

**RECOMMENDATIONS TO CABINET 13 JANUARY 2015 FROM THE  
REGENERATION, ENVIRONMENT AND COMMUNITY PANEL MEETING HELD  
ON 7 JANUARY 2015**

REC96: **CABINET REPORT – PLANNING OBLIGATIONS AND  
AFFORDABLE HOUSING – IMPLICATIONS OF THE RECENT  
GOVERNMENT ANNOUNCEMENT ON REVISED THRESHOLDS**

The LDF Manager and Housing Strategy Officer presented the Cabinet report which provided detail of the recent Government Announcement on revised thresholds for affordable housing. The Government would give discretion to local authorities in certain areas to have a lower unit threshold for affordable housing of which the Borough Council was one of these areas.

The LDF Manager and Housing Strategy Officer outlined the options available to the Council. The Council could either modify the existing two tier approach to affordable housing to increase the number of settlements eligible for the higher threshold of eleven to include King's Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement and for all remaining settlements apply a threshold of five units where a financial contribution would be sought towards affordable housing on sites of between six and ten units rather than on site provision as was currently the case. The second option was to operate a single district wide threshold of eleven units for all affordable housing.

The LDF Manager explained that the Council's current policy on affordable housing was included in the 2010 Core Strategy. Currently the threshold was five units or more in rural areas and ten units in larger settlements.

The designated rural areas were areas where the Local Authority was given the choice to introduce a threshold of more than five units had been determined by Government.

The LDF Manager explained that the Borough Council could choose to ease the burden on developers or carry on with the lower threshold to maintain contributions towards affordable housing. He referred the Panel to the report which provided detail on the effect of any potential changes.

The Chairman thanked the LDF Manager and Housing Strategy Officer for their report and invited questions and comments from the Panel, some of which are summarised below.

In response to a question from Councillor Crofts, the LDF Manager confirmed that the designated sites had been determined by Government.

Councillor Crofts felt that lowering the threshold to five units in certain areas could deter small developers from developing larger sites. He

felt that developers may choose to develop sites with only four units or less so that they did not have to contribute to affordable housing. Councillor Crofts suggested that Cabinet be recommended to progress option two – a single district wide threshold of 11 units for all affordable housing. He hoped that this would provide the opportunity for the development of smaller sites to come forward.

In response to a further question from Councillor Crofts, the Executive Director, Development Services explained that whichever opportunity was progressed, it would be monitored.

Councillor Moriarty disagreed with the comments made by Councillor Crofts and felt that a lot of small sites had come forward as part of the Local Development Framework. Councillor Moriarty confirmed that he would be supporting option one as set out in the report.

Councillor Mrs Watson commented that she would also support option one and felt that in coastal areas small developments often had a higher value so could bear the cost of contributing towards affordable housing. She reminded those present that the contribution towards affordable housing did not necessarily have to be on site provision, and could instead be a commuted sum which could be used in other areas where affordable housing was required.

The Vice Chairman explained that only a few Local Authorities had been provided with the opportunity to choose how they dealt with designated areas and this should be embraced. She recognised the need for affordable housing and explained that she would support option one which would provide for more flexibility on how affordable housing was delivered across the Borough.

Councillor Collis explained that the viability of individual projects was assessed and developers could make a case if they felt they could not deliver affordable housing and this would be assessed. Councillor Collis commented that he would be supporting option one as set out in the report.

The Executive Director, Development Services informed the Panel that the options from Government were not that different from the existing policy currently in place in the Borough. He felt that the existing policy had not had a detrimental impact on development and a lot of smaller schemes had come forward for development in the last few years. He felt that developers often did not want affordable housing on sites, and the option to seek a financial contribution for development of six to ten units would be preferable to developers. The contributions would then enable affordable housing to be provided as required.

The Executive Director, Development Services reiterated the comments made by Councillor Collis in that there was an option to test viability of affordable housing if developers felt that they were unable to provide it, but very few cases of this had been brought forward.

The Panels attention was drawn to the impact of setting a higher threshold as set out in the report and it was highlighted that if option two was progressed a financial contribution of £3.72 million would be foregone.

