

**PLEASE NOTE THE BRIEFING BEFORE THIS MEETING
AT APPROXIMATELY 10.00 A.M.**

IMPROVING PLACES SELECT COMMISSION

**Venue: Town Hall, Moorgate
Street, ROTHERHAM.
S60 2TH**

Date: Wednesday, 24th July, 2013

Time: 10.30 a.m.

A G E N D A

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March 2006) of the Local Government Act 1972.
2. To determine any item(s) the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Declarations of Interest
4. Questions from members of the public and the press
5. Communications
6. Minutes of the previous meeting of the Improving Places Select Commission held on 19th June, 2013 (Pages 1 - 4)
7. Revision of RMBC's Council Housing Allocations Policy (report herewith) (Pages 5 - 16)
8. Planning Obligations - Updated Section 106 Accounts Information (report herewith) (Pages 17 - 23)
9. Developer Contributions for Open Spaces (report herewith) (Pages 24 - 27)
10. CIL Viability and Infrastructure Study (Presentation attached) (Pages 28 - 55)

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11. Exclusion of the Press and Public.
The following item is likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs).
12. School Place Planning Report (herewith) (Pages 56 - 63)
13. Date, time and venue for the next meeting:- Wednesday, 4th September, 2013 at 1.30 pm at Rotherham Town Hall

Improving Places Select Commission: membership: -

Councillors Andrews, Astbury, Atkin, Dodson, Ellis, Falvey (Chairman), Foden, Gilding, Godfrey, Gosling, N. Hamilton, Jepson, Johnston, Pickering, Read, Roche, P. A. Russell, Sims (Vice-Chairman), Swift, Vines, Wallis and Whysall.

Co-opted members: - Mrs. P. Copnell, Mr. T. Roche and Mr. B. Walker.

IMPROVING PLACES SELECT COMMISSION
19th June, 2013

Present:- Councillor Falvey (in the Chair); The Mayor (Councillor John Foden), Councillors Andrews, Astbury, Atkin, Ellis, Gosling, N. Hamilton, Johnston, Pickering, Read, Roche, P. A. Russell, Sims, Swift, Vines, Wallis and Whysall.

Together with:- Mrs. P. Copnell

Apologies for absence:- Apologies were received from Councillors Dodson, Gilding, Godfrey, Jepson and Mr. T. Roche.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

2. MINUTES OF THE PREVIOUS MEETING OF THE IMPROVING PLACES SELECT COMMISSION HELD ON 16 APRIL 2013

Resolved:- That the minutes of the previous meeting of the Improving Places Select Commission, held on 16th April, 2013, be approved as a correct record for signature by the Chairman.

It was also noted that with regards to Minute No. 61(3) (Highways Maintenance) the proposed schedule of use of the "Multihog" milling machine had been circulated to all Elected Members.

3. REPRESENTATION ON OTHER BODIES 2013/14

Resolved:- (1) That the following appointments of representatives from the Improving Places Select Commission to the groups and outside bodies listed below, be approved:-

Rotherham Bond Guarantee Scheme
Councillor Sims.

RUSH House Management Committee
Councillor Ellis.

Social Concerns Committee Churches Together
Councillor Sims.

Environmental Protection – Yorkshire and Humberside Division
Councillors Andrews, Atkin, Beaumont and Roche.

Yorkshire and Humberside Pollution and Advisory Council
Councillors Ellis and Wallis.

Women's Refuge
Councillor Sims.

Groundwork, Cresswell, Ashfield and Mansfield
Councillor Swift, as a Director of the company, and Councillor Falvey as substitute.

Health, Welfare and Safety Panel: -
Councillor Swift with substitute Councillor P. A. Russell.

Local Plan Members' Steering Group
Councillor Falvey, Chair of the Improving Places Select Commission.

Recycling Group
Councillors Atkin and Falvey.

(2) That further information be sought on whether some of these groups still meet.

4. HOMELESSNESS STRATEGY SCRUTINY REVIEW

Further to Minute No. 74 of the meeting of the Cabinet Member and Advisers for Safe and Attractive Neighbourhoods held on 22nd April, 2013, consideration was given to a report presented by Sandra Tolley, Housing Options Manager, and Jill Jones, Homelessness Manager, which set out in detail how Rotherham's first Homelessness Strategy (2003-2008) had been produced as part of the implementation of the Homelessness Act, 2002. Members noted that this Strategy was refreshed in 2008 and had a stronger emphasis on homelessness prevention and partnership working and that the Homelessness Strategy was due to end in 2013.

The report confirmed that, during 2012, this Council's Homeless Service had began a consultation process to complete a thorough review of the Homelessness Strategy. The review also considered how effective the Strategy had been and whether further changes might be needed to ensure homelessness prevention was prioritised.

As part of the Homelessness Strategy review process, it had been recommended that the Improving Places Select Committee carry out a Scrutiny Review on the Homelessness Strategy. The report included the suggested outline scope of this proposed scrutiny review and was supplemented by the following presentation:-

- Housing Act 1996 Part VII – Homelessness Legislation.
- Homelessness Act, 2002.
- Homelessness Strategy.
- Track Record – Homelessness Acceptances.
- Track Record – Prevention of Homeless.
- Current Prevention Strategies.

- Reviewing the Strategy – The Work Done So Far.
- Sample of Questions asked at the Workshop.
- The Future of the Homelessness Strategy from 2014 onwards.
- The Homelessness Strategy Scrutiny Review.
- Implementation Timetable.

A discussion and a question and answer session ensued and the following issues were raised and subsequently clarified:-

- Trends in homelessness and the economy and whether it would be best to keep under review any three or five year strategy.
- Use of sheltered housing provision as crashpads.
- Review of community facilities.
- Promotion of the private rented sector and whether landlords would be directed to take greater responsibility.
- Housing for local people and the self registration for landlords.
- Allocation of crashpads and the process of liaising with the local Housing Champion.
- Allocations in line with the Local Lettings Policy and the checking of information.
- No proposal to redesignate residential bedrooms not currently in use.
- Under recovered rent arrears and their assessment on future allocations, which was subject to review.
- Homelessness acceptances and prevention of homeless figures which on paper looks as though Rotherham does not have a great problem.
- The duty on the Council to rehouse and whether early intervention or flagging up accounts that suddenly become a problem would ease the problem, especially for private sector housing.
- Mechanisms in place to flag up concerns.
- Management of difficult tenants and the impact of their housing allocation on other tenants.
- Number of temporary accommodation units throughout the Borough and their current locations for use by the homeless and also those in crisis.
- Review of the Allocations Policy – to be presented to the July meeting.

In taking forward the suggestion of the Scrutiny Review nominations were sought.

Resolved:- (1) That the report be received and its contents noted.

(2) That a Scrutiny Review of the Homelessness Strategy take place and include Councillors Falvey, Gosling, N. Hamilton, Read and Swift and Ms. P.Copnell.

(3) That once the Select Commission has completed the scrutiny review, a report be submitted to the Cabinet Member for Safe and Attractive Neighbourhoods detailing a proposed revised Homelessness Strategy for the period 2013 to 2018.

5. SCRUTINY WORK PROGRAMME 2013/14

Consideration was given to a report presented by Deborah Fellowes, Scrutiny Manager, which updated Members of both the Overview and Scrutiny Management Board and all of the Select Commissions on the outcomes from the "development session" on the scrutiny work programme, held during the Overview and Scrutiny Management Board meeting on 24th May, 2013, and on the proposals for allocation of that work programme to each of the Select Commissions in 2013/14.

The Select Commission was advised that the work programme had been revised since it was previously circulated and identified the differences by way of the presentation. It was suggested that the proceeds of crime money also be included.

With regards to linking the local economy to local procurement it was agreed that the Overview and Scrutiny Management Board should receive an initial paper on this and then pass it to the relevant Select Commission. The Overview and Scrutiny Management Board would also be overseeing the review of the Members' structure.

It was also acknowledged that whilst some gardens of Council houses were maintained, this was not consistent across the Borough, hence the need for some further work.

The Select Commission was advised that the process of Cabinet Members attending the relevant meetings when Scrutiny Reviews were presented would be addressed.

Resolved:- (1) That the report be received and its contents noted.

(2) That revised work programme, with the inclusion of the proceeds of crime money, be approved.

6. DATE, TIME AND VENUE FOR THE NEXT MEETING

Resolved:- That the next meeting of this Select Commission take place on Wednesday, 24th July, 2013, at 10.30 a.m.

(2) That a briefing be arranged thirty minutes prior to every meeting.

1.	Meeting	Improving Places Select Committee
2.	Date	24th July 2013
3.	Title	Revision of RMBC's Council Housing Allocations Policy
4.	Directorate	Neighbourhoods and Adult Services

Current anticipated timetable:

- Consultation - Improving Places Select Commission 24/07/13
- Further consultation, including applicants, partners and RSL's
- Cabinet Member for Safe and Attractive Neighbourhoods for decision 2/9/2013
- Full Council for decision September/October 2013
- Communication with Housing Register applicants October/November 2013
- Implementation December 2013

5. Summary

RMBC's Allocations Policy was last substantially amended in January 2010, and it now needs to be revised again to take into account the new flexibilities and opportunities offered to social housing landlords by the Localism Act 2011, and to make the system as fair as possible. We also need to review the Allocation Policy because of the size of the Housing Register, the likelihood it will increase if we do nothing and to take account of the circumstances of local people and firmly base the Policy on addressing housing need.

In-principle approval is sought, to enable us to submit the report to Cabinet Member and Improving Places Select Commission. Once Elected Members' feedback has been incorporated, the final version will be submitted to Cabinet and full Council for formal adoption in November 2013. During October we will write to all applicants to explain the changes.

6. Recommendations

Authorise officers to report to Cabinet Member and consult Elected Members on the proposals set out below.

- 1. Change the Housing Register so that applicants are separated into the "Register of Housing Need" and the "General Waiting List"**
- 2. Create three new groups to the Register of Housing Need: Emergency, Urgent, and Unsuitably Housed**
- 3. Increase the percentage of properties advertised to the Urgent group to 60% (currently 50%)**
- 4. Make changes to the way we manage and advertise properties to the General Waiting List, options being as follows:**

4(a) Only accept applicants onto the “Register of Housing Need” and remove the General group, (This is a possible approach) OR

4(b) Retain a General group but stop new General applicants from joining, and advertise 10% of properties to this group, (This is a possible approach) OR

4(c) Retain a General group but stop new General applicants from joining, and stop advertising properties to the General group (although they can continue to bid for any properties, they will only be successful if there is no applicant from the Register of Housing Need (This is a possible approach) OR

4(d) Retain the General Group and allow new applicants to join, and advertise 10% of properties to this group, (This is the preferred approach) OR

4(e) Retain the General Group and allow new applicants to join, and stop advertising properties to the General group (although they can continue to bid for any properties, they will only be successful if there is no applicant from the Register of Housing Need (This is a possible approach)

AND

4(f) Following the initial mail-out, stop all annual reviews of the General group as the resources spent on this costly administration would be better deployed on advice services to people on the full range of housing options in Rotherham

5. Within the new Housing Need groups:

- a) Add armed forces to the Emergency group
- b) Add new downsizing rules into the Emergency group
- c) Add needing to move for reasons relating to employment in the Rotherham area into the Urgent group
- d) Add to the Unsuitably Housed group people who are currently bidding, living with family / friends / dependants, and who are ready to live independently but cannot afford other housing options such as private rented or owner occupation

6. Make changes to policy and procedures in order to more effectively manage the Housing Register and encourage behaviour change:

- a) Once a person has refused two offers their application should be cancelled
- b) Once a person has decided and agreed to have major adaptations work that meet their long-term needs their rehousing application should be cancelled.
- c) Once an application has been cancelled for any reason, such as rehousing and evictions, the applicant should not be allowed to rejoin the Register for 12 months
- d) Once a homeless applicant refuses a suitable offer of accommodation (Council, RSL or private rented) they will be moved down from the Urgent group to the Unsuitably Housed group. On acceptance of a private rented offer their application should be cancelled.
- e) Make it mandatory for all new tenants to sign a direct debit or standing order form to pay their rent, and have the “Right Not To Offer” a property to customers who cannot afford to take on a tenancy

7. Proposals and details

7.1 Reasons for revising the Allocations Policy

The Localism Act 2011 seeks to devolve responsibility back to councils, allowing more decisions about housing to be taken locally. In the case of allocating housing, this means local authority landlords are able to apply locally determined criteria to their housing registers and no longer have to operate open registers, with the expectation from central government that social housing should be offered to those people in housing need.

