

Rother District Council

Report to	-	Council
Date	-	19 December 2022
Report of the	-	Cabinet
Subject	-	References from Cabinet Meetings

The Council is asked to consider the recommendations arising from the Cabinet meetings held on 3 and 31 October and 12 December (to follow) as set out below.

CABINET – 3 October 2022

CB22/33. TECHNICAL ADVICE NOTES – FIRST HOMES AND 100% AFFORDABLE HOUSING

Cabinet received Minute OSC22/20 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 29 September 2022 that had considered the publication of Technical Advice Notes (TANs) to support the Adopted Development Plan (Core Strategy 2011-2028; Development and Site Allocations Plan; and made Neighbourhood Plans) and TANs relating to First Homes; 100% Affordable Housing; and Bexhill Town Centre Conservation Area. It was noted that they were not adopted policy documents but could be used to explain how existing adopted policy should be interpreted in specific scenarios.

The OSC had also considered proposed amendments to the Planning Committee scheme of delegation, to enable proposed increases in affordable housing to be delegated to the Director – Place and Climate Change and determined in accordance with adopted planning policy, as detailed in the 100% Affordable Housing TAN. This would speed up the determination of such applications, give confidence to affordable housing providers seeking to take on sites and in turn, assist with the Council achieving the affordable housing priority set out in the Corporate Plan.

Members of the OSC considered transparency to be key and that decisions on proposed increases to affordable housing should remain with the Planning Committee to debate thoroughly. The OSC therefore recommended to Cabinet that the amendments to the Planning Committee scheme of delegation not be delegated to the Director – Place and Climate Change.

The OSC had been happy to recommend the TAN relating to First Homes to Cabinet for onward recommendation to full Council for publication, but not publication of the TANs relating to 100% Affordable Housing and Bexhill Town Centre Conservation Area at this time. The OSC had resolved to set up a Task and Finish Group to consider the Bexhill Town Centre Conservation Area TAN.

Cabinet was supportive of the OSC's recommendations not to amend the Planning Committee scheme of delegation, to publish the TAN relating to First Homes and not to publish the TAN relating to the Bexhill Town Centre Conservation Area at this time; Cabinet recommended and agreed it be deferred subject to the results from the Task and Finish Group set up by the OSC.

Cabinet felt that the TAN relating to 100% Affordable Housing was clear / concise and fully supported the Council's planning policies and made Neighbourhood Plans and recommended that it also be published. Members suggested that a previous presentation by officers to Members on Affordable Housing, could be repeated.

RECOMMENDED: That:

- 1) amendments to the Planning Committee scheme of delegation, to enable proposed increases in affordable housing not be delegated to the Director – Place and Climate Change and determined in accordance with adopted planning policy, as detailed in the 100% Affordable Housing Technical Advice Note; and
- 2) the publication of Technical Advice Notes relating to First Homes and 100% Affordable Housing to support the Adopted Development Plan, be agreed.

Cabinet also **RESOLVED:** That the publication of a Technical Advice Note relating to Bexhill Town Centre Conservation Area be deferred subject to the results from the Task and Finish group set up by the Overview and Scrutiny Committee.

(Cabinet Agenda Item 6)

CABINET – 31 October 2022

CB22/41. **EAST SUSSEX TEMPORARY ACCOMMODATION POLICY**

Cabinet received Minute OSC22/27 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 17 October 2022 that had considered the East Sussex Temporary Accommodation Policy written by the operational housing managers across all five districts and boroughs. The Policy outlined the standards applied to the size and location of Temporary Accommodation (TA) as well as the processes and procedures to follow. The Policy applied both within district or borough, and outside of the placement authority area.

Members queried the position of Ukrainian refugees who may be coming to the end of their stay with host families and what impact this might have on the Council in terms of housing. The East Sussex County Council Lead Member for Adult Social Care advised that the Government had provided additional funding of £495,000 to continue to provide host family support payments. It was confirmed that there was a multi-agency approved resettlement approach across East Sussex which took account of employment and educational access needs.

