

Borough Council of  
**King's Lynn &  
West Norfolk**



# **CABINET**

## **Agenda**

**TUESDAY, 13 JANUARY 2015**  
**at 5.30pm**

in the

**Committee Suite  
King's Court  
Chapel Street  
King's Lynn**



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Borough Council of  
**King's Lynn &  
West Norfolk**



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Telephone: 01553 616200  
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**CABINET AGENDA**

**DATE: CABINET – TUESDAY, 13 JANUARY 2015**

**VENUE: COMMITTEE SUITE, KING'S COURT, CHAPEL STREET, KING'S LYNN**

**TIME: 5.30 pm**

**Under Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - Items 8 & 9 will be considered in private.**

**1. MINUTES**

To approve the Minutes of the Meeting held on 2 December 2014 (previously circulated pages 473 - 478).

**2. APOLOGIES**

To receive apologies for absence.

**3. URGENT BUSINESS**

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

**4. DECLARATION OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which

it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

**5. CHAIRMAN'S CORRESPONDENCE**

To receive any Chairman's correspondence.

**6. MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

**7. CALLED IN MATTERS**

To report on any Cabinet decisions called in.

**8. FORWARD DECISIONS LIST**

A copy of the Forward Decisions List is attached (Page 5 )

**9. MATTERS REFERRED TO CABINET FROM OTHER COUNCIL BODIES**

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda. Copies of any comments made will be circulated as soon as they are available.

- Resources and Performance Panel and Audit Committee – 6 January 2015
- Regeneration, Environment and Community Panel – 7 January 2015

**10. REPORTS**

- 1) **Council Tax Discounts for Second Homes and Empty Properties**  
(Page 8)

The Local Government Acts of 2003 and 2012 give the Council powers to determine the discounts for second homes and long term empty properties. The Council is obliged to approve its determination afresh for each class of dwelling for each financial year. This report puts forward proposals for no change to the current level of discounts and empty property levy for the financial year 2015/2016.

- 2) **Homelessness Strategy – 2015-2019** (page 14)

To consider the outcomes of the consultation on draft Homelessness Strategy and to recommend the Homelessness Strategy 2015-19 and associated Action Plan to Council for adoption.

3) **Planning Obligations and Affordable Housing Implications of the Recent Government Announcement on Revised Thresholds** (page 45)

Consultation took place earlier this year on a proposed new 11-unit threshold for section 106 affordable housing contributions within national policy to reduce planning costs to developers. The Government proposes to implement this, but gives discretion to local authorities in certain areas to have a lower 5 unit threshold. The choice of providing extra benefit for small builders or continuing to support affordable housing falls to the Borough Council under the new provisions. The issue needs to be positively addressed by the Borough Council to provide clarity in dealing with planning applications.

4) **Pension Fund – Employers Policy Statement** (page 59)

The Local Government Pension Scheme (LGPS) legislation requires the Authority to issue a written Policy Statement on how it will exercise the various discretions provided by the scheme. The changes introduced by the 2014 revisions require corresponding updates to this Authority's Policy Statement.

5) **Hackney Carriage Stands – Bus Station** (page 63)

Due to the redevelopment of the King's Lynn Bus Station the existing Hackney Carriage Stand (rank) needs to be moved. The proposal is to create a new stand within the lower floor car park adjacent to Sainsbury's Supermarket for ten vehicles with an additional seven vehicle stand on the Old Sunway, King's Lynn. This seven vehicle stand will act as a 'feeder' for taxis waiting for a space on the lower car-park taxi stand.

6) **Calendar of Meetings 2015/16** (page 67)

The report sets out a draft timetable of meetings for the 2015/16 Municipal Year.

7) **Alive Leisure Appointment of Representative** (page 69)

Consideration of the renewal of a Council's representative on Alive Leisure Trust.

**EXCLUSION OF PUBLIC**

The Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of Schedule 12A to

the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**PRIVATE ITEM**

Details of any representations received about why the following reports should be considered in public will be reported at the meeting.

- 8) **King's Lynn Innovation Hub Site Infrastructure (Page 71)**
- 9) **Major Housing Development – Final Approval (Page 78)**

To: Members of the Cabinet

Councillors N J Daubney (Chairman), A Beales, Lord Howard,  
A Lawrence, B Long, Mrs E A Nockolds, D Pope and Mrs V Spikings.

Cabinet Scrutiny Committee

For further information, please contact:

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## FORWARD DECISIONS LIST

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
13 January 2015	Homelessness Strategy – Update	Update to the strategy following consultation exercise	Key	Council	Housing and Community Chief Executive		Public
	Hackney Carriage Stands – Bus Station	Appointment of stands	Non	Cabinet	Housing and Community Exec Dir – G Hall		Public
	Council Tax Discounts For Second Homes And Empty Properties	Review of the Policy	Key	Council	Leader Deputy Chief Executive		Public
	Major Housing Scheme	Final Approvals	Key	Council	Regeneration Chief Executive		Exempt - Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Calendar of Meetings 2015/16	Calendar of Meetings for 2015/16	Non	Cabinet	Leader Exec Dir - D Gates		Public
	Affordable Housing Thresholds	Consideration of the new requirements	Key	Council	Housing and Community Exec Dir – G Hall		Public
	King’s Lynn Innovation Hub Site Infrastructure	Infrastructure Funding	Key	Council	Regeneration. Exec Dir – G Hall		Exempt
	Pension Fund – Employers Policy Statement	Policy statement on exercising pension discretions	Non	Council	Leader Exec Dir – D Gates		Public
	Alive Leisure Trust – Appointment		Non	Cabinet	Leader Exec Dir – D Gates		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
3 February 2015	Financial Plan 2014/2018	Setting the plan	Key	Council	Leader Deputy Chief Executive		Public
	Capital Programme 2014/18		Key	Council	Leader Deputy Chief Executive		Public
	Asset Management – Potential future Acquisition – King's Lynn		Key	Council	Regeneration Deputy Chief Executive		Exempt - Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Code of Corporate Governance		Non	Cabinet	Leader Chief Executive		Public
	Purchase of Industrial Land – King's Lynn		Key		Regeneration Deputy Chief Executive		Exempt - Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Freebridge Community Housing – Council Representation		Non	Cabinet	Housing & Community Chief Executive		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
3 March 2015	Treasury Management Strategy 2015/16		Key	Council	Leader Deputy Chief Executive		Public
	Residential Caravan Site Licensing	Report following consultation	Non	Council	Housing and Community Chief Executive		Public



		process					
	Members IT Solution		Non	Cabinet	ICT, Leisure and Public Space Deputy Chief Executive		Public
	Town Hall HLF scheme	Letting of the contract	Key	Cabinet	Culture Tourism and Marketing Exec Dir C Bamfield		Exempt Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)

<b>Date of meeting</b>	<b>Report title</b>	<b>Description of report</b>	<b>Key or Non Key Decision</b>	<b>Decision Maker</b>	<b>Cabinet Member and Lead Officer</b>	<b>List of Background Papers</b>	<b>Public or Private Meeting</b>
31 March 2015	Private Sector Housing Investment Policy	Update of the Policy	Non	Council	Housing and Community Chief Executive		Public

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide	NO	
	Operational	Need to be recommendations to Council	YES	
		Is it a Key Decision	YES	
Lead Member: Cllr N Daubney E-mail:		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: David Thomason E-mail: david.thomason@west-norfolk.gov.uk Direct Dial:01553 616246		Other Officers consulted: Management Team		
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO If YES: Pre-screening/ Full Assessment	Risk Management Implications NO

Date of meeting: 13 January 2015

### 1) **COUNCIL TAX DISCOUNTS FOR SECOND HOMES AND EMPTY PROPERTIES**

#### **Summary**

The Local Government Acts of 2003 and 2012 give the Council powers to determine the discounts for second homes and long term empty properties. The Council is obliged to approve its determination afresh for each class of dwelling for each financial year. This report puts forward proposals for no change to the current level of discounts and empty property levy for the financial year 2015/2016.

#### **Recommendation**

**Council resolves that, under Section 11A of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003, Section 11B of the Local Government Finance Act 1992, as enacted by Section 11 and Section 12 of the Local Government Finance Act 2012 and in accordance with the provisions of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council determines:**

- 1. That the council tax discount for second homes defined as being within Class A of the Regulations is set at 5% for 2015/2016;**
- 2. That the council tax discount for second homes as defined by Class B of the Regulations is set at 5% for 2015/2016;**

3. That the council tax discount for empty dwellings defined as being within Class C of the Regulations is set at the following for 2015/2016:
  - a. 100% for three months starting on the day the property becomes unfurnished
  - b. 0% once the three month period has expired;
4. That the council tax discount for uninhabitable dwellings defined as being within Class D of the Regulations is set at the following for 2015/2016:
  - a. 50% for 12 months starting on the day the property becomes uninhabitable
  - b. 0% once the 12 month period has expired;
5. That the levy rate for Long Term Empty Properties as defined in the Regulations is set at 50% for 2015/2016;
6. That any period of occupation of less than six weeks shall be disregarded when calculating the maximum period of a reduction or the start date of the levy; and
7. That delegated authority be given to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider individual applications to the Discretionary Hardship Fund
8. In accordance with Section 11A (6) of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003 and the Local Government Finance Act 2012, these determinations shall be published in at least one newspaper circulating in West Norfolk before the end of the period of 21 days beginning with the date of the determinations.

#### **Reason for Decision**

To ensure that the levels of Council Tax Discounts for Second Homes and Empty Properties are agreed for 2015/2016 by 31 January 2015.

## **1 Background**

- 1.1 Section 75 of the Local Government Act 2003 gives billing authorities the power to determine the discounts for second homes and long-term empty dwellings. Section 11 of the Local Government Finance Act 2012 gives billing authorities powers to determine discounts for further classes of empty dwellings. Section 12 of the Local Government Finance Act 2012 gives billing authorities powers to set a higher amount of council tax for long term empty dwellings. The Council has to approve its determination afresh for each Class of dwelling for each financial year.

## 2 Classes of Properties and Current Discounts 2014/2015

- 2.1 The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 prescribe the following classes of dwelling:

**Class A** – a chargeable dwelling:

- (a) which is not the sole or main residence of an individual
- (b) which is furnished; and
- (c) the occupation of which is prohibited by law for a continuous period of at least 28 days in the relevant year.

Class A dwellings are commonly known as **Second Homes with an Occupancy Restriction**.

**The reduction for Class A dwellings for 2014/2015 is 5% with an exemption for the period of the occupancy restriction.**

**Class B** – a chargeable dwelling

- (a) which is not the sole or main residence of an individual;
- (b) which is furnished; and
- (c) the occupation of which is not prohibited by law for a continuous period of at least 28 days in the relevant year.

Class B dwellings are commonly known as **Second Homes**.

**The reduction for Class B dwellings for 2014/2015 is 5%.**

**Class C** – a chargeable dwelling which is:

- (a) which is unoccupied; and
- (b) which is substantially unfurnished

Class C dwellings are commonly known as **Empty Properties**

**The reduction for a Class C dwelling for 2014/2015 is 100% for three months from the first day the property becomes unfurnished. Once the three months expire a reduction of 0% applies.**

**Class D** – a chargeable dwelling

- (a) which has satisfied the requirements of (b) for less than 12 months
- (b) which is vacant; and
  - i. requires or is undergoing major repair work to render it habitable
  - ii. is undergoing structural alteration
  - iii. has undergone major repair work to render it habitable if less than six months have elapsed since the date on which the alteration was substantially completed and the dwelling has continuously remained vacant since that date

- (c) for the purpose of (b) 'major repair work' includes structural repair work

*NB once the 12 month time limit has expired properties in Class D fall to be treated as properties in Class C*

Class D dwellings are commonly known as **Uninhabitable Properties**.

**The reduction for a Class D dwelling for 2014/2015 is 50% for the 12 month maximum period. Once the 12 months expire a reduction of 0% applies.**

- 2.2 Class A and Class B properties do not include any dwelling which consists of a pitch occupied by a caravan or a mooring occupied by a boat. Neither do they include any dwelling where a qualifying person in relation to that dwelling is a qualifying person in relation to another dwelling which for him/her is job-related

### **3 Long Term Empty Property Levy**

- 3.1 The Local Government Finance Act 2012 allows billing authorities to increase the amount of council tax payable in respect of a long term empty dwelling by a specified percentage of not more than 50%.
- 3.2 The Act defines a Long Term Empty Dwelling as 'a dwelling that is unoccupied and substantially unfurnished for a continuous period of at least two years'. Any period of occupation of less than six weeks is discounted when establishing the continuous two year period.
- 3.3 The Act also allows Central Government to prescribe classes of dwelling exempt from the Long Term Empty Property levy. The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 prescribe the following classes of dwelling to which the levy will not apply:
- 3.4 **Class E** – a chargeable dwelling which would be the sole or main residence of a person but is empty because that person is resident in Ministry of Defence accommodation by reason of their employment.
- 3.5 **Class F** – a chargeable dwelling which is an annexe of a main property but is being used as a part of that property.
- 3.6 **The additional levy for long term empty properties for 2014/2015 is 50%. Dwellings falling into Class E and Class F are exempt from the Long Term Empty Property Levy.**
- 3.7 In accordance with the statutory council tax reductions any period of occupation of less than six weeks will be disregarded when calculating the maximum time a reduction can be awarded for, and when calculating the start date of any levy payment. The occupier will still be charged the occupied council tax rate for the time they live in the property, but the clock

will not be reset when they leave if they have been in occupation for less than six weeks.

#### **4 Options Considered**

- 4.1 The Council could consider making changes to the current levels of discounts and levies which would have an impact on the level of council tax base used for budget purposes. Any reduction in discount would increase the tax base and any increase in discount would reduce the tax base. For example, in reducing the discount on second homes from 50% to 5% the council tax base increases by 1,400 Band D equivalents equal to £2m additional council tax income in each year. Of this income the Borough Council benefits directly by £150,000 and in 2014/2015 gained access to 50% of the additional £1.5m tax income of the County Council although in 2015/2016 this funding stream will reduce to 25% of the £1.5m.
- 4.2 The Council could elect not to apply the 50% levy on empty properties. There are far fewer properties in this category and the financial impact is far less. In 2014/2015 the numbers are around 270 properties, mainly A Band and the income raised by the levy is approximately £150,000 pa with the Borough Council benefiting by £14,000.
- 4.3 The proposal is to make no changes to the current level of discounts and levy for 2015/2016. The benefits in additional income remain in place and the levy on empty properties remains an incentive to owners to bring them back into use.