The Council's Housing Register currently contains 25,314 applicants, and the vast majority of these are adequately housed, placed in the General group and do not currently need a Council house, although they may aspire to live in a Council home in the future. The main problems this causes are as follows:

- It is an expensive and inefficient use of Council resources to provide administration for such a large list
- People with no housing need are allocated social housing, such as owner occupiers or existing tenants who are adequately housed, which means those with a real housing need have to wait longer, causing frustration and anger with the Council
- People who have registered an application for future use and then become in housing need are unwilling to be assessed for a priority group for fear of giving up their General date
- We have an inaccurate picture of need and demand in Rotherham as nearly 20,000 of the people on the register do not bid for properties, and therefore do not currently need a Council home, although they may aspire to live in a Council home in the future
- The number of applicants is likely to increase throughout the recession and beyond, as will the cost of carrying out annual reviews and administration

However, we may not want to simply exclude the people in the General group, instead want to make changes to the way we manage the Housing Register. This report proposes that we change the Allocations Policy and process in order to address these problems, to take into account the new flexibilities offered in the Localism Act 2011, and to make the system as fair as possible.

The Allocations Policy was last substantially updated in January 2010, with further minor amendments in February 2011, and RMBC's response to a Government Consultation on Allocation of Accommodation was reported to the Overview and Scrutiny Management Board in March 2012.

Each of the proposed changes is set out in 7.2 below.

7.2 Proposed changes

Proposed change 1: Change the Housing Register so that applicants are separated into the "Register of Housing Need" and the "General Waiting List"

The current Register contains over 25,000 applicants, the vast majority of whom do not need a Council house at present. By creating separate groups we can have a clear picture of who is in housing need, and which applicants would like a home in the future. When quoting housing need figures, we will quote the number of people on the Register of Housing Need, which we anticipate would be under 10,000 under the new proposed system.

Proposed change 2: Create three new groups to the Register of Housing Need: Emergency, Urgent, and Unsuitably Housed

We currently maintain an open Housing Register and anybody can apply for a Council house. Once an application is received the person is awarded one of four 'need categories':

Current Need Category	Definition
Priority Plus (P+)	Households who require immediate housing and are considered for all vacant Council properties
Priority (P)	People who experience urgent housing need and require moving due to specific circumstances
General Plus (G+)	Applicants who are entitled to reasonable preference on a non-urgent basis
General (G)	Applicants who have no reasonable preference entitlement/priority need

The names of the categories are not as clear and descriptive as they could be. Use of the term 'priority' suggests the Council sees some groups of people as having more importance than others. It would be more logical to define the categories to reflect how quickly a household needs to be housed. Applicants in current housing need can be divided into:

- Emergency (i.e. immediate risk to health and safety if not rehoused),
- Urgent (i.e. needs to move as soon as possible)
- Unsuitably housed (i.e. needs to move – but not classed as urgent or emergency)

Those who are not in current housing need are in the General group, and would fall into the 'General Waiting List'. The proposed changes to the groups are summarised as follows:

Existing	New
Priority Plus	Register of Housing Need – Emergency
Priority	Register of Housing Need - Urgent
General Plus	Register of Housing Need - Unsuitably Housed
General	Applicants who have no reasonable preference entitlement/priority need

Proposed change 3: Increase the percentage of properties advertised to the Urgent group to 60% (currently 50%)

The Council operates a choice-based lettings (CBL) system. All vacant properties are advertised in the Key Choices Letting Scheme; 50% of properties are advertised as giving preference to bidders from the 'Priority' Group and 50% to the combined General groups (30% General Plus and 20% General). This is computer generated to ensure a fair distribution of properties between the categories. Any applicant can bid for any property – and the property will be offered to the person in the appropriate group with the longest waiting time. Households in the Priority Plus Group require immediate housing, and will be considered first for all properties, ahead of any other group.

The proposed change would increase the number of properties that are allocated to people in emergency and urgent housing need, see table below.

Current category	% homes currently advertised as giving preference to this group	New category	% homes proposed to be advertised as giving preference to this group
Priority Plus	100%	Emergency	100%
Priority	50%	Urgent	60%
General Plus	30%	Unsuitably Housed	30% or 40%*
General	20%	General Waiting List	10% or 0%*

*depending on which sub-option under proposal 4 is selected.

The bidding process will remain unchanged, where all applicants can bid for any advertised group, and where there are multiple bidders within a group, preference will be given according to length of waiting time.

The properties will continue to be offered on a quota basis, which will assist in creating sustainable and balanced communities. It will also ensure that those people living in unsuitable housing, which include children living in flats, non statutory homeless households etc are able to access Council housing. If the properties were not advertised on a quota basis and were only allocated to Urgent group people first ahead of others, those in the Unsuitably Housed group would have very little opportunity to access Council housing as they would always be placed last in the shortlists.

The properties will initially be offered to the Emergency group and then to the advertised group, where there are no suitable bidders in this group, the next group in the sequence will be selected and so on. Properties will be advertised and the shortlist will be sorted as follows:

Urgent (60%): Emergency, then Urgent, then Unsuitably Housed, then General

Unsuitably Housed (30% or 40%): Emergency, then Unsuitably Housed, then Urgent, then General

If Elected Members decide that 10% of properties should be advertised to the General Waiting List:

General (10%): Emergency, then General, then Urgent, then Unsuitably Housed

Proposed change 4: Make changes to the way we manage and advertise properties to the General Waiting List

Of the 25,314 applicants on the Housing Register (in February 2013), approximately 19,000 are in the 'General' group. The vast majority of people in the General Group never bid, as there is a historical culture in Rotherham that people should put their name down in case they need a house in the future as their waiting time will qualify. Anecdotally, the types of circumstances of some people who are in the General category:

- People who are adequately housed, but expect to want a Council bungalow when they are older
- People who already own a home now but may wish to sell or rent this out and move into a Council house in the future. At the moment home owners of all age groups can bid on any property.
- People who feel that a Council house would be a good safety net in case their situation changes in the future e.g. if they lose their job
- People who are existing Council tenants who are adequately housed in the right size property with no medical need to move, but who aspire to move

Of the people in the General group who *do* bid, many are in some form of housing need, for example people living with family or friends who need to move on, or dependents who are ready to take on a tenancy. These people are often reluctant to move to a priority group due to the concept that their waiting time will enable them to get a Council home quicker.

Any changes to the Allocation Policy must be transparent and be communicated effectively and clearly. We propose to write to all General group applicants to explain:

- The reasons why we are taking these actions – we still want to help people in the General group but have to implement a system that is fair and that helps people in current housing need
- That unless we hear from them within a certain time frame they will remain in the General group, and there will be changes to the proportion of properties advertised as giving preference to the General group (depending on Elected Members' preferred sub-option
- That their waiting list date will remain the same, in the General group

- That if they do currently need to move to a Council home, they should contact Key Choices to update their circumstances. Their application will be changed to the relevant group and dated to reflect the date their circumstances changed and they will have a much better chance of getting a Council home as 90% or 100% of properties are made available to categories within the Register of Housing Need.

There are various options to change to the way we manage the General group:

4(a) Only accept applicants onto the “Register of Housing Need” and remove the General group.

This is a possible approach.

Because of the way the policy currently works there are various examples of properties that have been let to applicants in the General group with no housing need in preference to those who have been in greater need for longer.

The pressure on Council and other affordable housing in Rotherham has never been greater, and the Council is responsible for helping those who are in the greatest need. There is a view that it is no longer possible or appropriate to allow people to move in to a Council house purely based on how long they have been waiting, if they have no actual need for Council housing. One of the possible approaches is to remove this group altogether from the housing register to ensure the register reflects *current* housing need, and not overall general demand / aspirations. We will move people who are in housing need from the General group into an appropriate ‘current need’ housing group.

However there is a risk that if the General band was removed the relet times for one bedroom bungalows could increase, as often older people with an assessed need prefer two bedrooms, resulting in the smaller bungalows being allocated to older people with no assessed need.

4(b) Retain a General group but stop new General applicants from joining, and advertise 10% of properties to this group

This is a possible approach

Historically many households have registered to safeguard for future housing need, and removing this option could create anxiety and generate complaints. If the policy was only applied to new applicants they would be advised of the policy at the point of applying. Over time the General group would diminish.

4(c) Retain a General group but stop new General applicants from joining, and stop advertising properties to the General group (although they can continue to bid for any properties, they will only be successful if there is no applicant from the Register of Housing Need)

This is a possible approach

4(d) Retain the General Group and allow new applicants to join, and advertise 10% of properties to this group

This is the preferred approach.

4(e) Retain the General Group and allow new applicants to join, and stop advertising properties to the General group (although they can continue to bid for any properties, they will only be successful if there is no applicant from the Register of Housing Need)

This is a possible approach

The final proposal, which is recommended regardless of which of the above (a-e) sub-options is preferred, is:

4(f) Following the initial mail-out, stop all annual reviews of the General group as the resources spent on this costly administration would be better deployed on advice services to people on the full range of housing options in Rotherham

This is recommended.

Proposed change 5: Within the Register of Housing Need categories, make the following additions

5(a) Add Armed Forces provision into the Emergency category

The Localism Act 2011, Regulation 2 amends section 166A(3) of the Housing Act so that local housing authorities in England must frame their Allocation Scheme to give additional preference to Members of the Armed Forces personnel and their partners in urgent housing need who were / are serving in the regular Forces at any time preceding their application. This also applies to bereaved spouses or civil partners where they cease to be entitled to occupy Ministry of Defence accommodation.

It is proposed that Emergency status in the current Allocation Policy be applied to those serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service, and Former Members of the Armed Forces and bereaved spouses or civil partners in Urgent Housing Need. This will be applied to partners and spouses if they have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces. Other Former Members of the Armed Forces not in urgent housing need will be awarded "Unsuitably housed status" up to 5 years from the date of discharge.

