2012.
- 1.2 The changes can be usefully grouped into: increasing the discount cap to £75,000; a new affordable home for each one sold statement; and a range of technical changes to how stock owning Councils calculate admin costs and proportion the proceeds between the Treasury and local Councils. As Bath & North East Somerset does not own stock it is only the first point, the raising of the cap that is directly relevant.

2 RECOMMENDATION

The Housing & Major Projects Panel is asked to:

- 2.1 Note the contents of the paper.

3 FINANCIAL IMPLICATIONS

- 3.1 These changes will affect the right to buy (RTB) receipts received by the Council when former Bath & North East Somerset tenants with preserved rights exercise their RTB through Somer/Curo. Broad brush financial modelling suggests that property sales will need to increase by between 44%-61% to maintain current levels of RTB receipts.
- 3.2 The DCLG suggest that the increased discount cap should increase sales by 250%. This would increase Bath & North East Somerset capital receipts by between 55% and 80% depending upon the value of the property sold. Over the last 5 years this would have increased receipts by an average of £615,000 p.a. However, Somer/Curo state that so far there has been no significant increase in RTB applications. If there is no increase in sales then capital receipt income will fall between 30% and 38%. Over the last 5 years this would have reduced receipts by an average of £285,000 p.a.

4 THE REPORT

- 4.1 The Right to Buy (RTB) scheme was introduced by the Housing Act 1980 and gives qualifying local authority tenants the right to purchase their home at a discount. As a general rule assured tenants of housing associations do not have this right. However, when the Council undertook the transfer in 1999 of its 9,827 council dwellings to Somer Community Housing Trust the existing Council tenants, with a few exceptions, were given preserved RTB status. Subsequent tenants do not have this right, but instead have a less generous Right to Acquire status. There are around 3,000 former Council tenants of Somer/Curo who still have preserved RTB status.
- 4.2 Since being introduced over 2 million properties have been sold under RTB, nearly 50% of the then total. The recession, tighter rules on discounts and the fact that the most desirable properties have been sold has caused the volume of right to buy sales to fall away considerably in recent years. In 2010/11 just 2,730 sales were completed nationally compared to 92,858 in 2003.
- 4.3 The local picture has mirrored the national position with receipts falling from over £8m in 2003/4 to only £413,000 in 2010/11. When the properties of preserved RTB status tenants are sold the income, less administration costs and loss income, is receipted to the Council.
- 4.4 In October 2011 the Prime Minister said he wanted to “raise Right to Buy discounts to a level which will make the scheme attractive again and rejuvenate the housing stock” The Government’s Housing Strategy for England, Laying the Foundations (November 2011), included a commitment to “reinvigorate the Right to Buy”. The change was formally implemented by the Housing (Right to Buy) (Limit on Discount) (England) Order 2012 and in March 2012 the DCLG published guidance for local authorities, referred to as Reinvigorating Right to Buy and One for One Replacement, Information for Local Authorities.
- 4.5 The changes can be usefully grouped into three: increasing the discount cap to £75,000; a new affordable home for each one sold statement; and a range of technical changes to how stock owning Councils calculate admin costs and

apportion the proceeds between the Treasury and local Councils. As Bath & North East Somerset does not own stock it is only the first point, the raising of the cap that is relevant.

4.6 “Qualifying tenants” are those who have been tenants for 5 years. The discount is calculated as follows:

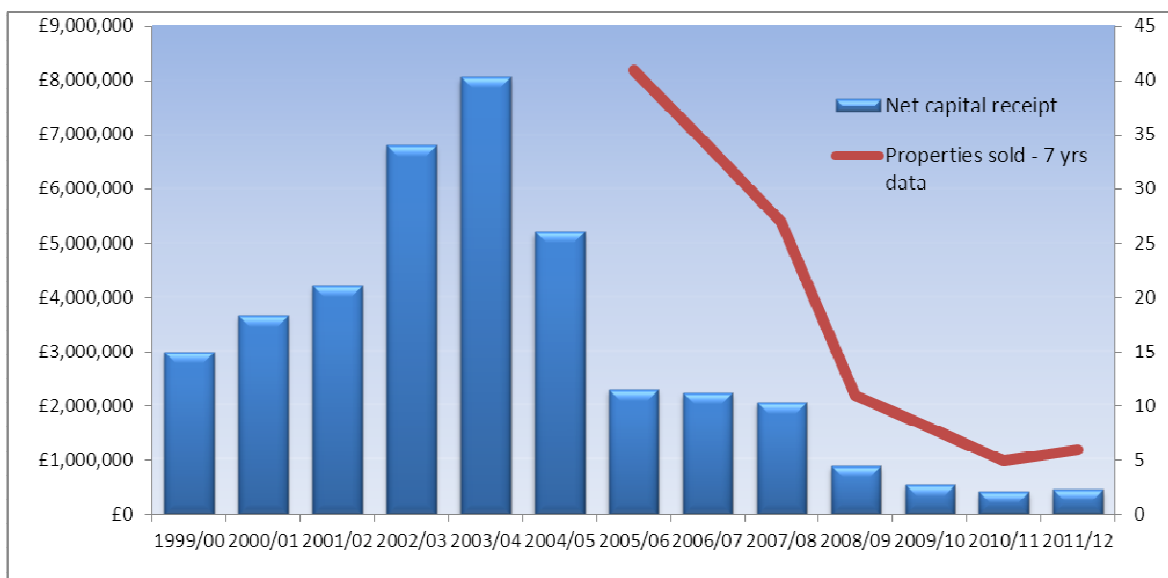
- (1) For house: 35% plus 1% for each year beyond qualifying period up to a maximum of 60%;
- (2) For flats: 50% plus 2% for each year beyond qualifying period up to a maximum of 70%
- (3) Discounts are also subject to an overall “cap”, which has been raised from between £16,000 and £34,000 (depending upon location) to £75,000 with effect from 2nd April 2012.