#### **5 Policy Implications**

- 5.1 The decision is a continuation of Council policy from 2014/2015.

#### **6 Financial Implications**

- 6.1 The Council has previously determined the level of discounts as proposed in this report. There will be no change to the Council Tax Base due to the confirmation of the policy. If however there are changes to the numbers of second homes or empty properties then the Tax Base will also change accordingly.
- 6.2 A Discretionary Hardship fund of £10,000 was established in 2014/2015 and continues to part of the Financial Plan. The Council has delegated authority to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider any applications to the Discretionary Hardship Fund.
- 6.3 The reduction in the share of the additional council tax income of £1.5m from the County Council from 50% to 25% will reduce the funding to the Borough Council from £780,000 to £390,000 per annum. The Borough Council has not 'mainstreamed' this funding but has used it to support certain capital projects like the Queen Elizabeth Hospital road, Townscape Heritage Initiative and recharge of the Snettisham beach and revenue

schemes that in the west enhance County Council service areas in education, skills and aspirations and care for the elderly. Whilst this change will assist the County Council with its funding difficulties it will have an impact on the Borough's Financial Plan and corresponding reductions in support to schemes will occur.

## **7 Statutory Considerations**

- 7.1 The regulations stipulate these determinations must be published in at least one local newspaper within 21 days of Council agreement.

## **8 Equality Impact Assessment (EIA)**

- 8.1 A pre-Screening Equality Impact Assessment was completed in 2014/2015 as part of the Cabinet report. There will be no change to the Assessment on the refresh of the discount and levy determinations.

### **Background Papers**

Council and Cabinet reports

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Discretionary	(a) Be entirely within cabinet's powers to decide NO		
	Operational	(b) Need to be recommendations to Council	YES	
		(c) Be partly for recommendations to Council and partly within Cabinets powers –	NO	
Lead Member: Cllr Lawrence E-mail: cllr.adrian.lawrence@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Sheila Farley E-mail: sheila.farley@west-norfolk.gov.uk Direct Dial: 01553 616174		Other Officers consulted: Ray Harding Duncan Hall Ross Hefford		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications No	Equal Impact Assessment YES/ If YES: Pre-screening	Risk Management Implications No

Date of meeting: 13 January 2015

## 2 HOMELESSNESS STRATEGY 2015-19

### **Purpose of report**

To consider the outcomes of the consultation on draft Homelessness Strategy and to recommend the Homelessness Strategy 2015-19 and associated Action Plan to Council for adoption.

### **Recommendation**

That the Homelessness Strategy 2015 to 19 as attached at Appendix A and Action Plan at Appendix B are recommended for approval by Council.

### **Reason for Decision**

It is a statutory requirement for the Council to adopt a Homelessness Strategy following a review and consultation involving partners and public.

## 1 Background

1.1 Borough Council of Kings Lynn and West Norfolk as the statutory housing authority for the area has a duty to carry out a review of homelessness in the area and to publish a specific Homelessness Strategy to meet needs identified including

- Addressing the causes of homelessness
- Introducing initiatives to prevent homelessness wherever possible
- Securing sufficient accommodation for homeless people or those who may become homeless



- Ensuring appropriate support to prevent repeat homelessness

1.2 It is a statutory duty for housing authorities such as Borough Council of Kings Lynn and West Norfolk to adopt a Homelessness Strategy.

1.3 Between April and May 2014 a review of data and statistics was undertaken which has informed the development of the draft Homelessness Strategy. This includes analysis of housing needs, wider causes and trends in statutory homelessness over the last 3 years.

1.4 A review was also undertaken with partners and service providers. This has included views on past performance, gaps analysis, current and future issues and, again, has supported the development of the Homelessness Strategy. The document has also taken account of Government guidance on homelessness, housing needs and allocations policies which may influence the Homelessness Strategy.

1.5 A draft Homelessness Strategy Document was approved for consultation in July 2014. Public consultation commenced in August 2014 and ended in November 2014.

1.6 Partners were asked to comment and the consultation was publicised with articles appearing in the local press. 9 formal responses were received and an analysis of views is included at Appendix C to this report. Consultation responses supported the Council's analysis of homelessness as well as the aims of the Strategy. Consultation responses indicated that homelessness prevention was the highest priority. The Housing Options Forum met in November and issues in related to household debt were highlighted.

1.7 The final Homelessness Strategy has been developed having regard to responses. An Action Plan has been produced to ensure we continue to prevent homelessness whenever possible, meet our statutory obligations and support the wider objectives of the Homelessness Strategy. If Cabinet approve the final draft Homelessness Strategy, then a recommendation for its adoption will be made to the meeting of Full Council.

## **2 Financial Implications**

2.1 Homelessness has the potential to have significant financial implications for the council. The aims of the Homelessness Strategy are to prevent homelessness and thus help minimise the costs of temporary accommodation. Resource implications of implementing the Action Plan are detailed in the Action Plan at Appendix B. There will be areas where investigations and feasibility will be undertaken within existing staffing resources but projects will not be further developed further unless these can be contained within budget or funding opportunities secured.

### **3 Staffing Implications**

3.1 Managing the development of the Homelessness Strategy has been met within existing staffing resources. The Council has a statutory duty to meet its homelessness obligations and must respond to homelessness as it occurs so staffing implications will be kept under review. Specific staffing implications arising from the Homelessness Strategy are included within the Action Plan at Appendix B

### **4 Statutory Considerations**

4.1 The Local Government Act 2003 requires local housing authorities to have in place a Homelessness Strategy.

### **5 Equality Impact Assessments (EIA's)**

5.1 An initial equality impact assessment is attached at Appendix D. The Homelessness Strategy is very specifically targeted at meeting the housing needs of the most vulnerable people and as such no adverse impacts on any equalities group are expected as a result of this strategy.

No groups have been identified as being disadvantaged by this report. Statutory homelessness operates within a legal framework which identifies 'priority need' groups so specific groups such as households with children are over-represented in homelessness acceptances. The Strategy specifically recognises affordability issues which impact on those with insufficient resources to access or maintain private rented accommodation.

### **6 Risk Management**

6.1 Failure to adopt a Homelessness Strategy in consultation with partners and public will mean that the Council does not meet its statutory duty and leave it open to challenge related to both policy and day to day decision making. The document in Appendix A sets out the current situation and Appendix B details priorities for the future

### **7 Background Papers**

7.1 Draft Homelessness Strategy Consultation document  
Responses to consultations

#### **Appendices to report:**

- A Homelessness Strategy 2015-19
- B Homelessness Strategy Action Plan
- C Analysis of consultation responses
- D Initial Equality Impact Assessment

## **The Borough Council of King's Lynn & West Norfolk Homelessness Strategy 2015-19**

### **Introduction**

The Borough Council is the statutory housing authority for Kings Lynn and West Norfolk. It has a duty to review homelessness in the area and develop a Homelessness Strategy to:

- Address the causes of homelessness
- Introduce initiatives to prevent homelessness
- Secure sufficient accommodation for homeless people or those who may become homeless
- Ensure appropriate support to prevent repeat homelessness.

Anyone can become homeless or threatened with the loss of their home – from all walks of life. Many people face housing and other problems that could ultimately lead to homelessness. That is why our Homelessness Strategy and commitment to preventing homelessness is important.

There have been many successes in tackling and minimising homelessness in recent years. These have been achieved through the Council's commitment and the continuing work in delivering homelessness solutions – both directly by the Council and in partnership with others.

This Homelessness Strategy is evidence based and has been developed in consultation with partners and residents to ensure they have their say and can play a role in both shaping and delivering our future priorities.

The Strategy sets out our local context and considers the challenges and opportunities that are likely to come forward in the next 5 years. The Homelessness Action Plan sets out our priorities for future action

Many of the challenges facing us are outside the direct control of the Council and we will work in partnership with others to find local solutions.

The Borough Council's approach will focus on:

- Early intervention to prevent homelessness whenever possible
- Working to ensure an appropriate supply of good quality affordable accommodation in both private and social sectors
- Working together to support households with more complex needs

### **Homelessness**

Contrary to popular perceptions, most homeless people do not live on the street. People may have access to some form of shelter some of the time, but lack a stable, long term, settled home.

Rough sleeping is the starkest form of homelessness and is a harmful and risky lifestyle. It is linked to wider social and health issues and living on the streets is likely to increase these problems. However, at the present time it is comparatively rare in West Norfolk.

Some people who can't access housing live in improvised dwellings – tents, sheds. This can happen in residential areas, on other land including car parks. There have been several instances of this identified in Kings Lynn but it can also occur in rural areas.

More often, people are forced with frequent moves from one temporary accommodation to another – people with no settled home. There are also many households that share accommodation or live in unsatisfactory housing.

Whilst it is the case that anyone can become homeless, it is possible to identify people who are most likely to become homeless. Specific groups at risk of homelessness include young people leaving the care of a local authority, those leaving prison, people suffering from domestic violence, those with a mental health or substance misuse problem, those from troubled families, people on low incomes and/or insecure employment and those who are in debt. There is a strong correlation between homelessness and deep social exclusion.

Preventing homelessness goes further than the keys to the door. Particularly for vulnerable and young people, there is a need to provide support to help build life skills and build independence. This can ensure people have the ability to attain and retain a settled home. This can reduce both repeated homelessness and admissions to institutional or residential care. For example, as a result of their complex needs, single homeless people disproportionately use acute local health services.

### Housing in King's Lynn & West Norfolk

The population of West Norfolk has increased by 8.9% (over 12000 people) between 2001 and 2011 (see Table 1). The most marked changes are increases in those aged over 60 and those aged 15 to 29 – 15 to 29 increased by over 20% from 18,984 to 22,858; those over 60 increased by over 21% from 37,095 to 45,094. During the same time the number of dwellings increased by 17% from 63,242 to 73,962.

**Table 1**

Dwelling and population change in the Borough of King's Lynn and West Norfolk

	2001	2011	Change
<b>Population</b>	135,345	147,451	+12,106 (+9%)
<b>Dwellings</b>	63,242	73,962	+10,720 (+17%)
<b>Second homes</b>	ND	3,115	ND

The vast majority of residents are able to secure suitable accommodation without the involvement of the Borough Council. However, there is an increasing number of households approaching the council for assistance.

Housing tenure in the area is changing. There has been an increase in rented housing – especially the private rented sector. In the period 2006-2013, the number of households

renting privately increased from 11.6% to 16.7% and those in social rented sector marginally from 38.6% to 39.5%. There was also a marked reduction in owner occupied households with a mortgage – 36% in 2006 compared to 29.2% in 2013

There are just over 9,000 Housing Association homes in the area. As at 31 March 2014, 2,630 households were recorded on the Housing Register and this includes 860 existing social housing tenants seeking alternative accommodation. At 31/03/14 there were 1,332 families, 802 single people and 496 singles and couples aged over 60 on the Housing Register (see Table 4).

702 properties were let in 2013/14 of which 323 were family type accommodation, 112 were one bedroom flats for single people, 140 were one or two-bedroom bungalows for those aged over 60 or those under 60 with medical need for ground floor accommodation (see Table 2) and 127 were flats and bungalows in sheltered schemes for those aged over 60. 31% of all properties were let to existing social housing tenants. There is an under-supply of two-bedroom houses in the social rented sector, notably in King’s Lynn with only 18 being let in 2013/14 (see Table 3) compared to 35 in 2012/13 and 63 in 2011/12. During 2013/14 an average of 127 bids (expressions of interest) were received for each two-bedroom house vacancy in King’s Lynn compared to an average of 33 bids per vacancy across all property types and locations in the borough.

**Table 2 – lettings by accommodation type**

Number let	Type of accommodation
323	Family-type accommodation
112	One-bedroom flats
140	Bungalows
127	Sheltered accommodation for over 60s
702	Total

**Table 3 - two-bedroom houses in King’s Lynn**

Year	Number
2013/2014	18
2012/2013	35
2011/2012	63

**Table 4 – household composition on Housing Register**

Household type	Number
Family	1332
Single Person	802
Singles and couples over 60	496

### Homelessness in King’s Lynn & West Norfolk – the facts

The number of people being accepted as having a full statutory homeless duty has increased over the last year – 106 households in 2013/14 compared to 81 in 2012/13. In total 336 homeless applications were taken in 2013/14 and 287 decisions were made, compared to 213 and 185 in the previous year (see Table 5).

