

12 March 2024 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor S J Robinson (Chair and Leader)
Councillor M C Goldman (Connected Chelmsford
and Deputy Leader)

and Councillors

Councillor N Dudley (Active Chelmsford)
Councillor L Foster (Fairer Chelmsford)
Councillor I Fuller (Growing Chelmsford)
Councillor R Moore (Greener and Safer Chelmsford)

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City.

There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Dan Sharma-Bird in the Democracy Team on Chelmsford (01245) 606523 email dan.sharma-bird@chelmsford.gov.uk

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THE CABINET

12 March 2024

AGENDA

PART 1 – Items to be considered when the public are likely to be present

1. Apologies for Absence

2. Declarations of Interest

All Members must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. Minutes and Decisions Called in

Minutes of meeting on 30 January 2024. No decisions had been called in.

4. Public Questions

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Cabinet is responsible. The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk at least 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

5. Members' Questions

To receive any questions or statements from councillors not members of the Cabinet on matters for which the Cabinet is responsible.

6. Connected Chelmsford Items

6.1 Discretionary Business Rate Relief Policy 2024/25

6.2 Community Funding Scheme 2024/25: Discretionary Grant allocations to voluntary and community organisations.

7. Fairer Chelmsford Items

7.1 Temporary Accommodation Procurement and Policy Statement

7.2 Tenancy Strategy

8. Leaders Item

8.1 Proposed change to the Constitution

9. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency and which does not constitute a key decision.

10. Reports to Council

The officers will advise on those decisions of the Cabinet which must be the subject of recommendation to the Council.

PART 2 (Exempt Items)

To consider whether to exclude the public from the meeting during the consideration of the following matters, which contain exempt information within the category of Part 1 of Schedule 12A to the Act indicated:

11. Fairer Chelmsford Item

11.1 YMCA Funding Request

Category: Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding the information)

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains information that is commercially sensitive and to place the information in the public realm will be detrimental to the negotiations to be undertaken by the Council.

12. Growing Chelmsford Item

12.1 Changes to the Council's Allocating and Spending CIL Document in relation to Chelmsford Garden Community

Category: Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding the information)

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains information that is commercially sensitive and to place the information in the public realm will be detrimental to the negotiations to be undertaken by the Council.

MINUTES OF CHELMSFORD CITY COUNCIL CABINET

on 30 January 2024 at 7pm

Present:

Cabinet Members

Councillor S Robinson, Leader of the Council (Chair)
Councillor M Goldman, Deputy Leader and Cabinet Member for Connected Chelmsford
Councillor N Dudley, Cabinet Member for an Active Chelmsford
Councillor L Foster, Cabinet Member for a Fairer Chelmsford
Councillor I Fuller, Cabinet Member for a Growing Chelmsford
Councillor R Moore, Cabinet Member for a Greener and Safer Chelmsford

Opposition Spokespersons

Councillors, J Jeapes, J. Raven, M Steel, S Sullivan, A, Thorpe-Apps, R Whitehead and P. Wilson

Also present: Councillors H Clark, C Davidson, D Eley, S Goldman, J Hawkins, R Hyland, B Massey, A Sosin and M Taylor

1. Apologies for Absence

No apologies for absence were received.

2. Declarations of Interest

Members of the Cabinet were reminded to declare at the appropriate time any pecuniary and non-pecuniary interests in any of the items of business on the meeting's agenda.

3. Minutes and Decisions Called-in

The minutes of the meeting on 14 November 2023 were confirmed as a correct record.

4. Public Questions

No public questions were asked at the meeting.

5. Members' Questions

Two questions were asked at this point of the meeting and other questions were asked by Councillors under the relevant items. Cllr Massey asked about the projected cost detailed in the Budget report of £6.8m for the development of the crematorium. They asked that given

the increase in low-cost no fuss cremations, and the time of financial stringency, was this a service the City Council should be investing nearly £11m of taxpayers money into. In response the Cabinet Member for a Greener and Safer Chelmsford stated that the Capital Programme was not as restrictive as the revenue budget, but of course the Council would only proceed, if there was a sound business case. They also stated that the important local service operated at no net cost to taxpayers and there would be a reasonable payback on any investment made.

Cllr Massey asked a second question regarding litter on the side of the A132 near the Rettendon Turnpike and asked if the litter picking schedule for that area could be shared with South Woodham Ferrers Town Council. In response, the Cabinet Member for a Greener and Safer Chelmsford agreed to send the schedule after the meeting.

6.1 Annual Council Tax Support Scheme (Connected Chelmsford)

Declarations of interest:

None.

Summary:

The Cabinet was informed that the Council was required to approve, by 11 March 2024, a Local Council Tax Support Scheme for 2024-25. It was proposed that the Scheme adopted for 2023-24 be retained in its current form.

Options:

Retain the present scheme or adopt an amended version.

Preferred option and reasons:

The existing scheme would be affordable to the Council and fair to recipients of Council Tax support.

Discussion:

The Cabinet heard that the Council would of course prefer to make the scheme more generous, but this was not possible in the current financial climate. In response to a question on if the scheme supported more or less working age households than in previous years, the Cabinet Member for Connected Chelmsford, stated this would depend on who applied for support. They detailed that there had been a more significant drop in those asking for support that were of pensionable age rather than working age. In response to a further question on possible changes to the Council Tax Reduction Scheme regulations, the Cabinet Member for Connected Chelmsford stated they would look into this and send a response after the meeting.

RECOMMENDED TO THE COUNCIL that the Local Council Tax Support Scheme for 2023-24 be retained as the Scheme for 2024-25.

(7.03pm to 7.08pm)

6.2 Council Tax premiums on second homes and empty properties (Connected Chelmsford)

Declarations of interest:

None.

Summary:

The Cabinet considered a report asking them to confirm the extension, as agreed by Cabinet and Full Council in 2023, of Council Tax premiums levied in respect of empty properties once a property has been empty and unfurnished for 12 months or if a property is empty, substantially furnished and nobody's main residence (a second home), and to clarify implementation dates and exceptions.

Options:

1. To confirm the implementation dates of extended 100% Council Tax premiums as detailed in the recommendations.
2. To agree local exceptions to the 100% Council Tax premiums as detailed in the recommendations.
3. To note proposed statutory exceptions to the 100% Council Tax premiums and agree delegated powers to implement them.

Preferred option and reasons:

The changes would use financial penalties as a method to encourage owners to bring under-used accommodation back into general residential use. Having declared a housing crisis in February 2022. The Council is obliged to use appropriate available methods to increase the supply of residential accommodation to its residents.

Discussion:

In response to a question on what would happen if an owner was to move back into a property for two months and whether that would stop the clock on any financial penalties, the Cabinet Member for Connected Chelmsford, stated they would ask officers this question and then respond after the meeting. In response to a further question the Cabinet Member for Connected Chelmsford stated that they were only aware of the local exception listed in the report.

RECOMMENDED TO THE COUNCIL that

1. That the imposition of a Council Tax premium of 100% after a property has been empty and unfurnished for 12 months is effective from 1 April 2024.
2. That the imposition of a Council Tax Premium of 100% in respect of unoccupied dwellings, which are substantially furnished and nobody's main residence (second homes), is effective from 1 April 2025.

RESOLVED that Cabinet notes the proposed statutory exceptions to the imposition of Council Tax premiums and agrees an additional local exception in respect of second homes where planning constraints do not permit sale or lease of a property.

(7.08pm to 7.13pm)

7.1 Private Rented Sector Offer Policy (Fairer Chelmsford)

Declarations of interest:

None.

Summary:

The Cabinet considered a report which detailed a Private Rented Offer Policy which provided a framework to effectively enable the Council to end their main homelessness duty with an offer of accommodation within the Private Rented Sector, without the applicant's consent.

Options:

1. Approve the Private Rented Sector Offer Policy as presented.
2. Approve the Private Rented Sector Offer Policy with amendments.
3. Decline to approve the Private Rented Sector Offer Policy.

Preferred option and reasons:

Option 1 was the preferred option as the policy provides the Council with the opportunity to discharge homelessness duties through offers of accommodation into the private rented sector and extending accessible housing options outside of the District.

Discussion:

The Cabinet heard that this was an option now that the Council needed to action, it had been checked by Counsel and would offer further assistance to those who may wish to move elsewhere and not remain in Chelmsford. In response to a question, the Cabinet Member for a Fairer Chelmsford stated that, they were not expecting large numbers to benefit from the change in policy, but it would help some and figures could be reported back in the future. In response to a further question on building new Council housing, the Cabinet Member for a Fairer Chelmsford stated that, the main issues continued to be a lack of suitable land, funding and speed. It was noted that housing issues were a current problem, not a future one and strategies such as this one would help to alleviate the problem.

RESOLVED that the Private Rented Sector Offer Policy be approved as presented.

(7.13pm to 7.19pm)

8.1 Revocation of Air Quality Management Areas (Greener and Safer Chelmsford)

Declarations of interest:

None.

Summary:

The Cabinet considered a report which asked them to consider the revocation of the two AQMA's in the area of Chelmsford City Council at the Army and Navy and A414 Maldon Road, Danbury, following the production of a report for the Department for Environment, Food and Rural Affairs (DEFRA) regarding Air Quality Management Areas (AQMA).

Options:

1. To revoke of the Air Quality Management Areas.
2. To retain the Air Quality Management Areas.

Preferred option and reasons:

Option 1 was the preferred option as following a review of the air quality monitoring data and the air quality technical guidance it was considered appropriate to revoke both the AQMAs at The Army and Navy and at A414 Maldon Road, Danbury.

Discussion:

The Cabinet Member for a Greener and Safer Chelmsford stated that work would still continue to monitor and improve the air quality in Chelmsford, but that at these two sites the situation had improved to the point where the AQMA's could be revoked. They also thanked officers for their hard work in this area and for the detailed appendix that accompanied the report. In response to questions, the Cabinet Member for a Greener and Safer Chelmsford stated that sites would continue to be monitored for any increases as there was a duty to do so under the Council's Air Quality Strategy. They also stated that if levels were to increase then they would act again, but across Essex there had been a generally positive trend in recent years.

RESOLVED that the Director of Public Places be authorised to revoke the two Air Quality Management Areas within the Chelmsford City Council area.

(7.20pm to 7.25pm)

9.1 Travelling Showperson Sites Planning Advice Note (Growing Chelmsford)

Declarations of interest:

None.

Summary:

The Cabinet considered a report that presented feedback from consultation on the Council's Travelling Showperson Sites Planning Advice Note and that sought their approval for the proposed changes and publication of the Note.

Options:

1. Cabinet agrees the proposed changes to the Planning Advice Note attached at Appendix 3 of this report and approves the publication of the Travelling Showperson Sites Planning Advice Note in accordance with those changes, pending any subsequent minor textual, presentation or layout amendments to the final version.
2. Cabinet do not agree the proposed changes to the Planning Advice Note attached at Appendix 3 of this report and approve the publication of the Travelling Showperson Sites Planning Advice Note without the changes, pending any subsequent minor textual, presentation or layout amendments to the final version.
3. Cabinet does not approve the publication of a Travelling Showperson Sites Planning Advice Note.

Preferred option and reasons:

Option 1 was the preferred option as the Planning Advice Note would help meet the Council's responsibility to identify and address the accommodation needs of different groups of the community, including Travelling Showpeople.

Discussion:

The Cabinet Member for a Growing Chelmsford stated that the advice note supported the Local Plan and Planning Obligations Supplementary document, and provided answers and guidance for emerging sites, of which there were 24 plots within various strategic sites in the Local Plan. The Cabinet heard that the advice note would ensure sites were delivered to the high standards expected for residential sites and would suit the lifestyle of residents.

RESOLVED that Cabinet approve for publication the Travelling Showperson Sites Planning Advice note set out at Appendix 2 of the report with the changes set out at Appendix 3.

(7.25pm to 7.28pm)

10.1 2024/25 Budget (Leader)**Declarations of interest:**

None.

Summary:

The report to the meeting contained recommendations for the setting of the Revenue and Capital Budgets for 2023-24 and the level of Council Tax for that year.

Options:

Agree or vary the proposals contained within the report but with regard to the financial sustainability of any amendments.

Preferred option and reasons:

The recommended budget would be prudent and in the best financial interests of the city.

Discussion:

The Leader of the Council introduced the 2024/25 Budget and started by thanking the Finance team and all budget holders across the Council, who had helped with proposals to save money, with ways that affected service levels as little as possible. They also thanked all Chelmsford City Council staff, who played a key role in running services for the district, through challenging recent years and highlighted that the staff at Chelmsford often went above and beyond what was expected of them.

The Leader highlighted the recent financial impacts of the pandemic and inflation that had significantly impacted the Council. They highlighted the budget gap of £7.5m, detailed the changes they would be making and stated that as referred to by Council Leaders across the Country, that the next budget cycle would be the last one where the books could be balanced without significant changes to services. They detailed a number of proposed actions, which included the use of reserves, business rate retention income, a review of the Capital programme, increases to fees and charges and further efficiencies, which had helped to set a balanced budget for 2024/25.

The Leader stated that central Government funding had continued to fall in real terms, with all Council's significantly worse off as a result, and highlighted the continue lobbying across the Country for greater assistance from the Government. They also referred to the estimated extra £226k that would be received. It was stated that this would be used to remove the planned reduction in frequencies of street cleaning and that the recommendation would be amended accordingly to reflect this.

The Cabinet Member for a Fairer Chelmsford detailed the challenges faced by the Council in preventing homelessness and providing temporary accommodation. They detailed the assumption that by March 2025, 620 households would be in temporary accommodation and that this was a best working assumption. They highlighted the ever rising costs in this area and stated that they recognised the problem and as a result were reviewing policies and had formed a Council wide Housing action group.

The Leader detailed other cost pressures such as the rise in minimum wage and also highlighted the budget reductions that had been achieved in each of the last 5 years, in total leading to £6m of annual savings on the base budget since 2019. The Cabinet also heard that the Capital and Investment programmes remained ambitious, with tree planting, affordable homes, homelessness prevention and other areas still at the forefront of the Council's future. They also detailed that even with potential borrowing being required in the future, the Council's debt would rise to 3.4x of its core spending, compared to the current 1.6x but still much lower than the County wide average of 5x. The Leader also referred the Cabinet to Section 8 of the report which detailed the view from the S151 Officer that the proposed budget was both robust and sustainable.

In response to a question on the £4m element of the aspirational budget for the Army and Navy redevelopment and the Council's commitment to the project, the Leader stated that this had been placed in this section as the money was simply not yet required by the County Council. It was stated that if the £4m had been placed in the revenue budget, then this would have led to costs of £400k each year and by not doing so it meant that a decision could be made at a later date instead as it was beyond the 3 year Medium Term Financial plan currently.

The Leader of the Opposition stated that they would save their detailed questions for discussion at the next Full Council meeting, but did highlight that their group understood the budget problems being faced by all Councils, especially on issues such as homelessness. They also referred to the increases in fees and charges and highlighted that the specific figures hadn't been detailed, in response the Leader agreed to share this information. The Deputy Leader of the Council highlighted the continued problems with Central Government and Civil servants not understanding the intricacies of Local Government finance and stated that it would be much easier if Central Government had a greater understanding of the issues being faced by all Council's.

In response to a further question on four housing budgets, being grouped together, it was confirmed that this was simply for reporting purposes and to make it clear what the housing budgets were, but that no delegations had been changed.

