

Cabinet Agenda

Monday, 2 March 2020 at 6.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY

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Agenda Item 3 Public Document Pack

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Present: Councillors Chowney (Chair), Forward (Vice-Chair), Batsford, Evans, Fitzgerald, Rogers, Beaney, Lee and Patmore

237. APOLOGIES FOR ABSENCE

None received.

238. DECLARATION OF INTERESTS

<u>Councillor</u>	<u>Minute No.</u>	<u>Interest</u>
Rogers	242	Personal – Trustee of St Mary in The Castle
Forward	242	Prejudicial – Owns a property very close to one of the developments discussed.

239. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the meeting held on 3rd February 2020 be approved as a true record.

240. DRAFT CORPORATE PLAN 2020/21

The Director of Corporate Services and Governance presented a report to inform Cabinet of the draft corporate plan 2020/24, together with feedback from the public consultation on the draft budget and corporate plan.

This Corporate Plan is structured slightly differently to other years. The deadline for the consultation was Friday 7th February, so the comments which have been received since the publication of the agenda have been included as a supplementary. The objective of having this corporate plan as a living document which is accessible online, and that people will be able to keep up with is an exciting prospect. The Director of Corporate Services and Governance also wanted to thank the specific officers who have worked hard on the creation and presentation of the new draft corporate plan. There has been a significant improvement since the year before.

Councillor Forward wanted to formally thank anyone who responded to the consultation, as well as the officers who worked on the corporate plan. She continued that everyone can see that the Council's vision is clearly stated. The plan aims to be a high-level document, which can be used to delve into the finer details if you wish to see them. Everyone will be able to hold the council to account. Councillor Forward also wanted to thank the Overview and Scrutiny Committee for their enthusiasm to get involved with the corporate plan, and is looking forward to working more closely with them in the future.

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Councillors asked whether any changes had been made as a result of the consultation.

The Director of Corporate Services responded saying some minor changes had been made. However, this document is high level and more of the changes are likely to be seen in the details which will come later on. The most significant changes have been made to the budget, rather than the corporate plan.

Councillor Forward proposed approval of the recommendations and this was seconded by Councillor Rogers.

RESOLVED - (Unanimously)

1. That the Cabinet recommends to the Full Council, that the content of the attached documents form the basis of the council's corporate plan 2020/24, subject to the proviso that any significant amendment made to the council's draft budget be reflected in the final corporate plan text.

2. That delegated authority be given to the Director of Corporate Services and Governance, after consultation with the Deputy Leader of the Council to make further revisions as is considered necessary to the attached plan prior to publication to reflect decisions made on the council's budget.

3. That all those who submitted views as part of the consultation process be thanked for their contributions.

Reasons for Recommendations

The council needs to approve the corporate plan as its statement of Hastings Borough Council's strategic direction, mindful of the views received as part of the public consultation process on the draft corporate plan and associated budget.

241. REVENUE BUDGET 2019/20 REVISED AND 2020/21, PLUS CAPITAL PROGRAMME 2020/21 - 2022/23

The Assistant Director Financial Services and Revenues (Chief Finance Officer) presented a report that advises the cabinet of the revised revenue budget for 2019/20 and a budget for 2020/21. The revised budget for 2019/20 takes account of the known variations to expenditure and income streams that have occurred since setting the budget in February 2019.

The Chief Finance Officer explained that the Council is unfortunately in the position where it needs to find significant savings. The Council has managed to identify savings of some £1.8 million for 2020/21 – increasing to £2.4m by 2022/23.. One of the major issues the council faces is the increasing spend on temporary accommodation in the borough. There are other significant costs that could still impact on 2020/21 which have yet to be confirmed e.g. local government pay settlement.

There have been one or two changes made since the original draft budget went out for consultation. These revisions have been included in Appendix K of the report. One of

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the significant changes to note is the number of staff reductions decreasing to 25.7 FTE. –

Two proposals to alter the savings proposed in Appendix K were discussed and agreed:

A proposal had been received from Hastings Voluntary Action (HVA) regarding the proposed cut of the £20k grant for hate crime coordination. HVA proposed that they could part fund the work by £10k, if the council could match the remaining £10k. Councillors were supportive of this proposal, with the £10,000 contribution being funded from the Government Grant Reserve (EU Exit funding). With respect to the saving identified from the ceasing of the monitoring of the CCTV cameras locally, it was agreed to reduce the proposed savings by £30k to enable HBC to contribute to the maintenance costs of cameras thereby ensuring the police can continue to remotely monitor the cameras. If this budget is agreed then Council Tax will increase 1.99%.

Work is continuing to identify efficiencies as significant savings will continue to be required. The Government's Fair Funding Review for next year is the big unknown; there will be winners and losers and the Council needs to be prepared for this.

The Leader asked officers to expand on the changes in the budget regarding CCTV. Officers explained that the savings figure would reduce from £150,000 to £120,000 p.a.

The Leader also thanked the officers for their hard work in producing a difficult budget report.

Councillors asked whether the Council had formally responded to the provisional local government settlement.

The Leader stated that the council had not.

The Chief Finance Officer explained that he had met with the Ministry of Housing, Communities and Local Government (MHCLG) before Christmas, that due to the elections there would be little opportunity to amend the settlement and the council was happy with the response sent by the LGA on behalf of all local authorities. No significant amendments were contained within the final settlement.

Councillors wanted to thank the Union representatives that were present at the meeting. Councillors also wanted to acknowledge how significant the budget cuts are and the way they will influence people's lives – from the staff in the posts being deleted to the people of the borough who will be impacted by the changes to services.

Councillors also recognised concerns about the temporary housing cost increases and how this is impacting the council.

The Assistant Director Financial Services and Revenues (Chief Finance Officer) added the following to the list of recommendations:

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- *'In light of consultation responses, the following amendments to the budget have been made:*
 - *£10,000 grant to the Hastings Voluntary Association in respect of Community Cohesion (Hate crime monitoring).*
 - *An additional £30,000 will be retained in CCTV to ensure continued operation by the police.'*

Councillor Chowney proposed the approval of the amended recommendations. This was seconded by Councillor Batsford.