4.7 It should be noted that the South West cap was reduced from £50,000 to £30,000 in 2005. However, Somer/Curo tenants with preserved RTB status were protected on the higher cap. As such the increased cap will have less effect in Bath & North East Somerset than in other parts of the Country.

4.8 The Right to Acquire scheme, which is open to Somer/Curo tenants who do not have preserved RTB status, is similar in design to RTB but with a significantly lower discount cap of £11,000. Somer/Curo advise that this scheme generates few sales with only a single sale in 2011/12. Somer retain these receipts for re-investment.

4.9 The Government anticipates that some “20,000 additional RTB sales will take place over the next three years as a result of the restoration and increase in the national maximum discount cap”. The DCLG guidance suggests that the new scheme will increase RTB sales by 250%.

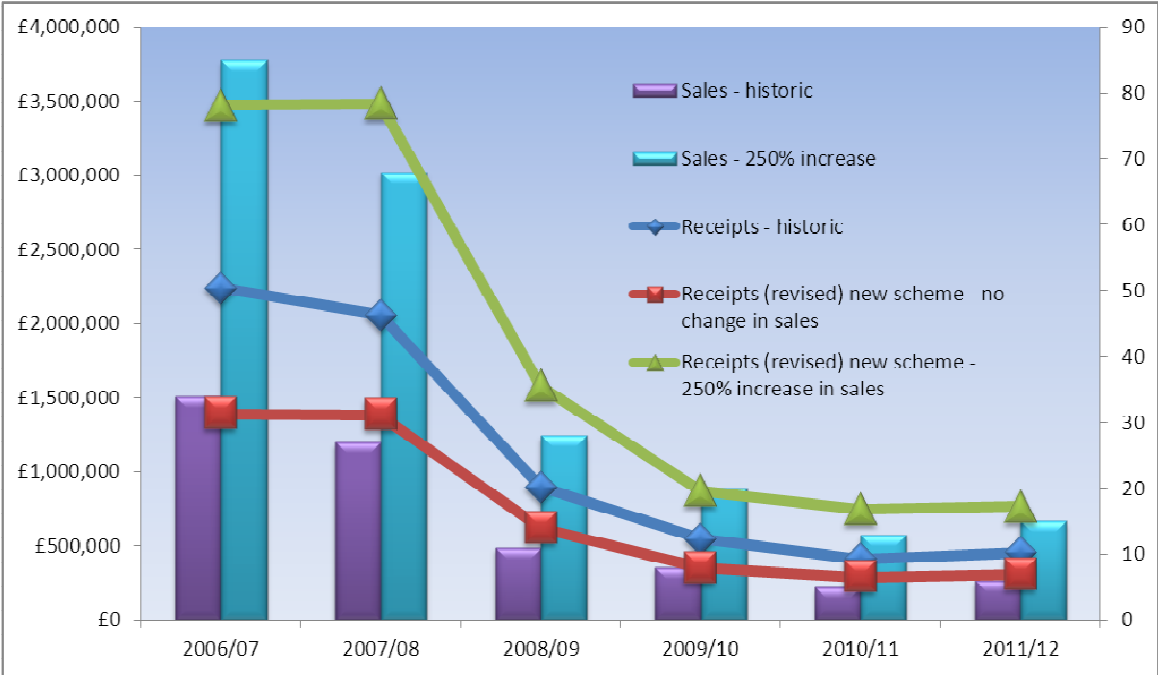
4.10 The chart below shows the capital receipts from preserved RTB Somer Community Housing Trust properties being sold and the number of sales. In relation to sales only 7 years of data is shown.



4.11 The potential implications of these changes are two-fold for this Council. Firstly, if the RTB scheme is reinvigorated there will be a further and increased loss of properties within the social housing stock. However, even the DCLG predicted 250% increase in sales is unlikely to have a significant impact on the existing stock. For example over the last 5 years there have been 57 RTB sales. An increase of 250% to 142 sales would equate to a loss of around 1.2% of the entire Bath & North East Somerset social housing stock over 5 years. It should also be noted that over the last 5 years the Council has secured an additional 556 new affordable housing units for rent.

4.12 The second implication for the Council relates to capital receipts, which are received from RTB sales. Given the high value of properties locally the discount cap of £50,000 has been the limiting factor in all recent sales. With the cap being increased to £75,000 the effective discount has been enhanced, thus reducing the capital receipt per unit. By making some reasonable assumptions, such as all RTB sales being eligible for the maximum discount and using average sales figures it is possible to do some broad financial modelling on the effects of the increased cap. These show that if the DCLG is correct and RTB sales are increased by 250% the capital receipt, based upon the past 6 years of data, would be increased by between 55% and 80%. The exact figure is dependent upon the type & value of properties sold within that year. Conversely should RTB sales remain unchanged then the capital receipt would be reduced by 30% and 38%. On historic data RTB sales would need to increase by between 44% and 61% for capital receipts to be unaffected by the increase in discounts.

4.13 The chart below demonstrates the potential effects of the increased cap using the last 6 years of historical data.



Having contacted Somer they confirm that whilst there has been an increase in enquires there has been no significant increase in applications. It is still at an early stage though it appears that sales are unlikely to increase significantly in the short term without further additional stimulus, such as a more positive economic outlook or additional scheme publicity. At present neither Somer nor the Council

have publicised the changes, which could be a future joint project if thought appropriate.