RECOMMENDED TO THE COUNCIL that:

1. the contents of Appendix 1 to the report to the meeting, the Budget Report, be approved, and specifically the following be agreed:
 - i. The new Capital investments in Council services shown in **Section 5**

- ii. The delegations to undertake the new capital schemes identified in **Section 5**, Tables 13 and 13a.
- iii. The Revenue Budgets in **Section 10** and Capital Budgets in **Section 11**
- iv. An increase in the average Band D level of Council Tax for the City Council to £221.52, the maximum allowed before a referendum, in **Section 9**
- v. The movement in reserves shown in **Section 7**
- vi. The Budget forecast in **Section 7** and **Section 8** the s151 officer's review of the budget, which Members are required to note.
- vii. Special expenses, parish and Town Council's precepts as identified in **Section 9**, Table 22 (Parish precepts are not available until Full Council).
- viii. Delegation to the Chief Executive to agree, after consultation with the Leader of the Council, the pay award for 2024/25 within the normal financial delegations.

RESOLVED that:

1. A delegation to the S151 Officer to update the budget report for parish precepts, changes to final Government settlement, Business Rate Retention income, following completing of NNDR1 statutory return to Government, and new Parish precepts after consultation with the Cabinet Member for a Fairer Chelmsford.
2. A delegation to S151 officer to prepare a legal resolution for submission to Council for consideration after consultation with the Cabinet Member for a Fairer Chelmsford.
3. A delegation to S151 officer in consultation with the leader, authority to amend the budget report to Council, should the extra Government funding for 2024/25 exceed £95,000 then the proposal to reduce Street Care frequencies proposed in the budget should not be implemented. The saving will be removed. Any of the extra funding not utilised will reduce the use of unearmarked reserves in 2024/25.

(7.29pm to 8.05pm)

10.2 Capital, Treasury Management & Investment Strategies 2024/25 (Leader)

Declarations of interest:

None.

Summary:

The Cabinet received a report setting out a proposed approach to the management of the Council's cash, capital investments (the capital expenditure programme) and other types of investment, including property.

Options:

1. Accept the recommendations contained within the report
2. Recommend changes to the way the Council's investments are to be managed

Preferred option and reasons:

The proposed Strategies met statutory requirements for the production of a treasury management strategy that achieved an acceptable balance between risk and return and capital and investment strategies that ensured the proper financial management of the Council's resources.

RECOMMENDED TO THE COUNCIL that the Capital, Treasury and Investment Strategies 2024-25 as submitted to the meeting be approved.

(8.06pm to 8.09pm)

11. Urgent Business

There were no items of urgent business.

12. Reports to Council

Items 6.1, 6.2, 10.1 & 10.2 were subject of a report to Council.

The meeting closed at 8.09pm

Chair



Chelmsford City Council Cabinet

12 March 2024

Discretionary Business Rate Relief Policy 2024/25

Report by:

Cabinet Member for Connected Chelmsford

Officer Contact:

Rob Hawes, Revenue and Benefit Services Manager, 01245 606695,
robert.hawes@chelmsford.gov.uk

Purpose

To amend the existing Discretionary Business Rate Relief policy to give effect to changes to business rates reliefs announced by the Government.

Options

- 1 To agree the proposed amendments
- 2 To reject the proposed amendments

Recommendation

That the Discretionary Rate Relief Policy 2024/2025, attached as Appendix A, is agreed.

1. Background

- 1.1. The Government does not often change the legislation regarding business rates discounts and reliefs. Instead, it generally requests that local authorities use discretionary relief powers which were introduced by the Localism Act (under s47 of the Local Government Finance Act, as amended) to give effect to additional measures. In return for this, Government commits to fully reimburse local authorities for the cost of granting these various discretionary reliefs by way of grants under s31 of the Local Government Act 2003.
- 1.2. In situations where the Government does alter legislation, discretionary relief policies need to be amended accordingly.
- 1.3. In addition, local authorities can exercise their discretionary powers to reduce the business rate liabilities of any other organisations it chooses. The cost of such discretion is borne wholly by the local authority.
- 1.4. As a result, Chelmsford City Council's discretionary rate relief policy contains a mixture of local and national policy priorities.

2. Amendments to the existing policy

- 2.1. For ease of reference, the proposed policy has been attached as Appendix A and the existing policy as Appendix B. Alterations proposed are shown in Appendix A in red font. The substantive changes are detailed below.
- 2.2. In the Autumn Statement on 22 November 2023, the Government announced its intention to extend the existing Retail, Hospitality and Leisure relief (section 6) for an additional year to cover the 2024/2025 financial year. The value of the relief has been maintained at 75% of the rate liability. The scope of properties covered by the relief has not altered (section 7).
- 2.3. The introduction of the Non-Domestic Rating (Heat Networks Relief) (England) Regulations 2023 has put Heat Network Relief on a mandatory basis and there is consequently no need for local authorities to treat it as a discretionary relief from 1 April 2024 onwards. Section 10 of the 2023/24 policy (Appendix B) has therefore been removed in its entirety.
- 2.4. The Non-Domestic Rating Act 2023 has removed a restriction on local authorities only being able to award discretionary relief for prior years for up to six months after the financial year end. Essentially, this prevented ratepayers who applied after 30 September in any year from receiving discretionary relief for the previous year.

- 2.5. Now that local authorities can accept a request for backdated discretionary relief at any time, a backdating clause has been proposed at paragraph 12.2 of the 2024/2025 policy. In order to prevent additional cost to the Council, in the event that the discretionary relief is not one which is fully funded, backdating will only be allowed to the start of the financial year in which the request is received. This clause allows unlimited backdating, where eligibility exists, in respect of discretionary reliefs which are fully funded by s.31 grants.

3. Conclusion

3.1 The amendments and additions to the existing reliefs available to reduce business rates bills are a helpful assistance to local business and should be incorporated into Chelmsford City Council's discretionary rate relief policy as detailed in Appendix A.

List of appendices:

Appendix A – Proposed Discretionary Rate Relief Policy 2024/25

Appendix B – Existing Discretionary Rate Relief Policy 2023/24

Background papers:

None

Corporate Implications

Legal/Constitutional: All relevant legal considerations are addressed within the body of the report and the proposed policy.

Financial: None, unless Government decides that rate relief has been granted inappropriately.

Potential impact on climate change and the environment: None.

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: No EQIA has been carried out as this policy only affects business.

Health and Safety: None

Digital: None

Other: None

Consultees:

Director of Connected Chelmsford, Legal and Democratic Services Manager,

Relevant Policies and Strategies:

The report takes into account the following policies and strategies of the Council:

The changes support the ambition in Our Chelmsford, Our Plan to be a leading regional centre by assisting businesses to meet their business rate liability.

CHELMSFORD CITY COUNCIL'S DISCRETIONARY RATE RELIEF POLICY 2024/2025

1. Introduction

- 1.1 Section 47 of the Local Government Finance Act 1988 allows Local Authorities to award discretionary rate relief to a range of organisations, including charities, Community Amateur Sports Clubs and other non-profit making bodies.
- 1.2 In the case of charities, the ratepayer must be a charity or trustee for a charity and the property must be wholly or mainly used for charitable purposes. Mandatory relief of 80% will be given in such cases, and charities can also receive up to a further 20% discretionary relief.
- 1.3 In the case of Community Amateur Sports Clubs, these must be registered with HM Revenue & Customs in order to be eligible for 80% mandatory relief. They can also receive up to a further 20% discretionary relief.
- 1.4 In the case of non-profit making organisations, all or part of the property must be occupied by an institution or organisation which is not established or conducted for profit and whose main objectives are charitable or otherwise philanthropic or religious, or concerned with education, social welfare, science, literature or the fine arts or it is wholly or mainly used for the purposes of recreation.

2. Awarding Relief

- 2.1 The Council's policy for determining applications for discretionary rate relief can be divided into 2 parts as follows:

Part 1

- 2.2 A 'top-up' discretionary rate relief of up to 20% may be granted to charitable organisations who already receive 80% mandatory relief.
The Council currently chooses to award 'top-up' relief to scouts, guides and the sea cadets.

Part 2

- 2.3 It is intended that the scheme provides a mechanism for sports clubs and organisations to continue and expand their role in providing sports development opportunities, by maximising the availability of relief to those clubs and organisations who operate in accordance with the Council's aspirations for the development of sport in the City.
- 2.4 All sports clubs and organisations will start off with a flat rate of 40% rate relief, provided that they meet the following criteria:
 - (a) The primary purpose of the club/organisation should be to provide sporting opportunities to its members or to a local community
 - (b) Membership should be open to all members of the community irrespective of gender, race, age, disability, religious belief and financial circumstances

- (c) Membership fees should be realistic and not used as a means of restricting membership to a particular community group
- (d) Profits and surpluses must be used to further the sporting objectives of the club/organisation and not distributed as a share or dividend amongst some or all members
- (e) A legal constitution must be in existence and applicants must demonstrate that they are operating in accordance with its requirements.

3. Adjusted Relief

3.1 Applicants who meet all of the above criteria and are awarded the basic 40% rate relief, will also be able to have their relief adjusted by some or all of the following:-

- 10% The applicant can demonstrate a close working relationship with local schools & disabled groups and where practical, has supported the development of their sport(s) in schools and has encouraged and assisted school pupils and/or disabled persons to join appropriate clubs. The applicant undertakes to continue this development work
- 10% The applicant can demonstrate support for its coaches and administrators to obtain further relevant qualifications, e.g. coaching qualifications, National Coaching Foundation courses, Running Sport courses etc. The applicant undertakes to continue this work.
- 10% The applicant can demonstrate that they have provided opportunities for regular use of its facilities and equipment by outside groups/the Council's Sports Development Unit and undertakes to continue this policy
- 10% The applicant can demonstrate that they have in place or are working towards a development plan and (if applicable) a child protection policy
- 20% Should less than 50% of members be resident in the City, then a reduction in relief of 20% of the total rate liability will be made

Table of relief at current levels.

Relief	
Discretionary Rate Relief	Base level of 40%
Work with Schools or Disadvantaged Groups	+10%
Support for coaches/administrators	+10%
Shared use of facilities	+10%
Current Development Plan/child protection policy	+10%
Less than 50% of members resident in the borough	-20%

EXTENSIONS TO CHELMSFORD CITY COUNCIL'S DISCRETIONARY RATE RELIEF POLICY

1. Introduction

- 1.1 Section 69 of the Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988. The changes came into effect from 1 April 2012, and they extend the existing provision relating to the granting of discretionary rate relief.
- 1.2 The changes allow Local Authorities to grant discretionary rate relief in any circumstances where it feels fit. However, the whole cost of any purely discretionary relief awarded will have to be met by the City's Council Tax payers. Some discretionary reliefs are reimbursed in full by the Government via grants paid in accordance with section 31 of the Local Government Act 2003. Full details are set out below. Currently, these reliefs are 75% Retail, Hospitality and Leisure Relief Scheme (1 April 2024 to 31 March 2025 only); Supporting Small Business Relief; and, Local Newspaper Relief (until 31 March 2025).

2. Awarding Relief

- 2.1 Any ratepayer applying for discretionary rate relief who does not meet the criteria for relief under the existing policy must meet all of the following criteria and any award will be based on these factors:
- (a) The ratepayer must not be entitled to mandatory rate relief (Charity or Rural Rate Relief)
 - (b) The ratepayer must not be an organisation that could receive relief as a non-profit making organisation or as Community Amateur Sports Club.
 - (c) The ratepayer must occupy the premises – no relief will be granted for unoccupied properties
 - (d) The premises and the organisation must be of significant benefit to the residents of the City
 - (e) The ratepayer must:
 - (i) Provide facilities to certain priority groups such as elderly, disabled, minority or disadvantaged groups, OR
 - (ii) Provide significant employment or employment opportunities to residents of the City
 - (f) Provide residents of the City with such services, opportunities or facilities that cannot be obtained locally or are not provided by another organisation
 - (g) The ratepayer must show that the organisation will comply with all legislative requirements and operate in an ethical, sustainable, and environmentally friendly manner at all times
- 2.2 Where a ratepayer can demonstrate that all the above criteria are met, any award must have due regard to:

- (a) the financial status of the applicant when determining the level of relief to be granted, and
 - (b) the impact and best interests of the Council Tax payers of the City
- 2.3 Relief will not be given to those organisations where a bar is the main activity. It would be expected that any bar profits would be used to offset any expenses thus negating the reliance on public funds.
- 2.4 Where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then an application may be made for relief under Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council's discretionary rate relief policy.
- 3. Level and Period of Relief granted
- 3.1 The level of relief to be granted, if any, will range from 0% to 100% of the ratepayer's liability. Given the continuing reduction in government grant funding to the Council, awards of discretionary rate relief will be made for a fixed period and reviewed on an annual basis.
- 4. Equality and Diversity Implications
- 4.1 It is important that the Discretionary Rate Relief Policy clearly shows the criteria on which premises could be eligible so that all potential applicants are aware of why their application has been either accepted or refused.
- 5. Right of Appeal
- 5.1 There is no statutory right of appeal against a decision made by the Council in respect of discretionary rate relief. However, the Director of Connected Chelmsford will review the decision if the ratepayer is dissatisfied with the outcome.
- 5.2 If an unsuccessful applicant requests a review, they will still need to continue to pay their rates bill. Once the review has been carried out, the ratepayer will be informed, in writing, of the decision.
- 5.3 The right of appeal process does not affect a ratepayer's legal right to challenge the decision by way of a judicial review.
- 6. **RETAIL, HOSPITALITY AND LEISURE RELIEF SCHEME (1 APRIL 2024 to 31 MARCH 2025 ONLY)**
- 6.1 For properties specified in section 7 the relief available is 75% of the bill after mandatory reliefs and other discretionary reliefs funded by Section 31 grants have been applied. Ratepayers do have a right to refuse this discount.
- 6.2 Subject to the cash cap in paragraph 6.4, the eligibility for the relief and the relief itself will be assessed and calculated on a daily basis using the following formula:

Amount of relief to be granted = **V x 0.75**

Where:

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs, excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act which are not funded by section 31 grants

- 6.3 This should be calculated by ignoring any prior year adjustments in liabilities which fall to be liable on the day.
- 6.4 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties up to the maximum £110,000 cash cap per business. The cash cap applies at a Group company level across all of their hereditaments in England, so holding companies and subsidiaries cannot claim up to the cash cap for each company.
- 6.5 The retail, hospitality and leisure relief scheme is likely to amount to subsidy (see section 12 for more details).
- 6.6 A ratepayer may refuse the relief for each eligible hereditament at any point up to 30 April 2025. The ratepayer cannot subsequently withdraw their refusal for either all or part of the financial year. For the purposes of s47 of the Local Government Act 1988, a decision to refuse relief puts the hereditament outside the scope of the scheme and a decision cannot then be made that the hereditament qualifies for relief.
7. Which types of use are eligible?
- 7.1 To qualify for the relief, the hereditament should be wholly or mainly used:
- as a shop, restaurant, café, drinking establishment, cinema, or live music venue
 - for assembly and leisure
 - as a hotel, guest and boarding premises or self-catering accommodation.

This is a test of use not occupation.

Hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

- 7.2 The lists below are not exhaustive. Uses that are broadly similar to those listed below will be considered eligible for the relief.
- a) Hereditaments that are being used for the sale of goods to visiting members of the public:
- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licence, chemists, newsagents, hardware stores, supermarkets, etc)
 - Charity shops
 - Opticians
 - Post Offices
 - Furnishing shops/display rooms e.g., carpet shops, double glazing, garage door showrooms
 - Car/caravan showrooms
 - Second-hand car lots
 - Markets

- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

b) Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as hairdressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/key cutting
- Travel agents
- Ticket offices e.g., for theatre
- Dry cleaners/laundrettes
- PC/TV/domestic appliance repair
- Funeral directors
- Photo processing
- DVD/video rentals
- Tool hire
- Car hire

c) Hereditaments that are being used for the sale of food and/or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

d) Hereditaments that are being used as cinemas

e) Hereditaments that are being used as live music venues

-live music venues are hereditaments wholly or mainly used for the performance of live music for the purpose of entertaining an audience. Hereditaments cannot be considered a live music venue for the purpose of business rates relief where a venue is wholly or mainly used as a nightclub or a theatre, for the purposes of the Town and Country Planning (Use Classes) Order 1987 (as amended).

– Hereditaments can be a live music venue even if used for other activities, but only if those other activities (i) are merely ancillary or incidental to the performance of live music (e.g. the sale/supply of alcohol to audience members) or (ii) do not affect the fact that the primary activity for the premises is the performance of live music (e.g. because those other activities are insufficiently regular or frequent, such as a polling station or a fortnightly community event).

f) Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including the viewing of such activities):

- Sports grounds and clubs

- Museums and art galleries
 - Nightclubs
 - Sport and leisure facilities
 - Stately homes and historic houses
 - Theatres
 - Tourist attractions
 - Gyms
 - Wellness centres, spas, massage parlours
 - Casinos, gambling clubs and bingo halls
- g) Hereditaments that are being used for the assembly of visiting members of the public:
- Public halls
 - Clubhouses, clubs and institutions
- h) Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business:
- Hotels, Guest- and Boarding Houses
 - Holiday homes
 - Caravan parks and sites

8. Which types of use are not eligible?

8.1 As before, the lists below are not exhaustive but uses broadly similar to those set out below will not be considered eligible for the relief.

- a) Hereditaments that are being used for the provision of the following services to visiting members of the public:
- Financial services (such as banks, building societies, cash points, bureaux de change, payday lenders, short term loan providers, betting shops)
 - Medical services (such as vets, dentists, doctors, osteopaths, chiropractors)
 - Professional services (such as solicitors, accountants, insurance agents, financial advisers, employment agencies, estate agents, letting agents)
 - Post Office sorting offices
- b) Hereditaments that are not reasonably accessible to visiting members of the public

8.2 Any hereditament where the ratepayer is a billing authority, parish or county council or other precepting authority will not be eligible for relief.

8.3 The relief should be applied on a day to day basis using the formula set out in 6.2. A new hereditament created as a result of a split or merger during the relevant financial years, or where there is a change of use, should be considered afresh for relief on that day.

9 SUPPORTING SMALL BUSINESS RELIEF (2023/24 to 2025/26)

9.1 The Supporting Small Business Relief (SSBR) will help those ratepayers who, as a result of the change in their rateable value at the revaluation, are losing some or all of

their Small Business, Rural Rate relief or 2017 SSBR and, as a result, are facing large increases in their bills.

- 9.2 There is no discretion around whether to grant this relief if the terms of the scheme are met. Full technical detail regarding the operation of this scheme can be found at [Business Rates Relief: 2023 Supporting Small Business Relief, local authority guidance - GOV.UK \(www.gov.uk\)](#)
- 9.3 The SSBR scheme will ensure that the increase per year in the bills of eligible ratepayers is limited to a cash value of £600 per year during the operation of the scheme or until the full increased liability is reached. Businesses previously eligible for the 2017 SSBR scheme will receive this continued protection for one year only (until 31 March 2023).
- 9.4 Those on the SSBR scheme whose 2023 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the 2023 SSBR scheme.
- 9.5 Ratepayers remain in the Supporting Small Businesses relief scheme until 31 March 2026 or until they reach the bill they would have paid without the scheme. A change of ratepayers will not affect eligibility for the SSBR scheme but eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club.
- 9.6 There is no 2nd property test for eligibility for Supporting Small Business relief scheme. However, those ratepayers who during 2022/23 lost entitlement to small business rate relief because they failed the 2nd property test but have, under the rules for small business rate relief, been given a 12 month period of grace before their relief ended can continue on the scheme for the remainder of their 12 month period of grace.
- 9.7 As with all reliefs, the amount of relief awarded under the Supporting Small Business relief scheme should be recalculated in the event of a change to the rateable value or the hereditament. This change of circumstance could arise during the year in question or during a later year.
- 9.8 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) require authorities to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, local authorities may still make decisions which allow the amount of relief to be amended within the year to reflect changing circumstances.
- 9.9 Therefore, when making an award for SSBR, the conditions of the award include that it can be recalculated in the event of a change to the rating list (retrospective or otherwise). This is so that the relief can be recalculated if the rateable value changes. This applies to all Discretionary Relief awarded by Chelmsford City Council.

~~10~~ **HEAT NETWORK RELIEF (1 April 2023 to 31 March 2024)**

- ~~10.1~~ Heat Network Relief is a 100% relief for hereditaments which are wholly or mainly used for the purposes of a heat network and the heat is generated from a low carbon source.
- ~~10.2~~ A heat network is a facility, such as a district heating scheme, which supplies thermal energy from a central source to consumers via a network of pipes for the purposes of space heating, space cooling or domestic hot water. This does not include common heating systems in multi-occupied buildings or estates where the heating facility does not attract its own rates liability.
- ~~10.3~~ Hereditaments conforming to the definition of a heat network are certificated by the Valuation Office Agency. There are currently no such hereditaments in the Chelmsford City Council area.
- ~~10.4~~ Full technical details can be found at Business rates heat network relief: local authority guidance 2023-24 — GOV.UK (www.gov.uk) The Government intends to legislate to award this relief from 1 April 2024, so it will not be a discretionary relief from that date.

10 LOCAL NEWSPAPER RELIEF (To 31 March 2025)

- 10.1 This relief is a sum of £1,500 in respect of office space occupied by local newspapers to a maximum of one discount per local newspaper title and per hereditament. A local newspaper with two offices can only claim the relief in respect of one of the offices. An office shared by three separate local newspaper titles would only be eligible for one relief.
- 10.2 This relief is specifically for local newspapers, those that would be regarded as a 'traditional local newspaper'. The relief will not be available to magazines. The hereditament must be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters.

11 SUBSIDY ALLOWANCES

- 11.1 The Retail, Hospitality and Leisure Relief is likely to amount to subsidy. Any relief provided by local authorities under this scheme will need to comply with the UK's domestic and international subsidy control obligations. For detailed information see UK subsidy control regime - GOV.UK (www.gov.uk) regarding the UK's subsidy control regime and the UK's international subsidy control requirements.
- 11.2 The Minimal Financial Assistance rules allow public authorities to award up to £315,000 during the 'applicable period'. The 'applicable period' is defined as the elapsed period of the current financial years and the two preceding financial years. As the Council will restrict awards to any one business entity to £110,000 (as per 6.4 above), it is unlikely that subsidy controls will be breached within the Chelmsford City Council area. However, businesses operating in more than one area should be aware of their reporting and accounting responsibilities if receiving multiple awards of Retail, Hospitality and Leisure relief.

- 11.3 Where it is clear to the Council that a ratepayer is likely to breach subsidy controls or Minimal Financial Assistance limits, the Council will automatically withhold the relief. In any case, the Council will ask ratepayers to complete a subsidy declaration before granting the relief.

12 ADMINISTRATION OF APPLICATIONS FOR RELIEF

- 12.1 Decisions relating to the granting of reliefs will be delegated to the staff reporting to the Director of Connected Chelmsford. Most reliefs will be granted automatically using records already held by the Council. Applications from business rate payers who think they should be eligible must be made in writing to Chelmsford City Council, Business Rates, Civic Centre, Duke Street, Chelmsford CM1 1JE.
- 12.2 If an application for relief is accepted, the award will be back-dated to the start of entitlement where that date is within the financial year in which the application is received. In cases where the relief is one which is fully funded by way of Government grants, the back-dating may be extended into previous financial years as long as eligibility criteria are satisfied.
- 12.3 There is no statutory right of appeal against a decision made by the Council in respect of discretionary reliefs. However, the Council will review the decision if the ratepayer is dissatisfied with the outcome. The review will be carried out by a senior officer within the Revenues Team. Any subsequent request for review will be considered by the Revenue and Benefit Services Manager in consultation with the Director for Connected Chelmsford.
- 12.4 If an unsuccessful applicant requests a review, they will still need to continue to pay their rates bill. Once the review has been carried out, the ratepayer will be informed, in writing, of the decision.
- 12.5 The right of appeal process does not affect a ratepayer's legal right to challenge the decision by way of a judicial review.

CHELMSFORD CITY COUNCIL'S DISCRETIONARY RATE RELIEF POLICY

1. Introduction

- 1.1 Section 47 of the Local Government Finance Act 1988 allows Local Authorities to award discretionary rate relief to a range of organisations, including charities, Community Amateur Sports Clubs and other non-profit making bodies.
- 1.2 In the case of charities, the ratepayer must be a charity or trustee for a charity and the property must be wholly or mainly used for charitable purposes. Mandatory relief of 80% will be given in such cases, and charities can also receive up to a further 20% discretionary relief.
- 1.3 In the case of Community Amateur Sports Clubs, these must be registered with HM Revenue & Customs in order to be eligible for 80% mandatory relief. They can also receive up to a further 20% discretionary relief.
- 1.4 In the case of non-profit making organisations, all or part of the property must be occupied by an institution or organisation which is not established or conducted for profit and whose main objectives are charitable or otherwise philanthropic or religious, or concerned with education, social welfare, science, literature or the fine arts or it is wholly or mainly used for the purposes of recreation.

2. Awarding Relief

- 2.1 The Council's policy for determining applications for discretionary rate relief can be divided into 2 parts as follows:

Part 1

- 2.2 A 'top-up' discretionary rate relief of up to 20% may be granted to charitable organisations who already receive 80% mandatory relief.
The Council currently chooses to award 'top-up' relief to scouts, guides and the sea cadets.

Part 2

- 2.3 It is intended that the scheme provides a mechanism for sports clubs and organisations to continue and expand their role in providing sports development opportunities, by maximising the availability of relief to those clubs and organisations who operate in accordance with the Council's aspirations for the development of sport in the City.
- 2.4 All sports clubs and organisations will start off with a flat rate of 40% rate relief, provided that they meet the following criteria:
 - (a) The primary purpose of the club/organisation should be to provide sporting opportunities to its members or to a local community
 - (b) Membership should be open to all members of the community irrespective of gender, race, age, disability, religious belief and financial circumstances

- (c) Membership fees should be realistic and not used as a means of restricting membership to a particular community group
- (d) Profits and surpluses must be used to further the sporting objectives of the club/organisation and not distributed as a share or dividend amongst some or all members
- (e) A legal constitution must be in existence and applicants must demonstrate that they are operating in accordance with its requirements.

3. Adjusted Relief

3.1 Applicants who meet all of the above criteria and are awarded the basic 40% rate relief, will also be able to have their relief adjusted by some or all of the following:-

- 10% The applicant can demonstrate a close working relationship with local schools & disabled groups and where practical, has supported the development of their sport(s) in schools and has encouraged and assisted school pupils and/or disabled persons to join appropriate clubs. The applicant undertakes to continue this development work
- 10% The applicant can demonstrate support for its coaches and administrators to obtain further relevant qualifications, e.g. coaching qualifications, National Coaching Foundation courses, Running Sport courses etc. The applicant undertakes to continue this work.
- 10% The applicant can demonstrate that they have provided opportunities for regular use of its facilities and equipment by outside groups/the Council's Sports Development Unit and undertakes to continue this policy
- 10% The applicant can demonstrate that they have in place or are working towards a development plan and (if applicable) a child protection policy
- 20% Should less than 50% of members be resident in the City, then a reduction in relief of 20% of the total rate liability will be made

Table of relief at current levels.

Relief	
Discretionary Rate Relief	Base level of 40%
Work with Schools or Disadvantaged Groups	+10%
Support for coaches/administrators	+10%
Shared use of facilities	+10%
Current Development Plan/child protection policy	+10%
Less than 50% of members resident in the borough	-20%

EXTENSIONS TO CHELMSFORD CITY COUNCIL'S DISCRETIONARY RATE RELIEF POLICY

1. Introduction

- 1.1 Section 69 of the Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988. The changes came into effect from 1 April 2012, and they extend the existing provision relating to the granting of discretionary rate relief.
- 1.2 The changes allow Local Authorities to grant discretionary rate relief in any circumstances where it feels fit. However, the whole cost of any purely discretionary relief awarded will have to be met by the City's Council Tax payers. Some discretionary reliefs are reimbursed in full by the Government via grants paid in accordance with section 31 of the Local Government Act 2003. Full details are set out below. Currently, these reliefs are 75% Retail, Hospitality and Leisure Relief Scheme (1 April 2023 to 31 March 2024 only); Supporting Small Business Relief; Local Newspaper Relief (until 31 March 2025); and, Heat Network Relief.

2. Awarding Relief

- 2.1 Any ratepayer applying for discretionary rate relief who does not meet the criteria for relief under the existing policy must meet all of the following criteria and any award will be based on these factors:
- (a) The ratepayer must not be entitled to mandatory rate relief (Charity or Rural Rate Relief)
 - (b) The ratepayer must not be an organisation that could receive relief as a non-profit making organisation or as Community Amateur Sports Club.
 - (c) The ratepayer must occupy the premises – no relief will be granted for unoccupied properties
 - (d) The premises and the organisation must be of significant benefit to the residents of the City
 - (e) The ratepayer must:
 - (i) Provide facilities to certain priority groups such as elderly, disabled, minority or disadvantaged groups, OR
 - (ii) Provide significant employment or employment opportunities to residents of the City
 - (f) Provide residents of the City with such services, opportunities or facilities that cannot be obtained locally or are not provided by another organisation
 - (g) The ratepayer must show that the organisation will comply with all legislative requirements and operate in an ethical, sustainable, and environmentally friendly manner at all times
- 2.2 Where a ratepayer can demonstrate that all the above criteria are met, any award must have due regard to:

- (a) the financial status of the applicant when determining the level of relief to be granted, and
 - (b) the impact and best interests of the Council Tax payers of the City
- 2.3 Relief will not be given to those organisations where a bar is the main activity. It would be expected that any bar profits would be used to offset any expenses thus negating the reliance on public funds.
- 2.4 Where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then an application may be made for relief under Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council's discretionary rate relief policy.
- 3. Level and Period of Relief granted
- 3.1 The level of relief to be granted, if any, will range from 0% to 100% of the ratepayer's liability. Given the continuing reduction in government grant funding to the Council, awards of discretionary rate relief will be made for a fixed period and reviewed on an annual basis.
- 4. Equality and Diversity Implications
- 4.1 It is important that the Discretionary Rate Relief Policy clearly shows the criteria on which premises could be eligible so that all potential applicants are aware of why their application has been either accepted or refused.
- 5. Right of Appeal
- 5.1 There is no statutory right of appeal against a decision made by the Council in respect of discretionary rate relief. However, the Director of Finance will review the decision if the ratepayer is dissatisfied with the outcome.
- 5.2 If an unsuccessful applicant requests a review, they will still need to continue to pay their rates bill. Once the review has been carried out, the ratepayer will be informed, in writing, of the decision.
- 5.3 The right of appeal process does not affect a ratepayer's legal right to challenge the decision by way of a judicial review.
- 6. **RETAIL, HOSPITALITY AND LEISURE RELIEF SCHEME (1 APRIL 2023 to 31 MARCH 2024) ONLY**
- 6.1 For properties specified in section 7 the relief available is 75% of the bill after mandatory reliefs and other discretionary reliefs funded by Section 31 grants have been applied. Ratepayers do have a right to refuse this discount.
- 6.2 Subject to the cash cap in paragraph 6.4, the eligibility for the relief and the relief itself will be assessed and calculated on a daily basis using the following formula:

Amount of relief to be granted = **V x 0.75**

Where:

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs, excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act which are not funded by section 31 grants

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- 6.5 The retail, hospitality and leisure relief scheme is likely to amount to subsidy (see section 12 for more details).
- 6.6 A ratepayer may refuse the relief for each eligible hereditament at any point up to 30 April 2024. The ratepayer cannot subsequently withdraw their refusal for either all or part of the financial year. For the purposes of s47 of the Local Government Act 1988, a decision to refuse relief puts the hereditament outside the scope of the scheme and a decision cannot then be made that the hereditament qualifies for relief.

