

Cabinet

Date and Time - **Monday 7 September 2020 – 6:30pm**

Venue - **Remote Meeting**

Councillors appointed to the Committee:

Councillor D.B. Oliver (Leader), S.M. Prochak (Deputy Leader), C.A. Bayliss, J.H.F. Brewerton, T.J.C. Byrne, K.P. Dixon, K.M. Field, H.L. Timpe and J. Vine-Hall.

AGENDA

1. MINUTES

To authorise the Leader to sign the Minutes of the meeting held on 17 August 2020 as a correct record of the proceedings.

2. APOLOGIES FOR ABSENCE

3. ADDITIONAL AGENDA ITEMS

To consider such other items as the Leader decides are urgent and due notice of which has been given to the Head of Paid Service by 9:00am on the day of the meeting.

4. URGENT DECISIONS

The Leader to give details of those reports that have been referred to the Chairman of the Council to consider designating as urgent, in accordance with Rule 17 of the Overview and Scrutiny Procedure Rules contained within Part 4 of the Council Constitution, and to which the call-in procedure will not therefore apply.

5. DISCLOSURE OF INTERESTS

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

6. BEXHILL COMMUNITY GOVERNANCE REVIEW (Pages 1 - 4)

At the discretion of the Leader, the order of the items set out in the agenda may be varied
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louise.hollingsworth@rother.gov.uk (Tel: 01424 787815)

7. **BEXHILL CITIZENS ADVICE** (Pages 5 - 8)
8. **INTRODUCTION OF CHARGES TO OFF-STREET CAR PARKS WITHIN THE CIVIL PARKING ENFORCEMENT AREA** (Pages 9 - 18)
9. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING QUARTER 1 - 2020/21** (Pages 19 - 28)
10. **ALLIANCE HOMES (ROTHER) LTD, BUSINESS PLAN** (Pages 29 - 54)
11. **COMMUNITY GRANTS SCHEME - ROUND 1** (Pages 55 - 64)
12. **LETTING OF BEECHING ROAD STUDIOS, 18-40 BEECHING ROAD** (Pages 65 - 68)
13. **RESIDENTIAL DEVELOPMENT AT BLACKFRIARS, BATTLE** (Pages 69 - 100)
14. **EXCLUSION OF PRESS AND PUBLIC (EXEMPT INFORMATION)**
 The following item includes material which is exempt from publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and it is recommended that the press and public be excluded. The relevant paragraph of Schedule 12A indicating the nature of the exempt information is stated after the item and is reproduced in full at the end of the agenda. In all the circumstances of each case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
15. **LETTING OF BEECHING ROAD STUDIOS, 18-40 BEECHING ROAD - CONFIDENTIAL APPENDIX (PARAGRAPH 3)** (Pages 101 - 102)
16. **RESIDENTIAL DEVELOPMENT AT BLACKFRIARS, BATTLE - CONFIDENTIAL APPENDIX 1 (PARAGRAPHS 1 AND 3)** (Pages 103 - 116)

Malcolm Johnston
Executive Director

Agenda Despatch Date: 27 August 2020

Extract from Schedule 12A of the Local Government Act 1972 (as amended)

1. Information relating to any individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

* In accordance with Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, if Cabinet decides at the meeting that it will be necessary to go into confidential session to discuss the contents of the confidential appendices to Agenda Items 12 and 13, agreement will need to be obtained from, the Chairman of the Overview and Scrutiny Committee or the Chairman or Vice-Chairman of Council in attendance at the Cabinet meeting.

Rother District Council

Report to: Cabinet

Date: 7 September 2020

Title: Bexhill Community Governance Review

Report of: Malcolm Johnston, Executive Director

Cabinet Member: Councillor Bayliss

Ward(s): All (Bexhill)

Purpose of Report: To consider the recommendations arising from the Overview and Scrutiny Committee meeting held on 20 July 2020, regarding the Bexhill Community Governance Review. The recommendation and minute arising is reproduced below.

Decision Type: Key

Officer

Recommendation(s): **Recommendation to COUNCIL:** That:

- 1) a Parish Council be created for the whole of Bexhill-on-Sea, to be styled a Town Council based on the existing Bexhill Ward External Boundary;
- 2) the Town Council to contain nine Wards, based on the 2019 District Ward Boundaries and that two Town Councillors be elected to each Ward, making a total of 18 Bexhill Town Councillors;
- 3) the first elections be held in May 2021;

Subject to the approval of 1), 2) and 3) above,

- 4) the dissolution of the Bexhill Charter Trustees following the formation of the Bexhill Town Council be noted; and
- 5) the consultation results be taken into account when the transfer of services / powers to Bexhill Town Council are discussed.

Reasons for

Recommendations: To approve the creation of a Town Council for Bexhill-on-Sea.

OSC20/13. **COMMUNITY GOVERNANCE REVIEW OF BEXHILL-ON-SEA – DRAFT FINAL RECOMMENDATIONS**

Members received the report of the Executive Director outlining the draft final recommendations of the Community Governance Review Steering Group (CGRSG).

In 2017, under the former administration, the Council undertook a Community Governance Review of Bexhill-on-Sea, and whilst there was overwhelming support shown for the creation of a Town Council (93% of some 9,000+ responses) it was decided at that time not to proceed with the establishment of a Town Council.

Following the local elections in May 2019, and the change in political control, the Council approved a Motion requesting officers to report as to the required procedure with a view to the establishment of a Town Council for Bexhill by 2021. Full Council subsequently agreed the process by which the Council would undertake the Community Governance Review of Bexhill-on-Sea at its meeting on 16 September 2019 and appointed the Community Governance Review Steering Group (CGRSG) to lead on the process.

The CGRSG had met on four occasions between October 2019 and May 2020 in order to progress its Terms of Reference and comprised of the following Members: Councillors J. Barnes, C.A. Bayliss, T.J.C. Byrne, J.J. Carroll, P.J. Gray, L.M. Langlands, P.N. Osborne, R.B. Thomas and H.L. Timpe. Councillor Bayliss was appointed Chairman and all meetings of the CGRSG were held in the public domain.

At its last meeting held on 29 May 2020, the CGRSG had considered the outcome of the public consultation exercise; the report and full consultation response was attached at Appendix 3 to the report and the Minutes of the meeting attached at Appendix 4.

The key points from the consultation were outlined to Members as follows:

- 2,193 responses were received from the public – 1,564 on-line and 629 response slips;
- in total the Council received 2,208 responses – (4.6% of the population);
- 78% of all responders supported the creation of a town council (22% did not);
- the younger the age group, the less likely they were to support a town council;
- the older the age group the more likely they were to support a town council;
- there were no differences between the views of males and females;
- there was support for the services already funded by Bexhill special expenses to be devolved to a town council; and
- the majority of responders in each Rother District Council Ward were in favour of a town council.

In light of the public support for the creation of a Town Council, demonstrated through both the 2017 and 2020 consultation and in line with the Council's stated objective of delivering a Town Council for Bexhill-on-Sea, the CGRSG recommended that the Council established a Town Council for Bexhill-on-Sea. The Town Council would be based on the current District Council external boundary of Bexhill, with nine wards, each appointing two Members and with the first elections taking

place in May 2021. It was noted that the recommendation would result in the demise of the Bexhill Charter Trustees who would become defunct once the Town Council was established.

Members were given the opportunity to ask questions and the following points were noted during the discussions:

- if full Council agreed to the creation of a Town Council for Bexhill, ways to engage with younger residents who were less likely to support a town council, would be explored;
- the consultation results showed support for the creation of a Neighbourhood Plan for Bexhill;
- legal advice and assistance would be procured to assist with drafting the Community Governance Order and the establishment of the Town Council; the scope of devolvement would be agreed with the new Town Council once established, but the District Council could have internal discussions prior to that time;
- legal advice had been sought concerning the establishment of a shadow Town Council. This would be set up from 1 April 2021 using existing Bexhill District Councillors until the date of elections; and
- the Bexhill Special Expenses for next year would be set as part of the Council's annual budget setting procedures in the usual way, funded only by Bexhill residents, and would continue until the new Town Council took over the agreed devolved services.

(Overview and Scrutiny Committee Agenda Item 5).

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Executive Director:	Malcolm Johnston
Proper Officer:	Malcolm Johnston, Head of Paid Service
Report Contact Officer:	Lisa Cooper, Democratic Services Manager
e-mail address:	lisa.cooper@rother.gov.uk
Appendices:	N/A
Relevant Previous Minutes:	None.
Background Papers:	Report to Overview and Scrutiny Committee
Reference Documents:	None.

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Rother District Council

Report to: Cabinet

Date: 7 September 2020

Title: Bexhill Citizens Advice

Report of: Malcolm Johnston, Executive Director

Cabinet Member: Councillor Kevin Dixon

Ward(s): All

Purpose of Report: To recommend a financing plan to allow Bexhill Citizens Advice to refurbishment their new premises.

Decision Type: Key

Officer

Recommendation(s): **Recommendation to COUNCIL:** That a loan of up to £40,000 be granted to the Bexhill Citizens Advice and the Capital Programme for 2020/21 be increased accordingly;

AND

It be **RESOLVED:** That:

- 1) Bexhill Citizens Advice be invited to apply to the Council's Community Grants scheme;
- 2) any amount awarded under the Community Grants Scheme will be deducted from the loan amount; and
- 3) the Executive Director, in consultation with the Portfolio Holder for Finance and Performance Management, be authorised to agree an appropriate rate of interest and repayment schedule for the loan.

Introduction

1. As Members may be aware, Bexhill Citizens Advice (CA) is currently located in Bank Chambers, Buckhurst Road, Bexhill. The building was sold some years ago, but Bexhill CA remained in occupation while the rest of the building was redeveloped into flats. The current landlord has worked closely with the CA over that time in order to facilitate them remaining in the building until they can find alternative premises. He now, however, wishes to progress with the redevelopment of the remainder of the property.

2. The CA have located an alternative premise in St Leonards Road, Bexhill that, with some modifications, meets their specification. The current landlord has agreed to purchase the premises and give a lease to the CA. He has also agreed to make a contribution to the modifications. Bexhill CA have funds of their own and are proposing to use these towards the costs but there is still a shortfall of some £30k to £40k. They have approached the Council as to whether we would be prepared to fund the shortfall. It should be noted that CA have contacted other funding bodies/organisations to see whether they can reduce this gap further.
3. In order to meet their timetable for the relocation of their offices, the Bexhill CA need to undertake the refurbishment works of the new premises as a matter of urgency.

Options and Discussion

4. When Cabinet discussed the Service Level Agreement for Bexhill CA at their meeting on 13 January 2020 (Minute CB19/84 refers) a commitment was given to assisting them finding and locating to alternative premises in Bexhill. The Council's Member representative and the Executive Director have met with the Bexhill CA and a number of options have been discussed regarding their future location. These have included:
 - a. Bexhill CA move into the Town Hall – this was discussed but is not practical within their timetable (or the Council's) given their need to move quickly and before the winter. Furthermore, although CA can see benefits to co-locating with the Council there are also benefits in them being separate and clearly seen by users to be so.
 - b. Rother DC to give a grant to cover the costs – given the approach taken with other organisations applying for assistance from the Council at this time, this was not considered appropriate.
 - c. Bexhill CA to apply to the community grants fund for a grant – this is an option but the maximum grant is £30,000 so that may still leave a gap.
 - d. The Council to provide a loan of up to £40,000 – this could be an option and was not rejected by Bexhill CA.
 - e. RDC reject the request for funding – given the service provided by Bexhill CA and the on-going need for that service this is not a recommended course of action.
5. There is a hybrid option involving a mix of c. and d. above. As previously stated, Bexhill CA needs to move quickly and therefore a further option could be considered. To enable the refurbishment work to be started soon RDC could agree a loan of up to £40,000, any grant given will be deducted from the outstanding value of the loan. Bexhill CA have indicated that in principle, this arrangement would be acceptable to them.

Conclusion

6. Bexhill CA provide a valuable service to the Council and to our community and therefore it is felt to be important that they are supported to move to new premises.

7. For the reasons stated in the report, the premises in St Leonards Road, Bexhill appears to provide an ideal location.
8. Following constructive discussions with Bexhill CA it is recommended that the options outlined in paragraph 5 are agreed and that the Executive Director, in consultation with the Portfolio Holder for Finance and Performance Management, be authorised to agree an appropriate interest rate and repayment schedule for the loan. It will be necessary to increase the Capital Programme in 2020/21 to reflect the advance of a loan to the CA.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Sustainability	No	Access to Information	No
Risk Management	No	Exempt from publication	No

Executive Director:	Malcolm Johnston
Proper Officer:	Malcolm Johnston, Head of Paid Service
Report Contact Officer:	Malcolm Johnston
Appendices:	None
Relevant Previous Minutes:	CB19/84
Background Papers:	None
Reference Documents:	None

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Rother District Council

Report to: Cabinet

Date: 7 September 2020

Title: Introduction of charges to off-street car parks within the Civil Parking Enforcement area

Report of: Joe Powell – Head of Service – Housing and Community

Cabinet Member: Councillor Field

Ward(s): All

Purpose of Report: To determine whether to vary the District of Rother (Off-Street) Parking Places Order 2020 in response to the introduction of Civil Parking Enforcement and on-street parking charges.

Decision Type: Key

Officer

Recommendation(s): It be **RESOLVED**: That:

- 1) the variation to the District of Rother (Off-Street) Parking Places Order 2020 be approved to allow the introduction of a scale of charges in certain car parks that are free to use at present.
- 2) the variation to the District of Rother (Off-Street) Parking Places Order 2020 be approved to revise the charges within certain car parks that fall within those areas where on-street charging will be introduced under Civil Parking Enforcement.
- 3) the cost of equipment and signage, estimated at £47,500, be met from the capital parking earmarked reserve.

Introduction

1. The Council currently operates its designated car parks under the District of Rother (Off Street) Parking Places Order 2020 (PPO). The PPO provides a framework under which the Council can manage the car parks under its ownership and enforce parking conditions to ensure proper use. A copy of the current PPO can be found on the website at the following link:

<https://www.rother.gov.uk/wp-content/uploads/2020/05/ParkingPlacesOrder.pdf>

2. East Sussex County Council intends to introduce Civil Parking Enforcement (CPE) on 29 September 2020. CPE will introduce charging to certain on-street parking locations throughout Bexhill, Rye and Battle. On-street charging will not apply to other areas of the district; however, other restrictions may apply, such as double yellow line enforcement or resident permit schemes, for example. A map indicating those areas where on-street charges will apply can be found at Appendix A. The introduction of CPE is likely to increase the use off-street car

parks under the Council's ownership.

3. Residents, local businesses and visitors expect that there is a parity of parking charges between equivalent areas; therefore, it is important that the cost of off-street parking is standardised between equivalent areas of the district.
4. Any increase in the use of Council car parks will have attached to it associated maintenance and administration costs. The Covid-19 pandemic has compounded what was already a challenging time for the Council's finances; therefore, any increase in the Council's costs needs to be met by an increase in relevant charges. Furthermore, those car parks that are presently free to use do not contribute to the Council's maintenance and operational costs.

Civil Parking Enforcement (CPE)

5. The recommendations of this report therefore should be seen as an initial step to protect the Council's assets against the costs associated with a significant increase in the usage of its car parks within those areas where on-street charging will be introduced. The intention is to undertake a more comprehensive review of the scale of charges within the Parking Places Order 2020 at a later date once the full impact of the introduction of CPE on car park usage across the district is better understood.
6. It should also be noted that the Council has not increased any of its parking charges since 2014.

Proposals

7. The proposed variations to the District of Rother (Off-Street) Parking Places Order 2020 can be found at Appendix B of this report.
8. In summary, it is proposed to introduce parking charges to those car parks that fall directly within those CPE areas where on-street charges will be introduced. It is also proposed that those car parks that are in close proximity to areas where on-street charges will apply should also have charges introduced. The following car parks are therefore proposed for the introduction of charging:
 - Egerton Park (20 spaces)
 - Front of Town hall -weekend & Bank holidays only (10 spaces)
 - Galley Hill –foot (30 spaces)
 - Galley Hill –top (20 spaces)
 - Manor Gardens (50 spaces)
 - Polegrove - Richmond Rd (20 spaces)
 - War Memorial (5 spaces)
 - Rye Salts (15 spaces)
9. Note that the number of car parking spaces in each car park has been approximated as many of these car parks are not lined.
10. It is recommended that the charges in Eversley Rd Car Park are reduced from their present level and brought in line with the charges tabled at point 13, below.

11. It is recommended that the charges at Wainwright Rd car park are increased and brought into line with charges tabled at point 13 below. Note that the lorry park charges will remain unchanged.
12. It is also recommended that the charges at the De La Warr Car Park remain unchanged.
13. It is proposed that a scale of charges is introduced to these car parks that mirror equivalent to some town car parks in Rye and Battle, between the hours of 08:00 and 20:00.

	Ticket Price
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00

14. There will be capital investment required to bring in charges to the car parks that are presently free to use. These costs include new signage and the introduction of payment machines. Drivers will be directed to use the Ringo Parking App until such time that the payment machines can be installed an added to the existing cash collection contract. A table of the estimated equipment costs is shown below:

	No. of car parks	Unit cost	Total
New signage	10	£350	£3,500
Payment machine	8	£5,500	£44,000
Total			£47,500

15. As the individual unit value is below £10,000 this equipment will not be capitalised. It is proposed that this cost be met from the Car Parks Earmarked Reserve. In addition there is an annual revenue cost associated with maintaining the payment machines as well as collecting the cash of approximately £1,500 per machine or £12,000 for the eight additional machines required.
16. Based on the revised charges and the increased number of chargeable parking spaces, it is estimated that income from car parks will increase by approximately £150,000 per annum. This will meet the ongoing costs and is an estimate based on a fifty percent occupancy rate at each car park.

Conclusion

17. Charges will allow the Council to recoup the costs associated with a significant increase in use and, therefore, an increase in the associated maintenance and administrative costs due to the introduction of CPE and on-street parking charges.
18. The car parks that are presently free to use do not contribute to the costs to the Council that is associated with maintaining and administering them.

Legal Implications

19. Legal advice has been sought on making the recommended variations to the District of Rother (Off-Street) Parking Places Order 2020. The original order will need to be amended by a short variation to the order (see Appendix B). The changes will need to be displayed in the car parks to which the variations will apply.

Human Resources Implications

20. The car parks to be included in the variation are already enforced under the District of Rother (Off-Street) Parking Places Order 2020; however, there will be an increased burden on the enforcement team as they increase the scope of their activity to enforce proper payment of relevant charges.

Environmental Implications

21. The introduction of charging to enable the Council to recoup its costs also minimises the excessive use of cars and promotes alternative forms of transport with less environmental impact.

Crime & Disorder Implications

22. The introduction of effective parking controls delivered through the District of Rother (Off-Street) Parking Places Order 2020 promotes responsible behaviour and restricts anti-social behaviours.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	Yes	Consultation	No
Environmental	Yes	Access to Information	No
Sustainability	Yes	Exempt from publication	No
Risk Management	No		

Executive Director:	Malcolm Johnston
Proper Officer:	Malcolm Johnston, Head of Paid Service
Report Contact Officer:	Joe Powell – Head of Service, Housing & Community to manage the procurement
e-mail address:	Joe.powell@rother.gov.uk
Appendices:	A CPE on-street charging areas B Proposed variations to Schedule 3 PPO 2020
Relevant Previous Minutes:	CB19/56
Background Papers:	None.
Reference Documents:	None.