5(b) Add downsizing provision into the Emergency category

People may need to move to a property with fewer bedrooms, particularly as a result of the 'bedroom tax' under Welfare Reform, and they should be awarded Emergency status. A new downsizing policy document is being developed separately.

5(c) Add needing to move for reasons relating to employment in the Rotherham area, into the Urgent category

This will help to support people who have recently secured work, within the last three months and therefore contribute to tackling worklessness in the borough. Additional work will be required to set clear and detailed parameters for this category, including defining distances from their current home to the workplace.

5(d) Add to the Unsuitably Housed group people who are currently bidding, living with family / friends or dependants, and who are ready to live independently but cannot afford other housing options such as private rented accommodation or owner occupation.

Their application will be re-dated in the Unsuitably Housed or Priority Group to reflect the date of their first bid or in some cases where there are households in housing need but have not made bids, these will be considered and re-dated to when their circumstances changed. (Possibly due to the fact that some applicants may have considered making a bid but were put off because of their lengthy queue position)

Proposed change 6: Make changes to policy and procedures in order to more effectively manage the Housing Register and encourage behaviour change:

6(a) Once an applicant has refused two offers their application should be cancelled

As stated above, the bidder with the longest waiting time within the specified category will be offered the property. If the person accepts the offer they move in and their details are removed from the Housing Register. If they refuse the offer, the property is offered to the person with the second longest waiting time and so on. If a person refuses the offer of a property they have bid on they are allowed to remain in the category and bid for further properties.

The main reason for this proposed change is to prevent people from repeatedly bidding for properties they are not seriously interested in (thus reducing the administrative burden), and to ensure that only people who are in genuine housing need can remain on the Register of Housing Need.

6(b) Once a person has decided and agreed to have major adaptations work that meet their long-term needs their application should be cancelled.

The main reason for this proposed change is to prevent people who have requested and have been assessed for major adaptation work that meet their long-term needs and then utilise their live application to move following the installation of major adaptations, most of which have incurred costs to the Council of over £1000. It is proposed that during the application for adaptations the customer is provided with housing options, one of which is to transfer to an adapted home or where the customer prefers to remain in their own home and have the adaptations fitted that meet their long-term needs that any previous housing application should be cancelled. Where adaptations are fitted to assist the household with daily living, pending a move, the application will remain live.

6(c) Once an application has been cancelled for any reason, the applicant should not be allowed to re-enter the Housing Register for 12 months, unless their circumstances change

The Allocation Policy sets out circumstances when an application will be cancelled, for example where a tenant has been evicted, where an applicant is granted a new tenancy by the Council, or where a tenant has accepted a mutual exchange.

When a person is evicted for breach of tenancy conditions, their live application is cancelled, but they can apply to re-register a new application immediately. Some people who have committed serious breaches are excluded from registration for a set period of time, others are allowed to re-register.

The reasons for this proposed change are that it will:

- Ensure consistency
- Prevent people who have been evicted from a tenancy from repeatedly moving around
- Reduce void and administration costs
- Restrict new tenants from registering an application within the first 12 months of their new tenancy
- Assist in creating settled communities and improving community cohesion within estates.

We will ensure officers use their discretion in cases where people's circumstances change.

6(d) Once an applicant that has been accepted as statutory homeless refuses a suitable private sector offer, or a Council or RSL offer, they will be moved down to the 'Unsuitably Housed' group. On acceptance of a private rented offer their application should be cancelled.

The Council now has the power (through the Localism Act 2011) to discharge its statutory duty to homeless people by making an offer of suitable *private sector* property. Implementing this change will ensure that homeless applicants have broadly similar opportunities to other applicants.

A private rented sector offer made under homelessness legislation is intended for a long term settled move. In order to discharge the homelessness duty the private rented sector offer has to be on a 12 months tenancy. This means that both the landlord and tenant have made a commitment for a 12 month period. If the housing application wasn't cancelled when rehoused the tenant could move before the 12 month period ended and they would still be liable for rent payments to the Private Landlord. Even though the application is cancelled the person will be protected for 2 years if they become homeless as the Council will have a duty to offer alternative housing under homelessness legislation, irrespective of whether they are in priority need as long as they didn't become homeless intentionally.

The Council will retain existing rules for homeless applicants who are offered a private rented tenancy for less than a 12 months period. This means that following acceptance of the 6 months private rented tenancy the applicant can remain on the housing register and will be placed in the unsuitably housed group. The application date will change to coincide with the tenancy start date. Note that the tenant is still contracted and responsible for rent to the Private Landlord for the 6 month period.

6(e) Make it mandatory for all new tenants to sign a direct debit or standing order form to pay their rent, and have the right not to offer a property to customers who cannot afford to take on a tenancy.

When Universal Credit is implemented tenants will receive all their benefit payment via a bank account. The mandatory direct debit or standing order for rent payments will not only facilitate easier payment methods for the customers but will also reduce the risk of uncollected rent.

Currently applicants are provided with advice and information regarding affordability at the "Its Your Move" meeting. If an affordability check determines that a customer would struggle to afford the tenancy, the officer would try to encourage the applicant to re-consider and wait until their circumstances change. However if the applicant insists that they can afford the tenancy and wishes to take it on there is no provision in the current Allocation Policy for officers to refuse to make an offer on that basis.

Unless we find new more efficient ways to collect rent, there is a possibility that using existing rent collection ratios there would be a need for over 30 additional rents staff to allow for the effects of Universal Credit.

7.3 Next steps

- Submit the report for consultation to Improving Places Select Commission
- Undertake further consultation during July and August, including RSL's, partners and applicants
- Submit final report (with revised Allocations Policy appended) for formal sign-off, to Cabinet and Full Council in September/October 2013.
- Produce leaflet explaining changes to Allocations Policy and write to all people on the Housing Register within one month of formal adoption of the new policy in November/December 2013.

8. Finance

Implementation of the changes proposed in this report will help us to house homeless people more expediently and therefore reduce the cost to the Council of temporary accommodation.

It currently costs the Council approximately £10K per annum to send out annual letters to people in the General housing group, i.e. those who do not currently require housing. This would be

straightforward revenue saving if we stop providing administration to people who are not currently in housing need.

Although the removal of administration for the General group will result in some internal changes to staff workloads this will not have an impact on staffing budgets as other tasks will be undertaken, e.g. dealing with enquiries from people who may require advice on a wider range of housing options.

Following the completion of the revised Allocation Policy, a summary booklet will be amended and issued to existing and new applicants. This will incur a one-off cost of around 55p per applicant.

Most of the changes needed to the ICT system can be undertaken in-house at no extra cost, however there may be some more complex changes required which will incur a cost of £140 per day. This is envisaged to take no more than 5 days. The costs will cover amendments to the Housing Register and choice based letting module rules which ensure applicants are placed in the correct bidding queue position.

Changes to the Allocations Policy will need to be effectively communicated to staff. This training will be undertaken in-house by the Housing Options Manager.

9. Risks and uncertainties

Risk 1: If we continue to operate a single, open Housing Register with the General group being able to access 20% of all properties, the number of applicants is likely to balloon, and to the detriment of families who are struggling to find a decent home at an affordable rent level. Rotherham may also see an increase in applications from residents of neighbouring local authority areas who are considering applying criteria to their housing registers. By making the changes proposed in this report we will effectively manage people's expectations, without excluding anyone from the register.

Risk 2: The main risk associated with reducing the number of properties we make available to people in the General group is that of increased dissatisfaction with the Council, but we will mitigate this by ensuring a careful and robust communication strategy.

Risk 3: Rotherham has a strong focus on encouraging and supporting sustainable communities and by reducing the percentage of properties that go to people who do not need rehousing, and are not bidding, this may lead to a greater number of tenancies being issued to households who are in need of housing. However, it should be noted that households in housing need are not always deemed to be vulnerable people, and the proposed changes do still ensure that a proportion of properties go to the Unsuitably Housed (and possibly General) groups, enabling us to continue to achieve a degree of balance.

10. Policy and Performance Agenda Implications

Ensuring the Council's Housing Allocation Policy is as fair as possible will contribute to two of the priorities of Rotherham Partnership's Community Strategy: *Ensure the best start in life for children and families*, and *Support those that are vulnerable within our communities*.

It also contributes to four of the ten commitments within our new Housing Strategy:

- Commitment 1: We will deliver Council housing that meets people's needs
- Commitment 2: We will increase and improve the supply of affordable rented housing
- Commitment 6: We will help people to access the support they need
- Commitment 7: We will help people in Rotherham's most disadvantaged communities

11. Background papers and consultation

Background papers

- RMBC's Housing Allocations Policy, December 2008 (updated February 2011)
- RMBC's Response to Government Consultations; Allocation of Accommodation and Social Housing Fraud, Overview and Scrutiny Management Board, 23rd March 2012
- Laying the Foundations: A Housing Strategy for England. CLG, November 2011
- Localism Act 2011
- Discharge of Homelessness Statutory Duty, Cabinet, 18 July 2012

Consultation

Consultation was carried out during summer 2012 as part of the wider housing strategy consultation. We recorded a diverse range of opinions - although many thought we should continue to maintain an open Housing Register, several people also thought we should prioritise Council housing for those in need.

Once the proposed changes have been agreed we will implement a robust communication strategy to ensure all housing applicants are aware of the changes and how they will benefit.

12. Contact details

Jane Davies-Haire, Housing Reform Co-ordinator
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Sandra Tolley, Housing Options Manager
Sandra.tolley@rotherham.gov.uk / 01709 255619

Appendix 1: Summary of benchmarking across the sub-region

	Berneslai Homes Barnsley	Sheffield City Council	St Leger Homes Doncaster
Numbers on housing register	7,742	78,846	12,054
Have you completed your lettings policy review	Yes	No – ongoing	No – ongoing
Are you planning to give higher priority to members of the armed forces	Yes	Yes	Yes
Qualification criteria – are you planning to introduce restrictions on any of the following groups:			
People without a local connection (some exceptions)	Possibly	Lowest band	Yes 2 years
People who are not in housing need	Possibly	Yes	No
People with equity/savings/income over a certain threshold	Possibly	Possibly	Low Band
Owner occupiers	Possibly	Must have exchanged contracts prior to offer	Yes if not in housing need
People with arrears and other debts to the Council	Possibly	Yes	Yes
People with a history of ASB/other behaviour grounds	Possibly	Yes	Yes
Other		Unmet support Needs	
Policy on Transferring tenants			
Do tenants have a tenancy inspection prior to registering a housing application or a move	No	No	Yes
Do you have restrictions on new tenants registering an application (eg within first year of tenancy)	Yes	Yes within 2 years.	Yes
Do you follow local housing Allowance guidance for your bedroom requirements, i.e. 2 children of same gender share until 16 years old, own bedroom at 16 etc.	No more generous	Yes	Yes
Do you give extra bedroom priority for access to children	Yes	No	Yes
Do you have penalties for people who refuse reasonable offers? Eg drop a band, remove priority, suspend from bidding, reset date of application.	Yes	Yes Downgrade band/suspend	Suspend
Do you give/plan to give priority to tenants affected by under occupation housing benefit measure	To be implemented	Yes	Operate separate transfer list
Do you give additional preference to customers in employment	No	No	No
Do you allow rehousing of households with children in high rise flats.	No but do award priority to applicants with children at height (5 th floor max)	Not for children under 16	Yes
Are you planning any other changes to your lettings policy or CBL lettings scheme			Foster carers, fixed term tenancies to 4 bed houses linked to age of youngest child and adapted properties and OT assessed.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Improving Places Select Commission
2.	Date:	24 July 2013
3.	Title:	Planning Obligations – updated s106 accounts information
4.	Directorate:	Environment and Development Services

5. Summary

Further to Minute No. 39 of the meeting of the Improving Places Select Commission held on 28th November, 2012, and minute 46 of the meeting of 20th February it was resolved that a further report detailing progress of S106 agreements be submitted.