5 RISK MANAGEMENT

5.1 A risk assessment related to the issue and recommendations has not been undertaken as no decision is required.

6 EQUALITIES

6.1 An Equality Impact Assessment (EqIA) has not been completed as this Government Regulation. However, the changes will assist low-income tenants to access home-ownership. It will also negatively impact upon the availability of social housing for those in need.

7 CONSULTATION

7.1 Staff; Section 151 Finance Officer; Monitoring Officer.

8 ISSUES TO CONSIDER IN REACHING THE DECISION

8.1 Not applicable as no decision.

9 ADVICE SOUGHT

9.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Graham Sabourn (01225 396282)
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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Agenda Item 12

Bath & North East Somerset Council		
MEETING:	Housing and Major Projects Panel	
MEETING DATE:	24 th July 2012	AGENDA ITEM NUMBER
TITLE:	Housing & Major Projects update	
WARD:	ALL	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Housing & Major Projects Report		

1 THE ISSUE

1.1 This is a routine report for update on Housing & Major Projects activity.

2 RECOMMENDATION

There are no recommendations required

3 FINANCIAL IMPLICATIONS

3.1 None- for information only

4 THE REPORT

A routine report attached as appendix reporting on Housing & Major Projects activity.

5 RISK MANAGEMENT

5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

6 EQUALITIES

Equalities are considered within all our projects remit as required.

7 CONSULTATION

7.1 No consultation has been carried out as this is an update report only.

8 ISSUES TO CONSIDER IN REACHING THE DECISION

8.1 The is no decision to be made

9 ADVICE SOUGHT

9.1 *The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.*

9.2 *Monitoring Officer Vernon Hitchman has cleared this report for publication.*

9.3 *Section 151 officer has cleared this report for publication*

9.4 *Strategic Director Glen Chipp has cleared this report for publication.*

Contact person	John Betty 7158
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

Bath & North East Somerset Council

Housing & Major Projects Policy, Development & Scrutiny report

24th July 2012

**Development & Major Projects update- Derek Quilter
Housing Services Update – Graham Sabourn**

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Sustainable Development Overview

- The Development & Major Projects Directorate is responsible for providing a co-ordinated and integrated approach to the provision of Housing, Jobs, Business growth and Economic activity and is focused on delivering Sustainable Economic Growth as set out in the Economic Strategy of April 2010, the Smart Economic Growth Cabinet paper of November 2010 and Delivering Sustainable Economic Growth in B&NES Cabinet paper of November 2011.
- Work continues on Planning and Financing the Future programme (PaFF). This is being carried out to establish the impact of development upon viability and corporate financing.
- This work is set against a background of significant Government changes to funding and support, continuing macro-economic challenges and increasing pressure on housing; and the aspiration to progress the B&NES Development Agenda. The ability of the Council to deliver its priorities and aspirations in this area continues to depend on the alignment of policies in Planning, Transport and the ability of the Council to influence and encourage growth and development through its asset base and influence.
- There are significant challenges ahead in bringing forward development but there are also major opportunities through our Enterprise Area -Bath City Riverside, Bath Western Riverside and Bath Quays South. Also Norton Radstock Regeneration, MOD Sites, Keynsham, Somerdale and Temple Street. All of which could and should have significant ability to help the economic growth, development agenda and Housing delivery.
- The Directorate continues to review its capacity and organisation in order to respond to this agenda.
- The Directorate works to ensure that the agenda is rooted in the Administrations requirement to ensure local engagement.

Part 1. Housing

1.1 Housing Delivery

- **Commitment**

- The Core Strategy identifies a requirement for 11,500 homes between 2006-2026.
- The Core Strategy was subject to an Examination in Public in January 2012, the inspector's findings are due in the spring.
- Given the scope of the changes and demands of this the Strategic Director of Place has been given the corporate responsibility for developing a council-wide action plan to ensure a corporate co-ordinated approach to the delivery of housing, including affordable housing.
- A review of the current arrangements within the council has been requested by the Strategic Directors Group. The report covers the capabilities and effectiveness of the organisation and the capacity currently in place to ensure housing delivery meets targets. The report will recommend actions necessary to ensure that there is a co-ordinated approach across the council and accountability to the Strategic Director of Place.

- **Delivery update and targets**

- Based on demographic, migration, household and housing market indicators, the Bath and North East Somerset future housing growth requirements study concluded that in order for housing supply to absorb demographic change and support economic and employment growth potential it would need to increase by 12,000 dwellings to 2026. The Core Strategy plans for 11,500 homes as 12,000 presents unacceptable environmental and green belt impacts.
- Specific priorities are emerging in respect of the needs of older people, including extra-care sheltered, and addressing the accommodation needs of the gypsy and traveller communities.
- The Core Strategy identifies a requirement for 11,500 homes between 2006-2026. About 3,000 of these can be secured as affordable housing. The vast majority of development (about 90%) will take place on brownfield sites. To date 2600 units have been delivered (an average of c430 per annum) with a further 8900 (an average of 635 per annum) required by 2026 to achieve our targets. This requires a 47% increase in annual delivery rates to achieve our targets.
- Affordability within the market remains critical and council is bolstering its affordable housing planning policy seeking 17.5% on small sites (5-9 dwellings) and an average of 35% or more on larger sites (10 plus dwellings).
- The Council is working to achieve no less than 25% of the total new housing supply being affordable housing.