BEXHILL	Times & Ticket Price
De La Warr Pavilion	0800 - 2000
Up to 1 hour	£1.50
1 – 2 hours	£2.50
2 – 3 hours	£3.00
3 – 5 hours	£4.50
Over 5 hours	£5.00
Egerton Park	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Eversley Road	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Front of Town hall -weekend & Bank holidays only	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Galley Hill – foot	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Galley Hill – top	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Little Common	0800 - 2000
Up to 4 hours	£1.00
Over 4 Hours	£2.00
Nominated Annual Permit Only	£175.00
Manor Gardens	0800 - 2000

Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Polegrove - Richmond Rd	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
War Memorial	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Western Road – Dedicated Annual Permit Only	£715.00
Wainwright Road	0800 - 2000
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Nominated Annual Permit Only	£125.00
Wainwright Road Coach & Lorry Park Up to 23 hours	Free
BATTLE	Times & Ticket Price
Mount Street	0900 - 1900
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.00
Over 4 hours	£5.00
Upper Market (Short Stay)	0900 - 1900
Up to 1 hour	£1.00
1 – 2 hours	£2.00
2 – 4 hours	£4.50
Lower Market (Long Stay)	0900 - 1900
Up to 2 hours	£2.00
All day	£4.00

RYE	Times & Ticket Price
Bedford Place & Lucknow Place	0900 - 1900

Up to 1 hour	£1.00												
1 – 2 hours	£2.00												
2 – 4 hours	£4.00												
Over 4 hours	£5.00												
Cinque Ports Street & The Strand	0900 - 1900												
Up to 1 hour	£1.00												
1 – 2 hours	£2.00												
2 – 4 hours	£4.50												
Over 4 hours	£7.00												
Rye Salts	0900 - 1900												
Up to 1 hour	£1.00												
1 – 2 hours	£2.00												
2 – 4 hours	£4.00												
Over 4 hours	£5.00												
Rye Sports Centre Car Park	0900 - 1900												
Up to 1 hour	£2.50												
1 – 2 hours	£3.50												
2 – 4 hours	£7.00												
Over 4 hours	£10.00												
Gibbet Marsh (long stay)	<table border="0"> <thead> <tr> <th>Winter</th> <th>Summer</th> </tr> </thead> <tbody> <tr> <td>0900 - 1900</td> <td>0900 - 1900</td> </tr> <tr> <td>1st Oct to 31st March</td> <td>1st Apr to 30th Sept</td> </tr> <tr> <td>£1.50</td> <td>£2.50</td> </tr> <tr> <td>£3.00</td> <td>£4.00</td> </tr> <tr> <td colspan="2">Annual Permit £321.50</td> </tr> </tbody> </table>	Winter	Summer	0900 - 1900	0900 - 1900	1st Oct to 31st March	1st Apr to 30th Sept	£1.50	£2.50	£3.00	£4.00	Annual Permit £321.50	
Winter	Summer												
0900 - 1900	0900 - 1900												
1st Oct to 31st March	1st Apr to 30th Sept												
£1.50	£2.50												
£3.00	£4.00												
Annual Permit £321.50													
Gun Gardens – Dedicated Annual Permit only (Bays 1 to 9) (Waiting List)	£1,090.00												
The Strand – Dedicated Annual Permit only (Bays 1 to 10) (Waiting List)	£655.00												

CAMBER	Times & Ticket Price	
	Winter	Summer
	0830 – 1800	0830 – 1800
Central, Western & Old Lydd Road	1st Oct to 31st March	1st Apr to 30th Sept

	Central & Old Lydd Road	All
Up to 1 hour	£1.00	£1.50
1 – 3 hours	£3.00	£5.00
3 – 6 hours	£5.00	£10.00
6 hours plus	£6.00	£12.00

COACHES (Western only)	0830 – 1800
Per Hour	£3.50

Other available parking

Location	Ticket Price	
Beeching Close, Bexhill	Free up to 23 hours	
Northiam Car Park	Free up to 23 hours	
Hurst Green Car Park	Free up to 23 hours	
Sedlescombe Car Park	Free up to 23 hours	
Burwash (The Bear) Car Park	Free up to 2 & 9 hours	
Burwash –The Square Car Park	Free up to 23 hours	
The Gorses Car Park	Free up to 23 hours	
Pett Level Car Park	Free up to 2 hours	
Sidley Car Park	Free up to 23 hours	
Market Square Coach Park	Free up to 5 hours	
Richmond Road- Polegrove	Free up to 23 hours	
Galley Hill –Top	Free up to 23 hours	
Galley Hill –Bottom	Free up to 23 hours	
Manor Barn & Gardens	Free -23 hours	
Sidley Community Centre	Free -23 hours	

Bexhill Leisure Centre	Free -23 hours	
Egerton Park	Free-23 hours	
Broad Oak Park	Free-23 hours	
Rye Cricket Salts	Free -23 hours	
Little Common Rec	Free -23 hours	
St Marys' Rec	Free -23 hours	
War Memorial, Bexhill	Free -23 hours	
Town Hall –Front	Free -23 hours	
Etchingam (Oxenbridge Lane)	Free -23 hours	

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Rother District Council

Report to:	Cabinet
Date:	7 September 2020
Title:	Revenue Budget and Capital Programme Monitoring – Quarter 1 - 2020/21
Report of:	Antony Baden – Finance Manager
Cabinet Member:	Councillor Dixon
Ward(s):	All
Purpose of Report:	To agree the forecast for the financial year ending 31 March 2021.
Decision Type:	Non-Key
Officer	
Recommendation(s):	It be RESOLVED: That the report be noted.
Reasons for	
Recommendations:	n/a

Introduction

1. This report updates Members on the Council’s finances as at the end of June 2020 and projects a provisional outturn for 2020/21. The financial position for the Council is shown in the table overleaf and further analysis is shown in subsequent paragraphs.

2. Since the detailed budget was approved by Cabinet on the 10 February 2020 there have been the two reportable virements, which have been reflected in the table above. Firstly, savings of £422,000 have been achieved by reducing the staffing structure and incorporating them into departmental budgets, leaving a balance of £78,000 as shown in line 17(v) of the table in paragraph 1. Secondly staff turnover of £282,000 was originally budgeted centrally in line 12 of the table in paragraph 1 but has now been consolidated into departmental salary budgets.

Line	Rother District Council General Fund Summary	Final 2019/20 Actual £ (000)	Revised 2020/21 Budget £ (000)	2020/21 Estimated Outturn £ (000)	2020/21 Variance £ (000)
1	Executive Directors & Corporate Core	2,217	1,999	1,999	0
1a	Executive Directors & Corporate Core - Coronavirus related	0	0	23	23
2	Environmental Services	321	575	537	(38)
2a	Environmental Services - Coronavirus related	0	0	43	43
3	Strategy and Planning	759	950	978	28
3a	Strategy and Planning - Coronavirus related	0	0	186	186
4	Acquisitions, Transformation and Regeneration	(223)	(321)	(318)	3
4a	Acquisitions, Transformation and Regeneration - Coronavirus related	0	0	200	200
5	Housing and Community Services	7,634	8,262	8,361	99
5a	Housing and Community Services - Coronavirus related	0	0	1,806	1,806
6	Resources	3,873	3,152	3,152	0
6a	Resources - Coronavirus related	0	0	732	732
7	Total Cost of Services	14,581	14,617	17,699	3,082
8	Interest from Investments	(508)	(400)	(252)	148
9	Capital Expenditure Charged to Revenue	416	1,359	1,839	480
10	MRP	29	242	242	0
11	Interest payments	286	610	610	0
12	Salaries turnover	0	0	0	0
13	(i) Increase income - Property Investment Strategy	0	(544)	0	544
14	(ii) Increase income (net) - other	0	(14)	0	14
15	(iii) Lean and Demand	0	(90)	0	90
16	(iv) Service Prioritisation	0	(100)	0	100
17	(v) Reduced Staffing Structure	0	(78)	0	78
18	Net Cost of Services	14,804	15,602	20,138	4,536

Line		Final 2019/20 Actual £ (000)	Revised 2020/21 Budget £ (000)	2020/21 Estimated Outturn £ (000)	2020/21 Variance £ (000)
19	Special Expenses	(674)	(687)	(687)	0
	Business Rates				
20	Local Share of business rates	(7,609)	(7,157)	(7,157)	0
21	s31 Grants including additional MHCLG funding (pandemic response)	(2,080)	(1,892)	(1,872)	20
22	Tariff	5,715	5,121	5,121	0
23	Lewy	0	195	195	0
	Non-Specific Revenue Grants				
24	New Homes Bonus Grant	(449)	(247)	(247)	0
25	Rural Services Delivery Grant	0	(50)	0	50
26	Local Council tax Support Grant	(96)	(102)	(102)	0
27	Benefits Administration Grant	(214)	(238)	(206)	32
28	New Burdens Grant & Other Non-Specific Grants	0	0	(61)	(61)
29	Homelessness Grant - New Burdens	(237)	(126)	(126)	0
30	Flexible Homeless Support Grant	(276)	(275)	(276)	(1)
31	Coronavirus Grant - 1st tranche	0	0	(42)	(42)
32	Coronavirus Grant - 2nd tranche	0	0	(961)	(961)
33	Coronavirus Grant - 3rd tranche	0	0	(166)	(166)
35	Coronavirus Grant - Homelessness/Rough Sleeping	0	0	(6)	(6)
36	Coronavirus Grant - Partial reimbursement of sales, fees & charges	0	0	(341)	(341)
37	Council Tax Requirement (Rother only)	(6,829)	(7,019)	(7,019)	0
	Other Financing				
38	Collection Fund (Surplus)/Deficit	337	(849)	(849)	0
39	s31 Grants including Hardship Fund grant (pandemic response)	0	0	(651)	(651)
40	Contribution from reserves to fund capital expenditure	(416)	(1,359)	(1,839)	(480)
41	Contributions to/(from) Earmarked Reserves	(1,769)	0	0	0
42	Total Income	(14,597)	(14,685)	(17,292)	(2,607)
43	Net Deficit/(Surplus)	207	917	2,846	1,929

Review of significant variations

3. The above table shows that at the end of Quarter 1 the Council is predicted to incur a deficit of £1.929 million. The Cost of Services at line 7 in the table shows a deficit of £3.082 million and non-service budgets increase the forecast overspend to £4.536 million as shown in line 18. This is reduced by £2.607 million mainly due to additional grant income from the Ministry of Housing, Communities & Local Government (MHCLG) as detailed in lines 21 to 39 of the table.
4. The Council's response to the COVID-19 pandemic has inevitably put the budget under enormous pressure despite some costs being partially offset by non-ringfenced grants from the MHCLG. The net impact of the virus is forecast to be £1.719 million and is summarised in the table below.

	£ million
Expenditure/Income shortfalls arising from COVID-19	£3.886
MHCLG Grant Funding	(£2.167)
Net Impact on Reserves	£1.719

5. All forecasts include inherent risks and the level of uncertainty surrounding the pandemic means it is highly likely that subsequent forecasts will fluctuate significantly during the financial year. The Government has warned of further outbreaks with local lockdowns, and these could further increase costs, especially during the winter months. The Assistant Director, Resources will work closely with Heads of Services and Members to reduce the overspend and its impact on reserves.
6. The main reasons for the variations are detailed in the paragraphs 7 to 29 below. The variances specifically relating to Departments have been split between those arising as a result of the pandemic and those arising as part of normal operational activities.

Executive Directors – Deficit £23,000

7. The forecast overspend relates to costs incurred in response to the pandemic, e.g. hand sanitiser, officer overtime, personal protective equipment. The department also spent £11,000 on the provision of a Community Hub Point, which has been a focal point for the co-ordination and delivery of essential services such as food parcels to elderly and vulnerable residents during lockdown

Environmental Services – Deficit £5,000

8. As a result of the pandemic, Environmental Services is forecast to under achieve its income budgets by £43,000 in the areas of Food Safety training (£15,000), Licensing (£18,000) and Pest Control (£10,000). However, this is mainly offset by vacant posts (£31,000) in the Pollution and Food Safety teams, which are expected to be recruited to in Quarter 2. Other minor variances of £7,000 make up the remaining difference.

9. The MHCLG have indicated that the Council can claim funding of up to £86,000 for costs incurred in the 'Reopening the High Street' initiative. This is being managed by the Environmental Services department and is expected to be a nil cost.

Strategy and Planning – Deficit £214,000

10. Strategy and Planning department is forecast to overspend by £214,000 with the largest element of this being a predicted shortfall of £186,000 against Planning fees (£150,000) and Land Charges income (£36,000), both of which are expected to suffer a downturn due to the pandemic.
11. The department continues to experience recruitment difficulties and is forecast to under spend its salary budget by £75,000 so it has engaged consultants at a predicted cost £112,000 to cover the vacancies. This has resulted in a net overspend of £37,000. Other minor variances of £9,000 are forecast to reduce the overspend but Members should be aware that there is a risk of further overspends arising if potential appeals on applications are upheld.

Acquisitions, Transformation & Regeneration – Deficit £203,000

12. The pandemic is expected to have a major impact on the Acquisitions, Transformation & Regeneration department's property rental income. No rents have been written off yet, but it is prudent to assume that this situation may change in the current financial year so a shortfall of £200,000 has been included in the forecast. Other minor budget variances are predicted to increase the forecast overspend by £3,000.

Housing & Community Services – Deficit £1,905,000

13. The Housing & Community Services department has incurred additional expenditure of £1.806 million to support the pandemic response.
14. The Council owns three leisure facilities in Bexhill and Rye, which are operated by Freedom Leisure under a management agreement at nil cost to the Council. These facilities were closed due to lockdown, which meant that Freedom Leisure were unable to generate income and had to incur some costs. Following a request from Freedom Leisure, Cabinet at its meeting of the 27 July 2020 agreed to provide financial support until the 31 March 2021. The estimated cost is a maximum of £415,000 and has been included in the forecast.
15. The Council also received a request for financial support up to £350,000 from the De La Warr Pavilion Charitable Trust, which was also forced to close during lockdown. Cabinet approved the package at its meeting on the 8 June.
16. Lockdown has increased the department's forecast by £648,000 in respect of managing clients in Temporary Accommodation (TA) and providing accommodation for Rough Sleepers. TA occupations have been much longer than would normally be expected because suitable alternative accommodation has not been available and Housing Benefit payments to clients have also increased. Furthermore, at the beginning of lockdown, the Government instructed Councils to provide accommodation to all rough sleepers, which has further increased the cost. Officers are currently preparing bids for additional

funding in respect of rough sleepers and their needs, which may potentially reduce the overspend.

17. Car Parks were closed at the beginning of lockdown and despite opening a few weeks later indications are that there will be a shortfall of £235,000 on income. Most car parks have experienced a downturn in income with the notable exception being those at Camber where the exceptional weather has resulted in a large increase in the number of visitors once the car parks reopened. This also meant that security was required during the spells of warm weather at a cost of up to £9,000. The forecast also includes a £31,000 shortfall in concession income/rents in parks, promenades and beaches.
18. Some Waste Collection services were suspended during lockdown such as bulky waste and bring banks, however contractor payments continued in line with the procurement notice issued by the MHCLG. This has had no additional financial impact and officers are currently in negotiations with Biffa to obtain some sensible level of recompense for missed collections. It is not possible to quantify at this stage, but any payment would reduce the departmental overspend. The Council suspended the increase in Garden Waste collection charges for existing customers, which have increased the overspend by £93,000. Recycling income is expected to be under budget by £22,000.
19. The department forecast also includes costs of £3,000 for road closure notices.
20. Improvements to the reception area in the Town Hall are predicted to cost £43,000. These works were undertaken early to take advantage of the closure of the reception area during the pandemic. In addition there are minor underspends of £4,000. Neither of these variances are related to the pandemic crisis although the works to the Town Hall reception have enabled social distancing to be implemented more effectively.

Resources - Deficit £732,000

21. The Resources Department's forecast overspend is due entirely to the pandemic. The main cost is a forecast spend of £651,000 on Hardship funding to help residents who are experiencing financial difficulties as a result of the pandemic. This is offset by a Government grant referred to below.
22. Income generated by the Printing team is expected to be £25,000 below target. Technical changes were required to the Academy system in the Revenue & Benefits team, at a cost of £13,000. Additional IT equipment was required to enable most office-based staff to work from home and this has added £43,000 to the overspend.

Non-Service Budgets

23. Interest Income from Investments is expected to be £148,000 below budget as per line 8 of the table in paragraph 1. This is in line with expectations as the pandemic has had a major impact on global financial markets and the forecast will continue to be subject to fluctuations due to the level of uncertainty. The Council has invested £8 million in two property funds and most of its interest income is returned by these. However, their current market values have fallen by about £0.5 million and could fall further still as the crisis continues but

Members should bear in mind that these are long term investments (one of our investment products has been in existence for nearly 50 years) and it is hoped that their values will rise in the future as the general economic picture improves. At this point it is not expected that the Council will need to withdraw these funds and there is no expectation that the loss of capital value will be realised. Furthermore, Property Fund Managers actively manage their portfolios so whilst capital values might reduce it is hoped that actual income will not suffer significantly.

24. The cost of capital schemes funded from the revenue budget is forecast to be £480,000 more than the original budget. This is due to slippage in the programme from 2019/20 and therefore does not represent a further call on reserves than that previously planned for.
25. Members may recall that the revenue budget reported to Cabinet on the 10 February 2020 included several financial issues that would need to be addressed during the financial year. These are summarised in lines 13 to 17 in the table in paragraph 1 and include: -
 - a. Income generation (mainly from property investments);
 - b. The delivery of efficiencies identified through the lean and demand project;
 - c. Savings achieved by reducing staffing structures through voluntary redundancies.
26. Unfortunately, the pandemic has hampered progress on items (a) and (b) and is predicted to increase the overall deficit by £748,000. The cost of voluntary redundancies was £317,000 and was funded from reserves in 2019/20 but they have reduced staffing costs by £422,000, which is £78,000 below the budgeted target.

Income

27. The above paragraphs have detailed the far-reaching impact the COVID-19 pandemic has had on service delivery and budgets. The table in paragraph 4 indicates the cost is currently forecast to be £3.886 million in 2020/21. Some of this has been offset by additional grants of £2.167 million from the MHCLG, leaving a predicted net shortfall of £1.719 million.
28. Non-ringfenced grants have been received at different stages during the crisis and these amount to £1.169 million as shown in lines 31 to 33 of the table in paragraph 1. In addition, specific grants have been received for Hardship Funding (£651,000 in line 38 of the table) and Homelessness (£6,000 in line 34 of the table).
29. The MHCLG have also indicated that they will partially reimburse councils for the loss of income from sales, fees and charges. The details of this process have yet to be released but based on communications to date from the MHCLG it is estimated that a grant of about £341,000 (line 35 of the table) may be forthcoming.

Impact on Reserves

30. The net impact on Reserves is forecast to be a reduction of £4.685 million against the budgeted figure of £2.276 million. This represents an increase of £2.409 million against the original planned use of reserves with £1.719 million being due to the pandemic, £480,000 due to slippage from 2019/20 in the amount of capital expenditure being funded from revenue and £210,000 due to the other reasons explained in the above paragraphs. The movement in Reserves is summarised in the following table:

	Revised 2020/21 Budget £'000	2020/21 Estimated Outturn £'000	2020/21 Variance £'000
Revenue Reserves and General Fund Balance at 1/4/20	(17,362)	(17,362)	0
Use of Reserves to Fund Capital Expenditure	1,359	1,839	480
Use of Reserves to Balance Budget incl deficit	917	2,846	1,929
Balance 31/3/20	(15,086)	(12,677)	2,409

Collection Fund

31. The Council Tax part of the Collection Fund is currently 1.58% below the annual estimate. The collection performance to the end of June is shown below:

	2020/2021	Equivalent Period 2019/2020
Collectable Annual debit (at 100% collection)	£78,092,103.06	£75,646,433.54
Income Received	£22,224,554.13	£22,519,449.04
Income Received as a % of collectable debit	28.46%	29.77%
Budgeted yield (at 98.5% collection)	£77,625,639.38	£74,549,856.52
Income Received as a % of budgeted yield	28.63%	30.21%

32. The Business Rates Tax part of the Collection Fund is broadly in line with the annual estimate and last year's performance. The collectible debit and income received are much lower this year due to the additional reliefs announced by the Chancellor in the March budget statement. They have been replaced with additional section 31 grant payments. The collection performance to the end of June is shown below:

	2020/2021	Equivalent Period 2019/2020
Collectable debit	£8,245,788.67	£18,729,443.43
Income Received	£2,695,997.69	£6,075,515.16
Income Received as a % of collectable debit	32.70%	32.44%
Amount outstanding for year	£5,549,790.98	£12,653,928.27

33. The MHCLG have recently announced that any Collection Fund deficits incurred this year can be spread over a three year period. There will be no

impact in the current financial year and any future impact will be included in the Medium Term Financial Plan to be reported to Cabinet later this year.

Capital Programme

34. A summary of spend by project for 2020/21 and financing sources is shown at Appendix A. In addition, Appendix B shows the overall five year capital programme which has been updated for Member decisions and slippage from the 2019/20 outturn. The capital programme totals just under £60m and Members will be aware of additional projects coming forward that will further increase the level of spend and the amount of borrowing required to support this expenditure.

Conclusion

35. The Quarter 1 forecast out turn for 2020/21 is a deficit of £1.3 million and includes the impact of the Coronavirus pandemic.

Implications

Financial Implications

36. In addition to the planned use of reserves, this forecast deficit would reduce the Councils reserves to £13.778 million.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Executive Director:	Mr Malcolm Johnston / Dr Anthony Leonard		
Proper Officer:	Robin Vennard, Assistant Director Resources		
Report Contact Officer:	Antony Baden		
e-mail address:	Antony.badem@rother.gov.uk		
Appendices:	A	Capital Programme – Spend to 30/6/20	
	B	Capital Programme 2020/21 to 2024/25	
Relevant Previous Minutes:	None		
Background Papers:	None		
Reference Documents:	None		

Capital Programme 2020/21 Spend to 30th June 2020

Line	Original 2020/21 Budget £ (000)	Slippage from 2019/20 £ (000)	Other changes £ (000)	Revised 2020/21 £ (000)
1 Acquisitions, Transformation and Regeneration				
2 Other Schemes				
3 Community Grants	130			130
4 Cemetery Entrance		233		233
5 Rother Transformation ICT Investment	345	39		384
6 Corporate Document Image Processing System	435			435
7 1066 Pathways		93		93
8 Ravenside Roundabout			200	200
9				
10 Property Investment Strategy				
11 Property Investment Strategy - uncommitted	6,820		(6,820)	0
13 Mount View Street Development - Public/Commercial			964	964
14 PIS - Beeching Road/Wainwright Road	3,000			3,000
15 PIS - Barnhorn Road	1,000	(5)		995
16 PIS - Beeching Road 18-40	460	484		944
17				
18 Housing Development Schemes				
19 Community Led Housing Schemes	450			450
20 Blackfriars Housing Development	3,052	(175)	8,448	11,325
21 Mount View Street Development - Housing			3,286	3,286
22 Former Bexhill High School site - Housing				0
23				
24 Housing and Community Services				
25 De La Warr Pavilion - Capital Grant	53		1	54
26 Sidley Sports and Recreation	300			300
27 Land Swap re Former High School Site	1,085			1,085
28 Bexhill Leisure Centre - site development	155	381		536
29 Disabled Facilities Grant			1,625	1,625
30 New bins	125	58		183
31 Bexhill Promenade - Outflow pipe	100			100
32 Bexhill Promenade - Protective Barriers		50		50
33 Housing (purchases - temp accomodation)	2,000	1,000		3,000
34				
35 Strategy & Planning				
36 Highways Work - London Road - Bexhill		300		300
37 Grants to Parishes - CIL		200	(37)	163
38				
39 Executive Directors & Corporate Core				
40 Accommodation Strategy		75		75
41 Lift for Amherst Road Offices		100		100
42				
43 Resources				
44 ICT Infrastructure – Ongoing Upgrade Programme		140		140
45				
46 Total Capital Programme	19,510	2,973	7,667	30,150
Line	2020/21 Budget £ (000)	Slippage from 2019/20 £ (000)	Other changes £ (000)	Revised 2020/21 for CoVID Impact £ (000)
47 Funded By:				
48 Capital Receipts	1,240			1,085
49 Grants and contributions	4,262			14,487
50 CIL				613
51 Borrowing	12,820			12,126
52 Capital Expenditure Charged to Revenue	721			1,839
53 Unfunded	467			0
54 Total Funding	19,510			30,150

Capital Programme – 2020/21 to 2024/25

Line	Revised 2020/21 £ (000)	2021/22 Budget £ (000)	2022/23 Budget £ (000)	2023/24 Budget £ (000)	2024/25 Budget £ (000)	Total £ (000)
1 Acquisitions, Transformation and Regeneration						
2 Other Schemes						
3 Community Grants	130	130	130	130	130	650
4 Cemetery Entrance	233					233
5 Rother Transformation ICT Investment	384					384
6 Corporate Document Image Processing System	435					435
7 1066 Pathways	93					93
8 Ravenside Roundabout	200					200
9						
10 Property Investment Strategy						
11 Property Investment Strategy - uncommitted	0					0
13 Mount View Street Development - Public/Commercial	964					964
14 PIS - Beeching Road/Wainwright Road	3,000					3,000
15 PIS - Barnhorn Road	995	8,495	500			9,990
16 PIS - Beeching Road 18-40	944					944
17						
18 Housing Development Schemes						
19 Community Led Housing Schemes	450	150				600
20 Blackfriars Housing Development	11,325					11,325
21 Mount View Street Development - Housing	3,286	3,657	3,657	3,482		14,082
22 Former Bexhill High School site - Housing	0					0
23						
24 Housing and Community Services						
25 De La Warr Pavilion - Capital Grant	54	54	55	56	57	276
26 Sidley Sports and Recreation	300					300
27 Land Swap re Former High School Site	1,085					1,085
28 Bexhill Leisure Centre - site development	536					536
29 Disabled Facilities Grant	1,625	1,625	1,625	1,625	1,625	8,125
30 New bins	183	125	125	125	125	683
31 Bexhill Promenade - Outflow pipe	100					100
32 Bexhill Promenade - Protective Barriers	50					50
33 Housing (purchases - temp accomodation)	3,000					3,000
34						
35 Strategy & Planning						
36 Highways Work - London Road - Bexhill	300					300
37 Grants to Parishes - CIL	163					163
38						
39 Executive Directors & Corporate Core						
40 Accommodation Strategy	75					75
41 Lift for Amherst Road Offices	100					100
42						
43 Resources						
44 ICT Infrastructure – Ongoing Upgrade Programme	140					140
45						
46 Total Capital Programme	30,150	14,236	6,092	5,418	1,937	57,833
Funding Sources						
Line	Revised 2020/21 for CoVID Impact £ (000)	2021/22 Budget £ (000)	2022/23 Budget £ (000)	2023/24 Budget £ (000)	2024/25 Budget £ (000)	Total £ (000)
47 Funded By:						
48 Capital Receipts	1,085	0	0	0	0	1,085
49 Grants and contributions	14,487	1,775	1,625	1,625	1,625	21,137
50 CIL	613	0	0	0	0	613
51 Borrowing	12,126	12,277	4,282	3,607	125	32,417
52 Capital Expenditure Charged to Revenue	1,839	184	185	186	187	2,581
53 Unfunded	0					0
54 Total Funding	30,150	14,236	6,092	5,418	1,937	57,833

Rother District Council

Report to: Cabinet

Date: 7 September 2020

Title: Alliance Homes (Rother) Ltd, Business Plan

Report of: Ben Hook - Head of Service, Acquisitions, Transformation, and Regeneration

Cabinet Member: Councillor Byrne

Ward(s): All

Purpose of Report: To consider the business plan for Rother District Council's Local Housing Company – Alliance Homes (Rother) Ltd.