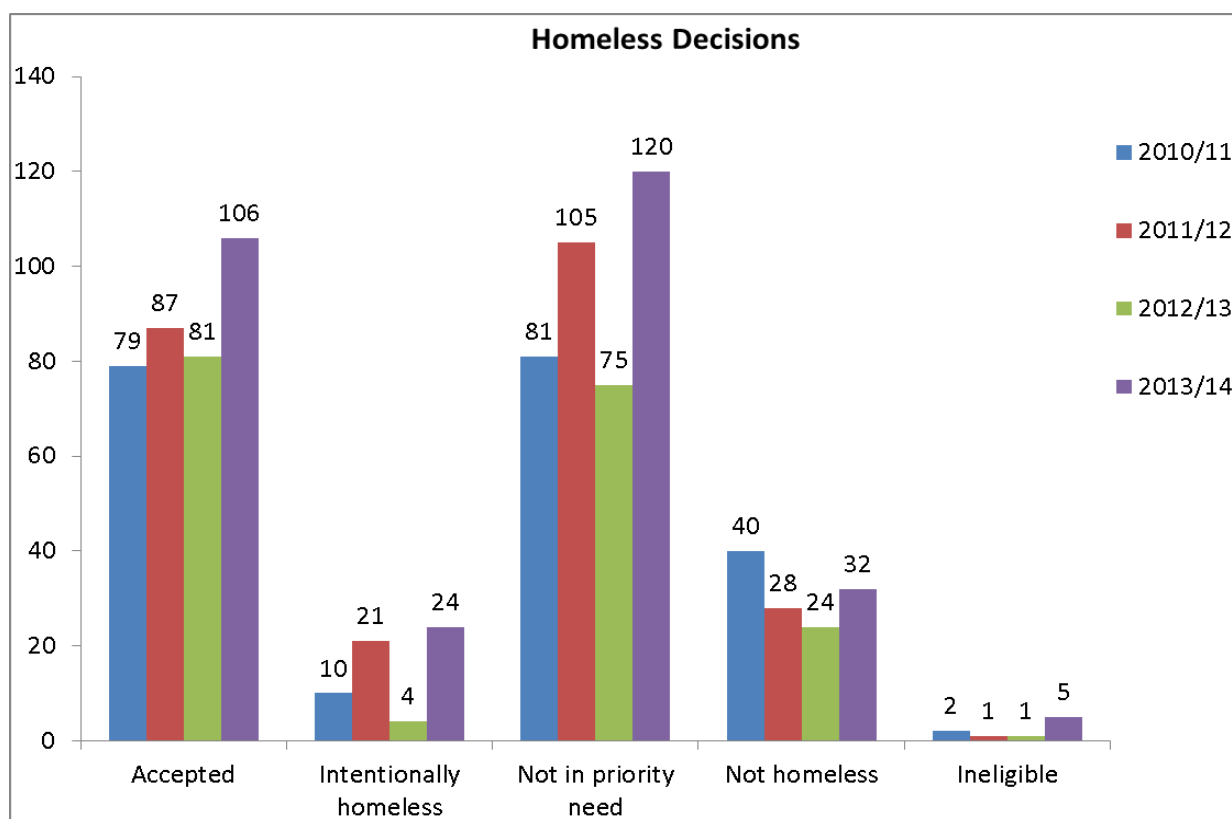
Any significant growth in homeless presentations is of concern to the Borough Council and this will be kept under close review. In all, over 1,000 households approached the Housing Options Team for advice and assistance during the last year.

Of those being accepted as statutory homeless, the main causes are loss of home due to exclusions from family or friends' homes, relationship breakdown or the loss of a private sector tenancy.

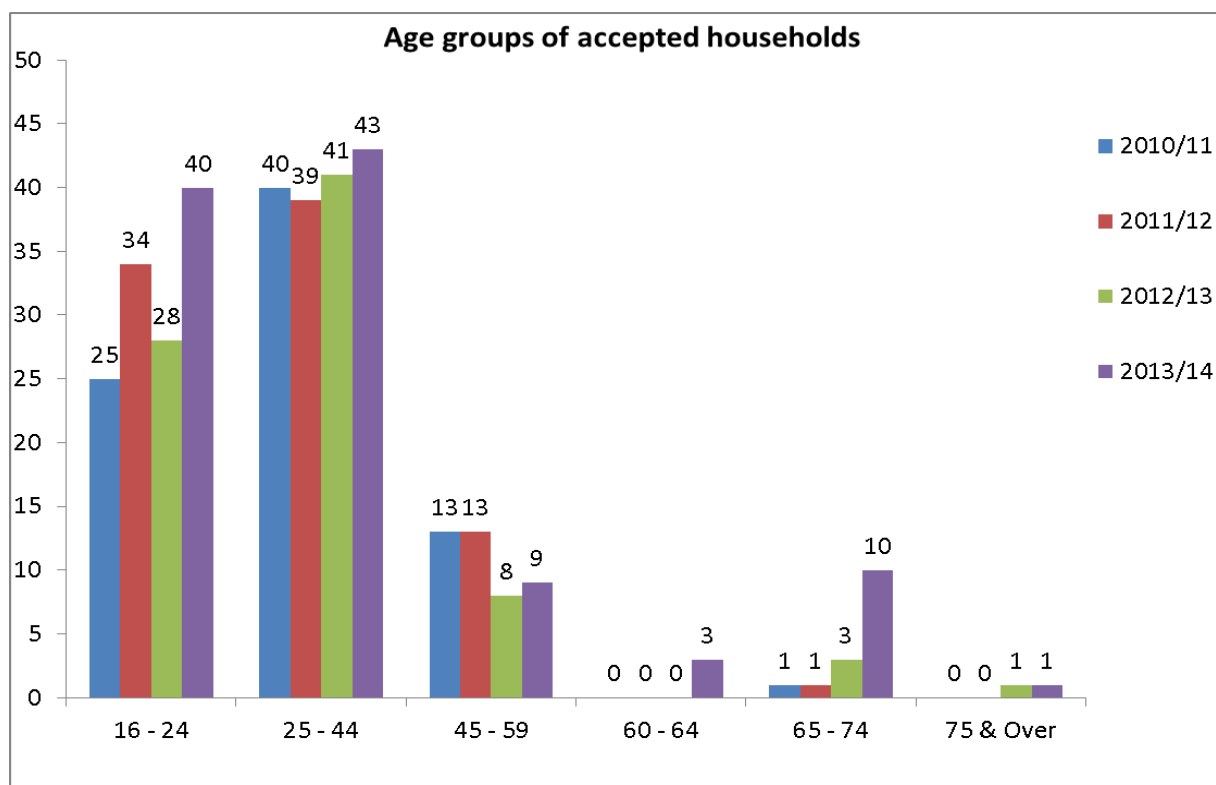
The majority of households accepted as statutory homeless are those with dependent children but there is an increasing trend for presentations and acceptances for younger and older people (see Table 6).

*(Note that definitions are included in appendix at end of this document)*

**Table 5 – homelessness decisions**



**Table 6 – age of accepted homeless households**



**Table 7 – causes of homelessness (acceptances)**

King's Lynn and West Norfolk	2010/11	2011/12	2012/13	2013/14
Parents no longer able or willing to accommodate	9%	10%	9%	13%
Other relatives or friends no longer able or willing to accommodate	11%	13%	16%	16%
Non-violent relationship end	11%	9%	19%	13%
Violent relationship end	16%	16%	20%	6%
Racial / other violence / harassment	1%	7%	1%	2%
Rent / mortgage arrears	9%	13%	9%	5%
Loss of private rented accom (Term of AST / Reasons other than term of AST)	33%	14%	23%	22%
Left institution or LA care	0%	8%	0%	8%
Other reason*	9%	10%	4%	16%

England	2010/11	2011/12	2012/13	2013/14
Parents no longer able or willing to accommodate	20%	20%	18%	17%
Other relatives or friends no longer able or willing to accommodate	13%	14%	14%	13%
Non-violent relationship end	6%	6%	6%	5%
Violent relationship end	13%	12%	12%	12%
Rent / mortgage arrears	6%	6%	5%	6%
Loss of private rented accom (Term of AST / Reasons other than term of AST)	21%	25%	28%	30%
Other reason*	21%	17%	17%	17%

\*N.B. Left institution or LA care is combined with 'Other reason' in the England table

## Homelessness in Kings Lynn and West Norfolk – issues and actions

### Preventing homelessness

The Council's absolute priority is to prevent homelessness occurring by helping people resolve their housing problems and tackling barriers to obtaining accommodation. Homelessness was prevented for 426 households through the work of Housing Options Team and with partners in 2013/14. Examples include:-

- Early intervention and joint working with statutory and non-statutory agencies
- Assisting those at risk of homelessness to access the private rented sector by tenancy deposits or rent in advance
- Working with landlords at the pre- eviction stage including developing repayment plans, mediation and pre- eviction protocols in social housing
- Helping those at risk of homelessness through increased priority for social housing via Insecure Accommodation Awards

The Council responds to cases of alleged harassment or eviction in the private rented sector and works with landlords and tenants to sustain tenancies in order to prevent homelessness occurring.

Of any council area in England, West Norfolk has the highest percentage of households living permanently in caravans. To date, no particular homelessness issues have arisen from people living in caravans or park homes but this will be kept under review.

The Council and its partners will continue to make best use of resources available including homelessness prevention funds and discretionary housing benefit subsidies as well as investment in staff through training to ensure good quality services and advice can be offered.

The growth in the private rented sector is likely to have been, at least in part, underpinned by historically low interest rates but there is a likelihood that there will be a gradual move towards more 'normal' levels of interest as the economic recovery continues. This could impact both on owner occupiers and landlords including some who may be forced to pass costs onto tenants or even to sell property and leave the sector.



Working with Orbit Housing Association, the Council has offered a mortgage rescue scheme to prevent owner occupiers facing repossession becoming homeless. 30 households who were threatened with homelessness have been assisted since 2010/11.

We work with partners to assist victims of domestic violence in both preventing homelessness where possible and responding at crisis point where necessary.

### **Access to housing – attaining and retaining a tenancy**

There is increased demand on the rented sector and this will continue to dominate the homelessness and housing agenda in future years. There are signs that some private landlords may be increasingly unwilling to offer tenancies to those on benefits.

Separately, the ability to maintain a successful tenancy is an issue for some households. Feedback from partners suggests that:-

- Lifestyles were seen as one cause – involving chaotic lifestyles, substance misuse, being pressured by friends and their behaviour – such as misplaced loyalties including responsibility for a friend who is a visitor.
- Lack of basic financial capacity, money, prioritisation and debt management/ previous debt, rent arrears can also threaten the ability to retain a successful tenancy.
- Young single people, especially men, were highlighted as having special difficulties in gaining accommodation. The question as to whether younger people under 25 should be able to access social housing has also been raised.

In order to address some of these issues three shared houses have been developed with Freebridge Community Housing and Broadland Housing Association – all of which were previously empty thus making best use of existing housing. The shared houses meet good housing standards and offer a range of support and a focus on training towards employment. The aim is to help people gain independence in the longer term, thus preventing them going through a ‘revolving door’ and back to homelessness again.

### **Household income, debt and impact of welfare reform**

National welfare spending is reducing and this includes housing and council tax support and other welfare benefits. This has an impact on those people on who are partially or totally dependent on benefits for their household income. It is important to recognise that housing benefit changes affect those who claim the benefit due to low incomes and not just those on out of work benefits.

Younger people have been affected by the single room rent restrictions on benefit paid and this has been extended from those under 25 to those under 35 years old. This is likely to lead to a need for more shared accommodation. The Shared Room Rate allowance which is set by the Valuation Office Agency appears lower in our area than other comparable authorities and is cited as a barrier for younger single people on low incomes being able to access or retain accommodation.

There have been changes restricting housing benefit to tenants in the social rented sector in relation to number of bedrooms in their property compared to household composition and size. These have impacted on over 1,000 households locally. Housing Associations are working directly with their tenants to try to resolve any issues arising such as rent arrears. The Government has made some additional funding available to enable the Council to award a Discretionary Housing Allowance. This enables additional payments to be made to some applicants following an affordability assessment of household income and expenditure.

Some larger families have had benefits reduced as a result of a cap on total level of benefits paid to one household.

As a consequence of the need to minimise the impact of these factors on homelessness work between Housing Associations, Stonham Housing and the Council to support those potentially threatened with eviction in the social sector – helping people resolve household budgeting, debt and other issues - has been a high priority. This prevents homelessness and has, to date, been successful. 161 households were assisted via the protocol in 2013/14 and there were no cases of homeless acceptances due to loss of a social tenancy.

The plans to introduce Universal Credit and payments directly to claimants, monthly in arrears is causing concern amongst many social landlords in light of the potential impact on budgeting and debt, increasing risks of homelessness amongst households with poor budgeting and financial skills. Currently social landlords receive rental payments direct. This will ultimately be extended to all working age households in receipt of benefits and is due to commence in West Norfolk in 2015 – initially with single people of working age.

Department for Work and Pensions sanctions have also been cited as an issue affecting household income and the ability to meet rent payments.

Given the above and general constraint on incomes, budgeting, individual and household debt is likely to be a continued challenge for the future for low income households.

In our consultations, the issue of debt was highlighted as an increasing issue in creating homelessness and preventing people from accessing accommodation – in both private and social rented sectors. This includes moves from temporary homeless accommodation. The issue of debt, household income and financial awareness needs a multi agency assessment and response. The need to try to educate young people at school was also highlighted as a potential initiative that could help prepare people for their housing journey through life and expectations on them.

### **Changes in public sector policy and finance**

There are continued national reductions on local authority budgets. The Council has a firm financial footing but further reductions in grant from Government are expected throughout the period covered by this Strategy. This will inevitably impact upon the level of resources the council can devote to this area of work. Containing costs in meeting homelessness obligations is business critical to the Council.

The Homelessness Prevention Payment from the Department of Communities and Local Government is not guaranteed beyond 2015. This Fund supports expenditure on preventing homelessness in King's Lynn & West Norfolk.

The Localism Act offered flexibilities for local authorities to discharge their homelessness responsibilities by securing good quality, well managed, affordable private rented homes and the Council will make use of this where possible in meeting homelessness obligations.

Groups to whom Council's will award reasonable preference in allocating social housing are outlined within national policy but it is for each housing authority to adopt a Local Social Housing Allocations Policy in consultation with partners such as Housing Associations. The reality is that the majority of people on the Housing Register may never be offered a housing association home due to the high demand in comparison to property available to let. The Social Housing Allocation Policy is kept under review. Changes were made in 2013 and 2014.

Changes have also taken place in social housing. New social housing is increasingly let on Affordable Rent levels (up to 80% of market value) and on Flexible (fixed term) tenancies. The Council adopted a Tenancy Strategy in 2013.

### **Increasing supply and making best use of existing housing**

#### **New Homes**

The global banking crisis had an impact on mortgage availability throughout the UK and reduced confidence in the housing market. Inevitably the impact was felt in West Norfolk.

As a direct consequence there was a downturn in new homes built in the area – including social housing. Whilst there are clear indications that the housing market is now recovering with a more active mortgage market and a pick-up in the construction sector. There were 160 new affordable homes available in 2010-11 compared to just 30 in 2013-14.

The downturn in the number of new affordable homes built was driven by two main factors. Firstly, as the overall numbers of new private homes built for sale reduced, the number of affordable homes that would have been required through the planning system also reduced.