RESOLVED - (7 For, 2 Against)

Cabinet recommends that full Council:-

- 1. Approve the revised revenue budget for 2019/20 (Appendix A).**
- 2. Approve the draft 2020/21 revenue budget (Appendix A)**
- 3. Approve a 1.99% increase in the Borough Council's part of the Council Tax.**
- 4. Agree that the absolute minimum level of reserves that shall be retained be £6m (plus General Fund Balance).**
- 5. Approve the Capital Programme 2019/20 (revised) to 2022/23 (Appendix P).**
- 6. Approve the proposed expenditure from the Renewal and Repairs Reserve, and Information Technology Reserve (Appendices J and I respectively) and those items from other reserves shown in Appendix H that can proceed without further reference to Cabinet or Council.**
- 7. Approve that the use of the monies in the budget and Reserves for "Invest to Save" schemes be determined by the Chief Finance Officer in consultation with the Leader of the Council.**
- 8. Approve the transfer of £500,000 from the General Reserve to the Redundancy Reserve to meet future costs.**
- 9. Agree that authority be granted to enter into a Funding agreement/ Memorandum of Understanding with the government (BEIS) on Minimum Energy Efficiency enforcement subject to no adverse grant terms, and that the necessary authority is granted for expenditure up to the level of funding received (£48,600 for 2019/20).**
- 10. Approve the revised Land and Property Disposal Programme (Appendix L), and agree that disposals can be brought forward if market conditions make it sensible to do so.**

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11. Agree that where a Capital scheme involves a net increase in overall costs to the Council, or where any guarantee is to be provided which does, or could, incur costs for the Council, such decisions are now made by full Council.
12. Agree that, with immediate effect no Council properties or land be disposed of, either by sale or long leasehold, at less than market value without further express approval by Full Council.
13. Agree that schemes marked with an asterisk in the Capital Programme can proceed without further reference to Cabinet or Council.
14. Agree that work on Priority Income and Efficiency Reviews (PIER) through the Strategic Oversight and Planning Board should continue, and where possible identify a sustainable budget for a period in excess of one year. A mid-year review, for members and officers, to be undertaken in the light of the continuing severe government grant reductions.
15. Approve the detailed recommendations in Appendix M, which relate to the setting of Council Tax in accordance with Sections 31 to 36 of the Local Government Act 1992 (to be updated for full Council).
16. Approve that the budget be amended as necessary to reflect the final grant figures including Disabled Facility Grants - once received.
17. Approve that the determination of eligibility and award in respect of the Business Rate Retail Relief Scheme is delegated to the Chief Finance Officer for the next financial year and any extension period thereafter.
18. Full Council adopt the existing Council Tax Support scheme subject to amendments to allowances in line with national changes. Determination of the allowances to be delegated to the Chief Finance Officer in line with prior year practice.
19. Agree the following amendments which have been made in light of the consultation responses:
 - £10,000 grant to the Hastings Voluntary Association in respect of Community Cohesion (hate crime monitoring).
 - An additional £30,000 will be retained in the CCTV budget to fund ongoing maintenance costs.

Reasons for Recommendations

1. The Council must by law set a balanced budget. It will have used most of its Transition Reserves to fund 2019/20 expenditure and hence must identify significant savings for 2020/21 in order to achieve a balanced budget. The redundancy provision and Redundancy Reserve will be fully exhausted.

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2. Despite identifying PIER savings of £1,784,000 (£1,420,000 during this year's PIER process) these are insufficient to balance the budget in 2020/21 without the use of General and other reserves. Further service cuts need to be made throughout the year to achieve an ongoing sustainable budget and further redundancy costs can be expected.
3. Under resourcing looks set to continue in 2020/21 and beyond and this impacts heavily upon the Council's ability to provide services or grants across all areas of existing activity in future years. A major overhaul of the funding mechanism along with the Government's Spending Review, postponed until 2020/21 continues to provide considerable uncertainty on funding for 2021/22 and beyond.
4. The Council needs to be in a position to match its available resources to its priorities across the medium term and to maintain sufficient reserves and capacity to deal with potentially large and unexpected events in addition to fluctuations in income and expenditure levels. In the light of increased in-year spend on temporary accommodation (estimated at some £380,000 above budget) this requires a much greater degree of service cuts elsewhere and spend within housing areas must be reprioritised.
5. The Council is now exposed to a much greater degree of volatility in terms of its income from Non Domestic Rates and expenditure in terms of Council Tax Support claims – the cost falling directly on the Council and the preceptors. The potential downside risks of Brexit and the increased reliance on income streams provide greater volatility to the Council's funding.
6. The Council has had enormous budget cuts every year since 2010, but work will need to continue to identify and make savings in order to continue to produce balanced budgets for future years – with consequential impacts on service provision.
7. The Council values consultation responses and will incorporate where possible.

242. TREASURY MANAGEMENT, ANNUAL INVESTMENT STRATEGY AND CAPITAL STRATEGY 2020/21

Councillor Forward left the room for the discussion and vote of this item due to a prejudicial interest.

The Assistant Director Financial Services and Revenues (Chief Finance Officer) presented a report for Cabinet to consider the draft Treasury Management Strategy, Annual Investment Strategy, Minimum Revenue Provision (MRP) Policy and Capital Strategy and make recommendations to full Council as appropriate. This is to ensure

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that there is an effective framework for the management of the Council's investments, cash flows and borrowing activities prior to the start of the new financial year. This report also provides an update on performance to 31 December 2019.

The Council has some £64.55 million of debt (as at 1 January 2020), and investments which can fluctuate between £15m and £30m in the year. The level of debt is set to increase to some £104m by 2021/22 with a consequently increase in risks.

The Chief Finance Officer stated there would be an amendment in the capital strategy as a result of the last agenda item. This would be a minor change to the use of reserves as a result of the change in funding for community cohesion (hate crime monitoring).

The Chief Finance Officer explained that this report is all about the management of the Council's cash and resources. This report doesn't include every project in the pipeline, e.g. the Bohemia development and the Lower Tier Site development. There would have to be a separate discussion if there is a decision made to borrow money ourselves for these purposes. If the borrowing levels proposed in this document are not agreed, then the Capital programme as proposed cannot proceed. The level of borrowing set out in the report is affordable. The debt and investment strategies are both reasonable and prudent.

The Leader stated that the capital programme is bigger than it used to be and there is a limited revenue budget. The Leader hopes that the deficit will be further addressed by some commercial property purchases. We have an extra burden this year regarding essential repairs, such as the West Hill Cliff Railway and Buckshole Reservoir. The debt here compared to other councils remains at a relatively affordable level.