7. Which types of use are eligible?

- 7.1 To qualify for the relief, the hereditament should be wholly or mainly used:
- as a shop, restaurant, café, drinking establishment, cinema, or live music venue
 - for assembly and leisure
 - as a hotel, guest and boarding premises or self-catering accommodation.

This is a test of use not occupation.

Hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

- 7.2 The lists below are not exhaustive. Uses that are broadly similar to those listed below will be considered eligible for the relief.
- a) Hereditaments that are being used for the sale of goods to visiting members of the public:
- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licence, chemists, newsagents, hardware stores, supermarkets, etc)
 - Charity shops
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10 HEAT NETWORK RELIEF (1 April 2023 to 31 March 2024)

- 10.1 Heat Network Relief is a 100% relief for hereditaments which are wholly or mainly used for the purposes of a heat network and the heat is generated from a low carbon source.
- 10.2 A heat network is a facility, such as a district heating scheme, which supplies thermal energy from a central source to consumers via a network of pipes for the purposes of space heating, space cooling or domestic hot water. This does not include common heating systems in multi-occupied buildings or estates where the heating facility does not attract its own rates liability.
- 10.3 Hereditaments conforming to the definition of a heat network are certificated by the Valuation Office Agency. There are currently no such hereditaments in the Chelmsford City Council area.
- 10.4 Full technical details can be found at Business rates heat network relief: local authority guidance 2023-24 – GOV.UK (www.gov.uk) The Government intends to legislate to award this relief from 1 April 2024, so it will not be a discretionary relief from that date.

11 LOCAL NEWSPAPER RELIEF (To 31 March 2025)

- 11.1 This relief is a sum of £1,500 in respect of office space occupied by local newspapers to a maximum of one discount per local newspaper title and per hereditament. A local newspaper with two offices can only claim the relief in respect of one of the offices. An office shared by three separate local newspaper titles would only be eligible for one relief.
- 11.2 This relief is specifically for local newspapers, those that would be regarded as a 'traditional local newspaper'. The relief will not be available to magazines. The hereditament must be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters.

12 SUBSIDY ALLOWANCES

- 12.1 The Retail, Hospitality and Leisure Relief is likely to amount to subsidy. Any relief provided by local authorities under this scheme will need to comply with the UK's domestic and international subsidy control obligations. For detailed information see UK subsidy control regime - GOV.UK (www.gov.uk) regarding the UK's subsidy control regime and the UK's international subsidy control requirements.
- 12.2 The Minimal Financial Assistance rules allow public authorities to award up to £315,000 during the 'applicable period'. The 'applicable period' is defined as the elapsed period of the current financial years and the two preceding financial years. As the Council will restrict awards to any one business entity to £110,000 (as per 6.4 above), it is unlikely that subsidy controls will be breached within the Chelmsford City Council area. However, businesses operating in more than one area should be aware of their reporting and accounting responsibilities if receiving multiple awards of Retail, Hospitality and Leisure relief.

- 12.3 Where it is clear to the Council that a ratepayer is likely to breach subsidy controls or Minimal Financial Assistance limits, the Council will automatically withhold the relief. In any case, the Council will ask ratepayers to complete a subsidy declaration before granting the relief.

13 ADMINISTRATION OF APPLICATIONS FOR RELIEF

- 13.1 Decisions relating to the granting of reliefs will be delegated to the staff reporting to the Director of Connected Chelmsford. Most reliefs will be granted automatically using records already held by the Council. Applications from business rate payers who think they should be eligible must be made in writing to Chelmsford City Council, Business Rates, Civic Centre, Duke Street, Chelmsford CM1 1JE.
- 13.2 There is no statutory right of appeal against a decision made by the Council in respect of discretionary reliefs. However, the Council will review the decision if the ratepayer is dissatisfied with the outcome. The review will be carried out by a senior officer within the Revenues Team. Any subsequent request for review will be considered by the Revenue and Benefit Services Manager in consultation with the Director for Connected Chelmsford.
- 13.3 If an unsuccessful applicant requests a review, they will still need to continue to pay their rates bill. Once the review has been carried out, the ratepayer will be informed, in writing, of the decision.
- 13.4 The right of appeal process does not affect a ratepayer's legal right to challenge the decision by way of a judicial review.



Chelmsford City Council Cabinet

12 March 2024

Community Funding Scheme – Discretionary Grant

Report by:

Cabinet Member for Connected Chelmsford

Officer Contact:

Stuart Graham, Economic Development and Implementation Manager, 01245 606364, stuart.graham@chelmsford.gov.uk

Alison Chessell, Procurement & Risk Services Manager, 01245 606598, alison.chessell@chelmsford.gov.uk

Purpose

To agree the allocation of the discretionary grant funding for 2024/25 to voluntary and charitable organisations as part of the Council's Community Funding Scheme.

Options

1. To agree the recommendations contained in this report made by the Community Funding Panel.
2. To agree, with amendment, the recommendations contained in this report made by the Community Funding Panel.

Preferred option and reasons

The preferred option is to agree the allocations recommended by the Community Funding Panel, which have been through a thorough process of assessment and aligned to City Council corporate priorities.

Recommendations

It is recommended that

1. Cabinet agrees to allocate £130k in 2024/25 to fund the 24 organisations in the amounts shown in Appendix 1, and one year core funding for 3 organisations.
 2. That the Director of Connected Chelmsford is authorised to prepare and issue the grant offer letters and grant funding agreements to those organisations receiving the grants for 2024/25.
-

1. Background

- 1.1. As part of the Community Funding Scheme, each year the Council allocates discretionary revenue grant funding to voluntary and charitable organisations that support vulnerable Chelmsford residents.
- 1.2. In 2023/24, £90,000 was made available through a budget provision of £50,000 and the use of £40,000 from the Council's UK Shared Prosperity Fund. For 2024/25 this has been increased to £130,000 based on the use of a further £80,000 of funding from the UK Shared Prosperity Fund (UKSPF). This UKSPF funding is expected to be confirmed in late April 2024. The grant payments will not be made until this is confirmed.
- 1.3. In the unlikely event that the UKSPF funding is not confirmed, the Community Funding Panel will meet again to revise its recommendations for allocating the available funding.
- 1.4. This additional funding has been agreed to recognise the vital role that voluntary and charitable organisations play in supporting vulnerable residents at a time when there are even greater pressures and higher demand due to the cost-of-living crisis, inflation and high energy costs. At the same time, the City Council's financial position has also been affected by the same issues and the increased funding has been identified to support organisations with some increased funding for this next year. As the economy recovers, it is anticipated that the third sector will not require the same level of support from the Council in future years.
- 1.5. There are also four Service Level Agreements in place that are due to expire on 31st March 2024, which have been provided to strategic partners for longer periods to provide continuity of funding for core provision.

2. Process

- 2.1. The discretionary grant scheme was open to applications throughout October and November 2023, for grants to be made to the successful applicants once the UKSPF funding has been confirmed, which is anticipated to be in the first quarter of the 2024/25 financial year.
- 2.2. Organisations can apply for up to £10,000 of revenue funding only and must have matched funding of at least 50% of the total applied for. Successful applicants are expected to sign a grant funding agreement with the City Council.
- 2.3. The Council received 26 eligible applications (more than previous years), which were all vetted by the Chelmsford CVS. The value of the grants requested totalled £225,810 against an available budget of £130,000. The eligible applications are summarised in Appendix 1.
- 2.4. Following a review of the submitted applications, the Officer Panel (comprising the Procurement & Risk Manager, Public Health Improvement Officer, Strategic Housing Manager, Economic Development Manager and Planning Contributions Officers), met on 10 January to consider the eligible applications. The Planning Contributions Officers then scored the eligible applications against a scoring matrix to evaluate the strength of each application. The Officer Panel met again on 24 January to discuss the scores and prepare comments for the Community Funding Panel.
- 2.5. The Community Funding Panel (comprising the Cabinet Member for Active Chelmsford, Cabinet Member for Greener and Safer Chelmsford, Cabinet Member for Fairer Chelmsford, Director of Sustainable Communities, Director of Connected Chelmsford, Economic Development and Implementation Manager, Procurement and Risk Services Manager and Chief Officer of the Chelmsford CVS) then met on 31 January to consider the Officer Panel comments and make recommendations to Cabinet.
- 2.6. The Panel fully considered the eligible applications and recommended that 24 funding applications be made. Reasons for the decision to not award funding to the other 2 eligible applications are set out in Appendix 1.
- 2.7. In considering the applications, the Community Funding Panel agreed that the 24 applications all demonstrated a specific benefit to Chelmsford residents and provided value for money. The Panel therefore agreed that the funding amount available is split between them, as shown in the table below. The Panel agreed however that the two lowest scoring of these 24 applications (New Generation Development Agency LTD and Wilderness Foundation UK) should receive a lower percentage of funding to reflect the greater strength of the other applications.

Organisation	Amount requested	Community Funding Panel Recommendation	Percentage of requested amount
Action for Family Carers	10,000.00	6,000.00	60%
CARA (Centre for Action on Rape and Abuse)	10,000.00	6,000.00	60%
Carers First	1,600.00	960.00	60%
CHESS Homeless	10,000.00	6,000.00	60%
City of Chelmsford Mencap	10,000.00	6,000.00	60%
Crossroads Braintree and Chelmsford	10,000.00	6,000.00	60%
English for Women	8,620.00	5,172.00	60%
Essex Dementia Care	10,000.00	6,000.00	60%
Families InFocus (Essex)	10,000.00	6,000.00	60%
Farleigh Hospice	10,000.00	6,000.00	60%
Hearing Help Essex	9,500.00	5,700.00	60%
Ideas Hub Chelmsford	10,000.00	6,000.00	60%
InterAct Chelmsford Limited	10,000.00	6,000.00	60%
Kids Inspire	10,000.00	6,000.00	60%
Lighthouse Furniture Project Ltd	10,000.00	6,000.00	60%
New Generation Development Agency LTD	10,000.00	4,007.00	40%
North Avenue Youth Centre	10,000.00	6,000.00	60%
Sanctus	10,000.00	6,000.00	60%
South Woodham Ferrers Men's Shed and Community Hub	10,000.00	6,000.00	60%
St Francis Community Church	10,000.00	6,000.00	60%
Support 4 Sight	9,910.00	5,946.00	60%
SVP Springfield Furniture bank	9,430.00	5,658.00	60%
The Millrace Foundation	4,250.00	2,550.00	60%
Wilderness Foundation UK	10,000.00	4,007.00	40%

2.8 It is recommended the following Service Level Agreements for Chelmsford Citizens Advice Bureau, Chelmsford Centre for Volunteering and Chelmsford YMCA within existing SLA allocation of grant budget. Due to some commissioning changes effecting some SLA recipients the final allocations need to be confirmed so delegation be given to Director of Connected Chelmsford to allocate within existing budget.

3. Conclusion

3.1. Chelmsford's charities and voluntary organisations play a significant role in supporting vulnerable residents. The City Council can support them in difficult economic circumstances and although the funding the Council has available is limited, it plays a key role in the funding mix that third sector organisations rely on to sustain themselves.

3.2. The recommended discretionary grant awards for 2024/25 will help support 24 organisations to continue to provide key services to Chelmsford's residents.

List of appendices:

Appendix 1: Community Funding Scheme – Summary of eligible applications received October/November 2023 for the discretionary grant, grouped by theme

Background papers:

None

Corporate Implications

Legal/Constitutional: Provided the UK Shared Prosperity Fund payment is made for 2024/25, it must be spent within 12 months of receipt. The above payments do not amount to a “subsidy” under the Subsidy Control Act 2022 and accordingly the Act does not apply to these grants.

Financial: The budget for 2024/25 comprises £50,000 of Council resources and £80,000 from the Council's Year 3 UKSPF allocation. A decision confirming the UKSPF funding from Government is expected in late April 2024. Grant payments will not be made until this funding has been confirmed.

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: Appropriate checks on organisations will be carried out before funding is distributed, including insurance, financial and charitable status.

Equality and Diversity:

(For new or revised policies or procedures has an equalities impact assessment been carried out? If not, explain why)

Health and Safety: Funding agreements will include a requirement that organisations comply with health and safety regulations, and organisations will be required to provide evidence of relevant safeguarding policy and procedures.

Digital: None

Other: None

Consultees:

None

Relevant Policies and Strategies:

Our Chelmsford Our Plan

Appendix 1: Community Funding Scheme – Summary of eligible applications received October/November 2023 for the discretionary grant, grouped by theme

	Organisation	Overall Cost	Amount Requested	Recommended grant	Percentage of request	Description
	Homelessness / poverty					
1	CHESS Homeless	1,577,573.00	10,000.00	6,000.00	60%	Towards the salary of a support worker working directly with homeless people to lead them towards independent living and good health
2	Lighthouse Furniture Project Ltd	222,720.00	10,000.00	6,000.00	60%	Towards salaries and utilities to support the project which provides refurbished electrical appliances at low or no cost
3	Sanctus	60,000.00	10,000.00	6,000.00	60%	Towards running costs of the service supporting homeless people to take positive steps forward as well as offering help for immediate needs
4	St Francis Community Church	52,000.00	10,000.00	6,000.00	60%	Towards running costs of the mobile social supermarket providing food for those facing food poverty. Also offer refreshments and a place to sit and meet others
5	SVP Springfield Furniture bank	39,023.00	9,430.00	5,658.00	60%	Towards storage, insurance, rates and running of van. Service provides second-hand furniture, household items and white goods where the Essential Living Fund does not meet needs.
	Therapy					
6	CARA (Centre for Action on Rape and Abuse)	26,923.00	10,000.00	6,000.00	60%	Towards salaries for service providing specialist counselling for young people (aged 12-19) who have been victims of sexual violence or child sexual abuse
7	Kids Inspire	25,005.00	10,000.00	6,000.00	60%	Towards salaries of clinical admin team for 2 months - conducting initial assessments, timely assessment and prioritisation. Service supports children and adolescents struggling with emotional, behavioural and mental health difficulties
8	The Millrace Foundation	21,740.00	4,250.00	2,550.00	60%	Towards running costs. Service provides support for people recovering from long term mental health problems. Beneficiaries receive skills training in furniture restoration.