- Sufficient brownfield land has been identified to achieve these targets. However there remains some challenges in delivery:
 - Working with the MOD and other partners to bring forward sites vacated in Bath, although a strong working relationship with the M.O.D has now been forged with the MOD working with the council in the preparation of the concept statements for each site. Public consultation on the concept statements is currently underway.
 - Ensuring infrastructure is in place to allow development in Bath city centre sites (including Bath Western Riverside)
 - High land values in Bath and Keynsham in particular
 - Influencing other land owners to ensure disposal of other key sites (e.g. Somerdale in Keynsham and Polestar in Paulton)
 - Reluctance of some developers to build, given the on-going uncertainty about house prices and availability of credit.

• **QPR: Housing Delivery - Year end 2011/12; forecast 2012/13**

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	Target 11/12		Result 11/12	Target 12/13	Result 12/13	Comments
NI 154	Market Sale	440	460	460		Delivery 20 homes above target. New target above previous target.
NI 159%	Market Sale	100% (3011)	111% (3346)	100% (3176)	109% (3476)	A forward looking target measured at the start of the year. Target for next 5 years (to 2017) is 3176 (100%). Against this the Council (in its SHLAA) must show deliverable sites totalling 3335 (105%). SHLAA currently shows 3476. Note: target for next 5 years is subject to change pending Core Strategy Inspectors Report. Buffer may need to increase to 120% and/or housing target may change to reflect a possible 40/60% phasing of delivery either side of 2016. Further update to be provided during Q1
NI 155	Affordable Housing	25%	40.30%	50%	Prob O/T 64%	The target is to deliver 610 affordable homes during the period 2011/15 (4yr). Yr 1 performed ahead of target with 246 units (40.3%); Yr 2 of 4 is projecting completion of 390 homes out of 610

West of England Housing Delivery Panel (HDP)

- Following an Official Journal of the European Community (OJEC) compliant tender process, initiated in 2010, we have recently signed up to a four year framework of selected housing providers which aims to:
 - Increase jobs and new homes;
 - Develop better engagement and collaboration;
 - Improve quality and innovation;
 - Maximise investment and delivery;
 - Assist “state aid” requirements
- This framework agreement replaces the former “HomesWest Partnership” with Sovereign, Sarsen, Knightstone and Somer Housing Associations that officially ended on 30 September 2011;

Homes & Communities Agency Investment Framework 2011-15

- **National Affordable Housing Programme (NAHP)** - 17 investment partners (Registered Providers) have been approved with bids proposing new supply within the West of England. The 17 include 14 housing associations and 3 house-builder developers; nationally there are 146 approved bidders. Detailed contracts are agreed with the 14 HAs and one developer; the other two remain pending.
- **Empty Homes Programme** – The 2012-15 programme involves £100m of investment and a further £50m for community groups and social enterprises as well as Registered Providers. West of England bids received some success with allocations secured by Jephson Homes and Knightstone but focussed on Bristol City.

- The Coalition Government published '**Laying the Foundations: A Housing Strategy for England**' in November 2011. It sets out a package of reforms to:
 - Get the housing market moving again
 - Lay the foundations for a more responsive, effective and stable housing market in the future
 - Support choice and quality for tenants
 - Improve environmental standards and design quality

- Getting the housing market moving includes several initiatives, including:
 - £210m FirstBuy scheme – announced in March 2011 budget to help 10,000 first-time buyers
 - Bringing forward publicly held land to provide up to 100,000 new homes
 - New Build Indemnity Scheme helping 100,000 homebuyers with up to 95% mortgages
 - £420m **Get Britain Building Fund** to bring forward or restart stalled housing development sites, requiring delivery from June 2012 and completion of eligible dwellings by December 2014.

- **Positive Key issues in relation to Housing:**
 - **BWR**
 - Phase 1 underway. 60 homes (48 affordable) are expected to complete in 2012.
 - Remaining 240 (including 52 affordable) between 2012/13 and 2014/15. 'Strategic Housing Land Availability Assessment' (SHLAA) expects phase 2 to begin to deliver from 2015/16 subject to removal of the gas holders.
 - **Somer Schemes in Bath** – progressing well and in line with SHLAA trajectory.
 - **MOD**
 - The MOD have confirmed that, following the transfer of 1,700 – 2,000 staff currently based in Bath to Abbey Wood in South Gloucestershire they will dispose of their three sites in Bath by March 2013. This will cover 33ha of land in total at Foxhill, Warminster Road and Ensleigh.
 - The MOD, in conjunction with the Council and the HCA, prepared a Project Delivery Plan (PDP) which covered :

- Preparation of concept statements including community consultation and stakeholder engagement for each of the MOD sites
 - The marketing and disposal of the MOD sites
 - The relocation programme & procedures for Bath based MOD staff
 - The Council is leading on the preparation of Concept Statements, which were consulted upon in a programme of public consultation that ran from 24th April to 31st May, with the intention of seeking their adoption by Council in September 2012
 - The SHLAA estimates for all three sites is c1200 homes. The SHLAA target figures are clearly outlined in the Concept statements prepared for each site.
 - More details on this project are included in Section 2.1 of this report.
-
- **South West Keynsham (K2)** - Planning permission for 285 homes granted at appeal. Decision received 22nd July 2011. Essential to SHLAA housing delivery trajectory that the Council now progresses its part of the site and that it begins to deliver within the next couple of years. Property Services have now instructed their agents to market the site. Initial bids will be produced by Property Services shortly. Property Services are currently negotiating a timetable for a decision when all bids have been received.
 - **Somerdale** – Kraft have announced that Taylor Wimpey has been selected as their preferred developer for Somerdale. D&MP and Development planning are working closely with Taylor Wimpey to agree the consultation process and planning strategy. Taylor Wimpey intend to submit a planning application for the scheme by the end of November 2012.
 - **NRR** – Linden Homes remain intent on progressing the scheme.
 - **Polestar Phase 1** – Major elements delivered but development of final quadrant of site (c.30 flats) has been delayed
 - **Polestar Phase 2** – Bovis Homes site – first phase comprising 39 dwellings under construction, first handovers (17 affordable homes) took place in December 2011

1.2. Housing Services Update: GRAHAM SABOURN

Housing Services had 27 performance indicators for 2012/13. Performance to date is mixed. The table below details the full list of indicators, target, year to date actual and RAG assessment. It can be seen that the number and percentage of green; amber & red RAG assessments were 20 (74%); 5 (18%) & 1 (4%) respectively. In this scenario Amber refers to a narrow miss, that is, achieved in excess of 95% of the target.