Councillors wanted to thank officers for their hard work in creating the strategy and also explaining the strategy to councillors. They acknowledged the Chief Finance Officer's comments about this strategy being affordable and prudent given the level of reserves and the diversified portfolio of properties that the Council owns.

The Assistant Director Financial Services and Revenues added a further recommendation to the report as;

'Due to the previous amendments to Agenda Item 'Revenue Budget 2019/20 Revised and 2020/21, plus Capital Programme 2020/21 – 2022/23', there will be minor changes to the use of reserves.'

Chowney proposed the approval of the recommendations of the report. This was seconded by Councillor Fitzgerald.

RESOLVED - (6 For, 2 Against)

Cabinet recommend to full Council that -

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- 1. The Council approve the Treasury Management Strategy, Minimum Revenue Provision (MRP) Policy, Annual Investment Strategy, and the Capital Strategy.**
- 2. The strategies listed are updated as necessary during 2020/21 in the light changing and emerging risks and the Council's evolving future expenditure plans.**
- 3. The Financial rules and the Financial Operating Procedures of the Council are reviewed and revised as necessary to meet the requirements of the Code of Practice.**
- 4. The Cabinet and full Council note that there is likely to be the use of Money Market Funds in 2020/21 – as already allowed for in the investment strategy.**
- 5. Due to the previous amendments to Agenda Item 'Revenue Budget 2019/20 Revised and 2020/21, plus Capital Programme 2020/21 – 2022/23', there will be minor changes to the use of reserves.**

Reasons for Recommendations

1. The Council seeks to minimise the costs of borrowing and maximise investment income whilst ensuring the security of its investments. The Council continues to make substantial investments in commercial property, housing and energy generation initiatives, and this will continue to involve the Council in taking on additional borrowing.
2. The sums involved are significant and the assumptions made play an important part in determining the annual budget. The CIPFA Treasury Management Code of Practice (2017 Edition), adopted by the Council last year, was released to take account of the more commercialised approach being adopted by councils and the enhanced levels of transparency required. The Code represents best practice and helps ensure compliance with statutory requirements.
3. The Council has the ability to diversify its investments and must consider carefully the level of risk against reward against a background of historically relatively low interest rates. Investments can help to close the gap in the budget in the years ahead and thus help to preserve services, assist in the regeneration of the town, provide additional housing and enhance the long term sustainability of the town. However over reliance on such income streams would involve taking unnecessary risks with the future of the Council and its ability to deliver statutory services.
4. The Council has the option of using Money Market funds within its Investment Policy already. These are on occasion providing higher rates of return than some straight deposit accounts and as such the use of these funds is likely to occur in the near future.

(The Chair declared the meeting closed at. 6.44 pm)

Agenda Item 4



Report To: Cabinet

Date of Meeting: Monday, 2 March 2020

Report Title: Local Development Scheme

Report By: Victoria Conheady, Assistant Director Regeneration and Culture

Key Decision: N

Classification: Open

Purpose of Report

To inform Cabinet of the revised timescales for the production of Local Plan since the Local Development Scheme (the timetable) was last updated Feb 2019

Recommendation(s)

1. That the content of the revised Local Development Scheme be agreed.
2. That future minor updates to the Local Development Scheme (the timetable) are delegated to the Lead Officer in conjunction with the Lead Councillor

Reasons for Recommendations

1. To ensure an up-to-date Local Development Scheme is in place in accordance with: Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by section 180 of the Planning Act 2008 and section 111 (7) of the Localism Act, and the Town and Country Planning (Local Development) (England) Regulations 2004.

Introduction

1. This report proposes changes to the current Local Development Scheme (LDS) and recommends that a revised LDS be brought into effect.
2. The new Local Plan is the focus of the LDS update. The preparation of a new Hastings Local Plan provides an opportunity to refresh the existing statutory development plan to deliver on Council objectives and community priorities. It will set out the Council's spatial strategy for growth and new development in Hastings along with specific requirements for strategic (typically larger sites) and/or critical sites for infrastructure delivery. It will also include detailed development management policies setting out the form development in Hastings will need to take and any measures required to mitigate the impact of development. It will also build on and take forward the draft Hastings Town Centre and Bohemia Area Action Plan which was subject to public consultation in 2018.

Proposed Revisions to the Local Development Scheme

3. The key milestones for the Local Plan Review work are as follows:

Key stage	LDS 2019 date	New revised date
Consulting statutory bodies on the scope of the Sustainability Appraisal	May – June 2019	Quarter 1 2020/21
Public participation in the preparation of the Local Plan (Regulation 18)	Oct-Dec 2019	Formal consultation Quarter 2 2020/21. As far as practicable in the run up to Reg18 the Council will engage with a range of parties including residents, businesses, developers and other local groups to capture the diversity of views on key issues
Publication of the Proposed Submission Local Plan (Regulation 19)	June-Jul 2020	Quarter 4 2020/21
Local Plan Adoption	October 2021	Quarter 3-4 2021/22

The Revised LDS

4. The main risks to this timetable are; the high complexity of evidence requirements; the need to coordinate and maintain joint working arrangements with Rother DC; the potential for a high volume of representations; staff resources and access to specialist advice.

Conclusions and Recommendations

5. We need to publish an up-to-date LDS to meet statutory requirements and to publicise our updated production timetable for Local Plan. In order to ensure that timetable changes are communicated to stakeholders as quickly as possible, it is recommended that future minor updates to the LDS are delegated to the Director of Operational Services in conjunction with the Lead Councillor.

Timetable of Next Steps

6. Key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Local Plan – Public Consultation (Reg 18)	Cabinet Approval	Quarter 2 2020/21	Planning Policy
Local Plan– Publication of the Proposed Submission Local Plan Review (Reg 19)	Full Council	Quarter 4 2020/21	Planning Policy
Adoption of the Local Plan	Full Council	Quarters 3-4 2021/22	Planning Policy

Wards Affected

(All Wards);

Policy Implications

Have you used relevant project tools: Y

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	N
Crime and Fear of Crime (Section 17)	N
Risk Management	Y

The main risks to this timetable are; the high complexity of evidence requirements; the need to coordinate and maintain joint working arrangements with Rother DC; the potential for a high volume of representations; staff resources and access to specialist advice

Environmental Issues & Climate Change Y

The production of local plan documents which are land-use planning documents, will give rise to the need to consider environmental issues and climate change

Economic/Financial Implications Y

Financial implications arise both from the cost of producing and consulting on such documents.