Secondly, the capital funding changes introduced through the Homes and Communities Agency from 2010 included reduced grant levels to Housing Associations. These changes have impacted upon the investment decision of some social housing providers. Whilst delivery has been more challenging, the downturn did provide some new investment opportunities as sites became available that would have previously been too expensive for social sector providers. It is evident that things will continue to change such as more competition for sites as confidence in housing improves.

In the context of changes to the Affordable Housing Investment regime there are likely to be more challenges ahead and it is unlikely there will be a return to approaches that rely on significant levels of capital grant funding from central government.

On a more positive note there are clear indications that the number of new affordable homes built will begin to rise in 2014/15.

155 new homes are planned to be built between 2014-18 through a joint venture between Borough Council of Kings Lynn and West Norfolk and Norfolk County Council. The Council will also consider further schemes to bring forward homes for sale, private rent and social housing.

### **Existing Homes**

Working with partners there have been a number of successful initiatives that have seen vacant sites and empty properties brought back into use as affordable rented accommodation. Opportunities have been taken to lever in investment from Central Government to deliver housing to meet local needs.

A major regeneration scheme at Hillington Square, Kings Lynn is being undertaken by Freebridge Community Housing to invest in existing housing. The scale and extent of this work has required the 'decanting' of a significant number of properties in order to allow the works to proceed. The current year will see the reoccupation of the first phase of this programme.

### **Securing accommodation at crisis point**

Whilst the Borough Council makes strenuous efforts to prevent homelessness, inevitably this is not possible in every case. Consequently, it is necessary for the Council to address the immediate housing needs of some homeless households.

The use of temporary accommodation, in particular bed and breakfast accommodation, has been successfully minimised in recent years – improving the quality of life for homeless households and reducing costs to the public purse.

49 households were in temporary accommodation on 31 March 2014. However, of these, 48 households were living in self-contained accommodation. There was just one household in bed and breakfast accommodation on 31 March 2014.

This has been achieved through support from Housing Associations and especially Freebridge Community Housing and Broadland Housing Association in providing temporary accommodation offers to homeless households in appropriate cases and the provision of hostel accommodation for up to 20 households.

The use of temporary accommodation and the ability for people to move to settled homes will be kept under close review.

### **Meeting needs of households with more complex needs**

In reviewing homelessness issues with partners, certain people and household types were identified as having limited access to housing and associated services.

These include people on low incomes, without regular work, who lack a proven track record, or have previous failed tenancies, or who experience mental health, or engage in substance misuse, are unlikely to meet lettings agents/landlords vetting procedures and so cannot obtain a private tenancy.

Those with complex needs, mental health and undiagnosed learning difficulties, addiction, negative behaviour, poor parenting and life skills face particular problems in accessing and retaining stable homes.

There is a range of services and accommodation for vulnerable people and those with complex needs – provided by a number of organisations with different funding streams including the Pathways to Investment Project through the Council working in partnership with the Purfleet Trust.

A fundamental review of services supported through the former Supporting People programme is under way at County level. This continues to develop options and solutions to deliver savings. This may result in the loss of funding and hence housing and support solutions for homeless people in the future. Should this outcome occur, this will inevitably result in increased pressure on Borough Council housing services.

Nonetheless the Clinical Commissioning Group are committed to working with partners including the Council and to maximise the value of the Supporting People Programme including being open to new ideas.

On a more positive front a strong network of partnerships and services is in place to support homeless people and those threatened with homelessness. This includes Norfolk County Council, Probation Service, Queen Elizabeth Hospital, Norfolk Constabulary and immigration, as well as Housing Associations and voluntary organisations.

There is joint work between Children's Social Care and the Council to ensure that young people are appropriately supported if they are homeless; families are supported if they are homeless or families are supported to look after children at home. There is a commitment to close working on preparing care leavers for their future life and housing options – especially engaging with the Care Leaving Service being formed within Norfolk County Council in 2015/16.

### **Tackling rough sleeping**

There have been significant reductions in the number of rough sleepers from approximately 20 in 2010 to just 3 during the rough sleeper assessment in November 2013.

There has been good partnership working around Emergency Direct Access Beds – which provide an overnight bed – and with other partner agencies to intervene when people are found to be sleeping rough. Where possible, we will help people re-connect back to areas where family and other support may help people gain accommodation and independence for the future.

A local Norfolk-wide scheme based on No Second Night Out initiative has been introduced. Fundamentally the scheme hopes to prevent a second night on the streets for those sleeping rough. The Council is the lead authority for this initiative in Norfolk.

However, entrenched rough sleepers do not respond to traditional methods of re-settlement with repeat homelessness and returning back to the streets. Specific responses are needed for this client group – who often have complex problems including substance misuse and mental health issues.

## **Our future priorities**

Looking to the future we need to continue to review and adapt services and provision to prevent homelessness and respond in the most effective way. We consulted on our Homelessness Strategy and future priorities in 2014. This Strategy and the associated Action Plan have taken into account the views expressed during consultations. Our future actions are based upon our approach:

### **Priority 1 - Early intervention to prevent homelessness whenever possible** **We will work to**

- Review ways in which our services are delivered, including how information and advice is available to public and partners.
- Maximise the role of the Homechoice scheme
- Minimise homelessness due to the end of Flexible (fixed term) Tenancies
- Review the possibility of joint mediation for families
- Review debt and income advice services
- Prepare for implementation of Universal Credit
- Review Debt and Tenancy Sustainment Policies with Registered Providers
- Maximise homelessness preventions through Home Options approach
- Implement discharge of duty through Private Rented Sector Offers where possible
- Minimise the number of homelessness acceptances
- Minimise the number of households in temporary accommodation

### **Priority 2 - Working to ensure an appropriate supply of good quality affordable accommodation in both private and social sectors** **We will work to**

- Review funding mechanisms to bring forward development
- Respond to funding opportunities as they arise
- Explore opportunities to invest
- Make best use of social housing
- Deliver the empty homes scheme
- Review opportunities to develop the Shared Housing Schemes
- Secure sufficient and appropriate temporary accommodation
- Use our planning and housing powers to work with partner organisations to bring forward new housing
- Work in partnership to bring forward unviable sites
- Increase new social housing completions

### **Priority 3 - Working together to support households with more complex needs** **We will work to**

- Ensure housing pathways and protocols are reviewed with partners
- Seek homelessness to be recognised as a priority for Health and Well Being Board
- Improve data sharing across organisations
- Develop suitable housing and support for those with complex needs
- Review the impact of No Second Night Out
- Continue to work with organisations that assist rough sleepers to reconnect, re-engage and leave the streets
- Respond to any funding opportunities as they occur
- Undertake an annual rough sleeper assessment

**Full details of our priority actions are contained in the Homelessness Strategy  
Action Plan 2015-19**

## **Background**

### **National and statutory context**

This Homelessness Strategy responds to Acts of Parliament and statutory guidance notably:

**Housing Act 1996 Part 7** sets out the legal tests to decide whether a housing duty is owed.

**Homelessness Act 2002** requires Councils to have a Homelessness Strategy and outlines a range of duties for people who are homeless or at risk of becoming homeless. This includes advice and assistance, the provision of temporary accommodation and a main housing duty to accommodate those who are unintentionally homeless and in priority need.

**The Homelessness Code of Guidance 2006** explains how duties should be implemented.

**Statutory Guidance on the provision of accommodation for 16-17 year olds 2010** sets out arrangements for housing and social services departments

**Localism Act 2011** includes measures for ensuring that social housing is made available to people in greatest need and a power to meet homelessness obligations in the private rented sector.

**The Welfare Reform Act 2012** intends to increase work incentives and increase individual responsibility for money management and introduces changes to housing benefit and moving towards Universal Credit.

**Making Every Contact Count 2012** details how the Government expects all local services to work together to prevent homelessness and concentrate on early intervention for groups at risk of homelessness. It sets out 10 challenges for local authorities:

1. Adopt a corporate commitment to prevent homelessness which has buy in across all local authority services.
2. Actively work in partnership with voluntary sector and other local partners to address support, education, employment and training needs.
3. Offer a Housing Options prevention service including written advice to all clients.
4. Adopt a No Second Night Out model or effective local alternative.
5. Have housing pathways agreed or in development with each key partner and client group that includes appropriate accommodation and support.
6. Develop a suitable private sector offer for all client groups, including advice and support for both clients and landlords.
7. Actively engage in preventing mortgage repossessions, including through the Mortgage Rescue Scheme.
8. Have a Homelessness Strategy which sets out a proactive approach to preventing homelessness and is reviewed annually so that it is responsive to changing needs.

9. Not place any young person aged 16 or 17 years old in bed and breakfast accommodation.
10. Not place any families in bed and breakfast accommodation unless it is an emergency and then for no longer than 6 weeks.

**Case law** The courts are frequently asked to decide disputes between applicants and local authorities. Decisions of the Court of Appeal and above are binding.

## **Responsibilities**

**Borough Council of Kings Lynn and West Norfolk** is the statutory housing authority whose functions include housing allocations and homelessness as detailed in Housing Acts 1996 and 2002 together with associated statutory guidance, code of guidance and case law as detailed above.

**Adult Care and Children's Services Authorities** are under a duty to take the homelessness strategy into account when carrying out their functions (Housing Act 2002 and English Code of Guidance).

**Registered Providers** are under a duty to co-operate with local housing authorities to assist them in performing their allocations and homelessness functions if requested and so far as is reasonably practicable (Housing Act 1996) and to co-operate with local housing authorities strategic housing functions, duty to meet housing needs and in meeting homelessness duties (Homes and Communities Agency Regulatory Framework 2012).

## **Definitions**

**Acceptances:** households found to be eligible for assistance, unintentionally homeless and falling within a priority need group (as defined by homelessness legislation) are referred to as statutory "acceptances". These households are consequently owed a main homelessness duty by a local housing authority. The main duty is to secure settled accommodation.

**Decisions:** refers to decisions taken of households that apply for assistance under the Housing and Homelessness Acts.

**Priority need groups:** include households with dependent children or a pregnant woman and people who are vulnerable in some way e.g. because of mental illness or physical disability. The priority need categories were extended by Order in January 2002 to include, additionally: applicants aged 16 or 17; applicants aged 18 to 20 who were previously in care; applicants vulnerable as a result of time spent in care, in custody, or in HM Forces, and applicants vulnerable as a result of having to flee their home because of violence or the threat of violence (in addition to domestic violence, which is one of the original priority need groups). It is not possible to establish precisely how much of the changed profile of acceptances is attributable to the Order. Previously, some local authorities would have accepted households that fell within the new categories as having a priority need because of "another special reason". This applies in particular to applicants such as vulnerable young people, and people fleeing domestic violence. Where applicants are accepted as homeless because of an emergency, for example fire or flood, this will always be recorded as the main priority need category.



## Borough Council of Kings Lynn and West Norfolk Homelessness Strategy Action Plan 2015-2019

### Monitoring the Homelessness Strategy Action Plan

This Action Plan is a tool for delivering our Homelessness Strategy 2015-19. The Action Plan will be monitored regularly at an operational level and reported on annually to elected Members. Corporate targets are subject to our established performance management systems, reviewed annually and monitored corporately.

Partners both within and external to the Council are key to delivering our priorities. We will report to partnership meetings such as West Norfolk Partnership and Housing Options Forum annually. This will ensure that partners are aware and involved and actions are regularly considered.

#### Priority 1 - Early intervention to prevent homelessness whenever possible

Action	Key tasks	Timescale	Responsibility/lead	Resources
Improve communications and awareness with public and partners – increasing awareness of realistic housing options	Undertake a review of information and communication including website and on line Housing Options	2014-15	Housing Services Operations Manager	Review to be undertaken within existing resources. On line housing options subject to costs and budget availability Within existing resources
	Hold 2 Housing Options Forums per year	Twice a year	Housing Options Manager	
Review best practice and seek continuous improvements	Undertake a review of ways in which services are delivered Consider developing the GOLD standard	2015-16  Ongoing	Housing Services Operations Manager	Within existing resources

Maximise role of Homechoice scheme	Keep under review the use of Insecure Accommodation Awards Ensure the needs of (potentially) homeless people are taken into account in review of Social Housing Allocations Policy	Ongoing and as Policy is reviewed	Senior Allocations Officer	Within existing resources
Minimise households becoming homeless at the end of Flexible (fixed term) tenancies	Develop protocols with Registered Providers in final year of Flexible (fixed term) tenancies Implement as appropriate Review Tenancy Strategy	2017/18	Housing Strategy Officer	Within existing resources
Review possibility of joint mediation for families	Review need and benefits with Norfolk County Council Consider commissioning a suitable service	2015/16 2016/17	Housing Options Manager with Norfolk County Council	Within existing resources Any new service subject to review and budgetary provision
Review debt and income advice for public including potential for joint commissioning, pooled funding and service re-design	Establish a baseline assessment of debt and income services in West Norfolk Scope options and map outcomes, governance and monitoring framework Review opportunities for increasing awareness in schools Commission relevant services – potentially jointly with others Monitor	2015/16	Policy and Partnerships Manager with internal and external partners	Assessment within existing resources Changes subject to budgetary provision
Prepare for implementation of	Co-ordinate awareness and activity through Welfare Reform	Ongoing – quarterly	Council Information Centre Manager	Within existing resources

Universal Credit in West Norfolk	Group  Undertake information and awareness campaigns for public and partners	meetings  2015-16	with internal and external partners	
Review Debt Policies with Registered Providers	Undertake a review of existing debt policies and procedures Identify impacts on homeseekers including homeless people and Registered Providers	2015-16	Senior Allocations Officer/Housing Options Manager with Registered Providers	Within existing resources
Review existing and introduce new tenancy sustainment protocols with partner organisations	Work with Registered Providers and support workers to review especially in relation to any changes in service or funding Involve Norfolk County Council in tenancy sustainment work at an early stage Revise in relation to impact from Universal Credit	Ongoing  Ongoing  2016/17	Housing Options Manager	Within existing resources

**Underlying principles in day to day work**

- Develop early intervention initiatives and maximise homelessness preventions through Home Options approach
- Implement discharge of duty through Private Rented Sector Offers where possible

**Corporate targets – annual targets monitored quarterly**

- Number of homelessness acceptances – seek to minimise
- Number of households in temporary accommodation – seek to minimise