Decision Type: Key

Officer

Recommendation(s): **Recommendation to COUNCIL: That:**

- 1) the business plan 2020-2023 for Rother District Council's Local Housing Company – Alliance Homes (Rother) Ltd (Appendix A), be approved;
- 2) the issuance of up to 300,000 shares with a value of £1 each, to be drawn down in agreement with the Council's Section 151 officer and the Shareholder's Representative be approved;
- 3) a £200,000 loan facility to the company, to be drawn down in agreement with the Council's s.151 officer and the Shareholder's Representative be approved; and
- 4) an annual report be made to Cabinet on the Business Plan.

Introduction

1. In December 2019, Council approved the establishment of a Local Housing Company with the initial aim to complete 1,000 new homes by 2035 (Minute C19/59 Refers)
2. In July 2020, Cabinet resolved that the name of the new company will be Alliance Homes (Rother) Ltd and agreed the Articles of Association and the Shareholder's Agreement (Minute CB20/21 Refers).

Following the approval of four Members as board members of the Company in August 2020 (Minute C20/21 refers), the Articles of Association were formally registered with

Companies House. The Company Secretary is Christopher Crichton, Solicitor Legal Services for Wealden and Rother District Councils.

Business Plan

3. The Business Plan has been developed, attached at Appendix A, to articulate the ambitions of the Company in its first years. The Company will seek to accelerate the delivery of quality housing throughout the District.
4. In addition, the Company will seek to:
 - a. Deliver homes built to the highest environmental standards – reducing costs to the occupier whilst moving towards the Council’s ambitious zero carbon agenda;
 - b. Develop more affordable rented housing – to support the Council in meeting its statutory functions;
 - c. Develop housing for ownership, targeted at first time buyers including younger families;
 - d. Deliver stalled sites – aim to unlock sites with planning permission that have become stalled for various reasons;
 - e. Produce a return to the Council; and
 - f. Assist the Council in discharging its statutory homelessness duties, including development of interim accommodation.
5. The Company will favour modern methods of construction, including the use of modular housing, offsite manufacture and timber frame development, where mortgageable.
6. The Business Plan outlines the likely revenue costs for the company over the next 3 financial years as well as high level capital expenditure and will be reviewed annually by Cabinet.
7. These costs will be met through a mixture of Share Capital and Loan Funding at commercial rates provided by the Shareholder, in agreement with the Council’s s.151 Officer.
8. No capital income forecasts have been provided in this business plan as, until house types and phasing have been agreed as part of the full planning permission process, it is not possible to enter negotiations with registered providers, who will be key to providing cashflow for each scheme. This information will also be key to understanding which house-types will be made available for sale in each phase. Income and cashflow plans for each development will be provided to the Shareholder, and updated in the business plan, in advance of any commitments being made.

Conclusion

9. The business plan sets the principles by which the company will operate and are the Shareholder’s direction to the board.

10. It is recommended that Cabinet review the contents of the business plan and recommend its approval to full Council.

Implications

Financial Implications

11. Financial commitments to the company may not be recouped if there is a failure on the part of the Company to deliver housing through the proposed schemes

Environmental Implications

12. The business plan makes it very clear that environmental concerns will be at the heart of how the company operates, the designs of its developments, and the technologies its employs. Adopting this business plan will contribute towards the Council’s carbon reduction ambitions.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	Yes	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Executive Director:	Dr Anthony Leonard
Proper Officer:	Malcolm Johnson, Head of Paid Service
Report Contact Officer:	Ben Hook - Head of Service, Acquisitions, Transformation, and Regeneration
e-mail address:	ben.hook@rother.gov.uk
Appendices:	Appendix A - Alliance Homes (Rother) Ltd
Relevant Previous Minutes:	C19/59 CB20/21
Background Papers:	CB20/21
Reference Documents:	C19/59 CB20/21

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Alliance Homes
(Rother) Ltd
Business Plan
2020- 2023

Executive Summary

Alliance Homes (Rother) Ltd will operate with the primary target of speeding up the rate of policy compliant development, throughout the District, to meet Local Plan targets. The Company are at the beginning of a programme that will see the delivery of at least 1000 new homes over the next 15 years.

This programme will commit to delivering schemes that fulfil their affordable housing commitment, as per Local Plan Policy, meaning that between 350-400 new affordable homes will be delivered throughout this process. The company will actively seek every opportunity to ensure that additional affordable homes can be delivered by working with traditional and 'for profit' registered providers who can draw down central government funding.

The ambition of the housing company is not to directly compete with other house builders where the market is likely to deliver but to bring additionality to the market by addressing areas with specific delivery issues. The company will also seek to support the local construction sector including Small Medium Enterprises through its approach to procurement and the implementation of local skills plans.

The Company will act as a delivery partner with the Council in working towards achieving a number of ambitions described in the Rother District Council Environment Strategy. The Company has made it a key priority that all development brought forward by the Company will seek to deliver homes to very high environmental standards taking a fabric first approach to design, maximising thermal efficiency, meaning that the need for additional space heating and energy input is significantly reduced. The Company will not install natural gas solutions into any of its developments. Developments as a whole will aim for carbon neutrality wherever possible within financial and planning constraints.

Each scheme will be considered for its suitability to incorporate the latest technologies including:

- Air Source Heating Pumps
- Ground Source Heat Pumps
- Solar Panels
- Wind Energy
- District Heating Solutions

Community energy systems allowing communities to generate, distribute, sell and consume their own energy will be explored, along with associated funding opportunities, where this offers a sustainable and alternative means of growing the low carbon energy sector.

Homes will use the Decent Homes Standards for size and space as a minimum requirement throughout design. The use of modern methods of construction will also be considered for each scheme and in preference to traditional build where appropriate. This will include offsite manufacture, modular, and timber frame homes.

The Company will favour modern methods of construction, including the use of modular housing, offsite manufacture and timber frame development, where possible.

Market Analysis

The Councils Homelessness and Housing Strategy (2019) evidenced that for several years, local development delivery in Rother District has failed to meet nationally specified housing delivery targets leading to a chronic under-supply of good quality new homes. See Figure 1

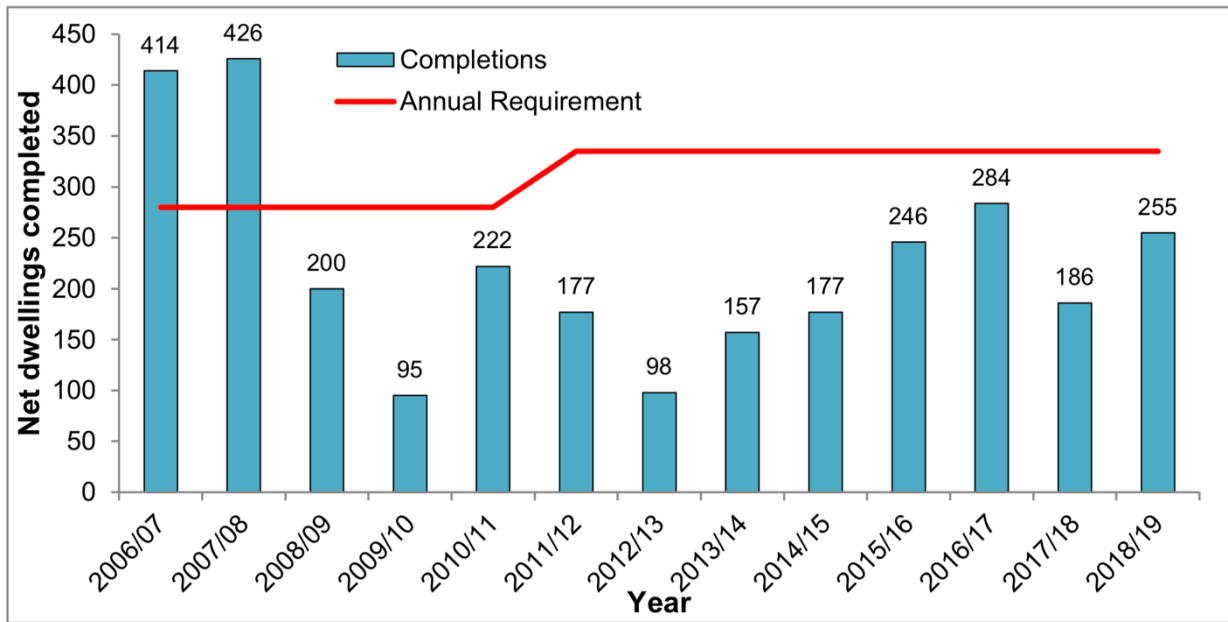


Figure 1

However, the rate of permissions granted remains high with a steady growth in sites that have planning permission but are not building out. See Figure 2

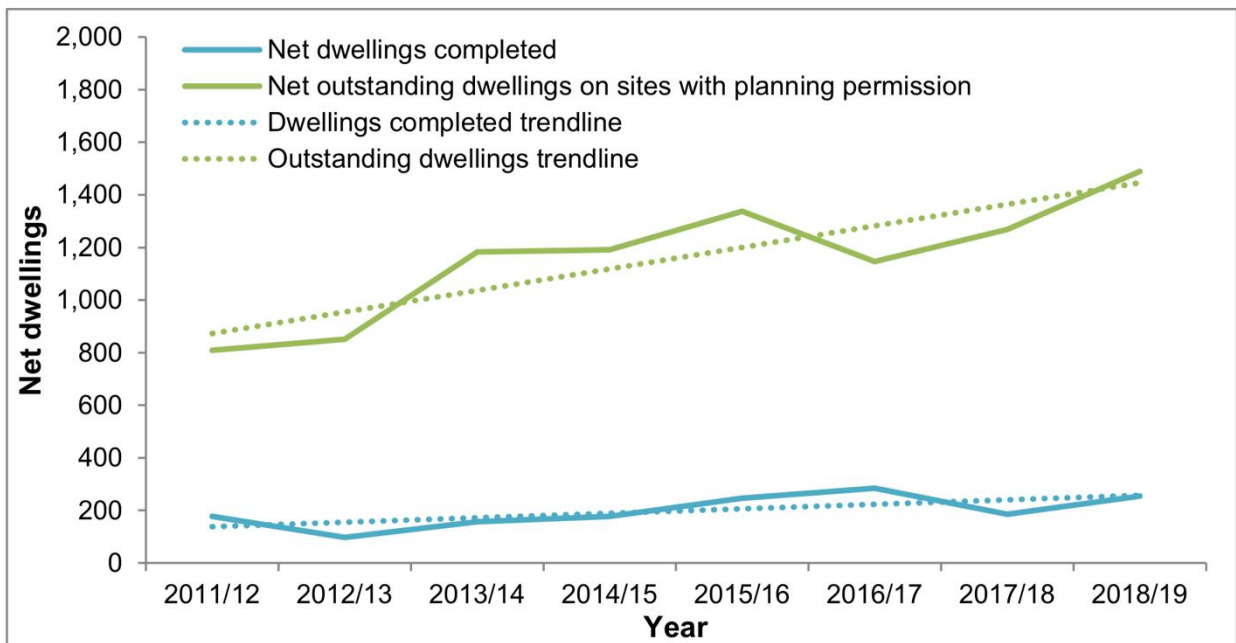


Figure 2

Whilst delivery of affordable housing has remained healthy, relative to overall housing delivery numbers, there continues to be a significant under-delivery of new affordable housing supply relative to demand across the district. Only 17% of housing need from the Council's housing register is met each year by relets and new build delivery, leaving a significant unmet need for affordable rented tenures.

Land values and profit levels have typically commanded delivery of larger properties squeezing supply of smaller homes becoming available in the market, consequently increasing values beyond the reach of local incomes. This is especially acute in rural areas of Rother where new supply is already heavily constrained. First time buyers, including young families are unable to access smaller 2/3 bed homes within their financial means or they are limited to the lower quartile (the cheapest 25% of properties in a region) offering lack of choice in terms of quality and location.

Households are being forced to migrate out of expensive and rural areas or remain in the private rented sector, further increasing demand and rents of this tenure type, placing added pressure on local authority housing registers as a result.

This domino effect has necessitated the council to intervene in the local housing market taking a direct and proactive role in accelerating the supply of new homes that will both directly and indirectly help to meet the needs of everyone.

Operational Environment

National Planning Policy

The National Planning Policy Framework (NPPF) sets out government's planning policies for England and how these are expected to be applied. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

In addition, national Government have also produced Planning Practice Guidance (PPG) which provides guidance on a large number of topics and provides further context to the NPPF. Both documents should be read together.

The planning system in England requires Local Planning Authorities should prepare development plans outlining how planning will be managed for that area. The local planning context for Rother is set out below.

Local Planning Policy

Local development plans set out the broad framework for acceptable development in each area. In September 2014, the Council adopted its Rother Local Plan 'Core Strategy', which sets out its vision, overarching development strategy and strategic policies for development and change, and conservation, for Rother District over the period up to 2028. The Core Strategy sets a housing target of 335 dwellings per annum for the District, this equates to an overall Local Plan target of at least 5,700 (net) dwellings over the period 2011-2028. Due to under-delivery since 2011 the annual delivery figure has now risen to 458 dwellings per annum.

In addition, the Council’s Development and Site Allocations (DaSA) Local Plan (adopted 16 December 2019) is effectively “part two” of the Council’s Local Plan. Together with the Core Strategy, the DaSA Local Plan provides the basis for determining planning applications in much of the district and supersedes all generic policies and relevant spatial policies from the earlier 2006 Rother District Local Plan. The DaSA Local Plan needs to read in conjunction with Neighbourhood Plans that are in force in the district and which form part of the ‘development plan’ for their area. Taken together, the DaSA Local Plan and Neighbourhood Plans should allocate the sites necessary to meet the Core Strategy’s settlement housing targets. Neighbourhood Plans may also contain other land use policies which reflect local priorities and should be read in conjunction with the district-wide policies in this Local Plan.

Rother District Council is in the early stages of producing a new Local Plan for the District. This new Local Plan will, once adopted, set new development targets for the District. Based on the ‘standard methodology’ for local housing need set out in the PPG, Rother’s minimum annual housing need figure equates to 727 dwellings per annum. Although it should be noted that this is not a housing requirement figure, it is the starting point for plan-making purposes.

Population and housing growth

Based on planned housing growth set out in the Core Strategy, Rother’s population is projected to increase by some 9,200 people between 2011 and 2028. As Figure 3 shows, trend-based forecasts show that older age cohorts that are forecast to increase most.

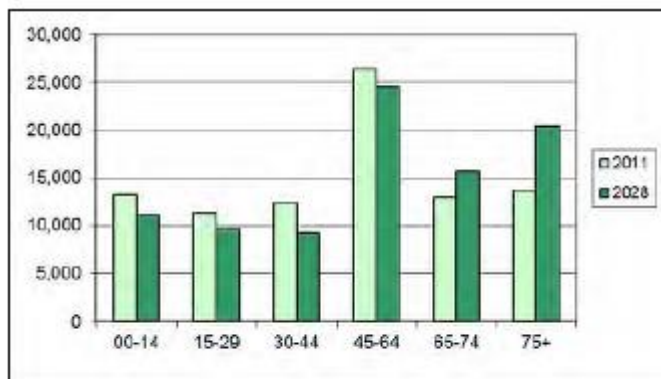


Figure 3 : Population estimates by age structure (2011-2028)

Figure 3

Population projections based on planned housing growth and economic growth forecasts, suggest that Rother will see some major changes in terms of its population structure between 2011-2028. The district is forecast to see a large increase of over 5,000 people (+38%) over 75 and an increase in those aged 65-74 of some 3,300, (a 20% increase). There is also projected to be an increase in the population of the 30-44 age group of some 2,100 people, but a fairly static number of 16-29 year olds. The numbers of children up to 15 are expected to increase by 8% over the plan period. Of course, these trends may be influenced by factors such as the scale, location and form of development and any changes in relative economic circumstances.

Residential Property Market Conditions

Macro Market Analysis

The Royal Institution of Chartered Surveyors produces monthly surveys that are used by the government, the Bank of England and other key institutions including the IMF. The UK Residential Market Survey can be used as an indicator of current and future conditions in UK residential sales and lettings.

An extract from the June 2020: UK Residential Market Survey is as follows:

“The June 2020 RICS UK Residential Survey results point to a recovery emerging across the market, with indicators on buyer demand, sales and fresh listings all rallying noticeably following the lockdown related falls beforehand. That said, respondents still appear relatively cautious on the prospect of this improvement being sustained over the longer-term, as twelve-month sales expectations are now marginally negative.”

Other points to draw upon from the survey are that enquiries, agreed sales and instructions have all improved noticeably in June. However, prices continue to slip and a common theme is that the challenging economic climate is likely to dampen market conditions for some time. Also, house prices continue to come under some downward pressure and “while this represents the third successive negative monthly reading for the national house price indicator, the latest figure is a little less downbeat than that posted in May.”

In the near term, it is expected that house prices will continue to fall. However, beyond this the view by respondents is they “anticipate a flat to marginally negative trend in national house price inflation over the next twelve months as a whole.”

Using the UK House Price Index from Land Registry, as of March 2020 the average house price in the UK was £231,855. Property prices had fallen 0.2% compared to the previous month and risen by 2.1% compared to the previous year. Looking at East Sussex, the average house price in March 2019 was £281,188 and in March 2020 £277,420, which is a price drop of 1.34%. Looking specifically within Rother, the average house price in March 2019 was £294,558 and in March 2020, £280,884; which is a price drop of 4.64%. Looking between February 2020 and March 2020, there was a significant dip in house prices of 4.58%. Unfortunately, there is not any further data in recent months, as since the lockdown the majority of transactions have been put on hold.

It therefore is evident that the COVID-19 pandemic has had and is having an impact on house prices, even if it is only for the short term. As government lockdown measures ease, and stamp duty is paused, we may see some confidence in the market, however the state of the economy and the job market will also have a direct impact on this. There is also the possibility that whilst restrictions are eased, subsequent waves of virus cases occur and this could drag out any recovery on the housing market.

It is relevant to mention other considerations that may have an impact on house prices longer term, in particular political uncertainty such as the UK's departure from the EU.

Local Market Appraisal

Looking within the district of Rother, it is useful to compare average sold prices of 1,2,3 & 4 bed properties in different towns Figure 4. Sold house prices were obtained from Rightmove, however the data has been provided by HM Land Registry; prices were used between September 2019 – March 2020. Where there was not enough data, asking prices have been used from properties currently on the market. Caution should be used when using asking prices as the evidence is not as reliable. Bungalows were ignored also due to their prices being generally higher. The most recent transactions were chosen where possible.