The requirement to develop a new Local Plan has been factored in to the Planning Policy budget.

Human Rights Act N

Organisational Consequences N

Local People's Views Y

Local people's view will be sought as part of the process of developing Local Plan.

Anti-Poverty Y/N

Legal Y/N

Additional Information

Appendix A: 2020 Local Development Scheme.

Officer to Contact

Officer Kerry Culbert

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DRAFT

Hastings Borough Council Local Development Scheme

*A 3 year programme for preparation of local plan
documents*

March 2020

How to contact us:

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Summary

The Local Development Scheme (LDS) sets out the Council's planned programme for the preparation of the local plan and other local development documents. Its main purpose is to provide a publicly available and up-to-date timetable for the preparation of these documents over the coming 3 years. Importantly it sets out the opportunities for contributing to plans for all interested parties. It is prepared in accordance with legal requirements.

The Hastings Local Plan currently comprises the following documents (shown in figure 1):

- [The Hastings Planning Strategy](#) (adopted 19 February 2014)
- [The Hastings Local Plan Development Management Plan](#) (adopted 23 September 2015)
- [Waste and Minerals Plan](#) (adopted February 2013)
- [Waste & Minerals sites Plan](#) (adopted February 2017)

The Council has also adopted a number of 'supplementary planning documents' which provide additional guidance for applicants on local plan policies:

<https://www.hastings.gov.uk/planning/policy/guidance/>

Other planning documents include:

- [Local Plan Monitoring Reports](#)
- [Statement of Community Involvement](#)
- [Brownfield Register](#)

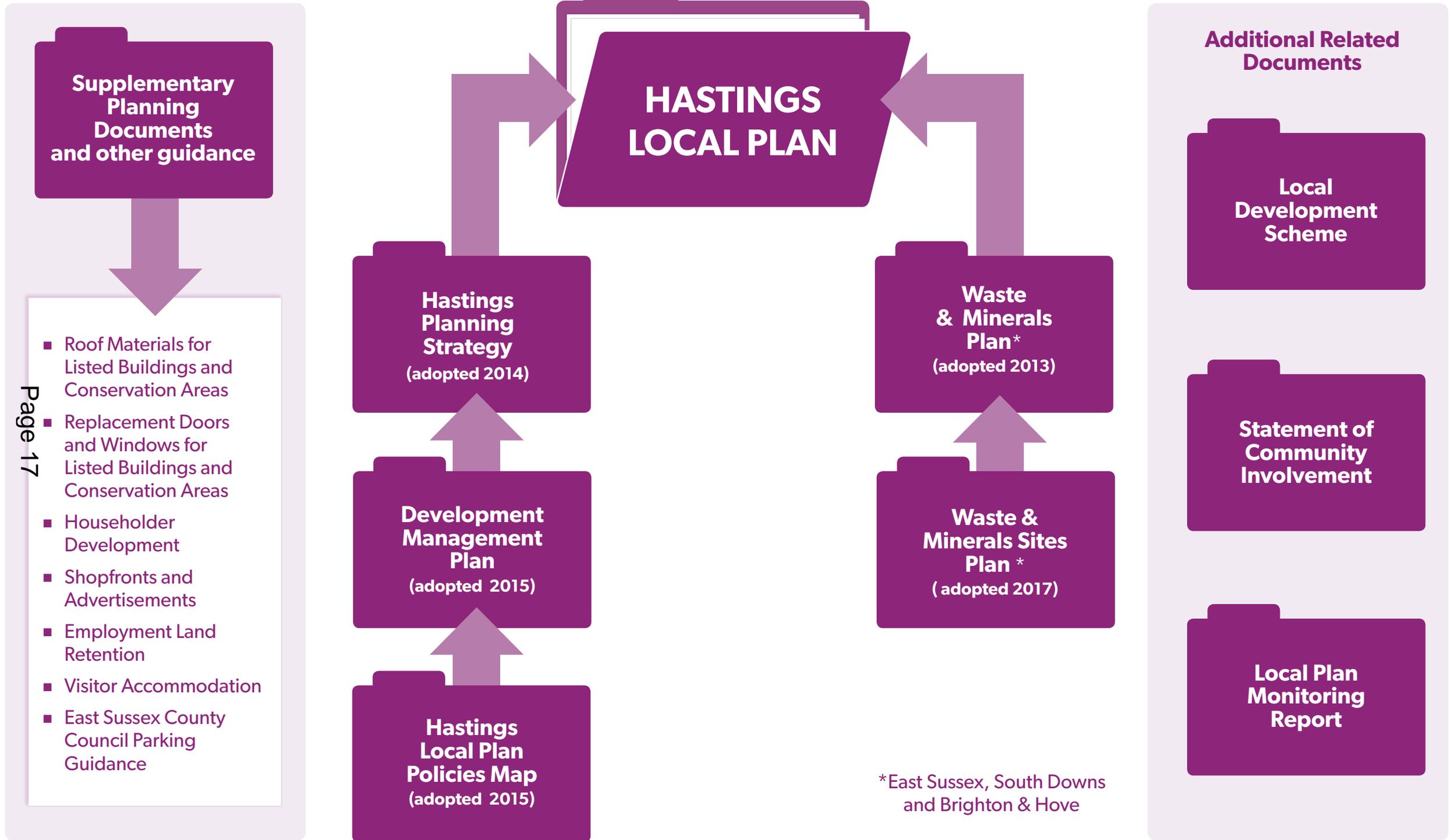
The Council has started work on the Hastings Local Plan for the period 2019/20 – 2039/40. This will set out the spatial development strategy for the borough to deliver the Council's social, environmental and economic priorities. It will also set out development management policies and specific requirements for key development sites in the borough. It will replace the Hastings Planning Strategy (2014) and Hastings Development Management Plan (2015).

The **draft Local Plan** 2019/20 – 2039/40 will be consulted on in Quarter 2 2020/21. Responses to this consultation will be used to inform a **submission version local plan** which will be published for further comments in Quarter 4 2020/21. This submission version of the local plan and any comments received on it will be submitted to the Planning Inspectorate for independent examination. The independent examination is likely to take place in spring/summer 2021. Subject to the outcomes of the independent examination, the new local plan will be adopted later in 2021.