Housing Performance Key Indicators (April 2012 - June 2012)

	<u>Performance Indicator</u>		<u>YTD Actual</u>	<u>YTD Previous</u>	<u>YE Target</u>
	Customer focus				
1.	Customer Service Standard: Overall satisfaction with the service % (Q)	↑	92.7%	90.7%	90%
2.	Customer Service Standard: Complaints responded to within 20 working days % (Q)	↑	100%	66.7%	85%
3.	Customer Service Standard: Letters responded to within 20 working days % (Q)	→	100%	100%	85%
4.	Customer Service Standard: Telephone calls answered with 20 seconds % (Q)		Data not available	92%	90%
5.	Undisputed invoices paid within 30 days % (Q)	↓	75.9%	84.5%	90%
6.	Equalities Impact Assessments - % of services covered by current (4yr) EIA (Q)	→	80%	80%	100%

7.	Housing Condition requests from private rented tenants investigated within 5 working days % (Q)	↑	99%	96.8%	90%
8.	Average time for major adaptations to be completed from initial enquiry to B&NES Access Team (weeks) (M)	↓	35	32	46
9.	Housing Multiple Occupation licences issued within 12 weeks of valid application % (M)	→	100%	100%	85%
10.	Homesearch applications entered on the system within 10 working days % (M)	↑	96.2%	95.5%	90.5%
11.	Medical priority decisions made within 30 working days (M)	↑	97%	96.7%	90.5%
	Access to affordable housing				
12.	Client nominations to Registered Providers within 20 working days of property advert deadline (M)	→	100%	100%	95%
13.	General needs properties secured by Group A and B clients (M)	↑	63.6	60%	80%

	<u>Performance Indicator</u>		<u>YTD Actual</u>	<u>Previous Period</u>	<u>YE Target</u>
	Preventing homelessness				
14.	Households in temporary accommodation (M)	↓	26	22	37
15.	Potential homeless cases where our intervention has prevented homelessness and/or the need to secure temporary accommodation (M)	↓	25.4%	28.2%	22%

16.	Homeless applications determined made within 33 working days (M)	↑	96.8%	94.1%	85%
17.	Supported Lodgings clients, whom when moved on, did so in a planned manner % (Q)	↑	100%	87.5%	70%
18.	Homefinder tenancies that are successfully* sustained % (Q) (*Successful = in place for 1 year or more)	↓	79.7%	93.2%	60%
Delivering new affordable housing					
19.	NI 155 - Affordable homes delivered against the 4 year cumulative target % (Q)	↑	46.7%	40.3%	50%
Affordable Warmth					
20.	Number of properties in B&NES receiving one or more energy efficiency measures (Q)	↓	34	54	300
21.	Properties receiving one or more energy efficiency measure that are occupied by residents vulnerable to excess cold hazards % (Q)	↓	79.4%	91.8%	80%
Private sector renewal					
22.	Number of properties made safer and healthier - properties where a health and safety improvement has been made=Community safety measures, enforcement, adaptations, HIA, energy efficiency improvements (Q)	↓	146	175	700

23.	Properties made safer and healthier that are occupied by vulnerable residents (this estimate assumes properties improved by accreditation and enforcement are not vulnerable) % (Q)	↓	71.9%	77.7%	75%
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	<u>Performance Indicator</u>		<u>YTD Actual</u>	<u>YTD Previous</u>	<u>YE Target</u>
24.	Private rented homes accredited with B&NES property accreditation scheme % (Q)	↓	13.3% ¹	24.5%	20%
25.	Empty properties brought back into use *Cumulative over financial year (No.) (Q)	↑	24	0	45
	Staff				
26.	Performance development reviews completed % (Q)	↑	45%	25%	100%
27.	Staff sickness (excluding long term) % (M)	↑	1.8%	2.3%	4%

1. The number of private rented properties has increased from the 2004 Housing Condition survey of 7400 to 13730 in the 2011 survey which has had an impact on this figure.

Part 2.

Major Projects & Development

2.1 Development & Regeneration

○ Somerdale

- Kraft has appointed Taylor Wimpey as preferred developer for the Somerdale site who, under the terms of their contract, are required to submit a planning application by 30th November 2012. Officers within Development & Major Projects are leading on proactively engaging with Taylor Wimpey to shape the proposals for Somerdale and facilitate sustainable growth. Officers and relevant Cabinet Members held a workshop to discuss key issues and requirements.

In July 2012, Cabinet are considering a report which sets out the Council's policy with regard to the redevelopment of Somerdale. In particular, it highlights the evidence base that supports the emerging policy within the Draft Core Strategy.