	1 bed flat	2 bed terraced house	3 bed semi-house	4 bed detached house
Bexhill-on-Sea	£70,000 (Mar 2020) £85,000 (Feb 2020) £96,000 (Jan 2020)	£210,000 (Feb 2020) £218,000 (Feb 2020) £195,000 (Jan 2020)	£288,000 (Mar 2020) £305,000 (Mar 2020) £225,000 (Mar 2020)	£360,000 (Feb 2020) £445,000 (Jan 2020) £335,000 (Jan 2020)
Mean price	£83,867	£207,667	£272,666	£380,000
Battle	£82,000 (On market) £110,000 (On market)	£288,500 (Semi-detached Sep 2019) £270,000 (on market) £239,950 (On market)	£305,000 (Nov 2019) £267,500 (Oct 2019) £258,500 (Oct 2019)	£610,000 (Feb 2020) £415,000 (Feb 2020) £530,000 (Dec 2019)
Mean price	£96,000	£266,150	£277,000	£518,333
Rye	£145,000 (Dec 2019) £127,500 (Oct 2019) £229,950 (Sep 2019)	£180,000 (Mar 2020) £193,000 (Jan 2020) £322,500 (Nov 2019)	£274,000 (Mar 2020) £310,000 (Feb 2020) £227,500 (Jan 2020)	£690,000 (Feb 2020) £490,000 (Nov 2019)
Mean price	£167,483	£231,833	£270,500	£590,000
Ticehurst	£195,000 (On market)	£330,000 (Semi-detached Feb 2020) £247,500 (Semi-detached Dec 2019)	£474,000 (Mar 2020) £465,000 (Terraced Sep 2019) £245,000 (Terraced Sep 2019)	£572,000 (Nov 2019) £410,000 (Oct 2019) £735,000 (Oct 2020)
Mean price	£195,000	£288,750	£394,667	£572,333

Figure 4

Although the information above has been obtained using limited comparable evidence, it is useful to compare different towns within Rother. Bexhill-on-Sea, has the lowest house prices across the 4 chosen towns. It should be noted that the properties compared are not direct comparable

properties, for example, the 4 bed detached houses vary considerably in size. Therefore, this is not necessarily a reflection on value as the housing stock does vary considerably.

As the data obtained is only up to date as far as March 2020, it must be stressed that we are yet to see the effects of COVID-19 on the property market, therefore caution must be used with any decisions moving forward.

Snapshot by Area (information obtained from Rightmove)

Bexhill-on-Sea

Properties in Bexhill-on-Sea had an overall average price of **£286,812** over the last year, which is up by 24% on the previous year. Also, this is up by 23% on the 2016 peak of £233,454.

During the last year, the majority of sales in Bexhill-on-Sea were detached properties, selling for an average price of £400,792. Flats sold for an average of £177,299, with semi-detached properties sold for £279,268.

Battle

Properties in Battle had an overall average price of **£370,209** over the last year, which is up by 8% on the previous year. Also, this is up by 4% on the 2017 peak of £356,246.

During the last year, the majority of sales in Battle were detached properties, selling for an average price of £457,309. Semi-detached properties sold for an average of £305,350 and terraced properties, an average of £272,075.

Rye

Properties in Rye had an overall average price of **£325,938** over the last year, which were down 3% on the previous year. However, this is up by 2% on the 2017 peak of £320,935.

During the last year, the majority of sales in Rye were terraced properties, selling for an average price of £322,069. Semi-detached properties sold for an average of £315,211 and flats sold for £198,378.

Ticehurst

Properties in Ticehurst had an overall average price of **£441,167** over the last year, which is up by 15% on the previous year. Also, this is up by 7% on the 2017 peak of £412,603.

During the last year, the majority of sales in Ticehurst were semi-detached properties, selling for an average price of £373,233. Detached properties sold for £629,269 and terraced properties sold for £366,312.

Sources: RICS UK Residential Market Survey June 2020, Developers East Sussex, RDC Housing, Homelessness and Rough Sleeper Strategy, UK House Price Index (Land Registry), Rightmove, RDC DaSA, Rother Local Plan 'Core Strategy'.

Site Selection, Sales and Marketing

Sites already owned by the Council with planning potential or being acquired as part of other council led projects will be the focus of the early years' development. However, to ensure a strong pipeline of future projects the Company will seek opportunities to acquire sites allocated for housing in the Rother District Local Plan and associated Neighbourhood Plans.

Looking further ahead for delivery beyond 5 years of this plan, the Company will seek a range of new opportunities to acquire sites, to include speculatively acquiring land, which could be proposed as part of any future Local Plan review of deliverable sites considered to have planning potential

The company will review 'stalled sites' which are those with planning permission but have not yet been implemented and allocated sites which have not yet applied for planning permission. The Company will explore if there are any opportunities to accelerate the delivery of these sites. This will build on activity already being undertaken by Council officers and will be used to help shape the priorities of the company as it grows, to ensure resources are focussed on those sites most closely aligned with achieving our strategic outcomes.

Sites to be reviewed include:

- Westfield Down, Westfield
- The Paddock, Goddens Gill, Northiam
- 45-47 Barnhorn Road, Bexhill
- Terminus Road, Bexhill
- Skinners of Rye
- 48 Ferry Road, Rye
- Skinners Lane, Catsfield
- Strand Meadow, Burwash
- Michael Tyler Factory, Westfield
- Land at rear of Station Road, Robertsbridge
- Brede Lane, Sedlescombe
- Grove Farm, Robertsbridge
- Hodson's Mill, Salehurst/Robertsbridge

Each of these sites has specific issues that has prevented them from being delivered. It may be that there is a cost neutral way of bringing these sites forward, in which case proposals will be made for consideration by the Board.

All sites will be assessed against a series of criteria to determine their suitability to the company:

- Strategic fit
- Deliverability – to include landowner expectations of land value
- Value for money
- Planning Status (Allocated/Stalled/Delayed etc)
- Competition for Acquisition

Once sites have been identified and an acquisition price negotiated a report will be sent to the Board for consideration, and a funding request will be made to the Council

3 Year Delivery Plan

The company will seek to build capacity within the team to secure new development opportunities as they arise to develop a pipeline for future delivery. Research stalled and allocated sites not yet implemented or are unlikely to be delivered within a 5-year period will be conducted to secure opportunities in accordance with the Company objectives.

Start on site achieved for at least 5 council led housing schemes to include;

- Blackfriars,
- Cyprus Place,
- Old Lydd Road,
- Mount View Street,
- Former Bexhill High Site.

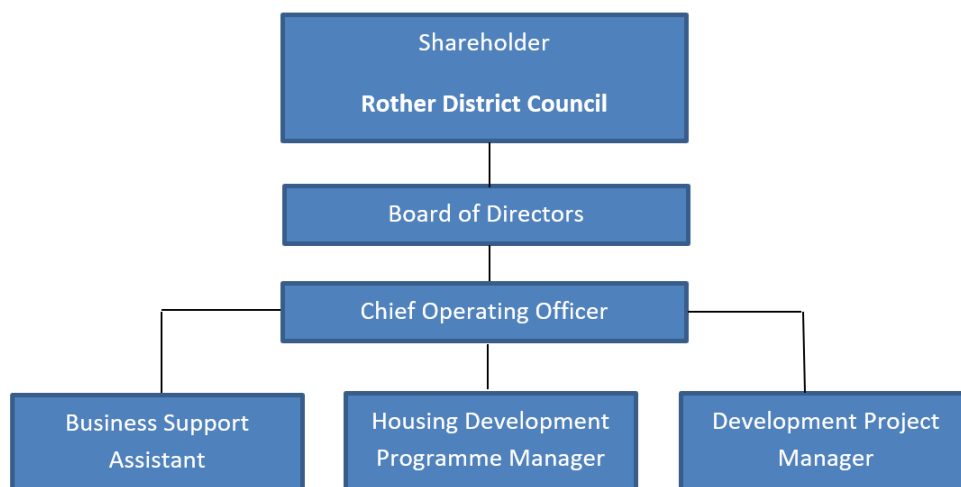
Fact sheets for each of these sites are included at the back of this business plan. These sites will remain in the ownership of the Council until such a time as a resolution to grant planning permission has been achieved at which point the land will pass to the ownership of the Company at an agreed price following an independent valuation. This will avoid the Company to incurring unnecessary interest on borrowing for the period during which planning is sought.

	2021/22	2022/23	2023/24	2024/25
Start on Site	103	92	140	
Completions	0	77	176	82

As part of the sales and marketing and in order to accelerate housing delivery to meet the local housing need, the following will be part of the considerations to meet the ambitions of the company:

- a) Deliver homes built to the highest environmental standards – reducing costs to the occupier whilst moving towards the Council’s ambitious zero carbon agenda
- b) Develop more affordable rented housing – to support the Council in meeting its statutory functions;
- c) Develop housing for ownership, targeted at first time buyers including younger families;
- d) Delivering stalled sites – aim to unlock sites with planning permission that have become stalled for various reasons;
- e) Produce a return to the Council;
- f) Assist the Council in discharging its statutory homelessness duties, including development of interim accommodation.

Company Structure, Governance and Resourcing.



The Company identifies 3 key roles required to start the delivery of the Programme:

Chief Operating Officer – Responsible for the strategic management of the Company, reporting to the Board and managing corporate contracts (legal, accounting, RDC Service Level Agreement, etc.)

Housing Development Programme Manager – Responsible for identifying, assessing, and acquiring development sites, negotiating contracts with Registered Providers for disposal of affordable housing, managing relationships with stakeholders, managing day to day operational matters, and being the principle liaison between the Company and the Local Planning Authority.

Developments Project Manager – Responsible for development and delivery of projects.

Business Support Assistant – Significant levels of administrative work will result in the need for support in managing this

As a fledgling company it is important to minimise revenue expenditure in the early years. The Company will, at this time, not directly employ staff, favouring instead the Service Level Agreement model. A Service Level Agreement will be agreed between the Council and the Company allowing access to resources at a cost.

A direct recharge to the Company will be made for the time spent on Company business by the following specified officers:

Post	Estimated % time recharged to Company
Head of Service – Acquisitions, Transformation, and Regeneration (acting as Chief Operating Officer)	10%
Housing Development Programme Manager	100%
Business Support Assistant	100%
Developments Project Manager	75%-100% (Project Dependent)

Additional resources will be required from time to time such as, project support, finance support, web and technology support, and property and acquisitions advice. These services will be provided on a charged for basis under the SLA at a rate to be agreed.

For some services it would inappropriate or unlawful for the Council to provide resource through the SLA. The Company will require legal advice and representation separate to that of the Council. This service along with required accountancy services which cannot be provided through the SLA will be commissioned by the Company accordingly.

Funding Model and 3-year financial forecasts

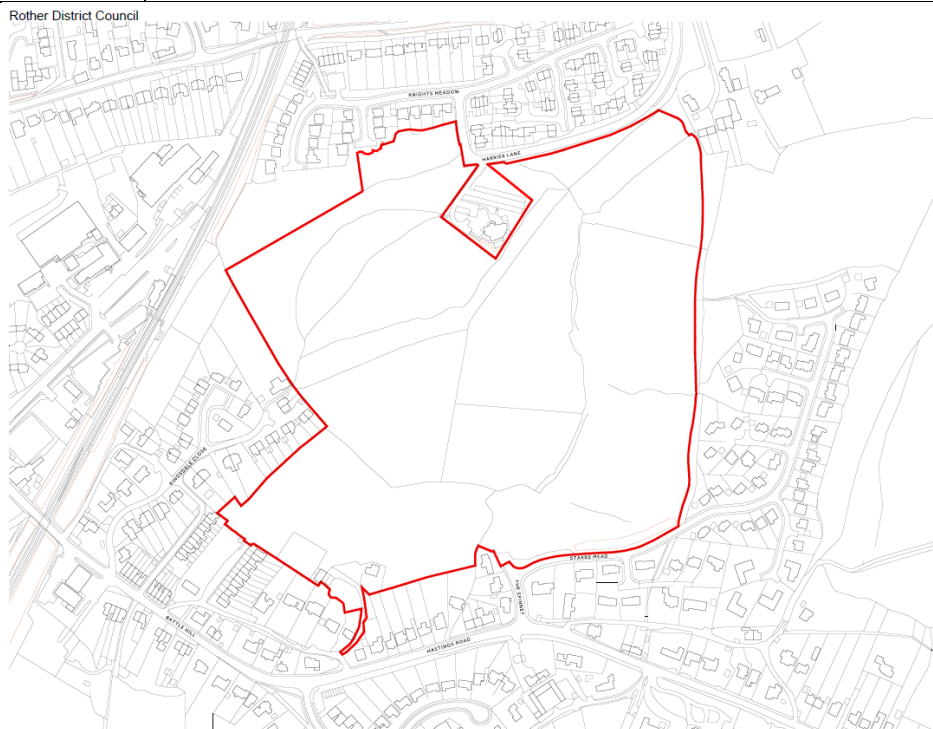
The Company will be funded through a mixture of share capital and loan funding. To ensure appropriate cash flows and compliance with funding regulations the format of this funding will be agreed with the Council's s.151 officer. Permission for a share issuance of 500,000 shares at £1/share has been sought from the shareholder. Shares will be issued as periodically as appropriate over the first three years, in agreement with the shareholder, to ensure proper cashflow availability for the Company.

Loan funding will be sought from the Council for the delivery of housing schemes once project cashflows are more readily understood. A high-level estimation of capital investment per year is included below.

Resources required				
Revenue	Financial Year			
	2020/21	2021/22	2022/23	2023/24
Salaries				
COO	£4,386	£8,947	£9,126	£9,309
Housing Development Project Manager	£28,871	£60,619	£62,047	£63,288
Administrative Assistant	£14,483	£29,545	£30,136	£30,738
Sales and Marketing		£18,850	£37,700	£38,454
Other Services				
SLA with RDC	£5,000	£10,000	£10,000	£10,000
Legal Services	£1,000	£1,000	£3,000	£3,000
Accountancy Services	2500	5000	5000	5000
Total	£56,240	£133,961	£157,009	£159,789
Capital				
Blackfriars		1500,000	25,000,000	14,000,000
Cyprus Place		1,800,000		
Putting Green		2,400,000		
Mount View Street			7,000,000	4,000,000
King Offa		6,000,000	5,000,000	
Total		25,000,000	37,000,000	18,000,000

Site Fact Sheets

Blackfriars, Battle	
Site address	Harrier Lane, Battle
Guide price	N/A. Negotiations ongoing with third party landowners and CPO process underway. £1.8m included within appraisal
Planning situation	Outline in place securing up to 220 units, of which 200 will be built out by AH(s) at the west of the site. RMA underway
Site area	16ha, although only around 7.5ha is developable
Constraints	Steeply sloping. Ecological constraints. Needs new infrastructure (spine road)
Proposal	200 homes – 130x OMS 46x AR 24x SO
Market information	Based on Tollgates, Battle (September 2019) <ul style="list-style-type: none"> • 2 Bed Houses at 79-80m² £325k to 330k • 3 Bed Houses at 93 -97m² £380k to 385k • 4 Bed Houses at 108-111m² £430 to 440k
High level Financial appraisal	Build cost £44,792,892 (£2361 per m²) On Costs £10,650,000 Total Project Costs (pre-finance) = £55,442,892 Sales prices: OMS: £49.2m Affordable: 70 units circa £16m Total Development value = £65.2m
Recommendation	Proceed with land acquisition and development Work to: RMA submission Oct. '20 SoS Mar '21 PC: Aug '24



Cyprus Place, Rye	
Site address	Cyprus Place depot, Rye, TN31 7DR
Guide price	N/A.
Planning situation	None. Brownfield. Within development boundary for Rye but not allocated. Previously considered 'green' in the shlaa. Suitable for residential development
Site area	0.1 ha
Constraints	Potential for contamination, given the site's current use. Tightly bordered by residential units.
Proposal	10x 2BF: 7x OMS 2x AR 1x S0 all @70m ²
Market information	Rightmove: August 2020 2BF@ £195k: not newbuild. Small (50m ²) 2BH@ £265k: in need to modernisation
High level Financial appraisal	Build cost £1,575,000 (£2250 per m²) On Costs £225,625 Total Project Costs (pre-finance) = £1,804,625 Sales prices: OMS: £1,680,000 Affordable: circa £350,000 Total Development value = £2,030,000
Recommendation	Proceed to detailed design. Work to: Full submission Mar '21 SoS Jun '21 PC: Sept '22



King Offa	
Site address	Down Road, Bexhill-on-Sea
Guide price	n/a: £187k for DLWE land, XX for ESCC land
Planning situation	Outline in place securing 52 units. Allocated in DaSA
Site area	0.88ha
Constraints	Part of a larger, mixed use development for which highways mitigation is required. TVG at the front of the site. Motorcycle training school currently occupying part of the site. Land assembly required
Proposal	52 units: 31x OMS, 9x AR, 7x SO
Market information	Rosewood Park, Bexhill: 1BF (Affordable, SO): £185k 2BF (Affordable, SO): £215k 3BF (Affordable, SO): £295k 4BH (OMS): £449k
High level Financial appraisal	Build cost £ 8,808,000 £2000/m² On Costs = £1,012,060 Total Project Costs (pre-finance) = £9,820,060 Sales prices: OMS: £10,050,000 Affordable: £1,820,000 Total Development value = £11,870,000
Recommendation	Proceed to detailed design. Work to: RMA submission Feb '21 SoS May '21 PC: Nov '22



Mount View	
Site address	Mount View Street, Bexhill-on-Sea
Guide price	n/a: purchase price for the wider site (inc retail and hospital): £4.25m
Planning situation	Outline in place securing 62 units as part of larger, mixed use development. Allocated (pre-DaSA)
Site area	3 ha
Constraints	Part of a larger, mixed use development. Need for ecological mitigation across the site
Proposal	62 units: 40x OMS, 12x AR, 10x SO
Market information	Rosewood Park, Bexhill: 2BH (Affordable, SO): £255k
High level Financial appraisal	<p>Build cost: £ 9,796,000 (£2000/m²) On Costs = £1,064,000 Total Project Costs (pre-finance) = £10,890,000</p> <p>Sales Prices: OMS: £10,200,000 Affordable: circa £2.75m Total Development value = £12,950,000</p>
Recommendation	Proceed to detailed design. Work to: RMA submission Feb '22. SoS May '22 PC: Jan '24

Land at Mount View Street, Bexhill



Putting Green	
Site address	Old Lydd Road, Camber
Guide price	N/A.
Planning situation	None. Brownfield. Allocated within the DaSA for residential development
Site area	0.2 ha
Constraints	Potential for contamination. Tightly bordered by residential units. Possible flooding issues, although not included on EA maps
Proposal	11 units: 7x OMS, 2x AR, 2x SO
Market information	Rightmove: August 2020 2BF@ £230k (not newbuild) 3BH@ £375k: not newbuild
High level Financial appraisal	Build cost: £1,971,000 (£2250 per m²) On Costs £486,000 Total Project Costs (pre-finance) = £2,457,000 Sales prices: OMS: £2,310,000 Affordable: circa £400,000 Total Development value = £2,710,000
Recommendation	Proceed to detailed design. Work to: Full submission Mar '21 SoS Jun '21 PC: Sept '22

Old Lydd Road, Camber | site plan



Corporate Risk Register

Risk ID	Category (PESTLE)	Risk Description	Risk Mitigation & Control	Current Likelihood (1-5)	Current Impact (1-5)	Current Score & RAG Status	Risk Status	Risk Control Owner	Risk Mitigation & Control Assurance
1. Company Establishment									
1.01	Political	Failure to gain agreement from RDC on establishing a Local Housing Company (LHC)	Seek Cabinet approval	1	5	5	Closed	RDC Executive Directors	Cabinet ref & appendices once minutes published
1.02	Political	Failure by RDC to maintain control on strategic decision making	RDC to be sole shareholder, with an initial share value of £1	1	5	5	Closed	RDC Lead Member for Finance	CB (ref as above) - resolved for RDC to be sole shareholder for £1
1.03	Political	Failure to progress the business plan to gain final approval whilst no board in place	In the absence of a Board at this stage it is necessary to appoint someone to progress the development of the Business Plan	2	5	10	Current	RDC ATR Head of Service	The Head of Service – Acquisitions, Transformation, and Regeneration has responsibility for housing development and therefore is the appropriate officer to take on this role, until such a time as the Board can convene.
1.04	Legal	Failure to incorporate company and appoint board of directors	Articles of association and registration with Companies House to fully incorporate company	1	5	5	Current	RDC Executive Directors	Wealden DC appointed as company secretary to ensure compliance with necessary protocols.
2. Company Operation									
2.01	Legal	Failure to comply with Articles of Association and appropriately conduct the company	Appoint a neighbouring LA as company secretary to ensure compliance	2	4	8	Future	Wealden DC	The shareholders' agreement has been drafted, approved by Cabinet and outlines the expectations of the shareholder in relation to the governance and management of the Company.
2.02	Political	Failure to progress schemes through lack of operational decision making	Shareholder Agreement to be drafted to ensure smooth day to day operation	2	3	6	Future	Chief Operating Officer	The shareholders' agreement has been drafted, approved by Cabinet and outlines the expectations of the shareholder in relation to the governance and management of the Company.
2.03	Political	Failure to protect the council's interests	Structure for the Board of Directors to ensure the council's interests are protected	1	5	5	Future	Chief Operating Officer	The draft shareholder's agreement allows up to 8 directors, a maximum of 4 Elected Members of Council and a maximum of 4 others who are not Elected Members of the Council.
2.04	Technological	Lack of expertise for strategic and operational management	Shareholder Agreement to allow for 4 non council Member directors with relevant expertise	2	4	8	Future	Chief Operating Officer	The non-Council Members, appointed by the Shareholder, should be sought from a range of backgrounds including finance, legal, commercial housing, and affordable housing.
2.05	Legal	Conflicts of interest between the LHC and the council	Certain officers and Members are excluded from appointment to the Board.	1	5	5	Future	Chief Operating Officer	Following exclusions apply: An elected member of the Council who is the Council Leader, the Chairman of the Audit and Standards Committee, has responsibility for planning or is appointed to the Council's Cabinet; or an officer of the Council who has responsibility for undertaking a statutory monitoring officer role or an executive director.