The Council will support and work with communities on any Neighbourhood Plans over the next 3 years. The Council will consider the need for any new supplementary planning documents along with the potential to introduce a Community Infrastructure Levy (CIL) as it progresses work on the Local Plan. The LDS will be updated to take account of this.

A risk assessment and mitigation measures for the LDS programme is included at appendix A.

Figure 1: The documents that make up the Hastings Local Plan



Introduction

1. The Council is the local planning authority for Hastings and is responsible for preparing a Local Plan for its area to guide development in the borough in accordance with relevant Regulations¹ and in line with the National Planning Policy Framework (NPPF)² and national Planning Practice Guidance.³
2. The Hastings Local Development Scheme (LDS) has been produced to give local residents, statutory consultees / key stakeholders and any other interested parties information on the:
 - local development documents the Council is currently preparing, as well as those the Council intends to produce
 - subject matter of the documents, and the geographical area they cover
 - timetable for the stages of preparation and adoption of these documents
3. The LDS has been prepared in accordance with legal requirements⁴ and updates the last version which was published in February 2019.
4. The previously published LDS set out the Council's intention to prepare a new local plan which would incorporate and replace the draft Area Action Plan for Hastings Town Centre and Bohemia which the Council consulted on in 2018. It also highlighted the potential for development of a supplementary planning document on design. The timeline for preparation of both of these documents is included in this LDS.

Current Local Plan Documents

Development Plan Documents

5. At present the 'Development Plan' for Hastings comprises the following documents.

The Hastings Planning Strategy

6. The [Hastings Planning Strategy](#) (HPS) was adopted in February 2014. The Planning Strategy is the principal development plan document for the borough and sets out the overall vision and strategic objectives for the delivery of growth in Hastings between 2011 and 2028. It also includes development management policies which will help shape new development over the lifetime of the Plan.

The Hastings Development Management Plan

7. The [Hastings Development Management Plan](#) (DMP) identifies sites proposed for development and protection in line with the HPS. It also included development management policies against which planning applications are assessed.

Policies Map

8. In parallel with the development of the Hastings Planning Strategy and Hastings Development Management Plan, a Policies Map was developed. This shows the location of designated policy areas in the adopted Local Plan (HPS & DMP) on an

¹ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

³ <https://www.gov.uk/government/collections/planning-practice-guidance>

⁴ <http://www.legislation.gov.uk/ukpga/2004/5/section/15>

ordnance survey based map. The interactive Policies Map is available to view on the Council's website at: <http://www.planvu.co.uk/hbc2015/>

Waste and Minerals Plans

9. East Sussex County Council, the South Downs National Park and Brighton & Hove City Council are the responsible authorities for preparing the Minerals and Waste Local Plans. [The East Sussex, South Downs, and Brighton & Hove Waste and Minerals Plan](#) was adopted in 2013.
10. A 'part 2' document – the Waste and Minerals Sites Plan was adopted in February 2017. The document can be found at <https://new.eastsussex.gov.uk/environment/planning/development/mineralsandwaste>

Neighbourhood Plans

11. Regulations⁵ concerning neighbourhood planning came into force in April 2012 and were revised in 2017. These make provision for:
 - Neighbourhood Development Plans
 - Neighbourhood Development Orders
 - Community Right to Build
12. There are no Neighbourhood Plans at present, when such plans come forward and are adopted, they will form part of the Statutory Development Plan.

⁵ The Neighbourhood Planning (General) Regulations 2012, [revised in 2017](#)

Supplementary Planning Documents (SPDs)

13. Other local plan documents include Supplementary Planning Documents (SPDs) which provide more detailed guidance on the application of policies and proposals in the statutory development plan. SPDs are not part of the development plan – and as such do not create new policies - but can be a material consideration in determining planning applications. The Council has prepared six SPDs so far:
- Roof Materials for Listed Buildings and Conservation Areas SPD (July 2005)
 - Replacement Doors and Windows for Listed Buildings and Conservation Areas SPD (July 2005)
 - Householder Development SPD (February 2007)
 - Shopfronts and Advertisements SPD (September 2007)
 - Employment Land Retention SPD (December 2015)
 - Visitor Accommodation SPD (December 2015)
14. Copies of these SPDs are available on our [website](#)

Local Plan Monitoring Report

15. The Council also publishes an annual monitoring report. The role and purpose of this report is to publish data on housing, employment and other development statistics; plan making progress against the LDS; consultations on planning forums and duty to cooperate matters. The Local Plan Monitoring Report is published annually. The most recent monitoring report can be viewed at: <https://www.hastings.gov.uk/planning/policy/localplanmonitoring/>
16. It assesses whether or not targets and milestones related to the production of the Local Plan have been met. As a result of monitoring, the Council will decide what changes, if any, need to be made to the Local Plan and will bring forward any such changes through a review of this LDS.

Brownfield Land Register

17. The Housing and Planning Act (2016) places a duty on local planning authorities to prepare, maintain and publish a register of brownfield land (also known as previously developed land) which the Council has assessed as being potentially suitable for residential development. The register is used to monitor the Government's commitment to the delivery of brownfield sites. This register can be accessed on the Council's website: <https://www.hastings.gov.uk/planning/policy/BrownfieldRegister/>

Local Plan Documents to be prepared over the next 3 years

Updating the Existing Local Plan: Hastings Local Plan 2019/20 – 2039/40

18. The Council is updating its local plan following changes to National Planning Policy Framework (NPPF 2019), also known as the Framework, as indicated in the LDS published in February 2019. The new local plan will cover a 20 year period from 2019/20 – 2039/40. Before it can be adopted it will need to be subject to an independent examination (which is held in public) by the Planning Inspectorate. This independent examination will 'test whether the local plan is:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the areas objectively assessed housing and other development needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – an appropriate strategy, taking into account reasonable alternatives, and based on proportionate evidence;
 - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