- Deliver new housing – 650-700 new homes, with 35% affordable housing that is pepper-potted throughout the housing development.
- Deliver employment land / premises to create 1000 new jobs be unmistakably and identifiable as Somerdale, but be integrated with the existing town.
- Create a new primary school and early years facility
- Re-provide the Fry's Club and associated sports pitches
- Take the opportunity to deliver a site that meets the highest level of sustainable transport, in particular:
 - Take advantage of the adjacent rail station
 - Deliver new cycle links to both within Keynsham and further afield to Bristol and Bath
 - Provide appropriate and safe access
 - Ensure sufficient penetration of the site for bus services.
 - Enhance Keynsham's green infrastructure and open up access to the river and the Hams.
- Evoke the history of the site – from early Roman through to chocolate manufacture, telling the story of Somerdale and its setting
- Fully explore the potential of retaining the existing buildings. Any replacement buildings need to be of exceptional quality and should take reference from the height, scale and character of the building

- Respond to the Council's commitment of reducing the area's CO2 emissions by integrating sustainable design and construction within the development at Somerdale including the incorporation of district heating infrastructure
- Retain and enhance the avenue of trees in Somerdale Road.
- In order to promote the Bath and North East Somerset Economic Strategy, Cabinet wish to encourage:
 - A new commercial market for Keynsham attracting the Higher Value Added sectors
 - A range of housing types and sizes that supports the overall vision for the site and the potential employment offer.
- Taylor Wimpey have indicated that they intend to submit proposals for the development of the Somerdale site for consideration through the Council's Planning Pre-Application process ("Development Team"). These submissions are expected during this summer, and the developers wish this process to have been concluded in time for their proposed submission of formal Planning applications before the end of November 2012.

- **Planning & Financing the Future**

- The Council has commissioned the "Planning & Financing the Future" (PaFF) project to gain a better understanding of the issues and constraints surrounding the delivery of development sites linked to a financial model which will assess the impact on the Council's income and expenditure streams over time.
- The project is a response to the new and emerging income streams available to local authorities such as New Homes Bonus (NHB), Tax Increment Finance (TIF), Community Infrastructure Levy (CIL) and the potential for retention of Business Rates which are linked to the delivery of housing and employment growth
- The PaFF project will initially consist of a pilot study to develop a delivery and funding model based on the Bath City Riverside "City of Ideas" Enterprise Area that has the potential for rolling out the project across the whole of B&NES.

- **Bath City of Ideas Enterprise Area**

- In 2011 the West of England Local Enterprise Partnership (LEP) determined that Bristol Temple Quarter would be given a new designation as an Enterprise Zone. The LEP also agreed the establishment of 5 Enterprise Areas within the West of England. One of these is Bath City Riverside.

- Work continues to articulate the scope of the Bath Enterprise Area. Key activities are:
 - A study has been commissioned to identify options for the delivery of up-stream flood storage as part of a Strategic Flood Risk Management Strategy for the river corridor in Bath.
 - Work has started to develop a policy basis which will help to ensure speedy delivery of sites within a target framework
 - Progression of discussions with interested development parties.
 - Work is progressing to produce 'Development Values' for Bath Quays South.

- **London Road:**

- A decision on the preferred bidder for 3 & 4 Longacre has been made. Property services are negotiating with the preferred bidder and are expected to instruct solicitors within the next few weeks.
- The future of Caroline House is still being discussed between PfP and the Council and an update will follow in due course
- London Road budget to deliver physical regeneration £750k for 2012/13 was approved by Cabinet 13th June 2012 for delegated officer decision on individual budget elements.
- A new community group 'The Gateway Group' has been formed to make recommendations to the Sponsoring Cabinet Member of projects to be tested and assessed against agreed criterion. If and when approved, projects will be delivered by a delivery team headed by Development & Major Projects.

- **MOD Sites:**

- The M.O.D has announced that its sites at Ensleigh, Foxhill, and Warminster Road are surplus to requirements for military use. Relocation of staff to M.O.D Abbey Wood has already commenced with the M.O.D expecting to have vacated the sites by March 2013, although a portion of the Ensleigh site is anticipated to remain in active M.O.D use until approximately 2018. The M.O.D intends to start marketing the sites from September 2012.
- The three M.O.D sites are of significant importance to Bath and North East Somerset in terms of housing delivery. The sites are identified within the Strategic Housing Land Availability Assessment (SHLAA) as providing circa 20% of Bath's housing

units as set out in the Council's Draft Core Strategy in the period up to 2026. The sites provide a significant opportunity to address housing need issues within Bath, together with having the potential to create strong vibrant communities.

- A steering group has been formed that includes senior representatives from the M.O.D, Bath & North East Somerset Council and the Homes and Communities Agency. The role of the Steering Group is to provide overall project direction to the project and to make or ratify key project decisions. A cross -service project team has been created to co-ordinate the preparation of a Concept Statement for each site.
- For sites such as these, the Council would normally prepare formal planning policy through a Development Plan Document (DPD) but because there is insufficient time in the disposal timescale to complete this statutory process, the Concept Statements are being prepared instead. However, the Concept Statements are the first stage in the preparation of the Council's Placemaking Plan (Site Allocations DPD) and their preparation will be subject to the initial stages of statutory Plan preparation, including public consultation. This will provide sufficient planning weight to provide a basis for on-going discussions with developers.
- The concept statements set out in a concise manner:
 - The aspirations for each site,
 - The key planning priorities and requirements for new development,
 - The process setting out how developers (once the sites have been sold) should engage with local communities.
- A project plan was agreed with the M.O.D that enabled the three Concept Statements to be prepared and by the Council to meet with MoD's disposal timescales. The Concept Statements have undergone a period of public consultation ahead of being submitted for approval by Cabinet in September 2012.