9	Wilderness Foundation UK	36,400.00	10,000.00	4,007.00	40%	Brave Futures Programme - 3 x 8 week programme of weekly face to face, nature therapy sessions for groups of up to 8 people
	SEND					
10	City of Chelmsford Mencap	22,000.00	10,000.00	6,000.00	60%	Towards Advocacy and Community Support Manager's salary. Service provides support for adults with a learning disability
11	Families InFocus (Essex)	46,558.00	10,000.00	6,000.00	60%	Towards running costs of service supporting families who have a child (or children) with any Special Educational Need or Disability (SEND)
12	InterAct Chelmsford Limited	20,620.00	10,000.00	6,000.00	60%	Towards costs for the Chelmsford Together club - an evening and holiday club supporting 8-25 year olds with SEND
	Carers					
13	Action for Family Carers	31,714.00	10,000.00	6,000.00	60%	Towards weekly Young Carers Respite Club at Galleywood Youth Centre
14	Carers First	3,200.00	1,600.00	960.00	60%	Towards running costs for programme of carer wellbeing activities
15	Crossroads Braintree and Chelmsford	78,000.00	10,000.00	6,000.00	60%	Towards Support Worker salary cost, for service providing support for adult carers through respite care
	Other healthcare					
16	Essex Dementia Care	423,000.00	10,000.00	6,000.00	60%	Towards running costs for One2One support service and activity centre groups for those in the earlier stages of their dementia journey
17	Farleigh Hospice	60,000.00	10,000.00	6,000.00	60%	Towards running costs for virtual ward, providing 24/7 clinical support for end of life care and support
18	Hearing Help Essex	42,000.00	9,500.00	5,700.00	60%	Towards volunteer support costs for the Hearing Aid Support Service in Chelmsford
19	Support 4 Sight	19,832.00	9,910.00	5,946.00	60%	Towards running costs for information, advice and guidance service and social & well-being activities for those with sight loss
	Social					
20	North Avenue Youth Centre	102,832.00	10,000.00	6,000.00	60%	Towards salaries for youth centre running groups in deprived area
21	English for Women	46,116.00	8,620.00	5,172.00	60%	Towards running costs for English language sessions in order to encourage social inclusion
22	Ideas Hub Chelmsford	96,494.00	10,000.00	6,000.00	60%	Towards running costs for community facility and activities

23	New Generation Development Agency LTD	108,139.00	10,000.00	4,007.00	40%	Towards rates and utilities for unit in The Meadows to provide community space and activities for ethnic minorities
24	South Woodham Evangelical Church	1,000.00	500.00	0.00	0%	<p>Towards ongoing costs of soup, drinks and cakes for Warm Welcome drop in providing free lunch and conversation.</p> <p><i>Reason for recommendation: This application had an unknown number of beneficiaries but is able to be funded through a different route through the CVS.</i></p>
25	South Woodham Ferrers Men's Shed and Community Hub	28,960.00	10,000.00	6,000.00	60%	Running costs towards setting up of new community facility
26	The BIG Sing SOUL administered by Imagine The Day Ltd	4,714.00	2,000.00	0.00	0%	<p>Towards running costs for free baby singing group and care home singing.</p> <p><i>Reason for recommendation: Service is not unique. Not considered to represent good value for money.</i></p>
	TOTAL	-	225,810.00	130,000.00	-	



Chelmsford City Council Cabinet

12th March 2024

Temporary Accommodation Placement and Procurement Plan

Report by: Cabinet Member for a Fairer Chelmsford

Officer Contact: Paul Gayler, Strategic Housing Services Manager,
paul.gayler@chelmsford.gov.uk Tel: 01245 606375

Purpose

This report presents a refreshed policy framework for the procurement, supply and management of Temporary Accommodation to help address management of the increasing demand and effectively manage cost and value for money.

Options

1. Approve the Temporary Accommodation Placement and Procurement Plan.
2. Approve the Temporary Accommodation Placement and Procurement Plan with amendments.
3. Decline to approve the Temporary Accommodation and Procurement Plan.

Recommendations

1. The Temporary Accommodation Placement and Procurement Plan be approved as presented.
-

1. Introduction

- 1.1 The Temporary Accommodation Placement and Procurement Plan sets out how decisions are made on who is placed into which units of accommodation and the procurement principles which the Council will operate to ensure there is a supply that aligns with the needs of those to whom we have a duty to accommodate.

- 1.2 The plan proposed is aligned to Chelmsford City Council's Homelessness and Rough Sleeping Strategy 2020-24 and reflects the increased demand for Temporary Accommodation.

2. Temporary Accommodation and Placement Policy Statement

- 2.1 The Temporary Accommodation Placement and Procurement Plan is attached at Appendix 1.
- 2.2 The primary purpose of the plan is to robustly document how the Council makes decisions about the need for, where and when to place people in temporary accommodation to ensure the Council is meeting its legal obligations and adopts good practice.
- 2.3 The plan sets out how the Council analyses and projects demand for temporary accommodation regarding numbers, size, and location of units, and manages delivery to ensure a sufficient supply of suitable accommodation whilst minimising the financial impacts. It also uses supporting data to enable projections of demand to be made to help inform future procurement of temporary accommodation that is appropriate, realistic, and affordable.
- 2.4 Procurement and management of temporary accommodation is essential to achieve security of supply, achieve value for money and manage the provider market. The plan establishes principles for procurement of temporary accommodation.

3. Conclusion

- 3.1 The demand for social and affordable housing is increasing as is the number of people approaching the Council for advice and assistance due to homelessness or the threat of homelessness.
- 3.2 A comprehensive and planned approach to placement and procurement of temporary accommodation is essential to ensure compliance with legislation and good practice, it also enables robust management and procurement practice to minimise the financial impact whilst retaining an effective supply to meet the Council's statutory duties.

List of appendices:

Appendix 1- Temporary Accommodation Placement and Procurement Plan

Background papers:

None

Corporate Implications

Legal/Constitutional: The plan is an essential element for the planning and management of the Council's legal duties to those who are at risk of homelessness. This decision falls within the remit of Cabinet to approve.

Financial: Effective management of temporary accommodation will make best use of the Council's financial resources.

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: Procuring the best quantity and quality of temporary accommodation minimises financial and legal risks to the Council and those it has a duty to accommodate.

Equality and Diversity: An Equality Impact Assessment has been completed.

Health and Safety: None

Digital: None

Other: None

Consultees:

Counsel

Relevant Policies and Strategies:

Chelmsford Housing Strategy 2022-2027

Chelmsford Homelessness and Rough Sleeping Strategy 2020 -2024

Temporary Accommodation Placement & Procurement Plan (the Plan)

April 2024 - 2026

1.0 Overview

Under the Housing Act 1996 (as amended) Chelmsford City Council (referred to in the Plan as the Council) has a number of duties that require it to provide temporary accommodation to households which meet certain criteria. This Plan sets out the how decisions are made on who is placed into which units and how the Council will procure sufficient suitable units of accommodation to meet the needs so as to comply with the Council's homelessness duties. Its overriding aim is to make sure that the Council continues to have access to an adequate level of suitable accommodation and is making best use of limited financial resources, whilst also ensuring that the Council has the ability to meet its legal duties to those who are homeless.

The Plan has been adopted so to allow an approach which considers and complies with relevant legislation, case law and guidance including:

- The Housing Act 1996, as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017
- The Localism Act 2011
- Homelessness (Suitability of Accommodation) (England) orders 2003 and 2012
- Equality Act 2010
- Children Act 2004
- Caselaw R (G) v London Borough of Southwark (2009) R (on the application of Carstens) v Basildon DC [2007] and Kensington and Chelsea LBC, ex p Kujtim [1999]
- Nzolameso v City of Westminster (2015)
- Homelessness code of guidance for local authorities (referred to in the Plan as the Code of Guidance 2018). (As at the date of this Plan, the current version of guidance was published on 22 February 2018 and updated in October 2023.) .

The Plan is aligned to Chelmsford City Council's Homelessness and Rough Sleeping Strategy 2020-24 and reflects the increased demand for temporary accommodation (arising from the Homelessness Reduction Act 2017, which introduced new accommodation duties towards homeless households) reflecting current housing market conditions and will inform the Council's new Homelessness and Rough Sleeper Strategy.

Generally, where the Council has a duty to provide temporary accommodation under Part VII of the Housing Act 1996, it will seek to accommodate homeless households within Chelmsford as far as is reasonably possible and will consider the suitability of any temporary accommodation offered. However, due to the limited availability of temporary accommodation, it is necessary to place some households outside of the Council's area as it would not be reasonably possible to accommodate them within it.

A light-touch desktop review of the Plan will be undertaken annually, considering the patterns of demand and the availability of temporary accommodation.

2.0 Content of the Plan

- **Establishes the placement principles and decision-making approach.** The Plan, alongside the relevant legislation and Code of Guidance sets out how the Council makes decisions about where and when to place people in temporary accommodation to ensure we meet our legal obligations and adopt good practice.
- **Current provision & future requirements.** How the Council projects demand for temporary accommodation regarding the type, numbers, size, and location of units, to ensure a sufficient supply of suitable accommodation which is appropriate, realistic, and affordable and meets the needs of households. Effective demand management and projections to inform future procurement of TA.
- **Establishes the procurement principles.**
- **Establishes the market management of private providers (nightly lets)**

3.0 Temporary Accommodation Placement Principles and Decision Making

This section establishes the approach towards the placement of homeless households in temporary accommodation. It covers all offers of temporary accommodation made under any of the provisions of the homelessness legislation, which are set out in Part VII of the Housing Act 1996 (as amended) and the Homelessness Reduction Act 2017 and is guided by the Homelessness Code of Guidance 2018 (as amended).

This policy does not apply to final offers of accommodation to discharge the main homelessness duty made under either Part VI or part VII of the Housing Act 1996 (as amended) or offers of accommodation to prevent or relieve homelessness under HRA 2017.

When discharging housing duties under Part VII of the Housing Act 1996, section 208(1) provides that local authorities must, so far as reasonably practicable, secure that accommodation is available for the applicant's occupation in their own district. This applied to the duties to provide temporary accommodation.

This means local authorities have a statutory duty to provide temporary accommodation in their own area "so far as is reasonably practicable" (ref para 17.47 Code of Guidance 2018), and statutory guidance requires councils "where possible" to try and secure accommodation as close as possible to where an applicant was previously living (ref para 17.51 Code of Guidance 2018), although not being constrained by the preference of the applicant. The Council is also required to consider the suitability of any accommodation offered (Chapter 17 Code of Guidance).

3.1 Principles for Placement in Temporary Accommodation

- The that the Council will wherever reasonably practicable try and secure suitable accommodation in its area/district.
- If it is not possible to provide temporary accommodation within the district, accommodation will be offered in a neighbouring area wherever possible, considering the distance of that accommodation from where the applicant was previously living. The Council will only look beyond Essex County if it is not possible to provide anything suitable.
- In order to determine the suitability of any temporary accommodation, each case will be individually assessed by an officer at the Council having regard to the relevant legislation, guidance, case law and the Council's [add in title of new policy about priorities].

- If temporary accommodation outside the Council's district should prove necessary, the Council will endeavour to provide accommodation with good transport links to the area where the applicant was previously living if essential for employment, education, medical or support needs.
- Households placed outside the district may be considered for temporary accommodation within the district once a suitable unit becomes available, subject to their needs being assessed alongside the needs of other households who are owed a duty at the same time.
- Where the Council concludes its enquiries and decides that applicants placed in temporary accommodation are not owed an ongoing or any housing duty, under Part VII of the Housing Act 1996, they will be asked to leave and will be given reasonable notice to vacate the temporary accommodation. Reasonable notice will be such notice as the Council's deems reasonable for an applicant to find alternative accommodation. The length of that reasonable notice period will be determined on a case-by-case basis and will take account of the circumstances of the household.
- The usual approach will be that applicants will be made one offer of suitable temporary accommodation which will comply with all the considerations set out within this Plan. This is subject to any successful challenge as to the suitability of that offer and the Council's continuing obligation to keep the suitability of accommodation under review until such time as any relevant duty is brought to an end.
- There is no obligation to enable applicants to view the accommodation prior to acceptance, and in most cases, this will not be practically feasible, but the Council will facilitate this in exceptional circumstances where there is a special need to do so. The Council will provide the applicant with as detailed information on the property as is possible.

3.2 Temporary Accommodation Placements: location and suitability assessments

The Council will keep weekly records of what properties or units are available on each day and assess the best use of vacancies based on the needs of all households requiring accommodation.

The Council will operate in the following Zones.

- Zone A - located in Chelmsford City Council area
- Zone B - located in an adjacent district Braintree, Maldon, Rochford, Basildon, Brentwood, Epping and Uttlesford
- Zone C - located elsewhere in the County of Essex.
- Zone D - located outside of Essex.

Where it is not reasonably practicable to offer temporary accommodation in Zone A due to the availability a sequential search for temporary accommodation in Zone B or Zone C may be sourced depending on suitability for the household before considering a property in Zone D.

In relation to how the Council assesses priority for each zone, please see the Council's Private Rented Sector Offer Policy

In addition, when assessing the suitability of the location of temporary accommodation regard must be had to the Homelessness Code of Guidance 2018 as well as the relevant legislative provisions

(including sections 206, 208, and 210 of the Housing Act 1996 and the Orders including the Homelessness (Suitability of Accommodation) (England) Order 2012, article 2 and caselaw. Importantly, temporary accommodation must be suitable not only for the applicant but for all members of the applicant's household *i.e.* those who normally reside with the applicant, or who might reasonably be expected to reside with them.

The Code of Guidance 2018 sets out a number of factors that should be considered when deciding whether the accommodation is suitable or not. Households have the right to request a review of the suitability of accommodation under Section 202 of the 1996 Housing Act.

Suitability assessment will include (as is relevant to any individual case):

- Education:
 - The ages and key educational stages of children will be taken into consideration, including any exams at Key Stage 4 (GCSE) or Key Stage 5 (A Levels or equivalent Stage 3 vocational courses such as BTECs).
 - The practicalities of travel arrangements to existing schools, colleges or other educational establishments will be considered including the cost, ease and length of time of travel.
 - Support and assistance provided to any children with special educational needs will also be taken into consideration.
- Children:
 - In accordance with Section 11 of the Children Act 2004 and *Nzolameso*, the needs and welfare of all children in the household will be considered and any arrangements for safeguarding those needs. The key areas that will be considered are risks to health, safety, to enjoyment and achievement and economic well-being. The obligation in section 11, is to identify the needs of children but that *"does not in terms require that the children's welfare should be the paramount or even a primary consideration"*: *Nzolameso* at [28]).
 - Households with children at risk, on the Child Protection Register or significantly disadvantaged, will be prioritised for an offer of temporary accommodation within the district, ideally close to where they previously lived. In 'out of district' placements Essex County Council's Children's Services will be notified about the temporary accommodation placements. Where a placement is made out of district, the practicalities of maintaining existing childcare and / or other caring duties may be considered. The cost and availability of caring arrangements in the new area will also be explored, including travel time to that care provision.
- Employment:
 - Where the applicant or their partner or working age members of the household are accepted as being in employment and has been working continuously for a period of six months in the district under a written contract of employment (temporary or permanent) which requires at least 16 hours work a week at a site located within the district (*i.e.* remote or home working is not feasible), the place of employment will be taken into consideration.
 - Parents who are on parental leave who intend to return to work will also have their work location considered under this criterion. The ease and cost of travel to and from the location of the temporary accommodation to an existing place of work, including any shift patterns, may be considered.
- Risk and domestic abuse:

- Where a household is perceived to be at risk from others, or where there is a history of risk to others, the extent, nature, likelihood and gravity of the risk will be assessed and considered.
- Under Part 4 of the Domestic Abuse Act a partnership approach will be taken with Essex County Council to ensure the provision of suitable temporary accommodation for households at risk of domestic abuse. In cases of domestic abuse, particular regard shall be had to chapter 21 of the Code of Guidance 2018 and the Domestic Abuse Act statutory guidance.
- Where accommodation is sourced outside the district, the distance of the property to the district, together with services, amenities and transport links in the new area may be considered. The potential impact of the location on family members will be considered.