Hastings Local Plan 2019/20 – 2039/40– the content it will cover

19. The preparation of a new Hastings Local Plan provides an opportunity to refresh the existing statutory development plan to deliver on Council objectives and community priorities. It will set out the Council's spatial strategy for growth and new development in Hastings along with specific requirements for strategic (typically larger sites and/or critical sites for infrastructure delivery). It will also include detailed development management policies setting out the form development in Hastings will need to take and any measures required to mitigate the impact of development.
20. The vision, objectives and approach of the plan will be informed by evidence, engagement and consultation with key stakeholders but some of the priority themes and issues that it will respond to include:
- addressing climate change and the low carbon agenda
 - supporting a diverse thriving economy
 - increasing the delivery of housing and sustainably designed homes including responding to the Government's new annual target figure of 430 net new homes per year
 - maximising delivery of affordable housing that meets local need
 - promoting more sustainable transport
 - creating healthy places with opportunities for more active lifestyles
 - achieving growth while mitigating any impacts on and enhancing valued natural environment assets
21. Several of these issues overlap and are complementary; but in some cases balanced approaches will need to be taken where these priorities conflict. These balanced policy approaches will need to be clearly set out through the Local Plan. In addition, the Local Plan cannot undermine the viability of developments and must be deliverable – if the plan is not deliverable it will fail the independent examination.

22. Balanced policies; developing a robust evidence base including related to viability and deliverability; considering the sustainability impacts of the plan and effective community engagement, are all critically important to the development of the new Plan. These aspects of plan making process are explained below.

Hastings Local Plan 2019/20 – 2039/40 – the process for plan preparation

23. Evidence gathering to support the development of the new plan is well underway and will continue into 2020. This evidence will be used to inform the strategy and policies contained in the plan. Further information on the evidence base prepared so far is available on the Council [website](#).
24. The Local Plan will be subject to Sustainability Appraisal (SA) and, where required, Strategic Environmental Assessment (SEA). Assessment of the sustainability implications of the policies will be prepared and published at the key stages of the Plan's preparation. This is in line with the Regulations⁶ and the starting point for this is a technical consultation with Natural England, Historic England and the Environment Agency which is scheduled for early 2020. This will help the Council develop a framework for assessing the sustainability impacts of the development.
25. The Council will engage with these statutory agencies, neighbouring Rother District Council and East Sussex County Council and use the sustainability appraisal process and the evidence based to develop a draft local plan for public consultation in summer 2020. In preparing the draft Local Plan the Council will also draw on previous consultation including comments received on the draft Area Action Plan for Hastings Town Centre and Bohemia which the Council consulted on in 2018.
26. During the formal consultation period in summer 2020 – and as far as practicable in the run up to it - the Council will engage with a range of parties including residents, businesses, developers and other local groups to capture the diversity of views on key issues for the Local Plan. This consultation will be undertaken in line with the [Statement of Community Involvement](#).
27. Comments received on draft Local Plan will be used to develop, refine and improve the Local Plan which will be submitted to the Planning Inspectorate for an examination which is known as the 'submission version local plan'. The **submission version local plan** which be published for comments in winter 2020. This submission version of the Plan and any comments received on it are then submitted to the Planning Inspectorate for an independent examination likely to take place in spring/summer 2021.
28. When adopted, the Hastings Local Plan 2019/20 – 2039/40, will replace the Hastings Planning Strategy (2014) and the Hasting Development Management Plan (2015). It will also replace the draft [Area Action Plan for Hastings Town Centre and Bohemia](#) which the Council consulted on in 2018 – and the comments received on the latter are being used to inform the plan.
29. A summary of the planned scope of the document and timeline for its production is provided in the table below.

⁶ Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a plan during its preparation.

Table 1: Hastings Local Development Plan		
Purpose and subject	To set out the vision, objectives and strategy for the type, scale, and priority locations for development. This will include strategic policies, development management policies and site allocations.	
Coverage	Borough-wide	
Status	Local Plan document – part of the statutory development Plan	
Conformity	National Planning Policy Framework 2019	
Key milestones	Plan Stage	Date
	Consulting statutory bodies on the scope of the Sustainability Appraisal	Quarter 1 2020/21
	Public participation in the preparation of the Local Plan (Local Plan Regulations, Regulation 18 Stage)	Quarter 2 2020/21
	Publication of the Proposed Submission of the Local Plan (Local Plan Regulations, Regulation 19)	Quarter 4 2020/21
	Independent Examination	Quarters 1-2 2021/22
	Adoption of the Local Plan	Quarters 3-4 2021/22
Arrangements for production	<p>Organisational lead – Assistant Director Regeneration & Culture</p> <p>Political management - Executive decision (Cabinet), Full Council resolution required for publication and adoption stages</p> <p>Internal resources - Planning Policy team with wide ranging input across the Council</p> <p>External resources – Statutory consultees and other key stakeholder including: East Sussex County Council, Natural England, Environment Agency and Historic England, infrastructure and other service providers, specialist contractors where required to help develop the evidence base.</p> <p>Community engagement and involvement – To be undertaken in compliance with the Statement of Community Involvement.</p>	

Neighbourhood Plans

30. The Council will also be working closely with communities to bring forward any Neighbourhood Plans and continue work on monitoring and implementation of the Local Plan documents that are already in place.

Work on other planning documents

31. The Council will consider the need for further supplementary planning documents as the new Local Plan is progressed including any specific design guidance requirements. This LDS will be updated and re-published to reflect any proposed new SPDs, setting out the timetable for production and including consultation and adoption dates.

32. The potential to introduce a community infrastructure levy (CIL) is also being revisited by the Council. CIL is a standard charge that can be used to pay for infrastructure that supports development. The rates that apply to development are set out in a Charging Schedule which must be the subject of consultation and an independent examination. No decision has been taken on whether to adopt a CIL at this stage. Again, an updated LDS will be published if the decision is taken to move forward with a CIL, setting out the timetable for production including consultation and adoption dates.

Appendix A - Programme management and risk assessment

The Council's Cabinet, which meets monthly, oversees the preparation of planning policy documents. It is authorised to approve documents for public consultation. However, in accordance with the Council's Constitution, statutory development plan documents that are to be published or adopted as Council policy are determined by Full Council.

The Portfolio Holder for Regeneration & Culture oversees the preparation of planning policy documents and is involved throughout, from the early stages of the process.

Management is overseen by the Assistant Director Regeneration & Culture. Day-to-day management of the production of the planning policy documents is undertaken by the Planning Policy Manager.

Resources

The main responsibility for the Local Plan preparation lies with the Planning Policy Team. Beyond the expertise in the team, the support of other Council officers will be provided at key stages in the preparation process, notably in the production of detailed development management policies, where capacity exists.