6. Recommendations

- **The contents of the report be noted**
-

7. Proposals and Details

The previous report to this commission was presented on 20th February 2013 detailing the comprehensive list of monies received from developer contributions via s106 legal agreements negotiated as part of the planning process.

Planning Obligations are used, following the granting of planning permission (normally major developments), to secure community infrastructure to meet the needs of residents in new developments and/or to mitigate the impact of new developments upon existing community facilities. They can also be used to restrict the development or use of the land in a specified way or require specific operations or activities to be carried out on the land.

The Council has a corporate procedure for s106 relating to the financial processes from the signing of the s106 agreement, invoicing when the payments are due and monitoring spend against the account. Since the previous meeting work has been carried out to further update s106 database and the detail in the way individual services engage in the planning process.

The previous report detailed S106 agreements entered into prior to 31st March 2012.

Table 1 gives detail of Planning Permissions issued during the period since the 31st March 2012 which are subject to S106 Agreement – detailed by date signed and recipient services.

RB2006/ 1856	28/05/2012	The Former Croda Site Carlisle Street, Kilnhurst	Travel Agreement - 3rd Anniversary	£39,000.00	SYLTE
			Ecological Contribution - index linked	£5,114.00	C & L
			Education Contribution - index linked	£195,194.00	C & L
			Education Contribution - index linked	£195,194.00	C & L
			Travel Agreement Initial Payment - index linked	£10,228.00	SYLTE
			Travel Agreement - "1st Payment"	£85,000.00	SYLTE
			Travel Agreement - 2nd Anniversary	£50,000.00	SYLTE
			Travel Agreement - 4th Anniversary	£30,000.00	SYLTE
			Travel Agreement - 1st Anniversary	£62,000.00	SYLTE
RB2011/ 1503	05/07/2012	Land at Field View, Brinsworth	Education Contribution - Index Linked from date of permission granted - as of 31/03/13 17 completions therefore trigger will be sometime in the next few months	£96,500.00	Education
			Education Contribution - Index Linked from date of permission granted	£96,500.00	Education
			Infrastructure Sum (Footpath & Car Park)	£70,000.00	Highways/ Transportation
			Library Contribution - index linked from the date of permisison granted	£70,000.00	C & L
RB2012/ 0037	16/08/2012	Land at Express Parks Waterfront off Manvers Way, Manvers	Education Contribution	£86,654.00	Education
			Off-site Play Area Contribution	£40,000.00	C & L
RB2011/ 1244	24/10/2012	Land at Laughton Road Sawn Moor Road, Thurcroft	Library Contribution Index linked	£10,000.00	C & L
			Public Open Space Contribution - Index linked - 2nd payment	£26,668.00	C & L
			Public Art Contribution - Index Linked	£37,300.00	C & L
			Public Open Space Contribution - Index linked - 1st payment	£26,668.00	C & L
			Flood Detention Basin Maintenance	£34,500.00	C & L

			Bond (Expiration 30 years from date of receipt)		
			Public Open Space Contribution - Index linked - 3rd payment	£26,666.00	C & L
RB2012/1049	02/11/2012	Land at Bawtry Road, Wickersley	Education Contribution provision of classrooms at Wickersley Comprehensive School	£20,077.00	Education
RB2012/0842	19/11/2012	Land at Manvers Way, Manvers	Education contribution - Index linked	£86,654.00	Education
			Affordable Housing Contribution - 50% of 3 open market value houses - EH confirmed expecting stated amount by email 03/06/12	£67,500.00	Neighbourhoods
RB2012/1548	17/01/2013	Land off Monksbridge Road, Dinnington	Bus Stop Contribution	£6,000.00	SYPTTE via RMBC
RB2012/1778	27/03/2013	land off Denham Road, Wath	Education Contribution	£42,156.00	Education
			Total for 2012/13	£1,515,573.00	
RB2012/0607	26/04/2013	land Hall Croft, Lindum Drive, Wickersley	Education Contribution (50%)	£20,077.20	Education
			Education Contribution (50%)	£20,077.20	Education
RB2012/1409	18/06/2013	Bradgate Quarry, Fenton Road, Kimberworth	Education Contribution (50%)	£105,390.00	Education
			Education Contribution (50%)	£105,390.00	Education
			Outdoor Gym Contribution	£35,000.00	C & L
			Total so far for 2013/14	£285,934.40	

The information in Table 1. details S106s which relate to applications granted between 1st April 2012 and 30th June 2013 and require contributions totalling £1,801,507.40 for infrastructure relating to Education, Public Transport and Highways, Culture and Leisure and Affordable Housing provision. Education accounts for approx £1mn of the contributions recently agreed, with rest split mostly between SYPTTE/Highways and C&L. The table only details new agreements that have a financial element attached to them. Agreements such as Deeds of Variation etc that only vary the wording or extent of the agreement to a new application reference have been omitted as they do not contain a financial element and do not materially affect the contributions agreed in previous agreements.

It is important to note that the monies will only be paid to the Council IF the planning permission is implemented and will be due once the relevant trigger point has been reached, requiring the contribution to be paid. Therefore this list is constantly monitored and updated, noting when a development is commenced and a trigger point is reached in order that the relevant invoice can be raised.

Table 2. Invoices issued during the period since the year end 2012/13 i.e payments expected in the financial year 2013/14.

RB2010/0765	Development land at Town Centre Campus	Highway Safety Feature Contribution	£20,000.00	Invoiced on Cedar	Highways
RB2011/1244	Land at Laughton Road Sawn Moor Road, Thurcroft	POS - 1st Payment	£26,668.00	Invoiced on Cedar	C & L
		Library Contribution	£10,000.00	Invoiced on Cedar	C & L
RB2006/1856	The Former Croda Site Carlisle Street, Kilnhurst	Ecological Contribution	£5,114.00	Invoiced on Cedar	C & L
		Travel Agreement Initial Payment	£10,228.00	Invoiced on Cedar	Highways/SYPTTE

Total £72,010.00

Table 3 Payments received during the period since 31st December 2012

RB2008 /0553	Land at High Street, Swallownest	Play Area Contribution - Invoiced	£70,000.00	Received Jan 2013	C & L
		Sculpture Park Contribution - Invoiced	£35,000.00	Received Jan 2013	C & L
		Play Area Maintenance Contribution - Invoiced	£10,000.00	Received Jan 2013	C & L
RB2008 /0524	land to the north of Manvers Way, Manvers	Bus Service contribution - Paid on a proportion of each developers area of the phase - see notes - See Finance page for details	£240,521.41	Received Apr 2013	SYLTE
		Phase 1 - 50% School Places Education Contribution @ £2,000 per dwelling - See Finance for details	£216,000.00	Received Apr 2013	Education
		Phase 1 - 50% School Places Education Contribution @ £2,000 per dwelling - See Finance for details	£151,000.00	Received Apr 2013	Education
RB2012 /1778	land off Denham Road, Wath	Education Contribution	£42,156.00	Received June 2013	Education

Total £764,677.41

Payments made over the previous period (where earlier permissions have been granted, developments implemented and trigger points reached) total around £1.5 million and relate to provision of highway improvements around the Advanced Manufacturing Park, provision of play areas and multi use games areas, education contributions etc. Additional non financial requirements have been provided and include a requirement to provide 354 affordable residential units.

Table 4. Monies spent from s106 account (Cedar)

Extract summarised from information supplied by, Financial Services.

Income & Expenditure 12/13	Application	Service	Amount
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	£12,859.77
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	£1,955.08
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	£96.45
Capital Grant Applied 2012/13 - PXM006	RB2008/0553	Neighbourhoods	£19,825.00
Capital Grant Applied 2012/13 - LXE040	RB2004/0428	C & L	£2,429.00
Capital Grant Applied 2012/13 - GXME52	RB2004/1346	Highways	£21,067.93
Capital Grant Applied 2012/13 - GXNH13	RB2004/1346	Highways	£46,037.94
Capital Grant Applied 2012/13 - GXNN56	RB2010/0765	Highways	£20,000.00
			<u>£124,271.17</u>

Table 5 All Income & Expenditure held in S106 account as at 30/06/2013 (Cedar)

summary extract taken from information provided Financial Services.

Income & Expenditure 12/13	Application	Service	Amount
Balance b/fwd from 2011/12			-272,167.16
Misc Receipts RB2008/1403	RB2008/1403	SYLTE	-11,004.58
Misc Receipts RB2001/1136	RB2001/1136	Highways	-853,492.19
RB2008/1404	RB2008/1404	Education	-159,570.00

RB2008/1404	RB2008/1404	SYPTE	-10,000.00
IN0113261362	RB2005/1325	Neighbourhoods	-64,000.00
RB2008/1404	RB2008/1404	C & L	-90,000.00
IN0113280379 RB2000/1541	RB2000/1541	Education	-30,000.00
IN0113292337 DBINV RB2008/0524: L 191012	RB2008/0524	SYPTE	-90,909.00
IN0113309338 DBINV RB2008/0524: L 191012	RB2008/0524	SYPTE	-81,818.00
IN0113292337 DBINV RB2008/0524 - 191012	RB2008/0524	Education	-178,000.00
IN0113295247 DBINV RB2008/0553 - 291012	RB2008/0553	C & L	-70,000.00
IN0113295247 DBINV RB2008/0553 - 291012	RB2008/0553	C & L	-10,000.00
IN0113295255 DBINV RB2008/0524 - 291012	RB2008/0524	Education	-124,000.00
IN0113295247 DBINV RB2008/0553 - 291012	RB2008/0553	C & L	-35,000.00
IN0113295255 DBINV RB2008/0524: L 291012	RB2008/0524	SYPTE	-67,794.41
IN0113309338 DBINV RB2008/0524 - 191012	RB2008/0524	Education	-65,000.00
IN0113319085 DBINV RB2008/0553 - 111212	RB2008/0553	Neighbourhoods	-19,825.00
IN0113344299 DBINV S106 Contribut 310113 RB2006/0943	RB2006/0943	Highways	-17,715.00
IN0113344299 DBINV S106 Contribut 310113 RB2006/0943	RB2006/0943	SYPTE	-19,162.91
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	12,859.77
IN0113360870 DBINV RB2002/1304 - 050313	RB2002/1304	C & L	-12,500.00
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	1,955.08
Rawmarsh LTP shld hav covered sec106 - wrong funding used	RB2002/1657	Education	-30,000.00
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	96.45
Capital Grant Applied 2012/13 - PXM006	RB2008/0553	Neighbourhoods	19,825.00
Capital Grant Applied 2012/13 - LXME040	RB2004/0428	C & L	2,429.00
Capital Grant Applied 2012/13 - GXME52	RB2004/1346	Highways	21,067.93
Capital Grant Applied 2012/13 - GXNH13	RB2004/1346	Highways	46,037.94
Capital Grant Applied 2012/13 - GXNN56	RB2010/0765	Highways	20,000.00
Balance as at 31/03/13 after funding			-2,187,687.08
Income (Invoices Raised) 13/14			
IN0113390375 DBINV RB2010/0765 - 110413	RB2010/0765	Highways	-20,000.00
IN0113393752 DBINV RB2011/1244 - 180413	RB2011/1244	C & L	-26,668.00
IN0113393752 DBINV RB2011/1244 - 180413	RB2011/1244	C & L	-10,000.00
IN0113403375 DBINV RB2006/1856 - 290413	RB2006/1856	C & L	-5,114.00
IN0113403375 DBINV RB2006/1856 - 290413	RB2006/1856	SYPTE	-10,228.00
CR0014092097 DBCRN S106 Contribut 170613	RB2005/1325	Neighbourhoods	64,000.00
Balance as at 30/06/13			-2,195,697.08