2.06	Political	Undelegated board powers delaying decision making	The Council to delegate the authority to exercise these powers to a 'Shareholder's Representative'.	2	4	8	Future	Shareholder's Representative	It is recommended that the Executive Director act as the Shareholder's Representative, exercising powers in consultation with the Cabinet Portfolio Holder for Finance and Performance Management.
2.07	Economic	Financial management (budgets and cashflows) and return on investment	Strong financial control and expenditure processes to be enacted with COO sign off on all spend in excess of £15,000. Spend in Excess of £10m to be agreed by Shareholder	1	5	5	Future	Chief Operating Officer	Part of business plan and shareholder's agreement. Board approval required once appointed.
2.08	Technological	Global pandemic such as the Covid-19 coronavirus impacting operation at all levels	Provide the necessary technology and health and safety measures to enable continuation of work wherever possible	2	4	8	Future	Chief Operating Officer	RDC has proven the ability to continue operations whilst taking on additional functions in light of the 2020 Covid-19 pandemic. The technology exists to enable full home working and maintain communications and formal meetings through the use of MS Teams. This would be reflected in the Local Housing Company.
3.0 Site acquisitions									
3.01	Technological	Site identification for development schemes	Use the Local Plan Policies for allocated land alongside use of identified council-owned sites	1	5	5	Future	Chief Operating Officer	Experience of officers within Local Housing Company will require knowledge of local plan policies.
3.02	Political	Potential objections from local Members / parish councils on identified sites	Hold early conversations with local Members to identify concerns and develop mutually agreeable solutions	3	3	9	Future	Chief Operating Officer	Experience of officers within Local Housing Company will require knowledge and a track record of effective stakeholder engagement.
3.03	Technological	Land negotiation failure	Review scheme to establish if delivery can be achieved without the full land take initially identified. Consider use of CPO powers	3	4	12	Future	Chief Operating Officer	Experience of officers within Local Housing Company will require knowledge and track record of negotiation.
3.04	Legal	CPO failure	Robust CPO cases prepared fully by experienced legal team	2	5	10	Future	Chief Operating Officer	In previous scenarios, land owners often come to the negotiation table once CPO is issued, avoiding the need.
3.05	Technological	Lack of capacity with legal team to prepare and execute relevant deeds and documents	Early notification to legal partners on planned programme of tenders. Consider using external solicitors (additional cost)	4	3	12	Future	Chief Operating Officer	Ability to use a framework to appoint external legal advice.
4. Design and planning									
4.01	Legal	Planning Policy issues	Ensure sites identified are allocated within the DaSA Local Plan	2	4	8	Future	Chief Operating Officer	Experience of officers within Local Housing Company will require knowledge of local plan policies.
4.02	Legal	Changes in design standards (statutory)	Establish monitoring protocols for early identification of emerging statutory changes	2	3	6	Future	Chief Operating Officer	Protocol to be established as part of Local Housing Company strategic framework
4.03	Technological	Changes in design standards (best practice)	Establish monitoring protocols for early identification of emerging best practice changes	2	2	4	Future	Chief Operating Officer	Protocol to be established as part of Local Housing Company strategic framework
4.04	Economic	Design development changes impacting scheme costs, programme and viability	Establish protocol for setting design freeze dates, beyond which points, changes should be heavily resisted	3	3	9	Future	Chief Operating Officer	Protocol to be established as part of Local Housing Company strategic framework

4.05	Technological	Design Team procurement and appointment delays	Early notification to procurement & legal partners on planned programme of tenders. Consider using external frameworks (additional cost)	4	3	12	Future	Chief Operating Officer	Ability to use a framework to appoint external legal and procurement advice.
4.06	Economic	Consultancy tenders exceed scheme budgets	Ensure development appraisals are carried out using industry standards for professional fees, consider fluctuations in the market and build in a contingency. Identify all necessary professional requirements from the outset	2	3	6	Future	Chief Operating Officer	Use published industry standards on professional fees based on likely construction cost and add a contingency of 5%.
4.07	Technological	Site surveys highlight previously unknown issues	Initial surveys to be carried out prior to investment and included in investment appraisal. Revenue budget will be required for this, and may be an abortive cost	2	3	6	Future	Chief Operating Officer	Due diligence on site acquisitions would include high level site surveys using available information and initial exploratory work.
4.08	Environmental	Scheme design cannot achieve carbon neutrality	Instructions to architects and Employers Agent will be to ensure 'as close to carbon neutral as possible'.	2	3	6	Future	Chief Operating Officer	Tender processes now ask for Carbon neutrality to be considered as a matter of course
4.09	Technological	Pre-app meeting & advice delays	Early notification to local planning authority on planned programme of applications	4	3	12	Future	Chief Operating Officer	Issues with resourcing in LPA mean this is likely, however ensuring realistic time contingency is built into scheme programmes will allow for some delays.
4.10	Technological	Detailed design delays (delay in submission of planning applications)	Prepare realistic programmes of milestones which consider previous experience and capacity of officers and consultants, as well as leave periods	2	3	6	Future	Chief Operating Officer	Part of tender quality technical questionnaires request confirmation that the design team can be fully and appropriately resourced to deliver against the expected timeframes.
4.11	Technological	Delays in planning process	Undertake robust formal pre-app to identify any potential sticking points prior to submission, and clarify the application validation requirements	3	3	9	Future	Chief Operating Officer	There is a 13 weeks statutory requirement for planning applications to be determined. This has slipped on occasion, generally where pre-app has not been robust and amendments to the application are required.
4.12	Social	Objections from Members, neighbours/residents on scheme developments	Carry out thorough Member and public engagement in the pre-app stage to gain support for schemes	4	2	8	Future	Chief Operating Officer	Experience of officers within Local Housing Company will require knowledge and a track record of effective stakeholder engagement.
4.13	Technological	Planning permission refusal	Undertake robust formal pre-app to ensure compliance with planning policy, statutory compliance and adherence to other guidance	1	5	5	Future	Chief Operating Officer	The Local Housing Company would not submit and application that could be likely to be refused.
5. Scheme delivery									
5.01	Economic	Construction tenders exceed scheme budgets	Ensure site viability and development appraisals are carried out using industry standards for construction costs, consider fluctuations in the market and build in a contingency	2	4	8	Future	Chief Operating Officer	Use published industry standards on professional fees based on likely construction cost and add a contingency of 5%.
5.02	Technological	Construction contractor procurement and appointment delays	Advance agreement of route to development, and early notification to procurement & legal partners on planned programme of tenders.	3	3	9	Future	Chief Operating Officer	Ability to use frameworks to appoint contractors if required.

			Consider using external consultants (additional cost)						
5.03	Technological	Site issues previously unknown	Ensure site abnormalities and contingency is built into the scheme budgets to accommodate site unknowns	1	3	3	Future	Chief Operating Officer	The planning process demands intensive site surveys and investigation. Site abnormal budgets along with an appropriate level of contingency would cover exceptional and unknown issues.
5.04	Economic	Cost overruns exceeding scheme budgets caused by construction delays & change in specification	Ensure the construction contracts are robustly prepared and monitored by the Lead Consultant; do not allow deviations from spec which create additional costs	3	4	12	Future	Chief Operating Officer	Use of a well specified and managed JCT Design and Build (D&B) contract will avoid cost and time overruns as the contractor takes on that risk. However, caution must be exercised - once entered into, the specification cannot be changed.
5.05	Environmental	Scheme does not achieve carbon neutral aims	Material and construction methodology as part of the tender process to ensure minimal carbon impact of construction	2	3	6	Future	Chief Operating Officer	Tender processes now ask for Carbon neutrality to be considered as a matter of course
6. Marketing and Sales									
6.01	Economic	Failure to sell units	Research the demand in identified areas as part of the development appraisal to ensure the provision will meet requirements. Invest in robust marketing (provide budgets for this as part of appraisal)	1	5	5	Future	Chief Operating Officer	Local knowledge and use of online market systems (e.g. Zoopla) and internal Pod Plan software to carry out robust appraisals.
6.02	Economic	Failure to achieve expected sale price for units	Research the likely sale price of units in identified areas as part of the development appraisal, using worst case scenario on sales prices	2	4	8	Future	Chief Operating Officer	Local knowledge and use of online market systems (e.g. Zoopla) and internal Pod Plan software to carry out robust appraisals.
6.03	Technological	Lack of capacity with legal team to prepare and execute relevant deeds and documents	Early notification to legal partners on planned programme of tenders. Consider using external solicitors (additional cost)	4	3	12	Future	Chief Operating Officer	Ability to use a framework to appoint external legal advice.
7. Occupation and aftercare									
7.01	Social	Units become defective within 12 months of completion/occupation	Defects Rectification Period to be part of all contracts, monitored by the lead consultant and rectified by the contractor.	2	3	6	Future	Chief Operating Officer	Part of tender quality technical questionnaires request the Employer's Agent (Lead Consultant) to take responsibility for monitoring and signing off the quality of all works and managing a 12-month Defects Rectification Period (DRP)
7.02	Social	Units become defective more than 12 months after completion/occupation	New build schemes to have 10 year NHBC guarantee.	2	3	6	Future	Chief Operating Officer	NHBC guarantee expects the contractor to make good issues during the 10-year period
7.03	Economic	Communal space management costs	Site management contributions to be built into Freehold sales agreements (including freehold sales to RPs)	3	3	9	Future	Chief Operating Officer	Ensure design minimises communal space, but that which is provided receives contributions through becoming part of the Freehold agreement of the properties.

Rother District Council

Report to: Cabinet

Date: 7 September 2020

Title: Community Grants Scheme – Round 1

Report of: Ben Hook, Head of Service – Acquisitions, Transformation, and Regeneration

Cabinet Member: Councillor Dixon

Ward(s): All

Purpose of Report: To present and recommend approval of Community Grant applications for Round 1

Decision Type: Non-Key

Officer

Recommendation(s): It be **RESOLVED:** That:

- 1) the community grants detailed within Appendix A as recommended by the Grants Panel be approved, subject to specific conditions relating to each application;
- 2) the amended Terms of Reference for the Community Grants Panel, as attached at Appendix B be approved; and
- 3) all Members be requested to promote the small grants scheme within their wards.

Introduction

1. The Council's Community Grants Scheme (CGS) makes provision for up to £130,000 per annum to be made available to community groups or organisations that meet the grants criteria of Rother District Council (RDC) CGS, as agreed by Cabinet on 1 December 2008 (CB08/115).

Community Grants

2. The Panel has delegated authority to award grants up to £500. The Panel has used its delegated authority to approve £500 to Strive Café for the renovation of a room to be used at the café. In addition, £15,000 is allocated to the HAIRE project for year 2 (Minute CB19/41 refers). This leaves a total of £114,500. The Panel meets to consider two rounds of grants, in July (Round 1) and February (Round 2).

3. Round 1 of the Rother CGS for 2020/21 closed on 15 July 2020. A total of six applications were received. Two applications did not meet the CGS criteria, we are working with these applicants and encourage them to seek advice from Rother Voluntary Action (RVA) before a new application is submitted. The Panel met on 27 July 2020 and have recommended awards for four applications.
4. Cabinet is asked to consider the following applications for funding from the Council's CGS as set out in table 1 (Each application is summarised in Appendix A):

Applicant	Amount requested	Amount recommended
1. Bexhill Environmental Group	£1,500	£1,500
2. Ewhurst and Staplecross Village Hall	£1,234	£1,234
3. Little Common Football Club	£20,000	£20,000
4. Ticehurst Parish Council	£1,800	£1,800
Total:	£24,534	£24,534

Table 1: Grants Panel recommendations

5. Should Cabinet agree with the Panel's recommendation to award the applications as set out above, this will result in a maximum of £24,534 being awarded in Round 1, leaving £89,966 for Round 2 and other small grants for the remainder of the financial year 2020/21.
6. Members are reminded that conditions are applied when awarding the grants which include full funding is obtained in advance of any Rother payments being made and that RDC is acknowledged in any publicity and promotional material associated with these projects. Other specific conditions will also be applied to grants as appropriate.

Community Grant Scheme: Round 2

7. Round 2 of the Community Grants Scheme (applications above £500) will open for applications on 1 October 2020 and close on 15 January 2021. An online form will be available for applicants, with paper applications no longer accepted. Members are asked to encourage groups within their Wards to seek advice from RVA prior to starting the application process.
8. Members of the Panel have agreed that it should be mandatory for all grant applications to have the written support of at least one ward members from the relevant area. They have requested a minor update to the Panel's Term of Reference, attached at Appendix B, to reflect this change.
9. Members are reminded that small grant applications (up to £500) are accepted all year round. Applicants are encouraged to make applications through the on-line application process. Again, support and advice can be accessed through RVA.

10. Further information is available via the Community Grants section of the Council’s website: <https://www.rother.gov.uk/benefits-grants-and-funding/community-grants-scheme/>

Conclusion

11. Members are requested to consider the applications attached at Appendix A and be mindful of the clear benefits these offer to their communities. The Community Grants Scheme offers a robust assessment process that benefits communities applying for grants and secures considerable additional value for money benefits for the Council.

Implications

Financial Implications

12. The assessment and monitoring system for community grants will mitigate the financial and reputation risks associated with handing over grant finance. The Council attaches specific conditions to grant applications to mitigate risk.

Risk Implications

13. We are often at the hands of voluntary groups to the amount of time, effort and other financial support they can commit to their projects. This is mitigated by the good working relationships that exist across the district, and the support provided by RVA.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Executive Director:	Dr Tony Leonard		
Proper Officer:	Malcolm Johnston, Head of Paid Service		
Report Contact Officer:	Ben Hook Head of Service – Acquisitions, Transformation, and Regeneration		
e-mail address:	ben.hook@rother.gov.uk		
Appendices:	A	Community Grants - Round 1 Financial Year: 2020/21	
	B	Community Grants Panel Terms of Reference	
Relevant Previous Minutes:	N/A		
Background Papers:	N/A		
Reference Documents:	N/A		

COMMUNITY GRANTS – ROUND 1, FINANCIAL YEAR: 2020/21

1. Bexhill Environmental Group (BEG)

Applicant and Grant Request Details

Bexhill Environmental Group is an independent constituted group run entirely by volunteers working to protect and improve the Bexhill environment and promote a sustainable green future.

The group wishes to plant approximately 520 trees and underplanting with a wildflower mix on 0.5 hectares on Bexhill Down to the north east of Down Road. Grid ref: TQ736083.

The trees will be native British trees apart from 23 Japanese cherry trees which will be planted around a seating area at one end of the designated area. The trees will be planted at random 3 metres apart to give a natural effect. An underplanting of wildflower mix will also be introduced. A path will be mown through the meadow to provide a route for walkers.

Benefits

Beneficiaries of this project will be the residents of Rother, particularly local people in Bexhill as well as visitors to the area. The Future Thinkers, the STEM club, part of the RVA TeamUP Communities project, have expressed a specific interest in being part of this project.

Bexhill Academy and St Richard's Catholic School have also shown an interest in assisting with the planting programme and incorporating the project and its outcomes into their curriculums. It is hoped that King Offa Way Primary Academy will also become involved.

In addition, the project will contribute to Rother's Environmental Strategy, when adopted.

Other Funding Sources

Hastings Direct is contributing £3,250 and an application for funding for £878 has been submitted to the Urban Tree Challenge Fund.

Project Sustainability

It is envisaged 10% loss of trees within the first year and 1% per annum thereafter; this has been included within the project budget. The site will be included in the BEG events calendar where members carry out regular work parties to check for health and maintenance purposes. Dead trees will be removed and replaced where feasible. It is understood this area is currently mown by RDC twice yearly but with the underplanting of wildflowers it will only be necessary to do this once a year.

Support for the Project

The application has written support from Ward Member Cllr Richard Thomas. Support has also been received from Cllr Polly Gray and Cllr Doug Oliver. Letters of support have been received from Bexhill Academy, St Richard's Catholic School, and Future Thinkers and the STEM Club for children and young people in Bexhill and Sidley through RVA.

Panel Comments and Recommendation:

The Panel noted that it was encouraging that schools are involved, and a financial contribution has been received from Hastings Direct.

The Panel recommend a full award of £1,500 subject to the usual and following additional conditions:

- a) Evidence of planting mix agreed with RDC Neighbourhood Services who manage the site on behalf of De La Warr Estates
- b) Evidence of all funding received is provided

2. Ewhurst and Staplecross Village Hall

Applicant and Grant Request Details

Ewhurst and Staplecross Village Hall is a registered charity. The applicant will use the grant towards replacing the existing tables, which are approximately 20 years old and damaged, with new foldable, stackable tables and a large trolley for storage.

Benefits

The purchase of the new furniture will benefit all the village hall users including the lunch, art, gardening clubs and other individuals and groups who use the facility.

Other Funding Sources

The applicant is contributing £668.00 towards the project, matched by Ewhurst Parish Council.

Support for the Project

The application is supported by Ward Member Cllr Tony Ganly and the Parish Clerk Michelle Rumble. Letters of support have been received from the Staplecross and Ewhurst Green WI and the Staplecross Lunch Club.

Panel Comments and Recommendation:

The Panel recommend a full award of £1,234 subject to the usual grant conditions.

3. Little Common Football Club

Applicant and Grant Request Details

Little Common Football Club is a voluntary non-profit club serving the local community for the past 54 years. It is the club's aspiration to develop its facilities to the required standard to be able to compete at the highest possible level.

The club wishes to use the grant to help fund the ground grading improvements required by the Football Association at its home ground (on the main pitch) at Little Common Recreation Ground, along with the purchase of a mower and line marking equipment for ground maintenance.

This will allow the club to return to its hometown following a temporary arrangement for the last three seasons to ground share with Eastbourne United AFC.

In November 2019 Cabinet agreed in principle to permanently enclose Pitch 4, land disposal and 8-year lease to Little Common Football club (Minute CB19/61 refers).

A planning application was submitted in February 2020 to carry out the necessary works to include: enclosure of the pitch with a V-mesh fencing and gates (for public access); replacement of pitch side barrier; installation of a 50 seat and 75 standing spectator stands; extension of tarmac path to enable hard standing on three sides of the pitch, including replacement of a damaged section of path; replacement of old and dangerous dugouts; The planning decision is pending.

Benefits

Little Common Football Club and its members will be the main beneficiaries with its 70 adults (X1, 2nd X1 and Veterans) and 200 youth members (under 6 – under 18). The youth element will benefit from better facilities when they reach senior level. It is hoped that in the future a girls/women's section will be formed.

The facilities will benefit a large population of the local community and range of groups, including community use for local schools and local leagues with its strong links with Bexhill Academy & St Richard's.

The project will provide a football facility in the Rother district which meets the ground grading requirements. In addition, this will aid the sustainability of Little Common Sports Pavilion.

Other Funding Sources

The applicant is contributing £10,400 towards the project. The Football Foundation – Football Stadia Improvement Fund has been approached for funding of £71,030.

Project Sustainability

The club will establish an annual maintenance and repairs programme completing works as necessary. A 'sinking fund' will be set up for the club to pay into each year and this will be used to replace equipment as required.

Support for the Project

The application has been signed by Ward Members Cllr Sarah Errington and Cllr Kathy Harmer. However, no written support has been provided due to a conflict of interest as both Ward Members sit on the Planning Committee. Support has been received from Bexhill Academy, St Peter and St Paul's Primary school, Little Common Sports Pavilion, along with support comments from the local community.

Panel Comments and Recommendation:

The Panel noted that no other suitable football facilities exist in the Rother District with the club's members having to travel out of the district to play home games. The project will benefit the whole of the Little Common Community and aid the sustainability of a long serving club in Bexhill.

The Panel recommend a full award of £20,000, subject to the usual and following additional conditions:

- a) Grant of planning application of pitch 4 RR/2020/296/P.
- b) Comments on application received by Ward Members Cllr Sarah Errington and Cllr Kathy Harmer following determination of planning application
- c) Lease of pitch 4 for 8-year term is provided.
- d) All evidence of funding received is provided.

4. Ticehurst Parish Council

Applicant and Grant Request Details

Ticehurst Parish Council plan to create a 'Petanque pitch' at Ticehurst Recreation Ground on a grassed disused area for Ticehurst residents and visitors.

Benefits

Organisations benefiting will include: Know Dementia; The Youth Club; Probus Club; The Youth Club; Parish Council, Primary schools (2), League members and many families who want to use the facilities.

In addition, the project has been identified in the Ticehurst Neighbourhood Plan 2019 supporting local sporting facilities.

Other Funding Sources

The applicant is contributing 50% of the project costs.

Project Sustainability

The pitch is extremely low maintenance and the Ticehurst Petanque Club has committed to voluntarily maintaining it.

Support for the Project

The application is supported by Ward Member Cllr Graham Browne and the Parish Clerk Francesca Nowne. Letters of support have been received from organisations and members of the community who wish to use the facility.

Panel Comments and Recommendation:

The Panel recommend a full award of £1,800 subject to the usual conditions.



Community Grants Scheme Panel
DRAFT TERMS OF REFERENCE
from September 2020

1. Purpose

The RDC Cabinet requires a pre-assessment and recommendation on acceptance to be carried out on applications to the Council's Community Grants Scheme (CGS). The CGS Panel is assigned to undertake this task, ensuring alignment of each application with the agreed guidance criteria.

The CGS Panel will conduct its business in an inclusive, informed and focussed manner, enabling Cabinet to make timely, efficient, robust and clear decisions regarding the use of Community Grant funds.

2. Powers and duties

The Panel has delegated authority to:

- Promote the CGS to eligible applicants by way of Ward Members and member organisations;
- Receive and consider applications to the CGS;
- Make recommendations for approval or rejection of applications to Cabinet
- Reject incomplete applications;
- Approve small grants of up to £500 within a total annual budget allocation of £5,000;
- Promote activities for small grants via Members Bulletin; RALC Meetings etc and circulation of information (application forms and guidance details) directly to Members; and
- Seek expertise and advice from other relevant RDC officers and external partners, when required.

The Panel is required to:

- Have regard to getting best value from the determined budget and fair, equitable distribution of funding based upon the guidance criteria;
- Have regard to areas of need and hardship within the district; and
- Maximise external funding.

3. Membership

Panel Membership is comprised of:

- 2 Members of the Cabinet appointed by the Leader;
- The Chairman of Overview & Scrutiny Committee;
- A representative from RVA;
- A representative from AirS;
- The Chairman or appointed deputy from RALC; and
- 2 RDC officers appointed by Executive Directors, to include 1 officer from Finance.

4. Chairmanship

- The Panel will elect a Chairman annually at its first meeting of the Panel at the start of each financial year.
- The role of the Chairman is to oversee the conduct of the meetings and to account to Cabinet at meetings where CGS applications are considered.
- Where the appointed Chairman is unable to attend a meeting, he/she will be authorised to appoint his or her own deputy.

