



Notice of a meeting of Cabinet

Tuesday, 11 April 2017
6.00 pm
Pittville Room - Municipal Offices

Membership	
Councillors:	Steve Jordan, Flo Clucas, Chris Coleman, Rowena Hay, Peter Jeffries, Andrew McKinlay and Roger Whyborn

Agenda

		SECTION 1 : PROCEDURAL MATTERS	
1.		APOLOGIES	
2.		DECLARATIONS OF INTEREST	
3.		MINUTES OF THE LAST MEETING Minutes of the meetings held on 24 February and 7 March 2017	(Pages 3 - 12)
4.		PUBLIC AND MEMBER QUESTIONS AND PETITIONS These must be received no later than 12 noon on the fourth working day before the date of the meeting	
		SECTION 2 :THE COUNCIL <i>There are no matters referred to the Cabinet by the Council on this occasion</i>	
		SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE <i>There are no matters referred to the Cabinet by the Overview and Scrutiny Committee on this occasion</i>	
		SECTION 4 : OTHER COMMITTEES <i>There are no matters referred to the Cabinet by other Committees on this occasion</i>	
		SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS	
5.		PROPOSAL TO IMPLEMENT SOLACE: A PARTNERSHIP TO TACKLE PRIORITY ANTI-SOCIAL BEHAVIOUR Report of the Cabinet Member Development and Safety	(Pages 13 - 76)

6.		RESPONSE TO THE GOVERNMENT WHITE PAPER 'FIXING OUR BROKEN HOUSING MARKET' Report of the Leader	(Pages 77 - 102)
7.		BRIEFING FROM CABINET MEMBERS	
		SECTION 6 : BRIEFING SESSION • Leader and Cabinet Members	
		SECTION 7 : DECISIONS OF CABINET MEMBERS Member decisions taken since the last Cabinet meeting	
		SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION	

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Cabinet

Friday, 24th February, 2017

4.00 - 4.15 pm

Attendees	
Councillors:	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Peter Jeffries (Cabinet Member Housing), Andrew McKinlay (Cabinet Member Development and Safety) and Roger Whyborn (Cabinet Member Corporate Services)
Also in attendance:	Councillor Matt Babbage

Minutes

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 7 February 2017 were approved and signed as a correct record.

4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

There were no questions or petitions.

5. FINAL GENERAL FUND REVENUE AND CAPITAL BUDGET PROPOSALS 2017/18 (INCLUDING SECTION 25)

The Cabinet Member Finance introduced the report which summarised the revised budget for 2016/17 and the Cabinet's final budget proposals and pay policy statement for 2017/18. She highlighted that this was yet another budget cycle in which huge savings had to be found in already extremely difficult financial times, as the government funding was cut again at the last minute with the £600 000 loss of New Homes Bonus. The net result of this was that the budget process for 2018/19 would be even tougher and would make it very difficult to avoid making cuts.

The Cabinet Member Finance noted that the council had always been prudent in its use of New Homes Bonus which has meant that any excess had been used to bolster reserves. The plan for 2017/18 was to put £300k into 2020 vision and £300k into the budget strategy reserve, but if this was to be realized then bringing in a balanced budget without making cuts to services would not be possible. She emphasized that not making service cuts had been a priority for the administration which was why it was being proposed to use the planned excess to support the revenue budget for this year.

The administration was looking to the future positively, with a number of exciting improvements and projects in the pipeline including the new crematorium, improved kerbside recycling, the potential of hosting the tour of Britain cycle race and the funding awarded to take the cyber centre forward. Smaller projects, such as the changing places public conveniences along with the cycling and walking project were of equal importance.

Finally, the Cabinet Member Finance expressed her sincere thanks to all of the Go Shared Services finance team, in particular Paul Jones and Sarah Didcote, for their enormous amount of hard work in supporting the process.

A Member commented on the table outlined in paragraph 4.11 in the budget report which set out the proposed levels of government funding per dwelling in 2017/18 across the Gloucestershire Districts. Whilst the differences between rural and urban authorities were recognised he questioned the way in which the Government was awarding grants.

The Leader endorsed the thanks already given to the Finance team.

RESOLVED THAT it be recommended to Council that :

- 1. the revised budget for 2016/17 be noted and the recommendation of the Section 151 Officer to transfer the identified saving of £110,737 to the budget strategy (support) reserve as detailed in Section 3.1 be approved.**
- 2. Having considered the budget assessment by the Section 151 Officer at Appendix 2 the following recommendations be approved :**
- 3. the final budget proposals including a proposed council tax for the services provided by Cheltenham Borough Council of £197.12 for the year 2017/18 (an increase of 2.60% or £5.00 a year for a Band D property), as detailed in paragraphs 4.37 to 4.42 be approved.**
- 4. the growth proposals, including one off initiatives at Appendix 4, be approved.**
- 5. the savings / additional income totalling £1,408,700 and the budget strategy at Appendix 5 be approved.**
- 6. the use of reserves and general balances be approved and the projected level of reserves, as detailed at Appendix 6 be noted.**
- 7. Award temporary business rates relief for local newspapers for up to two years from April 2017, as set out in paras 4.30 to 4.33, subject to full reimbursement from the Government and the award of such relief be delegated to the Revenues Manager.**
- 8. It be noted that the Council will remain in the Gloucestershire business rates pool for 2017/18 (para 4.26).**

9. **an above inflationary increase in cremation fee (estimated to generate additional income of £373,550) with a corresponding contribution to the budget strategy (support) reserve, as detailed in paragraphs 6.10 to 6.13 be approved.**
10. **the Pay Policy Statement for 2017/18, including the continued payment of a living wage supplement at Appendix 9 be approved.**
11. **a level of supplementary estimate of £100,000 for 2017/18 as outlined in Section 14 be approved.**

6. FINAL HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS 2017/18

The Cabinet Member Finance introduced the report which summarised the Housing Revenue Account (HRA) revised forecast for 2016/17 and the Cabinet's budget proposals for 2017/18

She highlighted that through this budget, CBH and CBC were achieving much more than was immediately apparent. It did not just concern the £4 million of spending on repairs and maintenance, and approximately £8 million on property improvements and major works but also the £2.7 million on new build and acquisitions, and the continuing spending on benefits advice, employment initiatives and services for older and disabled people. The council should be very proud of what it was doing, despite the squeeze on finances which the Government introduced last year.

The Cabinet Member Housing highlighted other work that had been undertaken, namely the provision of a number of accommodation units for the Syrian refugee programme and accommodation for veterans of the armed forces.

Members wished to put on record their thanks to officers at both CBH and CBC.

RESOLVED THAT it be recommended to Council that

1. **the revised HRA forecast for 2016/17 be noted**
2. **the HRA budget proposals for 2017/18 (Appendix 2) including a proposed rent decrease of 1% and changes to other rents and charges as detailed within the report be approved**
3. **Approve the proposed HRA capital programme for 2017/18 as shown at Appendix 3 be approved.**

7. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Clean and Green Environment informed Members that there would be a public consultation on the plans for the cemetery and crematorium between 1.30 and 7.30 pm on Wednesday 1 March.

8. CABINET MEMBER DECISION TAKEN SINCE THE LAST MEETING OF CABINET

Cabinet Member	Decision
Leader	Appointment of Cllr Coleman to replace Cllr Whyborn on Ubico Board
Cabinet Member Development and Safety	Removal of BT public payphones

Chairman

Cabinet

**Tuesday, 7th March, 2017
6.00 - 6.25 pm**

Attendees	
Councillors:	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Andrew McKinlay (Cabinet Member Development and Safety) and Roger Whyborn (Cabinet Member Corporate Services)
Also in attendance:	Councillor Matt Babbage and Councillor David Willingham

Minutes

1. APOLOGIES

Apologies were received from Councillor Jeffries.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

There were none.

4. CABINET RESPONSE TO THE SCRUTINY REPORT ON ACCESSIBILITY

The Cabinet Member Clean and Green Environment introduced the report and reminded Members that in December Cabinet had considered a report from Overview and Scrutiny on Accessibility which highlighted some of the issues raised by wheelchair users at a meeting held at St Vincent's and St Georges with regard to the lack of accessible public toilets in Cheltenham. He reported that the administration had previously made a commitment to bid for funding to install one Changing Places Accessible Toilet to serve the accessible Pittville Park Play area. An application for funding had subsequently been submitted to the Disabled Children and Young People Short Breaks Capital grant and the council was successful in securing the capital cost of installing two Changing Places Accessible Toilets on the basis that one would be at Pittville Park Play area and the second facility within the town centre. The identification and securing of funding for future maintenance and cleaning regime of the two facilities was still required. The Cabinet Member highlighted that Cabinet and officers were keen to consult on the town centre location and a number of local organisations would be consulted directly to ensure the facility met the needs of residents and visitors. Finally, the Cabinet Member wished to thank all officers who had been involved in the project.

Members recognised that due to the reduction in toilet provision in the town many were at a disadvantage, particularly those who required extra assistance. This proposal represented a huge step forward which was to be welcomed.

RESOLVED THAT

the project to develop the proposal and the business case be approved, subject to existing budgets, to install and maintain two Changing Places Accessible Toilets within Cheltenham, one in Pittville Park and another in a town centre location to be determined, following consultation with user groups and stakeholders.

5. NOMINATIONS TO OUTSIDE BODIES-NON-EXECUTIVE DIRECTOR FOR PUBLICA (2020)

The Leader introduced the report and explained that as a founding member of the business support service's company part of Publica the council had a right to appoint a non executive director. Following the usual processes for appointing to bodies external to the council two expressions of interest had been received initially with one Member, Councillor Babbage, subsequently withdrawing from the process. It was noted that Councillor Babbage had still expressed an interest in being involved in the future. Councillor Wendy Flynn had also come forward and in the Leader's view, having been a representative on the 2020 Partners Joint Committee, was ideally placed for the post. The Leader informed Members that the other partner councils had decided to advertise more widely for their representative and had collectively agreed for the need for an independent Chair. He explained that the due diligence checks supported by external consultants had now been completed.

RESOLVED THAT

Councillor Wendy Flynn be appointed as a non-executive director of Publica as set out in the terms of appointment in Appendix 2 and in accordance with the following principles:

- **all nominations are made on the basis that the nominee/appointee is a representative of Cheltenham Borough Council (insofar as that is compatible with any overriding legal duty to an outside body); and**
- **the appointor reserves the right at any time to withdraw/terminate a nomination/appointment which it has made**
- **a nomination/appointment to an outside body is referred to Council for determination where consensus on that nomination/appointment cannot be achieved between the political Group Leaders**

6. FINANCING ARRANGEMENTS FOR IMPROVEMENTS TO LEISURE-AT-CHELtenham

The Cabinet Member Healthy Lifestyles introduced the report which outlined an improvement scheme requested by the Cheltenham Trust which would deliver

much needed investment into Leisure@ Cheltenham to keep it competitive and to enable a growth in income and footfall. She referred Members to the financial information in the report and the conditions for the loan and governance going forward.

She believed that these improvements would be great for children and families and the change would provide a foundation for the Trust to grow going forward which would provide economic benefits to both the Trust and the council. She wished to put on record her thanks to those officers who had been involved in bringing this report forward and whose work had been outstanding in this regard.

RESOLVED THAT

- 1. the proposed improvements to Leisure-at-Cheltenham as set out in this report be approved**
 - 2. Council, subject to the conditions set out in section 6 being met to the satisfaction of the Section 151 Officer in consultation with the Cabinet Member Finance be recommended to authorise :**
 - 3. The Authority to offer a loan of up to £1.5million at an interest rate of 3% per annum to the Cheltenham Trust for onward funding of the improvements to Leisure-at-Cheltenham as detailed in Section 3 of this report;**
 - 4. The Authority entering into a loan agreement with The Cheltenham Trust for the sum of up to £1.5m at an interest rate of 3% per annum for onward funding of the improvements to Leisure-at-Cheltenham as detailed in Section 3 of this report.**
- 7. PROGRESS UPDATE REGARDING THE NEW CREMATORIUM PROJECT INCLUDING BUSINESS CASE DECISIONS REGARDING ACCESS ROAD AND SECOND CHAPEL OPTION**

The Cabinet Member Clean and Green Environment introduced the report which provided an update on the development of Cheltenham's new crematorium as it moved through its design stage. He referred Members to an additional appendix 6 and 7 which had been circulated earlier that day which contained feedback from the recent consultation. He went on to say that the primary focus for the authority had been the building of a new crematorium on council owned land to the east of the current cemetery retaining the existing chapel for services. This was the only viable scheme at the time due to the finances involved. At the November meeting of Cabinet consideration was given to pursuing the business case around the building of a second new chapel as part of the development. The business case had shown that if this was pursued there would be a number of interesting possibilities for the existing listed buildings which would derive income for the authority. However, now was not the time for a project on the use of the existing building but the proposal being recommended was to proceed with the building of a second chapel. This was to be funded by using the capital receipt from the sale of the cemetery lodge and money from the revenue budget reserve arising from the introduction of new crematorium fees with the balance being supported by prudential borrowing.

The Cabinet Member highlighted that building two new chapels at the same time was reasonable and postponing the second chapel build into the future

would not be in the best interests of the town. He recognised however concern for the future of the existing listed buildings but wished to express his intent for securing the long term future of those buildings which would remain an integral part of the service provided.

The Cabinet Member then referred to the requirement for a new access route and the recommendation was for a new route on the southern boundary of the site which would be subject to planning permission. He then highlighted the need for a temporary route for construction traffic leading to the new crematorium with the preferred route to be informed by professional advice and the results of public consultation.

In concluding, the Cabinet Member emphasised that this was a very significant step in the project and Council would be recommended to allocate the budget for the construction of the second chapel at its meeting on March 27 and with the application for planning permission expected in April or May. He wished to put his thanks on record for the commitment of officers in the project to date.

The Leader recognised the enormity and complexity of the project and believed that incorporating the build of the second chapel now was the appropriate way forward.

RESOLVED THAT

- 1. the approach to providing public access to and from the new crematorium, including the development, subject to planning consent, of a new permanent road linking the new facility to Bouncer's Lane be approved (See option 'Route B' at Appendix 2);**
- 2. the appropriation of land on prior's farm playing field from use as open space to cemetery use be approved and authority be delegated to the Head of Property and Asset Management to carry out the appropriation should planning permission for the development of the crematorium and access road be granted;**
- 3. it be noted that a temporary route for construction traffic leading to the new crematorium will be required, with the preferred route to be informed by professional advice and the results of public consultation, provided in a supplementary update;**
- 4. subject to Council agreeing the additional project budget, the construction of a second chapel in conjunction with the new crematorium be approved.**
- 5. It be agreed that further work be programmed to review the options for repurposing the existing chapels and how the associated costs can be further mitigated to improve scheme viability.**

Council be recommended to :

Allocate the budget for the construction of a second new chapel, including the use of the capital receipt of £275,000 from the sale of the cemetery lodge and £373,000 from the revenue budget reserve arising from the introduction of new crematorium fees in 2017-18, with the balance of £352,000 being supported by prudential borrowing.

8. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Clean and Green Environment referred to the ongoing work of the waste and recycling service redesign and reported that some Members of the cabinet member working group had visited Cinderford recently to inspect the Romaquip vehicles that the council had ordered. He reported that feedback had been positive from both the crews and residents. The next step in the project would be route utilisation and Members' views would be sought on the launch of the service.

The Cabinet Member Healthy Lifestyles informed Members that the invitation to tender for the redevelopment of the Town Hall was now live and had generated significant interest to date.

9. CABINET MEMBER DECISIONS TAKEN SINCE THE LAST MEETING OF CABINET

23/02/17	Cabinet Member Finance	Freehold Disposal of 29 King Street
27/02/17	Cabinet Member Finance	Jessop Avenue-Un-adopted Road

Chairman

Cheltenham Borough Council

Cabinet – 11th April 2017

Proposal to implement Solace:

A partnership to tackle priority anti-social behaviour

Accountable member	Councillor Andrew McKinlay – Development and Safety
Accountable officer	Sarah Clark – Public & Environmental Health Team Leader
Ward(s) affected	All
Key/Significant Decision	Yes
Executive summary	<p>The council has a statutory duty to address and reduce crime and antisocial behaviour (ASB) under Section 17 of the Crime and Disorder Act 1998.</p> <p>The number of ASB complaints received by the council has doubled from the last financial year to the current one (from 56 to 117 cases). The demand for action against all types of ASB occurring across all tenures and sectors exceeds the council's dedicated resource of one full time equivalent ASB case officer. There is limited capacity to improve outcomes within the current way of working.</p> <p>This proposal is to lever additional ASB resource by contributing the council's ASB case officer to an ASB partnership called Solace. This is a partnership with Gloucestershire Constabulary and Cheltenham Borough Council (CBC) and Gloucester City Council (GCC) to tackle cross-tenure and public space anti-social behaviour (ASB) throughout the urban districts of Cheltenham and Gloucester.</p> <p>Solace is:</p> <ul style="list-style-type: none"> • a council and police partnership to tackle anti-social behaviour through partner agency working; • it supports people to take responsibility for their actions, and challenges those who don't; • to improve outcomes for victims, offenders, communities and agencies.

<p>Recommendations</p>	<p>Solace would co-locate one Police Officer and one Police Community Support Officer (both full time) with the council's ASB case officer in the former tourism information centre in the Municipal Offices. Joining with Gloucester will allow flexibility of resource depending on priorities and would link to Cheltenham Solace through a shared data and intelligence hub; and shared management by a Senior ASB officer to be employed by Gloucester City Council (CBC to contribute 25% towards the senior ASB officer post).</p> <p>Costs can be met from within existing budgets.</p> <p>The business proposal attached at Appendix 2 sets out further information about the Solace partnership including costs and benefits for CBC.</p> <ol style="list-style-type: none"> 1. That Cabinet approve the proposal for Cheltenham Borough Council to join the Solace partnership. 2. That Cabinet delegate authority to the Public & Environmental Health Team Leader, in consultation with the Cabinet Member Development & Safety to agree the final implementation plans. 3. That a briefing note to all Members is circulated setting out further detail regarding implementation, governance and performance monitoring once it becomes available.
<p>Financial implications</p>	<p>Joining the other local agencies to implement Solace will cost £12,750, covering the data management software and the 25% contribution to the Senior ASB officer post. An opportunity has been found to fund this through a proposed reduction in the senior EHO (health & safety) resource from 1 FTE to 0.4FTE.</p> <p>Not implementing Solace will result in CBC continuing to have only 1 ASB officer, which will continue to impact on the workloads of senior EHO's and line managers. Employing another ASB officer to add further resilience could not be done as cheaply as funding 25% of the senior ASB officer via Solace.</p> <p>Contact officer: Myn Cotterill, Business Partner Accountant, myn.cotterill@cheltenham.gov.uk, 01242 774958</p>
<p>Legal implications</p>	<p>Other than those outlined in the report, there are no legal implications.</p> <p>Contact officer: Vikki Fennell, Solicitor, vikki.fennell@tewkesbury.gov.uk, 01684 272015</p>

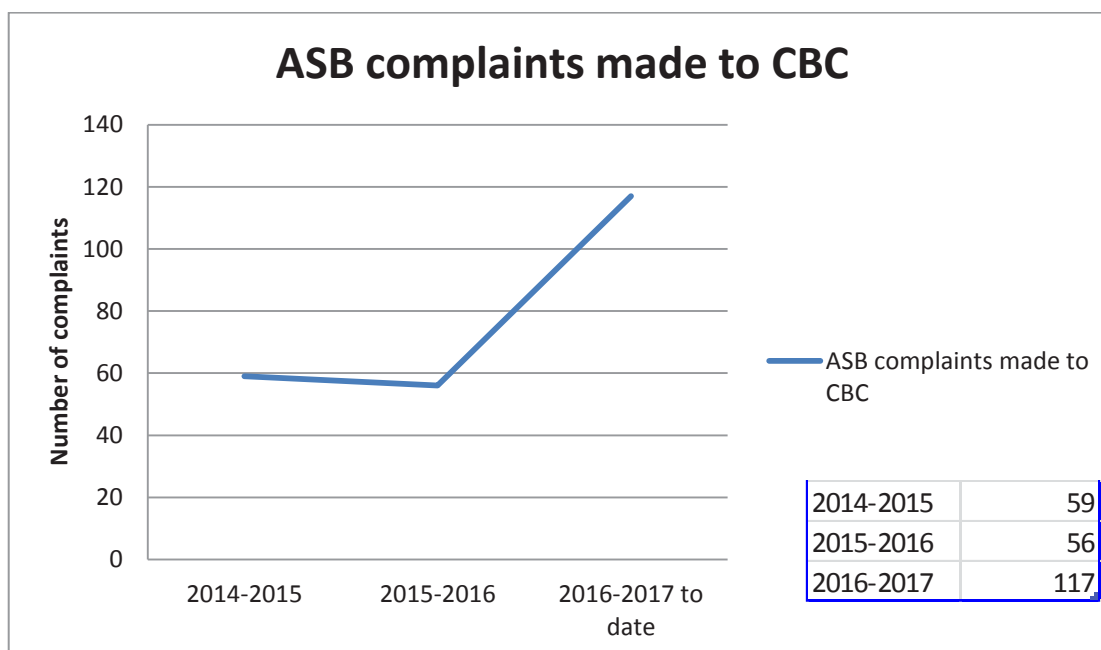
<p>HR implications (including learning and organisational development)</p>	<p>The ASB Officer currently employed by CBC will continue to be so employed; however they will be managed and tasked on a daily basis by a jointly funded shared Senior ASB Officer (employed by Gloucester City Council) with support from CBC to manage the welfare and performance of the ASB Officer. This has been detailed in the report.</p> <p>As a result of a Senior EHO Officer reducing their working week from full time to 2 days, this has offered up a saving of £22,623 (excluding on costs) which will contribute towards funding both 25% of the Senior ASB Officer and the shared data and intelligence hub.</p> <p>If Cabinet approves CBC joining the Project Solace Partnership, there will need to be open and transparent communication and consultation with both the trade unions and the respective ASB Officer with regard to the new working arrangements.</p> <p>Contact officer: Carmel Togher, HR Business Partner, carmel.togher@cheltenham.gov.uk, 01242 775215</p>
<p>Key risks</p>	<ul style="list-style-type: none"> • If the Council does not lever or find additional resource to tackle increasing levels of ASB, and support victims and offenders, it may fail in its statutory duty with regard to ASB and crime in the borough, with impacts on the local economy and reputation of the town. • If the council does not effectively respond to low level ASB, this is likely to lead to an increase in more serious crime. • If the council through Solace does not suitably support vulnerable people who experience or commit antisocial behaviour, then it may be challenged about failing in its duty of care.
<p>Corporate and community plan Implications</p>	<p>Solace is identified on the (draft) Corporate Plan for 2017-18 as Priority Action ENV6 to support the Environmental Outcome: Cheltenham's environmental quality and heritage is protected, maintained and enhanced.</p> <p>It also clearly contributes to the Community Outcome: People live in strong, safe and healthy communities, by tackling ASB and crime.</p> <p>Solace would support the (draft) Place Strategy vision by more effectively tackling anti-social behaviour so that Cheltenham is 'a place where everyone thrives'. Solace's support of vulnerable people would particularly contribute to the Nurturing outcome, and reducing public realm and business-related ASB would contribute to the thriving economy outcome.</p>