**Priority 2 - Working to ensure an appropriate supply of good quality affordable accommodation in both private and public sectors**

<b>Action</b>	<b>Key tasks</b>	<b>Timescale</b>	<b>Responsibility/lead</b>	<b>Resources</b>
Review funding mechanism to bring forward development – including cross-subsidy, co-investment and private investment	Continue to investigate innovative mechanisms and bring forward proposals	2015/16	Housing Strategy Officer	Review within existing resources
Explore opportunities to invest in housing using existing commuted sums and land holdings	Review following the creation of a Local Authority Housing Company	2015/16	Housing Strategy Officer	Review within existing resources
Make best use of home in the social sector including increasing supply of family and other homes to help prevent and tackle homelessness	Encourage the development of under-occupation initiatives with Registered Providers Report and monitor at Homechoice Partnership meetings	2015/16  Twice a year	Senior Housing Allocations Officer	Within existing resources
	Review potential for de-designation having regard to housing demand and turnover	2015/16	Housing Strategy Officer	
	Review the potential for a social housing tenancy fraud initiative	2015/16	Housing Service Operations Manager/Legal Service Manager with Registered Providers	

Deliver the empty homes scheme with Freebridge Community Housing to bring homes back into use	Achieve target of 40 homes	By 31 March 2015	Housing Development Officer	Within existing staffing resources but scheme utilising HCA and FCH funding
Review the outcomes and opportunities arising from the Shared Housing Schemes	Set up a project group Agree outcomes and objectives Develop evidence base Produce a report and agreed actions for the future as appropriate	2016/17	Housing Services Operations Manager, Housing Strategy Officer, Housing Options Manager with partners	Project Group and assessment within existing resources Any new plans subject to resource availability
Work with Freebridge Community Housing (FCH) to review demand for housing and make best use of existing stock	Review demand and turnover for housing – by type, area and other factors	2015/16	Housing Strategy Officer (with FCH)	Within existing resources
Secure sufficient, appropriate temporary accommodation to meet the immediate needs of homeless households	Regularly review use of temporary accommodation and move on Review models of temporary accommodation and funding e.g. temporary accommodation subsidy	Ongoing Formal review and reporting quarterly	Housing Options Manager	Review within existing resources Future development dependant on resource availability

### **Underlying principles in day to day work**

- Respond to any funding opportunities that come forward to develop accommodation or services and support appropriate bids – as occur

- Continue to use planning powers and housing enabling role to bring forward new affordable housing
- Work in partnership to bring forward unviable sites – all – developing the enabling/development role

**Corporate targets – annual targets monitored quarterly**

- Number of new social housing units – seek to maximise

**Priority 3 – Working together to support households with more complex needs**

<b>Action</b>	<b>Key tasks</b>	<b>Timescale</b>	<b>Responsibility/lead</b>	<b>Resources</b>
Ensure housing pathways and protocols are agreed and reviewed with partners for key client groups	Review 16/17 year old homelessness protocol	2015/16	Housing Options Manager – with Norfolk County Council	Within existing resources
	Review intentionally homeless families protocol Review hospital discharge protocol Develop a rolling programme to review including mental health services	2016/17	Housing Options Manager	
Seek to ensure that homelessness is recognised as a priority for action within the work of Health and Well Being Board	Ensure representatives are regularly briefed	Ongoing	Housing Services Operations Manager	Within existing resources
	Support the development of Joint Strategic Needs Assessment	Ongoing	Housing Strategy Officer	
	Review the need to	2015/16	Housing Strategy Officer	

	develop a robust Evidence Base for health and homelessness			
Improved data sharing across organisations including mental health review possibility of county wide data sharing agreement	Develop through Partnership bodies and as part of review of protocols	Ongoing	Housing Options Manager with partners	Within existing resources
Work in partnership to develop suitable housing and support for those with complex needs	Ensure representation on Supporting People Groups Review need for new specialist housing	Ongoing	Housing Services Manager Housing Strategy Officer	Within existing resources Any new development subject to available funding
Review the impact of No Second Night Out	Review and produce a report	2016	Housing Options Manager	Within existing resources

### Underlying principles in day to day work

- Continue to work with organisations who assist with helping rough sleepers to reconnect, re-engage and leave the streets
- Respond to any funding opportunities that come forward to develop accommodation or services and support appropriate bids
- Support partnership working whenever possible and in a manner which maximises dialogue and joint work but minimises unproductive time

### National data

- Undertake annual rough sleeper assessment

## Appendix C Analysis of Homelessness Strategy Consultation Responses

The Council consulted on the draft Homelessness Strategy between August and November 2014. The document was sent to key partners including statutory and voluntary agencies. It was made available on the Council's website and publicised.

A total of 8 formal responses were received. This appendix analyses the response and also outlines the Council's actions in relation to comments made.

This response will be made available on our website to ensure people are fully informed of the outcome of consultations.

### Q. Do you agree with our analysis of homelessness in King's Lynn & West Norfolk?

7 respondents agreed with our analysis and 1 did not

Comments made	Our response
Stop housing the migrants and illegal immigrants who come to this country, give UK born and people first right to housing especially for homeless people who are on the streets	Our Officers <b>always</b> check the immigration status of housing and homelessness applicants from the outset and no illegal immigrants are allowed to join the housing register and they are not allocated housing. Homelessness assessments and decisions are made in accordance with current legislation and Government Guidance.

**Respondents were also asked to comment on our potential future priorities and views have been taken into account in developing our final Homelessness Strategy and Action Plan**

#### Preventing homelessness

All respondents agreed with this priority – 3 of which strongly agreed and 6 agreed

Comments made	Our response
Credit Unions can help with deposits	Noted. The Council will seek to work with Credit Unions as opportunities arise.
We support the priorities under this heading	Noted
Norfolk Children's Services are eager to explore closer working relationships, leaving care protocols and a closer alignment of our strategic aims.	Noted. The Council welcomes Norfolk County Council's commitment to work in partnership to prevent homelessness including the agreement of joint protocols is



	included as a priority for the future in our Homelessness Strategy Action Plan.
We would seek to undertake joint work in relation to mediation and would welcome opportunities to bring professionals together.	Noted and included as an opportunity to explore for the future in our Action Plan.

### Securing accommodation at crisis point

All respondents agreed with this priority – 2 of which strongly agreed and 7 agreed

Comments made	Our response
Crises often occur at weekends or after office hours - people need to know where to go for assistance so more information is needed for the public and agencies such as Police	Noted. There is an out of hours service and agencies, including the police, are aware. This is noted on our website and we will review this information.
We support the priorities under this heading	Noted
Again, we would welcome opportunities to work more closely together to avoid young people becoming homeless intentionally. We would like to work together in ensuring the range of options are suitable and onward pathways prevent recurrence	Noted.

### Increasing supply and making best use of existing accommodation

8 respondents agreed with this priority – 2 strongly agreed, 6 agreed and 1 neither agreed or disagreed

Comments made	Our response
More smaller homes and ground floor/bungalow accommodation is needed. More work is needed to put pressure on people who own homes which stand empty or are in a poor state of repair. The Council seems to be doing little or nothing with large, empty properties in the area.	The Council is working with partners such as FCH to look at housing needs and best use of existing housing. The Council has adopted a Long Term Empty Homes Strategy which outlines it's approach. There has been a significant reduction in the number of long term empty homes in last 2 years. Derelict Land and Buildings Group in the Council considers what action can be taken in the worst cases of derelict property in the Borough
We support the priorities under this heading	Noted
We are eager to share data that enables strategic planning in relation to young people leaving our care. It is our ambition	Noted and welcomed. The Council's overwhelming priority is to prevent homelessness and data/early planning

to have an ongoing dialogue to share young people's needs and manage expectations.	supports this aim.
We welcome efforts to bring empty homes into use	Noted

### **Access to housing - attaining and retaining a tenancy**

8 respondents agreed with this priority (one of which agreed strongly) and 1 neither agreed nor disagreed

<b>Comments made</b>	<b>Our response</b>
The rule which allows children to take on tenancies in social housing should be abolished.	It is possible that this refers to succession to a social tenancy which is government by legislation.
It is agreed that 'lack of basic financial capacity, money, prioritisation and debt management/previous debt, rent arrears can also threaten the ability to retain a successful tenancy'. The strategy also highlights the risk arising from benefit changes that will alter existing arrangements so that tenants will receive benefit monies which currently are paid to landlords directly. The strategy proposes to 'review money and debt advice services'. Given the above, this issue should be prioritised; working in partnership with the Information Hub and other key agencies to develop a coherent response in developing financial capability across West Norfolk (and particularly for those at risk of homelessness).	This is an area that has also been highlighted in discussions with those working with homeless people – both within the Borough Council and external partners. This will be taken forward in the action plan to review money and debt advice across all agencies. The Welfare Reform Group will continue to meet and co-ordinate awareness and responses as this develops – especially the local introduction of Universal Credit. An information and awareness campaign for the public and partners will also be undertaken in 2015.
Private landlords need to be monitored more closely and dealt with if they do not support their tenants	The Council will encourage and advise landlords and tenants in individual cases, via the website and through the Landlords Forum. The Council will act on cases of harassment and illegal eviction.
It is important to jointly understand the pressures and be part of finding solutions to supporting care-leavers to be ready for independence. We welcome focus on increasing financial capability, independent living skills etc. Exploring joint working options would be welcome.	Noted. The Council is committed to partnership working and is keen to engage with Norfolk County Council in addressing this issue in a meaningful and proactive way.

### **Meeting needs of households with more complex needs**

There was less agreement on this priority but 6 respondents agreed (one of which agreed strongly) , 1 neither agreed nor disagreed and 2 respondents disagreed

<b>Comments made</b>	<b>Our response</b>
<p>There is not enough support for people with complex needs who often fall through the net and end up in hospital or care therefore costing the taxpayer more money</p>	<p>Noted. This is an issue that can only be dealt with on a multi-agency basis. The Council will continue to work in partnership with others to develop responses to this issue.</p>
<p>Is there anything you could put into the document that reduces the stigma of being classed as homeless?</p>	<p>The wording within the Strategy has been amended to show that people from all walks of life can become homeless.</p>
<p>This section refers to the Supporting People (SP) Programme and possible loss of funding. SP funding is unavailable to continue the 2 year Pathways to Inclusion pilot delivered by the Borough Council in partnership with the Purfleet Trust. However, other schemes relevant to homelessness will continue for the foreseeable future; frontline service levels within these schemes have been preserved and, in some instances enhanced, such as through a new outreach service provided by Merchants Terrace which will support those leaving the accommodation to sustain their new tenancies. We remain committed to working with partners to maximise the value of the Programme and are open to new ideas as the Programme evolves.</p>	<p>This is noted and will be reflected in final Strategy.</p>
<p>The draft strategy correctly stresses the importance of the Council working in partnership with other organisations to address homelessness and recognises that this regularly takes place. However, this could be strengthened through a formal partnership that ensures that partners collectively take responsibility for the delivery of the strategy, share intelligence and pool resource where this would be sensible to do so.</p>	<p>The Council hosts a Housing Options Forum to bring partners together to discuss issues relating to homelessness. An annual review of the Homelessness Strategy will be undertaken and will be discussed at this event and also at West Norfolk Partnership which is an existing formal partnership</p>
<p>We are pleased to see this component of the strategy. It is imperative that we work closely with the Borough Council and Supporting people to understand this need and influence future service provision</p>	<p>Noted and welcomed..</p>

## Tackling rough sleeping

There was a range of views on this priority – 1 respondent strongly agreed, 4 agreed, 1 neither agreed nor disagreed, 2 disagreed and 1 didn't know

Comments made	Our response
The amount of rough sleepers is underestimated. Many young people are forced to leave the parental home, or leave care and are unable to look after themselves. They may borrow a friend's sofa, but this goodwill doesn't last - more work needs to be done	The rough sleepers assessment measures those people sleeping outside and not sofa surfers. The needs of young people and especially care leavers is acknowledged
Rough sleeping is minimal for young people leaving care. But one case is too many. We would be happy to see the joint protocols and policies align with this aim. Early identification of young adults at risk of this is important and only possible with good joint working.	Noted – comments as before

## Responding to household income, debt and impact of welfare reform

There was a level of agreement on this priority as 3 respondents strongly agreed, 3 agreed, 2 neither agreed nor disagreed and 1 disagreed

Comments made	Our response
We do not have enough smaller properties to help people downsize, nor enough local jobs, at a decent wage, to get people working	As stated before, we work with partners, especially FCH who have the largest number of social homes in the area, to look at housing needs, best use of existing housing and where new provision or re-modelling is needed. Increased employment and training in Kings Lynn and West Norfolk is a corporate aim of the Council.
Could you consider a programme of educating those in 6th form ( or earlier) in regards to the journey to obtain social/private rented housing and what the expectations are once a tenancy has been granted	This is something that would need to be taken forward by or in partnership with other organisations. The Council would support such an approach.
We share the concerns expressed by the BC and would embrace opportunities to seek local solutions. Risks that Universal Credit pose should not be underestimated. Understanding the impact of Welfare reform is vital to developing future interventions	Noted. Awareness campaigns to promote understanding are included within our Homelessness Strategy Action Plan.