Councillor Collis referred to Community Infrastructure Levies (CIL) and the Executive Director, Development Services explained that a report on CIL had been produced which looked at the costs of development and revenue. The report concluded that the CIL rate was acceptable alongside the Council's affordable housing policy.

Councillor Pitcher referred to sites within his ward which had not been developed because the developer could not afford to provide affordable housing. The Executive Director, Development Services explained that he could not comment on specific sites, but felt that a prudent developer should look at all costs, including the provision of affordable housing and CIL. He reminded those present that CIL was intended to come out of the land value and would not therefore increase the overall cost of development.

The Executive Director, Development Services reminded the Panel of the current affordable housing policy in operation in the Borough and explained that it had been in operation throughout the recession and small sites had continued to come forward for development.

In response to a question from Councillor Bubb, the Housing Strategy Officer explained that a policy could be agreed on how to deal with commuted sums collected through development, should option one be agreed. The policy would control how and where the commuted sums were spent.

The Portfolio Holder for Housing and Community, Councillor Lawrence informed the Panel that the threshold of five meant that a commuted sum for affordable housing would be required on development sites of six to ten units. For development sites of eleven units or more, on site provision of affordable housing would be required.

The Portfolio Holder for Housing and Community felt that developers would favour option one as set out in the report as it afforded them the flexibility of a cash contribution on development sites of six to ten units. This meant that developers would know the cost of the contribution up front. He felt that if a districtwide threshold of eleven units was implemented, land values on smaller sites would increase which could restrict how much development came forward on smaller sites.

In response to a question from Councillor Crofts, the Housing Strategy Officer explained that if option one was progressed, the financial contribution would be payable after completion of 50% of the development. This had not caused any issues previously when developer contributions had been required. The Executive Director, Development Services acknowledged that the Government proposals had been ambiguous on when cash contributions would be required to

be paid. He explained that work would be carried out with the Land Charges section so that land owners and developers were aware of what financial contributions would be required.

In response to a question from the Chairman, the Housing Strategy Officer explained that sites would be monitored and checks would be put in place to ensure that the correct financial contributions were paid. She acknowledged that there needed to be a balance so that there was not a burden on developers and felt that by completing 50% of the development, the developers should have some cash flow by that stage to make the relevant contributions. She commented that some local authorities did ask for contributions up front, before any development could be started.

The Panel considered the recommendations to Cabinet and after being put to the vote it was resolved that the Panel supported option one as set out below.

**RESOLVED:** That the Regeneration, Environment and Community Panel recommend that Cabinet modify the existing two tier approach to affordable housing to:

- a. Increase the number of settlements eligible for the higher threshold of eleven 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 five units where a financial contribution will be sought towards affordable housing rather than on site provision as is currently the case.

REC97: **CABINET REPORT – HACKNEY CARRIAGE STANDS – BUS STATION**

The Licensing Manager presented the Cabinet report and explained that due to the redevelopment of the King's Lynn Bus Station the existing Hackney Carriage Stand needed to be moved. The proposal was to create a new stand within the lower floor car park adjacent to Sainsburys for ten vehicles with an additional seven vehicle stand on the Old Sunway, King's Lynn. This seven vehicle stand would act as a 'feeder' for taxis waiting for a space on the lower car park taxi stand.

The Panel was informed that Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 required the Borough Council to consult with the Police and publish a public notice of their intention to adopt a Hackney Carriage stand before doing so. Consultation was also carried out with all Hackney Carriage Proprietors and Sainsburys. The consultation had not generated any comments.

The Chairman thanked the Licensing Manager for his report and invited questions and comments from the Panel, some of which are summarised below.

Councillor Bubb asked if the pedestrian entrance to the car park would be improved as he felt it could become a bottleneck if people were queuing for taxis. The Executive Director, Commercial Services explained that there would be sufficient waiting space provided for people waiting for taxis and due to the amount of spaces on the rank and the feeder rank, it was hoped that queuing for taxis should not be too much of an issue. The Regeneration Programmes Manager explained that this issue had not been raised previously, but if problems arose it could be investigated.