A large amount (over 50%) of the outstanding balance still held in the accounts for the year end 2012/13 relate to two agreements, on Cedar, £853k relates to the Waverley AMP payment for highways, another large amount relates to payments only recently received from Express Parks totalling £607,000 of which approx. half the payment is to SYPTE for Bus Service Contributions and the remainder is for school places. Of the remaining balances held in the year accounts the majority are simply pending allocation to the schemes they were designated for when the timing is correct, with only one outstanding balance that is currently insufficient and this balance is awaiting additional funds to make the highway scheme possible

There has been one cancellation/credit of an invoice due to the renegotiation of an agreement to accept land at Woodlathes, the invoice will be re-issued once the agreement has been signed and accepted.

The accounts are constantly monitored and updated and further information will be provided to this Commission at Financial year end.

Transportation update:

Possible forthcoming developments include

- Additional uses at New York Stadium .
- Bassingthorpe Farm development and other LDF sites.

The TravelMaster (TM) is a multi modal, non operator specific, cross border ticket. The current price of the developer TM is £485 per year. TM's are often used to promote public transport use where developments exceed the recommended walking distances to public transport access points or where car usage of a development needs to be mitigated. SYPTE survey results show that the TM is having a beneficial impact on shaping peoples travel habits and encouraging public transport use. This is based on 233 returned surveys from the 1,259 tickets issued in Rotherham in the past 3 years . 69% of respondents considered their households car use had decreased as a result of the TM. However, the SYPTE recognises that in some instances the money could be better spent eg. on bus service/highway alterations.

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REPORTS – CHECKSHEET

This Checksheet must be completed by all report writers and the Democratic Services Officer.

Meeting:	Improving Places Commission
Date:	July 24 2013
Title:	Planning Obligations – updated s106 accounts information
Directorate:	Environment and Development Services

1. Have you completed this report strictly in accordance with the Cabinet template and guidance notes?

YES/

(The template/guidance notes can be used from the Intranet – Resources A-Z under “C” for Cabinet report.

2. Has the Chief Executive or relevant Strategic Director approved this report for consideration by Members?

YES/

Name of Report Author:-Bronwen Knight

3. Is the report OPEN or EXEMPT. If exempt please give reason(s).

.....OPEN.....

To be completed by Democratic Services Officer

1. Confirm that you have done a quality control check before publishing this report.

YES/NO

2. Specify any amendments made:-

.....

3. Check OPEN or EXEMPT.

Name of Democratic Services Officer:-

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Improving Places Select Commission
2.	Date:	24th July 2013
3.	Title:	Developer Contributions for Open Spaces
4.	Directorate:	Environment and Development Services

5. Summary

An outline of current and planned development of new policy governing developer contributions for open spaces using Community Infrastructure Levy and/or Section 106 agreements.

6. Recommendations

6.1 That members note progress towards the introduction of new policy requiring developers to make financial contributions towards the provision and improvement of open space and ancillary facilities.

7. Proposals and Details

As part of their continuing review of the way Section 106 contributions are used in Rotherham, the Improving Places Select Commission have requested details of the way future use of Section 106 contributions and the Community Infrastructure Levy (CIL) can be maximised for the benefit of open spaces.

Policy background

Currently, there is no formal policy regarding use of S106 contributions for open space and play. However, the adopted Green Space Strategy (2010) recommended that planning policy should be introduced to help achieve proposed standards of green space provision through developer contributions, in line with the following principles:-

- New green spaces should only be required where there would otherwise be a gap in provision as defined by proposed accessibility standards
- Where new houses are already served by existing green spaces, then there should be a financial contribution, determined by the number of residential units being developed, to enhance existing green spaces in accordance with proposed quality standards.
- Contributions should also include a commuted sum equivalent to the cost of maintaining new green space or enhancements to existing green space for an agreed period.

Subsequently, draft open space policy (SP38) has been prepared and published as part of the consultation on the Draft Local Plan Sites and Policies document, including the following:-

All residential development proposals will be expected to make a contribution to green space in line with the following approach:

- a. Additional green spaces should be provided in new development at a rate of 24m² per resident only where there would otherwise be a gap in provision as defined by the accessibility standards of all new homes being within 280m of a Local Green Space and 840m of a Neighbourhood or Borough Green Space (which are further defined within the policy, in accordance with the recommendations of the Green Spaces Strategy).
- b. Composition of new green space should consider the Borough-wide standards for playing pitches and play spaces:
 - i. Taking account of the Rotherham Playing Pitch Strategy recommendations (subject to periodic review) for provision of mini-soccer, junior & senior football, cricket, and rugby union & league pitches
 - ii. Being within 15 minutes walking time of an equipped play area (which includes a variety of experiences for different age groups) and 5 minutes of an unequipped play area
- c. Provision of allotment land of 0.175ha (equivalent to 7 plots each of 250m²) per 1000 people
- d. Where new homes are already served by existing Green Spaces, then there should be a financial contribution, determined by the number of residential units being developed, to enhance existing Green Space based on an assessment of need within the local area.

- e. New Green Space and enhancements to existing Green Spaces will be accompanied by either
- i. provision for maintenance by a landscape management company or similar, to standards agreed with the Local Authority for a period of not less than fifty years, or
 - ii. a financial contribution by way of a commuted sum equivalent to the cost of maintaining new Green Space or enhancements to existing Green Space for a period of thirty years. In the case of new allotments, a not-for-profit management body should be established.

Additionally, draft policy SP30 proposes that contributions will also be sought from developers for the delivery, enhancement, conservation and appropriate management of Green Infrastructure. Consultation on these policies is due to end on 29th July 2013.

Next steps

At the time of writing, a final decision has yet to be taken on how CIL will work in Rotherham. Consultation on a draft charging schedule will run for six weeks starting late July / early August 2013. In preparation for this, consideration has been given to the possible roles of CIL and S106 in the enhancement of existing open space and ancillary facilities (such as play areas) and new provision where required, and their maintenance. A preferred approach is set out below.

Requirement	When required	How secured	Rationale
New open space and ancillary facilities	Either <ul style="list-style-type: none"> • Larger developments where there would otherwise be a gap in provision (see 7a above), or • Developments on existing open space, where replacement is needed 	Either <ul style="list-style-type: none"> • Normally as part of development or • If this cannot be achieved, then through a S106 payment to fund new off-site provision 	Such provision should relate specifically to the new development, and is most easily provided directly by the developer. It would therefore be unreasonable to use general CIL funds to pay for this.
Maintenance of new open space and ancillary facilities	Wherever new open space is required	Either <ul style="list-style-type: none"> • Developer makes own arrangements, or • through a S106 commuted sum payment to allow LA to adopt 	As above.
Enhancement of existing open spaces and ancillary facilities in locality of development, and associated maintenance	Where new open space is not required (i.e. on smaller developments, and where there is adequate access to existing open spaces).	CIL	Such enhancement is not necessarily related to a specific development, and may be funded from a number of sources. CIL is therefore appropriate.
Enhancement of strategic open spaces (e.g.	All developments	CIL	Such sites serve the whole borough, and therefore all

Country Parks) and associated maintenance			developments should make contributions. They may be funded from a number of sources. CIL is therefore appropriate.
Allotments	All developments	CIL, except for largest developments where new site might need to be provided as part of development, or through S106	Growth in demand from most developments too small to justify new site. CIL could be used to bring disused plots on existing sites back into use, and to enhance facilities.

8. Finance

Further work is required to establish reasonable rates for the calculation of S106 and CIL contributions, taking into account evidence of actual costs of enhancing green spaces and facilities, and also the financial contribution that is expected to be made from other sources. This is being done to support the development of a “preliminary draft” CIL schedule.

Reliable monitoring arrangements will continue to be developed with Financial Services to ensure that expenditure from such contributions is auditable, and is in accordance with associated S106 agreements or CIL policy as applicable.

9. Risks and Uncertainties

Policy relating to open space contributions is out to consultation at the time of writing, and therefore may still be subject to change. It is not yet known whether or how CIL will operate in Rotherham. The availability of funding from other sources is subject to change.

10. Policy and Performance Agenda

Sustainability: It is expected that new policy for open space contributions, including robust maintenance obligations, will help to ensure the sustainability of existing and new provision.

Corporate Priorities: The proposal seeks to safeguard future open space provision which contributes to the following Corporate Plan outcomes:-

- More people are physically active and have a healthy way of life
- People enjoy parks, green spaces, sports, leisure and cultural activities

11. Background Papers and Consultation

Policy development is being undertaken in conjunction with the Planning Policy team.

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 Tel: 822430, E-mail: philip.gill@rotherham.gov.uk

Rotherham Community Infrastructure Levy Viability & Infrastructure Study

Improving Places Board
24 July 2013

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01709 823824

What is CIL?

- Raise financial contributions to help pay for infrastructure needed as result of development.
- Payable on 'most buildings that people normally use'.
- Levied on net additional floorspace created.
- (Any new build that replaces existing floorspace that has been in recent use on the same site will be exempt from CIL, even if the new floorspace belongs to a higher-value use than the old.)
- As charging authority, Rotherham must produce draft charging schedule – sets our rates by development type / geographic area. Rates tested at examination.

Study Scope

- To provide economic viability evidence to inform CIL charge for Rotherham Borough
- CIL Rate Setting Process must:
 - “strike what appears to the charging authority to be an **appropriate balance between the desirability of funding infrastructure** and the potential effects of the imposition of the charge on the **economic viability of development across its area**”

Study objectives

- To enable us to decide:
 - The **viability assumptions** which reflect development currently taking place and sensitivity testing possible future changes;
 - The **infrastructure funding gap** to inform the CIL and initial consideration of a CIL Regs 123.
 - Proposed **CIL charge** to support the delivery of strategic infrastructure to enable growth to take place.

Study Approach

- Assess economic geography of Rotherham ... informs CIL charge zones.
- Consider impact of policies e.g. affordable housing, zero carbon and landscape management on viability assessment.
- Review 'infrastructure funding gap' figure ... consider effect of minimum threshold size of development on capturing s106 contributions to fund infrastructure delivery.