See also comments made in section on 'attaining and retaining a tenancy'

## Responding to changes in public sector policy and finance

3 respondents strongly agreed with this priority, 3 agreed, 2 neither agreed nor disagreed and one disagreed

Comments made	Our response
The Council is tied to Government financing	Noted.
We would welcome any Allocations Policy that recognises the priority of access to social housing for Care Leavers. Young people may be best placed in the private sector and may face barriers in accessing this market	Care leavers are a priority need groups within homelessness legislation. As such Housing Options Officers work with care leavers and Children's Services to secure accommodation. This can include priority in accessing a social tenancy or assistance to secure a private rented tenancy.
We invite joint approaches to working with private landlords	Noted

## Further comments on the Homelessness Strategy for 2014 - 2019

Comments made	Our response
There is not enough space in the comments boxes to type more than one and a half lines of text - could this be deliberate?	Not at all – we value all comments
The County Council and West Norfolk Clinical Commissioning Group (CCG) remain committed to working in partnership to help deliver the Homelessness Strategy.	Noted and recognised
Resource constraints, and the need to deliver efficiencies, will continue as challenges across the sector, but we believe that there is significant scope to maximise the benefits of joint working; potentially through joint commissioning, pooled funding and service redesign.	We will work with the CCG and County Council to explore this in the future
The strategy recognises that homeless people place significant demands on health services. We recommend that a priority within the new strategy should be to establish an evidence base to underpin actions / initiatives that seek to address this.	This will be included within the Action Plan and is a theme that may also be developed through Joint Strategic Health Assessment
We are grateful for our inclusion in this consultation and hope our comments will be noted and opportunities to work together, grasped. Our aim is that the imminent arrival of a leaving-care service will create closer working contacts and enable ongoing partnerships both strategically and operationally that improve outcomes for young people in and leaving our care.	Noted and welcomed



## Pre-Screening Equality Impact Assessment

Name of policy/service/function	Homelessness Strategy and Action Plan 2015-19				
Is this a new or existing policy/ service/function?	New strategy for an existing service				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Homelessness Strategy must respond to local needs and by statute, Government Guidance and case law. Specifically Housing Act 1996 as amended by Homelessness Act 2002, Homelessness Code of Guidance 2006, Localism Act 2011, Welfare Reform Act 2012				
<b>Question</b>	<b>Answer</b>				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
	Other (eg low income)			X*	
<b>Question</b>	<b>Answer</b>	<b>Comments</b>			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	<p>No groups have been identified as being disadvantaged by the report. However, statutory homelessness operates within a legal framework which identifies 'priority need' groups so specific communities such as households with children are over-represented in homelessness acceptances</p> <p>In relation to low income groups the report specifically recognizes affordability issues to mitigate risk</p>			
3. Could this policy/service be perceived as impacting on communities differently?	No	But see above			
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	<b>Actions:</b>			
		<b>Actions agreed by EWG member:</b> .....			
<b>Assessment completed by:</b> <b>Name</b>					
<b>Job title</b>	<b>Date</b>				

## REPORT TO CABINET

<b>Open/Exempt</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide Need to be recommendations to Council	<del>YES</del> /NO	
	Discretionary/		YES/ <del>NO</del>	
	None	Operational	Is it a Key Decision	YES/ <del>NO</del>
Lead Member: Cllr Adrian Lawrence E-mail: <a href="mailto:cllr.adrian.lawrence@west-norfolk.gov.uk">cllr.adrian.lawrence@west-norfolk.gov.uk</a>		Other Cabinet Members consulted: All		
		Other Members consulted: None specifically		
Lead Officer: Alan Gomm E-mail: <a href="mailto:alan.gomm@west-norfolk.gov.uk">alan.gomm@west-norfolk.gov.uk</a> Direct Dial: 01553 616237		Other Officers consulted: Management Team		
Financial Implications YES/ <del>NO</del>	Policy/Personnel Implications YES/NO	Statutory Implications YES/ <del>NO</del>	Equal Impact Assessment <del>YES</del> /NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/ <del>NO</del>

Date of meeting : 13 January 2014

### 3 PLANNING OBLIGATIONS AND AFFORDABLE HOUSING - IMPLICATIONS OF THE RECENT GOVERNMENT ANNOUNCEMENT ON REVISED THRESHOLDS

#### Summary

Consultation took place earlier this year on a proposed new 11-unit threshold for section 106 affordable housing contributions within national policy to reduce planning costs to developers. The Government proposes to implement this, but gives discretion to local authorities in certain areas to have a lower 5 unit threshold. The choice of providing extra benefit for small builders or continuing to support affordable housing falls to the Borough Council under the new provisions. The issue needs to be positively addressed by the Borough Council to provide clarity in dealing with planning applications.

#### Recommendation

Members are asked to consider the position and decide whether they wish to take the opportunity to:

1. Modify the existing two tier approach to affordable housing to:
  - a. Increase the number of settlements eligible for the higher threshold of 11 to include King's Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement; and
  - b. For all remaining settlements apply a threshold of 5 units where a financial contribution will be sought towards affordable housing rather than on site provision as is currently the case;

or

2. Operate a single districtwide threshold of 11 units for all affordable housing

#### Reason for Decision

To avoid uncertainty when dealing with planning applications.

## 1. Background

1.1 In March 2014 the Government published a consultation on “Planning Performance and Planning Contributions”. The consultation took forward the Government’s 2013 Autumn Statement commitment to consult on a proposed new 10-unit threshold for section 106 affordable housing contributions within national policy to reduce planning costs to developers. The consultation closed on 4 May 2014. The document attached as Appendix 1 provides details of the measures the Government proposes to implement through changes to national policy on the use of section 106 planning obligations.

1.2 In response the Government are making the following changes to national policy with regard to section 106 planning obligations:

- Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions.
- For designated rural areas under section 157 of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty, authorities may choose to implement a lower threshold of 5-units or less, beneath which affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions. Within these designated areas, if the 5-unit threshold is implemented then payment of affordable housing and tariff style contributions on developments of between 6 to 10 units should also be sought as a cash payment only and be commuted until after completion of units within the development.
- These changes in national planning policy will not apply to Rural Exception Sites which, subject to the local area demonstrating sufficient need, remain available to support the delivery of affordable homes for local people. However, affordable housing and tariff style contributions should not be sought in relation to residential annexes and extensions.
- A financial credit, equivalent to the existing gross floorspace of any vacant buildings brought back into any lawful use or demolished for re-development, should be deducted from the calculation of any affordable housing contributions sought from relevant development schemes. This will not however apply to vacant buildings which have been abandoned.

1.3 Parts of West Norfolk have designated rural area status under section 157 of the Housing Act 1985, and settlements in an Area of Outstanding Natural Beauty (AONB) are also eligible for the lower threshold. The affected areas are all settlements with the exception of King’s Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement.



## 2. Policy Implications

2.1 These new provisions are being brought forward as changes to the National Planning Policy Guidance – the NPPG. Therefore in this regard it is national policy and the Borough Council must work to it. However the key point is that in ‘designated’ areas authorities may choose to implement a lower threshold of 5-units or less, beneath which affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions. Within these designated areas, if the 5-unit threshold is implemented then payment of affordable housing and tariff style contributions on developments of between 6 to 10 units should also be sought as a cash payment only and be commuted until after completion of units within the development. **Therefore within those areas the Borough Council needs to make a decision as to whether it wishes to exercise the option of a lower threshold.**

## 3. Current policy

3.1 The Core Strategy (adopted in July 2011) contains policy CS09 which addresses affordable housing. It notes that:

### *‘Affordable Housing*

*The Council will work with partner organisations to maximise the delivery of affordable housing to respond to identified housing need throughout the borough. This will be achieved by having regard to up to date strategic housing market assessments and affordable housing needs viability studies.*

*The overall target for affordable housing in the Borough during the plan period will be related to the ability to deliver in the market conditions that prevail at the time a planning application is made. At the present time the percentage which will be sought for affordable housing provision on qualifying sites is:*

- *15% within the built up area of Kings Lynn*
- *20% in all other areas*

***The thresholds over which affordable housing provision will be sought are:***

- ***King’s Lynn, Downham Market and Hunstanton***  
***- Sites of 0.33 ha or 10 or more dwellings***
- ***Rural areas***  
***- Sites of 0.165 of ha or 5 or more dwellings***

*The Borough Council will vary this percentage and / or threshold(s) in line with a model of dynamic viability. The levels will be reviewed annually in consultation with a stakeholder group informed by the following factors:*

- *Market land values*
- *House prices*
- *Level of contributions sought overall*
- *Index of build costs*

*(The detailed mechanisms for assessing the factors will be considered as part of the Supplementary Planning Document referred to in Policy CS14 the policy relating to developer contributions for infrastructure, which is also to be reviewed annually).*

***The expectation is that affordable housing will be delivered on site other than in exceptional circumstances when a financial contribution will be sought.***

*A flexible approach on both thresholds and proportions will be taken to ensure scheme viability and balance housing need, negotiated scheme-by-scheme, subject to open book approach by developers.'*

#### **4. Potential change to a lower threshold**

4.1 As can be seen the Council's current policy on affordable housing is not fully consistent with the new national guidance in regards to the threshold in 'Rural' areas. Additionally we anticipate provision to be on site, whereas the Government now see any contribution for up to the 10 threshold to be as a financial contribution paid on completion, not as physical dwellings on site. It could be argued that having included a policy with a 'Rural' areas threshold of '5' in our adopted Core Strategy the Borough Council has 'chosen' to have the permitted lower limit of 5 referred to in the consultation report. However given that the adoption of the Core Strategy pre-dates the new announcement it was considered appropriate to ensure Members have fully considered the position in the light of current circumstances, and made a positive decision one way or another.

4.2 Clearly the form of the contribution as physical units is also contradicted by the new guidance, which now specifies *financial* contributions where the threshold of 10 applies. However for this element there is no potential variation. In general terms the provision of a financial contribution is considered to be less onerous in value terms than the physical provision would cost. So it could be considered advantageous by developers.

4.3 If the lower threshold were to be implemented then there are 14 Plan sites, giving some 26 affordable units, where financial contribution would be sought. Using the nominal value used by the Borough Council for negotiating commuted sums of £60 000 per unit, this would amount to £1.56m. In addition windfall schemes give rise to an average of three affordable units each year, with a value of £180 000 per annum (or £2.16m over the remaining Plan period). Therefore in lieu of physical provision under this option we might expect total contributions of £3.72m.

#### **5 Impact of a higher threshold**

5.1 The Pre-Submission version of the Sites Plan contains 19 sites where the allocations are for 5 units and 16 sites for 10 (or 5 – 10) units. If no action is taken to agree a lower (than 10 units) threshold no affordable housing financial contribution can be sought on these sites. Potentially this could amount to 51 lost units (but accepting there could be financial contributions). However the Government would acknowledge this fact since the measure is explicitly aimed at supporting builders of small sites. Therefore a benefit is seen for those developers, balanced with the detrimental position for affordable housing provision.

5.2 Paragraph 4.3 above outlines the potential financial contributions in lieu of physical provision if the lower limit were implemented. The impact therefore of

choosing the higher (over 10 unit) threshold means that financial contribution would be foregone. i.e. £3.72m.

5.3 It should be noted that the 10 unit threshold also has a square metre limit attached to it. If any scheme proposes more than 1000m<sup>2</sup> then provision would be due, regardless of whether it contains less than 10 units. (See outline at paragraph 1.2 above). We do not consider this to be a situation that occurs very often in West Norfolk.

5.4 The choice of providing extra benefit for small builders, or continuing (i.e. as per the Core Strategy) to support affordable housing, falls to the Borough Council under the new provisions. It is worth noting here that the viability assessment carried out as part of CIL indicated that the affordable housing rates sought through the plan would not have an adverse impact on viability and therefore the option of retaining a lower threshold is not expected to have a detrimental impact on housing delivery.

## **6 Overview**

6.1 An overview is as follows;

- There are 101 parishes not including King's Lynn as it's an un - parished area.
- Of the 101 parishes 95 are listed in section 157 of 1985 Housing Act which means that affordable housing financial contributions can be sought (if chosen) on sites within these areas providing 6-10 units.
- The 6 parishes that aren't listed are Dersingham, Heacham, South Wootton, Terrington St Clement, Downham and Hunstanton.
- None of the settlements fall within the AONB (which is also a designated area)
- King's Lynn town is also not included.

6.2 At present King's Lynn, Hunstanton and Downham Market have thresholds of 10 or more dwellings with all other areas having a threshold of 5. Regardless of the wider option chosen the additions to the 10 threshold therefore need to be Dersingham, South Wootton, Heacham and Terrington St Clement, as they are **not** in designated areas.

## **7 Financial Implications**

7.1 There would be a loss of affordable housing provision if the Government's scheme is implemented. If the choice is made to use the designated areas scheme then affordable housing provision on sites between 6 and 10 would be given as a financial contribution.

## **8 Personnel Implications**

8.1 None

## **9 Statutory Considerations**

9.1 These are explored in the body of the report.

## **10 Equality Impact Assessment (EIA)**

(Pre screening report template attached)

## **11 Risk Management Implications**

11.1 If smaller developments (particularly those between 6 – 10 units) are specifically incentivised, there will be a significant risk that a lesser amount of affordable housing will be delivered in smaller rural villages across the Borough.

## **12 Declarations of Interest / Dispensations Granted**

12.1 None advised.

## **13 Background Papers**

13.1 None.

**Department for Communities and Local Government**

**Planning Contributions (Section 106 planning obligations)**

**Government response to consultation  
November 2014**

## Section 1: Introduction and Overview

1. In March 2014 the Government published a consultation on “Planning Performance and Planning Contributions”. This document summarises the comments received and the Government’s response to the planning contributions part of the consultation. The Government published a response on the planning performance proposals in June, which can be found at <https://www.gov.uk/government/consultations/planning-performance-and-planning-contributions>
2. The Government has reformed the planning system to enable a more transparent and locally driven process; through which new homes and economic growth can be delivered. Important reforms, delivered through the Localism Act 2011 and the Growth and Infrastructure Act 2013, have simplified and speeded-up planning procedures.
3. This consultation took forward the Government’s 2013 Autumn Statement commitment to consult on a proposed new 10-unit threshold for section 106 affordable housing contributions within national policy to reduce planning costs to developers. The Government considers that such charges can place a disproportionate burden on small scale developers, including those wishing to build their own homes, and prevent the delivery of much needed, small scale housing sites.
4. The consultation closed on 4 May 2014. Section 4 of this document provides details of the measures the Government proposes to implement through changes to national policy on the use of section 106 planning obligations. The final proposals have been informed by the responses we received.

## Section 2: Consultation Measures

5. The consultation proposed that before any request for affordable housing contributions can be considered, authorities will have to have regard to national policy that such charges create a disproportionate burden for development falling within a combined 10-unit and 1,000 square metres gross floor space threshold. A maximum total floor space was proposed in combination with a unit threshold to avoid creating an unintended incentive to alter scheme construction densities. In addition, it was proposed that authorities should not seek affordable housing contributions for residential extensions or annexes added to existing homes.
6. Rural Exception Sites would be outside the scope of the proposed threshold.
7. The consultation also asked for views on the extension of the proposed national threshold beyond affordable housing contributions to include tariff based charges.
8. Finally, views were invited on a further amendment to national policy so that local authorities should not apply section 106 affordable housing contributions to buildings brought back into any use, other than proportionately for any increase in floor space. This would be on the basis of providing an incentive for brownfield development in accordance with national policy.