4.0 Current provision & future requirements.

Homeless demand can be difficult to predict. By looking at the number of applications and current provision it enables the Council to project demand for temporary accommodation regarding the type, numbers, size, and location of units, to ensure a sufficient supply of suitable accommodation which is appropriate, realistic, and affordable. Effective demand management and projections are critical to inform future procurement of temporary accommodation.

The Council has seen an increase in homelessness applications since the implementation of the Homelessness Reduction Act 2017 (which came into effect in April 2018) and a reduction in the availability of affordable homes.

- In 2018/19 the number of homeless enquiries was 776 but in 2022/23 the number of applications rose to 1155.
- In October 2023, there were 474 households in temporary accommodation, 196 of whom are waiting for a permanent solution.

There are two types of properties usually referred to as temporary accommodation:

- i) Interim (or emergency) accommodation for use during the relief stage of homelessness and whilst a household's homelessness application is being assessed (*i.e.* accommodation provided under Section 188, Housing Act 1996). Shorter-term accommodation is generally "nightly booked" and could be self-contained or shared accommodation, either through a private proprietor arrangement or through a Registered Provider. Such accommodation tends to be more expensive but it is only meant to be provided for short period of time.
- ii) Temporary or longer-term accommodation for households where the Council has accepted an ongoing accommodation duty (*i.e.* the Council has accepted a housing duty under Section 193 of the Housing Act 1996). This accommodation is provided until a suitable offer to discharge the Section 193 duty can be made.

4.1 Current Provision

The Council currently sources a range of accommodation to meet its statutory duties.

The Council currently has access to the following range of options for longer-term temporary accommodation (*i.e.* Section – 193 Accommodation for households where a statutory rehousing duty has been accepted).

- Units owned by the Council (retained and purchased)
- Modular Units owned by the Council
- Private sector leasing
- Registered Provider

The Council has access to the following range of options for shorter-term / emergency accommodation (*i.e.* Section 188 – where investigations are ongoing to determine duty)

- B&B
- Nightly Let – accommodation sourced from private providers and procured on a weekly basis.

4.2 Estimating and meeting need.

Social and affordable housing in the Chelmsford is in high demand, and there are far more people on the Housing Register than there are homes available. In July 2018, there were approximately 4,000 households on the Register. Following a review of eligibility restricting access, the number of households on the Register is now 1,300.

In 2023 to date, 118 households have been successfully rehoused from the register. Therefore, most households are not likely to be successful in finding a home through the Housing Needs Register.

Homelessness demand in the longer term is difficult to predict as it is driven by a complex range of social, economic, and external factors, as well as changes to national legislation and policy. The rate of growth in the need for affordable homes has risen faster and now exceeds the expected supply.

4.3 Year to date usage (October 2023) and projections

Accommodation type Section 193	No of Units available	Average monthly use year to October 2023	Occupancy rate
Units owned by the Council (retained and purchased)	59	49	83%
Modular Units	18	17	94%
Private sector leasing	81	74	91%
Registered Provider (TA)	56	49	87%*some units temporarily not in use
Total	214		
Short term / emergency accommodation (Section 188)	No of Units available	Average monthly use year to	No of Units available
B&B	n/a	12	n/a
Nightly lets	n/a	224	n/a

Property type

Accommodation type Section 193	1 bed	2 bed	3 bed	4 bed
Units owned by the Council		1	46	12
Modular Units	8	10		
Private sector leasing	22	38	16	5
Registered Provider (TA provision)	22	23	11	0
Total	52	72	73	17
Short term / emergency accommodation (Section 188)	1 bed	2 bed	3 bed	4 bed
Anne Knight House		11		
B&B	13			
Nightly lets	124	78	40	16

From current and previous use of temporary accommodation it is known that 70% of those needing a 2- or 3-bedroom home will be accommodated under s193 (needing a home that gives protection from eviction, i.e. a property owned by a Registered Provider (including the Council) or provided as an assured shorthold tenancy). For 4-bedroom need this is 90% of households in temporary accommodation.

Based on the need for temporary accommodation at the end of 2023, this proportion of households accommodated under s193 means there is an indicative need for temporary rather than interim accommodation to meet the bedroom need as follows:

- 70 2-bedroom homes
- 40 3-bedroom homes
- 15 4-bedroom homes

The need for 1-bedroom need has not been included as many in this category will need support as well as accommodation and this supply is considered in the Council's Housing and Homelessness Strategies.

The projected need for temporary accommodation is monitored on a monthly basis to help identify and work with trends, this will be reviewed no less than twice a year to update and inform the estimated need.

5.0 Procurement Principles

As set out in section 4 of the Plan, the Council currently owns 59 homes plus 18 modular units. As such, the Council's homes are accounted for within the General Fund. The Council's current position is that it does not wish to expand its own stock provision beyond 199 homes as the Council is not a stock holding authority and is therefore unable to effectively manage a large number of properties.

The Council is, however, operating as a local housing authority and landlord to ensure homelessness statutory duties are met and value for money is achieved. In order to meet the demands for temporary accommodation so as to comply with its statutory duties, the Council will follow the key principles

outlined below and seek to procure accommodation within the Chelmsford area for temporary accommodation.

If there is a need to procure accommodation out of district, the Council will apply the same principles and also seek to achieve this by looking at neighbouring authorities in the first instance. Areas further afield will be considered if it is necessary to meet a specific need or because there is nothing available closer to the Council's area when it is required.

The procurement principles are as follows.

- The Council will act to ensure it complies with all relevant legal obligations and have regard to all relevant legal guidance.
- Properties should be, and need to be, affordable and sustainable in the longer term to the households that occupy them. This means considering benefit dependent households in receipt of Housing Benefit or Universal Credit, and subject to Local Housing Allowance rates.
- Each property offered to a homeless household will be suitable for that household, compliant with health and safety requirements and in a decent condition.
- Landlords may on occasion be offered incentives to allow the Council to procure properties to prevent homelessness and to discharge its homelessness duties, and where the practice will help secure longer-term savings.
- Procurement offers value for money and social value.

6.0 Establishing the market management of private providers (nightly lets)

Whilst the procurement principles above apply to all types of temporary accommodation to which this Plan applies, the Council also needs to manage how it approaches the procurement and management of shorter-term, temporary accommodation to achieve value for money, effective management of the provider market, and is compliant with procurement rules.

The intention is that this type of shorter-term accommodation is used to discharge the Council's Section 188 duties. However, the shortage of other more secure forms of temporary accommodation means that the Council is reliant on nightly lets to also accommodate around half of the households in temporary accommodation under s.193.

Numbers of applicants in this type of accommodation is constantly in flux as decisions are made and other settled accommodation is sourced.

Current Nightly lets December 2023*

	1 bed	2 bed	3 bed	4 bed	Total
Nightly Lets	124	78	40	16	258

The main driver of increased requirements for temporary accommodation is based on the lack of throughput / availability of social and affordable rented housing in the area.

The lack of availability of wheelchair-accessible homes is an identified area where there is lack of provision.

6.1 Additional procurement principles for nightly lets

- Assessment of the spend by provider, to determine relative VFM / quality assurance.

- Prioritise development of supplier relationships with VFM providers and encourage investment in additional stock (where appropriate)
- Increase surety of accommodation supply and reduce administration, through effective contract management capacity and market management.
- Encourage private providers to convert temporary accommodation to assured tenancies where appropriate to discharge homelessness duties.
- Agree a procurement approach to control supply, quality, and cost.
- Develop a supplier framework, including registration.
- Establish cost & quality parameters with maximums.
If possible, across Essex Councils and consider collective bargaining power.
- Establish pricing structure - rent, service charges and utilities to be separated and the landlord is responsible for collecting service charges & utilities.
- Establish an outcome-based specification, to include weekly checks on occupancy & support service outcomes by providers.
- Implement new procurement approach to include range of contracts.
 - Reduce costs and provide accurate forecasting of costs for 2024/25 – offer 12-month contract arrangements for self-contained non secure accommodation,
 - Block book for 3, 6, 12-month periods to fix costs.



Chelmsford City Council Cabinet

12 March 2024

Tenancy Strategy 2024-2029

Report by: Cabinet Member for a Fairer Chelmsford

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Purpose

To seek approval to externally consult on an updated draft Tenancy Strategy 2024-2029. Chelmsford City Council's previous Tenancy Strategy was published in 2018 and is now due for review and replacement during 2024.

Options

1. Approve the Tenancy Strategy, as presented, for consultation.
2. Approve the Tenancy Strategy, with amendments, for consultation.
3. Decline to approve the Tenancy Strategy for consultation

Recommendations

1. The Tenancy Strategy, as presented, be approved for consultation.
2. Following the consultation The Director of Sustainable Communities be authorised in consultation with the Cabinet Member for a Fairer Chelmsford to make, if required, minor amendments and approve the Tenancy Strategy.

1. Background

- 1.1 Chelmsford City Council's previous Tenancy Strategy was published in 2018, it is now due for review and replacement. The purpose of the Strategy is to support Registered Providers (RPs) who are developing and managing homes in the district to understand the local housing need and reflect the Council's Strategic Housing priorities within their own policies.
- 1.2 The refreshed Strategy reflects the changing housing market conditions and re-establishes the Council's expectations of Registered Providers operating in the district.
- 1.3 Refreshing the Strategy will enable the Council to revitalise conversations with Registered Providers about the challenges and opportunities to create joint solutions through partnership and collaboration.

2. Context

- 2.1 Social and affordable housing in Chelmsford is in high demand, and there are far more people on the Register than there are homes available. There are currently 1300 households on the Register. At the time of writing this report 118 households have been successfully rehoused from the register this financial year.
- 2.2 Housing demand and homelessness in the longer term is difficult to predict as it is driven by a complex range of social, economic, and external factors, as well as changes to national legislation and policy. The availability of housing in Chelmsford has been significantly impacted by the housing market conditions including the extended differentials between housing costs and average incomes, the availability of homes in the private rented sector, and reductions in turnover in social and affordable housing as the housing market stagnates. The impact of increased interest rates and lack of certainty is slowing down the housing market further and reducing opportunities for people to move.
- 2.3 It is imperative as a non-stock holding authority that the Council clearly articulates its challenges and priorities to Registered Providers delivering the management of social and affordable homes.
- 2.4 The Tenancy Strategy is an opportunity to look at wider issues, such as ways of preventing homelessness and meeting housing need through:
 - Addressing key causes of homelessness such as domestic abuse and friends and family relationship breakdown
 - Creating a focus on sustaining tenancies,
 - Ensuring the best use of existing housing through downsizing schemes,
 - Policy application to remove barriers to access such as rent in advance, adaptations.
 - Improving housing supply.

3.0 Draft Tenancy Strategy

- 3.1 The Tenancy Strategy is a requirement of the Localism Act 2011, which introduced several changes to the way Local Authorities manage and allocate social housing. The Act sought ways to improve the supply of housing by removing the duty on Council's and Housing Associations as Registered Providers of social housing to provide the most secure tenure.
- 3.2 The draft Tenancy Strategy, attached at appendix 1, provides an up to date assessment of the housing market and the level of housing need based on the Strategic Housing Needs Assessment (SHNA) published in October 2023. This translated into a statement of what types of housing is needed to provide a strategic overview for new housing development.
- 3.3 The draft Tenancy Strategy addresses tenancy security to balance the desire for secure tenancies with the need to make the best use of housing stock due to the exceptionally high demand, and it provides guidance and sets out the Council's expectations in relation to the management of existing homes; the aim is to sustain existing tenancies, prevent homelessness and make the best use of their existing housing stock.
- 3.4 A specific 'ask' of the Tenancy Strategy is to work in partnership with the Council and partner agencies to tackle homelessness resulting from domestic abuse as this is a significant cause of homelessness in Chelmsford.

4.0 Consultation Process

- 4.1 Following Cabinet Approval of the draft Tenancy Strategy a formal consultation process will be undertaken with the Registered Providers operating in the Chelmsford district.
- 4.2 The Tenancy Strategy will be shared with Registered Providers (identified in Appendix Two) and feedback requested, the consultation will be open for 6 weeks.
- 4.3 Following the consultation if any significant amendments are needed to be made to the strategy it will be brought back to Cabinet for approval. If no amendments are required or amendments are minor, it is recommended that the Director of Sustainable Communities be authorised, in consultation with the Cabinet Member for a Fairer Chelmsford, to approve the Tenancy Strategy.

5.0 Conclusion

- 5.1 The demand for social and affordable housing is increasing as is the number of people approaching the Council for advice and assistance due to homelessness or the threat of homelessness.
- 5.2 Adoption of an updated Tenancy Strategy will enable the Council to reiterate and refresh conversations with Registered Providers about the challenges in Chelmsford through refreshed up to date housing market and housing needs assessment and the clarity of expectation.

List of appendices:

Appendix 1 Draft Tenancy Strategy 2024-2029

Appendix 2 Registered Providers Operating in Chelmsford

Background papers:

None

Corporate Implications

Legal/Constitutional: This strategy falls within the remit of Cabinet to approve.

Financial: None.

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: An Equality Impact Assessment is in development

Health and Safety: None

Digital: None

Other: None

Consultees:

None

Relevant Policies and Strategies:

Chelmsford Housing Strategy 2022-2027

Homelessness & Rough Sleepers Strategy 2020-2024

DRAFT Tenancy Strategy 2024 – 2029

1.0 Introduction

This is an update of the 2018 Tenancy Strategy to reflect the changing housing market conditions and re-establish the Council's expectations of Registered Providers operating in the district. In February 2022 the City Council made a declaration that Chelmsford is facing a housing crisis. Significant progress has been made preventing homelessness and tackling rough sleeping, however the housing market conditions mean:

- An ever-growing number of Chelmsford residents are unable to afford to buy or rent privately a home which meets their needs creating additional need for affordable homes.
- In 2022/23 there were 1155 homelessness enquiries, a 25% increase on previous years
- In October 2023 there were 474 households in temporary accommodation, 196 of whom are waiting for permanent accommodation
- Despite increasing the number of affordable homes the overall supply / lettings has fallen to its lowest level in 2023/24

Homelessness reflects the wider housing market conditions, specifically the supply and affordability of housing in Chelmsford. The Council's Corporate Plan '*Our Chelmsford, Our Plan*' sets out priorities to help create a greener, fairer, and more connected place.

A key priority is to help tackle local housing needs so everyone can aspire to having a home that they can afford, and which help address the causes of, and mitigate the impacts of, homelessness.

The focus and priority are further developed in the Housing Strategy and the Homelessness & Rough Sleepers Strategy, which are both being refreshed to reflect the changing housing market conditions.

2.0 Aims of the Strategy refresh.

A key outcome of the refresh of the Tenancy Strategy is to revitalise the conversations with Registered Providers about the challenges and create joint solutions through partnership and collaboration. As a stock transfer Housing Authority we recognise the importance of developing and maintaining close working relationships with all Registered Providers and facilitating regular dialogue.