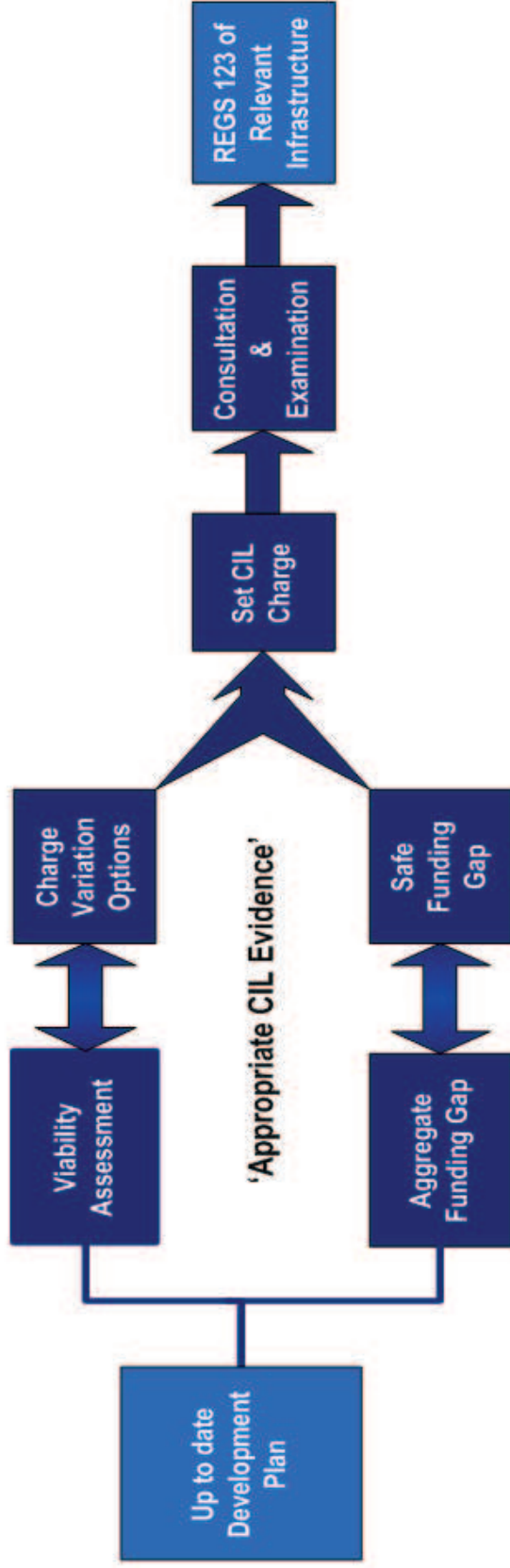
Key Inputs – from planners

- Affordable Housing Policy Level of 25% should be included
- Ensure all neighbourhoods affected by new development receive some neighbourhood funding
- Other Core Strategy policy requirements intentionally worded to allow degree of flexibility on viability
- Bassingthorpe Farm is critical to Plan delivery .. viability assessment should take account of higher on-site infrastructure needs

Key Inputs – from infrastructure providers

- Guidance required as to which mechanism (CIL or S106) would best support the delivery of critical infrastructure. In some instances it was still possible to use either.
- Particularly clarity needed on how best to support the delivery of Bassingthorpe Farm & ensure essential infrastructure both on site and off site was provided in a timely way.

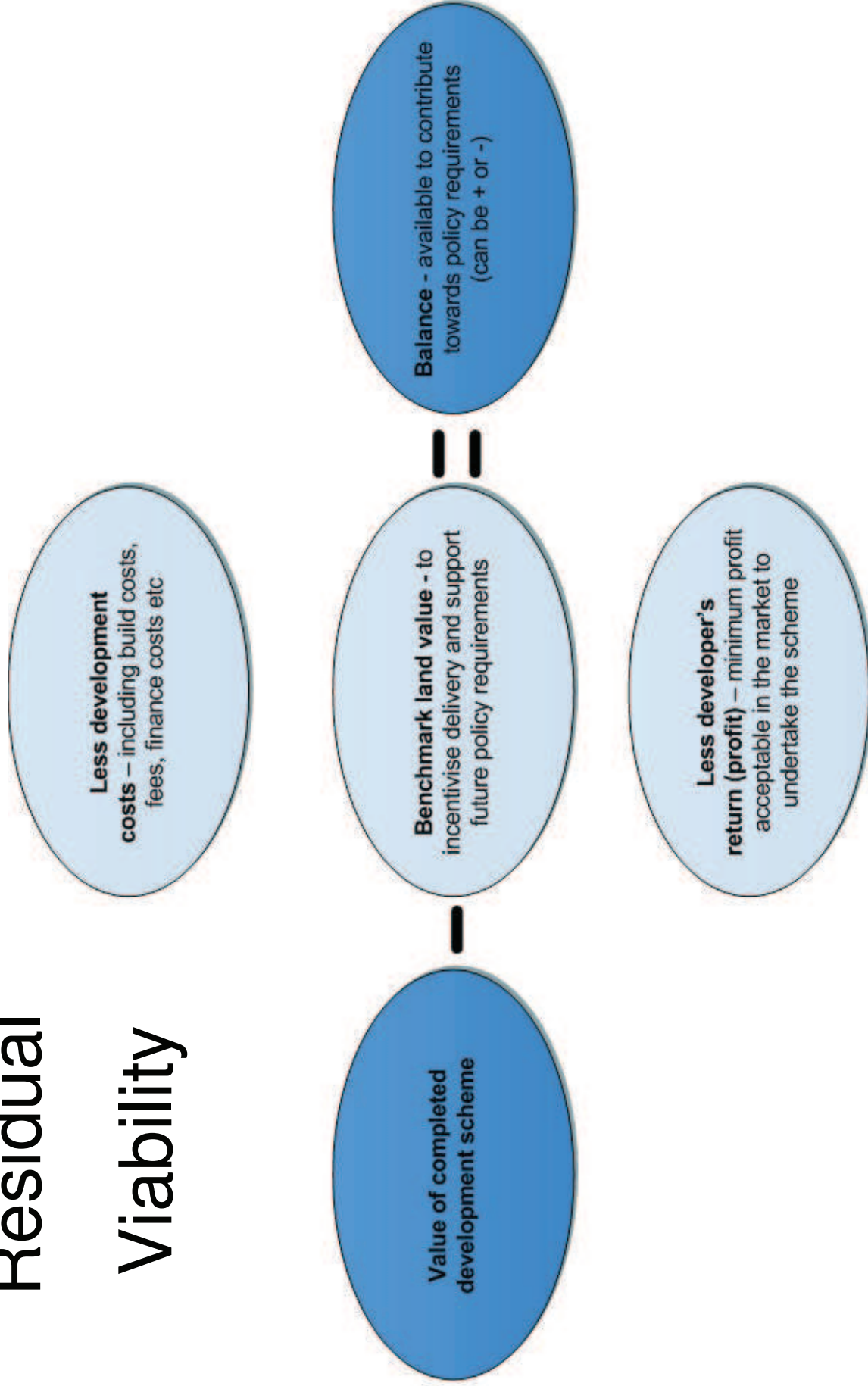
Evidence to inform CIL charging Schedule



Appraisal

- Used simple Residual Approach for both residential & commercial development.
- i.e.
 - Value of Development minus Development Costs (including policy costs).
 - Compare the ‘residual’ against a ‘threshold land value’ benchmark to determine the balance available to support CIL’.

Residual Viability



Appraisal (cont./)

- Area based approach – broad test of viability across the Borough but with sampling an appropriate range of sites, in particular strategic sites.
- For residential – assessed implications of affordable housing and other requirements.

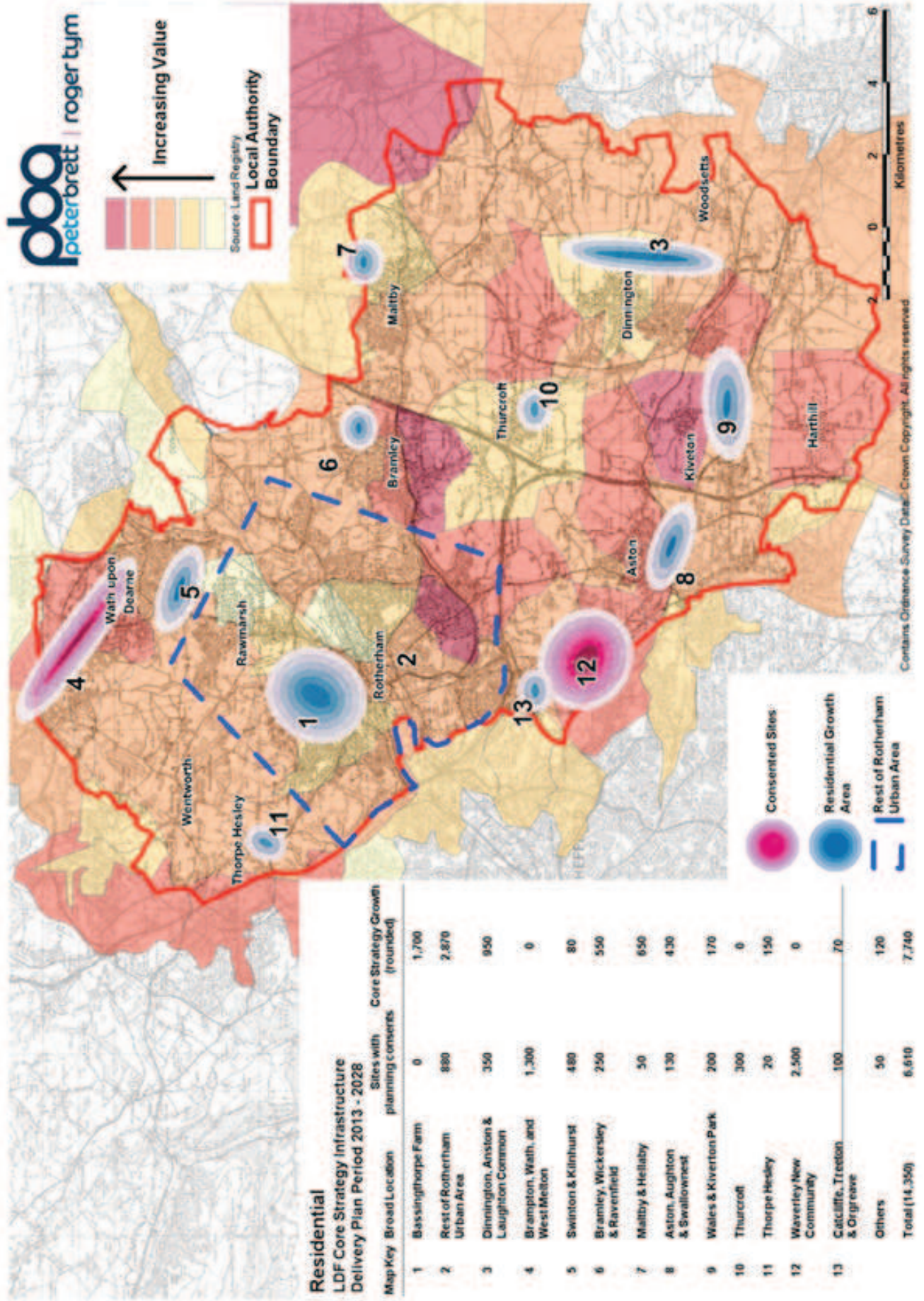
Appraisal Assumptions

- Proportion of net site area that is developable for housing (i.e. not required, for e.g. open space, infrastructure etc);
- Density of development;
- Level of affordable housing & the mix of shared ownership, affordable rented and social rented;
- Average size of houses;
- Build cost per sq.m;
- Sales value per sq.m;
- Sales rates
- Threshold land value per net hectare;
- Typical S106 / S278 costs;
- Costs for site opening costs (for Bassingthorpe Farm)
- Professional fees;
- Costs of sales and marketing; and
- Finances costs.