Other Council projects:

- **River Group**

- The Economic Community & Development Policy Development & Scrutiny panel on the 24th of May 2012 re scheduled the presentation of the River corridor Group due to the amount of information contained in the report.
- The Panel is likely to ask for a one day special scrutiny meeting in September to consider the overall report. The way forward is currently being prepared in conjunction with scrutiny members.

- **Flood Mitigation**

- Consultants have been appointed to carryout hydrological assessment work of the proposed site for upstream storage. The work will be in two phases and should take approximately 4 weeks to complete. The results and recommendations will be the subject of consultation prior to the development of detailed scheme proposals.

2.2 Council Direct Projects

- **Keynsham New Build & Regeneration**

- Project remains on programme and budget
- Meeting held with English Heritage to discuss any concerns
- Wessex Water have withdrawn their objection to the planning application on the basis that the sewers underneath the car park will be diverted
- Archaeology trial trenches have been completed
- The planning application is being considered by the Planning Authority. The case officer has indicated that it would be making a report and recommendation which will go before the August 2012 planning committee.

- **Southgate**

- Station works are progressing well and open to the public- anticipated in the autumn 2012
- Practical completion under the Development Agreement Act anticipated October 2012
- Land transfer registration is anticipated end of November 2012

- **Public Realm**

- **Preparatory Projects -City Info, Street Furniture & Pattern book**

- Monoliths installation commenced spring 2012 will complete final September 2012
- Printed artwork/map distribution –talks are taking place with Bath Tourism & Future Bath Plus for leading going forward.
- Street Furniture – Invitation to Tender stage have been issued
- Pattern Book aim to complete April 2013.

- **High Street**

- Contractor appointed – North Midland Construction
- Construction works to Northumberland Place are to commence July 2012.
- Traders have been consulted and are continue to liaise
- Planned completion March 2013.

- **Guildhall Tech Hub**

- Scheme now fully outlined consisting of building refurbishment
- Due to commence works September 2012.
- Procurement will include local firms for the works
- Security access will be installed to zone off sections of the Guildhall and ensure safety to occupants

Children's Services

- **Ralph Allen School Applied Learning Centre and all weather pitch**

- Project Budget and programme under review following tender return.
- Tenders for main contractor have been received and revised prices will be requested following a Value Engineering exercise.
- Planning decision expected June 2012
- Revised tenders will be received July 2012

- **St Gregory's & St Mark's**

- Project remains on programme and budget
- Design developed in response to further comments from the Planners
- Design developed in response to the cost plan
- Planning application submitted during w/c 11th June 2012
- Main Contractor Invitation To Tender issued during w/c 11th June 2012
- Slow worm translocation site has been established
- Reptile translocation is going ahead and will be relocated end July 2012

- **Wellsway Sports Centre**
 - Project remains on budget
 - Completion Date due end September 2012.
 - Handover October 2012

- **Oldfield School Bath**
 - Project is within budget and on programme
 - Major Projects Handover completed 25th June 2012

- **BWR**
 - **Residential occupations**
 - First private residents moved into houses in April 2012
 - Affordable units now fully occupied
 - Shared ownership occupations increasing with strong market interest for the shared ownership product

 - **Phase 1b**
 - Residents have taken occupation & sales are going well.
 - **Phase 2**
 - Occupation due 2013

 - **BWR Main scheme**
 - Crest are progressing terms with Wales and West to decommission the gas holders
 - Planning Applications for the next phases are expected in July 2012

- **Victoria Bridge**

- **Temporary works (Phase 2)**

- Ramp installation completed, and route across Bridge opened to public on 21st May 2012.
 - Temporary crossing will need to be closed again when phase 3 works commence, (early 2013).
 - Periodic monitoring of temporary works is ongoing.

- **Permanent works (Phase 3)**

- Approval received from June Cabinet meeting to deliver phase 3 of project.
 - Tender evaluation for phase 3 designer completed and recommendation for appointment circulated internally for approval.
 - Design work expected to commence in July.
 - Works to commence in 2013. Completion May 2014.

- **Bath Transport Package**

- All Tenders returned and assessed.
 - Full Approval documentation issued to DfT on 31 May 2012. Awaiting DfT response
 - Cabinet paper for Capital approval drafted for July 2012 Open Cabinet.

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Agenda Item 13

Bath & North East Somerset Council	
MEETING: HOUSING AND MAJOR PROJECTS POLICY DEVELOPMENT & SCRUTINY PANEL	
MEETING DATE:	24th July 2012
TITLE:	WORKPLAN FOR 2012/13
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
Appendix 1 – Panel Workplan	

1 THE ISSUE

- 1.1 This report presents the latest workplan for the Panel (Appendix 1).
- 1.2 The Panel is required to set out its thoughts/plans for their future workload, in order to feed into cross-Panel discussions between Chairs and Vice-chairs - to ensure there is no duplication, and to share resources appropriately where required.

2 RECOMMENDATION

- 2.1 The Panel is recommended to
 - (a) consider the range of items that could be part of their Workplan for 2011/12 and into 2012/13

3 FINANCIAL IMPLICATIONS

- 3.1 All workplan items, including issues identified for in-depth reviews and investigations, will be managed within the budget and resources available to the Panel (including the designated Policy Development and Scrutiny Team and Panel budgets, as well as resources provided by Cabinet Members/Directorates).

4 THE REPORT

4.1 The purpose of the workplan is to ensure that the Panel's work is properly focused on its agreed key areas, within the Panel's remit. It enables planning over the short-to-medium term (ie: 12 – 24 months) so there is appropriate and timely involvement of the Panel in:

- a) Holding the executive (Cabinet) to account
- b) Policy review
- c) Policy development
- d) External scrutiny.