Under the Regulatory Framework for Registered Providers, they are required to consider the aims of this strategy when developing their own policies and plans for developing and managing affordable housing in the area.

For those developing new affordable homes, the Tenancy Strategy may be referred to in Section 106 Agreements. For those owning and managing affordable homes, this Strategy should help them in the following ways:

- Understanding the local circumstances in which their organisation operates and how their business decisions will affect the local community.

- Understanding the profile and need that is reflected by those in housing need, applying for housing and living in affordable housing locally.
- Improve the ability to target resources and housing stock to meet those in greatest need and local priorities.
- Support the longer-term needs and aspirations of tenants of affordable housing, including those who may want to move on into more specialist housing or homeownership, as well as those who may want help to access training and employment.

This strategy will not affect or replace any existing agreements but should be referred to when policies and agreements between the Council and Registered Providers are reviewed. It will also be referred to when considering the development of new affordable housing.

3.0 The Legal Framework

The Localism Act introduced several changes to the way Local Housing Authorities manage and allocate social housing. In particular, the Act sought to improve supply of housing by removing the duty of Council's and Housing Associations as Registered Providers of social housing (RPs) to provide the most secure tenure possible.

This is based upon the knowledge that the greatest proportion of homes being available to offer each year will always come from the turnover of existing stock, and over time, what was a suitable housing option for a family when first housed may no longer be so. At a time when the need for affordable housing is so great, the government wanted to make clear that any offer of housing would be seen as something that could be reviewed at a later stage.

Legislation now requires RPs to let homes for at least two years, but for the majority the minimum should be at least five years for 'general needs' housing. The Act also introduced greater discretion for Local Housing Authorities in developing their policies for allocating housing. Despite reducing the number of households who now qualify for applying to the Housing Register, from over 3,000 to around 1,000, need still exceeds supply even for the most urgent cases.

The Regulatory Framework for Social Housing requires RPs to publish clear and accessible policies that outline their approach to tenancy management, including interventions to sustain tenancies, prevent unnecessary evictions, and tackle tenancy fraud. Referring to the relevant Tenancy Strategy will help ensure that these policies are proportionate to housing in the area and complement the aims of the Council in meeting housing need.

The Localism Act 2011 sets out the legal requirements for local housing authorities producing tenancy strategies; the Strategy must include guidance for Registered Providers operating in the district regarding:

- The kinds of tenancies they will grant.
- The circumstances when they should grant tenancies of a particular kind.
- The length of time fixed term tenancies should be granted for; and
- What is expected from them when ending a fixed term tenancy.
- It must relate to other existing and future policies and strategies (such as the Council's Allocations Policy and Homelessness & Rough Sleepers Strategy which are now also under review) and make sure that both are easily accessible.

All tenancy strategies are to be kept under review and replaced or refreshed every 5 years. Chelmsford City Council's previous Tenancy Strategy was published in 2018 so it is now due for review and replacement during 2024.

Before finally adopting the Tenancy Strategy, or replacing it, local housing authorities must consult with every Registered Provider in their district and give them a reasonable opportunity to comment before a final version is adopted.

A list of all the Registered Providers who have been engaged with in the development of this Strategy can be found in Appendix One.

4.0 Chelmsford's Housing Market

In October 2023 a new Strategic Housing Needs Assessment (SHNA) for Chelmsford City Council was published, which focusses on overall housing need, and affordable housing in the context of changing Government policy and the needs of specific groups such as older people.

ONS dwelling stock data indicates there were 78,700 dwellings in the City Council area as of 2021, a net increase of 7,500 dwellings between 2011 and 2021. Rates of change in dwelling numbers have been more than that seen in other areas, and particularly the last 4-5 years.

Levels of overcrowding are relatively low but rising within the rented sector; the reduction in lettings in social housing in Chelmsford means that there are now fewer homes available, a growing backlog of households in temporary accommodation and very little opportunity to resolve cases of over-crowding.

Despite meeting our targets for the development of new affordable homes in Chelmsford we have seen a continuous reduction in the overall number of lettings over the last decade, reflecting the national situation where this reduction has been nearly 40% from 396,000 in 2013/14 to 252,000 in 2022/23. Consequently, we must work with Registered Providers to reduce if not reverse this decline in supply.

This creates a different and more challenging context for the renewed Tenancy Strategy compared with previous versions, focusing on how a declining supply can be best used to meet a growing need?

5.0 Housing Need

For this Tenancy Strategy, it is helpful to give some background and an outline of the number and type of homes that are most needed. Until recently many local housing authorities including Chelmsford City Council relied upon the private rented sector to supplement the supply of social housing to help meet local housing need.

The SHNA published in October 2023, outlines the future mix of housing required which takes account of demographic change, including potential changes to the number of family households and the ageing of the population.

There are a range of factors which will influence demand for different sizes of homes, including demographic changes; future growth in real earnings and households' ability to save; economic performance and housing affordability. The analysis linked to future demographic change concludes that the following represents an appropriate mix of affordable and market homes, this takes account of both household changes and the ageing of the population.

In all sectors the analysis points to a particular need for 2-bedroom accommodation, with varying proportions of 1-bedroom and 3+-bedroom homes. For rented affordable housing there is a clear need for a range of different sizes of homes, including 40% of general needs housing to have at least 3-bedrooms.

The recommended mix is set out below:

Table 1: Suggested size mix of housing by affordable tenure.

	Affordable home ownership	Rented Affordable General needs
1 bed	25%	25%
2 bed	45%	35%
3 bed	25%	45%
4+ bed	5%	10%

The table below shows the number of lettings from April to December 2023 along with the average supply over the last five years:

Table 2: Supply and need for affordable rent homes

	Apr-Dec 2023	Average annual supply	SHNA Gross annual need
1 bed	72	108	280
2 bed	62	135	323
3 bed	26	54	211
4+ bed	12	3	43
Total	172	300	857

The strategic conclusions in the Strategic Housing Need Assessment recognise the role which delivery of larger family homes can play in releasing a supply of smaller properties for other households. Also recognised is the limited flexibility which 1-bedroom properties offer to changing household circumstances, which feed through into higher turnover and management issues.

The gross annual need takes into account the needs of those who are overcrowded and in housing need for reasons over than homelessness.

In December 2023 there were 475 households in temporary accommodation, highlighting the gap between the need and supply of affordable housing for even the most urgent housing need. In most cases these will be people and families to whom the Council has a statutory duty to secure accommodation for and will therefore be a priority for securing settled accommodation.

There is a growing likelihood that for many, the only affordable option may be in social housing, although we shall continue to try and expand options to make better use of the private rented sector. In October 2023 there were 1,300 households in the Housing Register, following a review restricting eligibility. Many of these are at risk of becoming homeless and the majority have very little expectation of having their housing needs met.

Homelessness demand in the longer term is difficult to predict as it is driven by a complex range of social, economic, and external factors, as well as changes to national legislation and policy. The rate of

growth in the need for affordable homes has for some time exceeded supply, hence the growth in the need for temporary accommodation. Local Housing Authorities throughout England must now consider the risk of exhausting the supply of temporary accommodation too and the consequences of this on homeless families.

6.0 What Type of Housing is Needed?

6.1 Tenure

The need identified in the SHNA for 623 affordable homes a year is extremely challenging in the current circumstances but it highlights the importance of making the very best use of all available stock in the affordable sector.

6.1.1 Affordable Rent or Social Rent

The analysis suggests there will be a need for both social and affordable rented housing – the latter will be suitable particularly for households who are close to being able to afford to rent privately and possibly also for some households who claim full Housing Benefit. It is however clear that social rents are more affordable and could benefit a wider range of households – social rents could therefore be prioritised where delivery does not prejudice the overall delivery of affordable homes. The increasing number of people living in temporary accommodation also points to the need for social rented housing ahead of other tenures.

It is therefore the Council's preference to see social rent rather than affordable rent where this is an option but we would also seek to enable affordable rent where the alternative would be less affordable to those in urgent need or a reduction in the affordable homes on a new development.

6.1.2 Introductory/Starter Tenancies

These have been used by providers in the area. In theory they can be helpful for landlords assessing the longer-term suitability of a tenant, and the possibility that circumstances could change during the first year.

We would want to know that this flexibility and willingness to use introductory or starter tenancies is backed up by a willingness to consider a wider range of possible tenants, including in those who may be more vulnerable, in need of support. Many people the Council has a duty to secure accommodation for may have experienced problems other than homelessness and will be anxious about the prospect of a tenancy that is only for a limited period. However, we understand the concerns of landlords and the need to work closely to help people move on into a more secure tenancy where possible.

We would like to see this as an area where flexibility in the policies of providers is used to help meet as wide a range of people in housing need as possible. Flexibility in the application of policies such as Rent in Advance is critical in supporting vulnerable people access tenancy's and consideration of options to support tenants in hardship and on limited income and welfare benefits is critical to remove barriers to secure homes.

In many cases households will have spent some time in temporary accommodation and the Housing Service will seek to provide help and support to providers as well as to tenants making the transition to

settled accommodation especially where this will help prevent the risk of homelessness. Whilst we understand the concern landlords may have about those who have become homeless we believe that time spent in temporary accommodation can be helpful identifying any concerns about becoming a tenant and we would like to see how we can work together to prepare people ready for move-on.

We would also like to understand ways in which those housed under an introductory tenancy can be reviewed before this is converted into an assured tenancy to make sure this is the most suitable option.

6.1.3 Fixed Term Tenancies

Fixed term tenancies can play an important purpose in helping to achieve the best possible supply of affordable housing. We expect that in many cases the offer of a fixed term tenancy may follow on from the successful completion of an Introductory Tenancy. The fixed term would be for a minimum period of five years on the basis that the household has demonstrated that they are responsible, able to manage a tenancy for that property, which is suitable for their need, and want and need to remain in settled accommodation.

Although the minimum period for a fixed term tenancy is two years, we would expect this only to be offered in exceptional circumstances, explaining to the tenant the reasons for this and if a household nominated by the Council, consulting with the Council before making this decision.

The Council does see that in a small number of cases, for example where it is probable that the need or eligibility of a household may change in the near future, a shorter period of fixed term tenancy could be more appropriate.

We would expect Registered Providers to begin the process of reviewing fixed term tenancies at a stage where there is a reasonable time for tenants to prepare and make other arrangements should there be a possibility that the tenancy will not be renewed. This should begin six months in advance of the possible termination date to give the same length of time that would be the case if they were renting from a private landlord.

In addition to the usual grounds for eviction, we expect that RPs may also consider not renewing a fixed term tenancy where:

- There has been a significant improvement in household income, and it is reasonable to expect that suitable accommodation can now be afforded locally to buy or rent.
- There has been a change in the household and there is now under- or overcrowding and it is no longer reasonable for them to remain in the property.
- The home was allocated to meet a particular need which no longer exists.

As with starter tenancies, we would like to work more closely with Registered Providers to make sure the best use is made of the housing stock in Chelmsford.

6.1.4 Intermediate Affordable Homes

Intermediate affordable homes may be helpful meeting the demand from some who can't or won't want to pay full market housing costs but this should not be provided as an alternative to the significant need (as opposed to demand) for social and affordable rented housing. The SHNA states:

“It is considered that the provision of affordable home ownership should be more explicitly focused on delivering smaller family housing for younger households. Based on this analysis, it is suggested that the following mix of affordable home ownership would be appropriate (although it is recognised that analysis did not definitively show a need for this tenure of housing)” para 5.35

In the same section as a Key Message the SHNA also says: *“In some areas Registered Providers find difficulties selling 1-bedroom affordable home ownership (AHO) homes and therefore the 1-bedroom elements of AHO might be better provided as 2-bedroom accommodation. That said, this report also highlighted potential difficulties in making (larger) AHO genuinely affordable.”*

The NPPF indicates that 10% of all new homes on larger sites should be for affordable home ownership but it does provide some examples of where the 10% might not be required (paragraph 65), if this would ‘significantly prejudice the ability to meet the identified affordable housing needs of specific groups’. In Chelmsford, the clear need for additional rented housing would arguably mean that providing the affordable home ownership would ‘prejudice the ability’ to meet the needs of the ‘specific group’ requiring affordable rented accommodation.

First Homes as a form of affordable home ownership has largely replaced shared-ownership since introduced a few years ago. We understand how shared-ownership may not have had an impact on meeting most, if any, of the Council’s housing duties but could help improve the financial viability for Registered Providers. We are therefore interested in understanding how we can identify and enable a form of intermediate affordable homes that provide the optimum outcome to meet local housing need and encourage development for Registered Providers.

6.2 Property size

There is a considerable shortfall in the local supply of larger affordable family homes. Although there is a considerable need for all size homes from 1- to 4-bed, a higher proportion of larger homes would contribute to the supply of smaller homes where this helps meeting the needs of families who are overcrowded.

Numerically the shortfall in annual supply of 4-bed homes is less than other sizes but the annual average supply is only 7% of identified need. Even a small increase as additional supply, including from the existing stock, could make a much greater improvement than the same number of additional homes of a smaller size.

The Council awards additional priority for overcrowding where families lack two or more bedrooms, this means that whilst 2-bedroom homes may help some who are overcrowded in 1-bedroom homes it is the need for 3-bedroom homes that help those who are suffering most due to overcrowding and have a higher level of priority.

Through this strategy the Council needs to work with Registered Providers to create a better supply from existing housing stock (re-lets and transfers) as well as new-build to increase the overall supply.

In referring to bedroom size it is essential that as many bedrooms are large enough for either two adults sharing or two children, a 3-bedroom home with one double-bedroom and two single bedrooms is of no strategic value.

The Council will be considering further amendments to its Allocation Policy including removing the age restriction on siblings and relatives of the same gender sharing bedrooms as this would help reduce the

number of households needing the largest homes and through the consultation on this strategy, we welcome feedback from Registered Providers on this.

6.3 Development of new homes

Where it is a policy requirement for new development to meet the need for affordable homes, it will be expected that the Council will have 100% nomination rights for all new rented homes, and no less than 75% nomination rights for the relets of these homes.

In the case of intermediate affordable homes this will be determined through negotiation between the Council, the Registered Provider, and any other relevant parties.

6.3.1 Local Lettings Plans

The Council recognises that at times Registered Providers may need to impose additional criteria for the selection of applicants nominated by the Council, because of issues that are unique to a particular location or scheme. Where this is requested for general needs rented homes this should be exceptional with justified need and time-limited, for example to allow improvements to be made to an area. In other cases, this may be because the homes are part of a scheme that includes housing for vulnerable residents, in which case the criteria may continue for as long as the homes continue to be allocated to meet this need. Requests for a Local Lettings Plan should be made prior to homes being advertised and will not be considered once the process for nominations has started. All requests must include both the reason for needing additional criteria to be applied and also clear details of what is being asked for and/or details of factors that will give preference to particular applicants. Registered Providers must give clear and precise information on the criteria that is to be applied and must also ensure that an Equality Impact Assessment has been completed to identify any adverse impacts.

A Local Lettings Plan must be agreed by the relevant manager of the Council's Strategic Housing Service before it can be implemented and we would expect some discussion with the Registered Provider in advance of this stage to help us understand the need and other options. If the Council is unable to provide a nomination that is acceptable, the Registered Provider should consult with the Council before taking any further action to see if the criteria can be amended and the property then advertised once more.

Local Lettings Plans may also be applied to schemes which are intended to give priority to people from a particular area, such as village or parish. In these cases, this should be included as part of the agreement for the development of the scheme. The plans will be referenced and recorded through the Planning process and the allocation policy for these homes will reflect what has been agreed as part of the Planning process. Where schemes are developed to meet or give priority to applicants from a particular village or parish, Registered Providers are strongly encouraged to include a cascade that would still allow applicants from outside this area to be considered, even with reduced entitlement.