## Section 3: Summary of Consultation Responses

9. In total 325 organisations and individuals responded to the consultation. Nearly half (48%) were on behalf of local authorities including parishes. 22% were from developers or those with a development interest, 7% from representative bodies, such as the Local Government Association and the Home Builders Federation, and 23% of replies were from individuals, both members of the public and persons with a role in the local government or development sectors.
10. Some responses did not provide clear “yes” or “no” answers – instead offering further questions or raising broader issues. A number of responses also provided local data relating to affordable housing contributions and development viability. This document summarises issues raised under questions to which they most appropriately relate.

### Responses to specific consultation questions

**Question 5: Is the Government’s objective of aiding the delivery of small scale housing sites and expanding the self- build housing market supported by:**

- **the introduction of a 10-unit and 1000 square metres gross floor space threshold for section 106 affordable housing contributions; and**
- **the exclusion of domestic extensions and annexes from making section 106 affordable housing contributions?**

11. Developers, development representative bodies, and some members of the public generally supported the proposed changes, arguing that excessive affordable housing contributions were often being applied. They considered that more sites would be built out as a result implementing the threshold:
- a. A significant number of developer responses cited examples of substantial upfront contributions being requested and the consequent stalling of sites as a result. Some referred to protracted negotiations, and others to a total lack of negotiation, over the scale of affordable housing contributions, consequently either delaying new development unnecessarily or making it unviable.
  - b. The amount of affordable housing or contributions being sought from sites, particularly smaller sites, was raised as a significant factor in making some



sites economically unviable. Some developers referred to this being compounded in respect of brownfield sites, which often had higher land prices.

- c. Some responses highlighted cash-flow restrictions, allied to the often upfront requirement to meet affordable housing contributions, as an equally significant factor for small developers.

12. Local Authority responses generally opposed both the principle of a national threshold for affordable housing contributions and the size of the proposed threshold.

- a. Some authorities, particularly rural areas and the National Parks, argued that a 10-unit threshold would disproportionately impact on these locations as it would apply to a higher proportion of proposed new development, and would hamper their ability to provide adequate levels of affordable housing for local people.
- b. Reference was also made to measures already taken by the Government to help ensure that affordable housing contributions were viable, including the new review and appeals process introduced by the Growth and Infrastructure Act 2013.
- c. Many local authority responses referred to the differences between land values and development costs both nationally and from site to site; arguing that these considerations should remain part of the locally led approach to plan-making and, where necessary, on a site-by-site basis.
- d. A number of responses cited concerns over the impact of a set threshold on local land markets, suggesting it would be landowners rather than developers who may benefit from the proposal.

13. There was general support for the exclusion of residential annexes and extensions from affordable housing contributions. Some local authorities agreed with the proposal on the basis that it would bring consistency with the exclusion of such development from the Community Infrastructure Levy.

**Question 6: Should the proposed exemption apply beyond affordable housing to other tariff style contributions based on standard formulae?**

14. This question concerned the tariffs that some authorities use to provide general funding pots for infrastructure, other than for affordable housing.

15. Responses were mixed, although a majority of local authority responses did not support the proposed measure while developers and representative bodies were generally in favour.
16. A significant number of respondents, both for and against the proposal, acknowledged that the proposal echoed to an extent the existing exemption for self builders from the Community Infrastructure Levy introduced in February 2014. Others highlighted that tariffs are already not collected where the Community Infrastructure Levy has been implemented and that the restriction on pooling planning obligations,<sup>1</sup> would effectively restrict such tariffs from April 2015.

**Question 7: We would like your views on the impact on the Government's policy objectives to incentivise brownfield development through proposed national policy change. This would reduce the financial burden on developers by requiring that affordable housing contributions should not be sought where buildings are brought back into any use – other than proportionately for any increase in floor space.**

17. Again a similar balance of responses split largely between local authorities opposed to the proposal and developers in favour but with more support from local authorities than for the propositions in questions 5 and 6. A broad range of responders supported the Government's objective of providing stronger incentives for brownfield development.
18. Some developers referred to the challenging and costly nature of brownfield development which, when allied to significant section 106 requirements, can make such development unviable. Some further argued that brownfield land often had existing infrastructure, which should be reflected, but often was not, in section 106 contribution expectations. Some local authorities did not agree that buildings brought back into use had a more limited impact on local infrastructure.
19. A number of respondents, both for and against the measure, expressed some concern that the policy as proposed would adversely impact on design quality by providing a perverse incentive to retain buildings, rather than demolish and re-build when it was more appropriate to do so.

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<sup>1</sup> The pooling restriction is contained within the Community Infrastructure Levy Regulations 2010, as amended by the 2014 Community Infrastructure Levy (Amendment) Regulations. When the levy is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

## Section 4: Government response

20. The Government has carefully considered the wide range of views and evidence submitted in response to the consultation. The Government intends to strike an effective balance between providing the support and incentives which will drive up self-build, small scale and brownfield development without adversely impacting on local contributions to affordable homes and infrastructure.
21. We have taken account of responses highlighting the greater impact a 10-unit threshold might have on rural areas and in National Parks and Areas of Outstanding Natural Beauty by allowing a lower 5-unit threshold in designated rural areas. We have balanced this, and responded to consultation submissions highlighting the issue of cash-flow for small builders, by policy change to allow developments of 6-10 units in those areas to pay contributions in cash, deferred until after completion, rather than in kind. This will provide small builders the boost that they need through reduced borrowing costs and by allowing contributions to potentially be met from sale receipts. At the same time this proposal will help maintain the flow of affordable houses for local communities and funds for infrastructure. The 5-unit threshold will not, unlike the 10-unit threshold, be combined with a maximum floorspace limit as this would inhibit the development of very small sites.
22. We have listened to concerns about the potential impact an exemption for buildings brought back into use might have on scheme design by converting it into a credit which should apply whether the building is retained or demolished for re-development. This reflects the approach taken through the Community Infrastructure Levy.

### **Changes to National Planning Policy**

23. After careful consideration of these responses we are making the following changes to national policy with regard to section 106 planning obligations:
- Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions.
  - For designated rural areas under section 157 of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty, authorities may choose to implement a lower threshold of 5-units or less, beneath which affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions. Within these designated areas, if the 5-unit threshold is implemented then payment of affordable housing and tariff style

contributions on developments of between 6 to 10 units should also be sought as a cash payment only and be commuted until after completion of units within the development.

- These changes in national planning policy will not apply to Rural Exception Sites which, subject to the local area demonstrating sufficient need, remain available to support the delivery of affordable homes for local people. However, affordable housing and tariff style contributions should not be sought in relation to residential annexes and extensions.
- A financial credit, equivalent to the existing gross floorspace of any vacant buildings brought back into any lawful use or demolished for re-development, should be deducted from the calculation of any affordable housing contributions sought from relevant development schemes. This will not however apply to vacant buildings which have been abandoned.

24. Revised guidance is being published on the Planning Portal website to assist authorities in implementing these changes.

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide	NO	
	Discretionary /	Need to be recommendations to Council	YES	
	Operational	Is it a Key Decision	NO	
Lead Member: Cllr Nick Daubney, Leader E-mail: Cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Debbie Gates E-mail: Debbie.gates@west-norfolk.gov.uk Direct Dial: 01553 616605		Other Officers consulted:		
		Management Team		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening/ Full Assessment	Risk Management Implications NO

Date of meeting: 13 January 2015

### 4 PENSION FUND – EMPLOYER'S POLICY STATEMENT

#### Summary

The Local Government Pension Scheme (LGPS) legislation requires the Authority to issue a written Policy Statement on how it will exercise the various discretions provided by the scheme. The changes introduced by the 2014 revisions require corresponding updates to this Authority's Policy Statement.

#### Recommendations

- i) That the Borough Council of King's Lynn and West Norfolk would not normally exercise their discretion to fund Additional Pension for scheme members.
- ii) That the Borough Council of King's Lynn and West Norfolk would not normally exercise their discretion to consent to the immediate payment of benefits to a scheme member who is aged 55 or more and has left the Authority's employment prior to April 2014 without an entitlement to immediate LGPS benefits. However, it will give consideration to granting consent in those cases where there are no costs to the Authority associated with early payment. This discretion will be exercised by the Executive Director (Central and Community Services) in consultation with the Resources Portfolio Holder.
- iii) If the benefits payable under ii) above would normally be reduced for early payment the Authority would not normally agree to waive all or part of the reduction on any grounds, including compassionate.
- iv) That reference to discretions relating to Award of Additional Membership and Absence Contribution Time Limits will be removed

from the Authority's Policy Statement.

### **Reason for Decision**

To comply with LGPS legislation in respect of the exercise of discretions provided by the Scheme.

## **1. BACKGROUND:**

Periodically, when new Regulations come into force for the LGPS, there will be a corresponding requirement for the Council to amend its Policy Statement on the Council's position on discretions within the Pension Scheme.

## **2. NEW PROVISIONS**

### **Funding of Additional Pension**

An employer may fund wholly, or in part, an active scheme member's Additional Pension Contributions (APC) contract. The payment can be paid by regular contributions or a lump sum. In these circumstances, the cost would fall to the employer.

NB: Where an APC is used to cover a period of unpaid leave, then the employer has to automatically pay 2/3rds of the cost, with the scheme member paying the balance.

### **Recommendation:**

**That the Borough Council of King's Lynn and West Norfolk would not normally exercise their discretion to fund Additional Pension for scheme members.**

## **3. DISCRETIONS TO BE REVISED**

### **Early Payment of Pension**

Prior to the 1<sup>st</sup> April 2014, an employer could give consent for a scheme member aged 55 or more who leaves its employment without entitlement to immediate LGPS benefits to receive them straight away regardless. From 1<sup>st</sup> April 2014 this discretion is no longer required for leavers, who have the right to take their pension from age 55 (subject to actuarial reduction) without their employer's consent. There are, however, two decisions which employers need to make in relation to members who left before 1<sup>st</sup> April 2014.

- i) An employer may give consent for a member aged 55 or more who has left its employment prior to April 2014 without an entitlement to immediate LGPS benefits subsequently to receive them before their normal retirement age.

**Recommendation:**

**That the Borough Council of King's Lynn and West Norfolk would not normally exercise their discretion to consent to the immediate payment of benefits to a scheme member who is aged 55 or more and has left the Authority's employment prior to April 2014 without an entitlement to immediate LGPS benefits. However, it will give consideration to granting consent in those cases where there are no costs to the Authority associated with early payment. This discretion will be exercised by the Executive Director (Central and Community Services) in consultation with the Resources Portfolio Holder.**

- ii) If the benefits payable in i) above would normally be reduced for early payment, the employer may agree to waive all or part of the reduction on compassionate grounds.

**Recommendation:**

**The Authority would not normally agree to waive all or part of the reduction on any grounds, including compassionate.**

#### **4. DISCRETIONS TO BE REMOVED**

- i) Employers no longer have the discretion to award additional membership for active members leaving from 31<sup>st</sup> March 2014. The Council did not previously exercise this discretion and it will now be removed from the Policy Statement.
- ii) Employers no longer have the discretion to extend the 30 day time limit for scheme members who have been away from work as a result of maternity, paternity or adoption leave, industrial action (mainly strikes) or unpaid leave of absence. The Council's policy was that it would not normally extend the 30 day limit and this discretion will now be removed from the Policy Statement.

**Recommendation:**

**That reference to discretions relating to Award of Additional Membership and Absence Contribution Time Limits will be removed from the Authority's Policy Statement**

#### **5. POLICY IMPLICATIONS**

The Authority's approach to these changes to the discretions will be included in its overall policy statement on the exercise of discretionary powers and forwarded to the Norfolk Pension Fund.

#### **6. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report. Financial implications arising from any individual requests will be considered in accordance with existing procedures for dealing with requests for early retirement.

## **7. PERSONNEL IMPLICATIONS**

None

## **8. STATUTORY CONSIDERATIONS**

The changes outlined in this report are consistent with the requirements of legislation governing the operation of the Local Government Pension Scheme.

## **9. EQUALITY IMPACT ASSESSMENT (EIA)**

Please see attached as background paper.

## **10. RISK MANAGEMENT IMPLICATIONS**

Not applicable.

## **11 DECLARATIONS OF INTEREST / DISPENSATIONS GRANTED**

None

### **Background Papers**

EIA



## REPORT TO CABINET

<b>Open</b>	Would any decisions proposed :			
<b>Any especially affected Wards</b>	(a) Be entirely within cabinet's powers to decide YES/ <del>NO</del>			
	(b) Need to be recommendation to Council <del>YES</del> /NO			
	(c) Be partly for recommendations to Council YES/NO and partly within Cabinets powers –			
Lead Member: Cllr Adrian Lawrence E-mail: <a href="mailto:cllr.adrian.lawrence@west-norfolk.gov.uk">cllr.adrian.lawrence@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:		
		Other Members consulted: Cllr Lesley Bambridge Cllr Mark Back		
Lead Officer: Geoff Hall E-mail: <a href="mailto:Geoff.hall@west-norfolk.gov.uk">Geoff.hall@west-norfolk.gov.uk</a> Direct Dial: 01553 616618		Other Officers consulted: John Gilbraith Chris Bamfield		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) YES	Equal Opportunities Implications NO	Risk Management Implications NO

Date: 13<sup>th</sup> January 2015

### 5 HACKNEY CARRIAGE STAND, KING'S LYNN BUS STATION

#### Summary

Due to the redevelopment of the King's Lynn Bus Station the existing Hackney Carriage Stand (rank) needs to be moved. The proposal is to create a new stand within the lower floor car park adjacent to Sainsbury's Supermarket for ten vehicles with an additional seven vehicle stand on the Old Sunway, King's Lynn. This seven vehicle stand will act as a 'feeder' for taxis waiting for a space on the lower car-park taxi stand.