5. Meetings

- The Panel will meet twice a year to consider applications to the Scheme and will also conduct its business by email. The meetings will be quorate when 5 members are present (or at least 3 out of 5 are Panel members and not Council officers) or respond to email correspondence, including the Chairman (or appointed deputy).
- Decisions of the Panel shall be based on majority and consensus with all members having an equal voice.
- Grant applications should have the written support of at least one Ward Member from the relevant area.
- The Panel is empowered to call applicants to interview. It is a requirement of the Scheme that applicants inform the relevant RDC Members and Town and/or Parish Councils of their application prior to submission.
- Additional ad-hoc meetings may be held when the need arises. These will be organised at the discretion of the Chairman.

6. Administration

RDC will provide administrative cover to undertake the business of the Panel, including:

- Meeting papers, notices and minutes;
- Correspondence with applicants;
- Record keeping and reporting; and
- Generate generic promotional material.

7. Declaration of Interest

- Panel members with a pecuniary or personal interest in an application must declare their interest at the first opportunity and withdraw from any consideration of the application. The nature of the interest will be recorded on reports and minutes.

8. Reporting and Review

- The Panel will submit twice yearly reports to Cabinet, containing an assessment of applications received and making recommendations regarding funding. The reports will contain sufficient financial information to assist decision making. Annually, the Panel will review the overall working of the Scheme and propose any relevant changes to Cabinet.

Glossary:

AirS: Action in Rural Sussex

CGS: Community Grants Scheme

RALC: Rother Association of Local Councils

RDC: Rother District Council

RVA: Rother Voluntary Action

OSC: Overview and Scrutiny Committee

Rother District Council

Report to:	Cabinet
Date:	7 September 2020
Title:	Letting of Beeching Road Studios, 18-40 Beeching Road
Report of:	Ben Hook – Head of Acquisitions, Transformation and Regeneration
Cabinet Member:	Councillor Bayliss
Ward(s):	All
Purpose of Report:	To authorise the letting of Beeching Road Studios
Decision Type:	Non-Key

Officer

Recommendation(s): **It be RESOLVED: That** the Executive Director be authorised to enter into a lease with Bexhill College for the Beeching Road Studios project at 18-40 Beeching Road Bexhill, for a term not exceeding 20 years and otherwise on terms approved by the Executive Director.

Reasons for

Recommendations: As this is a first letting of a recently acquired property, Cabinet authority is required to enter into the lease. It is necessary to secure a tenant prior to undertaking designs for the internal refurbishment of the premises, so that the tenants' requirements can be incorporated.

Introduction

1. In December 2018, the Council completed the acquisition of the head leasehold interests of three sites on the West Trading Estate in Beeching Road Bexhill, including the site at 18-40 Beeching Road.
2. One half of this site is let to commercial tenants (Screwfix and Phase Electrical); the remainder is vacant and in a deteriorating condition. The purchase price for the head leasehold interest reflected the fact that the vacant premises would require significant refurbishment in order to re-let them.
3. At the same time, the Council has been in discussions with partners, including the De La Warr Pavilion, East Sussex County Council and local stakeholders, to identify opportunities to develop the cultural and creative sector in Bexhill, in pursuance of the East Sussex Cultural Development Strategy and the South East Local Enterprise Partnership (SELEP) Cultural Strategy.

4. The Council has been successful in securing £960,000 Local Growth Fund grant through SELEP, to convert the vacant premises into workspaces aimed at developing creative sector enterprises and funding is allocated in the Council's capital programme for this work (Cabinet Minute CB18/67 refers). The Council's bid drew upon the findings of the feasibility study carried out by the Council in 2018 which identified demand and the opportunities to stimulate growth in the local creative sector.

Analysis / Details of the proposals

5. The project has been given the working title of 'Beeching Road Studios'. A steering group of stakeholders, including RDC, the De La Warr Pavilion, Bexhill Contemporary Group, Bexhill College and others engaged closely with the development of the business plan; the Council will continue to work closely with the steering group in bringing forward the project and monitoring its future success.
6. The vision for the project is that by 2025 Beeching Road Studios will be established as:
 - A distinctive, arts-led creative cluster of artists and makers, craft design and media businesses and their supply chains, specialist training and education providers and their students.
 - A hub that offers tenants, service users and visitors a variety of attractive, affordable and secure spaces; access to high-quality support services, facilities, learning and cultural experiences; and opportunities for collaboration, career development and business growth.
 - Accessible and connected to local residents and businesses, other regional creative communities and workspaces, commercial, cultural, educational and civic institutions.
7. The refurbishment of the exterior of the premises has recently been tendered and work on site is due to commence imminently, with completion expected by December of this year. Phase 2 of the refurbishment, comprising the internal fit-out and mechanical and electrical systems, will follow once a tenant has been selected.

Options

8. Four potential operators have expressed interest in the managing the scheme and the Council has invited interested parties to set out their proposals, to include a rental proposal and preferred length of lease. These have been reviewed by a panel comprising the Cabinet Portfolio Holder for Regeneration, along with the Head of Service for Acquisitions, Transformation & Regeneration, the Property Investment and Regeneration Manager and the Regeneration Officer.

9. Recognising that this is first and foremost a regeneration project that will take time to become established, the selection of a tenant has taken into consideration the experience and track record of the operators, their financial standing and 'best fit' with the vision for the project; rather than simply considering rental.

Conclusion

10. Having assessed the proposals from interested parties the panel has concluded that Bexhill College offers the best strategic fit with the aims and objectives of the scheme. Draft heads of terms of the proposal are set out in Confidential Appendix 1); these will be subject to further negotiation and Cabinet is asked to give delegated authority to the Executive Director to negotiate the detailed terms of the lease. Bexhill College will draw upon their experience to work alongside officers to develop Phase 2 of the refurbishment of the property, with a view to being open by spring of next year.

Implications

Financial Implications

11. No rent is proposed for the first 2 years, although the Council will recover its costs of maintaining the common parts of the Estate.

Legal Implications

12. A lease will be required, and Legal Services will be instructed to undertake this work and advise on any legal issues arising.

Risk Management

13. Failure to appoint an operator will risk the Council being unable to meet the conditions of the Local Growth Fund grant, which may ultimately have to be repaid if the project does not proceed.
14. It is also beneficial to secure an operator at this stage in order that they can have input into the later stages of the refurbishment, including internal fit-out and services.
15. As the aim of the project is to establish a successful incubator for creative sector businesses, and the Council is receiving grant funding to do so, it is important that the Council should adopt a 'best value' approach when selecting an operator which considers not only the rental proposal but also takes into account other factors which determine the suitability of the tenant for the project.

Exempt from publication

Appendix 1 contains details that remain commercially confidential pending completion of the lease.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	Yes	Exempt from publication	Yes
Risk Management	Yes/No		

Executive Director:	Dr Anthony Leonard
Proper Officer:	Malcolm Johnston, Head of Paid Service
Report Contact Officer:	Graham Burgess, Property Investment and Regeneration Manager
e-mail address:	graham.burgess@rother.gov.uk
Appendices:	Appendix 1 CONFIDENTIAL - Heads of Terms
Relevant Previous Minutes:	CB18/67
Background Papers:	None.
Reference Documents:	None.

Rother District Council

Report to: Cabinet

Date: 7 September 2020

Title: Residential development at, Blackfriars, Battle

Report of: Ben Hook - Head of Service, Acquisitions, Transformation, and Regeneration

Cabinet Member: Councillor Byrne

Ward(s): South Battle and Telham

Purpose of Report: To enable the Compulsory Purchase Order to acquire third party land necessary to deliver the residential scheme at Blackfriars, Battle to be made.

Decision Type: Key

Officer

Recommendation(s): **Recommendation to COUNCIL:** That:

- 1) the draft Rother District Council (Blackfriars) Compulsory Purchase Order 2020 as attached at Confidential Appendix 1 ("the Order"), the map comprising the land that is proposed to be compulsorily acquired ("Order Land"), as may be subject to amendment pursuant to paragraph (3 a. below) as attached at Appendix 2 and referred to in the Order ("the Order Map") be approved;
- 2) the draft Statement of Reasons made in support of that Order and attached at Appendix 3 ("the Statement of Reasons") be approved; and
- 3) the Executive Director be granted delegated authority to:
 - a. Make changes to the draft Order, the Order Map (within the red line boundary as shown on the Order Map) and Statements of Reasons as considered necessary.
 - b. Exercise powers in the Town and Country Planning Act 1990 to secure the removal of any apparatus of statutory undertakers.
 - c. Acquire by agreement all third-party interests in and over the Order Land under Section 227 of the 1990 Act before and after confirmation of the Order and in respect of any new rights required for the development or use of the Order Land.
 - d. Take all necessary steps to secure confirmation of the Order and the acquisition of all third party interests in the Order Land, including: the publication and advertisement of the Order, serving appropriate notices, seeking confirmation of the Order, taking all steps to acquire relevant interests and such other steps as deemed appropriate to facilitate the development, redevelopment or improvement of the Order Land.

- e. Enter into agreements and make undertakings, contracts and transfers on behalf of the Council with third party interests in the Order Land or for the creation of new rights in favour of or over the Order Land or with parties otherwise affected by the Order, including for the withdrawal of objections to the confirmation of the Order and also including the offering back of any part of the Order Land or rights over it, or acquisition of additional land or interests in or over any such land and the removal of any land from the Order.
 - f. Defend any proceedings challenging these decisions, and the making, confirmation or implementation of the Order or any notice, general vesting declaration or anything else made pursuant to the Order.
 - g. Publish and serve all appropriate notices of confirmation of the Order and to make one or more general vesting declarations or serve notices to treat and notices of entry (as appropriate) in respect of the Order Land.
 - h. Initiate or take part in any arbitration or proceedings before the Upper Tribunal (Lands Chamber) or the Courts in order to resolve any disputes as to compensation or other payments payable for any interests in the Order Land or arising from the making or confirmation of the Order or securing possession of any part of the Order Land or title to any part of the Order Land or the removal of any occupants or apparatus of statutory undertakers or communication code operators.
-

Introduction

1. On June 8, 2020, Cabinet authorised the preparatory work required for the making of the Compulsory Purchase Order (CPO) at Blackfriars, Battle including the completion of land referencing and budget (Minute CB20/4 refers).
2. Through the appointed Land Referencing Agents (Arden), the Council has issued notices under S16 of the Local Government (Miscellaneous Provisions) Act 1976 to those with registered and identified interests in the land that is proposed to be compulsorily acquired (Order Land). These notices request information from those who have or may have interests in the land and are used to confirm the ownership and occupation information.
3. From Land Registry checks, information from the returns on the notices and further due diligence made by the Land Referencing company, the draft Rother District Council (Blackfriars) Compulsory Purchase Order 2020 (the Order) attached at Confidential Appendix 1 has been prepared to identify the various interests and rights in the Order Land, and those who own them or have the benefit of them. The Order identifies those who have interests in the Order Land, which is itself identified in the redline plan in Appendix 2 (the Order Map). Any further relevant persons identified will be added into the Order prior to it being made.
4. The draft Statement of Reasons attached at Appendix 3 sets out the Council's reasons for making and seeking confirmation of the proposed Order. This document will form part of a suite of information to be prepared to support the proposed Order. The Statement of Reasons document has been produced in accordance with the Ministry for Housing, Communities and Local Government Guidance.

Description of land to be acquired

5. As described in the statement of reasons, the Order Site comprises an area of approximately 16 ha within Battle located between Harrier Lane to the north and by Hastings Road to the south.
6. The development will be accessed by a new spine road, from the south from Hastings Road, off The Spinney, and from the north via Harrier Lane off Marley Lane.
7. The land interests to be acquired are as follows (plot numbers are as referred to in the Order Map and Order Schedule):
 - **Plot 1:** all interests in approximately 653 square metres of land being highway verge on Harrier Lane, Battle currently owned by the Council;
 - **Plot 2:** all interests in approximately 82,984 square metres of land being grassland, trees, shrubbery, path and public footpaths (Battle 76, Battle 77b), south of Harrier Lane, Battle currently owned by the Council;
 - **Plot 3:** all interests in approximately 38,201 square metres of land being grassland, trees, shrubbery and public footpath (Battle 77b), south of Harrier Lane and west of Starrs Mead, Battle. This land is currently owned by Piper Ventures Battle Limited;
 - **Plot 4:** all interests in 18 square metres of land being grassland, south of Harrier Lane, Battle of unknown ownership;
 - **Plot 5:** all interests in approximately 23,500 square metres of land being grassland, trees, shrubbery, north of Hastings Road, Battle currently owned by Taylor Wimpey UK Limited;
 - **Plot 6:** all interests in approximately 7,684 square metres of land being grassland, trees, shrubbery, pond and buildings at Highlands Farm, Hastings Road, Battle currently owned by Joyne Finance Corporation and Bellhurst Homes Limited;
 - **Plot 7:** all interests in approximately 395 square metres of land being access track associated with Highlands Farm, Hastings Road, Battle currently owned by Joyne Finance Corporation and Bellhurst Homes Limited; and
 - **Plot 8:** all interests in approximately 23 square metres of land being grassland, north of The Spinney and north west of Starrs Mead, Battle.
8. Formal written offers were sent to the relevant landowners by the Council in March 2020 but agreements to acquire the parcels of land by private treaty have not yet been finalised.
9. As part of the CPO process, the Council has sought further advice from specialist compensation valuers who have concluded that the previous financial offers made by the Council to acquire land interests are reasonable, and likely to be in excess of any compensation settlement calculated on the basis of the Compulsory Purchase Compensation Code.
10. In light of this advice, further correspondence was sent to the relevant landowners in August 2020, reiterating the Council's previous offer in an attempt to acquire the

land without the need for CPO. Responses have not yet been received but are expected before the end of August 2020.

11. It should be noted that the Council, will continue to use reasonable endeavours to assemble the land by agreement or private treaty.

Update on planning and project progression

12. The scheme currently has a resolution to grant Outline Planning Permission, subject to the signing of a S106 agreement. This resolution to grant secures access to the site, the alignment of the spine road, and the quantum of development across the site.
13. The S106 is currently being drafted by the Local Planning Authority's solicitors. Solicitors have been appointed to act on behalf of the Acquisition, Transformation and Regeneration Service in relation to this matter.
14. Architects have been appointed to work up the detailed design for a Reserved Matters Application (RMA), with a target for submission of October 2020.
15. The residential scheme to be served by the spine road will deliver 220 units, including the provision of approximately 35% affordable units which would assist in providing housing opportunities for local residents as well as helping to meet the District's affordable housing targets.
16. The Project Team has set a site-wide target to reduce of CO₂ by 31% over current building regs Part L requirements. Measures to future-proof the site for carbon zero through electrification of heating, and the provision of EV charging points will be incorporated within the design proposals, and Housing Quality Mark (HQM) certification being taken forward for all units across the site.
17. An initial pre-application meeting with the Local Planning Authority took place in August 2020. The proposals are currently being refined and will be presented to Members at a pre-application briefing in advance of the RMA's submission.
18. As face-to-face public consultation is not feasible during ongoing Covid-19 pandemic, an online webinar is planned to present the scheme to local residents in advance of the submission of the RMA. This will be followed by online consultation to seek the views of the local community.
19. This project would transform this part of Battle, delivering housing choice, increase local economic activity and deliver environmental improvements. The new development will be highly sustainable and futureproofed for carbon zero in line with the Council's climate emergency declaration and associated targets.
20. In addition, although construction jobs would be temporary, the construction phase of the development is scheduled to occur over a 4 year period, and is estimated to support the employment of 620 people, including at least 6 apprentices, graduates or trainees, for the duration of the project.

21. It is intended that the project be delivered by Alliance Homes (Rother) Ltd, the Council's wholly owned housing company.

Conclusion

22. The delivery of Blackfriars is a key corporate priority which will deliver much needed new housing, including approximately 35% affordable housing together with a new road to serve the residential development.
23. To ensure the progression of this project it is necessary to pursue the making of the Order. It is recommended that full Council approve this action and delegate the necessary authorities, as laid out in the recommendations above, to the Executive Director.

Implications and risks

Financial

24. The making of the Order will incur costs to the Council. These will be facilitated through the approved project budget. In the event the Order is confirmed compensation will be due to the current landowners, again this is already budgeted for as part of the approved project costs.

Environmental

25. The making of the Order will enable the Council to progress development on an ecologically sensitive site, if confirmed. The overall development will have a net positive impact on the environment, with the ambition to deliver a scheme that is as close to carbon zero as possible, improve local biodiversity, improve nearby habitat, and develop environmentally sustainable homes within a conservation area.

Legal

26. A Compulsory Purchase Order is a legal instrument under the Town and Country Planning Act 1990. The making of an order is challengeable and may lead to a public inquiry as part of the confirmation process.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	Yes	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		




Executive Director:	Dr A Leonard
Proper Officer:	Ben Hook, Head of Service Acquisitions, Transformation & Regeneration
Report Contact Officer:	Stephen Marsden, Development Project Manager
e-mail address:	Stephen.marsden@rother.gov.uk
Appendices:	1 Draft CONFIDENTIAL Order 2 Draft Order map 3 Draft Statement of Reasons

Relevant Previous Minutes:	CB20/4
Background Papers:	None.
Reference Documents:	None.



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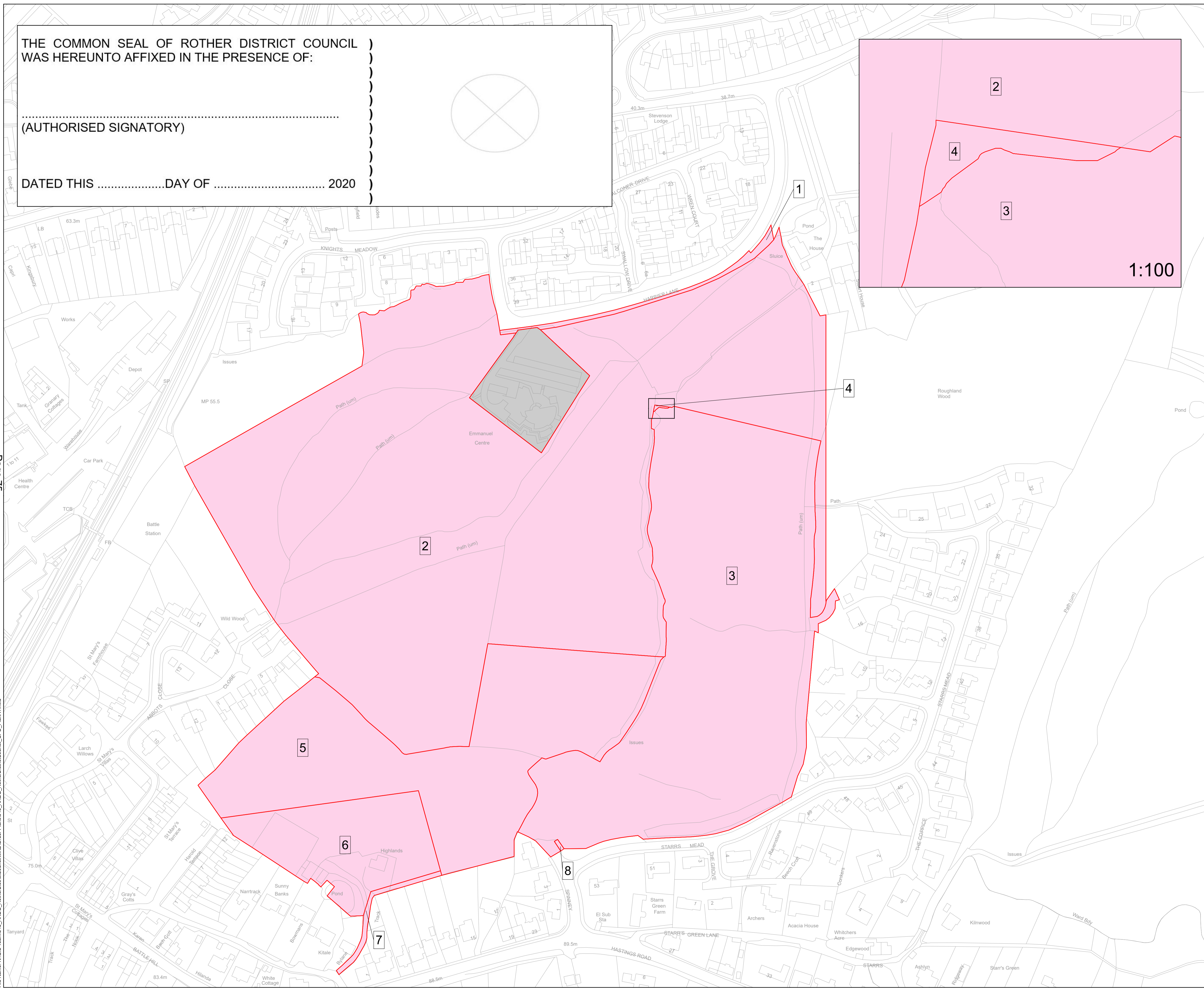
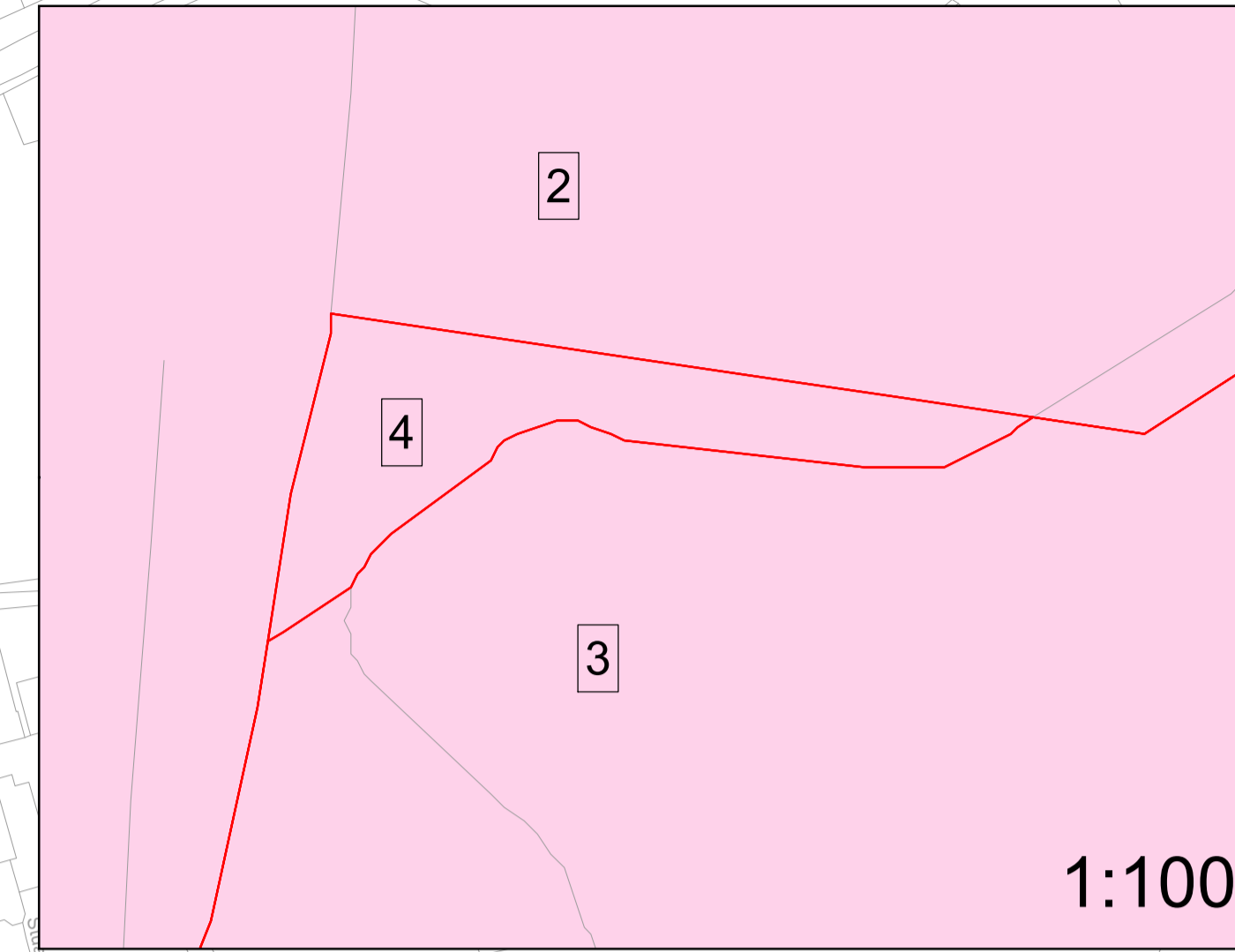
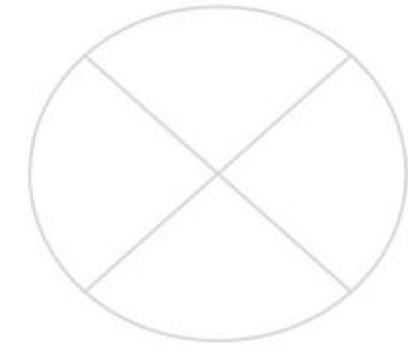
KEY

-  CPO Boundary
-  Land to be Acquired
-  Land Excluded from CPO

THE COMMON SEAL OF ROTHER DISTRICT COUNCIL)
 WAS HEREUNTO AFFIXED IN THE PRESENCE OF:)

.....)
 (AUTHORISED SIGNATORY))

DATED THISDAY OF 2020)



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Project **BLACKFRIARS CPO - BATTLE**

Drawing Title
MAP REFERRED TO IN THE ROTHER DISTRICT COUNCIL (BLACKFRIARS) COMPULSORY PURCHASE ORDER 2020

Status	FINAL	Revision	000
Date	05/08/2020	Checked By	E.BAIRSTOW
Scale	1:1,250 @ A1	Approved By	A.PAGONIS
Spatial Reference System	British National Grid	Drawing reference	045_ARDC_RotherDistrictCouncil_CPO_Plan

This document is not to be used in whole or in part other than for the intended purpose and project for which it was prepared and provided.

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STATEMENT OF REASONS

**ROTHER DISTRICT COUNCIL
(BLACKFRIARS) COMPULSORY PURCHASE ORDER 2020**

**TOWN AND COUNTRY PLANNING ACT 1990
THE ACQUISITION OF LAND ACT 1981**

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1 INTRODUCTION

- 1.1 Rother District Council (the "**Council**") has made the Rother District Council (Blackfriars) Compulsory Purchase Order 2020 ("the **Order**") under section 226(1)(a) of the Town and Country Planning Act 1990. This document is the non-statutory Statement of Reasons ("**Statement**") prepared on behalf of the Council in accordance with the Department for Communities and Local Government Guidance on Compulsory Purchase process and the Crichel Down Rules (July 2019) ((the "**Guidance**") to explain the reasons and justifications for making the Order.
- 1.2 The Council has made the Order to secure outstanding interests and thereby facilitate the carrying out of the the construction of a residential development, a spine road to serve the development, with vehicular access off Harrier Lane and The Spinney, the delivery of public open space and associated works. The site is comprised of land with an area of approximately 153458 sq m and is located at Blackfriars, Battle (the '**Order Land**').
- 1.3 The Council's Planning Committee resolved to grant planning permission for the development at Blackfriars on October 2019, subject to the completion of a planning agreement (Reference: RR/2019/604). The development is described in the planning permission as:
- "Outline: Detailed proposals for a spine road to serve residential development, with vehicular access off Harrier Lane and The Spinney, with Master Plan for up to 220 dwellings and associated works" ('**Order Scheme**')
- 1.4 The Order Scheme will deliver much needed new housing, with up to 220 homes to be provided and including approximately 35% affordable housing together with a spine road to serve the residential development.
- 1.5 The level of housing growth for Battle identified within the Core Strategy suggests a need for 475-500 dwellings to Battle over the Plan period.
- 1.6 This figure was updated with the Council's Development and Site Allocations (DaSA) Local Plan, suggesting a residual need for 295 new homes after permissions, completions and windfall allowances have been deducted from the overall figure. It is anticipated that the majority of these homes will be delivered within the Order Land.
- 1.7 The Order Scheme would transform this part of Battle and would deliver housing choice, increase local economic activity and deliver environmental improvements. In addition, although construction jobs would be temporary, the construction phase of the development is scheduled to occur over a 4 year period, and it is estimated that it will support the employment of approximately 620 people, including at least 6 apprentices, graduates or trainees, for the duration of the construction of the Order Scheme.
- 1.8 Overall the Order Scheme will make a significant contribution to the economic, social and environmental well-being of the area and deliver very significant benefits; including the following:

- construction of a new spine road to serve the Order Land and the wider area which will reduce congestion and improve accessibility;
- up to 220 high quality new homes with a range of tenure and sizes;
- delivery of 35% Affordable Housing with a range of tenures and sizes;
- generate circa 620 jobs during the construction phase of the development;
- delivery of public open space and recreation areas; and
- delivery of ecological mitigation and biodiversity compensation and improvements and habitat improvement and enhancement adjacent to areas of ancient woodland

1.9 The Order has been submitted to the Secretary of State for Communities and Local Government for confirmation. If confirmed, the Order will enable the Council to acquire compulsorily the land required to facilitate the Order Scheme.

1.10 This Statement explains why the Council considers that, for the purposes of the powers enabling the Order, the Order Scheme will contribute to:

1.10.1 the development, redevelopment or improvement of the Order Land;

1.10.2 improving the economic and social well-being of the area of Battle through the provision of new mixed-tenure housing and additional employment opportunities and; and

1.10.3 the environmental well-being of the area as a consequence of the public open space and ecological enhancements facilitated by the Order Scheme, and the sustainable nature of the proposed development.

1.11 The extent of the Order Land is shown edged red on the plan appended to this Statement which is a re-production of the main Order map which accompanies the Order itself ('Order Map').

1.12 The Order Map identifies the Order Land proposed to be acquired (coloured pink).

1.13 Over 50% of the Order Land is owned by the Council; however there are other land interests currently in other ownership which make up the site comprised in the Order Land. The Council is now seeking to secure ownership of all of the Order Land to ensure that the Order Scheme can be implemented and so that the comprehensive regeneration and other benefits are secured.

- 1.14 The implementation of the redevelopment proposals requires the acquisition of all property interests currently owned by third parties, including a number of freehold and other interests in the Order Land.
- 1.15 The Order Site has a long history, with the principle of development on this site being accepted for many years. In 1967 part of the site was allocated for housing in East Sussex County Council's Battle Draft Town Plan, and in 1972 the site was also identified for residential development in the Battle Town Plan and Town Centre Map. Blackfriars was allocated in Rother District Council's (RDC) 2006 Local Plan to provide at least 220 dwellings.
- 1.16 There have been numerous past attempts to bring forward development on this site over the past 15 years, all of which have been unsuccessful
- 1.17 The Council has been seeking to assemble the Order Land since 2017, at which point an application was made for Government capital grant funding to facilitate the necessary infrastructure for this development. Since the decision by Cabinet on 8 June 2020 to support the use of compulsory purchase powers in-principle, the Council has continued attempts to acquire the Order Land.
- 1.18 The Council has and will continue to take steps to consult and negotiate with third party owners to acquire their interests by agreement but it is clear that compulsory purchase powers will need to be employed to ensure the full Order Scheme can be achieved within a reasonable timeframe and in order to achieve the regeneration benefits. There are no impediments to the Order Scheme proceeding.
- 1.19 A copy of this Statement, the Order and the accompanying maps and background documents are available for inspection at the following locations:
- 1.19.1 Rother District Council, Town Hall, London Rd, Bexhill-on-Sea TN39 3JX (Monday to Friday 9.30am-5:00pm), subject to restrictions resulting from Covid-19
 - 1.19.2 On the Council's website at www.rother.gov.uk/blackfriars

2 ENABLING POWERS

- 2.1 Section 226(1)(a) of the Town and Country Planning Act 1990 Act (as amended by the 2004 Act) (the "**1990 Act**") enables a local authority to make a compulsory purchase order if it thinks that acquiring the land in question will facilitate the carrying out of development, redevelopment, or improvement on, or in relation to, the land being acquired.
- 2.2 Section 226(1A) of the 1990 Act states that a local authority must not exercise its powers under section 226(1)(a) unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area.

- 2.3 The Council is satisfied that the proposed Order Scheme will result in overwhelming social, economic and environmental well-being improvements to the area through redevelopment of the Order Land with a comprehensive development providing new high quality new housing, and major additions to and improvements to public open space and ecological mitigation.
- 2.4 The Acquisition of Land Act 1981 sets out the process for compulsory acquisition and applies to the Order, and the acquiring authority is the Council.
- 2.5 The making of the Order is consistent with the guidance provided in the Guidance, and in particular Section 1 which provides advice on orders made under section 226 of the 1990 Act.

3 DESCRIPTION OF ORDER LAND

General description and character

- 3.1 The Order Land lies within Battle, a small historic town situated within the High Weald Area of Outstanding Natural Beauty, some 6 miles north of Bexhill and 6 miles northwest of Hastings.
- 3.2 Battle is the world-renowned site of the Battle of Hastings, which gave the town its name. Battle Abbey was built by the Norman victors and is reputedly the place where King Harold fell in Battle. Senlac Hill and the area south of the town are protected by English Heritage as a historic battlefield and designated an Archaeological Sensitive Area (ASA).
- 3.3 The town centre forms the historic core, and consists of a long central street, High Street, with the imposing Abbey Gate House and open space of Abbey Green at its south-eastern end and the medieval precincts wall beyond. To the south of the Gatehouse lies the Battlefield itself. The High Street is continued to the south-east in Upper Lake and Lower Lake and to the north-west with Mount Street. Almost all the buildings in these four streets date from the eighteenth century or earlier.
- 3.4 The Order Land comprises an area of approximately 153458 sq m within Battle located to the east of the Abbey between Harrier Lane to the north and by Hastings Road to the south. The development will be accessed by a new spine road, from the south from Hastings Road, off The Spinney, and from the north via Harrier Lane off Marley Lane.
- 3.5 The application site whilst forming part of the surrounding town of Battle, is also an essentially undeveloped steeply sided valley within the High Weald AONB. The site, being set within the valley, is reasonably contained within wider landscape views, although the higher parts to the south east corner have greater views. The central area, and in particular the treed boundaries is of most ecological importance along with the boundary tree line around the north and north western boundary of the site. It is intended that the Order Scheme will provide for those areas to be retained and enhanced, with additional landscaping throughout the Order Scheme to maintain a rural feel and landscape appearance.

Extent and Nature of Rights

- 3.6 The Order Map shows the area within which freehold interests are sought to be compulsorily acquired. The Order Map has been carefully delineated to ensure that the parcels of the land to be acquired are only what is required to facilitate the delivery of the Order Scheme.

Land Referencing

- 3.7 The Council has instructed independent agents to carry out the referencing exercise for the Order, and those agents in doing so, have confirmed they owe a suitable duty of care to the Council. The actions taken by the agents to investigate title and occupier details for inclusion in the Order included:

- 3.7.1 Land Registry searches and review of available deeds and similar information;
- 3.7.2 Service of Requisitions for Information pursuant to section 16 of the Local Government (Miscellaneous Provisions) Act 1976 on behalf of the Council and review of information returned in response; and
- 3.7.3 Virtual site inspections.

- 3.8 The referencing exercise has been kept under review and subject to updating until the date on which the Order was made. It is considered the Schedule to the Order is therefore as accurate as it can be based on diligent inquiries made on behalf of the Council.

4 REASONS FOR COMPULSORILY ACQUIRING THE ORDER LAND

- 4.1 Past attempts to develop the Order Land have been unsuccessful, principally due to many constraints including complex ground conditions, the steep topography of the Site which limits the development area, land assembly and the need for costly road infrastructure in the form of the spine road.
- 4.2 Homes England has confirmed that it will make available a grant of £8.7m to fund the delivery of the spine road from the Housing Infrastructure Fund ("HIF"). The HIF allocation is subject to conditions, including a timescale and milestones which must be met for funding to be drawn down. If the land required for the Development is not acquired in sufficient time in order to allow the Order Scheme to proceed in accordance with the timetable set by Homes England there is a concern that the HIF allocation could be lost. The Order Scheme is not deliverable without the construction of the spine road.
- 4.3 The Council has been seeking to assemble the Order Land required for the Order Scheme since circa 2017. While the access point for the spine road at the north is entirely within the Council's ownership, the access point at the south is currently in third party ownership. Furthermore, whilst the Council owns more than 50% of the developable land, three further parcels of land necessary to deliver the project

are not in the Council's ownership whilst over 50% of the Order Land is in the freehold ownership of the Council. Whilst it may be possible to achieve vacant possession of the rest of the site (albeit this is unlikely to happen to allow timely delivery of the Order Scheme), there are also areas of unregistered title and possible implied or other rights which may exist over the site. On this basis it is considered prudent and necessary to include the entire site in the Order so that any private express or implied rights, covenants or other interests that may have been granted, entered into or acquired over the Order Land or any part of it can be acquired.

4.4 Furthermore, under the conditions of the HIF funding agreement, the Council is required to use all available powers including compulsory purchase orders to acquire the necessary land for the delivery of the road and housing should negotiations fail. The decision to use compulsory purchase powers is as a last resort to ensure the delivery of the Development and secure the funding for the spine road.

4.5 The interests to be acquired include those of freeholders, and any private express or implied rights that may have been granted over the Order Land. A summary of the main land interests are as follows

- **Plot 1:** all interests in approximately 653 square metres of land being highway verge on Harrier Lane, Battle currently owned by the Council;
- **Plot 2:** all interests in approximately 82984 square metres of land being grassland, trees, shrubbery, path and public footpaths (Battle 76, Battle 77b), south of Harrier Lane, Battle currently owned by the Council;
- **Plot 3:** all interests in approximately 38201 square metres of land being grassland, trees, shrubbery and public footpath (Battle 77b), south of Harrier Lane and west of Starrs Mead, Battle. This land is currently owned by Piper Ventures Battle Limited;
- **Plot 4:** all interests in 18 square metres of land being grassland, south of Harrier Lane, Battle of unknown ownership;
- **Plot 5:** all interests in approximately 23500 square metres of land being grassland, trees, shrubbery, north of Hastings Road, Battle currently owned by Taylor Wimpey UK Limited;
- **Plot 6:** all interests in approximately 7684 square metres of land being grassland, trees, shrubbery, pond and buildings at Highlands Farm, Hastings Road, Battle currently owned by Joyne Finance Corporation and Bellhurst Homes Limited;
- **Plot 7:** all interests in approximately 395 square metres of land being access track associated with Highlands Farm, Hastings Road, Battle currently owned by Joyne Finance Corporation and Bellhurst Homes Limited; and
- **Plot 8:** all interests in approximately 23 square metres of land being grassland, north of The Spinney and north west of Starrs Mead, Battle.

4.6 Formal written offers were sent to the relevant landowners by the Council in March 2020 but agreements to acquire the parcels of land by private treaty described in section 4.4 have not yet been finalised.

5 PLANNING POLICY BACKGROUND

5.1 The principal of residential development on the site off Harrier Lane and Spinney Lane known as Blackfriars ("the Site") is long established.

5.2 In 1967, East Sussex County Council's Battle Draft Town Plan notated a part of the area for residential use and a part for industrial use. In 1972, it published the informal Battle Town Plan and Town Centre Map on which parts of the Blackfriars area were also shown for residential development.

5.3 In 1975, Rother District Council published the Blackfriars Site, Marley Lane, Battle Design Brief. The brief indicates land for residential development, possible primary school site, possible local community centre, possible children's home and open space. Both the Consultative Draft (1995) and Initial Deposit (2001) versions of the Rother District Local Plan show land for development within the Plan period and beyond the Plan period.

5.4 The current Development Plan comprises the saved policies of the adopted Rother District Local Plan (2006) ('2006 Local Plan'), the Rother Local Plan Core Strategy which was adopted in September 2014 ('Core Strategy') and the Development and Site Allocations Local Plan (adopted December 2019) ("DaSA").

5.5 The Site was allocated in the 2006 Local Plan to provide at least 220 dwellings. Policy BT2 of the 2006 Local Plan states:

"Land at Blackfriars, Battle, as defined on the Proposals Map, is allocated for housing, education and open space purposes, to be brought forward through a comprehensive scheme.

Two areas, totalling approximately 7.3 hectares, would be allocated for residential use, providing at least 220 dwellings 40% of which would be affordable¹... The development will be accessed by a new spine road, from the south from Hastings

Road, off The Spinney, and from the north via Harrier Lane off Marley Lane."

5.6 Policy BT1 is also relevant as it states:

Proposals for development and change in Battle should be compatible with and, wherever practicable, contribute positively to the following objectives:

(i) to maintain its historic, small town character

- (ii) *to protect the historic core and its setting*
- (iii) *to conserve the Area of Outstanding Natural Beauty landscape setting*
- (iv) *to enhance the commercial and tourism attractiveness of the town centre*
- (v) *to minimise the demand for cross-town vehicular traffic*
- (vi) *to maintain a substantial open countryside gap to Hastings*

5.7 The first of the Battle objectives in the Core Strategy is:

'To reduce congestion and improve accessibility, especially by non-car modes'.

5.8 The following policies of the Core Strategy are also relevant to the Order Scheme:

- OSS2: Development boundaries
- OSS3: Location of development
- OSS4: General development consideration
- BA1: Sets out the policy framework for Battle and includes the requirement that proposals for development and change in Battle will (i) maintain the essential physical form, local distinctiveness, character and setting of the town, particularly in and adjacent to the Conservation Area, and (iii) provide 475-500 net additional dwellings in Battle over the Plan period 2011-2028, by developing new housing via opportunities both within the development boundary, and modest peripheral expansion opportunities that respects the setting of Battle within the High Weald AONB and supports community facilities
- LHN1: Seeks to achieve mixed and balanced communities and states that (i) housing developments should be of a size, type and mix which reflect both current and projected housing needs
- LHN2: covers the provision of affordable housing, 35% in Battle
- EN1: states that the management of the high quality historic, built and natural landscape character is to be achieved by ensuring the protection, and wherever possible enhancement, of the district's nationally designated and locally distinctive landscapes and landscape features; including (inter alia):
 - (i) The distinctive identified landscape character, ecological features and settlement pattern of the AONB;
 - (v) Open landscape between clearly defined settlements, including the visual character of settlements, settlement edges and their rural fringes;
 - (viii) Other key landscape features across the district, including native hedgerows, copses, field patterns, ancient route-ways, ditches and barrows, and ponds and water courses.
- EN3: sets the design quality standards that all new development will be expected to meet.
- EN5: covers biodiversity and green space.
- TR3: requires new development to minimise the need to travel and support good access to employment, services and community facilities.

- TR4: deals with car parking, which should normally be provided in accordance with the County Highway Authority's parking standards (the level of parking should be assessed using the on-line calculator on the ESCC website).
- SRM2: deals with the effective management of water resources.
- EC1: fostering economic activity and growth, including collaborative working between education, training, business and inward investment agencies.

5.4 The following policies of the emerging Development and Site Allocations Local Plan ('DASA') (submitted for examination in January 2019) are also relevant to the Order Scheme:

- DHG1: affordable housing, 35% in Battle
- DHG3: residential internal space standards
- DHG7: external residential areas
- DHG11: boundary treatments
- DEN1: maintaining landscape character
- DFN2: the High Weald AONB
- DEN4: biodiversity and green space
- DEN5: sustainable drainage
- DIM1: Comprehensive Development

5.9 Battle has resolved to undertake a Neighbourhood Plan which means that housing allocations for Battle will be made in the Neighbourhood Plan and not in the Council's DaSA document

Planning Application History

5.10 The following planning applications have been made in respect of the Order Land but have not been implemented.

5.10.1 RR/1999/71/P – Outline for Residential Development (Highlands Farm only) – called in by the Secretary of State – Outline Planning Permission Refused 4 October 2000, noting that the grant of planning permission would undermine a comprehensive consideration of all sites according to their merits through the Local Plan process and that development of the site would be premature given the then early stage of the Rother District Local Plan.

5.10.2 RR/2007/1896/P - Outline: Erection of up to 250 dwellings; construction of new spine road from The Spinney (Hastings Road) to Harrier Lane; construction of access roads, footpaths, services, foul and surface water drainage infrastructure including two drainage basins; provision of public open space/wildlife eco-park; provision of land for a primary school; children's play area and all ancillary works.

Planning Committee resolved to grant planning permission subject to completion of a S106. This was never completed.

6 CURRENT PLANNING POSITION & ORDER SCHEME

6.1 The Planning Committee resolved to grant planning permission for the Order Scheme in October 2019, subject to the completion of a planning agreement (Reference: RR/2019/604). The Development is described in the planning permission as:

“Outline: Detailed proposals for a spine road to serve residential development, with vehicular access off Harrier Lane and The Spinney, with Master Plan for up to 220 dwellings and associated works”.

6.2 Planning permission for the Development will be granted once the Section 106 Agreement has been concluded.

The Order Scheme in detail

6.3 The following sections describe the detailed and outline elements of the main permission (00607/AB/P2) comprising the Order Scheme in more detail.

Summary of Detailed Planning Proposals

Detailed Planning Proposals

6.4 The outline application seeks full permission for the alignment and nature of the spine road that will serve the Order Scheme. The Order Land has complex topography but the proposals are considered to represent a gradient compliant full connecting road from the south to the north of the Order Land. The alignment of the spine road and its gradient are considered by the Council’s technical advisers to be acceptable in terms of both highway standards and minimising ecological impacts.

Outline Planning Proposals

6.5 The application is in outline with regard to the residential development proposals of the site. While the Parameters Plan (attached at Appendix 1) has been submitted to identify the development areas distinct from those areas to be retained as open space/landscaping, the submitted master plan is ‘illustrative’ only, providing an indication of how the quantum of development could be accommodated on the site. Approval of the details of layout, appearance, landscaping and scale (the reserved matters) have to be obtained prior to the commencement of the construction of the Order Scheme.

6.6 The detailed layout, appearance, landscaping and scale for the development (of the main application) were not determined and are “reserved matters” requiring future approval as part of reserved matters applications where the following details would be considered.

6.6.1 **Layout** – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

6.6.2 **Scale** – the height, width and length of each building proposed in relation to its surroundings.

6.6.3 **Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

6.6.4 **Landscaping** – the treatment of private and public space to enhance or protect the sites amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Conclusion

6.7 The Order Scheme has the benefit of a resolution to grant planning permission (subject to the completion of the Section 106 Agreement) which consists of development to the whole of the Order Land, with the proposal being found to be consistent with the planning policy framework for the area.

6.8 The Order Scheme is a significant opportunity for economic, social and environmental improvements which can help achieve the broad goals of sustainable development and also help in the wider regeneration of the area.

6.9 The Order Scheme would create a new residential development within Battle which will achieve the regeneration of the wider Rother District and enhance Battle Town Centre's viability. This is consistent with the objectives of the 2006 Local Plan.

7 JUSTIFICATION FOR USE OF COMPULSORY PURCHASE POWERS

7.1 With regard to the justification needed to support a CPO, the Guidance states that in deciding whether or not to confirm an order under section 226(1)(a) of the 1990 Act, the decision will be made on its merits and the Secretary of State will consider the following:

7.1.1 Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area, and where no up to date Local Plan exists, the draft Local Plan and NPPF;

- 7.1.2 The extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area;
- 7.1.3 The potential financial viability of the Order Scheme for which the land is being acquired, source of funding, general funding intentions and the timing of available funding, and that there is a reasonable prospect of the Order Scheme going ahead;
- 7.1.4 Whether the purpose for which the authority is proposing to acquire the land could be achieved by any other means;
- 7.1.5 Any legal or physical impediments to implementation of the Order Scheme;
- 7.1.6 The purposes for which the compulsory purchase order is made and whether they justify interfering with the human rights of those with an interest in the land affected: and
- 7.1.7 Whether there is a compelling case in the public interest to make the Order.

7.2 These are each considered below in relation to the Order and Order Scheme.

Whether the purpose for which the land is being acquired fits in with the adopted planning framework

- 7.3 The Council has considered whether the proposals for the Order Land, all of which benefit from the Planning Permissions, comply with the Local Plan for the area, this consisting of the following documents:
- 2006 Local Plan;
 - The Core Strategy; and
 - The DaSA
 - The Battle Neighbourhood Plan.
- 7.4 Consideration has also been given to the other material guidance and statements. The Applications were accompanied by a Transport Assessment, Arboricultural Assessment, Ecological Assessment and Flood Risk Assessment which considered relevant effects of the Order Scheme.
- 7.5 The Order Scheme would create a new residential development within Battle which would accord with the site allocation that corresponds with the Order Land in Policy BT2 of the 2006 Local Plan).
- 7.6 The proposed housing would make a significant contribution to the Council's supply of good quality new housing, including affordable housing for which there is great demand in accordance with requirements of the NPPF on deliverable housing supply and Local Plan policies.

7.7 Overall, for the reasons given elsewhere in this Statement, the Council is satisfied that the purposes for which the Order Land is being acquired fits with the adopted Local Plan and will enable the Council to begin to realise the wider regeneration aspirations for Battle by acting as a catalyst to wider investment and development.

The extent to which the scheme will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area

7.8 The Council considers that the land proposed to be compulsorily acquired will facilitate the comprehensive development of the Order Land in a manner which will positively contribute to the improvement of the economic, social and environmental well-being of the locality and the wider District. The key benefits from the Order Scheme are summarised below.

7.9 Key benefits which cumulatively significantly outweigh any residual harm arising from redevelopment are:

7.10 Social –:

7.10.1 The delivery of a highly sustainable contemporary housing development that is future proofed for the transition to Zero Carbon, whilst respecting local heritage and landscape in accordance with the High Weald Design Guide.

7.10.2 Provision of 220 new dwellings to meet local housing needs, incorporating relevant standards for quality including:

- Provision of approximately 35% affordable units (equating to 77 units) which would assist in providing housing opportunities for local residents as well as helping to meet the District's affordable housing targets
- achieving full (building regs) M4 (2) requirements where possible
- 5% M4 (3) part 2 b, totalling a maximum of 3 units based on 77 new affordable homes

7.10.3 Increased access to leisure/cultural opportunities in the historic core of Battle;

7.10.4 New homes designed to significantly reduce energy consumption and carbon emissions, whilst minimising energy costs for residents.

7.10.5 Delivery of Public Open Space;

7.10.6 Cycle and pedestrian flow improvements and increased permeability across the site and beyond

7.10.7 The spine road will reduce congestion and improve accessibility in the wider area;

- 7.10.8 Excellent links from the new housing to public transport thereby reducing car usage.
- 7.11 Environment – Ecological concerns will be mitigated and the Order Scheme will deliver benefits which include:
- 7.11.1 A target for site-wide reduction of CO₂ of 31% over current building regs Part L requirements
 - 7.11.2 Measures to future-proof for carbon zero through electrification of heating, and the provision of EV charging points
 - 7.11.3 Housing Quality Mark (HQM) certification being taken forward for all units across the site
 - 7.11.4 The provision of wildlife corridors, linear features and habitat connectivity;
 - 7.11.5 Semi-natural habitats within the Order Land will be created, restored and enhanced;
 - 7.11.6 Existing footpath links are to be improved through the Order Land and links to the railway explored.
- 7.12 Economic – In economic terms, the development of the Order Land represents a major opportunity to bring vitality and enhance the vibrancy of Battle town centre through attracting new residents to the area.. In summary the main economic benefits are:
- 7.12.1 Significant contribution to economic activity through increased employment and expenditure from construction of the development.
 - 7.12.2 Opportunities for enhancement of skills and knowledge of local people through training initiatives during the construction phase of the development. In addition, although construction jobs would be temporary, the construction phase of the development is scheduled to occur over a four year period, with this creating approximately 620 full time jobs over the period of the construction of the Order Scheme.
- 7.13 Therefore the proposed development is a significant opportunity for economic, social and environmental improvements which can help achieve the broad goals of sustainable development and also help in the wider regeneration of the District.

The potential financial viability of the Order Scheme, source of funding, general funding intentions and the timing of available funding and that there is a reasonable prospect of the Scheme going ahead

- 7.14 The Council is satisfied that there are no financial or funding related impediments to bringing forward the Order Scheme.
- 7.15 The funding for the delivery of the spine road will be met by the HIF funding. The Council has approved a Housing Development Programme to be financially supported by the Council, with a

recommendation to complete up to 1000 new homes by 2035. Its primary objective to increase and accelerate housing delivery within the District. The Order Scheme will bring forward the first units of this programme, and will be delivered through its newly established Local Housing Company (Alliance Homes (Rother) Limited).

Whether the purpose for which the land is to be acquired could be achieved by other means

A. Generally

7.1 As stated at Section 5.1 the principal of residential development of the Order Land is long established and part of the Order Land has been allocated (in part) for residential development since 1967. The Council's view is that the Order Land will not come forward for development without intervention by the Council. The Order Land may be capable of piecemeal development with individual plots capable of being brought forward in isolation, but the site allocation in the LP seeks comprehensive development

“Land at Blackfriars, Battle, as defined on the Proposals Map, is allocated for housing, education and open space purposes, to be brought forward through a comprehensive scheme”

7.2 Piecemeal development would also not satisfy the HIF funding conditions and the spine road would not therefore be constructed. The only way to deliver the entire Order Scheme is for the spine road to be constructed.

7.3 The Council has and will continue to attempt to acquire all remaining interests by negotiation; however, this may not be possible in all cases. Where agreement by negotiation is not possible the only other option which would guarantee delivery of the comprehensive Order Scheme in a timely manner is to acquire the interest through the exercise of the Council's powers of compulsory purchase.

7.4 The Council is satisfied that it has taken all reasonable steps to acquire the land required by negotiation, and that Order is now necessary to secure the redevelopment of the Order Land.

7.5 The Council therefore considers there to be a compelling case in the public interest to proceed with Order.

Legal or physical impediments to the implementation of the Order Scheme

7.6 The key issue affecting the delivery of the Order Scheme relates to land ownership. Whilst the Council has been working to ensure the land required for the Order Scheme is assembled, to date it has not been possible to enter into agreements with all owners and those with interests in the Order Land. Negotiations will continue with affected parties with a desire to conclude acquisition by agreement, but without the certainty of land assembly through the compulsory purchase process, the spine road to be funded by the HIF funding will not be constructed and the Order Scheme will not be realised.

7.7 The resolution to grant planning permission for the Order Scheme provides certainty that what is proposed is acceptable in planning terms. Construction of the Order Scheme can start on the Order Land within a reasonable period of time following assembly of the Order Land.

Human Rights and Equalities

7.8 The Human Rights Act 1998 requires that every public authority must act in a manner that is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”).

7.9 Relevant parts of Article 1 of First Protocol of the Convention provide:

“Every natural or legal person is entitled to peaceful enjoyment of his possessions” and “[no] one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law ...”

7.10 Relevant parts of Article 8 of the Convention provide:

*“(1) Everyone has the right to respect for his private and family life, his home and his correspondence.
(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interest of ...the economic well-being of the country...”*

7.11 Relevant parts of Article 6 provide that:

“In determining his civil rights and obligations ... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”

7.12 The Council has considered alternatives to the Order Scheme but has determined that the purpose for which the Order Land is to be acquired could not be achieved by means other than by the compulsory purchase of the Order Land, which will interfere with rights held by owners and occupiers of the Order Land. Such interference is justified through the Council's use of its powers under section 226(1)(a) of the 1990 Act.

7.13 The proposed regeneration of the Order Land through the Order Scheme has been publicised extensively and consulted upon by the Council. Third parties likely to be affected by the proposals have been offered several opportunities to make representations to the Council. Any owner, lessee or occupier of land included within the Order Land would have the opportunity to make a representation or objection to the Council, and to appear at a public inquiry before a decision is made as to whether or not the Order should be confirmed.

- 7.14 If the Order is confirmed, notwithstanding the provisions of Article 1 of the First Protocol and/or Article 8 of the Convention, adequate provisions are in place to compensate those affected. The Council also considers that use of compulsory purchase powers in order to bring about this major development is proportionate to the interference with human rights, particularly in light of the statutory compensation available.
- 7.15 Having regard to the provisions of the Town and Country Planning Act 1990, and the Guidance, the Council considers that the Order Land is both suitable for and will facilitate the carrying out of development, redevelopment or improvement and will make a positive contribution in the promotion of the economic, social and environmental well-being of its area.
- 7.16 Without the use of these powers, the much-needed development of the Order Land is unlikely to be achievable either at all or within any reasonable timescale. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions. The Council is therefore satisfied that the purposes for which the Order is made justify interfering with the human rights of those with an interest in the land affected.
- 7.17 The Council has also had due regard to its obligations under section 149 of the Equality Act 2010,

Public Interest

- 7.18 The Order Scheme generates significant benefits to both the local and wider area and is a significant positive for both. The Order Scheme is of a scale and nature that will provide a catalyst for wider regeneration and revitalisation of the surrounding area, in particular Battle town centre, and provides for extensive additions to the public realm which will enhance the local environment and improve links to the wider area.
- 7.19 The Order Scheme will bring widespread and compelling public benefits through delivery of high quality new housing to meet housing demand, leisure and recreation and environmental improvements which will add to the viability and vitality of the town centre and enhance its character.

Consultation

- 7.20 In order to ensure that the public interest in the Order has been at the forefront of the Council's consideration for the Order Scheme, significant public consultation has been undertaken, and will be ongoing through planning pre-application and formal consultation process. A summary of the consultation exercise is set out below:
- A public consultation took place in Battle Civic Hall on 07 February 2019;
 - An online consultation remained open for the remainder of February 2019;

- A formal consultation took place during the Outline Planning Application process, in accordance with formal consultation requirements;
- A face-to-face consultation is not feasible during ongoing Covid-19 pandemic, an online webinar is planned to present the scheme to local residents during the detailed design process. The webinar will be followed by another online consultation
- A pre-application briefing presentation to Members is planned, to take place in advance of the submission of the Reserved Matters Application

Conclusion

7.21 The Council considers that there is a compelling case in the public interest that the Order Land be compulsorily acquired in order to achieve the purposes set out in the Order and described in further detail in this section 7 of the Statement of Reasons.

8 ANY SPECIAL CONSIDERATIONS AFFECTING THE LAND

8.1 The Order Land includes land within the High Weald Area of Outstanding Natural Beauty. Considerable work has been undertaken in assessing the ecology of the site and a comprehensive package of requirements for mitigation, compensation and enhancement has been provided. Technical advisers from the County Council have assessed the details and subject to conditions and the provision of future maintenance and management details note that the proposals are acceptable and are compliant with both local and national policy.

9 CONCLUSION

9.1 Given the progress made to date in assembling the required land, and the financial viability information, the Council is satisfied that it has necessary acumen, experience and resources to both complete the land assembly and to implement the proposals relating to the Order Scheme.

9.2 The Council has set out above its detailed reasons for making the Rother District Council (Blackfriars) Compulsory Purchase Order 2020. In summary these reasons are as follows:

- 9.2.1 The Council thinks that the proposed Order Scheme will facilitate development which is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area, and further details of these are set out in preceding sections;
- 9.2.2 The Council considers that there are no impediments to delivering the Order Scheme if the Order is confirmed;
- 9.2.3 The proposals for the redevelopment of the Order Land accord with local and national planning policy;

9.2.4 There is a resolution in place to grant planning permission for the Order Scheme subject to the completion of a Section 106 Agreement;

9.2.5 There is sufficient funding in place to deliver the spine road for the Order Scheme and [insert details of the rest of the funding mechanism]; and

9.2.6 The Order Scheme satisfies the tests set out in the Guidance;

9.3 Having considered relevant National Planning Policy, Guidance and Local Plan Policies the Council is satisfied that there is a compelling need in the public interest for compulsory purchase powers to be sought in order to secure the development, redevelopment or improvement of the Order Land by way of the delivery of the Order Scheme for the economic, social and environmental improvement of this part of the District of Rother. The Council has therefore made the Order and asks the Secretary of State to confirm the Order.

10 ADDITIONAL INFORMATION FOR PERSONS AFFECTED BY THE ORDER

10.1 The Council will make the CPO and associated documents available on its website at www.rother.gov.uk/blackfriars . To obtain further information or planning-related enquiries contact Stephen Marsden at the Council on 07925 372664

10.2 Owners and occupiers affected by the scheme who wish negotiate or discuss details of the Order including selling your property or interest and matters of compensation should contact Stephen Marsden.

11 RELEVANT DOCUMENTS FOR ANY PUBLIC INQUIRY

11.1 The Council intends to refer to, or put in evidence, the documents (or relevant extracts from those documents) which are listed below. The Council reserves the right to refer to or adduce additional documents.

11.1.1 Cabinet Committee report and minutes 13 January 2020;

11.1.2 Cabinet Committee report and minutes 8 June 2020;

11.1.3 Planning Committee report and resolutions relating to planning application 00607/BA/P;

11.1.4 NPPF;

11.1.5 Guidance: Compulsory purchase process and the Crichel Down Rules

11.1.6 Rother District Council Homelessness and Housing Strategy

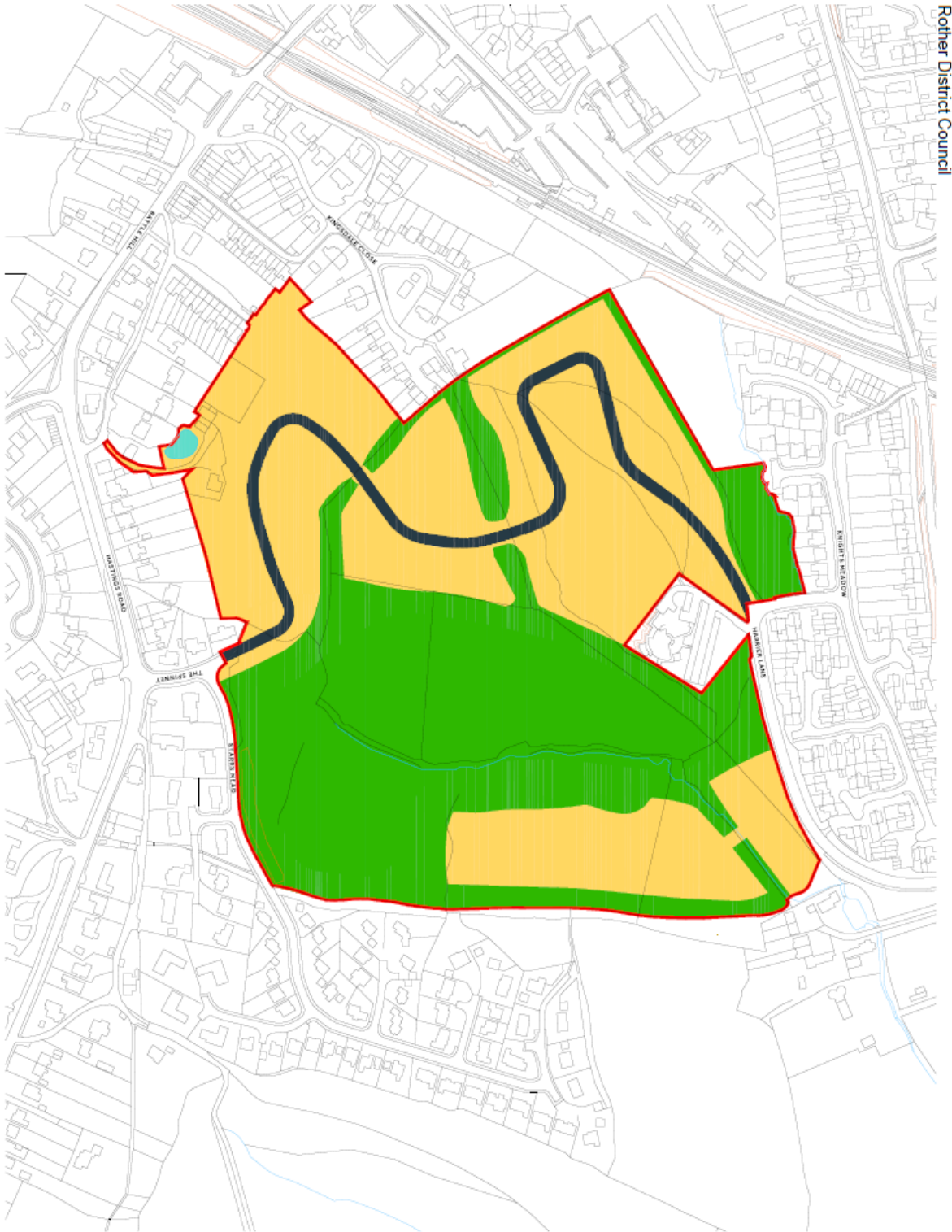
11.1.7 Rother District Council Environment Strategy

- 11.1.8 Rother District Council High Weald Design Guide
- 11.1.9 Rother District Council Corporate Plan
- 11.1.10 Rother District Council Capital Program
- 11.1.11 2006 Local Plan;
- 11.1.12 The Core Strategy;
- 11.1.13 The DaSA; and
- 11.1.14 The Battle Neighbourhood Plan.

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APPENDIX 1 – PARAMETERS PLAN

Proposed Masterplan, Land at Blackfriars, Battle



Rother District Council

NOTES

1. All areas shown on this plan are subject to the provisions of the Planning Act 2008 and the Planning (Listed Buildings and Conservation Areas) Act 1987. The Council is not responsible for any errors or omissions on this plan. The Council is not responsible for any errors or omissions on this plan. The Council is not responsible for any errors or omissions on this plan.

- Proposed New Road
- Proposed Development Areas Including open space
- Existing Field
- Existing Playing Fields To Be Maintained Including playing pitches

Client:
Rother District Council
Project:
Proposed Masterplan
Land at Blackfriars,
Battle

Design Team:
Proposed Land Use Parameters Plan

Task	Start	End
100% @ A1	2019	2019
100% @ A1	2019	2019
100% @ A1	2019	2019

CLAUQUE ARCHITECTS

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