

Date: 19th April 2024

Report Title: Long-Term Plan: Policy Toolkit Briefing Note

Introduction

In addition to the £20 million endowment-style funding, the Long-Term Plan for Hastings will need to take into account the various policy tools at its disposal. The DLUH&C guidance emphasises the need for Boards, supported by the local authority, to demonstrate how they propose to use these powers where they apply.

The purpose of this briefing note is:

- To summarise the powers available under the three priority themes (Appendix 1): and
- To consider the resource implications if these powers are acted on.

A number of the powers outlined in the Policy Toolkit are already being enacted on although they are resource intensive and impact on the authorities' ability to deliver its statutory obligations.

However, a number of the powers have been strengthened and new powers are / have been introduced as part of the Levelling Up and Regeneration Act 2023, for example the new powers under the High Street Rental Auctions.

It will be important that the Hastings Board understand the resources required to use existing and new powers.

If it is deemed important and a priority to use the powers in a proactive way, then additional resources will need to be allocated by the Board to Hastings Borough Council to achieve this.

An initial step will be for the three Priority Themes Groups to map and assess how the existing powers are currently being used to support regeneration activities across the borough.

Board Considerations

1. To note the contents of the Policy Toolkit paper at Appendix 1.

Summary of Policy Toolkit

Safety and security powers

| Anti-Social Behaviour Crime and Policing Act 2014 | | |
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| | Power | Role of LA |
| Public Spaces Protection Orders (PSPOs) | Used to address persistent anti-social behaviour incidents by imposing conditions of the use of a certain area | LA are responsible for issuing PSPOs |
| Civil injunctions | Tool that can stop individuals engaging in anti-social behaviour | LA able to issue application via civil court |
| Community Protection Notice (CPNs) | Used to deal with ongoing problems of nuisances which effects the community's quality of life by targeting those responsible | CPNs can be applied by LA |
| Closure powers | Prohibit access to non-licensed and licensed premises for a specified period | Closure Notice can be used by LA |
| Crime Behaviour Orders (CBOs) | Aimed at preventing a person, who has been convicted of another offence, from committing anti-social behaviour) | CBO can be requested by LA |
| Anti-Social Behaviour Case Review | Victims of anti-social behaviour have right to request case review, where a threshold has been met | Town Boards could be involved in representing victims of their communities |
| Community Remedy | Gives victims a say in out-of-court punishment of perpetrators of anti-social behaviour when a community resolution, conditional caution is chosen as appropriate response | PCC in consultation with community groups |
| Environmental Protection Act 1990 | | |
| Fixed Penalty Notices (FPNs) | £150-£1,000 to settle re enforcement action against fly-tipping, illegal dumping and illegal waste | LA can issue FPNs |
| Anti-Social Behaviour Action Plan | | |
| Hotspot Response Immediate Justice trailblazers | Town Boards could be used as a forum for discussion of how Hotspot Policing and Immediate Justice is deployed in a town | PCC / Police will agree any officer deployment |
| Criminal Justice Bill 2023 | | |
| Introduced in Parliament with a commitment to strengthening and improving existing powers to reduce and prevent anti-social behaviour. | | |

High Steets, Heritage and Regeneration

| High Streets | | |
|---|---|---|
| | Power | Role of LA |
| High Street Rental Auctions (HSRA) | New power enabling LA to force landlords to rent out commercial properties that have been vacant for a year on 1-5 year leases that are auctioned by LA | LA are responsible setting up and auctioning properties |
| Pavement licenses | New license arrangement to encourage businesses to apply for pavement licenses creating outdoor dining spaces | LA responsible for issuing licence |
| BID | Already in place in Hastings | |
| Regeneration and Neighbourhood Planning | | |
| Permitted Development Rights | PDRs allow certain building works and change of use to take place without having to submit a planning application. | Local Planning Authority |
| Local Development Orders | LDOs are locally focused planning tools that planning authorities can use to grant planning permission for specific types of development within a defined geographical area | Local Planning Authority |
| Neighbourhood Development Plans | Can be used in a number of ways to form part of the local development plan | Local Planning Authority |
| Section 226 Compulsory Purchase Power (S17 for housing) | S226 measures further clarified to provide CPP for use by LA to deliver regeneration | Local Planning Authority |
| Section 215 Notice (TCPAA 1990) | Require an owner to take steps to clean up land or building when their condition adversely affects the amenity of the area | Local Planning Authority |
| Protecting Heritage | | |
| Design Guidance and Design Codes | Issued by a range of parties, to ensure that local planning authorities have a duty to prepare proposals to preserve or enhance character or appearance | Local Planning Authority |
| Local Listed Building Consent / Local Lists Repair Notice | Proactive approach to protect locally important heritage assets | Local Planning Authority |
| Community Ownership | | |
| Assets of Community Value (ACV) Community Asset Transfer | Aims to protect land or building which can further have social wellbeing or social interest CAT allows LA to sell land or buildings at lower than market value | Local Planning Authority |

Transport and Connectivity Powers

| Street Design and Road Improvements | | |
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| | Power | Role of LA |
| Managing Road Network | LTA responsible for managing road network for the benefit of all traffic, including people walking and wheeling. Powers to make changes to road and footpaths. | Local Traffic Authority |
| Local Transport Infrastructure | | |
| Community Infrastructure Levy (CIL) | Charge that can be levied by LA on new development in their area to fund a range of infrastructure to support development in an area. | Local Planning Authority / LA |
| Infrastructure Levy | LURA 2023 includes powers to introduce a new Infrastructure Levy (which will replace CIL) which requires LA to prepare Infrastructure Delivery Strategies showing how they will spend Levy proceeds. | Local Planning Authority / LA are expected to involve Town Boards in identifying investment priorities including those for transport and connectivity. |