<p>Environmental and climate change implications</p>	<p>Street begging and homelessness are detrimental to the town centre environment and contribute to public fears about crime and anti-social behaviour. Solace aims to help tackle this issue through targeted support and enforcement activities.</p> <p>There is likely to be a positive (albeit hard to measure) impact on the council's carbon emissions due to fewer officer journeys in relation to investigations, evidence gathering, victim support and multi-agency meetings as Solace will co-ordinate this activity.</p>
<p>Property/Asset Implications</p>	<p>Solace would provide the council with better co-ordinated resource to manage ASB or crime arising on its land and property.</p> <p>The respective officers will be co-located within the police contact centre which is situated in the former tourist information centre and not within any CBC operational space.</p> <p>Contact officer: David.Roberts@cheltenham.gov.uk</p>

1. Background

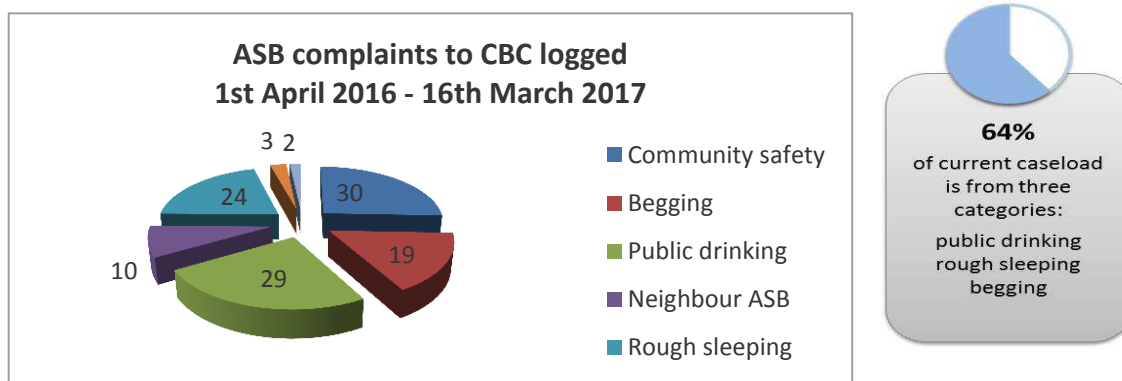
- 1.1 Anti-social behaviour (ASB) covers a range of nuisances, public disorder and crimes which affect people's lives on a daily basis. If ASB is not dealt with appropriately and in a timely manner it can have a devastating impact on the lives of individuals, families and communities.
- 1.2 ASB directly costs UK businesses £9.8 billion per annum and a further £20,000 per affected business to rectify this impact (*Gloucester City Homes, Social Impact Evaluation of selected activities using Social Return on Investment February 2013*).
- 1.3 It is widely recognised that single agencies cannot tackle ASB alone and there is a need to work in partnership to address these issues.
- 1.4 The demand on the council's ASB service is growing significantly beyond the capacity of its one Full Time Equivalent (FTE) officer (see Graph 1). The volume of ASB complaints made to the council has more than doubled from 56 in 2015-16 to 117 cases so far this financial year.

1.4.1 Graph 1: number of ASB complaints made directly to CBC's antisocial behaviour service for current and past two financial years



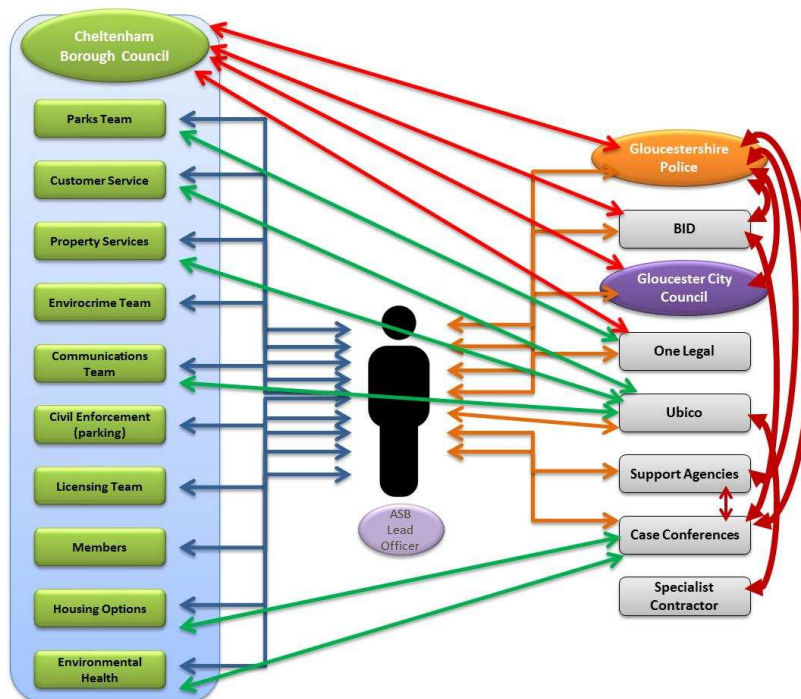
- 1.5 Due to the nature of antisocial behaviour, each case usually involves multiple victims and complainants, offenders, locations and agencies. Investigations are often complex and lengthy as a result. The following chart (see para 1.5.1) provides a breakdown of the council's ASB cases by type for the current financial year. It demonstrates that the primary demand relates to street people behaviours such as public drinking, rough sleeping and begging. These three categories form over 64% of the current caseload (75 cases out of 117 total ASB complaints received). There is limited capacity to improve outcomes within the current way of working.

1.5.1 Chart 1: Chart of CBC ASB complaints from 1st April 2016 to 16th March 2017 (total 117)



1.6 Currently there are many ways in which customers can report ASB which can lead to duplication of effort and resource, as the schematic in 1.6.1 demonstrates. Introducing Solace in Cheltenham will help to simplify these processes and ensure priority ASB is actioned appropriately and that vulnerable individuals are identified at an early stage (see section 1.2 of the business proposal at Appendix 2)

1.6.1 Schematic 1: current process flow of ASB complaints received by CBC

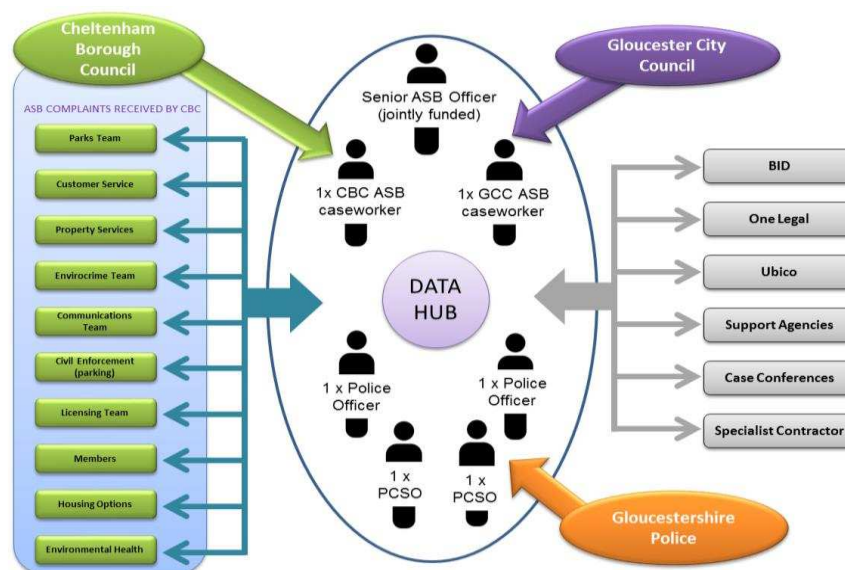


- 1.7 Solace is a police and council partnership currently operating in Gloucester to reduce repeat incidents and victims of anti-social behaviour by providing a consistent partnership approach to tackling the issue.
- 1.8 The business proposal attached as Appendix 2 provides more detail about how Solace would operate. It is recommended that Cabinet delegate authority to the Public & Environmental Health Team Leader, in consultation with the Cabinet Member Development and Safety to agree the final implementation plans.

2. Reasons for recommendations (see also Appendix 2 Business Proposal)

2.1 Increased resource to address anti-social behaviour

- 2.1.1 If the council contributes resource in the form of its ASB officer, it will be able to lever additional resource by extending the current Solace partnership to include Cheltenham, as the diagram in 2.1.3 shows. For an additional annual financial contribution (which can be met from within the existing base budget) CBC's direct ASB management function would also be delivered by Solace through a jointly funded and shared Senior ASB Officer post. This post would be employed by Gloucester City Council, and would manage the Solace team and workload on a daily basis, with matrix management support from each agency to manage the welfare and performance of their staff when required. The police contribution to this post will be 50%, with some of that percentage secured through the Police & Crime Commissioner's Fund; hence the proposal to extend Solace to Cheltenham is currently a time-limited one.
- 2.1.2 The current service operates mainly 9am – 5pm Monday to Friday with out of hours working on occasion. Solace would provide greater joint out of hours' service access and could react faster to emerging issues.
- 2.1.3 The dedicated Solace team would be set up as follows:



2.2 Improved outcomes

- 2.2.1 Solace will improve the outcomes associated with antisocial behaviour cases – see section 2.6 in the business proposal (Appendix 2) and simplify the links between the council's membership of various groups and partnerships as described in Section 1.2 of the business proposal.
- 2.2.2 The nature of ASB work means that any single complaint can have multiple victims, incidents, perpetrators and locations associated with it. Consequently the complexity and length of investigative resource required varies from case to case. Although a risk assessment process is in place, it does not currently link with reports of ASB or crime made to the police so there is a missed opportunity to spot vulnerable victims or repeat offences. Solace triages calls from both the council and police via a shared intelligence data hub using a risk assessment process. Solace's priorities are listed in section 2.4 of the attached business proposal.
- 2.2.3 Risks are increasing e.g. domestic abuse, modern day slavery, dangerous drug networks (DDNs), sex working, children and young people safeguarding, and child sex exploitation. Solace would provide the council with a more co-ordinated way to manage its priority risks and vulnerabilities.

2.3 Maximise opportunities for partnership working

- 2.3.1 As the council's ASB service has developed, it has networked and maximised opportunities to fill gaps in service provision. Examples include working with the Nelson's Trust and the Women Centre to safeguard street people allegedly involved in sex working; re-mapping homeless and chaotic lifestyle support pathways with CBH, the lead commissioner and housing options; working with the Big Issue to address fake vendors and recruit genuine new ones; and increasing on-street engagement and support from partner agencies. This essential strategic work further impacts on the ability to carry out the operational element of the work but would be more achievable, consistent, and measurable in terms of outcomes if the council implements Solace. The partnership would also be an additional way that the council could explore opportunities to further improve collaborative working with Cheltenham Borough Homes.
- 2.3.2 There is evidence that some perpetrators of ASB move between the urban areas of Cheltenham and Gloucester so sharing resource and intelligence is essential to help prevent this.

2.4 Increased confidence in support arrangements and proportionate enforcement

- 2.4.1 The ASB service always works with partners to provide support for individuals who commit ASB, as this often results in a more strength-based and sustainable positive behaviour change. However, it takes enforcement action in the few cases that require it, in order to protect those who experience harm from antisocial behaviour. There are understandable concerns about the appropriateness of enforcing against people with chaotic lifestyles who may have entrenched addictions and behaviours that make tenancies hard to manage. However, the engage – support – enforce model used by CBC’s service and Solace alike when working with street people engages with them through a network of support agencies which is effective at reducing rough sleeping, begging and other public space ASB. The proportionality of enforcement work is illustrated by the current work in Cheltenham with street people using the same Engage - Support – Enforce model deployed in Gloucester. **Formal enforcement is only taken in approximately 8% of street people cases.** Out of 38 individuals, nine have received a letter of concern offering support and advising behaviour is antisocial; three have received final warnings and 3 have received formal enforcement in the form of Civil Injunctions:



3. Costs

- 3.1 Cheltenham's contribution to Solace can be met from within existing budgets and would lever additional resource in the form of a co-located PC and PCSO, plus cover and resilience from the same set-up in Gloucester.

Table 1: CBC costs associated with Solace partnership

Inputs & Benefits	Cost	Source	Additional cost to CBC
CBC ASB caseworker (FTE)	£32, 500 with oncosts	In base budget	None
Senior ASB officer post to manage Solace. CBC contribution is 25%.	Approx. £11, 250 per annum	Savings from reduction in Senior EHO (H&S) post	None
Shared data and intelligence hub	Approx. £1500 per annum	Savings from reduction in Senior EHO (H&S) post	None
Contribution to legal costs	To be projected NB there is not any budget specifically for ASB work (e.g. signage, public notices or marketing). Request to be made for such a budget, utilising funds from vacant post savings.	Savings from vacant community officer post or potential resource bids	None

- 3.1.1 The council has already approved a request from a Senior Environmental Health Officer working in Health & Safety to permanently reduce her hours. This service decision relates to a reduction in the level of proactive inspections permitted by the Health & Safety Executive. The council still retains 1.4 FTE for this service and will prioritise accordingly. This has, however, provided an opportunity to invest the associated salary savings in to ASB which has been identified as a priority by the Managing Director for Place & Economic Development.

- 3.2 Gloucester City Council costs would be as for Cheltenham Borough Council but with the addition of costs associated with employing the Senior ASB Officer post.

3.3 Gloucestershire Constabulary will contribute:

- Four full-time members of staff.(one PC and one PCSO designated Cheltenham resource and one of each for Gloucester – opportunity for resource to be ‘pushed and pulled’ between districts depending on priorities and subject to being carefully managed to ensure sufficient coverage in both districts)
- Accommodation in Cheltenham hub – police offices in old TIC building
- Joint training
- 50% contribution to shared Senior ASB officer post to manage Solace
- Contribution to shared data hub
- Contribution to legal costs

4. Alternative options considered

- 4.1 Status Quo - continuation of existing service without change – however, the council would be increasingly likely to fail in its statutory duty under the Crime and Disorder Act 1998, due to demands for assistance outweighing resource.
- 4.2 Non-formalised partnership working – this is already happening in Cheltenham but is highly unlikely to further improve ASB outcomes for victims or offenders within existing capacity. Existing partnership working is not always consistent, nor does it routinely include working with Gloucester City, mainly due to the lack of service capacity. Solace presents a creative opportunity to make a real difference.
- 4.3 Matrix working via a neighbourhood team within CBC – this option is floated in Section 3.6 of the business proposal at Appendix 2. However, this would not have the expertise or experience to deal with higher risk ASB, particularly within the early days of start-up. It would also require some element of management, which would be hard to resource if ASB were to be retained as a core service function.

5. Consultation and feedback

- 5.1 In June 2016, a Cheltenham Borough Council Scrutiny Task Group (STG) responded to concerns about a perceived increase in the number of 'street people' in Cheltenham, specifically the High Street, Promenade and surrounding areas. The STG considered it essential to find a sustainable, long-term solution to improve outcomes for those with drug and/or alcohol addictions as well as mental health issues. The group felt the adoption of a SOLACE model or similar approach to co-ordinated multi-agency working would improve outcomes in relation to addressing anti-social behaviour and supporting and safeguarding individuals appropriately (Section 5.4 of the STG report). The STG made the following specific recommendations in Section 6.1 of its report:
- 5.1.1 "Reducing the number of street people in Cheltenham should be a priority for this authority, benefiting not only the street people but also residents and local businesses, as well as the town itself.
 - 5.1.2 An integrated, co-ordinated multi-agency approach is required, with close partnership working and appropriate information sharing
 - 5.1.3 This authority is well placed to assume a co-ordinating role
 - 5.1.4 The adoption of a Project SOLACE model or a similar approach in Cheltenham"
- 5.2 Inspector Tim Wood from Gloucestershire Police: "Gloucestershire Police have felt the benefit of Project Solace in Gloucester for several years now and are therefore keen to adopt similar arrangements within Cheltenham, so realising those benefits across both of the major urban areas within the County. The National Police Chief's Council (NPCC) vision for the coming years is that the Police move to a more integrated way of working with their partners, involving collocation and joint problem solving. This leads to more efficient use of collective resources and an increased ability to utilise the range of skills that each partner can bring to any given situation. Solace does exactly this. Gloucestershire Constabulary are therefore committed to adopting the model within Cheltenham and as such have gained support from the Police & Crime Commissioner to fund 50% of the Senior ASB Officer position, a post that will be key to enabling the setup of an urban Solace model."
- 5.3 Lead Commissioner for Housing Martin Stacy: "we welcome the opportunities Solace will bring to providing a holistic, joined up approach to tackling anti-social behaviour within the town. Outcomes in Gloucester have shown that emphasis is placed on supporting individuals first, with enforcement action taken only as a last resort. With the support element in mind, it is important that we maximize the opportunities for individuals to engage with support services, in particular with regard to those who are rough sleeping. It is for this reason that the council has agreed to jointly fund, with the Homes & Communities Agency, the provision of 31 new dwellings by the YMCA. This will provide move-on accommodation for individuals leaving supported housing, thereby freeing up more accommodation within supported housing for individuals who are living on the street or who are in other urgent need for housing.

In addition, the council is working closely with colleagues in districts across the county to bring about the joint commissioning of a brand new support service for entrenched rough sleepers, following our successful joint bid to the Department of Communities and Local Government for £990,000. This service will focus on preventing entrenched rough sleepers, who have been housed, from becoming homeless again, thereby putting an end to the cycle of rehousing and homelessness currently experienced by these individuals. This support service will complement the jointly commissioned county-wide Assertive Outreach Service, whose main purpose is to help rough sleepers take their first steps back into accommodation”.

- 5.4 The Director of Cheltenham Business Improvement District, Kevan Blackadder: “Antisocial behavior is being raised more frequently by the town’s businesses as one of the major issues they face. Significant problems with ASB and crimes such as shoplifting have been reported in areas like The Brewery Quarter, Regent Arcade and in individual shops including Marks & Spencer. Perpetrators are often repeat offenders, and have confronted members of staff. The BID also believes it suffers from the number of street people who are regularly begging outside Cheltenham businesses. Evidence from partner charities shows that the majority are not homeless but beg to support drug and drink habits. The amount of on-street drinking could also reflect badly on the town. The BID has seen from being involved in the Street People Working Group that progress can be made by working with partners to tackle often complicated issues. The Solace proposal would give this work not only more focus but would create a far more efficient reporting structure and enable the broader issues of ASB to be tackled more efficiently and more quickly. The cost of ASB to business is clear (1.2) and with funding already identified in the proposal to implement the Solace partnership, Cheltenham BID urges support for the scheme on behalf of its 600 businesses.”
- 5.5 Solace has been presented at an ASB steering group and has been raised at the Positive Participation and Positive Lives Partnerships; however it is proposed that the report author presents a more detailed briefing if Solace is approved by Cabinet. Solace will be a key delivery arm of the Cheltenham Partnerships structure which are currently being reviewed in light of the county-wide community safety review. Cheltenham partners are considering creating a tactical risk and harm group which would provide a tactical overview of the following agendas:
- Safeguarding
 - Domestic abuse
 - Anti-social behaviour
 - Crimes of significance
 - Sexual Violence / CSE
 - Housing / Homelessness / street people
 - Drugs and alcohol
 - Hate crime
 - Modern slavery
 - Serious and organised crime
- 5.6 Lisa Jones, lead officer for ASB at Cheltenham Borough Council: as ASB reports increase, it makes complete sense to join together and become even better partners to make Cheltenham a safer place to live, visit and work. The hub would provide a central point for officers to hold case conferences, share and store vital information and above all – improve the outcomes for victims and perpetrators alike.

5.7 The Solace proposal was supported by the Street People Working Group on 7th February 2017. Members of the group include:

- Cheltenham Borough Council
- Cheltenham Housing Aid Centre (CHAC)
- Cheltenham Borough Homes
- YMCA
- Gloucestershire Police
- Cheltenham Business Improvement District (BID)
- P3
- Streetlink
- Probation service
- Change Grow Live (CGL)
- Nelsons Trust
- Homegroup - Stonham
- Big Issue

6. Performance management – monitoring and review

- 6.1 The Solace project team has drafted an implementation plan and it is suggested that the council use this to monitor the introduction of Solace, if Cabinet approve the proposal.
- 6.2 The council would also be part of a working group to form a Service Level Agreement (SLA) between Cheltenham Borough Council, Gloucester City Council and Gloucestershire Constabulary. Solace would be monitored against this SLA and against the five priorities detailed in the business proposal. Regular review periods will be built in to the SLA.
- 6.3 The report author or Head of Service will monitor and review Solace's performance on behalf of the council with reports to the relevant Director and Cabinet Deputy when requested. The briefing note (recommendation 2 of this report) will contain more detail about performance monitoring, review and governance.