Cabinet were pleased to recommend that the East Sussex Temporary Accommodation Policy be approved and adopted as this would provide a consistent approach across East Sussex.

RECOMMENDED: That the East Sussex Temporary Accommodation Policy be approved and adopted.

(When it first became apparent, Councillors Field and Maynard both declared personal interests as elected Members of East Sussex County Council, and in accordance with the Members' Code of Conduct remained in the meeting for the consideration thereof).

(Cabinet Agenda Item 8)

CB22/42. **ROTHER DISTRICT COUNCIL OWNED / LEASED ACCOMMODATION COMPLAINTS HANDLING POLICY**

Cabinet received Minute OSC22/28 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 17 October 2022 that had considered the proposed Rother District Council Owned / Leased Accommodation Complaints Handling Policy. In 2020, Rother District Council had become a Registered Provider of accommodation and thus far, owned 24 units of accommodation and one unit of accommodation that the Council leased and managed. The number of units of accommodation the Council owned and leased was set to rise further as the scale of the Temporary Accommodation Support Scheme and leasing scheme were increased.

The Complaints Handling Policy would apply to all activity undertaken by Council staff or contractors that might be involved in property management and support of tenants. An annual report would be made to the Audit and Standards Committee whose remit included an overview of all complaint handling, in accordance with the statutory requirement; should more frequent reports be requested, i.e. twice yearly, this could be accommodated, although very few complaints were likely.

Cabinet was pleased to acknowledge that this Policy was required as a direct consequence of the Council becoming a registered provider of accommodation and recommended that the Rother District Council Owned / Leased Accommodation Complaints Handling Policy be approved and adopted.

RECOMMENDED: That the Rother District Council Owned / Leased Accommodation Complaints Handling Policy be approved and adopted.

(Cabinet Agenda Item 9)

CB22/43. **SECTION 106 FUNDS TO SUPPORT COMMUNITY LED HOUSING – CEMETERY LODGE, BEXHILL**

Consideration was given to the report of the Head of Housing and Community Services regarding the allocation of Section 106 funding to facilitate the development of affordable housing. This funding would be

used to facilitate delivery of a new affordable housing development, via a community led housing scheme in Bexhill, which was utilising a Council-owned site at Cemetery Lodge (CL) (to now be known as Parker House, named after the Edwardian Architect who designed the original building).

The development was being led by Bexhill Community Land Trust (BCLT). Their aim was to access affordable homes in perpetuity to create vibrant communities with access to educational, recreational and employment opportunities. It was noted that alternative funding options including the allocation of the remaining Rother Community Housing Fund (CHF) grant had been considered. However, using the CHF would mean that there would be no support for other projects. Whilst it was accepted that by providing this site to the BCLT, the Council was foregoing a potential capital receipt, the Council's responsibility to provide housing opportunities and create sustainable local communities was the priority factor, and consistent with corporate plan priorities. Members also noted the level of external grant funding and additional financing BCLT were harnessing to deliver the development.

Members were advised that the Council currently held £377,797.49 of Section 106 planning contributions (money received from developers). There was no time limit to allocate this funding. Capital funding of £200,000 was required to enable BCLT to deliver six new affordable homes at CL. The funding would be used for refurbishment costs and retaining the CL as part of any future scheme, based on initial surveys and the expertise of the Sussex Community Housing Hub (SCHH). The report identified the proposed funding streams and all funding had been secured and agreed in principle with lenders supported by SCHH. Any funding agreement between the Council and BCLT would be subject to BCLT securing the remaining funds required to deliver the whole scheme. Subject to planning permission being granted (expected in November 2022), CL would progress to the development phase where other funding options had been established.

Cabinet was supportive of the Capital Funding programme being updated and agreed that £200,000 be granted to BCLT to deliver the affordable housing scheme at CL, Bexhill and that delegated authority be granted to the Head of Housing and Community Services in consultation with the Cabinet Portfolio Holder for Housing and Homes to agree the final terms of the grant. Members agreed that this site was a good opportunity to meet the Council's affordable housing target and in view of current challenging and future proposed national planning reforms, it was considered important that these opportunities were fully realised.