External expertise will be required to assist with the preparation of specialist studies and assessments.

The resource requirements will be regularly monitored in line with the Council's existing budgetary processes

Timeframe and contingencies

A risk assessment is presented in the table below, with potential responses.

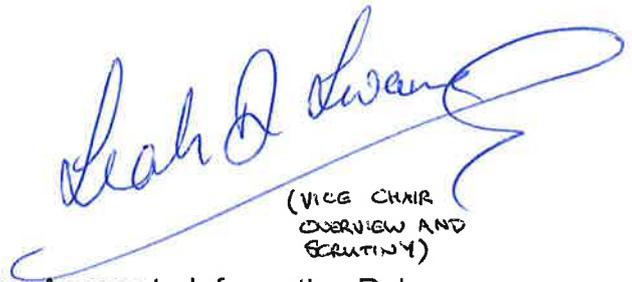
Risk factor	Likelihood / Scale of impact	Contingency actions and response	Impact
Work demands that are not programmed notably Neighbourhood Plans	High / High	Manage inputs to neighbourhood plans and strictly prioritise inputs to re-work demands Short-term extra resources Review programmes for priority policy documents	Delay Possible financial cost
Changes to Planning Policy and Guidance	Medium / High	Monitor emerging guidance, consultations etc. Reassess priorities through review of LDS	Delay

Risk Factor	Likelihood / Scale of impact	Contingency actions and response	Impact
Staff shortages e.g. unable to recruit, long term sick leave etc.	Medium / High	Consideration with HR of recruitment and retention issues Subject to timing of absence, purchase expertise on short term basis via consultancy	Delay Financial cost
Requisite expertise or capacity not available in- house	Medium / Medium	Staff training/CPD. Identify evidence needs with other Local Planning Authorities (LPAs) Train staff Purchase expertise on short term basis Sharing expertise with other LPAs	Financial cost
Budgetary limitations	Medium / High	Council budgetary management processes Monitor grant potential Advanced appraisal of future costs Reassess department priorities through review of both the LDS and the department's work programme	Delay Non-achievement of other Department priorities
Longer process times, especially due to high level of responses	Medium / Low	Encourage online representations Early engagement Secure administrative assistance Review programme and priorities	Delay

Agenda Item 5

To Councillor Davies
Chair of Overview and Scrutiny Committee

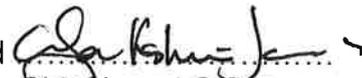
**ACCESS TO INFORMATION RULES
KEY DECISIONS
RULE 20 –general exceptions.**



(VICE CHAIR
OVERVIEW AND
SCRUTINY)

NOTICE is hereby given under Rule 26 of the Access to Information Rules contained in the Council's Constitution that the following key decision will be taken at Cabinet on: -

Cabinet 2 March 2020 Reducing Rough Sleeping			
<u>Decision</u>	<u>Consultation and Timetable</u>	<u>Working Papers and files</u>	<u>Responsible Officer / Portfolio Holder</u>
To update Cabinet on progress to reduce rough sleeping. To gain authority to mobilise a project to continue this work in 2020/21.	N/A	N/A	Andrew Palmer, Assistant Director, Housing and Built Environment Councillor Andy Batsford

Signed 
Chief Legal Officer

Dated 14/02/20

Note:

Rule 26.20 General Exception

If a matter which is likely to be a key decision has not been included in the forward plan, then subject to Rule 26.21 (special urgency), the decision may still be taken if:

- the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
- the Chief Legal Officer has informed the chair of a relevant overview and scrutiny committee, or if there is no such person, each member of that committee in writing, by notice, of the matter to which the decision is to be made; and
- the Chief Legal Officer has made copies of that notice available to the public at the offices of the Council; and
- at least five clear days have elapsed since the Chief Legal Officer complied with (b) and (c).

Where such a decision is taken collectively, it must be taken in public.

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Agenda Item 7



Report To: Cabinet

Date of Meeting: Monday, 2 March 2020

Report Title: Reducing Rough Sleeping

Report By: Andrew Palmer, Assistant Director, Housing and Built Environment

Key Decision: Y

Classification: Open

Purpose of Report

To update members on progress to reduce rough sleeping in East Sussex over the past 18 months. To seek approval to mobilise a new programme of interventions in 2020/21.

Recommendation(s)

1. To acknowledge progress to reduce rough sleeping over the past 18 months
2. To authorise expenditure of £1,584,518 to continue the programme of services on 2020/21
3. To approve a 12 month extension to the existing contract with Sanctuary Supported Living for the RSI Assessment Centre
4. To grant an exemption to the council's financial rules under paragraph 21c of the Financial Operating Procedures, to enable the council to procure the outreach, day centre and Housing First service from the Seaview Project
5. To grant an exemption to the council's financial rules under paragraph 21c of the Financial Operating Procedures, to enable the council to procure the Rapid Rehousing Pathway service from Southdown Housing Association
6. To grant an exemption to the council's financial operating rules under paragraph 21c of the Financial Operating Procedures, to enable the council to procure a case management system from Inform
7. To delegate authority to enter into a Memorandum of Understanding with the Ministry for Housing, Communities and Local Government to deliver the project to the relevant senior housing officer
8. To delegate authority to the relevant senior housing officer, in consultation with the lead member, to draft a joint rough sleeping reduction strategy with the local authorities in East Sussex. The draft strategy will be presented to Cabinet later in the year
9. To delegate authority to the relevant senior housing officer, in consultation with the lead member, to finalise arrangements for the mobilisation and delivery of the projects
10. To delegate authority to the Chief Legal Officer to enter into contractual arrangements for the delivery of the projects
11. To delegate authority to the relevant senior housing officer to agree adaptations to the services in 2020/21, if funding arrangements change, and to delegate authority to the Chief Legal Officer to agree contract variations as required