In response to a question from Councillor Pitcher, the Executive Director, Commercial Services explained that approximately ten to twelve car parking spaces would be lost to accommodate the taxi rank. He did not anticipate that this would cause a problem as usually there was car parking capacity in the town centre. The disabled parking spaces would be moved elsewhere.

The Licensing Manager reminded those present that the taxi rank needed to be formally adopted so it would be an offence for other vehicles to park in it.

**RESOLVED:** That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

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

REC98: **CABINET REPORT – HOMELESSNESS STRATEGY UPDATE**

The Strategic Housing and Community Safety Manager presented the Cabinet report which considered the outcomes of the consultation on the draft Homelessness Strategy and presented the draft Homelessness Strategy for 2015 to 2019 and associated action plan.

He reminded the Panel that they had previously considered the draft strategy prior to it going out for consultation. The final version now incorporated the results of the consultation for Cabinet approval.

The Strategic Housing and Community Safety Manager explained that responses from the consultation had been from partners and included the need to work closely with other organisations, for example the CCG.

The Panel was informed that the Strategy included the potential impact on the changes to Universal Credit and the Benefits system. Feedback from the consultation included how debt was an issue in creating homelessness and endorsed the Council's approach in working to prevent homelessness before it became an issue.

An action plan had also been produced to ensure that the Borough Council continued to prevent homelessness wherever possible, meet

statutory obligations and support the wider objectives of the Homelessness Strategy.

The Strategic Housing and Community Safety Manager explained that the Strategy would be reviewed on an annual basis and an update report would be provided to the Regeneration, Environment and Community Panel, the Housing Options Forum, which comprised key partners and the West Norfolk Partnership Forum.

The Chairman thanked the Strategic Housing and Community Safety Manager for his report and invited questions and comments from the Panel, some of which are summarised below.

In response to a question from Councillor Baron Chenery of Horsburgh, the Strategic Housing and Community Safety Manager explained that the Council did work with the Fermoy Unit and did look at the impacts of hospital discharges. The Strategic Housing and Community Safety Manager explained that the most common causes of homelessness were outlined in the strategy.

In response to a further question from Councillor Baron Chenery of Horsburgh, the Strategic Housing and Community Safety Manager explained that the Council worked with relevant partner organisations to identify the needs of individuals. If there were no complex needs the Council often worked with Freebridge Community Housing who provided vacant housing for use on a temporary basis. The Housing Strategy Officer agreed to circulate information on the successor to Julian Housing to the Panel.

The Portfolio Holder for Housing and Community, Councillor Lawrence commented that the Council worked with a lot of different partners, including the Purfleet Trust who had schemes to assist people with mental health issues and help them get back into society.

Councillor Moriarty referred to the report which outlined how homelessness could be misconceived as rough sleeping. He asked if there was a hidden problem of rough sleepers in rural areas in the Borough. The Strategic Housing and Community Safety Manager explained that the Housing Options Forum was currently considering ways to approach this issue and how rough sleepers could be identified and assisted.

The Housing Strategy Officer explained that the Council worked with relevant partners who provided useful information on incidents of homelessness and rough sleepers. The Strategic Housing and Community Safety Manager explained that in some local authority areas there was a high number of Eastern European workers who had chosen to be homeless.

Councillor Mrs Watson commended the work of the Purfleet Trust and asked if the Council provided any financial support to organisations such as this. She also asked if work was carried out to support 'sofa

surfers'. The Strategic Housing and Community Safety Manager explained that 'sofa surfers' were not considered to be rough sleepers but the Council did take notice of people in this situation and he reminded the Panel that the Council considered the prevention of homelessness to be its key priority.

The Portfolio Holder for Housing and Community, Councillor Lawrence explained that the perception of a homeless person was often untrue and people could become homeless for a variety of reasons, often through no fault of their own. The Council did all it could to try and prevent homelessness. He informed those present that the Council also had some direct access beds. In response to the query raised by Councillor Mrs Watson, the Portfolio Holder for Housing and Community explained that the Council did give financial contributions to partner organisations and encouraged funding from other bodies.

The Strategic Housing and Community Safety Manager explained that financial contributions were often considered on a case by case basis and for specific schemes which contributed towards the prevention of homelessness.

In response to a question from Councillor Baron Chenery of Horsbrugh, the Strategic Housing and Community Safety Manager explained that in other local authority areas Eastern European workers had made a positive choice to be homeless and this could be down to the quality of accommodation provided by employers and costs etc.

In response to a question from Councillor Mrs Young, the Strategic Housing and Community Safety Manager explained that emergency provision for those fleeing from domestic violence was available.

In response to a request from Councillor Collis, the Housing Strategy Officer agreed to circulate a list of partner organisations that the Council worked with.

**RESOLVED:** That the Regeneration, Environment and Community Panel support the recommendation to Cabinet as follows:

That the Homelessness Strategy 2015 to 2019 as attached at Appendix A and Action Plan at Appendix B are recommended for approval by Council.

REC99: **EXCLUSION OF THE PUBLIC AND PRESS**

Councillor Moriarty asked why the public and press were being excluded from the meeting for the following item of business, as the original report presented to the Panel in 2013 was not considered in closed session.

The Regeneration and Economic Development Manager explained that the report included detail on the cost of additional works which would have an effect on contracts, which had not yet gone out to tender.

The Chief Executive explained that the Council was in the process of carrying out the tender exercise. The report included details of the baseline costs for additional works which would be included in the tender exercise.

**RESOLVED:** That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

REC100: **EXEMPT CABINET REPORT – KING’S LYNN INNOVATION HUB SITE INFRASTRUCTURE**

The Regeneration and Economic Development Manager presented the Cabinet report which updated on progress with the development of the King’s Lynn Innovation Centre at the Nar Ouse Regeneration Area following approval of planning permission for the site. The report outlined the options, costs and funding arrangements to provide the site infrastructure for the King’s Lynn Innovation Centre.

The Regeneration and Economic Development Manager explained that to meet the requirements of the planning permission, additional works were required as detailed in the report. Several options had been considered, but would result in the build specification being reduced which would compromise the viability of the Centre. The recommended works were outlined in the report.

Alternative funding arrangements and grants, such as the Local Enterprise Partnerships and Norfolk Business Rates Pool funding were also being investigated to assist with completion of the project.

The Regeneration and Economic Development Manager explained that the Capital Programme allocations for the NORA site had been reviewed. He explained that the allocated funds had originally been based on high density development on the site, which had now been reduced, therefore there was the opportunity to bring forward capital from the financial year 2016/2017 to meet the cost of abnormal site works.

The Regeneration Programmes Manager provided the Panel with detail of the additional works which would be required and included car park construction, surface water drainage, access road construction and distribution of utilities.

The Chairman thanked the Regeneration Programmes Manager and the Regeneration and Economic Development Manager for their report and invited questions and comments from the Panel.



Councillor Moriarty explained that he was disappointed that the relevant Portfolio Holder was not present at the meeting because he valued his contributions and his knowledge of the subject. Councillor Moriarty reminded the Panel that when the original report had been considered by the Panel in 2013 comments had been made by the Panel regarding the provision of a contingency fund for the project. He felt that if this had been incorporated into the scheme, funding would not now be an issue.

The Chief Executive explained that the additional works had not been identified earlier in the project and the situation with water discharge could not have been foreseen until the Lead Design were appointed to develop the detailed scheme in consultation with the Environment Agency. He acknowledged that officers should have perhaps considered a contingency budget, but it was equally important to keep budgets tight and balanced. The Chief Executive hoped that alternative sources of funding may become available.

In response to a question from the Vice Chairman, the Regeneration Programmes Manager explained that surface water would be filtered into a bio-remediation pond, before being discharged to the River Nar. The pond would be a natural area and hopefully encourage wildlife.

Councillor Moriarty proposed an additional recommendation to Cabinet to ask them to consider establishing an enabling fund for any potential development on the site. The additional recommendation was seconded and after being put to the vote the motion was carried.

**RESOLVED:** (i) That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as set out in the report.  
(ii) That Cabinet consider establishing an enabling fund for any potential future development on the site.