Steps to Setting Charge Zones

1. Look at current new residential house prices.
2. Mapped these house prices and overlaid the proposed planned growth.
3. Talked to agents, developers and officers. Together with Land Registry data ... allowed sense testing emerging assessment and refine the CIL charge zones.
4. Tested this approach through formal development appraisals.

Figure 5.7 Planned Growth and Sales Value Heat Map for Rotherham



CIL Charge Zones & Local Plan Proposed Developments

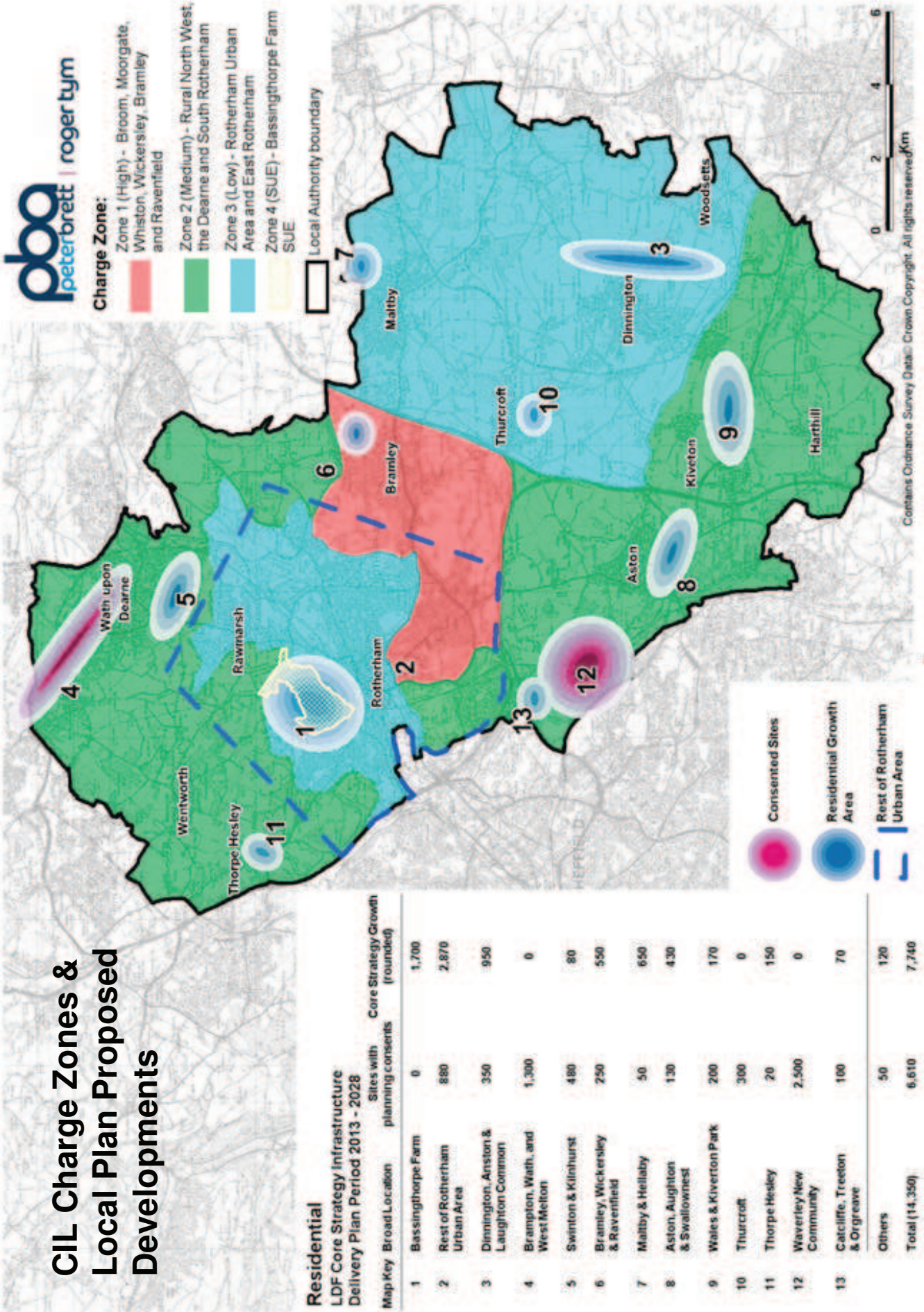
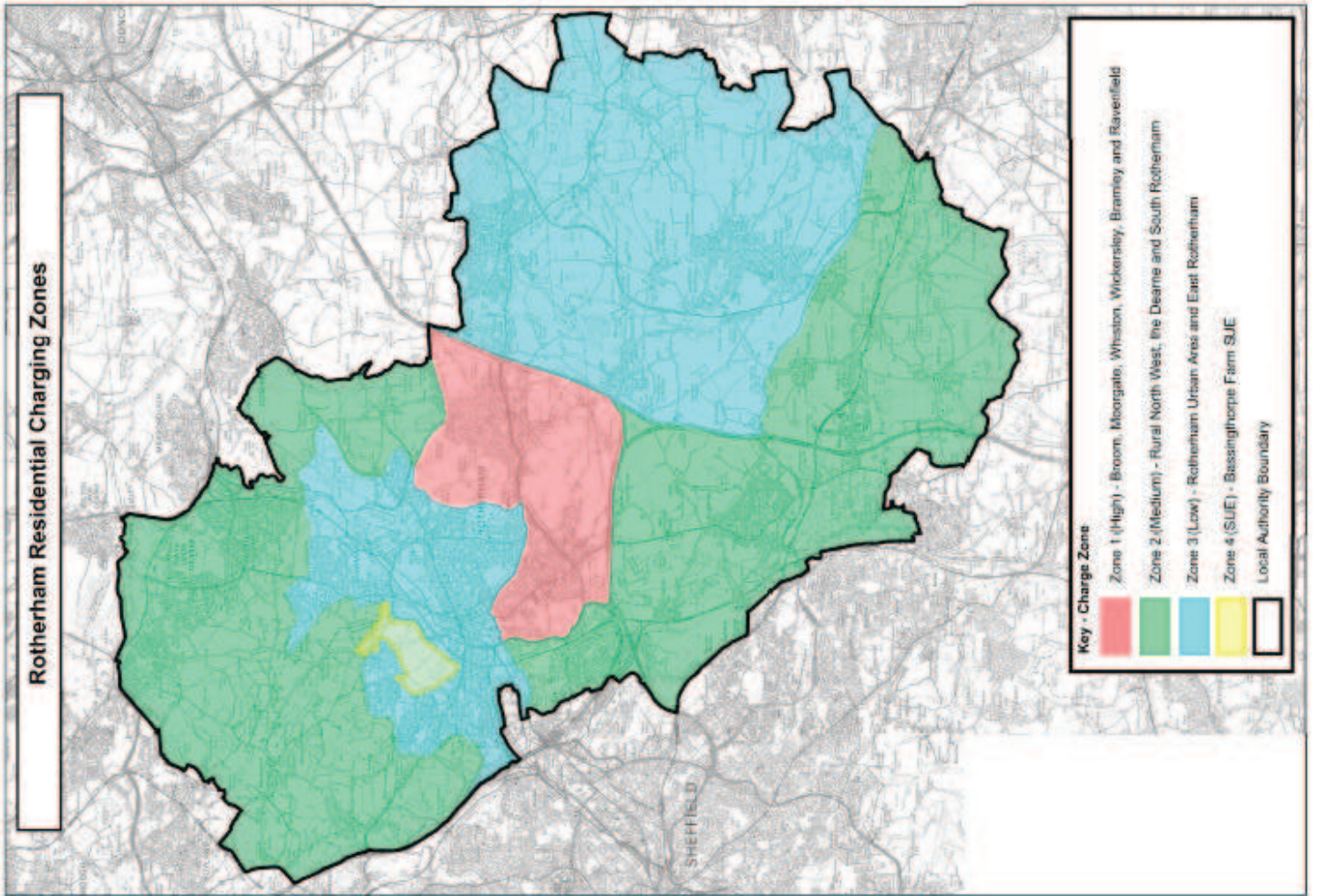


Table 8.1 Proposed Charging Schedule

Proposed Charging Zone		Proposed Rate £psm
Residential Zone 1 High	Broom, Moorgate, Whiston, Wickersley, Bramley and Ravenfield	£65
Residential Zone 2 Medium	Rural North West, the Dearne and South Rotherham.	£30
Residential Zone 3 Low	Rotherham Urban Area and East Rotherham	£15
Residential Zone 4	Bassingthorpe Farm Strategic Site	£15
	Supermarket convenience stores	£60
	Retail warehouse	£30
	All other uses	£0psm



Projected CIL Revenue

Table 8.2 Rotherham CIL Revenue Projections based on recommended CIL charges

	CIL Charge £ per sq.m	No. units in plan period (note 1a)	Market units (note 1b)	Unit floorspace (sq. m) (note 2)	Gross floorspace (sq. m) (note 3)	Estimated net additional floorspace (sq. m)	Estimated net additional proportion	Estimated net additional floorspace (sq. m)	Estimated CIL revenue in plan period	Estimated annual CIL revenue
Residential										
Houses										
<i>high zone</i>	65	1,518	1214	110	133,584	126,905	95%	126,905	£8,248,812	£749,892
<i>mid zone</i>	30	2,392	1914	100	191,360	181,792	95%	181,792	£5,453,760	£495,796
<i>low zone</i>	15	2,558	2046	95	194,408	184,688	95%	184,688	£2,770,314	£251,847
<i>Bassingthorpe Farm SUE</i>	15	1,700	1360	110	149,600	142,120	95%	142,120	£2,131,800	£193,800
Non-residential										
Retail warehouses	30				8,000	7,600	95%	7,600	£228,000	£20,727
Supermarkets	60				6,439	3,220	50%	3,220	£193,170	£17,561
Offices & Industrial	-					-		-	£0	£0
Other chargeable	-					-		-	£0	£0
Total		8,168							£19,025,856	£1,729,623

Note 1a: taken from the Core Strategy and adjusted for additional allocation by client team - July 2013

Note 1b: affordable housing is not liable for CIL. We assume that an average of 20% affordable housing is achieved.

Note 2: the average unit size is based on our analysis of new build properties

Note 3: office and industrial floorspace relates to the figure is based on the Core Strategy.