4.2 The workplan helps the Panel

- a) prioritise the wide range of possible work activities they could engage in
- b) retain flexibility to respond to changing circumstances, and issues arising,
- c) ensure that Councillors and officers can plan for and access appropriate resources needed to carry out the work
- d) engage the public and interested organisations, helping them to find out about the Panel's activities, and encouraging their suggestions and involvement.

4.3 The Panel should take into account all suggestions for work plan items in its discussions, and assess these for inclusion into the workplan. Councillors may find it helpful to consider the following criteria to identify items for inclusion in the workplan, or for ruling out items, during their deliberations:-

- (1) public interest/involvement
- (2) time (deadlines and available Panel meeting time)
- (3) resources (Councillor, officer and financial)
- (4) regular items/"must do" requirements (eg: statutory, budget scrutiny, etc)?
- (5) connection to corporate priorities, or vision or values
- (6) has the work already been done/is underway elsewhere?
- (7) does it need to be considered at a formal Panel meeting, or by a different approach?

The key question for the Panel to ask itself is - can we "add value", or make a difference through our involvement?

- 4.4 There are a wide range of people and sources of potential work plan items that Panel members can use. The Panel can also use several different ways of working to deal with the items on the workplan. Some issues may be sufficiently substantial to require a more in-depth form of investigation.
- 4.5 Suggestions for more in-depth types of investigations, such as a project/review or a scrutiny inquiry day, may benefit from being presented to the Panel in more detail.
- 4.6 When considering the workplan on a meeting-by-meeting level, Councillors should also bear in mind the management of the meetings - the issues to be addressed will partially determine the timetabling and format of the meetings, and whether, for example, any contributors or additional information is required.

5 RISK MANAGEMENT

- 5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

6 EQUALITIES

- 6.1 Equalities will be considered during the selection of items for the workplan, and in particular, when discussing individual agenda items at future meetings.

7 CONSULTATION

- 7.1 The Workplan is reviewed and updated regularly in public at each Panel meeting. Any Councillor, or other local organisation or resident, can suggest items for the Panel to consider via the Chair (both during Panel meeting debates, or outside of Panel meetings).

8 ADVICE SOUGHT

- 8.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Michaela Gay, Democratic Services Officer. Tel 01225 394411
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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Housing and Major Projects Policy Development & Scrutiny Panel Workplan

Meeting Date	Agenda Item	Director	Report Author	Format of Item	Requested By	Notes
2nd Aug 2011	Major Projects Routine Report	JB	John Betty	Report		
	Housing Renewal Policy	AA	Graham Sabourn	Report		
	Cabinet Member Update			Verbal		
20th Sept 2011						
	Cabinet Member Update			Verbal		
	Housing & Major Projects Update	JB	John Betty / Graham Sabourn	Report		
	Delivering Sustainable Economic Growth in Bath and North East Somerset	JB	John Betty	Report		
15th Nov 2011						
	Cabinet Member Update			Verbal		
	Article 4 Direction	GC	Simon de Beer	Verbal		
	Medium Term Service & Resource Plans	JB	John Betty	Report		
	Housing & Major Projects Update	JB	John Betty / Graham Sabourn	Report		

Last updated 31st May 2012

Meeting Date	Agenda Item	Director	Report Author	Format of Item	Requested By	Notes
31st Jan 2012						
	Somer CHT Blueprint for the Future	AA	Victor da Cunha (Somer CX)	Verbal / Presentation		
	Cabinet Member Update			Verbal		
	Empty Property Policy Update	AA	Graham Sabourn	Report		
	Adult Social Care & Housing Service Action Plan	AA	Graham Sabourn / Jane Shayler	Report		
	Housing & Major Projects Update	JB	John Betty	Report		
	Development & Major Projects Service Action Plan	JB	Derek Quilter	Report		
27th March 2012						
	Cabinet Member Update			Verbal		
	Draft Tenancy Strategy	AA	Graham Sabourn	Report		
	Housing Allocations	AA	Graham Sabourn	Report		
	Additional HMO Licensing (Article 4)	AA	Graham Sabourn	Report		
	Housing & Major Projects Update	JB	John Betty	Report		
29th May 2012						
	Cabinet Member Update			Verbal		
	Home Health and Safety Policy (formerly Housing Renewal Policy)	AA	Chris Mordaunt	Report		

Last updated 31st May 2012

Meeting Date	Agenda Item	Director	Report Author	Format of Item	Requested By	Notes
	Community Infrastructure Levy (CIL) – Impact on Development	GC	Simon De Beer	Presentation		
	Emerging Housing Agenda	JB	John Betty	Presentation		
	Development Agenda – Potential Funding Strategies	JB	John Betty	Presentation		
	Housing & Major Projects Update	JB	John Betty	Report		
24th July 2012						
	Cabinet Member Update			Verbal		
	Housing Services Enforcement Policy	AA	Chris Mordaunt	Report		
	Right to Buy	AA	Graham Sabourn	Report		
	Development & Regeneration Opportunities in the Somer Valley	GC	Marie Percival	Presentation		
	Housing & Major Projects Update	GC	Derek Quilter	Report		
18th Sept 2012						
	Cabinet Member Update			Verbal		
	Housing Adaptations	AA		Report		
	House Condition Surveys (Private Sector Stock / HMO)	AA		Report		
	Housing & Major Projects Update	GC	Derek Quilter	Report		

Last updated 31st May 2012

Meeting Date	Agenda Item	Director	Report Author	Format of Item	Requested By	Notes
20th Nov 2012						
	Cabinet Member Update			Verbal		
Future items						
	Additional HMO Licensing (Article 4)	AA	Graham Sabourn	Report	Panel May 2012	Prior to Cabinet decision