Report author	Contact officer: Sarah Clark, sarah.clark@cheltenham.gov.uk, 01242 264226
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Solace Business Proposal 3. Community Impact Assessment
Background information	

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1	If the Council does not lever or find additional resource to tackle increasing levels of ASB, and support victims and offenders, it may fail in its statutory duty with regard to ASB and crime in the borough	Sarah Clark	20.3.17	3	4	12	Reduce	Recommend Cabinet approve the Solace proposal.	14.04.17		
2	If the council does not suitably support vulnerable people who experience or commit antisocial behaviour, then it may be challenged about failing in its duty of care	Sarah Clark	20.03.17	2	1	2	Accept	Recommend Cabinet approve the Solace proposal Close work with partner agencies Use of Engage-Support – Enforce model Monitoring of support and enforcement actions	14.04.17 Ongoing Ongoing Ongoing with suggested quarterly reviews	Senior ASB officer Senior ASB officer Solace governance structure	

3	If the council does not implement Solace, then there will be continued difficulty in achieving consistency of practice in relation to ASB across the Borough (for example, thresholds for taking enforcement action and the associated consultation mechanism with partners)	Sarah Clark	20.03.17	2	3	6	Accept	Recommend Cabinet approve the Solace proposal	14.04.17		
4	If the council does not have an effective strategy for tackling ASB, there is a risk that the prevalence of issues will increase further, damaging the reputation of the town and its economy	Sarah Clark	20.03.17	4	4	16	Reduce	Recommend Cabinet approve the Solace proposal	14.04.17		

5	If the council does not join Solace, then there would be no central point of excellence for managing high risk cases of ASB, increasing the Borough's vulnerability to high profile adverse cases	Sarah Clark	20.03.17	3	4	12	Reduce	Recommend Cabinet approve the Solace proposal	14.04.17		
6	If the council does not introduce Solace, partnership working between all three agencies will become increasingly difficult as available resources continue to reduce and outcomes related to ASB worsen	Sarah Clark	20.03.17	2	5	10	Accept	Recommend Cabinet approve the Solace proposal	14.04.17		
7	If a member of the Solace team fails police vetting, they will be unable to access police or Solace data systems or police buildings.	Sarah Clark	20.03.17	3	2	6	Accept (benefit of sharing information outweighs the risk)	Provide advice to applicants before they commence the vetting process	31.05.17	Emma McDonald, Glos Police	

8	If the council contributes all of its expertise to Solace in the form of its only dedicated ASB officer, it may not be able to appropriately action complaints of lower level or neighbourhood ASB	Sarah Clark	20.03.17	2	2	4	Accept	Identify how this will work in the SLA Develop other staff Explore neighbourhood team working	01.06.17	Sarah Clark	
9	If the police are not successful in renewing the PCC funding for the shared senior ASB post in three years' time and are unable to continue with a 50% financial contribution, then the council may need to revert to management of its ASB function on a temporary or permanent basis	Sarah Clark/Solace team	24.03.17	3	2	6	Accept	This risk is owned by the wider Solace team including GCC and the police. The police have committed to contributing 50% of the shared senior post and it will remain their decision how they choose to fund it, in the event of this risk being realised. It is difficult to predict how CBC structures might have changed by then, but it is likely there would be some management capacity if CBC wanted to revert to the current arrangement where	2020	Glos Police	

								it directly manages the CBC ASB officer (because CBC will still have its share of Solace costs in base budget). Alternative arrangements might include a continued shared management post with GCC, or approaching an additional partner such as CBH or another LA.			
Explanatory notes Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) Control - Either: Reduce / Accept / Transfer to 3rd party / Close											



Solace Cheltenham

Proposal for Urban Antisocial Behaviour Partnership

Author: Sarah Clark, Cheltenham Borough Council, March 2017



Gloucester
City Council



Solace is:

- a council and police partnership to **tackle anti-social behaviour** through partner agency working;
- it **supports people** to take responsibility for their actions, and challenges those who don't;
- to **improve outcomes** for victims, offenders, communities and agencies.

This proposal has been developed with Gloucestershire Constabulary
(Inspector Tim Wood) and
Gloucester City Council/Solace (Emily Jones)

With thanks to Claire Cook (CBC) for graphics

solace

noun

1. comfort in misery, disappointment, etc
2. something that gives comfort or consolation

verb (transitive)

3. to give comfort or cheer to (a person) in time of sorrow, distress, etc
4. to alleviate (sorrow, misery, etc)

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Contents

1.	Background
2.	Proposal
3.	Benefits
4.	Costs
5.	Risks
6.	Next Steps
Appendix 1	Solace (Gloucester) Performance Data 2011 – 2015

1 Background

1.1 Anti-Social Behaviour

Antisocial behaviour (ASB) can have a significant negative impact on our communities. It covers a range of nuisances, public disorder and crimes which affect people's lives on a daily basis. If ASB is not dealt with appropriately and in a timely manner it can have a devastating impact on the lives of individuals, families and communities. It is widely recognised that single agencies cannot tackle ASB alone and there is a need to work in partnership to address these issues.

1.2 Gloucester Project Solace

In October 2007 Fiona Pilkington decided that death was the only way out of years of torment and harassment suffered by her and her daughter. This followed a long series of anti-social behaviour and hate crime to which the Police and partners failed to respond appropriately.

In May 2011 the Independent Police Complaints Commission (IPCC) published its findings and made a number of recommendations. These recommendations were to form the basis from which Project Solace was formed in Gloucester.

The report found that incidents were being dealt with in isolation by both Police and partners, that there was a failure to join up a long series of incidents and to recognise the seriousness of their collective impact, and that there was a complete lack of awareness from Police and partners in terms of how to support Fiona Pilkington and her family.

Solace is therefore a key feature of the continued commitment by Gloucestershire Constabulary and Local Authorities to work with partners to ensure that such a tragic case is never experienced again.

The formation of Project Solace in Gloucester brought about the ability to share and develop collective expertise in dealing with anti-social behaviour. It provided the opportunity for Police, Local Authority and Housing to carry out joint data collection and to establish ownership and co-ordination of cases. This brought about opportunities to work more efficiently and effectively by sharing legal expertise, tackling collective issues, and bringing about a reduction in overall demand upon other business areas by dealing effectively with cases involving repeat victims.

Although Gloucester City Homes are no longer part of Solace, this has opened up opportunities for equitable and consistent working relationships with all housing providers across both social and private sectors.

The experience of Project Solace in Gloucester demonstrates that there would be significant benefits to adopting similar arrangements in Cheltenham in a three-way partnership with Gloucestershire Police and Gloucester City Council. This document intends to identify some of those benefits. If this proposal is approved by Cheltenham Borough Council, the word 'Project' would be removed to reflect the permanency of commitment to the Solace partnership. The name 'Solace' will be retained to reflect the respite provided to victims of ASB.

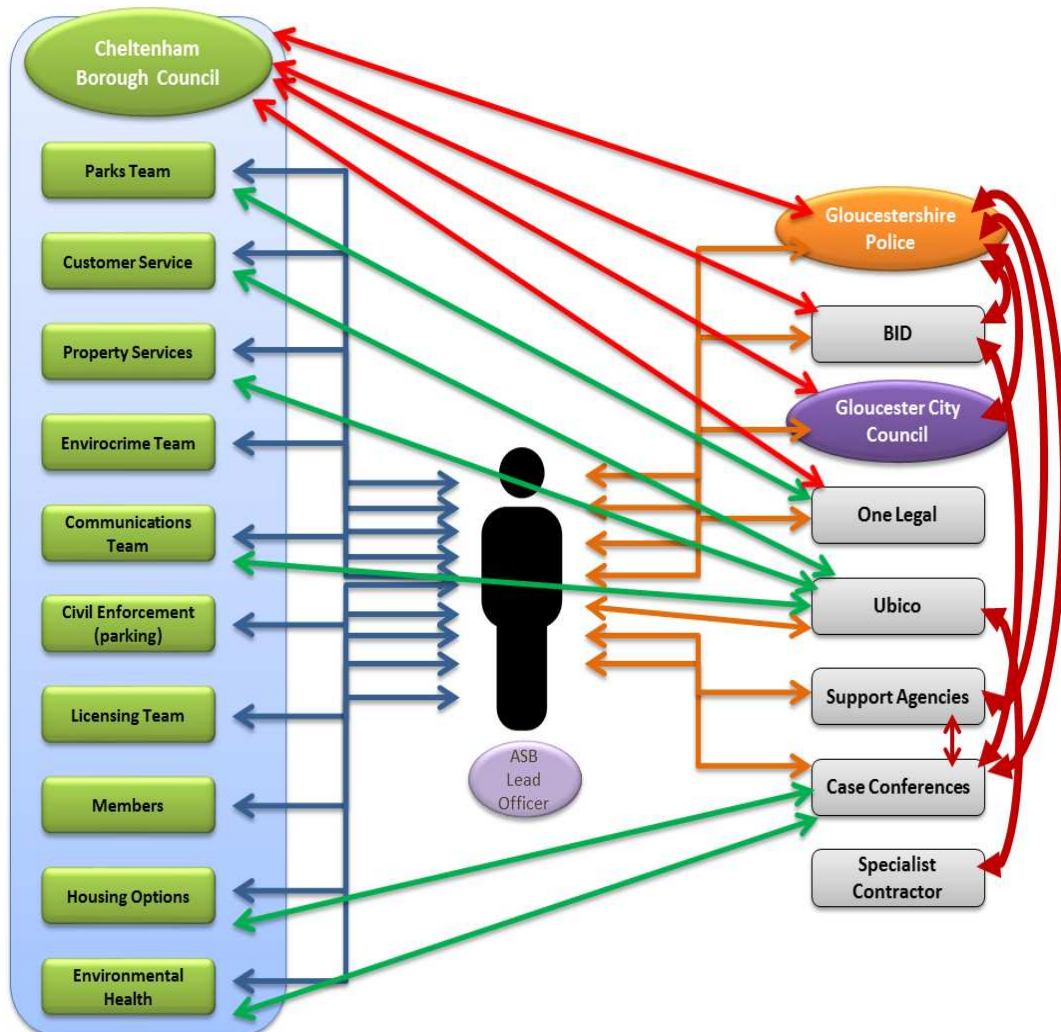
1.2 Cheltenham – current ASB processes

By comparison in Cheltenham, antisocial behaviour complaints are still mainly handled separately by the council and police.

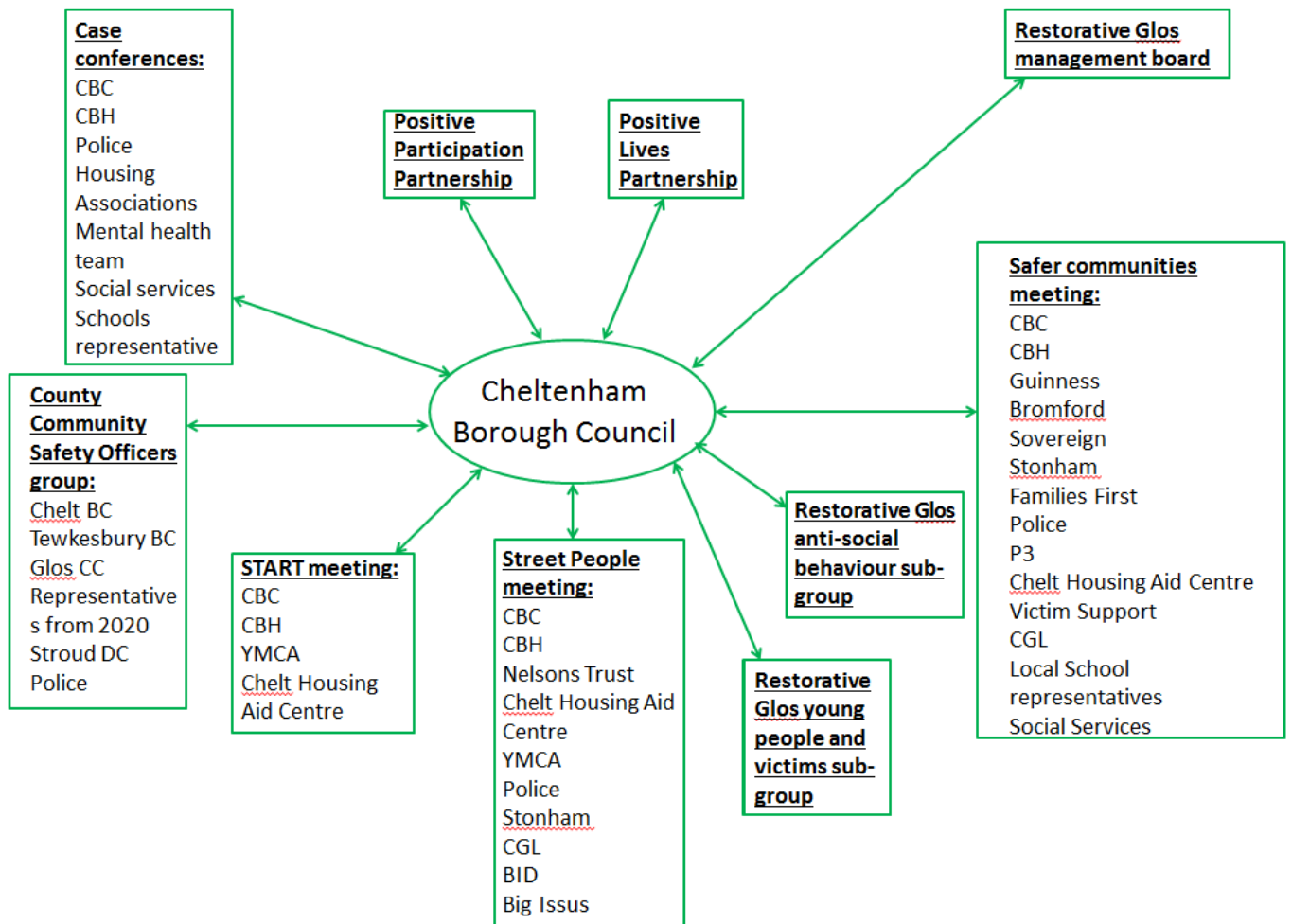
The council's resource has comprised of 0.6 full time equivalent (FTE) for the district which equates to three working days per week. This post is responsible for co-ordinating the response to ASB across social and private housing sectors, public spaces and community and business areas. The post will be increased to a full time equivalent in base budget from 1st April 2017 in response to increasing demand on the service (see section 2.2 below).

Although work has been done to align internal ASB processes between the various teams responsible for different elements of lower level ASB, information is still not consistently shared between teams and the lead ASB officer, and there are many overlaps between different CBC work processes leading to duplicative resource. Schematic 1 on the following page demonstrates the complexity of the current system. This does not provide the best support for victims, and is inefficient in terms of council resource. Despite the web of reporting and information sharing lines, it is still possible for a person to 'fall down the gap' between them.

Schematic 1: current process flow of ASB complaints received by CBC



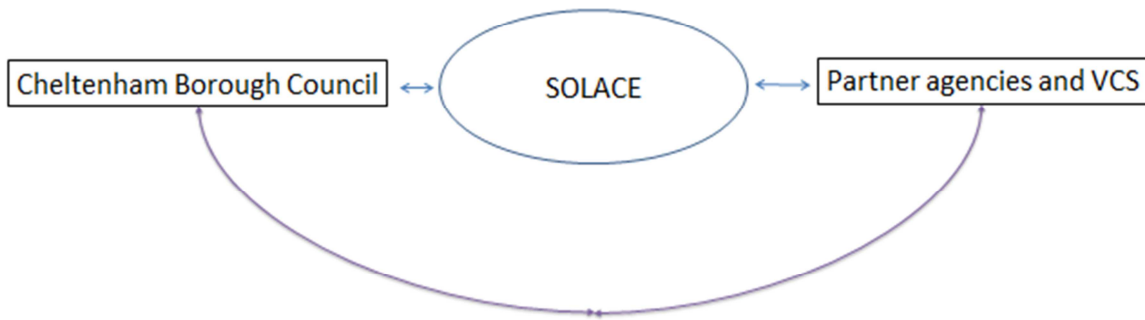
Schematic 2: current CBC and partner representation at ASB related meetings



Schematic 2 is a simplified diagram of CBC and partner representation at meetings and case conferences where antisocial behaviour is discussed. This also highlights the multiple (and therefore usually costly) interactions between CBC teams and related meetings and groups.

Solace would help address these issues and simplify processes for customers and agencies alike, as suggested in Schematic 3. This would also link to re-design work currently being undertaken by the report author with the lead commissioner for housing with regard homeless pathways and preventative approaches.

Schematic 3: Solace model



There is an opportunity for Cheltenham Borough Council to contribute its one FTE to lever additional ASB resource by extending the current Solace partnership between the police and Gloucester City Council to include Cheltenham. For an additional annual financial contribution (which can be met within existing base budget) CBC's direct ASB management function would also be delivered by Solace through a shared Senior ASB Officer post. The police contribution to this post will be 50%, with some of that percentage secured through the Police & Crime Commissioner's Fund; hence the proposal to extend Solace to Cheltenham is a time-limited one.

2 Proposal

2.1 Outline plan

The proposal is for a partnership with Gloucestershire Constabulary and Cheltenham Borough Council (CBC) and Gloucester City Council to tackle cross-tenure and public space anti-social behaviour (ASB) throughout the urban districts of Cheltenham and Gloucester. The partnership is called Solace and has been operating in Gloucester since 2010.

Solace will work from a single shared ASB database known as 'Hub', and access will also be provided for all Solace staff to Police IT systems. This will enable effective information sharing between the Police and both Councils, as well as providing an IT system especially intended for use in the field of ASB. Hub is also the system used by the main housing providers in Cheltenham and Gloucester. It is therefore a tried, tested and recommended system for ASB and will also enable simple information sharing with social landlords where necessary.

The Cheltenham and Gloucester Solace teams will be based in two hubs as follows;

- Gloucester – at The Docks, Gloucester City Council
- Cheltenham – at the Old Tourist Information Office, adjoined to Cheltenham Borough Council

These hubs will ensure the activity of the teams remains local, whilst gaining the benefits of shared resources and common practice achieved via the Senior ASB Officer.

In recognition of the move away from a base in housing to an urban wide format, the team will be rebranded from 'Project Solace' to 'Solace'. This will ensure consistency of recognition, whilst removing the word 'Project' which suggests something relatively short term.

The workload of Solace in Cheltenham will consist of all CBC ASB cases, the co-ordination of all high risk Police cases, and a selection of Police medium risk cases. A risk assessment process will organise the work into the five Solace priorities described in Section 2.23 below and resource will be focused accordingly. Solace will then co-ordinate a multi-agency response and oversee accountability.

A mutual assistance arrangement will operate with the Gloucester Solace team when additional resource or expertise is required. The Cheltenham and Gloucester Solace hubs will be connected by a shared intelligence/data hub and managed by a jointly funded Senior ASB Officer employed by Gloucester City Council.

2.2 ASB data for Cheltenham

The antisocial behaviour data picture for Cheltenham clearly suggests the town would benefit from the improved outcomes for ASB cases that Solace offers.

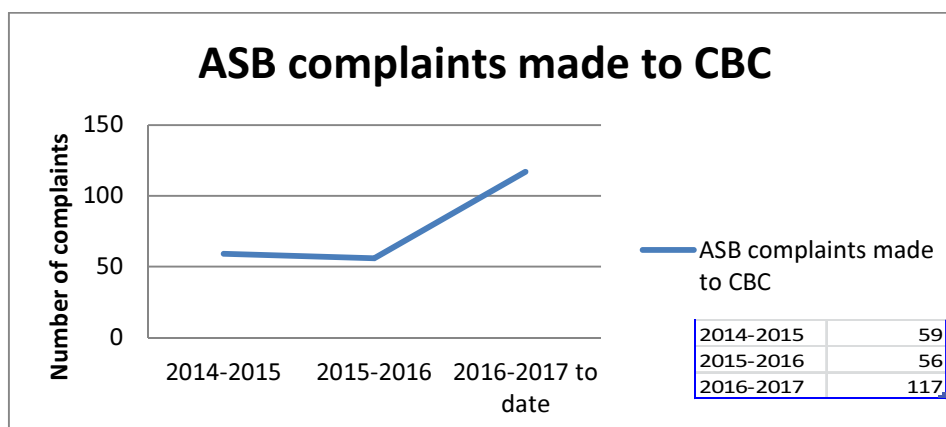
2.2.1 Cheltenham Borough Council ASB data

The number of ASB complaints received by the council in this financial year to date has already doubled from last year, as the graph below shows (56 complaints were received in 2015-16 compared to 117 in this financial year).



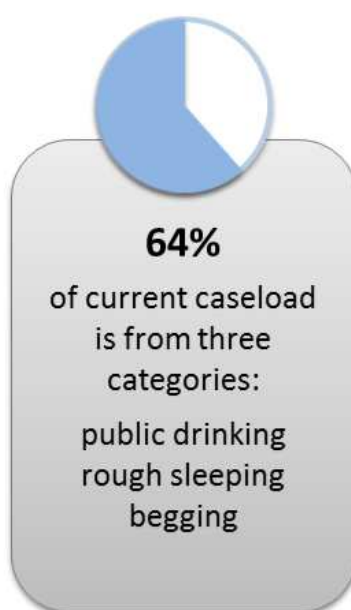
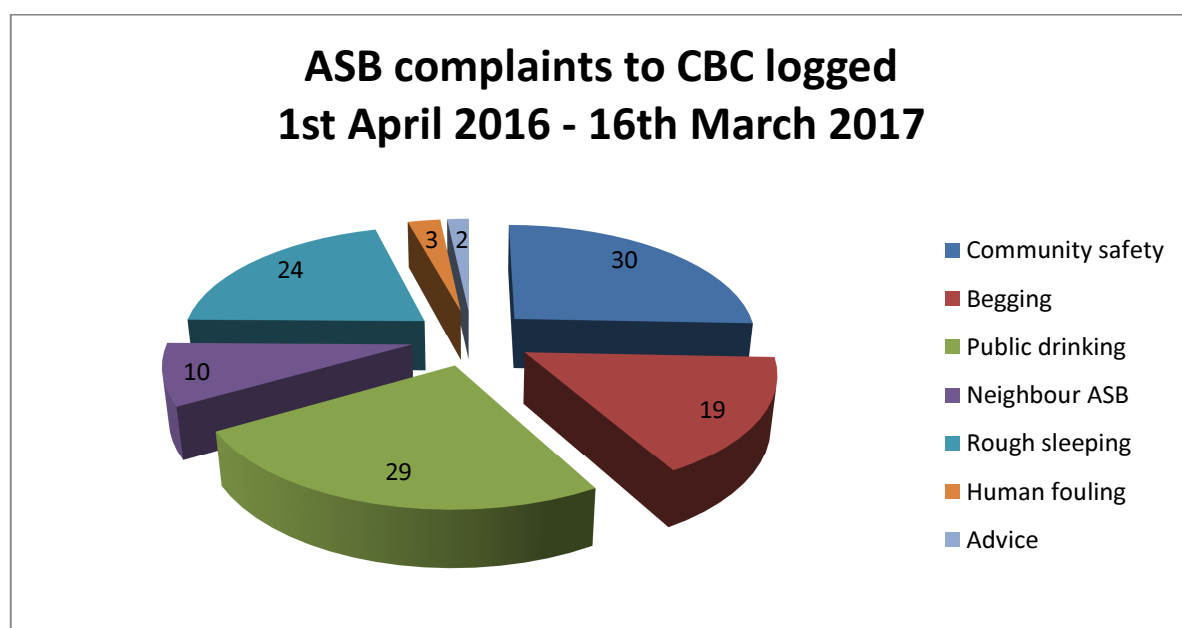
Due to the nature of antisocial behaviour, each case usually involves multiple victims and complainants, offenders, locations and agencies. Investigations are often complex and lengthy as a result.

Graph 1: number of ASB complaints made directly to CBC's antisocial behaviour service for current and past two financial years



The following pie chart provides a breakdown of the council's ASB cases by type for the current financial year. It demonstrates that the current priority demand relates to street people behaviours such as public drinking, rough sleeping and begging. These three categories form over 64% of the current caseload (75 cases out of 117 total ASB complaints received). The council is struggling to action this appropriately within its current limited resource.

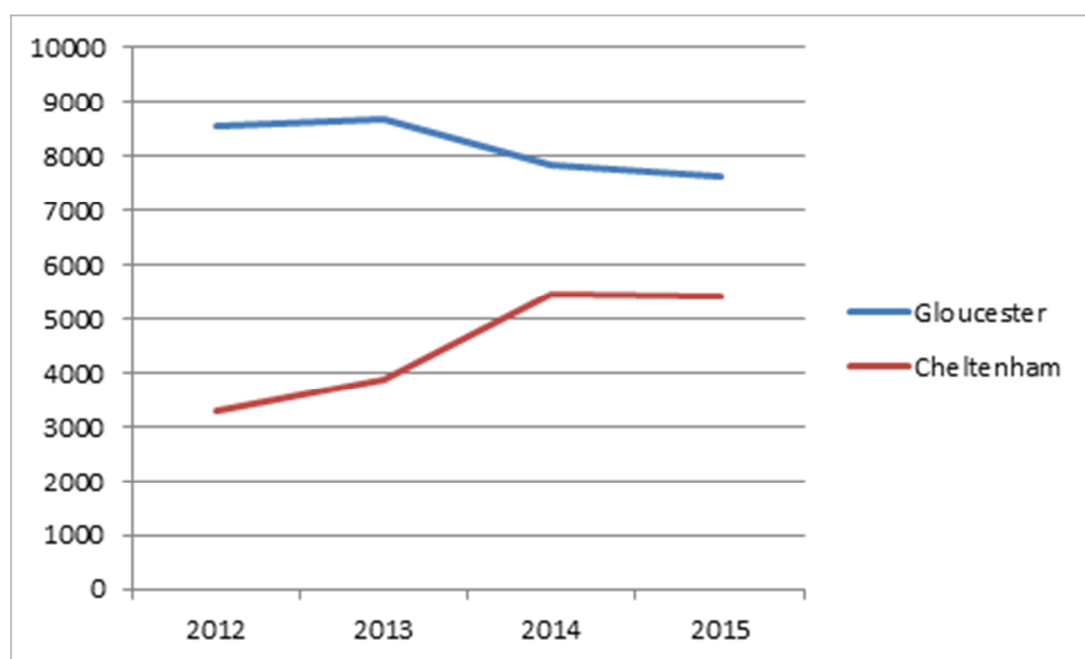
Chart 1: Pie chart of CBC ASB complaints from 1st April 2016 to 16th March 2017 (total 117 cases)



2.2.2 Police ASB data

When comparing year-on-year number of ASB incidents over a 4 year period for Cheltenham & Gloucester, there are general opposing trends. This may indicate both the benefit of the approach taken by Solace in Gloucester, and the case for the introduction of Solace in Cheltenham, as well as the benefit of a shared approach ensuring one area does not displace to the other. This is particularly relevant for ASB and crimes relating to street people as some individuals regularly move between the two urban districts.

Graph 2: number of ASB complaints made directly to the police for financial years 2012 - 2013; 2013- 2014; 2014- 2015



There is currently a risk gap between the types of cases reported to and investigated by the council, and the ASB complaints received directly by the police. Police priority response is usually focused on crimes before ASB and the table below indicates the quantity and type of ASB issues in Cheltenham that might not routinely or consistently be actioned or investigated under the current system. There is an obvious overlap between personal, nuisance and environmental ASB reported to the police and the type of neighbourhood and community issues that the council becomes involved in. Table 1 provides one month's data from the police analyst by way of example.

Table 1: Police ASB figures by ward and type for June 2016

POLICE ASB FIGURES BY WARD (FROM ANALYST)		ASB - Personal	ASB - Nuisance	ASB - Environmental	All
Jun- 16	Cheltenham Town Centre	34	85	12	131
	St Marks	32	39	14	85
	Hesters Way	21	30	5	56
	St Pauls and Pitville	8	25	6	39
	Tivoli	10	21	4	35
	Benhall and Hatherley	16	12	4	32
	Whaddon Lynworth and Oakley	11	15	4	30
	Charlton Kings	7	12	5	24
	Springbank and Fiddlers Green	5	14	2	21
	Swindon Village and Wymans Brook	6	10	3	19
	Fairview	2	8	5	15
	Prestbury	4	7	1	12
	Leckhampton	3	3	3	9
	Lansdown	1	3	2	6

In conclusion, Cheltenham would benefit from the Solace partnership approach to tackling ASB under the five priorities outlined in Section 2.4, to prevent and reduce ASB.

2.3 Aim of Solace

The Aim of Solace will be to reduce repeat incidents and victims of anti-social behaviour by providing a consistent partnership approach to tackling anti-social behaviour.

2.4 Solace priorities

1. Anti-social behaviour assessed as high risk to the victim and/or having a high impact upon the community
2. Partnership priorities as agreed between Gloucestershire Constabulary, Gloucester City Council and Cheltenham Borough Council, which require a multi-agency response
3. Support for cases where urgent civil action is required (eg closure orders)

4. Anti-social behaviour assessed as medium risk that would;
 - i. Benefit from a multi-agency response, and/or
 - ii. Has significant potential to escalate
5. Support for all other cases where civil enforcement action is being considered (eg Criminal Behavioru Orders and Civil Injunctions)

2.5 How Solace will operate

The Cheltenham and Gloucester Solace teams will be based in two hubs as follows;

- Gloucester – at The Docks, Gloucester City Council
- Cheltenham – at the Old Tourist Information Office, adjoined to Cheltenham Borough Council

These hubs will ensure the activity of the teams remains local, whilst gaining the benefits of shared resources and common practice achieved via the Senior ASB Officer.

In recognition of the move away from a base in housing to an urban wide format, the team will be rebranded from 'Project Solace' to 'Solace'. This will ensure consistency of recognition, whilst removing the word 'Project' which suggests something relatively short term.

Solace will work from a single shared ASB database known as 'Hub', and access will also be provided for all Solace staff to Police IT systems. This will enable effective information sharing between the Police and both Councils, as well as providing an IT system especially intended for use in the field of ASB. Hub is also the system used by the main housing providers in Cheltenham and Gloucester. It is therefore a tried, tested and recommended system for ASB and will also enable simple information sharing with social landlords where necessary.

2.6 How Solace will improve outcomes

Solace tackles the issues that can seriously impact on the lives of individuals and communities, as well as blighting places. Solace currently has 38 cases open across Gloucester. These range from neighbour nuisance, disputes, verbal abuse, harassment, mental health, drug and/or alcohol issues, moped/bike issues, parks and open spaces, begging, street nuisance and civil proceedings attached to criminal investigations.

Solace is victim led yet supports those who commit ASB to change their behaviour. It takes a holistic view, works in partnership and tackles root causes of ASB and associated criminality. This is probably most evident in the ongoing Street Aware work that it co-ordinates, although it should be noted that Street Aware is classed as just one of its cases, albeit a much wider arching and long term one. **Street Aware incorporates many partner agencies and brings consistency in how street based nuisance is dealt with in Gloucester City Centre.** Since it began it has focussed on begging, but the approach is designed to be used for other street based ASB such as street drinking and use of psychoactive substances.

Engage – offer support– enforcement as a last option

Enforcement is the last consideration when working with people who commit ASB. First Solace will engage (currently daily, in the case of Street Aware) and offer support, whether from Solace officers and/or referrals to other agencies.

Informal approaches to reducing or eliminating the ASB such as voluntary agreements, mediation and restorative justice are used before taking enforcement action, unless urgent enforcement is needed to protect victims or the wider community.

This Engage – Support – Enforce model mirrors that already successfully used in Cheltenham through the Street People working group co-chaired by the council's Public & Environmental Health Team Leader and a Neighbourhood Sergeant. The following figures illustrate how infrequently formal enforcement is required, as the vast majority of cases are improved through support and informal action. Formal enforcement is taken in approximately 8% of cases.



Innovative problem solving

Solace will co-ordinate the problem solving response and lead on investigation but also recognises when another agency might already have a rapport with an individual or family which makes them the more appropriate lead choice, or when they are the more knowledgeable agency. A creative and tenacious approach to problem solving co-ordinating the relevant partner agency groups to tackle citywide and individual issues, and the innovative use of legislation.

Solace works with partners. This could be housing services, mental health services, drugs and alcohol support, healthcare, social care, landlords, victim support, youth offending, sex worker support. This list is not exhaustive the approach is tailored to fit the individual, and Solace utilise the expertise of voluntary or community groups where possible.

Recent relationships include:

- working with Gloucester Community Policing Team to improve results and promote the use of civil powers to the police
- joint working and information sharing with Gloucester City Council's Environmental Protection and Private Sector Housing teams.

In Cheltenham, there could be opportunities to further improve the already strong collaborative working practices with Cheltenham Borough Homes, for example.

Solace takes enforcement action when necessary to protect from ASB:

So far in 2017, Gloucester Solace has issued:

- four Civil Injunctions (3 ex-parte)
- two Criminal Behaviour Orders (two more are pending)
- four Closure Orders (three for ASB & drugs and one for sexual offences)

The majority of cases (currently 76%) are resolved or improved by working with partner agencies, and informal approaches. The enforcement action taken by Solace in 2017 so far represents 23.7% of the current open caseload.

2.7 Objectives

The Objectives of Solace are ;

- Reduce repeat victims of ASB
- Provide an holistic approach to resolving ASB
- Increase public confidence
- Provide sustainable long-term solutions to resolving ASB

2.8 Terms of Reference

In order to achieve the stated Aims and Objectives, the following terms of reference are recommended.

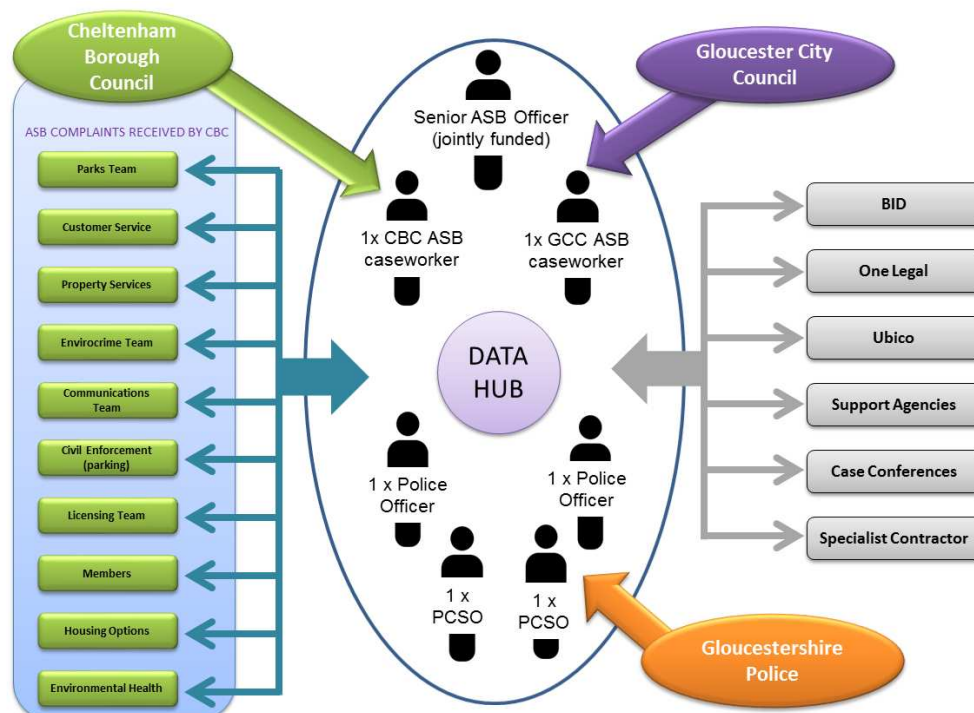
Project Solace will;

- have a strong focus on early intervention in order to resolve issues at an early stage and prevent escalation
- take responsibility for applying for Criminal Behaviour Orders and Injunctions, working in partnership and consultation with the originating agency.
- oversee a process for risk assessing cases involving repeat victims of ASB received through Police contact, in order to ensure the identification and co-ordination of all high risk cases by the team.
- be a source of advice and expertise on all aspects of ASB and share best practice with partners
- engage with private landlords to educate and support them, and to ensure they are accountable for their responsibilities as a landlord
- assist private landlords to carry out informed interventions to resolve ASB
- adopt a restorative approach to working with perpetrators & victims to resolve ASB, but utilising a full range of enforcement activity where appropriate
- receive referrals from local Police for support where intensive and/or complex intervention and case management is needed

- work in partnership with additional agencies, such as Youth Support Team, Mental Health Services and Families First, to prevent ASB and to carry out proactive educative events related to ASB
- continually gather and monitor information to identify ASB hotspot locations, before co-ordinating a partnership approach to tackling the identified hotspot
- carry out regular community events and media campaigns to raise the public awareness of Project Solace and encourage the reporting of ASB
- provide disclosure information in line with Gloucestershire Constabulary Information Sharing Protocol where there is an urgent need to assist enforcement action for tackling ASB
- actively participate in the Cheltenham Community Safety Partnership.
- supply twice yearly performance reports and updates on activities and outcomes undertaken by Project Solace (Cheltenham) to stakeholders

2.9 Set-up and management

The Solace team would be set up as follows:



The team will be managed and tasked on a daily basis by a jointly funded shared Senior ASB officer (employed by Gloucester City Council) with matrix management support from each agency to manage the welfare and performance of their staff.

The police have agreed to fund 50% of this post (with contribution from a successful bid to the Police & Crime Commissioner's Fund. Cheltenham and Gloucester's contribution would be approximately £11, 250 each annually which can be met from existing salary budgets following a reduction in another officer's working hours.

Gloucester City will be the employing authority for the Senior ASB Officer and pick up costs relating to that.

Full arrangements will be provided as part of the implementation plan.

2.10 Data systems

Solace Gloucester already uses a shared data and intelligence system. The annual cost of Cheltenham joining this is approximately £1500.

Gloucestershire Constabulary will vet council staff and provide direct access to Police IT systems for staff working within Solace.

Cheltenham Borough and Gloucester City Councils will provide direct access to council IT systems for staff working within Solace.

All Solace staff will be vetted before they are given access to data systems.

2.11 Key Performance Indicators

Key performance indicators will be agreed to evaluate Solace against the 5 key priorities, aim and objectives.

Examples of performance by Gloucester Solace whilst Gloucester City Homes were part of the project are included at Appendix 1

3 Benefits

3.1 Table of benefits

	Current service	Solace
Dedicated ASB resource	One full time CBC ASB officer	One full time CBC ASB officer One full time GCC ASB officer Two PCs Two PCSOs
Management resource	Management time currently comes from team leader who manages a wide service portfolio and who does not have specific ASB training or qualifications	Joint funded shared Senior ASB officer which will give dedicated management function. Postholder will carry an ASB qualification.
Supporting vulnerabilities	<p>ASB officer applies risk assessment to cases in order to prioritise by risk and vulnerability but this does not happen to complaints received elsewhere in the council</p> <p>Different intelligence/evidence system to police and Gloucester City means information sharing is limited</p> <p>Limited capacity of ASB officer to network strategically as well as support individuals</p>	<p>ASB complaints made to police and both councils triaged by central hub</p> <p>Better early identification of vulnerable people and improved access to specialist support networks</p> <p>Better sharing of information between agencies</p> <p>Engage – support – enforce multi-agency model supports individuals who commit ASB in changing their behaviour whilst taking firm action in the few cases necessary to protect places and communities from harm</p> <p>Transient people supported across both districts</p>
Significant increase in place-based complaints eg begging	Insufficient council resource	Joint police and council resource to be deployed at priorities
Opportunities to further improve outcomes	Limited. Service is at maximum capacity with casework, meetings/networking and legal work already.	<p>Could link to a matrix style CBC neighbourhood team to improve place outcomes and increase cost recovery (eg FPNs)</p> <p>Will streamline process flow and remove some duplicative meeting attendances</p>

3.2 Recognition as Best Practice

The working practices adopted by Project Solace in Gloucester have been recognised through national awards and inspections;

- **Social Landlords Crime & Nuisance Group (SLCNG)** 'Delivering Results' Best Practice Award Winners 2013
- **The Audit Commission** stated; "An effective strategic approach to ASB and a wide range of prevention and reactive actions are having a positive impact. A strong customer focus has improved access to the service and ensures that victims of ASB are well supported and kept informed and effective case management is driving consistency and positive outcomes."
- **HMIC Crime inspection 2014 Gloucestershire Police - How good is the force at tackling anti-social behaviour?**, commented; "A good example of this is Project Solace (which provides) a joint response to recurring anti-social behaviour, and tackling the problems that cause the most harm to communities."
- **Wayne Stevens, Divisional Manager for Victim Support (Report for Thames Valley & Gloucestershire May 2012)**, commented; "Project Solace were recognised as a hub of best practice and victims highlighted their total satisfaction with the service provided. This was in comparison to the view of ASB victims interviewed in relation to other areas across the County."
- **Martin Surl, Gloucestershire's Police Crime Commissioner (PCC) – During a presentation by Martin Surl to Damian Green in 2013 (Minister of State for Police and Criminal Justice until 14 July 2014), Mr Surl stated;** "Project Solace is an excellent approach to resolving ASB in partnership and should be congratulated as an area of best practice for tackling anti-social behaviour. It has my backing all the way". Damian Green also tweeted that he was impressed with the work of Solace after his visit to see Chief Constable Suzette Davenport at Gloucestershire Constabulary.
- **In 2013, GCH ASB services, including Project Solace, were scrutinised by an independent Tenant Scrutiny Panel** The report highlighted an excellent Anti-Social Behaviour service with the ASB Team & Project Solace being well informed on best practice and very capable of innovation, with good focus on continuous improvement.

- **HMIC PEEL Police Effectiveness 2015 report published in February 2016** repeatedly recognised Project Solace as best practice throughout the report, including the below excerpt;

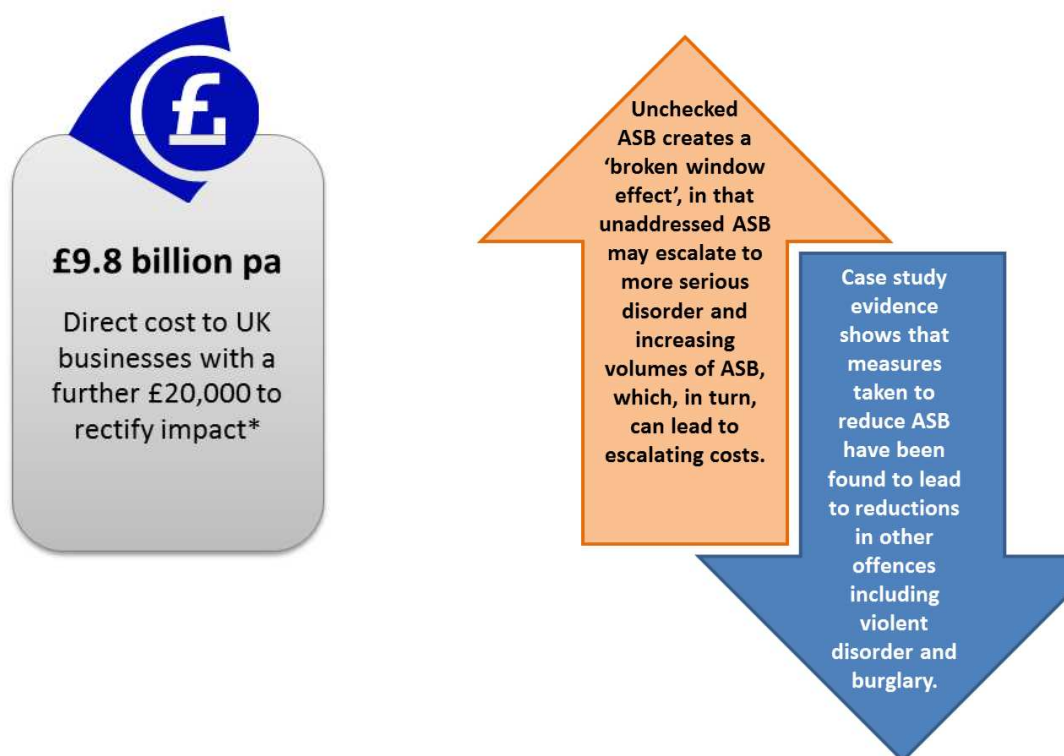
In a number of different settings constabulary staff are co-located with other service providers and have access to multiple databases. A good example of this is a joint venture with Gloucester City Homes and Gloucester City Council that is known as Project Solace. A representative from Gloucester City Homes manages the joint unit and its remit is to tackle anti-social behaviour in the private rental sector. The effective and swift service the joint team provide has attracted national acclaim and been recognised with a number of awards from private landlord and other representative bodies.

3.3 Social Return on Investment

An independent report from Baker Tilly in February 2013 quantifies the potential social impact of the combined Gloucester City Homes and Project Solace ASB Team in Gloucester using Social Return on Investment (SORI) models.

It states that the collective ASB approach and services all contribute to improving the lives of individuals who engage with these services. Consequently, this achieves improvements in the quality of life for the wider community, whether that be from reductions in ASB and rough sleepers, to an improved sense of self-worth, to access to employment.

Some of their key findings are listed below;



- Typical issues affecting businesses are petty thefts and criminal damage;
- Social Landlords reported time costs associated with ASB of £270 million in 2012 (increasing from £230 million in the previous year). This cost excludes the cost of repairs to property, which have been estimated at a further £1.9 billion per annum. Some 60% of incidents relating to environmental damage (e.g. criminal damage and graffiti);

The report evaluates annual benefits in the wider context in relation to the activities of tackling ASB are estimated around £2 million per annum.¹

This supports the case that a collective approach to tackling ASB across tenures will bring about benefits for all residents whether they are in social or private housing.

3.4 Gloucester City Council testimony

Ed Pomfret (Health, Partnerships & Engagement Manager, Gloucester City Council) has provided the following list of benefits that Gloucester City Council have seen as a result of Project Solace in Gloucester;

- *Provision of a full service for anti-social behaviour investigation, resolution and support services for all owner-occupier and private residents in the city*
- *Integrated approach enabled by the partners being co-located at Gloucester City Homes*
- *Built-in resilience by working alongside Gloucester City Homes' anti-social behaviour team*
- *Increased information sharing enabling matters to be dealt with more quickly and effectively within Project Solace and in partnership with other agencies*
- *A more consistent approach to deal with anti-social behaviour. For example, if a perpetrator leaves social housing and moves into private housing and causes the same issues, the case could essentially be continued rather than starting again leading to swifter action against offenders and prevention of impact on victims*

¹ Gloucester City Homes, Social Impact Evaluation of selected activities using Social Return on Investment Feb 2013.

3.5 Gloucestershire Constabulary testimony

C/Insp Neil Smith states;

“Project Solace has been embedded into Gloucester for over 5 years now; it has in my professional & personal view had a huge positive impact on the wellbeing of Gloucester’s communities. Powerful Partnerships have been forged, sustained and grown to levels that have never been seen before. When we created Project Solace 5 years ago it was always a desire to take Project Solace to Cheltenham, I am very excited and very confident that Project Solace will support & enhance the already great work that CBH & CBC are currently doing.”

3.6 Longer term opportunity – matrix neighbourhood team

The Solace team would require an effective reporting and communication link with other enforcement teams including those officers dealing with Community Safety, Enviro crime, licensing and Environmental Health Officers in the field of Environmental Protection. This proposal could therefore be enhanced and expanded at a later stage to create a wide ranging neighbourhood or compliance team within the council, with scope to work across both the urban areas of Cheltenham and Gloucester.

This type of neighbourhood focus could be explored through matrix working utilising and developing the skills of officers across different service areas, rather than through the formation of a physical team. A central business support unit could support this with a duty officer system in place to activate the matrix as required.

This could enhance information sharing even more, and allow for greater use of resources, flexibility and resilience.

4 Costs

The following provides an outline guide to anticipated costs associated with each partner, but would be subject to further discussion and drafting of an associated Service Level Agreement.

4.1. Cheltenham Borough Council

Inputs & Benefits	Cost	Source	Additional cost to CBC
CBC ASB caseworker (FTE)	£32, 500 with oncosts	In base budget	None
Senior ASB officer post to manage Solace. CBC contribution is 25%.	Approx. £11, 250 per annum	Savings from reduction in Senior EHO (H&S) post	None
Shared data and intelligence hub	Approx. £1500 per annum	Savings from reduction in Senior EHO (H&S) post	None
Contribution to legal costs	To be projected NB there is not any budget specifically for ASB work (e.g. signage, public notices or marketing). Request to be made for such a budget, utilising funds from vacant post savings.	Savings from vacant community officer post or potential resource bids	None

4.3. Gloucestershire Constabulary

- Four full-time members of staff.(one PC and one PCSO designated Cheltenham resource and one of each for Gloucester – resource can be ‘pushed and pulled’ between districts depending on priorities)
- Accommodation in Cheltenham hub – police offices in old TIC building
- Joint training
- 50% contribution to shared Senior ASB officer post to manage Solace
- Contribution to shared data hub
- Contribution to legal costs

4.4 Gloucester City Council

As for Cheltenham Borough Council but with the addition of costs associated with employing the Senior ASB Officer post.

5 Risks

There are a number of identified risks associated with not introducing Solace in Cheltenham, which include;

- There will be continued difficulty in achieving consistency of practice in relation to ASB across the Borough (for example, thresholds for taking enforcement action and the associated consultation mechanism with partners)
- There would be no central point of excellence for managing high risk cases of ASB, increasing the Borough's vulnerability to a high profile adverse case
- Partnership working between all three agencies will become increasingly difficult if a collective approach is not adopted as available resources continue to reduce
- Collective demand for services continues to increase as cases involving repeat victims are not dealt with through the most efficient collective approach possible

In addition:

- If a member of the Solace team fails police vetting they will be unable to access police or Solace data systems or police buildings.

A full risk assessment has been made as part of the Cabinet Report process.

6 Next steps

If Cheltenham Borough Council's Cabinet agree this proposal, the Solace project team will produce an implementation plan and service level agreement detailing how Solace will be established and operated in Cheltenham.

Appendix 1

Project Solace (Gloucester) Performance Data 2011-15

Success factors for this Project can be difficult to monitor, especially in monetary terms. We attempt to measure Solace's success through case studies and outcomes against aims and objectives in addition to monitoring the satisfaction of the complainants or victims accessing the service.

Reduce repeat victims of ASB

When Project Solace was set up in 2010, statistics showed that during 2009 Gloucestershire Police, on average, received around 95 reports of ASB incidents per day.

I have reviewed the ASB statistics reported by Gloucestershire Constabulary, recorded for Gloucester Policing area only, for the period of 2011-2015 and this shows a year on year reduction to the anti-social behaviour reported to the Constabulary. See Table 1 below.

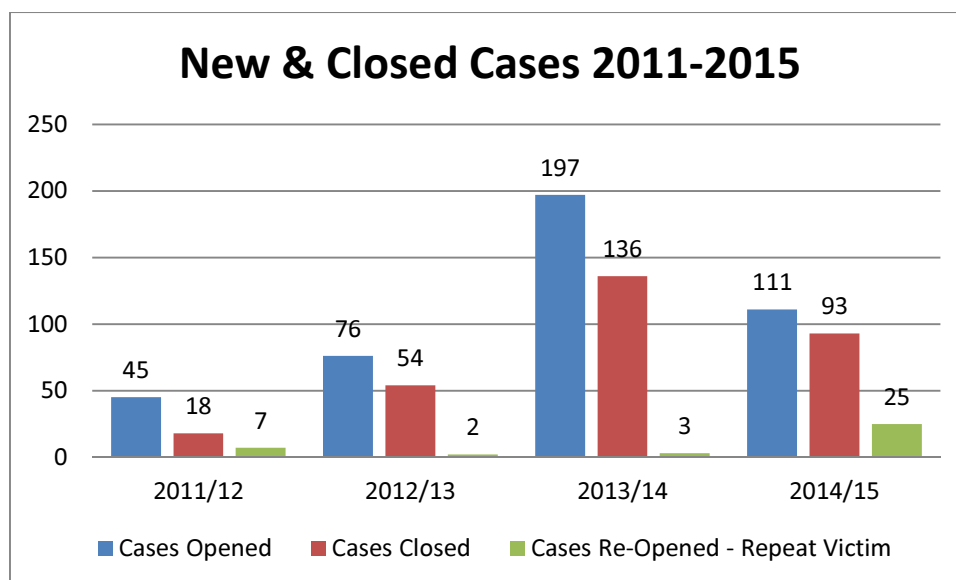
Table 1 Gloucester District	2011	no. of ASB	2012	no. of ASB	2013	no. of ASB	2014	no. of ASB	2015	no. of ASB
	Month									
	Jan-11	776	Jan-12	630	Jan-13	655	Jan-14	549	Jan-15	491
	Feb-11	723	Feb-12	653	Feb-13	599	Feb-14	549	Feb-15	490
	Mar-11	805	Mar-12	740	Mar-13	600	Mar-14	640	Mar-15	608
	Apr-11	909	Apr-12	636	Apr-13	703	Apr-14	684	Apr-15	716
	May-11	870	May-12	712	May-13	754	May-14	630	May-15	694
	Jun-11	846	Jun-12	701	Jun-13	784	Jun-14	798	Jun-15	659
	Jul-11	936	Jul-12	804	Jul-13	929	Jul-14	821	Jul-15	733
	Aug-11	934	Aug-12	847	Aug-13	870	Aug-14	745	Aug-15	734
	Sep-11	752	Sep-12	795	Sep-13	749	Sep-14	657	Sep-15	636
	Oct-11	828	Oct-12	720	Oct-13	740	Oct-14	577	Oct-15	732
	Nov-11	681	Nov-12	694	Nov-13	658	Nov-14	598	Nov-15	553
	Dec-11	602	Dec-12	621	Dec-13	633	Dec-14	603	Dec-15	591
Year Total		9662		8553		8674		7851		7637
Avg per month		805		713		723		654		636
Avg per day		26.471233		23.432877		23.764384		21.510585		20.923288

Source: UKCrimeStats.com

Although the steady reduction of ASB incidents for the period 2011-2015 cannot be directed related to the launch and implementation and working

practice of Project Solace, it can be assumed that the project has contributed to this decline for the reasons demonstrated throughout this report.

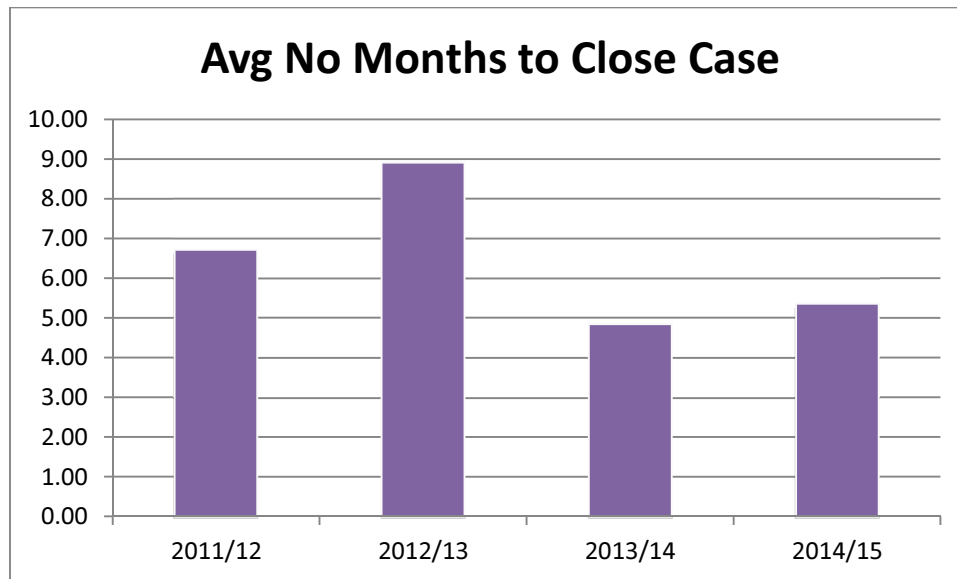
Provide Sustainable long-term solutions to resolving ASB



Project Solace has opened a total of **429** cases of ASB during this 4 year period of 2011-2015. We closed a total of **301** cases and re-opened **37** cases (repeat victims *). You will see from the chart above that there was a steady increase for the period 2011/12 to 2012/14 with a steep incline for 2013/14. The amount of cases increased as a direct result of tagging which was introduced in 2013 as a way of identifying repeat and vulnerable victims of ASB so as not to wait for cases to be referred to us by Police. In 2014/15 tagging was replaced with the new protocol and agreement for Solace to manage the Police Confidence Delivery Plan (CDP). However, due to capacity and resources within Solace, CDP has not been led by Solace since August 2015.

NOTES:

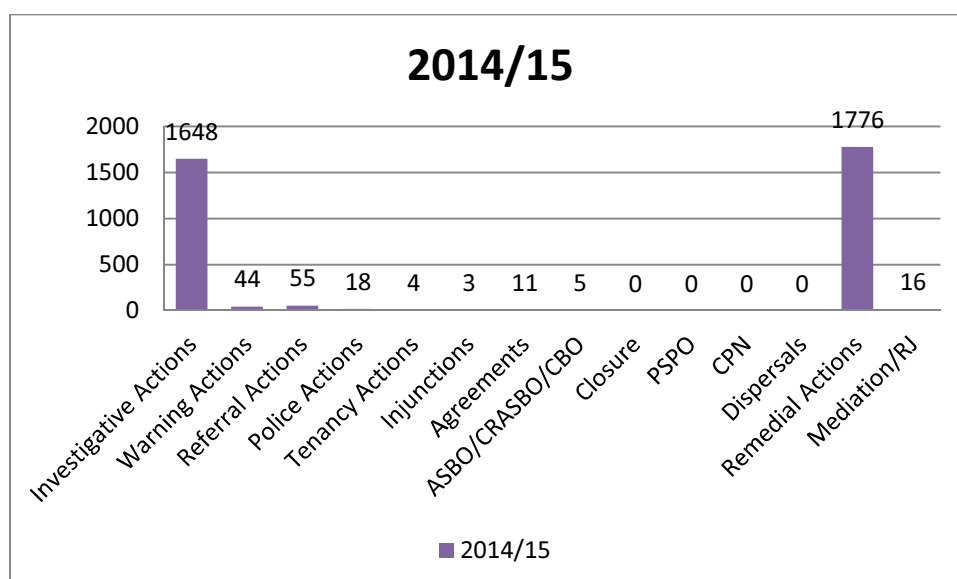
1. If cases are re-opened, the cases are audited by a manager with a robust and tight action plan put in place to ensure a multi-agency coordinated approach is put in place.
2. If cases are closed then it is because:
 - no further reports of ASB have been made within 3 months of the last report and we have no evidence to progress the case
 - the complainant makes no further contact with us or information reasonably requested by us is not provided to enable us to take matter further or;
 - no further action is taken at the complainant's request, or no further action is possible.

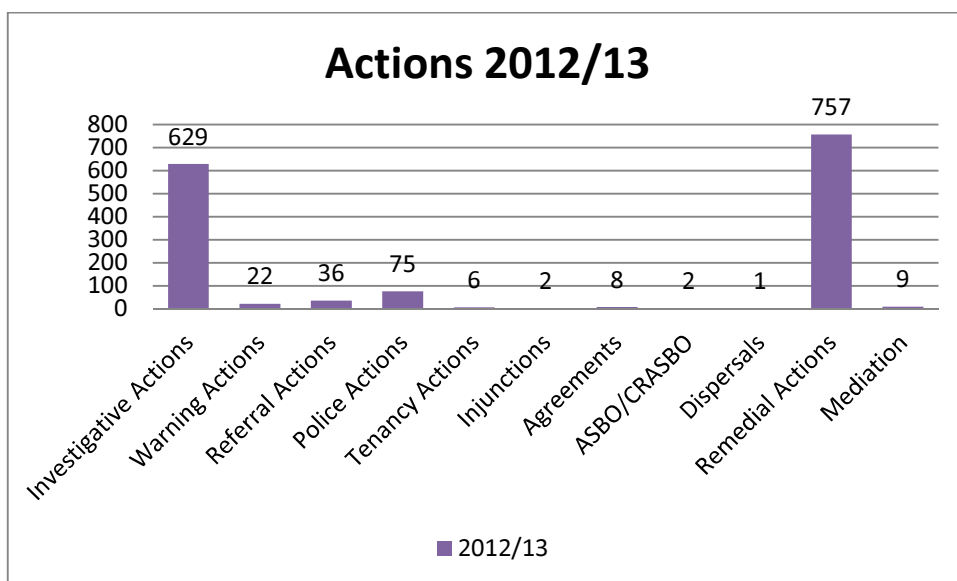
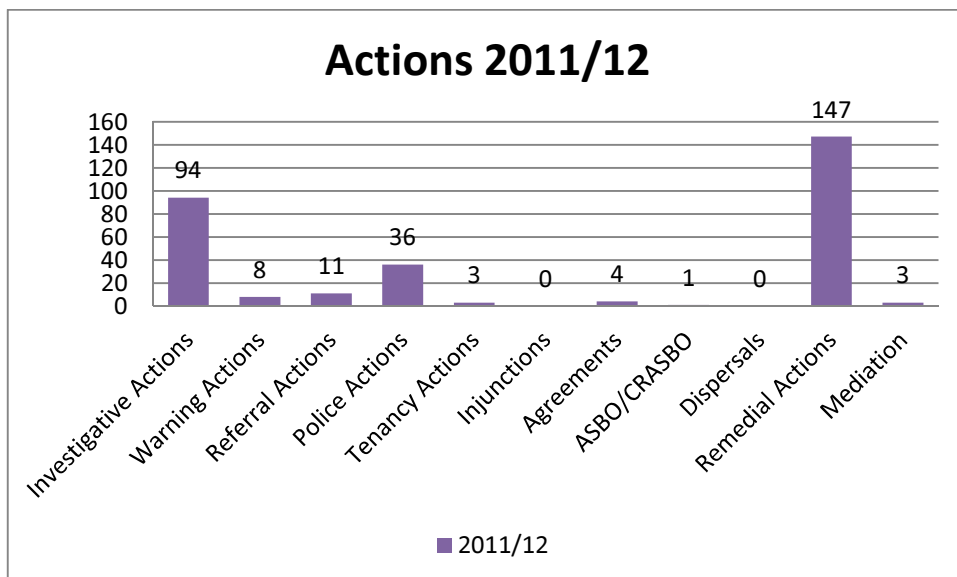
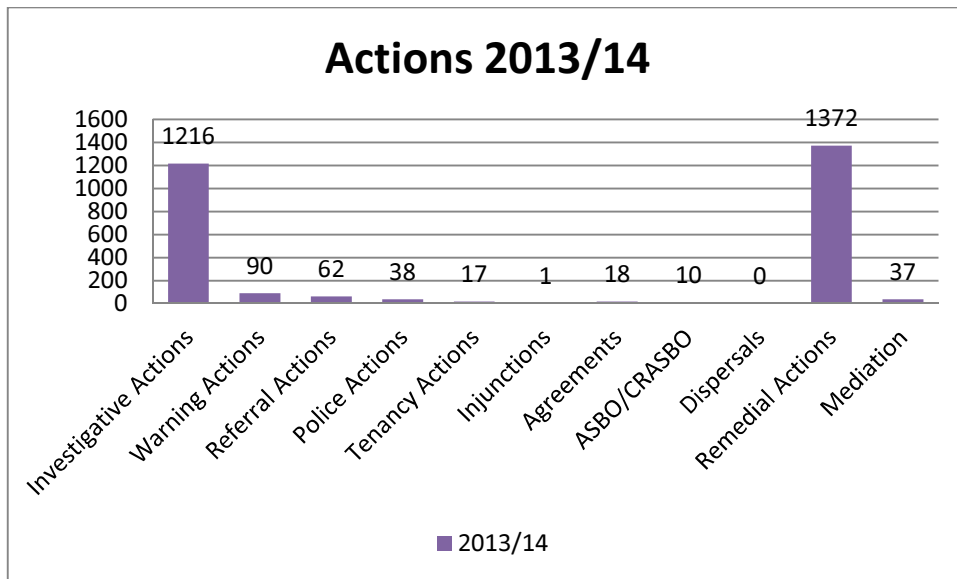


The above table demonstrates that it on average it is taking us over 5 months to close a case. It is clear to see that during 2013/14 there was a large drop in the average number of days taken for us to resolve a case. This is as a result from an increase in the number of cases and implementation of new cases from Tagging/CDP, resulting in some evidential quicker wins to the normal very complex and time consuming cases we have co-ordinated.

Provide an holistic approach to resolving ASB

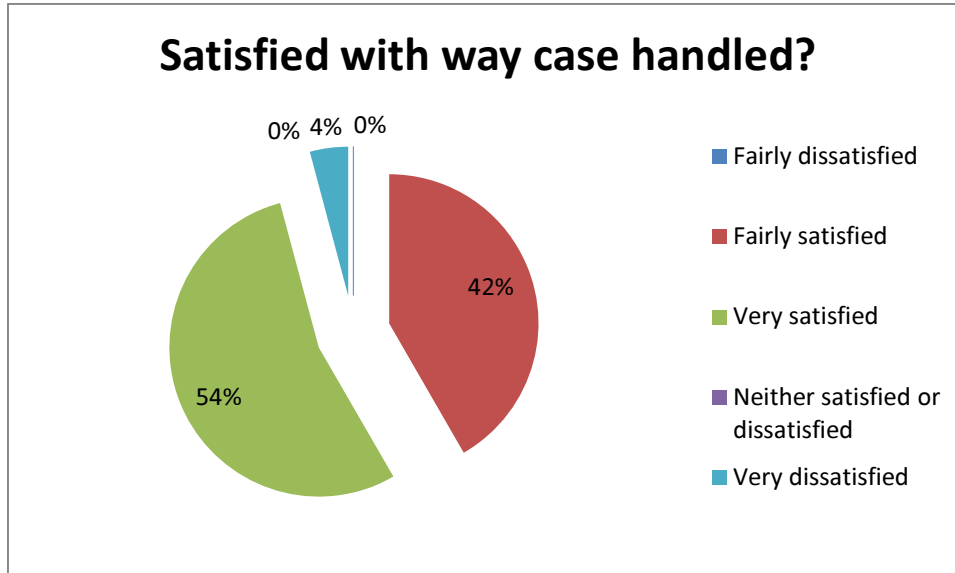
As a means to resolve these cases the following action has been taken by our ASB Officers:



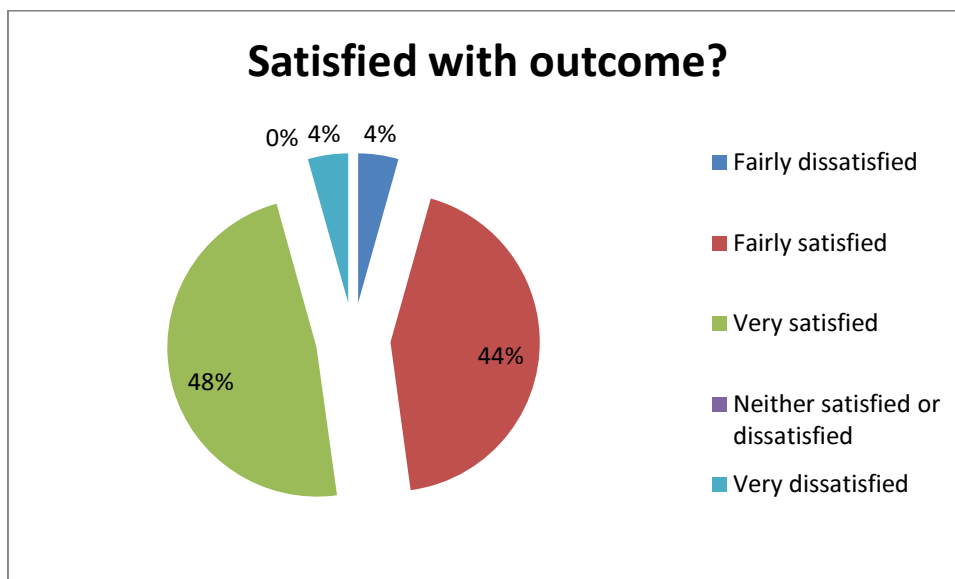


Increase Public Confidence

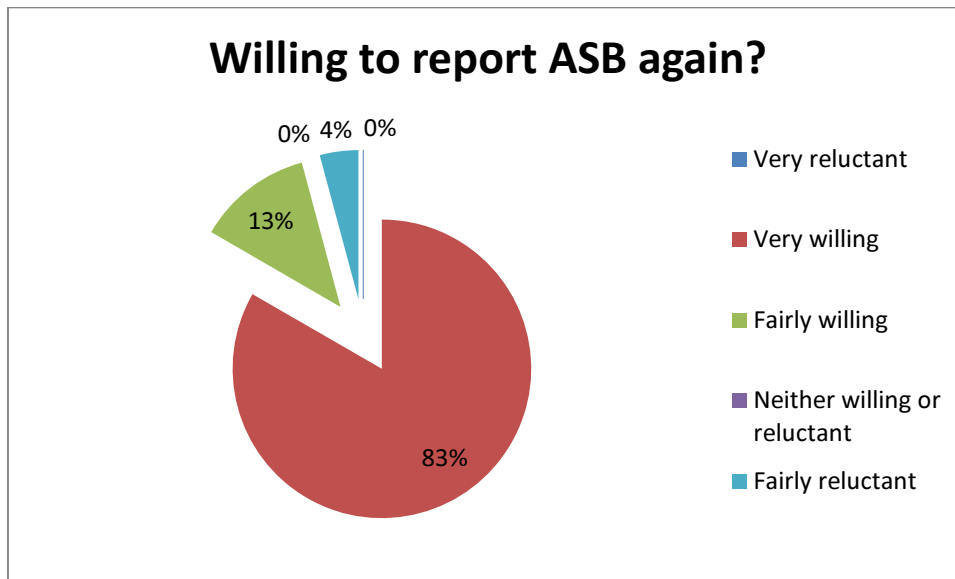
We have achieved very high levels of customer satisfaction:



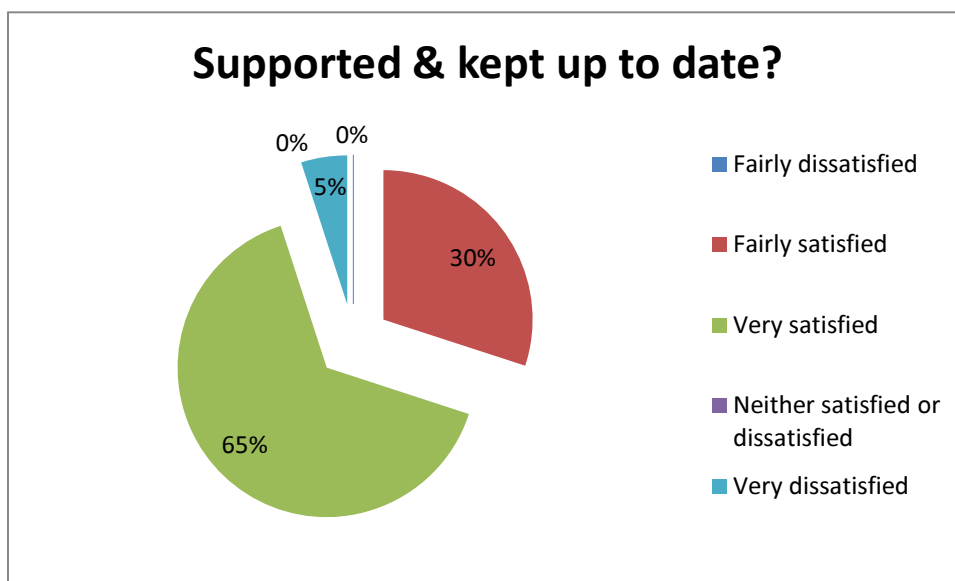
96% of those surveyed said they were fairly or very satisfied with the way the case was handled



92% of those surveyed said they were fairly or very satisfied with the outcome of the case

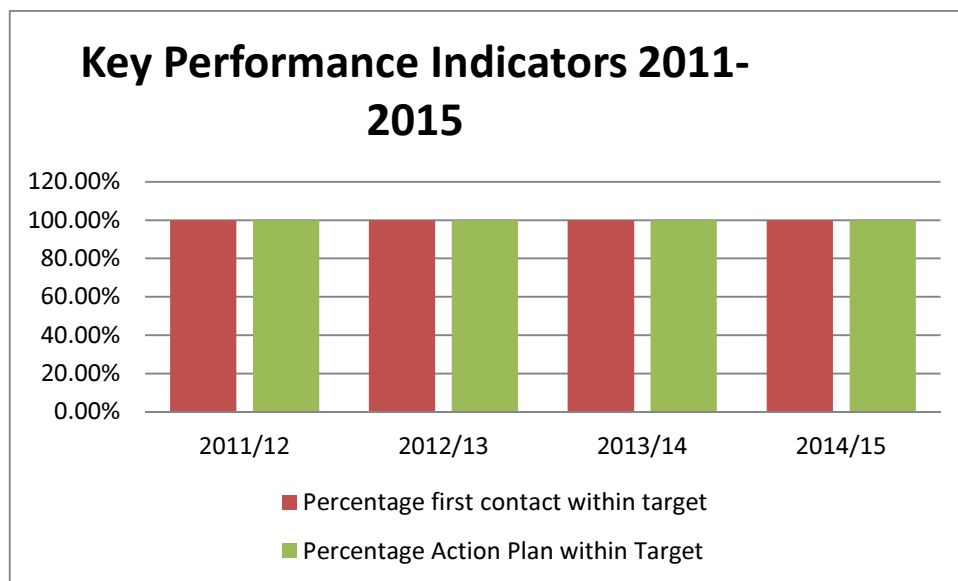


96% of those surveyed said they were **fairly or very willing to report ASB to us again**



95% of those surveyed said they were **fairly or very satisfied** with the way they were **supported and kept up to date** throughout their case

Key Performance Indicators



We met all key performance indicators set, making contact with the complainant and agreeing an action plan within set timescales agreed.

- The KPIs agreed are: Contact complainant within 1 working day for all cases of ASB and agree an action plan within 1 working day for serious cases and 5 working days for minor cases of ASB.

NOTES:

1. We have establishing clear action plans with all our complaints which set out how we will tackle the situation and which agencies we will work with.
2. We have carried out regular reviews (as agreed) with all complainants of ASB to fully support them throughout the process until the case is closed.
3. Where a case hasn't met our referral criteria, we have given advice and signposted the complainant to agencies that are able to help and more recently supported and trained agencies and other registered providers to manage the process.



Community impact assessments – for services, policies and projects

What is a community impact assessment?

A community impact assessment is an important part of our commitment to delivering better services for our communities. The form will help us find out what impact or consequences our functions, policies, procedures and projects have on our communities, as well as employees and potential employees.

By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of those groups of people who use (or don't / can't use) our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.

Background

Name of service / policy / project and date	Solace – ASB partnership Cabinet Decision 11th April 2017
Lead officer	Sarah Clark – Public & Environmental Health Team Leader
Other people involved in completing this form	<p>This form has been sent to the following people for review and comment:</p> <p>Mike Redman – Director of Environment Tim Atkins – Managing Director for Place & Economic Development Martin Stacy – Lead Commissioner for Housing Richard Gibson – Partnerships Manager Inspector Tim Wood – Gloucestershire Police and Solace team Sergeant Simon Ellson – Neighbourhood Policing Chief Inspector Emma Davies – Gloucestershire Police and Solace team PC Justin Brennan – Gloucestershire Police and Solace team Kevan Blackadder – Managing Director, Cheltenham Business Improvement District Gill Ragon – Head of Public Protection, Gloucester City Council Emily Jones – Senior Community Safety Officer, Gloucester City Council Lisa Jones – ASB officer</p>

	<p>Louise Boyle – Senior Environmental Health Officer Yvonne Hope – Head of Public Protection (currently on secondment) Louis Krog – Joint Acting Head of Public Protection Councillor Andrew McKinlay, Cabinet Deputy for Development & Safety (as part of Cabinet report consultation) Councillor Peter Jeffries, Cabinet Deputy for Housing (as part of Cabinet report consultation)</p>
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Step 1 – About the service / policy / project

What is the aim of the service / policy / project and what outcomes is it contributing to	<p>This proposal is to leverage additional ASB resource by contributing the council's ASB case officer to an ASB partnership called Solace.</p> <p>Solace is:</p> <ul style="list-style-type: none"> • a council and police partnership to tackle anti-social behaviour through partner agency working; • it supports people to take responsibility for their actions, and challenges those who don't; • to improve outcomes for victims, offenders, communities and agencies.
Who are the primary customers of the service / policy / project and how do they / will they benefit	<ul style="list-style-type: none"> • Victims of ASB will benefit from a consistent multi-agency response based on vulnerability and risk • Perpetrators of ASB will benefit from increased resource to engage and support them in addressing negative behaviours • People who live and work in Cheltenham or who visit here will be less likely to experience ASB (e.g. in public places)
How and where is the service / policy / project implemented	<p>The service already runs in Gloucester.</p> <p>If implemented in Cheltenham, the service would operate from the police leased part of the Municipal Offices (i.e. tourism offices). Most referrals are telephone or web/email related.</p>
What potential barriers might already exist to achieving these outcomes	<p>The council's existing ASB service could be criticised in terms of accessibility (e.g. the municipal offices is not the most accessible building for some people and the service generally only operates Monday – Friday 9am – 5pm). Solace would be more accessible in terms of visible presence (both uniformed and non-uniformed), the opening times would likely reflect some of the evening/night time economy hours; there would be more out of hours service provision. Customers could access the service directly via website or telephone or email, but there would also be a daily proactive triaging of all ASB calls received by the police and council in order to prioritise response. However, other potential barriers could include a perception that Solace is primarily an enforcement agency – this could be mitigated through our approach to marketing and promotion.</p>

Step 2 – What do you know already about your existing / potential customers

What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information	<p>We know the number of ASB complaints made to Cheltenham Borough Council in 2015-16 was 56. Between 1st April 2016 and 16th March 2017 this rose to 117</p> <p>We also know that literally thousands more complaints of ASB are logged by Gloucestershire Police annually (see business proposal for more information)</p> <p>In the vast majority of cases, our customers do not plan or wish to use the ASB service but do so because they are victims of crime or ASB. Likewise, perpetrators of ASB do not actively seek out the service but become users of it if engagement, support and/or enforcement are required.</p>
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	Our customers who are victims of ASB have anecdotally told us how much they value the support of the council's ASB officer, and they often feel there is nobody else to turn to. However, we are aware of individual and business customer dissatisfaction with the current level of service provision as response times can be slow depending on availability and relative priorities of the council's only ASB officer. In addition, when that officer is on leave, there is currently no resilience in terms of service cover.
What does it tell you about who uses your service / policy and those that don't?	This tells us that most people who access the service do not usually plan or want to do so, they do so because they have nowhere else to turn. We can get better at promoting the service so that potential customers are aware of it and can benefit from early intervention before problems escalate, but this would have a staffing resourcing implication.
What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?	<p>Experience from working with a varied customer base has provided learning such as:</p> <ul style="list-style-type: none"> • Customers come from all walks of life as ASB can be committed by, or experienced by, any individual, community or business • Stakeholders such as the police, Business Improvement District, Cheltenham Borough Homes and other landlords, supported accommodation providers, drug and alcohol services, and homeless outreach services have a real passion to work together to improve outcomes for those experiencing or committing ASB. Cheltenham Borough Council implementing Solace will help formalise this partnership working • Barriers to the service can include – fear of engaging with 'authority', being aware of and knowing how to access the service, limitations with current service opening days/hours; fear of reporting ASB and crime (e.g. because of repercussions or property blight); unfamiliarity with language and the laws
If not, who do you have plans to consult with about the service / policy / project?	

Step 3 - Assessing community impact

How does your service / policy / project impact on different groups in the community?

Group	What are you already doing to benefit this group	What are you doing that might disadvantage this group	What could you do differently to benefit this group	No impact on this group
People from black and minority ethnic groups	Identification and reporting of hate incidents		Promote how Solace can help with hate incidents and crime. Identify and support vulnerabilities. Design service around what this group wants when the opportunity arises	
Gender	Identification and reporting of hate incidents		Promote how Solace can help with hate incidents and crime. Identify and support vulnerabilities. Design service around what this group wants when the opportunity arises	
Gender Reassignment	Identification and reporting of hate incidents		Promote how Solace can help with hate incidents and crime. Identify and support vulnerabilities. Design service around what this group wants when the opportunity arises	
Older people / children and young people	Identification and reporting of hate incidents		Promote how Solace can help with hate incidents and crime. Identify and support vulnerabilities. Design service around what this group wants when the opportunity arises	

People with disabilities and mental health challenges	Identification and reporting of hate incidents		Promote how Solace can help with hate incidents and crime. Identify and support vulnerabilities. Design service around what this group wants when the opportunity arises	
Religion or belief	Identification and reporting of hate incidents		Promote how Solace can help with hate incidents and crime. Identify and support vulnerabilities. Design service around what this group wants when the opportunity arises	
Lesbian, Gay and Bi-sexual people	Identification and reporting of hate incidents		Promote how Solace can help with hate incidents and crime. Identify and support vulnerabilities. Design service around what this group wants when the opportunity arises	
Marriage and Civil Partnership				No particular impact on this group
Pregnancy & Maternity				No particular impact on this group
Other groups or communities	Street people working group – supports street people and actions in relation to ASB	Only 8% of street people receive enforcement action so this group is not disadvantaged by our actions	Link Gloucester Street People group with Solace	

Step 4 - what are the differences

Are any groups affected in different ways to others as a result of the service / policy / project?	No. The proposal will seek to improve outcomes for these priority groups through improving the way in which ASB is managed in Cheltenham, recognising that vulnerable individuals can be particularly affected when they do not have access to any other support mechanism.
Does your service / policy / project either directly or indirectly discriminate?	No – anyone can be a victim or perpetrator of ASB and crime
If yes, what can be done to improve this?	As part of Solace and the proposed shared data hub, we will monitor the caseload to detect if there are any priority communities that are at particular risk. We will then work with community leaders and representatives to support them.
Are there any other ways in which the service / project can help support priority communities in Cheltenham?	Yes – through the proposed shared data hub. It will be the first time that CBC has a data system directly shared with the police (and Gloucester City) so there is potential to learn from this data analysis over time to better support priority communities.

Step 5 – taking things forward

What are the key actions to be carried out and how will they be resourced and monitored?	<ol style="list-style-type: none"> 1. Seek Cabinet approval for Solace business proposal 2. Draft a detailed implementation plan with the Solace team (resource from report author) 3. Produce Cabinet briefing note with key information relating to governance, performance monitoring etc 4. Set up Solace and monitor through governance processes
Who will play a role in the decision-making process?	Cabinet
What are your / the project's learning and development needs?	There will be a joint training plan, but an ASB qualification is a postholder requirement
How will you capture these actions in your service / project planning?	Through an implementation plan and sub-plans eg communications plan, training plan

Response to the government white paper ‘fixing our broken housing market’ published 7th February 2017

Accountable member	Councillor Steve Jordan – Leader of the Council
Accountable officer	Philip Stephenson – Development Manager Strategy
Ward(s) affected	All
Executive summary	<p>The government has published a housing white paper for consultation setting out their plans to reform the housing market and boost the supply of new homes in England.</p> <p>The white paper contains an extensive range of potential reforms to policy and guidance for housing and planning. Some of these reforms are more detailed than others, with further information to be published on elements such as changes to the developer contributions regime (including community infrastructure levy) and standard methodologies for calculating housing supply later this year.</p> <p>Appendix 2 of this paper is a list of the consultation questions and proposed answers. The answers given here, if agreed by the other Joint Core Strategy authorities, are likely to form the body of a joint response from the JCS.</p> <p>Responses to the consultation must be made by 11:45pm on 2nd May 2017</p>
Recommendations	<ol style="list-style-type: none"> 1. To approve the consultation responses set out in Appendix 2 for submission to the government consultation on behalf of Cheltenham Borough Council, and to form part of a joint response where other JCS authorities agree.

Financial implications	<p>The white paper itself is a consultation document, and therefore has no direct financial implications.</p> <p>Reforms to the planning and housing system, as the government implements its strategy are likely to change funding and staffing requirements. Some of these suggested reforms, such as the ability to raise planning fees would have a positive impact on the council's medium term financial strategy, whereas others such as the need to register all publically held land by 2020 and more exhaustive monitoring and policy requirements would require increased staff resources.</p> <p>As the detail of the changes and the timetable for implementation has not yet been decided, it is not possible to assess the impact on the Medium Term Financial Strategy at this time.</p> <p>Contact officer: Sarah Didcote, Business Partner Manager sarah.didcote@cheltenham.gov.uk, 01242 264125</p>
Legal implications	<p>There are no direct legal implications of the white paper, but proposals in the White Paper could lead to further changes in legislation and regulation.</p> <p>Contact officer: Nick Jonathan, nick.jonathan@tewkesbury.gov.uk, 01684 272032</p>
HR implications (including learning and organisational development)	<p>The consultation document has no direct HR implications, but if some of the reforms in the white paper are implemented they could result in additional duties for the planning authority to undertake – which could have an impact on staffing.</p> <p>There are no Trade Union implications.</p> <p>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 777249</p>
Key risks	<p>Failure to respond to the white paper would deprive the government of an opportunity to hear the views of officers and members of the council</p>
Environmental/Social/Equality Implications	<p>There are no known implications at this stage; but the content of any reforms to the planning system will need to be considered for any environmental, social or equality implications.</p>

1. Background

- 1.1 The proposals in the white paper set out how the Government intends to boost housing supply and, over the long term, “create a more efficient housing market whose outcomes more closely match the needs and aspirations of all households and which supports wider economic prosperity”.
- 1.2 The white paper can be viewed in full online at:
<https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

- 1.3 Group leaders were given an overview of the consultation in February 2017 and this response has been developed with the assistance of planning policy, applications and housing officers.
- 1.4 Key Planning Issues covered in the white paper

Green belt

The white paper sets out that the existing protection for the green belt remains unchanged and emphasises that authorities should amend green belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements. This was the approach taken through the JCS development process and in the examination and so therefore no changes to approach will be needed.

Planning for the right homes in the right places

The first chapter of the white paper contains measures on “planning for the right homes in the right places”. Some of the key proposals under this heading include:

- A further consultation to be published on making changes to the National Planning Policy Framework (NPPF) directing local authorities to prepare a statement of common ground, setting out how they intend to work together to meet housing requirements that cut across authority boundaries. The JCS authorities have already explored this area comprehensively in the Duty to Co-operate topic paper <http://www.gct-jcs.org/Documents/Examination-Document-Library/SUB108C-JCS-Duty-to-cooperate-topic-paper-update-Jun-2015.pdf> so if this new requirement were implemented it would not make a significant change to our current practice.
- Enabling spatial development strategies (SDS) produced by new combined authorities or elected Mayors to allocate strategic sites for development. The principles discussed for SDS would seem very similar to those in the JCS, so again this demonstrates that the work we have been undertaking is ‘ahead of the curve’ in this respect.
- A further consultation to be published on introducing a standardised approach for local authorities in assessing housing requirements. The outcome will be reflected in changes made to the NPPF. We welcome this, as disputes over how the OAN should be measured have considerably slowed the JCS’ progress.
- Revising the NPPF to make clear that plans and development proposals should make “efficient use of land and avoid building homes at low densities.” We have cautiously welcomed this, but with an emphasis on decisions about density being a matter for the local authority taking into account relevant local design and context.

Building homes faster

Another chapter of the white paper is concerned with “building homes faster”. Some of its key proposals include:

Planning Reform Proposals

- Amending the NPPF to give local authorities the opportunity to have their housing land supply agreed on an annual basis and fixed for a one year period, in order to create more certainty about when an adequate land supply exists. Authorities taking advantage of this will have to provide a 10% buffer on their 5 year land supply. We argue that whilst this is a helpful concept, the method by which it would be implemented seems cumbersome and could create delays.
- Increasing nationally set planning fees, and consulting further on allowing authorities that are performing well on housing delivery to increase fees further. We endorse this approach.

- A further consultation to be published on introducing a fee for making a planning appeal, so as to deter unnecessary planning appeals and reduce delay. We endorse this approach.
- Examining the options for reforming developer contributions (Community Infrastructure Levy and section 106 obligations), with an announcement on this expected in the autumn Budget 2017. This is not part of the questions in the current consultation, and it will be important for our planned introduction of a Community Infrastructure Levy to see what is proposed in the autumn.
- Subject to further consultation large housebuilders would be required to publish aggregate information on build out rates (the number of homes built per financial year). We endorse this approach.
- Seeking views on whether an applicant's track record of delivering previous similar housing schemes should be taken into account by local authorities taking decisions on housing development. This is thought unlikely to be able to be carried out effectively, and could make it difficult for small and medium sized builders to enter the market.
- A further consultation on simplifying the completion notice process to allow a local authority to serve a completion notice on a site before the commencement deadline has elapsed, but only where works have begun, in order to dissuade developers from making a token start on work on site to keep the planning permission alive. We agree that it would be valuable to increase the efficiency of the completion notice process, to bring it more regularly into use across the county. However we raise concerns about the potential for delay and challenges to the process.
- Changing the NPPF to introduce a housing delivery test which will highlight whether the number of homes being built is on target. If delivery then falls below specified thresholds an extra buffer would be added onto the five-year land supply and further thresholds would then allow the presumption in favour of sustainable development to apply automatically. We agree with the principle of a housing delivery test, but argue that the proposed method of implementation should be simplified.

2. Relevant Council Policies and Strategies

2.1 The following plans are considered relevant:

- Cheltenham Borough Council Local Plan, Second Review (adopted July 2006)
- Emerging Joint Core Strategy: Main Modifications version (February 2017)
- Emerging Cheltenham Plan (part one). Preferred Options Consultation (January 2017)
- Housing and Homelessness Strategy (2012 – 2017)

3. Alternative options Considered

3.1 The only alternative would be not responding to the white paper, which would mean that officer and member views could not be communicated.

4. Consultation and feedback

4.1 The response to the white paper does not require consultation

5. Performance management –monitoring and review

Responses to the consultation must be made by 11:45pm on 2nd May 2017

Report author	Contact officer: Philip Stephenson Development Manager Strategy philip.stephenson@cheltenham.gov.uk, 01242 264379
Appendices	1. Risk Assessment 2. Housing White Paper Consultation Questions and Responses
Background information	The white paper and its appendices are available at https://www.gov.uk/government/publications/fixing-our-broken-housing-market

Risk Assessment

Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Failure to respond to the white paper would deprive the government of an opportunity to hear the views of officers and members of the council	Philip Stephenson	23.3.17	1	1	2	Accept	None	N/A	Philip Stephenson	N/A if the recommendations of this report are agreed.
Explanatory notes Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) Control - Either: Reduce / Accept / Transfer to 3rd party / Close											

Housing White Paper Consultation Questions and Responses

Making Plans Easier to Produce

Question 1

Do you agree with the proposals to:

a) Make clear in the National Planning Policy Framework that the key strategic policies that each local planning authority should maintain are those set out currently at paragraph 156 of the Framework, with an additional requirement to plan for the allocations needed to deliver the area's housing requirement?

We agree with this clarification, and this is the process we have followed in developing the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. (the JCS)

b) Use regulations to allow Spatial Development Strategies to allocate strategic sites, where these strategies require unanimous agreement of the members of the combined authority?

We are confused about the meaning of this question. If the question above is asking if the sites need to have the unanimous agreement of each of all of the **elected** members of each council making up a combined planning authority then we think a majority vote is all that is required. However if the question asks if there should be a unanimous agreement between each of the **authorities** within the combined authority – then yes we agree this should be unanimous, as the strategy should be the will of all of the councils involved.

c) Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?

This would be a very helpful step to clarify the extent of evidence base required for a Local Plan to be found sound. We agree with the Local Plans Expert's group findings on this topic.

Question 2

What changes do you think would support more proportionate consultation and examination procedures for different types of plan and to ensure that different levels of plans work together?

Spatial Development Strategies (SDS) will be a valuable tool in providing the context for the development of more localised plans and neighbourhood plans. This is a welcome step and mirrors the work we have been doing through our three authority's work on the JCS.

However in evaluating these strategic and higher tier documents it is vital that regulations, examinations and decisions accept that not all of the answers on how lower tier plans and applications will deal with issues regarding sites will be resolved at this higher tier.

The regulations need to be clear that it will need to be enough that SDS' should demonstrate a strategic evidence base that shows **options** to deliver the strategy and the sites **are viable and realistic**, rather than adopting a particular solution. This is especially the case when an SDS could allocate a site to come forward in 10 or 15 years' time.

This will ensure that examinations don't grind to a halt over the specifics of schemes which have not yet been worked out at that level of detail – but also help to reinforce the principle that a sound plan should set out 'an' appropriate strategy for the area rather than the 'most' appropriate strategy.

Looking ahead to further reforms, once the SDS is in place, it may be possible to reduce the scope of examinations for lower tier plans to only those issues not already covered.

Question 3

Do you agree with the proposals to:

a) amend national policy so that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people?

Yes we agree that it is appropriate to plan for groups with specialist housing needs as an integral part of plan making, however planning for this provision should remain flexible, especially in later parts of the plan period. This will help to ensure that the plan remains flexible to new approaches to specialist housing and market trends which may change the best way to address these needs. Changes in the way older people and those with disabilities wish to be housed have occurred rapidly since the 1990s and continue to evolve with the development of technology. The market is also constantly changing, for example in regard to the popularity of extra care housing models.

b) from early 2018, use a standardised approach to assessing housing requirements as the baseline for five year housing supply calculations and monitoring housing delivery, in the absence of an up-to-date plan?

Yes we agree that a standardised approach to assessing housing requirements would be a useful step forward to help simplify and speed up plan making. This should include a standardised approach to assessing the housing requirements of groups with particular needs, such as older and disabled people. However, transitional arrangements should be put in place to protect the five year supplies of authorities which have recently adopted plans based on the current methodology- for a period of up to two years. This will protect recently made plans against opportunist, non-plan led development and give time for the authorities to apply the new approach, adapting allocations and policies if necessary.

Question 4

Do you agree with the proposals to amend the presumption in favour of sustainable development so that:

a) authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?;

This appears to be more clarification of policy rather than a change as such, but we agree with the clearer formulation of this. It may also be helpful to link this with a requirement to maximise the use of available previously developed land (taking into account protection of heritage, biodiversity, amenity and other land uses including employment) before looking to green field development.

b) it makes clear that identified development needs should be accommodated unless there are strong reasons for not doing so set out in the NPPF?;

This appears to be more clarification of policy rather than a change – we agree with the clarification however

c) the list of policies which the Government regards as providing reasons to restrict development is limited to those set out currently in footnote 9 of the National Planning Policy Framework (so these are no longer presented as examples), with the addition of Ancient Woodland and aged or veteran trees?

We agree that Footnote 9 should be elevated into the policy text, to remove uncertainty as to its status as a footnote.

d) its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?

We have no objections to these changes

Question 5

Do you agree that regulations should be amended so that all local planning authorities are able to dispose of land with the benefit of planning consent which they have granted to themselves?

We agree

Question 6

How could land pooling make a more effective contribution to assembling land, and what additional powers or capacity would allow local authorities to play a more active role in land assembly (such as where 'ransom strips' delay or prevent development)?

It would be helpful to extend the range of CPO powers to better deal with ransom strips where they unreasonably hold up development in the public interest. However these powers would need to be used consistently across the country and detailed guidance would need to be published to avoid unjustly benefiting private interests. The rules on compensation for CPO should also be reviewed, to ensure that such measures are affordable for local authorities to undertake (including the risk of litigation). We would welcome a government consultation on the efficacy and potential for introducing a land pooling regime – but this would have to be done thoughtfully if a German model were to be adopted given the differences in land ownership and assembly between the UK and much of continental Europe where land assembly is more often driven by the public sector.

Question 7

Do you agree that national policy should be amended to encourage local planning authorities to consider the social and economic benefits of estate regeneration when preparing their plans and in decisions on applications, and use their planning powers to help deliver estate regeneration to a high standard?

We agree with this change as it would reflect the current reality that social and economic benefits are considered as part of the local plan process or planning application currently as part of the social role of sustainability. It would be helpful if the government could build on the estate regeneration strategy to introduce new planning practice guidance on social sustainability. This would give guidance on mitigating harm and getting the most benefit out of large new development near to existing estates, particularly those in need of regeneration.

In addition, regeneration has extensive benefits to not only the local, existing community but also to the wider area. Advances in building techniques and materials means that developers are able to provide improved quality of accommodation and also more appropriate house types.

Question 8

Do you agree with the proposals to amend the National Planning Policy Framework to:

a) highlight the opportunities that neighbourhood plans present for identifying and allocating small sites that are suitable for housing?;

Highlighting the role neighbourhood plans offer in identifying small housing sites is helpful. Often the positive role that neighbourhood plans can play is overlooked in this regard. Neighbourhood Plans are still slow in coming forward in city and town areas in comparison with rural areas. Many small sites come through as windfall, or will have constraints which have prevented their unlocking to date.

Despite this, supporting multiple neighbourhood plans will take planning resources which are currently much stretched in councils across the South West. Neighbourhood planning groups often require a lot support and guidance from local authorities to help them through the process and ensure that they meet the basic legal conditions. Furthermore, the amount of funding local authorities are able to claim has been reduced by up to £10,000 per neighbourhood plan. In addition, the receipt of some funding is dependent on a neighbourhood plan reaching a referendum which adds further risk to local authority resources in support of this process. Therefore a greater investment in neighbourhood planning would need to come with more investment in planning professionals as part of local authorities to assist communities in developing successful strategies.

b) encourage local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the authority's housing needs?;

We agree that there is an important role for new development in villages to help them thrive, support services, and contribute towards the wider housing needs of the area. Further emphasis in plan making on how this should be considered through plan making would be welcome. However, new development potential has to be seen in the context of the individual village and its overall sustainability and availability of suitable sites.

To enable villages to thrive there also needs to be a suitable mix of housing to improve affordability and help local people to access housing.

c) give stronger support for 'rural exception' sites – to make clear that these should be considered positively where they can contribute to meeting identified local housing needs, even if this relies on an element of general market housing to ensure that homes are genuinely affordable for local people?;

Rural exception sites can make a valuable contribution towards meeting identified local housing needs, particularly in areas which would otherwise be sensitive and constrained, and should be promoted. However, in the JCS area this would often mean building in areas where development should be sensitively managed, such as in the AONB and Green Belt. The opening up of such sites to market or starter housing could erode Green Belt boundaries which would mean subsequent development would be difficult to refuse. Therefore exception schemes need to be consistent with all other policy provisions and be of a scale that it is appropriate for their context. Changes to national policy in this area to provide a blanket approach therefore need to be considered carefully and this may be a matter which would be better considered locally.

d) make clear that on top of the allowance made for windfall sites, at least 10% of sites allocated for residential development in local plans should be sites of half a hectare or less?;

We are not clear exactly how this policy stipulation would work. Would this apply to the development plan as a whole, or to each Development Plan Document? If the latter, this would not work well with SDS type plans which operate at a much more strategic level. As a whole this requirement doesn't reflect the differing nature of allocations, including what sites are actually available, in different authorities and is therefore too arbitrary to be valuable. A 10% requirement could lead to unnecessary pressure on small sites that would otherwise be considered to be unsustainable. If for example an authority was very land constrained and had only a few allocation sites this 10% requirement could pose a significant threat of unsoundness at examination. As a whole this requirement should in our view be rejected as not in keeping with Local Plan Experts group's advice to encourage flexibility in plan making.

e) expect local planning authorities to work with developers to encourage the sub-division of large sites?;

The sub-division of large sites is contrary to our approach in the JCS area and does not reflect the best gains in onsite infrastructure provision with large sites. The value in master planning for strategic scale allocations is that the needs of the new and existing communities can be planned for as a whole and not in a piecemeal way. It is difficult to address issues such as green infrastructure provision and other areas of land use where a particular developer will get a lower return once a site has been subdivided.

Also in relation to planning for significant new roads and schools infrastructure, allocating large scale sites and resisting their subdivision allows for the burden of this provision to be adequately addressed.

The need to look to subdivide sites may also mean the loss of affordable housing on sites where policies set a threshold of dwellings. Even where affordable housing is not lost, a subdivision of sites is more likely to lead to an increase in the number of Registered Providers in an area. This can pose challenges in terms of: (1) sharing intelligence on common housing management issues, (2) having an effective officer presence on the ground, and (3) the potential for poorer community engagement and community involvement.

Overall this provision would amount to a significant disbenefit to the provision of infrastructure and joined up spatial planning, as well as impacting negatively on our ability to deliver sustainable communities. The requirement to seek to artificially subdivide sites would also put a significant drain on the existing stretched resource of local planning officers – and would often be resisted by land owners in cases where it was not to their benefit.

f) encourage greater use of Local Development Orders and area-wide design codes so that small sites may be brought forward for development more quickly?.

We have no objection to encouraging the use of LDO's and area wide design codes but this is about more than bringing forward sites quickly. It can be for reasons of certainty and design quality also, amongst other issues. LDOs have shown benefits in relation to securing high quality employment development by offering certainty which can be useful to a site promoter to help a scheme gain investment.

Question 9

How could streamlined planning procedures support innovation and high-quality development in new garden towns and villages?

This is a significant issue on its own, but the key issue here is land assembly and making sure that the land value increase from development is fully utilised for the provision of quality strategic infrastructure such as parks, roads, schools, core central facilities etc.

Question 10

Do you agree with the proposals to amend the National Planning Policy Framework to make clear that:

a) authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements?

This is a sensible and important protection for the Green Belt and mirrors our approach in undertaking the JCS.

b) where land is removed from the Green Belt, local policies should require compensatory improvements to the environmental quality or accessibility of remaining Green Belt land?

The NPPF lacks a definition of existing brownfield land in the Green Belt. This would be a helpful inclusion as often airports, and other commercial sites already exist in the Green Belt, and it may be more appropriate to develop here than in greenfield greenbelt. The principle of major sites in the greenbelt should be reintroduced if compensatory improvements are to be part of the NPPF.

The idea of making compensatory improvements to environmental quality of remaining Green Belt Land would be difficult to implement. One option would be requiring developments which have been enabled by alterations to the Green Belt to provide within them green spaces of enhanced environmental quality or accessibility. Perhaps all green field land should benefit from such a policy where resources for such improvement are available, as this would allow better targeting of more accessible locations. Ultimately to make the best improvements new powers would be needed to increase access to private land.

c) appropriate facilities for existing cemeteries should not to be regarded as 'inappropriate development' in the Green Belt?

Agreed

d) development brought forward under a Neighbourhood Development Order should not be regarded as inappropriate in the Green Belt, provided it preserves openness and does not conflict with the purposes of the Green Belt?

This would seem sensible to bring the regime in line with Community Right to Build Orders. However guidance should be published on how to ensure that this does not lead to development occurring which would fragment a strong Green Belt Boundary – particularly on the periphery of settlements. It should also be reinforced that both NDOs and CRBOs should be in line with the spatial strategy and green belt policies in the adopted or emerging development plan.

e) where a local or strategic plan has demonstrated the need for Green Belt boundaries to be amended, the detailed boundary may be determined through a neighbourhood plan (or plans) for the area in question?

This is not normally considered necessary as the detailed boundary of the Green Belt is an important strategic issue which it is often best to consider at the same time as the strategic plan making. Nevertheless there may be cases where the lower tier plan may also want to refine Green Belt boundaries as a result of smaller scale

development, but always making such revisions to create a strong Green Belt boundary. The role of safeguarded land in paragraph 85 of the NPPF should be emphasised, so that changes to the green belt to meet longer term needs are planned well in advance. There is a considerable danger of the reforms in this chapter being used together to nibble away at the Green Belt, in a way that harms its permanence and consistency. Once 'holes' are created in the Green Belt, or its clear physical boundaries are undermined, the value of the designation is lost. This is why changes must be furthered through strategic planning, and discussed fully through examination.

f) when carrying out a Green Belt review, local planning authorities should look first at using any Green Belt land which has been previously developed and/or which surrounds transport hubs?

We agree that these Green Belt types and locations, where available, should be considered carefully as a high priority before other Green Belt land, but this depends on the nature of previous development. Some PDL green belt land (such as, cemeteries, waste sites, WW2 airfields etc.) will be of more of an open quality than others. Similarly some PDL land will be in a more sensitive location for the purposes of green belt than others. Therefore it would be better to reintroduce the PPG2 definition of major existing developed sites in the Green Belt, rather than a simple sequential test.

Question 11

Are there particular options for accommodating development that national policy should expect authorities to have explored fully before Green Belt boundaries are amended, in addition to the ones set out above?

Urban land availability and appropriate urban densities should be fully considered before the release of Green Belt land, but this has been the case in the JCS area and is probably already done in most authorities. However, when comparing the relative merits of greenfield sites, there may be cases where there are site opportunities in the Green Belt which may, in the overall context of sustainability, present more suitable options for development, for example where they comprise elements of previously developed land.

Question 12

Do you agree with the proposals to amend the National Planning Policy Framework to:

a) Indicate that local planning authorities should provide neighbourhood planning groups with a housing requirement figure, where this is sought?;

While we agree that it would be useful to provide a neighbourhood planning group with a housing figure, there is concern about the practicalities and effectiveness of achieving this. The objectively assessed needs (OAN) for housing are calculated for the local planning authority's area as a whole. Breaking this need down for a neighbourhood plan area would need to be a policy decision to distribute the OAN across the area. This would need to be in conformity with the Development Plan's spatial strategy. Providing a set requirement for an area may remove flexibility for the wider area to deliver against the overall housing need. This could be a particular issue where a neighbourhood plan area is given a requirement, but is then unable to achieve this.

At the moment, neighbourhood plans are not required to identify sites for housing. Therefore, if plan has a requirement but does not identify sites, does this raise issues with the plan meeting its basic conditions? This seems at odds with current requirements of what a neighbourhood plan has to do.

It is also important to recognise that there are particular difficulties in creating joined up neighbourhood plans to meet need, where one area has a neighbourhood plan, and an adjacent area does not. This is particularly the case in unparished / urban areas.

b) make clear that local and neighbourhood plans (at the most appropriate level) and more detailed development plan documents (such as action area plans) are expected to set out clear design expectations; and that visual tools such as design codes can help provide a clear basis for making decisions on development proposals?;

We agree that an increased emphasis on design expectations and codes would be a positive change

c) emphasise the importance of early pre-application discussions between applicants, authorities and the local community about design and the types of homes to be provided?;

We agree that this would be a beneficial change, however it would also be helpful to introduce mandatory developer consultation with the community on emerging large schemes – such as is already the case with national infrastructure schemes. This would make it easier in the early stages of planning development for the community to know of and engage with the planning process.

d) makes clear that design should not be used as a valid reason to object to development where it accords with clear design expectations set out in statutory plans?

Design is often a matter of judgement, fact and degree. It is also individual to the circumstances of each case. Therefore such a statement would not be a beneficial addition in our view

e) recognise the value of using a widely accepted design standard, such as Building for Life, in shaping and assessing basic design principles – and make clear that this should be reflected in plans and given weight in the planning process?

We agree with the proposed reference to design standards such as Building for Life, however this should not be used to reduce the individuality of settlements and design freedom; because this would lead to a loss of a sense of place.

Question 13

Do you agree with the proposals to amend national policy to make clear that plans and individual development proposals should:

a) make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs?;

We do not agree with this as density is sometimes appropriate to be lower than the average density for the purposes of urban design, landscape character and reflecting the nature of the area being developed. Shortage of available land is not supported as a reason to promote development of higher densities on land that is available which may otherwise have been considered unsustainable in design terms.

Flexibility in density should also be retained to take account of how affordable housing can best be managed in that area, having regard to existing community issues. High density affordable housing may serve to exacerbate any existing challenges there might be in tackling community-based issues in that area. Consideration should also

be given to the local needs of particular groups. An area may be suitable to support the needs of older people and/or households with physical disabilities. These homes will require more generous space standards.

b) address the particular scope for higher-density housing in urban locations that are well served by public transport, that provide opportunities to replace low-density uses in areas of high housing demand, or which offer scope to extend buildings upwards in urban areas?;

We agree that there will be urban areas that can be redeveloped at higher density particularly around transport hubs and other commercial areas that are in high demand. However this is a policy that should be applied carefully by each location, and what works, particularly in major urban centres such as London and Birmingham is unlikely to be appropriate in all towns and cities. There is a significant threat that this policy change could lead to a loss of valuable and well used employment land, as land prices for high density housing will always outstrip this. The loss of such employment land would harm small businesses and lead to increasing pressure on the transport network.

c) ensure that in doing so the density and form of development reflect the character, accessibility and infrastructure capacity of an area, and the nature of local housing needs?;

We agree with this, it is important that supporting text reflects that increasing density could mean terraced housing as well as, or in preference to building upwards which is unsuitable in many locations and has previously led to social and health problems. There are also factors of design, landscape, heritage and character of the urban environment that need to be considered. The lessons of previous large high density high rise housing development in Birmingham and Manchester in the 50s, 60s and 70s need to be very carefully considered, as many of these schemes are now being pulled down.

It is therefore vital that wider social/community issues are also considered in order that new developments can thrive and remain desirable places to live.

d) take a flexible approach in adopting and applying policy and guidance that could inhibit these objectives in particular circumstances, such as open space provision in areas with good access to facilities nearby?

This would need to be applied very carefully, and would be a decision best taken at local level on a case by case basis. Individual amenity space can be just as important as communal space. It is important that open space provision be considered both in terms of visual amenity and mental and physical wellbeing. There is also likely to be biodiversity impacts on any loss of open space, as gardens can provide important habitats.

Question 14

In what types of location would indicative minimum density standards be helpful, and what should those standards be?

The standards should be defined locally, and should be suggested within defined locations inside the principal urban areas of cities and towns. This should be guidance rather than policy, to be sensitive to the needs of specific schemes. Overreliance on national guidance on design and density could create further homogeneity of the urban landscape and loss of a sense of place.

Question 15

What are your views on the potential for delivering additional homes through more intensive use of existing public sector sites, or in urban locations more generally, and how this can best be supported through planning (using tools such as policy, local development orders, and permitted development rights)?

Local Development Orders and Action Area Plans could be useful in this regard. In most cases the impediment to development of public sector sites isn't planning, as planning permissions are rarely refused, especially on PDL sites. However, additional resources to enhance knowledge and experience of the market and delivering development within local authorities are important to achieving delivery. This would need to be combined with measures to reduce the regulatory burden constraining innovation in using these assets effectively. Task forces should be created to catalogue assets and use agents to advise officers of what the private sector would do with these sites.

Regulations restricting Local authorities creating housing development and becoming private landlords should be relaxed. Often local authorities have seen disposal of land assets as the only way of achieving best value – whereas more homes could be created and revenue to provide services generated if local authorities were to build homes to rent. In certain circumstances local authorities should be allowed to make a profit as long as these profits were recycled back into service delivery.

Delivering new homes on public owned sites can present challenges, often in the way of overcoming rights of way issues. This can lead to delays in development, and will also impact on the design/layout and density. Pressures to spend Right to Buy receipts within 3 years can be difficult on complex sites, with the result that this can act as a disincentive to work on public-owned sites that are known to be highly complex. Freedoms over the speed with which Right to Buy receipts can be spent will overcome this issue. Greater financial freedoms – i.e. being able to spend a greater proportion of Right to Buy receipts, along with a removal of the HRA debt cap, would provide greater opportunities to deliver more affordable housing in areas that would otherwise have to rely mainly on 106 sites that are often financially unviable for affordable housing. A reversal of the current rent policy (-1%) back to CPI +1% would enable local authorities with housing stock to invest more in providing new affordable homes on public owned sites, but rent levels should be a local authority decision rather than one determined by government.

Providing Greater Certainty

Question 16

Do you agree that:

a) where local planning authorities wish to agree their housing land supply for a one-year period, national policy should require those authorities to maintain a 10% buffer on their 5 year housing land supply?;

There is confusion over whether this 10% buffer would be added on top of any 5% or 20% under delivery buffer already present?

Overall we think that a revision to the current system of establishing 5 year supply should be brought in, with clearer rules on how supply should be worked out with a clear methodology, rather than drafting, consulting and then passing to the inspectorate for individual years.

This is because the process itself will likely take more than a month and the agreement is only for one year. The consultation element will take time and it will be difficult to ensure that all potential developers are represented. Developers whose sites are not part of the supply would have an interest in blocking any agreement. Developers may also continue to contest elements such as the OAN. Also even if an agreement were to be put in place the loss of delivery on any site could invalidate the agreement, or at least weaken it. This would be likely to result in the authority 'having another go' on a varied agreement, further constraining the resources in the system.

b) the Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy?

This would be too cumbersome an approach and would add to the burden of plan making, it would also likely stretch the resources of the inspectorate, which is already suffering delays due to lack of inspectors/ funding. It would be better to set out some clear guidelines as to how the assessment should be calculated and then let local authorities do this.

c) if so, should the Inspectorate's consideration focus on whether the approach pursued by the authority in establishing the land supply position is robust, or should the Inspectorate make an assessment of the supply figure?

As above, the focus of the guidance should be on ensuring that authorities follow a specific formula to achieve robustness (with acceptable alternatives where evidence isn't available/ forthcoming etc.). If this system were to be put in place, and properly resourced the agreements should last for at least 2 years.

Question 17

In taking forward the protection for neighbourhood plans as set out in the Written Ministerial Statement of 12 December 2016 into the revised NPPF, do you agree that it should include the following amendments:

a) a requirement for the neighbourhood plan to meet its share of local housing need?;

We agree that a neighbourhood plan should endorse the meeting of objectively assessed housing need for the area of the neighbourhood in question, and not take any measures which would block this delivery or are contrary to an in date or emerging development plan document. This needs to be emphasised in a revision to the NPPF. However it should be recognised that making neighbourhood plans is difficult for many communities, and completion rates are poor, particularly for urban authorities. Therefore there should be no insistence that neighbourhood plans meet housing need through their own allocations. Neighbourhood Plans should continue to be able to provide for more development than that which is needed in the local area, but the principle duty of meeting housing needs should remain the role of the local plan, unless the planning authority specifically delegates this. This protects local communities and ensures that LPAs are doing their job.

The protections of the ministerial statement on the 12th of December 2016 of neighbourhood plans not being out of date if they are less than 2 years old (2 years from the time they are legally 'made') and the authority can show at least 3 years of housing land supply are welcomed.

b) that it is subject to the local planning authority being able to demonstrate through the housing delivery test that, from 2020, delivery has been over 65% (25% in 2018; 45% in 2019) for the wider authority area?

We do not think this test is necessary, is rather arbitrary and adds unnecessarily to complexity. The principle of the local authority being able to show three years of supply is enough.

c) should it remain a requirement to have site allocations in the plan or should the protection apply as long as housing supply policies will meet their share of local housing need?

It is not absolutely necessary to have site allocations in the plan as neighbourhood plans can perform a number of roles. Reinforced with a stronger commitment to the need for neighbourhood plans to be in conformity with an adopted or submitted local plan document where present, they should not be deemed out of date simply because they don't allocate housing.

Question 18

What are your views on the merits of introducing a fee for making a planning appeal? We would welcome views on:

a) how the fee could be designed in such a way that it did not discourage developers, particularly smaller and medium sized firms, from bringing forward legitimate appeals;

A scale of fees that is proportionate to the size of the proposed development would be appropriate. The fee should be proportionate to the procedure chosen (higher for informal hearings and inquiries.) Householder appeals, or where permitted development has been removed, LBC and adverts should be exempt (since the majority of these are written reps). Coupled with this would need to be more capacity within PINS to process and determine appeals in a timely manner if introducing fees.

b) the level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful; and

This would need to be dependent on the reasons for allowing /dismissing the appeal (e.g.). misconduct on the part of the Council, where costs are awarded against the Council, or there were unavoidable technical reasons for appeal dismissal. A 'triage' system should be introduced which identifies whether it would be reasonable to refund fees – set out in national guidance.

A broad category of exceptions and qualifying appeal decisions would need to be provided to avoid all appeal fees being challenged. Requests for a fee refund considered on a case by case basis and subject to an application made to PINS, similar to costs awards.

c) whether there could be lower fees for less complex cases.

A scale of fees that is proportionate to the size of the proposed development would be appropriate.

Question 19

Do you agree with the proposal to amend national policy so that local planning authorities are expected to have planning policies setting out how high quality digital infrastructure will be delivered in their area, and accessible from a range of providers?

We agree with this; however it is often difficult to enforce these policies at a local level. The government should make broadband rollout and delivery a key requirement in National Planning Policy for all new houses and businesses with exceptions for only the most remote locations where this is not physically possible. The need for high quality infrastructure can also be applied to the full range of infrastructure not just digital infrastructure in new development.

Question 20

Do you agree with the proposals to amend national policy so that:

the status of endorsed recommendations of the National Infrastructure Commission is made clear?;

Agreed

authorities are expected to identify the additional development opportunities which strategic infrastructure improvements offer for making additional land available for housing?

Authorities should address the issue of whether there are any additional development opportunities but there may be sound strategic planning reasons why there may be none, few or many additional opportunities arising

Question 21

Do you agree that:

a) the planning application form should be amended to include a request for the estimated start date and build out rate for proposals for housing?

Agreed this would be useful

b) that developers should be required to provide local authorities with basic information (in terms of actual and projected build out) on progress in delivering the permitted number of homes, after planning permission has been granted?

Agreed this would be a useful additional piece of information

c) the basic information (above) should be published as part of Authority Monitoring Reports?

This should be optional for AMRs but should be encouraged, and the information provided by applicants will feed into the housing trajectory

d) that large housebuilders should be required to provide aggregate information on build out rates?

We agree that this would be useful information

Question 22

Do you agree that the realistic prospect that housing will be built on a site should be taken into account in the determination of planning applications for housing on sites where there is evidence of non-implementation of earlier permissions for housing development?

There is concern that such a consideration could lead to permissions being granted in high-demand areas only. This could lead to disproportionate patterns of growth across an area. Furthermore, this could impact on more complex developments (viability, remediation challenges etc.). Therefore the application of such a measure would need to be done carefully with all deliverability factors taken into account.

Such a policy would also need to consider the reasons for previous non-implementation which would need to be investigated thoroughly. If there are identified long-term implications for delivery (costly site constraints/flood issues/viability/legal issues) then this may be an acceptable approach. If it's simply a land ownership issue or change of mind/developer interest in the land then this would not be reasonable. Set thresholds for triggering this principle based on the size of development proposal might be relevant also. Sometimes it is reasonable for planning permission, especially outline consent, to be granted for more difficult schemes, where they would bring strong regeneration benefits – even if they are more uncertain. Therefore overall we would not normally support this approach.

Question 23

We would welcome views on whether an applicant's track record of delivering previous, similar housing schemes should be taken into account by local authorities when determining planning applications for housing development.

As per question 22, the picture of deliverability can often be quite complex so any measure such as this would have to be carefully considered. There is concern that this approach could favour a small number of developers who have good recent track records. In addition to this, there is uncertainty about how such decisions on track record would be made and what it would be based on, leaving much scope for challenge. This approach could disproportionately impact the small and medium housebuilder which the government is trying to encourage coming forward.

Question 24

If this proposal were taken forward, do you agree that the track record of an applicant should only be taken into account when considering proposals for large scale sites, so as not to deter new entrants to the market?

The answer given to question 23 applies. A new entrant wouldn't have a track record regardless of scale of site. This might conflict with the government's desire to promote the small/medium size house builder

Question 25

What are your views on whether local authorities should be encouraged to shorten the timescales for developers to implement a permission for housing development from three years to two years, except where a shorter timescale could hinder the viability or deliverability of a scheme? We would particularly welcome views on what such a change would mean for SME developers.

It is agreed that this could be a useful tool to be applied on certain developments. However, viability and complexity of delivering a site must be taken into account when making any decisions on timescales. Without careful consideration at the point of determination that a scheme could be implemented within a two year period (and any corresponding reserved matters dealt with), this initiative could lead to revised/renewal applications being submitted which has costs implications for local authorities, particularly if a 'free go' applies. These repeat applications could cause frustration and be resource intensive for both the Councils and the community.

Question 26

Do you agree with the proposals to amend legislation to simplify and speed up the process of serving a completion notice by removing the requirement for the Secretary of State to confirm a completion notice before it can take effect?

We are very keen to improve the implementation of permissions however we do not regularly use completion notices in planning. Therefore reducing the red tape around the system and promoting its use would be welcomed. However any appeal mechanism would need to be looked into carefully –as authority resources could be tied up with complex appeals. There could also be legitimate reasons such as unexpected costs or housebuilder liquidity which would mean that even if a completion notice were served, this might not get the development built.

Question 27

What are your views on whether we should allow local authorities to serve a completion notice on a site before the commencement deadline has elapsed, but only where works have begun? What impact do you think this will have on lenders' willingness to lend to developers?

This would seem reasonable – but subject to our answers in Q26. There is a danger that if permission was lost part way through a development, and then for some reason became difficult to re-secure it could lead to estates being half completed or a protracted period of living on a building site for early residents. However on balance increasing the value and normalising the use of this procedure is likely to be beneficial.

Question 28

Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that:

a) The baseline for assessing housing delivery should be a local planning authority's annual housing requirement where this is set out in an up-to-date plan?

Agreed

b) The baseline where no local plan is in place should be the published household projections until 2018/19, with the new standard methodology for assessing housing requirements providing the baseline thereafter?

Agreed, except where detailed evidence already exists on this topic – for example where a plan is at an advanced stage of production and at examination and the inspector has given views on the annual housing requirement.

c) Net annual housing additions should be used to measure housing delivery?

Agreed

d) Delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17?

Agreed

Question 29

Do you agree that the consequences for under-delivery should be:

- a) From November 2017, an expectation that local planning authorities prepare an action plan where delivery falls below 95% of the authority's annual housing requirement?;
- b) From November 2017, a 20% buffer on top of the requirement to maintain a five year housing land supply where delivery falls below 85%?;
- c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%?;
- d) From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%?; and
- e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%?

This is a very mathematic approach to under delivery, and is not sensitive to the individual circumstances of the cases in question. It is also not clear exactly how it will work. Over what period will the under delivery be measured? Will this replace the Sedgefield and Liverpool methods which are already dealing with under delivery in adopted and emerging local plans? This will mean that existing housing requirement figures will need to be revised in many authorities. Under delivery has always been more than merely the planning system not delivering. For example in the JCS area, year on year we grant many more planning permissions than those which are built out.

Therefore we suggest, as the Local Plan Experts group did, that under delivery should consider not only the amount of housing that is built, but the proportion of applications which are granted permission, and those in the system with permission but not being built out.

It would be better to stick with the current definition of under delivery than to move to this new tiered penalty system which will make the monitoring system much more complex and tie up examinations with exactly which years penalty should be used, and whether or not the precise percentages have been met.

It would be simpler for the current system on under-delivery to carry on, but with the addition of requiring an action plan if delivery falls below 75% after November 2019. Guidance should be given on these action plans, and PINS could inspect them. If PINS found the action plan insufficient to meet the ongoing housing need – then the presumption would apply.

Question 30

What support would be most helpful to local planning authorities in increasing housing delivery in their areas?

A significant increase in funding to meet the changes in regulations and the increase in pressure on housing delivery is sorely needed. Government must commit ring fenced money to planning – in a form similar to the Planning Delivery Grant of the late 2000s to make sure local authorities have the resources to carry out the ambitions in the white paper, particularly in regard to long range and strategic planning. Where authorities are performing well and attracting investment this should be rewarded, as well as penalising underperformance.

There should be an increasing reliance on the resources and knowhow of the public sector in planning matters, slowing the transfer of functions and skills to private consultants who are often ill equipped and inefficient in the exercise of public functions.

There should also be greater flexibility over how local authorities are able to use the retained Right to Buy receipts for delivering new affordable housing, for example, by being able to use it to supplement affordable housing provision on 106 sites that are unable to provide policy compliant affordable housing because of financial viability issues. Removal of the HRA debt cap would offer up greater borrowing opportunities which can then be used to support housing growth. In addition, the reversal of the government's current 1% rent reduction policy, back to CPI +1% would place local authorities and RPs on a much stronger footing to support housing growth and to enable 106 sites to become more financially viable in terms of developers being able to meet their affordable housing obligations. However, in our view, rent levels should be a local authority decision rather than one determined by government.

Affordable Housing

Question 31

Do you agree with our proposals to:

a) amend national policy to revise the definition of affordable housing as set out in Box 4?;

Key issues are covered in paragraphs b and c below. It felt that the wording provided in Box 4 could be amended to read:

Affordable housing: housing that is provided for sale or rent to those whose needs are not met by the market (this can include housing that provides a subsidised route to home ownership) *with regards to local incomes and house prices*, and which meets the criteria for one of the models set out below."

b) introduce an income cap for starter homes?;

Eligibility should be determined with regard to local incomes and local house prices, rather than on an arbitrary national household income limit imposed by central government. It is important that starter homes are accessible only to those who need it. If the upper limit is set too high for local markets then this will have the undesirable effect of widening eligibility to households who can afford to purchase like for like properties on the open market. This would dilute the government's intention of supporting households whose housing needs cannot currently be met on the open market alone.

Clearly, any provision of starter homes as an alternative to social/affordable rent and/or shared ownership accommodation will reduce the opportunities for those with even lower incomes, by providing fewer housing choices for them to access affordable housing.

The Starter Homes model reads:

Starter homes is housing as defined in Sections 2 and 3 of the Housing and Planning Act 2016 and any subsequent secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute at the time of plan-preparation or decision-taking.

There is concern over this wording as it doesn't give certainty for the future. The model needs to be agreed and used almost indefinitely so that we don't have developments with different Starter Home models.

c) incorporate a definition of affordable private rent housing?;

The rationale for introducing the proposed affordable private rented product is to improve viability/profitability on sites that might be suitable for Build to Rent Schemes – the government's thinking being that investors are currently unable to compete with landowners/developers providing homes for sale. However, the proposed definition is written in a way that would allow the traditional landowner/developer to provide an affordable private rent product as an alternative to social/affordable rent, thereby defeating the government's intended purpose. If affordable private rent is to be classed as affordable housing at all, then it must be limited to sites that are strictly for Build to Rent Schemes. Safeguards would also be necessary to prevent the developer from selling off the affordable private rents, with the result that the affordable housing is lost. At present the definition makes no reference to ensuring the produce remains at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

It is questionable how affordable this affordable private rent housing will be. The definition sets the discount at least 20 per cent below local market value, but no consideration is given to service charges. Welfare reforms, such as those limiting affordable rents to no more than Local Housing Allowance levels, means that households on means-tested benefits will be less likely to be able to afford this product, if at all, when service charges are also factored in. The result is that this provision of accommodation as an alternative to social/affordable rent will serve only to reduce the opportunities for those households on lower incomes, by providing fewer housing choices for them to access affordable housing. Furthermore, house prices and rents vary so much across areas and the JCS. A universal discount is not really appropriate. This product will remain out of reach for many especially in rural areas. It is acknowledged that it could increase the possibilities of smaller scale developments by small to medium size private landlords.

Current wording makes it clear that any organisation will be able to manage the affordable private rent – not just Registered Providers or Local Authorities. In the absence of regulation by the HCA or accountability through local government, there are concerns over how these homes will be allocated and managed. 106 agreements could be used to stipulate criteria, but the ongoing monitoring of such agreements will require additional resources from the local authority in a climate of reduced funding. Our recommendation is for these homes to be managed by local authorities or registered providers – as with the social and affordable rented products.

d) allow for a transitional period that aligns with other proposals in the White Paper (April 2018)?

The transitional period should take account of the need for local authorities to review local housing needs based upon the standardised methodology, as proposed in the white paper. If the standard methodology is not available until April 2018, there will need to follow a period of time (a year) to allow local authorities to undertake this piece of work in order that an evidence base of need is available, which can then inform local plans and discussions with landowners/developers.

Question 32

Do you agree that:

a) national planning policy should expect local planning authorities to seek a minimum of 10% of all homes on individual sites for affordable home ownership products?

We agree with this minimum national guidance for affordable housing, but this should not become a default policy irrespective of viability issues. Viability issues would still need to be addressed at the local level, which will result in providing either more than or less than 10%.

Flexibility should also be retained on small public-owned land. It would be impractical, for instance, to have a single affordable home ownership product in a block of flats where the remainder are rented, if simply from the point of view of trying to market the product. In addition, small sites may be large enough only to produce 1 or 2 dwellings. A minimum criterion would force local authorities to provide an affordable home ownership product in these circumstances, when a rented product is more suitable and best supports local needs. At the very least, if a minimum criterion is to be introduced, it should apply only to sites of 10 units or more.

Ultimately it is important that local authorities are able to determine the most appropriate affordable home ownership product for particular areas.

b) that this policy should only apply to developments of over 10 units or 0.5ha?

This approach would reflect the provisions of Planning Practice Guidance. However developments with particularly large internal floor space should be captured (over 1000m) and those in designated rural areas. Depending on viability, local authorities should be encouraged to gain as much affordable housing as possible, taking into account infrastructure delivery and amenity.

Question 33

Should any particular types of residential development be excluded from this policy?

Some sites have significant viability challenges and so there should always be a viability clause that would be for the applicant to prove the need for a deviation from policy. The government should make it clear that a viability assessment should always accompany any submission contrary to the development plan policy on affordable housing, and that this should be published in full to allow third party scrutiny.

Sustainable Development and the Environment

Question 34

Do you agree with the proposals to amend national policy to make clear that the reference to the three dimensions of sustainable development, together with the core planning principles and policies at paragraphs 18-219 of the National Planning Policy Framework, together constitute the Government's view of what sustainable development means for the planning system in England?

We agree with this approach as it helps to give weight to the whole of the NPPF

Question 35

Do you agree with the proposals to amend national policy to:

a) Amend the list of climate change factors to be considered during plan-making, to include reference to rising temperatures?

We agree this is a valuable inclusion

b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?

We agree this is a valuable inclusion

Question 36

Do you agree with these proposals to clarify flood risk policy in the National Planning Policy Framework?

Yes we agree with this clarification. It would be useful to see appropriate flood prevention measures for dwellings in flood risk areas. There are many options available to build in measures to the dwellings to reduce the impact on the home itself and wider environment.

Question 37

Do you agree with the proposal to amend national policy to emphasise that planning policies and decisions should take account of existing businesses when locating new development nearby and, where necessary, to mitigate the impact of noise and other potential nuisances arising from existing development?

Yes we agree with this emphasis as this issue would normally be taken into account in decision making. However it should also be made clear that planning changes the nature of areas, and that it is sometimes reasonable for harm to amenity or to existing businesses to be caused when weighed with the benefit of the new development. Similarly, pubs and the night time economy can be damaged by noise complaints from dwellings recently located nearby. National policy must be careful to seek to preserve the cultural identity of such areas, even if this is at the cost of, for example, soundproofing new nearby dwellings.

Question 38

Do you agree that in incorporating the Written Ministerial Statement on wind energy development into paragraph 98 of the National Planning Policy Framework, no transition period should be included?

Agreed, as the Ministerial statement has been available for two years now and the JCS has been developed in our area in accordance with this.