Reasons for Recommendations

1. Hastings Borough Council is lead partner for a programme of activities to reduce rough sleeping in 2020/21.
-

Background

1. The district and borough councils within East Sussex have been working collaboratively with the county council and partners across the statutory and community sector on a range of projects to reduce rough sleeping.
2. The projects are funded by the Ministry for Housing, Communities and Local Government (MHCLG) and form part of the government's national rough sleeping strategy. The strategy identifies 3 key areas of work; prevention, intervention and recovery, with a commitment to halve rough sleeping by 2022 and end it completely by 2027.
3. Hastings and Eastbourne Rough Sleeping Initiative project - launched in July 2018, works with the most entrenched and complex rough sleepers across both towns. The aim of the project is to improve access and co-ordination of services through a multi-disciplinary team of health, mental health, social care, substance misuse and housing professionals. The project has also created new accommodation solutions, including temporary accommodation for rough sleepers leaving the streets and new Housing First units for individuals requiring the highest level of ongoing support.
4. Lewes, Wealden and Rother Rough Sleeping Initiative projects- launched in April 2019, aims to improve links with statutory services for rough sleepers in rural areas through a dedicated team of navigators. The navigators also provide ongoing tenancy sustainment services for former rough sleepers living in social housing.
5. Rapid Rehousing Pathway - launched in April 2019, this project works across the 5 local housing authority areas. The project supports rough sleepers with low / medium level needs (who would not be engaged through the rough sleeping initiatives) to find new accommodation. Ongoing tenancy sustainment support is then provided to minimise the risk of individuals returning to rough sleeping in the future.

Performance to date

6. In Hastings, between January 2019 and January 2020 a total of 79 rough sleepers were accommodated, and a further 19 cases at imminent risk of rough sleeping were successfully prevented.
 - Statutory placements for former rough sleepers – 19
 - Rough Sleeping Initiative placements – 27 (including 6 Housing First Units)
 - Rapid Rehousing Pathway – 19 (plus a further 19 cases at imminent risk of rough sleeping, who were successfully prevented)
 - Cold Weather Fund – 14 placements
7. Across East Sussex, the projects have achieved 104 temporary accommodation placements and 122 long term accommodation placements.

8. The average number of people rough sleeping on a typical night in November was 24, compared to 48 at the official count in November 2018. The average number of people rough sleeping in Hastings in February was 19.
9. The projects have strengthened strategic and operational level partnerships across housing, health, mental health, social care and substance dependency services. This has enabled us to mobilise the projects at pace and ensured delivery can continue to be adapted and refined.
10. Although work to date has focused on reducing rough sleeping, it is clear that a multi-disciplinary approach to service delivery could be applied in a range of scenarios, to improve outcomes for individuals with multiple and complex needs. Indeed, as the overall number of rough sleepers across East Sussex reduces, our activities must focus on effective prevention and recovery services.

Our approach in 2020/21

11. Funding for our current projects comes to an end in March 2020. The MHCLG has combined the current funding streams into a single grant in 2020/21. The grant will be for a fixed 12 month period, there is no indication if the funding will be continued beyond April 2021.
12. Hastings Borough Council led a successful bid worth £1,584,518 to continue activities to reduce rough sleeping. The bid included further funding for additional temporary accommodation solutions for rough sleepers, enhanced outreach services and new landlord incentives to improve access to the private rented sector.

Procurement

13. The services commissioned using this funding must be up and running by April 2020.
14. There is provision within the existing contract for the Assessment Centre for a 12 month extension until 31 March 2021, which will be funded using the grant.
15. There is no provision to extend the day centre, outreach and housing first contract and Rapid Rehousing Pathway. The timescale to mobilise the services is very short and we are therefore seeking an exemption to our financial rules under paragraph 21c of the Financial Operating Procedures to commission the services directly from Southdown Housing Association and the Seaview Project, who have been successfully delivering the services in 2019/20.
16. The specifications for these services will be updated to reflect the grant funding requirements.

Grant Funding Requirements

17. MHCLG will be drafting a memorandum of understanding and revised delivery timetable. The grant will be paid in 2 tranches – the first payment in April 2020 and a second around October 2020.
18. The memorandum is likely to include a requirement for the five district and borough councils to agree a joint rough sleeping reduction strategy. The joint strategy will be linked to the

council's own Homelessness and Rough Sleeping Strategy, which was adopted in December 2019 and includes a priority to reduce rough sleeping.

Challenges and Opportunities

19. Ongoing funding uncertainty – our projects are currently reliant on short-term grant funding. Key to the sustainability of these activities is to ensure that learning from the projects is embedded into core service delivery across all partners within the multi-disciplinary team. This is in-line with national priorities to improve rough sleeper prevention and recovery services, by improving access to services for individuals with multiple and complex needs.
20. Lack of long term accommodation – we have been working with a social housing providers to secure accommodation for our Housing First units. Turnover of social housing is low across East Sussex and this has created delays in people leaving temporary accommodation.
21. Increasing the supply of new affordable accommodation in Hastings and across the county is essential to address this issue in the long term. In the meantime, we also need to explore opportunities to engage with landlords to improve access to private rented accommodation for this client group.
22. Commissioning services – procurement processes, short mobilisation periods and lack of funding security have been challenging for many providers - particularly smaller, community organisations. The programme for 2020/21 is also subject to a challenging timescale, as the interventions must be up and running by April. In the long term, learning from the projects will be used to help design new services as part of our regular commissioning programme. An example of this is the recent review of the specification for floating and accommodation based support services.
23. Prevention – early identification of people at high risk of rough sleeping improves the effectiveness of support, this includes our application of the new duty to refer, which was introduced as part of the Homelessness Reduction Act 2017.

Urgency

24. This report is being considered under rule 26, general exceptions, of the access to information rules contained in the council's constitution. This is due to the short timescale to mobilise the project.

Timetable of Next Steps

25. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Revised specifications agreed with delivery partners	Updated contracts in place for 2020/21	31 March 2020	Strategic Housing and Projects Manager
Agree a joint rough sleeping reduction strategy	Joint strategy adopted	31 December 2020	Assistant Director, Housing and Built Environment

with local authority partners in East Sussex			
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Wards Affected

(All Wards);

Policy Implications

Reading Ease Score: 30.1

Have you used relevant project tools?: Y

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	N
Crime and Fear of Crime (Section 17)	N
Risk Management	N
Environmental Issues & Climate Change	N
Economic/Financial Implications	Y
Human Rights Act	N
Organisational Consequences	N
Local People's Views	N
Anti-Poverty	Y
Legal	Y

Additional Information

Insert a list of appendices and/or additional documents. Report writers are encouraged to use links to existing information, rather than appending large documents.

Officer to Contact

Officer Michael Courts
 Email mcourts@hastings.gov.uk
 Tel 01424 451315

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