RECOMMENDED: That subject to 1) and 2) below, the Capital Funding programme to be updated accordingly;

Cabinet also **RESOLVED:** That:

- 1) a grant of £200,000 to Bexhill Community Land Trust be approved from the Section 106 Affordable Housing Funding for the delivery of

six affordable homes at Cemetery Lodge, Bexhill, match funding funds already secured by the Community Land Trust; and

- 2) the Head of Housing and Community Services be granted delegated authority to agree the final terms of grant in consultation with the Cabinet Portfolio Holder for Housing and Homes.

(Cabinet Agenda Item 11)

Cabinet – 12 December 2022

CB22/51. KING OFFA RESIDENTIAL DEVELOPMENT – BROWNFIELD LAND RELEASE FUND ROUND 1

Consideration was given to the report of the Director – Place and Climate Change regarding progression of the King Offa Residential Development (KORD) in Bexhill.

In 2019, the Council was awarded £500,000 from the Brownfield Land Release Fund (BLRF) Round 1 (a cross-government initiative) alongside Strategic Property Asset Collaboration in East Sussex (SPACES) to fund demolition/highway works on the KORD which formed part of the Old Bexhill High School Site. The BLRF was established to support council-led developments with remediation works on previously attributed Brownfield land e.g. industrial plots, garages, yards and carparks etc.

The Council was in the process of completing the land swap with East Sussex County Council (ESCC) which had been significantly delayed. It was noted that ESCC were required to provide the land with vacant possession, although Rother District Council was assisting with finding alternative premises for the current tenant.

It was crucial that the Council procured and spent the BLRF Round 1 funding before the deadline of March 2024. In 2019, outline planning permission for a mixed use development was approved on the KORD which was subject to a Section 106 agreement. Since that time, the construction industry had significantly changed therefore officers had reviewed the viability of the scheme and re-evaluated the established delivery route for the project. Results showed that there was an appetite to deliver housing and once remediation works were completed, officers would approach housing developers to deliver the site.

The development of this site had always been a two phased project with housing delivery followed by leisure facilities; whether leisure facilities would form part of the second phase would be dependent on the outcome of the current consultation into the Council's leisure strategy and would be a decision for the ruling administration at the time.

The £500,000 funding would be used as follows: £400,000 for an additional lane and junction work on the A259 and Combe Valley Way; and £100,000 for demolition and contamination remediation works. A

further £305,000 would be required from the Capital Programme to progress the site to the next stage.

Following discussion, Cabinet was supportive of the scheme being progressed to ensure deployment of the allocated funds and recommended that £805,000 be included within the Capital Programme. Cabinet agreed that, subject to formal approval of the scheme, delegated authority be granted to the Director – Place and Climate Change to accept the £500,000 BFRF Round 1 grant to procure the contractors to deliver the site. It was also agreed that an additional £305,000 be taken from the Capital Programme to progress the project. Capital receipts received from the transfer of land would be reimbursed into the Capital Programme.

RECOMMENDED: That the King Offa Residential Development site be included in the Council's Capital Programme with a budget of £805,000 provided partially from Brownfield Land Release Fund Round 1 grant funding;

Cabinet also **RESOLVED:** That:

- 1) subject to full Council approval of the scheme, delegated authority be granted to the Director – Place and Climate Change to accept the £500,000 grant from the Brown Field Land Release Fund Round 1, for the purposes of delivering this project;
- 2) an additional amount of £305,000 from the Capital Programme be authorised to facilitate the delivery of the site to be reimbursed by a capital receipt upon transfer; and
- 3) delegated authority be granted to Director – Place and Climate Change to procure the contractor(s) required for the funded works. This will include procuring contractors and entering into other contracts as necessary for the completion of the project works.

(Cabinet Agenda Item 6)

Councillor D.B. Oliver
Leader of the Council