Note 4: CIL is levied on net additional floorspace, so an allowance is made for existing buildings demolished to make way for new development.

Note 5: Parish council CIL allowance

Updated Infrastructure Delivery Schedule

Rotherham Infrastructure Schedule - July 2013 update	Priority	Capital or revenue?	Known gross cost	Known / reasonably anticipated funding via mainstream / public agency	S106 already collected / agreed towards this cost	CIL Infrastructure Funding Gap	Regs 123 list CIL	Regs 123 list s106
(A) TRANSPORT - HIGHWAY								
Signalise A629 Wortley Road/Oaks Lane give way junction	Essential	Capital	£350,000	£0	£0	£350,000	350,000	
Signalise Fenton Road roundabout	Essential	Capital	£1,250,000	£0	£0	£1,250,000	1,250,000	
Convert Pool Green roundabout to signalised crossroads	Essential	Capital	£4,911,216	£3,438,000	£0	£1,473,216	1,473,216	
Signalise Ickles roundabout	Essential	Capital	£1,250,000	£0	£0	£1,250,000	1,250,000	
Signalise Masons Roundabout, Wickersley	Essential	Capital	£1,250,000	£0	£0	£1,250,000	1,250,000	
Additional left turn lane from B6090 Wentworth Road in A633 Warren Vale	Essential	Capital	£300,000	£0	£0	£300,000	300,000	
Signalise Cumwell Lane give way junction	Essential	Capital	£250,000	£0	£0	£250,000	250,000	
Signalise Rotherway roundabout	Essential	Capital	£1,000,000	£0	£0	£1,000,000	1,000,000	
Sub total Highways			£10,561,216	£3,438,000		£7,123,216	£7,123,216	£0
PUBLIC TRANSPORT								
Sustainable Travel Measure @ £500 per dwelling that is not in a sustainable location	Essential	Revenue	£1,935,000			£1,935,000	1,935,000	£0
Key Route Bus - Rotherham - Thrybergh (Rest of Rotherham) DfT bid	Desirable	Capital	£5,750,000	£4,000,000		£1,750,000	1,750,000	

Infrastructure Schedule - July 2013 update	Priority	Capital or revenue?	Known gross cost	reasonably anticipated funding via mainstream / public agency	already collected / agreed towards this cost	CIL Infrastructure Funding Gap	Regs 123 list CIL	Regs 123 list s106
Key Route Bus - Rotherham to Dearn DFT bid	Desirable	Capital	£3,450,000	£1,100,000		£2,350,000	2,350,000	
Key Route Bus - Rotherham - Maltby (sites 6 & 7)	Desirable	Capital	£1,600,000	£0		£1,600,000	1,600,000	
Key Route Bus - Rotherham - Swallownest (sites 8 & 9)	Desirable	Capital	£650,000	£0		£650,000	650,000	
Key Route Bus - Rotherham to Chapelton (site 11)	Desirable	Capital	£1,150,000	£0		£1,150,000	1,150,000	
Sub total Transport			£14,535,000	£5,100,000		£9,435,000	£9,435,000	
(B) EDUCATION								
Bassingthorpe Farm - new primary and nursery	Essential	Capital	£5,500,000	£0	£0	£5,500,000		£5,500,000
Bassingthorpe Farm - secondary extension	Essential	Capital	£1,400,000	£0	£0	£1,400,000		£1,400,000
Dinnington, Anston & Laughton Common - primary extension	Essential	Capital	£200,000	£100,000		£100,000	£100,000	
Dinnington, Anston & Laughton Common - secondary extension	Essential	Capital	£300,000	£150,000		£150,000	£150,000	
Maltby - Primary extension	Essential	Capital	£928,000	£464,000		£464,000	£464,000	
Bramley, Wickersley & Ravenfield - primary extension	Essential	Capital	£1,160,000	£580,000		£580,000	£580,000	
Bramley, Wickersley & Ravenfield - secondary extension	Essential	Capital	£1,160,000	£580,000		£580,000	£580,000	
Wales & Kiverton Park -	Essential	Capital	£232,000	£116,000		£116,000	£116,000	

Infrastructure Schedule - July 2013 update	Priority	Capital or revenue?	Known gross cost	reasonably anticipated funding via mainstream / public agency	already collected / agreed towards this cost	CIL Infrastructure Funding Gap	Regs 123 list CIL	Regs 123 list s106
primary extension								
Wales & Kiverton Park - secondary extension	Essential	Capital	£232,000	£116,000		£116,000	£116,000	
Catcliffe, Treeton & Orgreave - secondary extension	Essential	Capital	£232,000	£116,000		£116,000	£116,000	
Rotherham Central schools	Essential	Capital	£4,000,000	£2,000,000		£2,000,000	£2,000,000	
Special education needs	Essential	Capital	£220,000	£0		£220,000	£220,000	
Sub total Education			£15,564,000	£4,222,000		£11,342,000	£4,442,000	£6,900,000
(C) HEALTH								
Bassingthorpe Farm - new surgery	Essential	Capital	£2,000,000	£1,000,000		£1,000,000	1,000,000	
Rest of Rotherham - redevelopment of Dalton surgery	Essential	Capital	£2,000,000	£1,000,000		£1,000,000	1,000,000	
Dinnington, Anston & Laughton Common - new health centre	Essential	Capital	£3,500,000	£1,750,000		£1,750,000	1,750,000	
Catcliffe, Orgreave & Treeton - redevelopment of Treeton	Essential	Capital	£2,000,000	£1,000,000		£1,000,000	1,000,000	
Sub total Health			£9,500,000	£4,750,000		£4,750,000	4,750,000	£0
(D) RECREATION								
Children's Play	Desirable	Capital	£7,363,155	£5,154,209		£2,208,947		
pathworks	Desirable	Capital	£1,026,890	£718,823		£308,067		
fencing gates and access controls	Desirable	Capital	£1,329,615	£930,731		£398,885	2,087,496	£2,087,496
MUGAs (including lighting)	Desirable	Capital	£1,408,388	£985,871		£422,516		

Rotherham Infrastructure Schedule - July 2013 update	Priority	Capital or revenue?	Known gross cost	Known / reasonably anticipated funding via mainstream / public agency	S106 already collected / agreed towards this cost	CIL Infrastructure Funding Gap	Regs 123 list CIL	Regs 123 list s106
Youth Shelters	Desirable	Capital	£106,950	£74,865		£32,085		
BMX/Skate	Desirable	Capital	£569,025	£398,318		£170,708		
Local Sports Facilities	Desirable	Capital	£661,380	£462,966		£198,414		
Lighting/CCTV	Desirable	Capital	£364,555	£255,189		£109,367		
General Landscape/Environment	Desirable	Capital	£376,643	£263,650		£112,993		
Project Development	Desirable	Capital	£103,375	£72,363		£31,013		
Allotments	Desirable	Capital	£606,664	£424,665		£181,999		
Strategic parks, sports, GI	Desirable	Capital	£9,333,750	£7,467,000		£1,866,750	£1,866,750	
Sub total Recreation			£23,250,389	£17,208,648		£6,041,742	3,954,246	£2,087,496
(E) LIBRARY & COMMUNITY								
Bassingthorpe Farm - redevelopment of Greasborough Library	Desirable	Capital	£496,800	£248,400		£248,400	248,400	
Rest of Rotherham - various	Desirable	Capital	£393,300	£196,650		£196,650	196,650	
Dinnington, Anston & Laughton Common - extension	Desirable	Capital	£107,640	£53,820		£53,820	53,820	
Swinton & Kilnhurst - extension	Desirable	Capital	£60,548	£30,274		£30,274	30,274	
Bramley, Wickersley & Ravenfield - extension	Desirable	Capital	£94,185	£47,093		£47,093	47,093	
Maltby & Hellaby - refurbishment	Desirable	Capital	£80,730	£40,365		£40,365	40,365	
Aston, Aughton & Swallowneest - refurbishment	Desirable	Capital	£60,548	£30,274		£30,274	30,274	
Wales & Kiverton Park - refurbishment	Desirable	Capital	£40,365	£20,183		£20,183	20,183	

Rotherham Infrastructure Schedule - July 2013 update	Priority	Capital or revenue?	Known gross cost	Known / reasonably anticipated funding via mainstream / public agency	S106 already collected / agreed towards this cost	CIL Infrastructure Funding Gap	Regs 123 list CIL	Regs 123 list s106
Thurcroft - refurbishment	Desirable	Capital	£33,638	£16,819		£16,819	16,819	
Community building facilities - various	Desirable	Capital	£1,276,330	£638,165		£638,165	638,165	
Sub total Libraries and Community			£2,644,084	£1,322,042		£1,322,042	1,322,042	£0
(F) EMERGENCY, WASTE and FLOOD DEFENCE								
Expansion of existing police stations at Dinnington and Wath	Essential	Capital	£500,000	£250,000		£250,000	250,000	
Fire for Rest of Rotherham and Bassingthorpe Farm	Essential	Capital	£3,000,000	£1,500,000		£1,500,000	1,500,000	
Rotherham Renaissance Flood Defence Line	Essential	capital	£15,000,000	£0		£15,000,000	15,000,000	
Waste collection and disposal	Essential	Capital	£1,418,258	£709,129		£709,129	709,129	
Sub total Emergency, Waste and Flood Defence			£19,918,258	£2,459,129		£17,459,129	17,459,129	
TOTAL INFRASTRUCTURE			95,972,947	38,499,819		57,473,129	48,485,633	8,987,496

Next Step

- Consultation on ‘Preliminary Draft Charging Schedule’
 - 5th August – 7th October
- Web based consultation.
 - Targeted at infrastructure providers, landowners, agents, developers, adjacent local authorities, parish councils (‘meaningful proportion’ – neighbourhood fund) and general public.

Community Infrastructure Levy Timetable		
Stage	Date	Outcomes
<ul style="list-style-type: none"> Evidence Gathering. 	September 2011 – June 2013	<ul style="list-style-type: none"> Infrastructure Delivery Study. Whole Plan Viability Study. CIL Viability Report.
<ul style="list-style-type: none"> Preparation of a Preliminary Draft Charging Schedule. 	May – July 2013	<ul style="list-style-type: none"> Preliminary Draft Charging Schedule.
<ul style="list-style-type: none"> Statutory consultation on Preliminary Draft Charging Schedule (6 weeks). 	August – October 2013	<ul style="list-style-type: none"> Stakeholder input and Council response.
<ul style="list-style-type: none"> Statutory consultation on Draft Charging Schedule (6 weeks consultation). 	January – February 2014	<ul style="list-style-type: none"> Stakeholder input and Council response.
<ul style="list-style-type: none"> Draft Charging Schedule Submitted to Planning Inspectorate. 	April 2014	<ul style="list-style-type: none"> Submission of Draft Charging Schedule to Planning Inspectorate.
<ul style="list-style-type: none"> Independent Examination. 	June 2014	<ul style="list-style-type: none"> Independent examination of a Draft Charging Schedule.
<ul style="list-style-type: none"> Council Approval. 	September 2014	<ul style="list-style-type: none"> The council approves a Charging Schedule and begins collecting the levy.

Document is Restricted