#### Recommendation

That Cabinet approve and adopt two new taxi stands on the lower floor of the car park and on the Old Sunway, King's Lynn to replace the existing taxi Stand adjacent to the King's Lynn Bus Station.

#### 1.0 INTRODUCTION

- 1.1 The existing taxi stand at the King's Lynn Bus Station occupies the site where a new exit from the bus station is to be created. The current rank is the most popular location for the travelling public during shopping hours. The provision of an alternative taxi stand to serve the town centre is therefore considered essential.
- 1.2 The proposal is to create a new rank on the lower floor car park adjacent to Sainsbury's for ten taxis with a feeder stand on the Old Sunway for seven taxis. Both would be operational for 24 hours each day.

## **2.0 CONSULTATION**

- 2.1 Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 requires that the Borough Council must consult with the Police and publish a public notice of their intention to adopt a hackney carriage stand before doing so.
- 2.2 In addition to placing a public notice Environmental Health - Licensing wrote to all Hackney Carriage Proprietors on the 22<sup>nd</sup> October 2014 seeking their views on the proposals. Informal consultation has also taken place prior to this with a representative from the trade. No comments, adverse or otherwise have been received from members of the taxi trade.
- 2.3 Consultation was conducted with the only adjacent business (Sainsbury's) and Norfolk Constabulary on the 27<sup>th</sup> October 2014. The public notice was published in the Lynn News on Tuesday the 4<sup>th</sup> November 2014, with a consultation end date of the 2<sup>nd</sup> December 2014.
- 2.4 The consultation has not generated any comments.

## **3.0 PROPOSAL**

- 3.1 A map showing the general location of the proposed hackney carriage stands is attached to this report as Appendix 1.

## **4.0 POLICY IMPLICATIONS**

- 4.1 There are no policy implications although it is proposed to 'condition' the hackney stand on the Old Sunway that customers are not to be picked up there. This will be included in the Borough Council's Hackney Carriage and Private Hire Licensing Procedures and Conditions.

## **5.0 FINANCIAL IMPLICATIONS**

- 5.1 Costs for the construction, Traffic Regulation Order (TRO)<sup>1</sup>, erection of the necessary signage and the painting of road markings would be included in the budget to redevelop the Bus Station. The cost of the public notice (£227.22 + vat) and consultation will be met from the licensing budget.

## **6.0 STATUTORY CONSIDERATION**

- 6.1 The appointment of the stands will make it an offence under Section 64 of the Local Government (Miscellaneous Provisions) Act 1976 for any vehicle, other than a Borough Council licensed hackney carriage to park on the stands.

## **7.0 RISK ASSESSMENT**

- 7.1 No risks have been identified.

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<sup>1</sup> A Traffic Regulation Order (TRO) is a legal order, which allows the Highways Authority to regulate the speed, movement and parking of vehicles and regulate pedestrian movement, which are enforceable by law. The Act governing Traffic Regulation Order's is the Road Traffic Regulation Act 1984.

## **8.0 ACCESS TO INFORMATION**

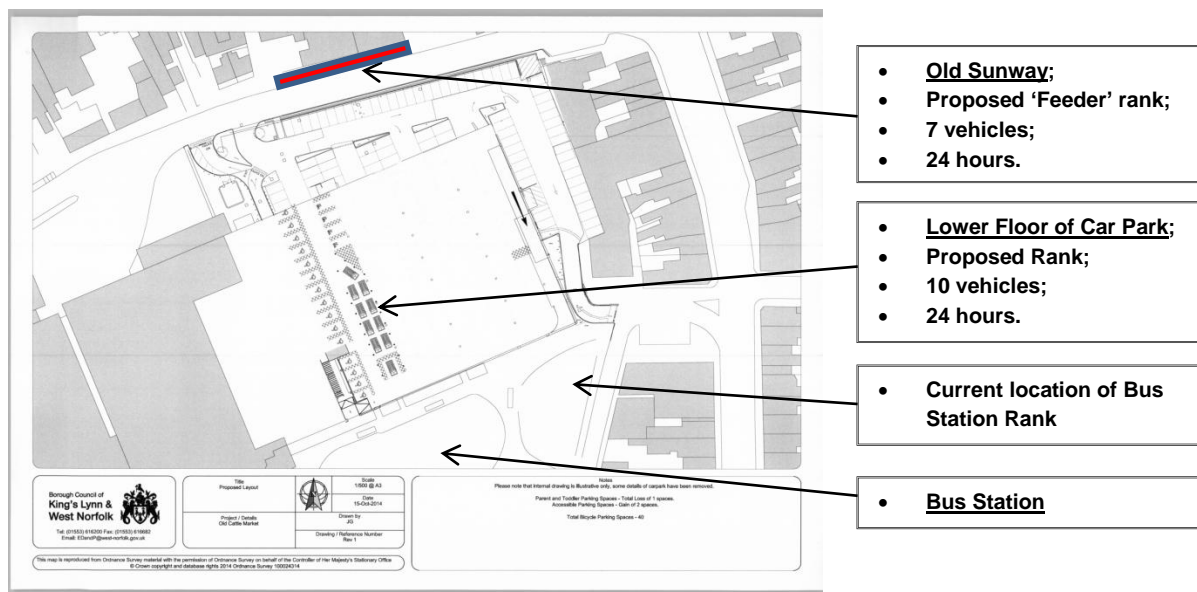
8.1 Local Government (Miscellaneous Provisions) Act 1976

## **APPENDIX**

1. Map of Proposed Location of Hackney Carriage Stands.

Appendix 1 to  
Report to Cabinet  
Re: Hackney Carriage Stand, King's Lynn Bus Station  
Dated 13<sup>th</sup> January 2015

## Proposed Hackney Carriage Stands, King's Lynn



### Notes:

1. The existing rank at the bus station has to be moved to accommodate the redevelopment of the bus station.
2. The two ranks will have a total capacity of 17 taxis.
3. The 'feeder' rank will be for taxis waiting for a space on the lower floor car park rank. An 'alert' system will be installed to make drivers aware that a space has become free.
4. The 'feeder' rank will be conditioned that taxis do not pick-up passengers.

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	<b>Operational</b>	(a) Be entirely within cabinet's powers to decide YES		
		(b) Need to be recommendations to Council NO		
		(c) Is it a Key Decision NO		
Lead Member: Councillor Nick Daubney E-mail: <a href="mailto:cldr.nick.daubney@west-norfolk.gov.uk">cldr.nick.daubney@west-norfolk.gov.uk</a>		Other Cabinet Members consulted: All		
Lead Officer: Samantha Winter E-mail: <a href="mailto:sam.winter@west-norfolk.gov.uk">sam.winter@west-norfolk.gov.uk</a> Direct Dial: 01553 616327		Other Members consulted: Chairs of Panels, CSC and Planning Committee,		
Other Officers consulted: Management Team, Legal				
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) NO	Equality Impact Assessment reqd? NO	Risk Management Implications NO

Date of meeting: 13 January 2015

### 6 TIMETABLE OF MEETINGS FOR 2015/16

#### Summary

The report sets out a draft timetable of meetings for the 2015/16 Municipal Year.

#### Recommendation

That the Timetable for the 2015/16 Municipal Year be approved.

#### Reason for Decision

To enable the decision making process to take place.

#### Background

Attached for members' consideration is the draft timetable of meetings for the 2015/16 Municipal Year.

The Cabinet is scheduled to meet on a monthly basis, mirrored by the Cabinet Scrutiny Committee to fit in with the call in timescales. The meetings have been scheduled in line with the previous year, and it is accepted that if there is insufficient business they may be cancelled/dates changed or if there is the requirement of special meetings, they will be called.

The Chairs of the Panels, Cabinet Scrutiny Committee and Planning Committee have also been consulted. The Chairman of the Cabinet Scrutiny Committee has commented on the tight timescale for some of the Cabinet Scrutiny Committee meetings against the Cabinet Meetings, and wherever possible these have been moved. However, the timeframes around the external audit and closure of accounts necessitate such tight timeframes.

#### Background Papers - Previous timetable

# Calendar of Meetings 2014/2015

	2014							2015				
	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Monday		2 PC			1 PC		3 PC	1 PC		2 PC	2 PC	
Tuesday		3	1 CABINET		2 R&P		4 CABINET	2 CABINET		3 CABINET	3 CABINET	
Wednesday		4	2		3 REC	1 REC	5	3		4	4	1
Thursday	1	5 PC SV	3 PC SV		4 PC SV	2	6 PC SV	4 PC SV	1 BANK HOLIDAY	5 PC SV	5 PC SV	2 PC SV
Friday	2	6	4	1	5	3	7	5	2	6	6	3 BANK HOLIDAY
Monday	5 BANK HOLIDAY	9 AC (ACCTS)	7	4	8 AC (ACCTS)	6 PC	10	8	5 PC	9	9	6 BANK HOLIDAY
Tuesday	6 LICENSING/ CABINET	10 LICENSING	8 LICENSING	5 LICENSING	9 LICENSING	7 LICENSING/ CABINET	11 LICENSING	9 LICENSING	6 LICENSING/ R&P	10 LICENSING	10 LICENSING	7 LICENSING
Wednesday	7	11 CABINET	9	6	10 CABINET	8	12	10	7 REC	11	11	8
Thursday	8 ANNUAL COUNCIL	12	10	7	11	9 PC SV	13	11	8 PC SV	12	12	9
Friday	9	13	11	8	12	10	14	12	9	13	13	10
Monday	12	16	14	11	15	13	17	15	12	16	16	13
Tuesday	13	17	15	12	16	14	18	16 CSC	13 CABINET	17	17	14
Wednesday	14	18	16	13	17	15	19	17	14	18	18	15
Thursday	15 CSC	19 CSC	17 CSC	14 CSC	18 CSC	16 CSC	20 CSC	18	15	19 CSC	19 CSC	16 CSC
Friday	16	20	18	15	19	17	21	19	16	20	20	17
Monday	19	23	21	18	22	20	24	22	19	23	23	20
Tuesday	20	24 R&P	22 R&P/AC	19	23	21	25 R&P/AC	23	20	24 R&P	24 R&P/AC	21
Wednesday	21	25 REC	23 REC	20	24	22	26 REC	24	21	25 REC	25 REC	22
Thursday	22 ELECTION	26 COUNCIL	24	21	25 COUNCIL	23	27 COUNCIL	25 BANK HOLIDAY	22 CSC	26 COUNCIL	26 COUNCIL	23 COUNCIL
Friday	23	27	25	22	26	24	28	26 BANK HOLIDAY	23	27	27	24
Monday	26 BANK HOLIDAY	30 PC	28 PC	25 BANK HOLIDAY	29	27		29 HOLIDAY	26		30 PC	27 PC
Tuesday	27 R&P		29 CABINET	26	30 R&P	28 R&P		30 HOLIDAY	27 R&P/AC		31 CABINET	28
Wednesday	28 REC		30	27		29 REC		31 HOLIDAY	28 REC			29
Thursday	29		31 PC SV COUNCIL	28		30 COUNCIL			29 COUNCIL			30 PC SV
Friday	30			29		31			30			

**KEY:**

CAB = Cabinet
R&P = Resources & Performance Development Panel
AC = Audit Committee
REC = Regeneration, Environment & Community Panel
LICENSING = Licensing Panel or Sub-Committee (if required)

PC = Planning Committee	Half Terms, Christmas and Easter
PC SV = Planning Committee Site Visits	
CSC = Cabinet Scrutiny Committee	22 May 2014 - European Election
COUNCIL = Council	07 May 2015 - Parliamentary Election combined with Borough and Parish
ANNUAL COUNCIL = 14 or 21 May 2015	

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	<b>Operational</b>	(a) Be entirely within cabinet's powers to decide YES		
		(b) Need to be recommendations to Council		NO
		(c) Be partly for recommendations to Council and partly within Cabinets powers –		NO
Lead Member: Cllr Nick Daubney E-mail: <a href="mailto:cldr.nick.daubney@west-norfolk.gov.uk">cldr.nick.daubney@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Samantha Winter E-mail: <a href="mailto:sam.winter@west-norfolk.gov.uk">sam.winter@west-norfolk.gov.uk</a> Direct Dial:01553 616327		Other Officers consulted:		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) NO	Equalities Impact Assessment req'd NO	Risk Management Implications NO

**Date of meeting: 13 January 2015**

### **7 APPOINTMENTS TO OUTSIDE BODY – ALIVE LEISURE TRUST**

#### **Summary**

Due to the annual rotation of Board Members, Councillor Nockolds' position on the Alive Leisure Trust ends in February 2015.

#### **Recommendation**

That Cabinet re-appoints Councillor Mrs E Nockolds to serve on the Alive Leisure Trust from February 2015.

#### **Reason for decision**

To ensure continued involvement by the Council.

### **1.0 BACKGROUND**

1.1 The Borough Council of King's Lynn and West Norfolk has established a Leisure Trust to manage the Borough's Leisure and Cultural Facilities, which comprise:

- Corn Exchange
- Lynnsport
- St James Swimming and Fitness Centre
- Downham Market Leisure Centre
- Oasis Leisure Centre

1.2 The Trust also manages the borough-wide sports development service

1.3 On 9<sup>th</sup> April 2013 Cabinet appointed the Cabinet Member for Culture, Tourism and Marketing as the Borough Council's representative on the Alive Leisure Trust.

1.2 Re-appointment of Board Members positions on the Trust are staggered. Councillor Mrs Nockolds' appointment ends in February 2015.

## **2.0 ROLE OF REPRESENTATIVE**

2.1 Board Members are directors of a company and a trustee of a charity and had duties and responsibilities under both company law and charity law.

2.2 The main board meets approximately six times per year, with additional sub committee meetings as required.

## **3.0 APPOINTMENT OF REPRESENTATIVES**

3.1 Cabinet are requested to appoint a representative on the Alive Leisure Trust for the period February to May 2015.

## **4.0 FINANCIAL IMPLICATIONS**

4.1 Mileage and subsistence allowances for Councillors attending meetings.

## **5.0 ACCESS TO INFORMATION**

Current lists of Member representation.