7. Management of existing homes.

The Council supports and encourages Registered Providers to actively manage its relationship with tenants to actively contribute to the prevention of homelessness, the expectation is that no tenant is made homeless where the Council would then owe a statutory duty to rehouse.

The Council will work with the Registered Providers to deliver advice and assistance to prevent homelessness, including targeted prevention to the groups of people who have a greater propensity to become homeless.

7.1 Domestic Abuse

The Domestic Abuse Act 2021 supported by statutory guidance introduced a broad definition of domestic abuse setting out that domestic abuse can take any forms including economic abuse and controlling and coercive behaviour. There is a positive recognition of the need for a whole system response to supporting victims and survivors. The guidance recognises the complexity of abuse and needs to be properly understood to support a coherent multiagency response.

The Act requires anyone in social housing who becomes homeless as a result of domestic abuse to be provided with a like-for-like replacement home of the same size, tenure and protected rights in a location that is suitable.

In 2022/23 the Council received 178 cases of homelessness applications caused by domestic abuse – more than 50% of that year's affordable housing supply. Whilst it may not always be reasonable to prevent homelessness in many of these cases we believe more could be done to exclude the perpetrator as a way to prevent homelessness. If it is necessary for the family to leave the home they will inevitably need to move into temporary accommodation and we would like to see them return to their landlord as soon as a suitable property becomes available elsewhere in Chelmsford. We understand why it may be harder to arrange a transfer when supply is reducing but we think in some cases, even if temporary accommodation is needed as an interim, this would be quicker and better for families than relying solely on the Council's homelessness duties and it also shows compliance with the Domestic Abuse Act.

We would also support action being taken against perpetrators where this may be a breach of their tenancy agreement as it helps create more options for those who are at risk of becoming homeless.

The Regulator of Social Housing (RSH) expects all Registered Providers to publish a standalone domestic abuse policy which establishes support mechanisms for people experiencing domestic abuse to remain in their own home, where safe to do so, or have a planned move which does not have a detrimental impact on their security of tenure. The Council would expect that Registered Providers share their policy and operational approaches and work in partnership to prevent victims becoming homeless and provide a named contact for Domestic Abuse casework.

To reduce the number of people presenting as homeless from social housing tenancies where the tenants are no longer willing to accommodate, RPs are expected to work with families to ensure where planned moves are explored in all cases where there are no safeguarding concerns prior to homelessness applications being made.

7.2 Tenancy Failure

In 2022/23 121 households presented as homeless to Chelmsford were from social landlords, and from April 2023 – December 2023 73 households presented from social landlords. The expectation is that RP's actively work with tenants to sustain tenancies or deliver planned moves to prevent

homelessness. Any eviction process should be predicated with a discussion and homelessness assessment to ensure there is no statutory duty to rehouse.

The Council has a Tenancy Sustainment Officer, originally intended to give support to those in the private rented sector, this role has increasingly been involved with helping tenants of Registered Providers. We do not think there is duplication in most of this work but as demand continues to grow we need to be able to make sure that we are working closely and effectively with Registered Providers preparing people for becoming tenants whilst in temporary accommodation and avoiding the risk of repeat homelessness once they move on. We welcome any suggestions as to how we can make best use of our shared resources.

8. Best use of existing housing stock.

8.1 Better Supply

We see three ways in which we would like to work with local Registered Providers:

1. Additional development
2. Refurbishment / Redevelopment
3. Downsizing

8.1.1 Additional development

Conventional delivery through s106 agreements is reliant on local housing market conditions and can be affected by variable conditions that affect financial viability. Any other development including the intensification of existing sites, acquisition of existing properties to convert from market to affordable housing or development on exception sites helps supplement the planned supply of new homes.

8.1.2 Refurbishment / Redevelopment

Some existing housing stock may no longer be financially viable or sustainable. In the past this may have been disposed of but the Council and we hope Registered Providers will now want to consider all reasonable options to avoid any further reduction in local supply. This may mean investing more than usual in bringing homes back into use, or redeveloping the site (in some cases for a larger number of homes). It could also include conversion of tenure, for example from intermediate to affordable rent.

8.1.3 Downsizing

We know that a considerable number of affordable homes in Chelmsford are under-occupied, in many cases tenants will be reluctant to leave a home and sometimes may face other barriers that makes this easier said than done. With such a small supply of larger homes, even a small number of moves makes a significant improvement to the supply of 3- and 4-bedroom homes. People often associate downsizing with meeting the need of an ageing population (see below) but we believe the reduction in supply is partly also associated with the lack of other options which previously may have provided a route into shared- or outright home-ownership which also contributed to additional affordable homes becoming available.

Through consultation with Registered Providers we would like to agree and develop ways to improve the use and supply from the existing housing stock to supplement the supply which has been so reliant on new build.

8.2 Allocations

We understand why it is important that homes are advertised at the earliest possible date and the reason for delays between homes being ready to let and tenants being signed up and moving in. It is frustrating and costly though when this becomes a delay to families being able to move on from temporary accommodation as other options come and go in between the period when they are nominated and are eventually able to move.

We therefore want to ensure there is a minimal period between the allocation of homes and the sign up of the tenancy, if not the actual move-in date.

The large number of families in temporary, the associated cost and the growing backlog of families needing temporary accommodation who are in risk of being street-homeless means that we also need to know when a family's temporary accommodation can be ended. We therefore also want to work with Registered Providers to improve communication to avoid delays with the management and allocation of temporary accommodation by knowing as soon as possible when new tenancies start.

Many families have become homeless due to their income being inadequate to meet the cost of living in Chelmsford, they will often incur debt which takes time to repay and will also be at their spending limits whilst in temporary accommodation. For this reason it is often unreasonable to make any offer of suitable housing conditional on their ability to pay rent in advance or expect the Council to meet this cost on their behalf. If Registered Providers are concerned about the need to help ensure against future arrears the Council would consider other ways of dealing with this as no one would want to see families becoming homeless again.

8.3 Adaptations

The Council supports the use of Disabled Facilities Grants (DFGs) to improve the supply of homes for people with disabilities along with planning policies encouraging a proportion of new homes which are designed for wheelchair use and other adaptations.

Increased flexibility for the use of DFGs could enable innovation in the way we work in partnership with Registered Providers to improve the supply of homes, whether from the existing stock or new-build, to meet the need of those who need adapted homes to allow them to live independently. The gap between housing need and supply is a concern and it is not acceptable for this to be even greater for those with disabilities including families with disabled children.

8.4 Tenancy Conversion

Some Registered Providers may wish to convert some homes from social tenancies to Affordable Rent tenancies when the properties become available to re-let. This can help supplement revenue to meet the cost of new development but also means an increase in housing costs which could be a problem for those families on very low incomes, especially if needing larger homes. RPs should avoid converting larger social rented homes to Affordable Rent and also the smallest of homes (bedsits and studio apartments for single people), because of the greater impact this would have on these households.

9. Disposal of Affordable Homes

It is sometimes inevitable that the cost of retaining some property can become uneconomical. Landlords must decide as to either a change of use or disposal. Where the RP has imminent and realistic plans that would mean at least a one-for-one replacement using the proceeds from the disposal of property that is no longer financially viable to retain, in addition to what is already planned to be delivered through the Council's Local Plan, then this could be seen as being justifiable.

In other cases, the Council would want to know that all reasonable efforts have been made to accurately assess the actual cost of retention and that all other options have been considered including conversion to a change of use that would still meet the need for affordable housing or transfer to another owner who would be able to retain the property for this or similar purpose. The Council understands the need of RPs to make commercial as well as strategic decisions about their stock, working together to understand both the need for disposal and the need to replace homes can help both work in a transparent way that ensures the best interests of the local community are met. We would therefore expect all RPs considering either disposal or change of use to discuss this at an early stage in their decision-making process.

10 Development of our Refreshed Strategy

We have followed guidance and good practice in reviewing and developing our Tenancy Strategy. It is based upon the need for housing identified in the Council's Strategic Housing Market Assessment (2023). We have then also looked at the need of those who are registered with the Council for housing, broken down into bedroom size, and those in most urgent need because they are at risk of homelessness or having to live in temporary accommodation.

Finally, we have looked at the supply of homes, those that are re-let and new homes, to give an indication of overall housing need and supply. By considering all of the above, we can begin to see where there may be more pressure on some housing and a need to work in partnership to improve supply.

This strategy is developed alongside the Council's Allocations Policy and both are informed by an analysis of housing need. This analysis considers the recommendations of the Council's Strategic Housing Market Assessment, a review of need based upon applications for housing and homelessness against recent and planned supply of affordable homes, and a constant review of the need and supply of temporary accommodation. This strategy will be subject to continuous review and is expected to be effective from 2024/29. If there is a need to make amendments in the meantime this will be done after consultation with Registered Providers who are managing and developing homes in the Chelmsford.

Following approval of the Draft Tenancy Strategy a six-week consultation will be undertaken with Registered Providers identified in the Appendix and revised if required prior to final approval.

Appendix Contact details for Registered Providers

Name of Organisation	Postal Address	Email and telephone
Affinity Sutton – now part of Clarion	Level 6, 6 More London Place, Tooley Street, London, SE1 2DA	www.myclarionhousing.com 0300 100 0303
CHP	Myriad House, 23 Springfield Lyons Approach, Chelmsford, Essex CM2 5LB	www.chp.org.uk 0300 555 0500
Colne	Digby House, Riverside Office Centre, Causton Road, Colchester, Essex, CO1 1RJ	www.colnehousing.co.uk 01206 244700
Cotman	Cotman House, Bowthorpe Hall, Bowthorpe Hall road, Norwich, NR5 9AD	www.cotmanhousing.org.uk 0800 028 4240
L&Q	29-35 West Ham Lane, Stratford, London E15 4PH	www.lqgroup.org.uk 0300 456 9996
Peabody	Rowan House, 33 Sheepen Road, Colchester, Essex CO3 3 WG	www.peabody.org.uk/home 01206 773000
Genesis	Head Office, Atelier House, 64 Pratt Street, London, NW1 0DL	www.genesisha.org.uk 033 3000 5000
Habinteg	Holyer house, 20-21 Red Lion Court, London , EC4A 3EB	www.habinteg.org.uk 020 7822 8700
Hastoe	Rectory Farm Barns, Little Chesterford, Saffron Walden, Essex CB10 1UD	www.hastoe.com 0300 123 2250
Home Group	1 Steeple House, Church Lane, Chelmsford, Essex, CM1 1NH	www.homegroup.org.uk 01245 346 668
John Henry Keene	John Henry Keene Memorial Homes Broomfield Road Chelmsford, Essex, CM1 1RJ	clerk@keenehomes.org.uk 07752 758670
London & Quadrant (L&Q)	29-35 West Ham Lane, London E15 4PH	www.lqgroup.org.uk 0300 456 9996
Masonic	Hamilton Court, Nelson Place, South Woodham Ferrers, CM3 5FJ	www.hamilton-court.co.uk 01245 323 743
Moat	Second Floor Office, Fullbridge Mill, Maldon, Essex CM9 4LE	www.moat.co.uk 0300 323 0011
Sanctuary	Shaftesbury Sanctuary Housing, The Grange, Nutholt Lane, Ely CB7 4EE	www.sanctuary-group.co.uk 0800 131 3348 (landline) 0300 123 3511 (mobile)
Clarion	Level 6, 6 More London Place, Tooley Street, London, SE1 2DA	www.myclarionhousing.com 0845 600 1543 SPH

Origin Housing	St Richards House, 110 Eversholt Street, London, NW1 1BS	www.originhousing.org.uk 0300 323 0325
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Appendix 2 - Registered Providers

Name of Organisation	Postal Address	Email and telephone
Affinity Sutton – now part of Clarion	Level 6, 6 More London Place, Tooley Street, London, SE1 2DA	www.myclarionhousing.com 0300 100 0303
CHP	Myriad House, 23 Springfield Lyons Approach, Chelmsford, Essex CM2 5LB	www.chp.org.uk 0300 555 0500
Colne	Digby House, Riverside Office Centre, Causton Road, Colchester, Essex, CO1 1RJ	www.colnehousing.co.uk 01206 244700
Cotman	Cotman House, Bowthorpe Hall, Bowthorpe Hall road, Norwich, NR5 9AD	www.cotmanhousing.org.uk 0800 028 4240
L&Q	29-35 West Ham Lane, Stratford, London E15 4PH	www.lqgroup.org.uk 0300 456 9996
Peabody	Rowan House, 33 Sheepen Road, Colchester, Essex CO3 3 WG	www.peabody.org.uk/home 01206 773000
Genesis	Head Office, Atelier House, 64 Pratt Street, London, NW1 0DL	www.genesisha.org.uk 033 3000 5000
Habinteg	Holyer house, 20-21 Red Lion Court, London , EC4A 3EB	www.habinteg.org.uk 020 7822 8700
Hastoe	Rectory Farm Barns, Little Chesterford, Saffron Walden, Essex CB10 1UD	www.hastoe.com 0300 123 2250
Home Group	1 Steeple House, Church Lane, Chelmsford, Essex, CM1 1NH	www.homegroup.org.uk 01245 346 668
John Henry Keene	John Henry Keene Memorial Homes Broomfield Road Chelmsford, Essex, CM1 1RJ	clerk@keenehomes.org.uk 07752 758670
London & Quadrant (L&Q)	29-35 West Ham Lane, London E15 4PH	www.lqgroup.org.uk 0300 456 9996
Masonic	Hamilton Court, Nelson Place, South Woodham Ferrers, CM3 5FJ	www.hamilton-court.co.uk 01245 323 743
Moat	Second Floor Office, Fullbridge Mill, Maldon, Essex CM9 4LE	www.moat.co.uk 0300 323 0011
Sanctuary	Shaftesbury Sanctuary Housing, The Grange, Nutholt Lane, Ely CB7 4EE	www.sanctuary-group.co.uk 0800 131 3348 (landline) 0300 123 3511 (mobile)
Clarion	Level 6, 6 More London Place, Tooley Street, London, SE1 2DA	www.myclarionhousing.com 0845 600 1543 SPH
Origin Housing	St Richards House, 110 Eversholt Street, London, NW1 1BS	www.originhousing.org.uk 0300 323 0325



Chelmsford City Council Cabinet

12 March 2024

Proposed Change to the Constitution

Report by:

Leader of the Council

Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,
email: lorraine.browne@chelmsford.gov.uk, tel: 01245 606560

Purpose

To consider a change to the constitution.

Recommendations

1. To consider a proposal to change to the terms of reference for the Treasury Management and Investment Sub Committee to increase membership from five to seven councillors.
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1. Terms of reference for Treasury Management and Investment Sub Committee

- 1.1. The current terms of reference make provision for 5 councillors to sit on this committee. It is proposed to increase membership to 7 councillors. Cabinet is asked to consider whether it should recommend to Full Council that this change is made. This item has been considered by the Constitutional

Working Group and Governance Committee who recommend that the change is made.

- 1.2. This is a politically balanced committee, and the proposal has arisen to enable a councillor from the Independent Group to sit on this committee. A further administration member will also be added to the committee.

List of Appendices

None

Background papers: Nil

Corporate Implications:

Legal/Constitutional: These are set out in the report.

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: Constitutional Working Group & Governance Committee

Relevant Policies and Strategies:
