

# Agenda

## Executive Committee

Date:	Thursday, 25 April 2024 at 6:30 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Karen Buckley (Chairman)          Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Peter Collins, Chris Dixon, Ellie Gaunt, Karen Henshaw JP, Matthew Lee, Michelle Morris, Ed Nash, Jayne Nixon, Tommy Threlfall.</p>

### Public Platform

To hear representations from members of the public in accordance with Article 15 of the Constitution. To register to speak under Public Platform: see [Public Speaking at Council Meetings](#).

Capacity for public attendance will be limited to the number of seats available in the Public Gallery.

	<b>PROCEDURAL ITEMS:</b>	<b>PAGE</b>
<b>1</b>	<b>Declarations of Interest:</b> Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	<b>1</b>
<b>2</b>	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 23(c).	<b>1</b>
<b>3</b>	<b>Confirmation of Minutes:</b> To confirm the minutes, as previously circulated, of the meeting held on 19 February 2024 as a correct record.	<b>1</b>
	<b>DECISION ITEMS:</b>	
<b>4</b>	<b>Fully Funded Revenue Budget Increase - Household Support Fund Round 5</b>	<b>3 - 6</b>
<b>5</b>	<b>Rawstone Centre Roof Project Drawdown Request</b>	<b>7 - 12</b>
<b>6</b>	<b>Part One- In-Depth Scrutiny Review - Affordable Housing</b>	<b>13 - 90</b>
<b>7</b>	<b>Updates and Amendments to the Housing Assistance Policy Encompassing the Disabled Facilities Grant, Better Care Fund Adaptions Grant, and Affordable Warmth Grant</b>	<b>91 - 112</b>

8	Asylum Dispersal Grant Funding	113 - 117
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11	The Asset Management Plan	132 - 144
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14	Spotlight Review - Climate Neutral Action Plan	151 - 154
15	St Annes Pool – Sport England Funding and Capital Works	155 - 163
16	Kirkham Pool – Scrutiny Recommendations	164 - 167

Contact: Katharine McDonnell - Telephone: (01253) 658550 – Email: [democracy@fylde.gov.uk](mailto:democracy@fylde.gov.uk)

The code of conduct for members can be found in the council's constitution at

<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEPUTY CHIEF EXECUTIVE	EXECUTIVE COMMITTEE	25 APRIL 2024	4
<b>FULLY FUNDED REVENUE BUDGET INCREASE - HOUSEHOLD SUPPORT FUND ROUND 5</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### RELEVANT LEAD MEMBER

This item is within the remit of the Lead Member for Finance and Resources, Councillor Ellie Gaunt.

#### PURPOSE OF THE REPORT

To provide details of further government grant funding for Household Support.

To draw down from Lancashire County Council (LCC) £261,853 from the fund to support low-income families using similar approaches applied for the previous three rounds of Household Support Fund.

#### RECOVERABILITY

This decision is not recoverable because it relates to a recommendation to the council.

#### RECOMMENDATION

To recommend that Council approve a fully funded revenue budget increase of £261,853 in 2024/25, fully funded from the government Household Support Fund grant.

### REPORT

#### HOUSEHOLD SUPPORT FUNDING

1. In September 2021, the government announced that vulnerable households across the country would be able to access a £500 million support fund to help them with essentials over the winter period. This funding was provided to LCC with £150,000 allocated to Fylde Council. The grant was to directly help residents who needed it most based on various criteria around income, family size etc. with funds distributed through small payments that supported vulnerable households to meet daily costs such as food, clothing, and utilities. The funding was available to individuals and families irrespective of age. The Environmental, Health and Housing Committee has received updated information on the programme expenditure and outcomes.
2. In July 2022, Fylde Council received a further £270,000 from the Household Support Fund through LCC which was to be more targeted at support for the elderly.

3. In October 2022 a third round of Household Support Fund grants was allocated to Fylde Council through LCC, and a further £270,000 was made available to support households in need up to March 31, 2023, this was allocated on a similar basis to the first round of funding made in September 2021.
4. In March 2023 a fourth round of Household Support Fund grants was allocated to Fylde Council through Lancashire County Council a further £540,000 was made available to support vulnerable households for the period running to 31<sup>st</sup> March 2024.
5. Over the past five cohorts of the Household funding administration, we have utilised a comprehensive multiagency approach to ensure the effective and efficient use of resources. We have collaborated with multiple sectors; engaged with the voluntary sector, faith sector, and involved community members in smaller cohorts to enhance the reach and impact of our initiatives. Partnership with key organizations such as the Citizens Advice Bureau (CAB) and working closely with Housing, HomeStart, and Foodbanks, to address the diverse needs of households and provide tailored support. This collaborative approach has enabled us to maximize the impact of the household support funding, ensuring that it reaches those in most need and delivers tangible benefits to the community.
6. A fifth round of Household Support Fund grants has been announced by the government with £421 million allocated to upper-tier authorities to provide support in the period up to 30 September 2024. Fylde Council has been notified by Lancashire County Council that it will receive £261,853 to provide support to vulnerable households for the period running to 30<sup>th</sup> September 2024. The funds should be spent or committed by 30<sup>th</sup> September 2024 and should not be carried forward for future use.
7. The Household Support Fund is provided by the Department for Work and Pensions to support those most in need. This fund can be used to help households with children, households with pensioners, households with disabled persons and other households towards the cost of:
  - a. Food
  - b. Energy/water needs
  - c. Essentials linked to energy and water
  - d. Wider essentials, where appropriate, such as clothing, broadband, period and hygiene projects.
  - e. Housing costs
  - f. Reasonable administrative cost.
8. The funding should be used to meet the immediate needs and help those who are struggling to afford energy and water bills, food, and related essentials. Authorities can use the funding to support households who are struggling to afford other essentials and housing costs.
9. Authorities have been encouraged to work in partnership with third-party organisations to identify individuals and families where there is greatest need. Fylde has taken this approach when allocating the first three rounds of Household Support Fund working with local charities (CAB, Food Bank, Homestart etc) community groups (Well Church, Hope Church, YMCA etc) and Lancashire County Council as well as other neighbouring authorities on initiatives.
10. Appendix 1 of the report provides details of the indicative schemes that the fund will support, many of the initiatives are tried and tested in Fylde from earlier funding rounds. The target population is well-known and well-informed.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	√
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	

IMPLICATIONS	
Finance	The report recommends that Council approve a fully funded revenue budget increase of £261,853 in 2024/25, fully funded from the government grant funding stream for Household Support Fund.
Legal	The council has put in place accountable and transparent decision-making powers.
Community Safety	There are no implications.
Human Rights and Equalities	There are no implications.
Sustainability and Environmental Impact	There are no implications.
Health & Safety and Risk Management	There are no implications.

SUMMARY OF PREVIOUS DECISIONS
<p><b>Finance &amp; Democracy 24<sup>th</sup> January 2022</b> – Approval of a revenue budget increase of up to £150,000 in 2021/22, fully funded from the government grant funding stream for Household Support Grant (Round 1).</p> <p><b>Full Council 4<sup>th</sup> July 2022</b> - Approval of fully funded budget increase in the sum of £270,000 in 2022/23, fully funded from the government grant funding stream for Household Support Grant (Round 2).</p> <p><b>Full Council -5<sup>th</sup> December 2022</b> - Approval of fully funded budget increase in the sum of £270,00 in 2022/23, fully funded from the government grant funding stream for Household Support Grant (Round 3).</p> <p><b>Urgent Decision in May 2023</b> as reported to Community Focus Scrutiny Committee 22 June 2023 – Approval of fully funded budget increase in the sum of £540,000 in 2023/24, fully funded from the government grant funding stream for Household Support Grant (Round 4)</p>

BACKGROUND PAPERS RELEVANT TO THIS ITEM		
Name of document	Date	Where available for inspection
Household Support Fund (National)	February 2023	<a href="#">Household Support Fund Guidance</a>
Household Support Fund (Fylde)	September 2021	<a href="#">Household Support Fund Help</a>
Household Support Fund (LCC)	September 2021	<a href="#">Household Support Fund Lancashire</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Tracy Manning	<a href="mailto:tracy.manning@fylde.gov.uk">tracy.manning@fylde.gov.uk</a> & 01253 658506	10/4/2024

Attached documents

Appendix 1 - Indicative Allocation of Household Support Fund Round 5 (to 30<sup>th</sup> September 2024)

## Appendix 1

- **CAB:** energy bills and essential support through applications £195,000
- **Foodbanks:** community support through vouchers and food parcels £30,000-£40,000
- **Homestart:** white goods purchases through signposting / referrals from professionals and partners £10,000
- **The Housing Service:** multiple schemes as set out below. £15,000

### Aldi vouchers

The fund has been used previously for providing Aldi Vouchers. Payments of £10 or £20 for a single person and £50 for a family have supported clients to purchase food when the food bank is not open usually in an emergency. This scheme has had the biggest impact where households are in B&B prior to going into temporary self-contained accommodation in St Annes, the vouchers have assisted with the extra costs of providing food.

### Argos Vouchers

The fund has been used to provide household support packs which included cutlery, bedding, toasters, kettles etc. The provision of such items has been essential when clients move into new accommodation. The use of vouchers to provide household items essential for everyday living has been very successful in previous funding rounds with demand still evident.

### White goods and carpets

The ability to assist clients with up to £400 towards cooker/fridge/carpets made a significant difference to households moving into accommodation along with the smaller items support scheme.

### Top up Rent in Advance and Bond/RIA for households in employment

The Housing service currently has a high number of households in temporary accommodation whose options for social housing are affected by the lack of turnover in housing stock and private rental levels being unaffordable given their present circumstances. Households in receipt of HB can apply for rent bond or rent in advance from DHP and Vickers Relief. Many can source accommodation slightly above LHA rates, concerns around affordability after 6 months results in applications to DHP and Fylde Council Help 2 Rent scheme being refused. The additional funding has been used to fund a top up from HB levels for 6 months' rent in advance enabling the move into independent accommodation out of temporary accommodation. For households in employment the options for rent bond or RIA are limited to Vicars Relief Charity as they are not eligible for DHP funding. The additional funding would be used to assist these households into independent accommodation and based on affordability would cover the rent bond and rent in advance.

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF TECHNICAL SERVICES	EXECUTIVE COMMITTEE	25 APRIL 2024	5
<b>RAWSTORNE CENTRE ROOF PROJECT DRAWDOWN REQUEST</b>			

## PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Finance and Resources, Councillor Ellie Gaunt

### PURPOSE OF THE REPORT

To request authorisation for the payment of a grant in the sum of £30,000 to Freckleton Parish Council as a contribution towards the costs of replacing the roof on the Rawstorne Sports Centre in Freckleton.

### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

### RECOMMENDATION

The Committee are recommended to approve:

1. The payment of a grant in the sum of £30,000 to Freckleton Parish Council, which is included within the Capital Programme for 2024/25 as approved at Budget Council in March 2024, as a contribution towards the costs of replacing the roof on the Rawstorne Sports Centre in Freckleton, subject to the prior signing of a legal agreement to specify what the grant is to be spent on and that Fylde Council is to be appropriately acknowledged for this.

## REPORT

1. Rawstorne Sports Centre in Freckleton was built on Bush Lane Playing Fields using funding awarded in 1975 from The Rawstorne Trust. The building, which is owned by Freckleton Parish Council, is used by local residents including members of two Cricket teams, four Football teams (including seniors, teens, and juniors), a Netball team, Youth Club and support for local Organisations (e.g., NHS seminars) as well as being used for social events such as birthday parties and Christenings. In addition the venue is used for charity fund raising events, Club Day and other community events.
2. In 2023 the building experienced electrical issues which, on investigation, were found to be caused due to a leak in the roof. Although an emergency repair was carried out by Freckleton Parish Council additional issues were identified including rotten roofing battens and tiles and felt that were no longer waterproof. Parts of the roof are still leaking and as such the centre is currently unable to operate at full capacity.

3. In late 2023 Freckleton Parish Council approached Fylde Council to ask for financial assistance to replace the roof and avoid further internal damage to the centre. As a result a capital bid was submitted and included in the 2024/25 budget approved at the Full Council meeting in March 2024. As set out in the capital bid (Appendix 1), the total project costs are estimated to be £39,180. Due to the emergency nature of the work this cost would have required a 35% increase to the Parish's precept for the Parish to meet the total cost themselves this financial year. As such, of the total costs Freckleton Parish Council have requested that Fylde Council contribute £30,000 with the remainder coming from a separate grant and their own reserves. It is intended that the works will be carried out in Spring/Summer 2024.
4. The committee is requested to approve the draw-down of £30,000 towards Freckleton Parish Council's costs to re-roof Rawstorne Sports Centre.
5. The scheme works will be procured and managed by Freckleton Parish Council. It is proposed that Fylde Council will make a single grant payment of £30,000 in support of the scheme and that there will be no on-going capital or revenue costs to Fylde Council. A legal agreement will be prepared to be signed by both parties prior to the grant payment being made to ensure the funding is used in accordance with the funding bid as submitted. It is proposed that a condition of the grant is that funding from Fylde Council is acknowledged by Freckleton Parish Council in all communications relating to the promotion of the Rawstorne Centre and physically at the site itself.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	√
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	√

IMPLICATIONS	
Finance	This report requests approval for the payment of a grant in the sum of £30,000 to Freckleton Parish Council, which is included within the Capital Programme for 2024/25 as approved at Budget Council in March 2024, as a contribution towards the costs of replacing the roof on the Rawstorne Sports Centre in Freckleton.
Legal	To ensure Fylde Council's funding is utilised as requested a formal agreement will be signed prior to the transfer of the requested funding.
Community Safety	There is no direct implications from the report
Human Rights and Equalities	There is no direct implications from the report
Sustainability and Environmental Impact	There is no direct implications from the report
Health & Safety and Risk Management	There is no direct implications from the report

SUMMARY OF PREVIOUS DECISIONS	
At the Full Council meeting of 4 <sup>th</sup> March 2024 it was resolved	
1. To note the recommendations of the Executive Committee meeting of 19th February 2024 and the Internal Affairs Scrutiny Committee meeting of 20th February 2024, and approved as follows:	
b) The budget proposals and changes to Reserves and Balances as set out in Appendices F & H, to include approval that the Council will act as the accountable body for any of the new capital schemes (as indicated) in Appendix F;	



**BACKGROUND PAPERS REVELANT TO THIS ITEM**

Name of document	Date	Where available for inspection
None		

LEAD AUTHOR	CONTACT DETAILS	DATE
Darren Bell Andrew Loynd	<a href="mailto:Darren.bell@fylde.gov.uk">Darren.bell@fylde.gov.uk</a> Tel 01253 658465 <a href="mailto:andrew.loynd@fylde.gov.uk">andrew.loynd@fylde.gov.uk</a> Tel 01253 658 527	April 2024

Attached Documents

Appendix 1 - Capital Bid

Prepared by/Bid Originator – Head of Technical Services

**Scheme Title: Rawstone Centre Roof Project, Freckleton**

**Description of Scheme:**

This project has been requested by Freckleton Parish Council, which was initiated by an electrical issue at the Rawstone Sports Centre, caused due to a leak in the roof. An emergency repair was undertaken to solve the problem. After an inspection of the roof, it was discovered that the tiles and felt weren't waterproof and therefore in need of replacing. In addition, the roofing battens were found to be rotten. As a result, the electrics have been compromised in the building.

The outcome is that the roof needs replacing on the Rawstone Centre, which is still leaking in certain areas and causing the Centre not to be used to its full capacity.

This is an emergency project which needs to be undertaken at the earliest opportunity to mitigate further damage. The Centre is used by local residents including 2 Cricket teams; 4 Football teams (including seniors, teens, and juniors); a Netball team; Youth Club, support for local Organisations (e.g., NHS seminars) and for social events such as birthday parties and Christenings.

Recently the venue was used for a charity event in aid of Breast Cancer Research as detailed on the poster below.

The venue is also the location for various events on Club Day, including the travelling fairground and the sports day.

The Centre is the local communal hotspot to host local events and bring the community together. Some more events are shown below.



A detailed breakdown of the funding strategy is detailed below –

**Capital cost plan:**

Cost Heading	Description	Total £
Funding For Re-Roof	External Roofing Works and Scaffolding Costs	37,580
	Internal Insulation Costs	1,200
	Building Regulations	400
<b>Total Cost of Project</b>		<b>£39,180</b>

Freckleton Parish Council are in the process of obtaining a grant for this project from George's Garage Trust for £5,000.

The outcome of this will be known after 15<sup>th</sup> January 2024.

The Parish Council are requesting £30,000 from Fylde Council towards the upgrade of the roof.

Any additional funds required will come from the Parish Council.

The Parish Council has very limited funds to support the project so is unable to fund the full value of the works required and therefore require Fylde Council support.

**Outputs (i.e., details of what the investment will specifically deliver):**

Currently, areas of the centre are not available to use due to the leaking roof. This project will deliver a watertight roof, fit for purpose, with upgraded insulation to meet current regulations and therefore providing a more cost effective and environmentally friendly building.

**Contribution to corporate objectives (how does the proposal achieve or help deliver priorities within the Corporate Plan and other key corporate strategies?)**

**Environment** – Provide high-quality parks and open spaces.

**Tourism** – Provide high quality leisure, tourism, arts, sports, and recreation facilities. Deliver and support a diverse programme of events across the Fylde coast and countryside.

**Budget Resource Requirements - Breakdown of initial capital costs and future revenue implications**

Estimated Total Capital costs of bid (£000's):	£39,180
Funded by; Fylde Council	£30,000
Freckleton Parish Council	£ 4,180
George's Garage Trust	£ 5,000

**Value and phasing of bid (amend dates as necessary):**

2023/24 £000	2024/25 £30,000	2025/26 £000	2026/27 £000	Total £30,000

**Existing resources in the Capital Programme relating to this scheme (as applicable):**

2023/24 £000	2024/25 £000	2026/27 £000	2027/28 £000	Total £000

**Estimated timescales for the bid:**


Project Start Date: April 2024

Project Completion Date: June 2024

**Project Risks (outline any risks to delivery of the project and how these will be mitigated)**

Risk	Impact	Mitigating Action
a) Inclement weather  b) Health & Safety	Work delayed due to poor weather conditions.  Ill Health, Injuries and Death	Appropriate Risk Contingency. Work carried out during Spring/Summer.  Appropriate Control Measures Applied By Contractor. Site Visits by FBC.

**Endorsement of bid by Chief Executive**

Signature  Position Chief Executive  
 Date 29<sup>th</sup> January 2024

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
INTERNAL AFFAIRS SCRUTINY CHAIRMAN	EXECUTIVE COMMITTEE	25 APRIL 2024	6

### PART ONE- IN-DEPTH SCRUTINY REVIEW - AFFORDABLE HOUSING

#### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### RELEVANT LEAD MEMBER(S)

This item is within the remit of:

Lead Member for Corporate & Economic Wellbeing - Councillor Karen Buckley

Lead member for Social Wellbeing - Councillor Chris Dixon

#### PURPOSE OF THE REPORT

To advise the Committee of the recommendations of part of an in-depth scrutiny review undertaken by a Task and Finish Group appointed by the Internal Affairs Committee (IASC) on the topic of affordable housing.

The findings from the first part of the review relate to the Housing Needs Survey 2022 (HNS) and the associated update to the Affordable Housing Supplementary Planning Document (AHSPD) which is deemed to be a priority. The remaining work relating other elements of the affordable housing review being picked up by the Task and Finish Group later in the year.

An updated Affordable Housing Supplementary Planning Document which has been reviewed by the Task and Finish Group is presented to the Executive Committee for approval.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATION

The Task and Finish Group recommend that the Executive Committee consider approving the draft revised Affordable Housing Supplementary Planning Document (AHSPD) for adoption in place of the existing document for guidance in decision making.

#### REPORT

1. At the September meeting of the Committee, it was agreed that the topic of affordable housing be included on the list of in-depth reviews to be commenced during 2024. The Scoping Document for the in-depth review and the appointment of the Task and Finish group was approved by the IASC at its meeting on 20 February 2024.
2. The appointed Task and Finish Group met on 8 April 2024 to progress (in part) an element of the affordable housing review with the wider elements of the review being picked up/concluded later in the year.

3. The elements of the Affordable Housing review that were deemed to be a priority relate to updating the guidance in the AHSPD to accommodate the outcome of the Housing Needs Survey which was undertaken in 2022. This will ensure that the affordable housing that is delivered genuinely meets local housing needs in accordance with the findings of the HNS.
4. The Affordable Housing Supplementary Planning Document (AHSPD) provides guidance to applicants and decision makers on the application of planning policies relating to affordable housing provision. It was adopted in September 2021. The Council commissioned the Fylde Council Housing Needs Survey 2022 to provide an update to the evidence concerning the affordable housing needs within the Borough.
5. The conclusions of the Housing Needs Survey (see link [here](#) ) have implications for the guidance in the Affordable Housing SPD. The Task and Finish group at their meeting considered those implications and proposed changes to the Affordable Housing SPD based on this updated evidence. Approval is sought from members for the draft revised Affordable Housing SPD to be adopted in place of the existing document, following further public consultation if deemed necessary. The various amendments made are detailed as tracked changes.
6. A copy of the revised/updated (with track changes) Affordable Housing Supplementary Planning Document (which has been reviewed by the Task and Finish Group) is attached at Appendix 1 of the report.
7. The changes proposed will ensure that the Council's negotiations with developers in determining the nature of affordable housing to be delivered on development sites is supported by and in accordance with the latest evidence. The recommendation is therefore made that the revised SPD is adopted in place of the existing document for guidance in decision making by the Council.
8. As requested by the IASC, the findings of the Task and Finish Group are reported direct to the Executive Cttee.

CORPORATE PRIORITIES	
Economy - To create a vibrant and healthy economy	✓
Environment - To deliver services customers expect	✓
Efficiency - By spending money in the most efficient way	✓
Tourism - To create a great place to live and visit	✓

IMPLICATIONS	
Finance	Some changes to the formula for calculating off-site developer contributions, in line with other guidance in the document, could affect the sum required in a very small number of cases. However, the change is considered justified in order to ensure the requirement for contributions is achievable.
Legal	None
Community Safety	None
Human Rights and Equalities	The changes will support the delivery of affordable housing to best effect, including provision for those most in need.
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

## SUMMARY OF PREVIOUS DECISIONS

### [Planning Committee - 8 March 2023](#)

1. That the findings of the Housing Needs Survey be noted;
2. That the type of affordable housing secured through planning decisions henceforth reflects the findings of the Housing Needs Survey in accordance with Local Plan Policy H4, in particular reflecting the need for the majority of affordable homes provided on such sites to be delivered as affordable rented or rent-to-buy accommodation.
3. That officers are requested to update the Affordable Housing Supplementary Planning Document (SPD) to reflect the key findings of the Housing Need Survey.

### [Environment & Housing Cttee - 24 Jan 2023](#)

1. Note the findings of the Fylde Housing Need Survey completed in January 2022 and use the data to secure affordable housing that meets the needs of the Borough; and
2. That Officers work with Registered Providers to have in place separate nominations arrangements, with stock in Fylde, for households in rent arrears as a direct cause of affordability in their own homes; and
3. That Officers work with Fylde Coast Housing Providers to amend the Consistent Assessment Policy (CAP) of MYHomeChoiceFyldeCoast, to enable households with housing debt of over £500, to be eligible to register if assessed as being in housing need due to the affordability of their current accommodation.

### [Planning Committee - 23 September 2021](#)

1. That the results of the Screening Opinion conducted on the Draft Fylde Affordable Housing SPD as set out in Appendix 4 of the report be noted.
2. That the responses to the consultation on the Draft Fylde Affordable Housing SPD as set out in the Summary of Representations (Appendix 2 of the report) and the Summary of Additional Representations (Appendix 3 of the report) be noted.
3. That subject to the minor typographical changes highlighted at the meeting being made to the Fylde Council Affordable Housing Supplementary Planning Document (as set out in Appendix 1 of the report), the document be adopted for development management purposes.

### [Finance & Democracy Committee - 22 June 2020](#)

to approve an addition to the Capital Programme for 2020/21 in the sum of £60,000 to undertake a district wide Housing Needs Assessment that considers current and future housing need, different types of affordable housing tenures required and the economic needs/income levels the tenures should meet.

### [Planning Committee - 11 September 2019](#)

On the 11<sup>th</sup> September 2019 Planning Committee resolved that the draft Affordable Housing Supplementary Planning Document be approved for public consultation.

### [Planning Committee - 27 February 2019](#)

1. That the results of the consultation into the Affordable Housing SPD (Scoping) as set out in the Summary of Representations be noted; and
2. That the Draft Affordable Housing Supplementary Planning Document be approved for further work and Sustainability Appraisal prior to being issued for public consultation.

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
Fylde Council Housing Needs Survey	March 2022	<a href="https://new.fylde.gov.uk/wp-content/uploads/2023/01/Fylde_Final_HNS_140922.pdf">https://new.fylde.gov.uk/wp-content/uploads/2023/01/Fylde_Final_HNS_140922.pdf</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Lyndsey Lacey-Simone	<a href="mailto:lyndseyl@fylde.gov.uk">lyndseyl@fylde.gov.uk</a> Tel 01253 658504	April 2024

Attached Documents

Appendix 1 - Revised/ updated (with track changes) Affordable Housing Supplementary Planning Document





# Affordable Housing

Supplementary Planning Document

September-April 2021-2024

## How to Use This Document

The Fylde Council Affordable Housing SPD is designed to assist applicants, developers, agents and registered providers of affordable housing understand the Council's Local Plan policies that relate to the provision of affordable housing. It provides guidance that gives further detail on the application of those policies in order to help applicants meet policy requirements. This should enable more rapid decision-making on applications which have followed the guidance set out in the SPD.

### Structure of the SPD

Following the introduction and review of policy and guidance, the SPD continues in a series of thematic chapters, each of which considers a particular aspect that will require consideration. It is very important that the SPD be read as a whole. Applicants will normally need to have regard to all of the chapters, except those relating to off-site provision and viability assessments which relate to specific circumstances.

Appendices provide information on registered providers, a template Affordable Housing Statement, a pro-forma for the calculation of provision off site and data supporting the discounts for discounted market sales housing. The template and pro-forma are also provided as Word versions on the Council's website. A template legal agreement is not provided: this is provided separately by the Council's Legal Services department; reference should be made to chapter 11 for a full explanation of how the Council deals with any legal agreement needed.

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TOTAL UNITS DELIVERED	23	65	107	232	227	90	<u>215</u>	<u>151</u>
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- 1.5 There are currently thirteen registered providers of affordable housing with stock in Fylde: Community Gateway, ForViva (ForHousing), Great Places Housing Group, Heylo Housing, Jigsaw Homes Group / Adactus, Legal & General Affordable Homes, Manchester and District Housing Association (Your Housing Group), Muir Group Housing Association, Progress Housing Group, Places for People, Sage Housing, Step Forward Homes/Auxesia and YMCA Fylde Coast.
- 1.6 The need for affordable housing in Fylde is quantified in the ~~Fylde Coast Strategic Housing Market assessment (SHMA)~~Fylde Housing Needs Survey 2022. The provision of affordable housing in order to contribute to meeting the needs identified, is an element of Strategic Objective 1 of the Fylde Local Plan to 2032 (incorporating Partial Review). The ~~SHMA (including its Addenda)~~Housing Needs Survey identified a high level of affordable housing need in the Borough, of ~~249-418~~249-418 affordable homes to rent and 175 affordable homes to buy per annum ~~for the remainder of the plan period over the next five years from the date of the study (SHMA Addendum 1, 2014).~~
- 1.7 The main settlements of St Anne’s, Lytham, Kirkham, Wesham, Warton and Freckleton are surrounded by rural settlements of Newton, Staining, Wrea Green, Elswick, Singleton, Weeton, Clifton, and Singleton. The Local Plan concentrates new development in four strategic locations: Lytham/St. Anne’s, Kirkham/Wesham, the Fylde-Blackpool Periphery and Warton, with a limited amount of development in the other settlements. Affordability in the rural areas of the Borough is a particular issue, and it is therefore important that affordable housing needs are met in those locations.
- 1.8 It is therefore considered important by the Council that the affordable housing policy H4 of the Local Plan is supported by detailed guidance in order to ensure delivery of the maximum amount of quality affordable housing for the Borough.

### Review and Monitoring

- 1.9 Fylde Council’s Affordable Housing SPD will be kept under review, including through monitoring within the Council’s Authority Monitoring Report, to ensure that it remains fit for purpose and that it reflects current delivery, housing need, affordability and wider circumstances.
- 1.9.10 ~~During 2022, the Council engaged consultants to undertake a Housing Needs Survey, to identify the needs for different types of affordable housing and to gain an understanding of what those in affordable housing need can afford. The resulting Fylde Housing Needs Survey was published in January 2023. This SPD has been reviewed to take account of the findings of the Fylde Housing Needs Survey, and has been updated accordingly.~~

## 2. Policy, ~~and~~ Guidance and Evidence Review

2.1 This chapter provides an overview of the policy and guidance documents, and some more general reference documents, that inform this SPD. The range of documents includes formal Development Plan Documents and national policy documents, non-planning documents that have relevance, best practice documents and existing non-statutory documents produced by the Council.

### Fylde Local Plan to 2032 (incorporating Partial Review)

2.2 The Fylde Local Plan to 2032 (incorporating Partial Review), adopted ~~October 2018~~ December 2021, as amended by the Partial Review when adopted (see below), together with the Joint Lancashire Minerals and Waste Core Strategy DPD 2009 and the Joint Lancashire Minerals and Waste Local Plan Site Allocations and Development Management Policies DPD, plus the Bryning-with-Warton Neighbourhood Development Plan and the St. Anne's on the Sea Neighbourhood Development Plan for those designated Neighbourhood Areas, form the statutory Development Plan for Fylde.

2.3 Policy H4 of the Local Plan provides the principal development plan policy requirements regarding affordable housing. It requires all market housing schemes of 10 or more homes to provide 30% affordable housing. In the rural settlements this will be primarily to meet local needs. The presumption is that affordable housing will be provided on the application site. The tenure of affordable homes will be negotiated on a case-by-case basis, having regard to the viability of individual sites, local need and other Local Plan policies. Stipulations are made about the size and type of affordable housing, and requirements for supporting evidence in the event that the applicant wishes to justify reduced provision of affordable housing on the grounds of viability. The full text of the policy is reproduced below for ease of reference:

#### Policy H4

#### Affordable Housing

##### On-site provision of affordable housing

All market housing schemes of 10 or more homes will be required to provide 30% affordable housing, unless robust viability testing has demonstrated that the cost of the affordable housing provision would prevent the development from being delivered.

- a. For residential developments within or in close proximity to the Key Service Centres and Local Service Centres (i.e. the urban areas), the provision of affordable housing will be to meet the requirements identified for borough wide needs.
- b. For residential developments within rural areas, the provision of affordable housing will be primarily to meet the requirements identified for the closest **Tier 1 Larger Rural Settlements**: i.e. Newton, Staining and Wrea Green or **Tier 2 Smaller Rural Settlements**: i.e. Clifton, Elswick, Singleton and Weeton. If, having regard to an agreed assessment, the level of identified local need is less than the equivalent of 30% of the homes proposed, the balance of the provision will be delivered for borough wide needs.



The presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. In circumstances where the Council considers that affordable housing would be most appropriately provided off-site, for instance in relation to applications for residential park homes, the Council will require contributions for off-site provision of affordable housing equivalent in value to the provision of 43% of the number of market homes to be built on site, this being the equivalent of providing 30% affordable housing on-site.

#### **Tenure**

The precise requirements for tenure of affordable homes will be negotiated on a case-by-case basis, having regard to the viability of individual sites, local need and compliance with other policies of the plan.

#### **Size and Type**

Schemes of sheltered/extra care housing for social rent/affordable rent to the elderly may be provided to meet affordable housing requirements, in conjunction with a Registered Social Landlord. Such schemes should meet the requirements of 100% specialist accommodation for the elderly in policy **H2**.

Affordable housing provided for social rent or affordable rent should be 1, 2 or 3-bedroom homes. Starter homes should normally be 1 and 2-bedroom homes. The size and type of affordable housing on an individual scheme should be determined with reference to the SHMA or subsequent housing needs assessments undertaken by or on behalf of the Council. Affordable housing should meet the requirements of the National Technical Standards and policy **GD7** of this plan.

#### **Viability**

The Council will take account of viability when assessing individual schemes. If a level of affordable housing lower than that set out above is proposed for a specific scheme, the Council will expect robust financially-based justification to be provided by the applicant, demonstrating that the development would be unviable with a higher level of affordable housing than proposed. The Council may seek to independently verify such information, with any costs associated with the verification met by the applicant, before approving a scheme with lower levels of affordable housing than that specified above.

- 2.4 Policy H2 of the Local Plan specifies the mix of dwellings required on development sites. It requires a broad mix of types and sizes of home, suitable for a broad range of age groups, on all development sites. The mix should provide for the requirements in the SHMA or any future housing needs assessments, [which has since been provided by the Housing Needs Survey 2022 \(see below\)](#). Some specific requirements are added relating to the sizes of homes. Whilst Policy H2 relates to all types of housing, the mix of affordable housing on development sites will combine with the market housing mix to provide the overall mix on any site, which will need to comply with this policy.
- 2.5 Policy INF2 states that the Council will require contributions from development to mitigate impact on infrastructure, services and environment, and that this may include affordable housing.

2.6 Policy GD7 sets out design requirements for all types of development. It requires a consistently high standard of design and provides a series of considerations in respect to design. Affordable housing is not mentioned specifically, as this is a policy applying to all types of development.

~~2.7 The Fylde Local Plan to 2032 was published and submitted for Examination in Public before the production of the new National Planning Policy Framework (2018) and its subsequent updates the National Planning Policy Framework (2019) and the National Planning Policy Framework (2021) (the Framework) (see also the section below). It was examined under the transitional arrangement set out in paragraph 214 of the 2018 Framework, whereby it was considered, for the tests of soundness, against the 2012 Framework. The glossary of the Local Plan includes a definition of affordable housing which derives from the 2012 Framework. However, paragraph 219 of the 2021 Framework states that due weight should be given to Local Plan policies dependent on their consistency with the 2021 Framework. Reference to affordable housing in Policies H4 and INF2 will henceforth need to be interpreted according to the definition in the Framework (2021). The definition contained in the Local Plan is amended through the Partial Review of the Fylde Local Plan to 2032 (see below), once this is adopted.~~

2.82.7 Although these policies are being highlighted as being particularly relevant to affordable housing, the plan should be read as a whole and other policies and supporting text will be relevant.

2.92.8 Supplementary Planning Documents may not make policy, but must reflect policy that exists, then provide further explanatory detail. The Affordable Housing SPD therefore primarily reflects Local Plan Policies, in particular Policies H4 and INF2, as they are the relevant statutory development plan policies for Fylde.

### **Partial Review of the Fylde Local Plan to 2032 (FLP32)**

~~2.10 The Council has undertaken a Partial Review of the FLP32 to ensure that Local Plan policies are in accordance with the updated Framework (initially the 2019 Framework but subsequently also with the 2021 Framework), and to consider the issue of unmet housing need in the neighbouring Borough of Wyre. The Partial Review was submitted for Examination on 21<sup>st</sup> October 2020.~~

~~2.11 The Partial Review does not alter the policies most relevant to the provision of affordable housing. However, as noted above, it amends the definition of affordable housing in the glossary to accord with that in the 2021 Framework.~~

### **St Anne's on the Sea Neighbourhood Development Plan**

2.122.9 The St Anne's on the Sea Neighbourhood Development Plan was made on 24<sup>th</sup> May 2017. Policy DH1 requires the design of all new development to have regard to the principles contained within the St Anne's Design Guide. Policy HOU1 supports housing developments on previously developed land and within the settlement boundary; Policy HOU2 provides criteria for developments of flats and HMOs; Policy HOU3 relates to retirement accommodation; Policy HOU4 sets out specific requirements regarding the design of housing development.

### **Bryning with Warton Neighbourhood Development Plan**

2.132.10 The Bryning with Warton Neighbourhood Development Plan was made on 24<sup>th</sup> May 2017. Although there are no policies within the Bryning with Warton Neighbourhood Development Plan that are directly relevant to affordable housing, it is part of the statutory development plan and due regard must be given therefore to its policies within its defined area.

### **National Planning Policy Framework**

2.142.11 The National Planning Policy Framework (~~July 2021~~December 2023) (the Framework) supersedes the previous versions of the Framework, of September 2023, 2021, 2019, 2018 and 2012.

2.152.12 Paragraph 20 of the Framework requires that strategic policies make sufficient provision for housing including affordable housing. Paragraphs 39-42 encourage pre-application discussion including in relation to affordable housing. Paragraphs 43-44 recommend that applicants discuss the information requirements for the application in advance and states that local planning authorities should publish a list of their information requirements, which should be the minimum needed to make decisions. Paragraph 57 allows planning obligations to only be sought where they are necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.

2.162.13 Section 5 of the Framework concerns the specific issue of the supply of homes. Paragraph ~~62-63~~ requires that the size, type and tenure of housing needed for different groups in the community be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

2.172.14 Paragraph ~~63-64~~ requires that the type of affordable housing prescribed be identified in planning policies and that it normally be met on site. Paragraph ~~64-65~~ states that affordable housing should only be required for major developments apart from designated rural areas, and that the amount required should be reduced where vacant buildings are to be reused or redeveloped. Paragraph ~~65-66~~ states that 10% of major developments should be available for affordable home ownership. Exceptions to the requirement would be for 100% build-to-rent schemes, specialist accommodation e.g. for the elderly or students, for custom- and self-build homes or where the scheme is a 100% affordable housing exception site.

2.182.15 Paragraph 57 states that planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

2.192.16 Annex 2 of the Framework is the Glossary, and this provides the Government's definition of affordable housing. This is significantly altered from the 2012 Framework. The definition is considered further elsewhere in this document.

### **First Homes Written Ministerial Statement**

2.202.17 From 28 June 2021, a home meeting the criteria of a First Home will also be considered to meet the definition of 'affordable housing' for planning purposes. The First Homes Criteria means discounted by a minimum of 30% against the market value and after



discount the first sale price no higher than £250,000; LPAs may set a higher discount. at either 40% or 50% and impose lower price caps, demonstrated through evidence. The same discount percentage must apply each time it is sold in perpetuity, secured through a planning obligation. To ensure that suitable mortgages are available for First Homes, Local authorities should provide for a mortgage lender enforcing its security over a First Homes to be able to realise the full market value of the property.

2.212.18 Eligibility: First Homes must be prioritised for first-time buyers (as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers) and not be sold to any household with a combined annual income in excess of £80,000 (or £90,000 in Greater London). Local authorities will be able to apply additional criteria at a local level. For example, they may wish to set a lower income cap, prioritise key workers (who also meet the first-time buyer definition) and / or specify a particular local connection requirement based on work or current residency. Members of the Armed Forces, veterans and their spouses/civil partners are exempt from local connection restrictions. All purchasers must use a mortgage or home purchase plan for at least 50% of the discounted purchase value. Local criteria are limited to 3 months from the start date of marketing the property. Purchasers may rent out the property for a maximum of two years, more at the discretion of the local authority.

2.222.19 A minimum of 25% of all affordable housing units secured through developer contributions should be First Homes. This is a national threshold which should be applied for England. Homes are expected to be delivered on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified. Where cash contributions are secured instead, 25% of these contributions should be used to secure First Homes.

2.232.20 The minimum discount for First Homes should be 30% from market value, which will be set by an independent registered valuer. The valuation should assume the home is sold as an open market dwelling without restrictions. Where evidence justifies it (either in the local or neighbourhood plan, an emerging policy or, where appropriate, a Supplementary Planning Document), the minimum discount in an area can be increased to 40% or 50%.

2.242.21 Transitional Arrangements: Local plans and neighbourhood plans should take into account the new First Homes requirements from 28 June 2021. Local authorities may therefore need to review the tenure mix for the remainder of the affordable housing that they are seeking to secure. Local plans and neighbourhood plans that have been submitted for Examination before 28 June 2021 are not required to reflect the First Homes policy requirements. Across all local authorities, the new requirement for 25% First Homes will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021 (or 28 March 2022 if there has been significant pre-application engagement), although local authorities should allow developers to introduce First Homes to the tenure mix if they wish to do so. This transitional allowance will also apply to permissions and applications for entry-level exception sites.

2.252.22 Shared ownership: The minimum share for initial Shared Ownership purchases will be lowered to 10% from the current 25%. The maximum share at initial purchase will remain unchanged at 75%. New shared owners will be able to staircase in 1% increments for 15 years enabling shared owners to purchase up to 15% through this route. This option will be accompanied by reduced fees. It will still be possible to staircase in larger increments with the

minimum additional share purchase reduced from 10% to 5%. Shared owners wishing to staircase in 5% increments or more will have to pay the range of fees as currently, such as a valuation fee, legal and mortgage costs as appropriate. The new Shared Ownership model will end the provider's resale nomination period at the four-week point if they wish to pursue a sale on the open market. The new shared ownership model introduces a new 10-year period during which the Shared Ownership Leaseholder will receive support from their landlord with the cost of repairs and maintenance in new build homes. Only after 10 years will the shared owner take on full responsibility for any repairs and maintenance costs. All new leases must be issued with a minimum lease length term of 990 years.

### **Planning Practice Guidance (PPG)**

2.262.23 Planning Practice Guidance (PPG) is produced by government in support of the policy provided in the Framework. Much of the content has been updated in 2019 to reflect the 2019 Framework.

#### **Housing Needs of Different Groups**

2.272.24 Addressing the Needs for Different Types of Housing, Paragraph: 001 Reference ID: 67-001-20190722, states that the need for housing for particular groups of people may well exceed, or be proportionally high in relation to, the overall housing need figure calculated using the standard method. This is because the needs of particular groups will often be calculated having consideration to the whole population of an area as a baseline as opposed to the projected new households which form the baseline for the standard method. When producing policies to address the need of specific groups strategic policy-making authorities will need to consider how the needs of individual groups can be addressed within the overall need established.

#### **Housing and Economic Needs Assessment PPG**

2.282.25 Affordable Housing, Paragraph: 018 Reference ID: 2a-018-20190220 to Paragraph: 024 Reference ID: 2a-024-20190220, states that all households whose needs are not met by the market can be considered in affordable housing need. The considerations involved in calculating affordable housing need are detailed, involving assessments of the current number whose needs are unmet, together with projections of the likely number of newly forming households whose needs are likely to be unmet. This section then sets out how the current affordable housing supply should be assessed. The total needs, having subtracted stock, then should be converted into an annual flow based on the plan period. The affordable housing need can then be considered in the context of the likely delivery through new development sites, taking account of the probable proportion of affordable housing to be delivered by market housing-led developments.

#### **Before submitting an application PPG**

2.292.26 Paragraph: 005 Reference ID: 20-005-20150326 states that the level of information necessary for effective pre-application engagement will vary depending on the scale and nature of the proposed development; in all cases the level of information requested by the LPA needs to be proportionate to the development proposed.

#### **Planning Obligations PPG**

~~2.302.27~~ Planning obligations policy should be set out in development plans. The relevant tests must be met: necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. Local planning authorities may wish to consider adding planning obligations or heads of terms for section 106 agreements to their local list. ~~Planning obligations should not normally be a requirement for validation on a local list; if they are, the local planning authority should be able to justify their inclusion in relation to any particular development.~~

~~2.312.28~~ Local planning authorities are encouraged to use and publish standard forms and templates to assist with the process of agreeing planning obligations. These could include model agreements and clauses (including those already published by other bodies), that could be made publicly available to help with the planning application process. Any further information required by the local planning authority, or issues raised by the applicant regarding planning obligations, should be addressed at an early stage of the planning application process. Use of model agreements does not remove the requirement for local planning authorities to consider on a case by case basis whether a planning obligation is necessary to make the development acceptable in planning terms.

#### **Viability PPG**

~~2.322.29~~ The viability PPG sets out a methodology that should be adopted for viability assessments. Viability assessments should be undertaken at plan-level; development in accordance with the plan should then be assumed to be viable.

~~2.332.30~~ The inputs and findings of any viability assessment should be set out in a way that aids clear interpretation and interrogation by decision makers. Reports and findings should clearly state what assumptions have been made about costs and values (including gross development value, benchmark land value including the landowner premium, developer's return and costs). At the decision making stage, any deviation from the figures used in the viability assessment of the plan should be explained and supported by evidence.

#### **First Homes PPG**

~~2.342.31~~ The national standards for a First Home are that: a) a First Home must be discounted by a minimum of 30% against the market value; b) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London); and, c) the home is sold to a person who meets the First Homes eligibility criteria, as set out in first 2 paragraphs under First Homes eligibility criteria. In addition, to qualify as a First Home, there should be a section 106 agreement securing the necessary restrictions on the use and sale of the property, and a legal restriction on the title of the property to ensure that these restrictions are applied to the property at each future sale. The price cap of £250,000 (or £420,000 in Greater London), however, applies only to the first sale and not to any subsequent sales of any given First Home.

~~2.352.32~~ Homes meeting the above minimum criteria can be sold as First Homes and should be considered to meet the definition of 'affordable housing' for planning purposes.

~~2.362.33~~ The landowner should enter into a planning obligation under section 106 of the Town and Country Planning Act 1990 enforceable by the local planning authority that: (a) secures the delivery of the First Homes; and, (b) ensures that a legal restriction is registered onto a First Home's title on its first sale. When a First Home is sold by the developer to the first owner,

a restriction is to be entered onto the title register identifying the unit as a First Home. This restriction should ensure that the title cannot be transferred to another owner unless the relevant local authority certifies to HM Land Registry that the First Homes criteria and eligibility criteria have been met, including the discounted sale price. In circumstances where this restriction needs to be removed, such as an invocation of the Mortgagee Protection Clause, the Local Authority will be required to apply to enable the removal of the restriction.

2.372.34 In order to qualify as a First Home, a property must be sold at least 30% below the open market value. Therefore, the required minimum discount cannot be below 30%. However, the First Homes Written Ministerial Statement does give local authorities and neighbourhood planning groups the discretion to require a higher minimum discount of either 40% or 50% if they can demonstrate a need for this. In such circumstances, the minimum discount level should be fixed at either 40% or 50% below market value and should not be set at any other value. In each case, these percentages represent the minimum discount required for a home to qualify as a First Home. Developers who are able to offer higher discounts within their contributions should be free to do so but the local authority cannot require this. In such cases, whatever discount (as a percentage of market value) is given at the first disposal should be the same at each subsequent sale. These minimum discounts should apply to the entire local plan area (except if Neighbourhood Plans are in place in certain areas) and should not be changed on a site-by-site basis.

2.382.35 In order to qualify as a First Home, the initial sale of the home cannot be at a price greater than £250,000 (or £420,000 in Greater London) after the discount has been applied. Therefore, local authorities cannot set price caps higher than these national caps. However, the First Homes Written Ministerial Statement of 24 May 2021 does give local authorities and neighbourhood planning groups the discretion to set lower price caps if they can demonstrate a need for this. Local price caps should not be set arbitrarily and should only be used if evidence demonstrates a need for intermediate housing at particular price points. Whilst the national standard price caps will be high for many local areas across England, homes built as First Homes will need to be of appropriate size and price for first-time buyers in any area. The national price caps should not be used as justification for delivering more expensive properties than are necessary or required in any area.

2.392.36 First Homes should be physically indistinguishable from the equivalent market homes in terms of quality and size. Developers should obtain a valuation from a registered valuer acting in an independent capacity, and that valuation should be in accordance with the Royal Institution of Chartered Surveyors red-book valuation guidance for new-build homes. When the home is resold in future, the seller should secure a valuation in the same way in accordance with RICS's guidance. When a mortgage or home purchase plan offer is being considered, the lender will also value the property in the usual way. The sale price of the property should not change unless this valuation is lower than the agreed sale price. In this case, the lender's valuation (after the discount has been applied) should act as a price cap for the sale of the property.

2.402.37 A purchaser (or, if a joint purchase, all the purchasers) of a First Home should be a first-time buyer as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers. Purchasers of First Homes, whether individuals, couples or group purchasers, should have a combined annual household income not exceeding £80,000 (or £90,000 in Greater London) in the tax year immediately preceding the year of purchase. A purchaser of a First Home should have a mortgage or home purchase

plan to fund a minimum of 50% of the discounted purchase price. These national standard criteria should also apply at all future sales of a First Home.

2.41~~2.38~~ Local authorities or neighbourhood planning groups can apply eligibility criteria, to be secured through the section 106 agreements, in addition to the national criteria described above. This may involve lower income caps (if this can be justified with reference to local average first-time buyer incomes), a local connection test, or criteria based on employment status and affordability. Local connections may include (but are not limited to) current residency, employment requirements, family connections or special circumstances, such as caring responsibilities.

2.39 Any locally set income caps should be considered with reference to mortgage requirements and loan-to-income ratios for appropriate homes for the area's identified target market for First Homes. Income caps should not be set at a level which would prevent a borrower from obtaining a 95% loan-to-value mortgage for the discounted price of suitable properties.

### **Fylde Housing Needs Survey 2022**

2.40 The Council commissioned a Borough-wide Housing Needs Survey that considers current and future housing need in the Borough, different types of affordable housing tenures required and the economic needs/income levels the tenures should meet in the Borough of Fylde over the next five years.

2.41 In total 2,973 households completed a survey, of which 2,492 were households originally targeted through sampling and 481 completed forms on-line. The total response rate was therefore 20.4% from the targeted sample, rising to 24.4% if additional completions are included. The consultant's commented that these response rates are very high relative to those currently seen for similar surveys across the country.

2.42 A Housing Need Assessment is a 'snapshot' that assesses housing need at a particular point in time. The robustness of the data to inform future housing and planning policies is determined by the response rates at the time of the survey. The high response rate to the Housing Needs Survey demonstrates that the data and conclusions are robust.

2.43 The study identified that, when looking at rented needs, the analysis suggests a need for 2,091 affordable homes over the next five years (418 per annum) and therefore the Council is justified in seeking to secure additional affordable housing. There is also a need shown in all parts of the Borough. In interpreting this level of need it must be noted that many households find a housing solution through benefit support in the private rented sector. Additionally, much of the need is due to churn in the private rented sector (e.g. households moving from one benefit supported private tenancy to another) with the survey picking up a need at the point when households move. This means that whilst the need is high, it is the case that many households are able to find a solution to their housing needs (albeit one which is unlikely to be secure and may well be in accommodation that is unsuitable).

2.44 The Council should ensure that any new affordable housing provided is available to Fylde residents or those with a local connection rather than to households across a wider area (e.g. neighbouring authorities).

2.45 Some rented homes do see low demand and few bids on the local MyHomeChoiceFyldeCoast system that works across Fylde and neighbouring authorities. This seems likely in part to be due to households with debt of over £500 being unable to make applications through

MyHomeChoiceFyldeCoast. The survey highlighted high levels of debt amongst households in the private rented sector and so the Council should consider working with Registered Providers to see if there are ways to enable these households to access affordable housing. In June 2023, the Housing Need Survey was presented to the wider Fylde Coast Housing Providers Group to discuss amendments required to the Consistent Assessment Policy of MyHomeChoiceFyldeCoast – the choice-based lettings scheme for the Fylde Coast.

- 2.46 When looking at the need for affordable home ownership products, the analysis also suggests a need across the Borough, albeit (at 874 dwellings over five-years (175 per annum) the need is lower than for rented housing.
- 2.47 The evidence does point to a clear and acute need for rented affordable housing for lower income households rather than affordable home ownership products, and it is important that a supply of rented affordable housing is maintained to meet the needs of this group including those to which the Council has a statutory housing duty.
- 2.48 Overall, the analysis identified a notable need for affordable housing, and it is clear that provision of new affordable housing is an important and pressing issue in the Borough. It does however need to be stressed that the report did not provide an affordable housing target; the amount of affordable housing delivered will be limited to the amount that can viably be provided. The evidence does however suggest that affordable housing delivery should be maximised where opportunities arise.
- 2.49 Analysis was carried out to look at housing costs for rented products (social and affordable rents). Focussing on 2-bedroom homes, a social rent is about 70% of the cost of a lower quartile market rent, whereas affordable rents are at 90% of lower quartile market rents). Local Housing Allowance (LHA) rates are generally similar to affordable rents, but it is notable that LHA rates are generally lower than market rents (both lower quartile and median) – this means households seeking accommodation in some locations (notably those areas with higher rents) may struggle to secure sufficient benefits to cover their rent.
- 2.50 On the basis of current market and affordable rents, only around 18% of households in need could afford an affordable rent (without claiming benefits or spending more than 30% of their income on housing). Therefore, it is considered the Council should prioritise the provision of social rents where possible: such rents will be the cheapest available and will therefore be accessible to a greater number of households. However, it will be important that seeking social rented provision does not prejudice the overall delivery of rented affordable housing, and affordable rents should be allowed where these can help delivery of on-site provision – it will however be important to ensure that affordable rents are truly affordable in a local context.
- 2.51 Analysis has been carried out to look at the affordability of Affordable Home Ownership (AHO). This includes Discounted Market Sales Housing (which will include First Homes), shared ownership and Rent-to-Buy housing - these are likely to be the main tenures of AHO moving forward. Given current housing costs in the Borough, it is suggested that to make 2-bedroom homes affordable, a discount of up to around 30% would be required; for 3-bedroom homes, a discount up to 40% would be needed. The Council could investigate a higher than 30% discount for First Homes (maybe 40%), however as this might impact viability a higher figure should only be considered if this would not prejudice the provision of other forms of affordable housing (notably rented accommodation).

2.52 Survey data about households' financial situation also highlights the potential difficulty for many in accessing even discounted homes; for the group of households identified by the survey as being able to privately rent but not buy a home, some 33% can afford no more than £80,000 (which is about half the lower quartile prices of existing homes). The main reason for the low values that can be afforded is levels of debt being the main barrier, rather than income. Such households are unlikely to be able to raise a large deposit and may be suited to other forms of affordable home ownership, notably shared ownership and rent to buy.

2.53 Regarding shared ownership, the analysis suggests that equity shares of less than 50% will be needed to make this tenure affordable (for 2- and 3-bedroom homes). It also looks difficult to make larger (4+-bedroom) homes affordable in a local context. The Council should therefore investigate the viability of providing shared ownership with lower equity shares, but again it is noted that this would potentially mean Registered Providers are less able to cross-subsidise other forms of (rented) affordable housing. It is recommended that the provision of rented products is not jeopardised where viability is an issue.

2.42.54 Finally, given clear issues raised in the survey about levels of debt and lack of money for deposits to buy a home, the Council should encourage and enable Rent-to-Buy housing as an option. These schemes are designed to ease the transition from renting to buying the same home. Initially (typically five years) the newly built home will be provided at the equivalent of an affordable rent (approximately 20% below the market rate). The expectation is that the discount provided in that first five years is saved in order to put towards a deposit on the purchase of the same property. Rent to Buy can be advantageous for some households as it allows for a smaller 'step' to be taken on to the home ownership ladder.



### 3. Tenures of Affordable Housing for Fylde

- 3.1 Affordable housing is defined in the Framework, within Annex 2 (Glossary). The Framework (~~2018, 2019 and 2021~~December 2023) definition is as follows:

**Affordable housing:** *housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:*

a) **Affordable housing for rent:** *meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes, affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).*

b) **Starter homes:** *is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.*

c) **Discounted market sales housing:** *is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.*

d) **Other affordable routes to home ownership:** *is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.*

- 3.2 Footnote 81 of the December 2023 Framework states “This definition should be read in conjunction with relevant policy contained in the Affordable Homes Update Written Ministerial Statement published on 24 May 2021.” The Framework of July 2021 does not amend the above definition. The Written Ministerial Statement of 24<sup>th</sup> May 2021 states that First Homes meet the definition. It states:

*“From 28 June 2021, a home meeting the criteria of a First Home will also be considered to meet the definition of ‘affordable housing’ for planning purposes. The First Homes Criteria means:*



- A First Home must be discounted by a minimum of 30% against the market value; and,
- after the discount has been applied, the first sale of the home must be at a price no higher than £250,000 (or £420,000 in Greater London).

*Local authorities will be able to set a deeper minimum discount at either 40% or 50% and impose lower price caps, if they can demonstrate a need for this through evidence. However, the same level of discount as a percentage below market value must apply to the home each time it is sold in perpetuity (subject to certain specific exclusions), so that communities continue to benefit from the homes for years to come. The discount in perpetuity should be secured through a planning obligation.”*

### Tenures of Affordable Housing Required in Fylde

3.3 Local Plan Policy H4 states:

*The precise requirements for tenure of affordable homes will be negotiated on a case-by-case basis, having regard to the viability of individual sites, local need and compliance with other policies of the plan.*

3.4 The Fylde Housing Needs Survey considered the affordability of affordable housing to buy. It identified that the cohort of those currently renting who can afford to buy is small, and households in need seeking to buy typically lack a deposit. The study concluded that the need for a deposit was a barrier to home ownership. Therefore, tenures of affordable housing to buy will need to reflect this, and the Council will prioritise rent-to-buy and shared ownership products over those requiring significant levels of deposit.

3.5 In respect of the balance between affordable rented products and affordable home ownership products, the study recommended a roughly 70/30 rented/ownership balance.

3.43.6 Therefore tThe Council will normally require a tenure mix that consists of ~~60~~70% of the affordable homes for affordable rent, with ~~40~~30% for other affordable housing tenures. This preferred mix, and the tenure of affordable homes providing ~~40~~30% of the total, will be subject to negotiation as set out in Local Plan Policy H4 as shown above.

3.53.7 National policy in paragraph ~~65-66~~ of the Framework currently requires 10% of homes on major development sites to be for affordable home ownership, subject to some exceptions:

*Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:*

- a) provides solely for Build to Rent homes;*
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*
- c) is proposed to be developed by people who wish to build or commission their own homes; or*

*d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.*

~~3.63.8~~ This national requirement would require at least 33% of affordable homes on sites to be affordable housing to buy, where 30% of all homes on a site are affordable in line with Local Plan Policy H4. However, the Fylde Housing Needs Survey notes the “clear need for additional social/affordable rented housing” and suggests that this could “significantly prejudice the ability to meet the identified affordable housing needs of specific groups” which is the exception under which the requirement can be waived under national policy. The Council’s expectation of 30% of affordable homes to be affordable housing to buy, rather than 33%, does not represent a complete waiving of the national requirement, but a small modification in order to more fully meet local affordable housing needs. ~~where it applies, is provided for within the “other affordable housing tenures” element of the Council’s preferred tenure mix as set out in paragraph 3.4 above, based on the overall requirement of 30% on-site affordable homes.~~ Shared ownership homes, discounted market sales housing and rent-to-buy homes can all contribute to ~~this the national~~ requirement.

~~3.73.9~~ National policy has introduced the requirement for 25% of affordable homes secured through developer contributions or S106 agreements to be First Homes, although a transitional arrangement applies. Where required, these will be an element of the ‘other affordable housing tenures’ element of the development leaving the target of ~~60~~70% of affordable homes on a site to be affordable rent unaffected by this obligation.

~~3.83.10~~ Tenures of affordable housing required by the Council will be specified and updated when required in this SPD. The requirement will reflect the particular circumstances of Fylde, including the strategic level of affordable needs for different types of accommodation and tenure and the tenures that are considered suitable by Registered Providers operating in Fylde. Exceptions to the preferred tenure mix will only be permitted where:

- It is supported by the Council’s Housing Services Manager;
- The applicant’s proposed tenure mix is supported by a Registered Provider that has agreed with the applicant to be recipient of the proposed affordable housing once completed;
- The affordable housing to be provided will fulfil the requirements of Local Plan Policy H4; and
- The proposed tenure mix will contribute to the fulfilment of the objectives of the Council.

### **Maximising opportunities to deliver a Basket of Tenures**

~~3.9~~ ~~Fylde Council are keen to maximise opportunities that provide a basket of tenures on new build schemes to ensure we are meeting the housing needs of households with a range of incomes, including economically active households.~~

~~3.103.11~~ For developments including 15 or more affordable homes, the Council would welcome a basket of affordable housing tenures to be provided within the site. A mix may also be required on smaller sites, but this will be subject to negotiation, considering issues such as the configuration of the site, its location and affordable housing need locally (the latter will only be relevant at non-strategic locations).

3.113.12 The Local Plan policy H4 states that the tenure mix will be negotiated on a case-by-case basis, having regard to the viability of individual sites, local need and compliance with other policies of the plan. Wherever possible the tenure mix should be discussed with the Council in advance of the submission of the planning application, considered below in Chapters 5 and 6.

### **Affordable Rent**

3.13 Affordable rent provides a tenure of affordable housing that attempts to ensure that those on low incomes can be housed satisfactorily. Rental levels (including service charges) are restricted to a maximum of 80% of the market rents that the individual properties would achieve. Further details are set out in the Capital Funding Guide produced by Homes England. Eligibility is restricted (see Chapter 9).

3.123.14 The Housing Needs Survey identified a clear and acute need for rented affordable housing and recommended that 70% of affordable housing should be for rent. In considering the split between affordable rent and social rent, the Housing Needs Survey recommended that the Council should prioritise the provision of social rents where possible; although it also recognised that there will be the consideration of the cost and the amount that can viably be delivered, so seeking social rents should not prejudice overall delivery of rented affordable housing. As Local Housing Allowance rates are aligned closely with the cost of affordable rented housing, the Council considers that the provision of affordable rent units is preferred in order to maximise delivery.

3.133.15 Therefore, Affordable-affordable rent should normally be the form of tenure for the majority of affordable homes on development sites as noted in paragraph 3.43.6 above.

3.143.16 Housing provided for affordable rent will be required to be transferred to a Registered Provider. This may be one of the existing Registered Providers active in Fylde, which are listed in Appendix 1, or an alternative provider proposed by the applicant and approved by the Council.

3.153.17 Housing for affordable rent must be retained as affordable rent in perpetuity, unless sold under right-to-buy legislation; where disposed of through the right to shared ownership, the subsidy should be recycled (see Chapter 9). The Affordable Housing Statement (see Chapter 6) will need to confirm these restrictions, as well as those relating to the allocation of the properties, and these will be tied to any planning permission through condition or Section 106 agreement.

3.163.18 Affordable rented accommodation is available by registering with [MyHomeChoiceFyldeCoast](#). Residents with a local connection to Fylde are able to apply to join the Choice Based Lettings system. Applicants must be over 18 to hold a tenancy. Fylde Council does not have any housing stock but there are 8 providers who collectively make up MyHomeChoiceFyldeCoast who have accommodation across Blackpool, Fylde and Wyre. Further details are set out in Chapter 9.

### **Shared Ownership**

3.173.19 Shared ownership provides an alternative to other forms of low-cost home ownership products that is well-established and tested. It allows for a higher level of discount on the market price than discounted market sales housing providing that sufficient subsidy is available at the outset.

3.183.20 Shared ownership requires the involvement of a Registered Provider. The occupier will purchase a percentage of the equity, which may be as low as 10% or as high as 75%. The remainder of the property is owned by the Registered Provider, and the occupier must pay rent on that share of the property. Shared ownership allows the occupier to increase their share of the property that they own by purchasing tranches of the remaining share from the Registered Provider (sometimes known as “staircasing”), each time reducing the residual amount on which rent is payable. The occupier may purchase the entire remaining share so as to own the property outright at open market value. Restrictions may be applied to give first refusal on any subsequent sale of the property to the Registered Provider.

3.193.21 Rent to buy (which includes a period of intermediate rent) may be offered by Registered Providers as a route into shared ownership (see section later in this chapter).

3.22 Provisions are necessary to ensure that any discount (which is the element of equity held by the Registered Provider at the outset) is recycled for further affordable housing provision.

3.23 In order that shared ownership homes genuinely provide for those in need of affordable housing, the size of properties and the shares purchased would need to be appropriate. The Housing Needs Survey undertook some indicative analysis that identified that equity shares of around 50% could be appropriate for units of up to 3 bedrooms, but any larger units would require a very small equity share that would render them not deliverable. It notes the costs and assumptions will vary between sites and should be assessed on a scheme by scheme basis. Therefore, where a developer proposes shared ownership homes, the Council will require supporting information of open market values, proposed equity shares, monthly costs of mortgages and rents and any service charges, in order to demonstrate that properties proposed for shared ownership will be affordable (i.e. will not exceed lower quartile market rents for that size of property in the Borough). Applicants/ registered providers should use the following format to set out this information:

**Table 2: Shared Ownership Affordability Information**

	<i>(Example shared ownership scheme)</i>
<u>Open market value</u>	<u>£126,500</u>
<u>Share purchased</u>	<u>42%</u>
<u>Amount of equity purchased</u>	<u>£52,900</u>
<u>Deposit</u>	<u>£5,300</u>
<u>Mortgage needed</u>	<u>£47,600</u>
<u>Assumed rate of interest and term</u>	<u>4% over 25 years</u>
<u>Monthly cost of mortgage</u>	<u>£251</u>
<u>Equity retained by Registered Provider</u>	<u>£73,600</u>
<u>Basis for rent calculation</u>	<u>2.75% pa on unsold equity</u>

<u>Monthly rent on retained equity</u>	<u>£169</u>
<u>Service charge per month</u>	<u>£100</u>
<u>Total cost per month</u>	<u>£520</u>

3.203.24 In rural parishes of the Borough<sup>1</sup>, shared ownership properties are subject to additional restrictions, being Designated Protected Areas (DPA) as defined in Schedule 5, Part 6 of The Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009<sup>2</sup>. The effect of the restriction is that shared ownership housing must be offered by Registered Providers with a lease that contains provisions that either:

- a) restrict staircasing to no more than 80%; or
- b) in instances where the leaseholder is permitted to acquire more than 80% (i.e. up to full ownership), then there is an obligation on the landlord (or a designated alternative landlord) specified in the lease that commits them to repurchase the property when the leaseholder wishes to sell

3.213.25 The purpose of the restriction is to prevent the loss of affordable housing in rural communities where affordable housing is in short supply.

3.223.26 The Council requires the above restrictions to be applied but takes a flexible approach by allowing the following exceptions:

- a) In the event that the shared ownership units are not being acquired with Homes England grant funding (and so are outside the restrictions of their standard clauses which would deal with the DPA status) then any staircasing out to 100% will only be permitted: (i) where this is agreed in writing with the Council and there must be legitimate reasons for that (i.e. that a new eligible purchaser cannot be found after a set period of marketing and evidence of that marketing provided); (ii) after a minimum period of 10 years; and (iii) providing that the 20% staircasing funds received after the 10 year period are recycled/reinvested in Fylde – including an agreed mechanism for that to take place (e.g. notices from the Registered Provider as to when that occurs, confirmation of the sale price and a time limit for the relevant monies to be paid into the Council’s affordable housing S106 fund thereafter).
- b) In the event that an eligible person to occupy the shared ownership units cannot be found within a period of 6 months of marketing, the tenure of the unsold units can be transferred to affordable rent in agreement with the Council.

3.233.27 Applicants are advised to discuss the details of any proposed shared ownership arrangement with the Council prior to the submission of the planning application.

### **Discounted Market Sales Housing**

<sup>1</sup> Elswick, Greenhalgh-with-Thistleton, Little Eccleston-with-Larbreck, Newton-with-Clifton, Ribby-with-Wrea, Singleton, Staining, Treales Roseacre and Wharles, Weeton-with-Preese, Westby-with-Plumptions

<sup>2</sup> <https://www.legislation.gov.uk/ukxi/2009/2098/contents/made>

~~3.243.28~~ Discounted market sales housing will provide an element in the delivery of affordable housing going forward. Government policy as stated in the Framework promotes the provision of discounted market sales housing. The Council has included discounted market sales housing as part of the affordable housing mix on sites for some time, and its key features are set out in this section. The Government is prioritising the delivery of discounted market sales housing through its introduction of the First Homes scheme, which has some different features, and is considered separately below.

~~3.253.29~~ The 2018/2019 Framework introduced a requirement that at least 10% of all homes on major development sites to be available for affordable home ownership; although it should be noted that shared ownership and rent-to-buy homes could alternatively fulfil this requirement, or contribute alongside discounted market sales housing.

~~3.263.30~~ Discounted market sales housing offers a route to outright home ownership: the purchaser acquires 100% of the equity in the property and, with it, all of the responsibility for repair and maintenance costs. The need for the Council to provide routes to affordable home ownership reflect the high affordability ratio in the borough: the high cost of house purchase in relation to incomes, which has left people in affordable housing need as they are unable to raise sufficient finance to make a house purchase within the borough on the open market.

~~3.273.31~~ Discounted market sales housing therefore meets an affordable housing need for those people who aspire to home ownership but are unable to access market housing for purchase (although they may be able to access private rented housing).

~~3.283.32~~ It is critical that any affordable housing will meet identified affordable housing need, in order for the requirement for such affordable housing to be justified in relation to the tests that a planning obligation must pass, set out in The Community Infrastructure Levy Regulations 2010, regulation 122(2), and reiterated in the Framework. Therefore, it is critical that the resulting discounted market sales homes will be genuinely affordable to those who have been assessed as being in housing need. This means that the level of discount must be sufficient to make the homes affordable to the target group of those in affordable housing need.

~~3.293.33~~ The Council uses the lower quartile workplace-based earnings, and the lower quartile house prices, to make its assessment of the appropriate level of discount. The earnings (2018) for the lower quartile worker in Fylde were £21,445. The Council uses a multiple of 1.5 incomes per household, to reflect the fact that such households reflect a spectrum of circumstances. Using a standard mortgage multiple of 3, and allowing for a 10% deposit, this means that householders earning the lower quartile Fylde worker's income could raise £107,225 towards the cost of a home purchase. The Housing Needs Survey considered the affordability of discounted market sales housing. It identified that in order to provide for households in need of affordable housing to buy, the price after discount should lie in a range between £92,400 and £103,700 for a 2-bedroom property (September 2021 prices).

~~3.303.34~~ The lower quartile house price in Fylde is £143,000 (year to September 2018). As such those earning at around the lower quartile level, which will often be the younger cohorts of the working population, are some way distant from affording even those homes in Fylde at the cheaper end of the market, without intervention. The Housing Needs Survey went on to consider typical open market values of discounted market sales homes and the discount necessary to make these affordable. It concluded that, on a Borough-wide basis, a discount level of 30% could be supported.

~~3.313.35~~ However, there is a high degree of variation in house prices in the borough. In seeking to assist potential home buyers in affordable housing need, the discount will need to be appropriate in relation to the prevailing prices in the local market, and the open market value of the affordable dwelling and local incomes. For instance, the lower quartile house price in Elswick and Little Ecclestone is £160,500 and in Lytham is £185,791 but for those in St Anne's and Kirkham/Wesham is around £130,000. The discount applicable for the different areas of the borough has therefore been pitched to make the dwellings as affordable as possible whilst remaining viable for the developer as part of the affordable housing mix. The discount applicable from the open market value is shown in the right hand column of Table 2 below. The data used to derive these is provided in Appendix 3 considers the appropriate discount for different areas of the Borough, and concludes that the single Borough-wide discount level of 30% as recommended by the Housing Needs Survey should be adopted.

~~3.323.36~~ The open market value of the dwellings should be established. This should be through the mean of valuations by independent RICS-accredited property surveyors, and should then be verified by the Council. The appropriate level of discount shall then be applied to the open market value, to give the discounted market sale price. The valuation undertaken by the lender providing the mortgage must be provided to the Council to verify the valuation: where the valuation of the mortgage lender is lower, the mortgage lender's valuation will be the open market valuation to which the discount will be applied to give the discounted market sale price.

~~3.333.37~~ Discounted market sales properties will be marketed by the developer. Those who wish to purchase the properties will be required to fill in an application form that will be passed to the Council for an assessment as to their eligibility. Controls on eligibility are essential to ensure that the homes provide for those in affordable housing need, and in accordance with eligibility as detailed in MyHomeChoiceFyldeCoast Consistent Assessment Policy<sup>3</sup>. Further details are set out in Chapter 9.

~~3.343.38~~ Once purchased, a discounted market sale property is the absolute property of the purchaser, but restrictions are put in place so that on resale, the property may not be sold for more than the open market value minus the same discount that was applied initially, and that the subsequent purchaser will also be eligible for affordable housing, in accordance with eligibility as detailed in MyHomeChoiceFyldeCoast Consistent Assessment Policy. The developer must provide information to the purchaser so that the restrictions are clearly understood, notwithstanding any legal enquiry that the purchaser may also carry out. Chapter 9 gives further details. The developer will need to declare the restrictions will apply within the Affordable Housing Statement (Chapter 6 and Appendix 2).

## First Homes

~~3.353.39~~ The First Homes scheme requires 25% of all affordable homes delivered through developer contributions (rather than directly grant-funded) to be First Homes on sites where the transitional arrangement set out in paragraph 3.38 below does not apply. In Fylde, this 25% will be a proportion of the up-to-4030% of "other affordable housing tenures" element of the required affordable housing mix. Under the 30% on-site overall affordable housing

<sup>3</sup> <https://www.myhomechoicefyldecoast.co.uk/Data/Pub/PublicWebsite/ImageLibrary/MHC CAP 1.0 Final 2018.pdf>



requirement, this means 7.5% of all homes on a development site will be required to be First Homes under national policy.

3.40 The First Homes scheme requires a level of discount of a minimum of 30%. Higher discount levels of 40% or 50% are allowable, but only Borough-wide or through a Neighbourhood Plan. Accordingly, in Fylde the discount level under the First Homes scheme is set at 30%, to ensure compliance with national guidance.

3.363.41 The Council's restrictions on eligibility for First Homes are detailed in Chapter 9.

3.373.42 The First Homes scheme ~~also~~ allows for a cap on the sale price after the application of discount. The default national figure is £250,000 but this is considered by the Council to be an excessive figure for Fylde as it even exceeds the median house price in the Borough (£205,000 in September 2020) by a very considerable margin. Fylde Council will therefore set a cap on the price of a First Home lower than the national figure. ~~This will be set to ensure that the sale price (with discount applied) is in reach of a typical household with lower quartile earnings in the Borough, as considered above. The cap is therefore set at £113,790 (for 2021-22), the amount (based on 2020 data) that the example lower quartile household could raise. This equates to an open market property valuation of £162,557, which is comfortably higher than the lower quartile property value in Fylde of £146,000 (2020). The cap of £113,790 will be indexed using the change in the lower quartile, workplace-based earnings figure<sup>4</sup> in the borough compared to the baseline 2020 figure. The Housing Needs Survey made an indicative recommendation of a price cap of around £150,000, which would ensure that the First Homes would be affordable even in locations where the open market value is high. This figure is below the Borough-wide lower quartile price for existing dwellings. The Council will therefore apply a cap at £150,000 (for 2021-22), to be increased each year by the UK House Price Index as published by ONS, using the 12 months to March on each occasion.~~

### The transitional arrangement

3.383.43 The Council's discounted market sales housing tenure will accord with the Government's First Homes Scheme where this is required for compliance with national policy: the discount applicable is shown in the middle column of Table 2 below. Sites granted planning permission prior to or shortly after the introduction of the First Homes policy, including outline permissions, are covered by a transitional arrangement. The Written Ministerial Statement of 24<sup>th</sup> May 2021 states:

*"Across all local authorities, the new requirement for 25% First Homes will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021 (or 28 March 2022 if there has been significant pre-application engagement), although local authorities should allow developers to introduce First Homes to the tenure mix if they wish to do so."*

Therefore, the requirements of the First homes policy do not apply on sites where there is an existing permission, or where permission is granted before those dates. In such cases, where discounted market sales housing is proposed and agreed by the Council, it will need to accord with the Council's requirements for discounted market sales housing as set out above. will

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<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>, updated annually



have a discount in accordance with the Council's own evidence, as set out in the right hand column of Table 2 below.

**Table 2: Discount Level for Discounted Market Sales Housing**

Settlement(s)	Amount of discount, % of open market value (First Homes)	Amount of discount, % of open market value (transitional arrangement)
St Annes	30*	20
Kirkham and Wesham	30*	20
Fylde-Blackpool Periphery (Whitehills, Whyndyke and Squires Gate)	30*	20
Warton and Freckleton	30*	25
Clifton and Newton	30*	25
Elswick, Singleton, Weeton and Staining	30*	40
Lytham	30*	40
Wrea Green	30*	40

\* To accord with the minimum 30% discount level in the Government's First Homes scheme

The data underpinning these required levels is set out for information in Appendix 3.

## Rent-to-Buy

3.393.44 Rent-to-Buy is a tenure which is listed within the Framework definition of Affordable Housing under the broad category of "Other affordable routes to home ownership". It has emerged as an innovative tenure that could become increasingly important. The Council considers that it could form part of the "other affordable housing tenures" within the Council's required affordable tenure mix on suitable sites. As with all tenures, applicants should discuss the proposed mix of tenures with the Council.

3.403.45 The main feature of Rent-to-Buy is a period of affordable rent, following which tenants are required to either buy the property outright, or enter a shared ownership arrangement. Registered Providers must let to working households who are unable to buy a home on the open market.

3.413.46 Rent-to-buy units will be marketed by the developer in association with the Registered Provider. As with discounted market sales housing, applicants will be required to complete an application form that will be passed to the Council for an assessment as to their eligibility. Only those with insufficient funds to buy on the open market will be eligible, in order that the units fulfil affordable housing need in the Borough.

3.423.47 The Council will expect that, where units are not purchased by the tenant at the end of the rental period (which may be five years, or longer, at the discretion of the Registered Provider in agreement with the Council) the units will be offered on a shared ownership basis to a new tenant (which could be on rent-to-buy terms if appropriate for the new tenant's circumstances).

## 4. The Amount of Affordable Housing Required

- 4.1 The Council requires that developers declare the amount of affordable housing to be provided as part of any planning application for 10 or more net homes, and set out the justification for this amount in their Affordable Housing Statement. The considerations that may be included in this are set out below.

### The Requirement

- 4.2 The requirement for affordable housing provision in Fylde is set out in the Local Plan. Policy H4 requires:

*All market housing schemes of 10 or more homes will be required to provide 30% affordable housing, unless robust viability testing has demonstrated that the cost of the affordable housing provision would prevent the development from being delivered.*

- 4.3 The Fylde Housing Needs Survey provides evidence that supports the maximising of delivery of affordable housing where it can be delivered viably. It states:

*the analysis identifies a notable need for affordable housing, and it is clear that provision of new affordable housing is an important and pressing issue across the Borough. It does however need to be stressed that this report does not provide an affordable housing target; the amount of affordable housing delivered will be limited to the amount that can viably be provided. As noted previously, the evidence does however suggest that affordable housing delivery should be maximised where opportunities arise.*

Therefore, the Council will maintain adherence to the requirement set out in the policy.

- 4.34.4 The threshold used in the Local Plan requirement accords broadly with the minimum standard threshold incorporated in the PPG, which states that affordable housing should not be sought on sites that are not major development.

- 4.44.5 The number of affordable homes within any development site will need to be sufficient to fulfil the 30% requirement. This will mean that, when calculating the number of affordable homes required, where the result is not a whole number, the result will need to be rounded up. For instance, on a development site of 34 dwellings in total, 11 will be required to be affordable, as 10 affordable dwellings would fall short of providing the 30% required by the policy.

- 4.54.6 Where an application site is for a smaller part of a larger site, the affordable housing requirement will be assessed on the basis of the context of the larger site. The reference to market housing schemes in Policy H4 of the Local Plan will be taken to encompass the whole site. Therefore, attempts to circumvent the requirement by the division of the site into two or more smaller sites will result in the imposition of the requirement in accordance with the proportion of housing units proposed across the whole development site. The tests used to establish whether this applies would include where a site shares its access with other sites, where it is in the same land ownership, or where there are common areas of infrastructure.

- 4.64.7 The Framework (2021December 2023) paragraph 65–66 requires that where major development involving the provision of housing is proposed, 10% of the homes should be for

affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. ~~Whilst this requirement continues to remain national policy, it will be incorporated within the overall requirement, unless the Council determines that the qualification in paragraph 65 applies~~As noted in Chapter 3, evidence strongly indicates a need to prioritise affordable housing for rent, so that the Council's requirements for affordable home ownership may fall marginally short of this figure. Similarly, the Written Ministerial Statement of 24<sup>th</sup> May 2021 requires that 25% of affordable homes delivered through planning obligations are First Homes; however, as described in Chapter 3, a transitional arrangement applies and therefore First Homes will only be required on development sites where the national policy requires it (i.e. where the transitional arrangement does not apply).

4.74.8 In respect of changes of use, the same requirements will apply except as considered below.

4.84.9 The Local Plan states that there will be a presumption that affordable housing will be delivered on site, in the interests of creating a mix of housing and promotes the creation of sustainable communities. Off-site provision will be acceptable only in such circumstances where the Council considers it to be so. There will be the assumption that such circumstances will be exceptional. Where the Council considers that off-site provision will be appropriate, the preferred delivery mechanism will be on a different site elsewhere in the local area, but as a last resort financial contributions to provide for this will be payable. The calculation of contributions is considered in Chapter 8.

### **Exceptions to the Requirement**

4.94.10 Where the development is a change of use that is permitted development under the General Permitted Development Order, PPG states that affordable housing cannot be sought.

4.104.11 Policy H2 states that on sites where 100% specialist accommodation for the elderly is proposed ... affordable housing contributions will not be sought. The criteria that must be satisfied to demonstrate that a development is considered by the Council to be specialist accommodation for the elderly, are set out in Local Plan Policy H2.

4.114.12 Affordable housing will not be sought on development sites (including conversions) for between 1 and 9 homes, except where larger sites have been sub-divided in order to attempt to circumvent the requirements. An exception to this will be where a proposed development consisting solely of affordable housing is put forward on an appropriate smaller site.

### **Legal Agreement and Affordable Housing Statement**

4.124.13 Legal agreements and undertakings are considered in detail in Chapter 11 and the Affordable Housing Statement in Chapter 6. The amount of affordable housing, and any other details relating to it that are agreed by the applicant, including type, tenure, registered provider and management arrangements etc. should be contained within the Affordable Housing Statement, with a clause within the legal agreement (or planning condition where appropriate) securing this by reference to the agreed Affordable Housing Statement.

### **Reduced Proportion on Viability Grounds**

4.134.14 Matters relating to situations where an applicant claims that a reduced amount of affordable housing should be provided on viability grounds are considered in Chapter 10.

## Effect of Vacant Building Credit

4.144.15 Paragraph 64-65 of the Framework states that where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. Footnote 30-31 clarifies that this is “equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.” Therefore, the number of affordable homes required will be reduced accordingly on such schemes. Developers will be required to set out how this will affect their development within the Affordable Housing Statement, and are encouraged to discuss the matter where applicable with the Council prior to submitting the application.

4.154.16 Developers will be expected to provide evidence in support for any claim for vacant building credit. The evidence will need to demonstrate:

- The floorspace of the vacant building;
- That the building is vacant: it will not be considered to be vacant if the building or part of the building has been in continuous use for any six months during the last three years up to the date that the application is submitted. The building must be entirely vacant: the credit is a vacant building credit rather than a vacant floorspace credit;
- That the building concerned is a permanent building which has a previous use;
- That the building has not been abandoned: evidence will be required that the building has been marketed in a genuine attempt to bring it back into use;
- That the building has not been vacated for the purpose of conversion: that the vacation of the premises has been a result of the decision of the tenant, rather than the landlord.

## Phasing of Delivery

4.164.17 The Council will expect affordable housing to be constructed concurrently with the market housing on the development site. In order to ensure timely delivery, the Council will require the phasing of affordable housing delivery to be detailed on the Affordable Housing Statement, where the application is for full or reserved matters permission or will impose a phasing requirement through clauses in the s106 agreement sitting alongside the planning permission. This will be in the form of a requirement for the transfer of a certain number of units of affordable housing to the appointed Registered Provider in advance of the occupation of a certain number of market dwellings, or the completion and marketing of a number of units of other affordable tenures, or a combination of the two. Generally, at least half of the affordable homes should be transferred before half of the market housing is occupied, with the remaining half transferred before the occupation of 85% of the market homes. The precise arrangement will be subject to negotiation and agreement with the Council and set out in the affordable housing statement or s106 agreement as appropriate.

4.174.18 Developers should consider how the phasing requirements will affect their site, and provide details on the Affordable Housing Statement having regard to their order of construction for the homes on the site, in particular the different tenures of affordable housing, to ensure that their proposals for the phasing of affordable housing are achievable when the planning application is determined.

## 5. Pre-application Engagement

- 5.1 The Framework strongly emphasises the benefits of discussion between parties at the pre-application stage, and encourages the resolution of issues prior to applications being made.
- 5.2 There are advantages to both developers and to the Council in effective pre-application engagement taking place regarding affordable housing provision. In particular, providing understanding of the information required by the Council will assist applicants.

### Discussions with Registered Providers

- 5.3 Applicants and/or their agents should make contact with Registered Providers prior to making any planning application, including at outline stage. At outline stage, they are encouraged to establish in principle that the affordable homes they propose to build can be transferred, in the case of affordable rent or other tenures involving Registered Providers. The mix of properties will be required to meet Local Plan Policy H2, to the extent that any details on mix have been determined.
- 5.4 At reserved matters stage or prior to a full planning application being submitted, the applicant should have discussed and come to agreement with the Registered Provider over all detailed matters including the individual dwellings to be part of the transfer, specific tenures of specific plots, the phasing of delivery and timings of the transfers, agreement that the Registered Provider will take on the management arrangements, letting and allocation in accordance with Fylde Council's local connection policies. Failure to provide this information at application stage is highly likely to delay the determination of the application.
- 5.5 The Council will require that a single Registered Provider is engaged in relation to all tenures of affordable housing within the scheme where a Registered Provider has involvement. The Council will only consider agreement to this requirement being waived where the Registered Provider which will take on all of the Affordable Rent properties declines to take on properties under other tenures.

### Discussions with the Council

- 5.6 The Council believes that engagement by developers with the Council prior to making an application is an essential element in bringing forward a development proposal of an acceptable form.
- 5.7 Discussions will be advantageous prior to making an outline planning application in the first instance.
- 5.8 Elements that need to be discussed centre around the amount of housing and affordable housing proposed, the tenure mix of the affordable units, and where the proposal is for a full or reserved matters application, the size, design and distribution of the affordable units within the development. Other matters may also require discussion at that stage.
- 5.9 The Council offers a pre-application discussion service for applicants, to consider outline development proposals and to provide "without prejudice" advice on their planning merits. Applicants are encouraged to use this service in relation to the full range of potential planning issues.

5.10 Applicants or their agents should contact the Development Management Team at the Council through the use of the pre-application advice service when they are considering preparation of a planning application. They should be prepared to discuss the number and overall mix of affordable housing prior to making an outline application. A pre-application advice enquiry can be initiated through the Council's website: <https://new.fylde.gov.uk/resident/planning/advice/#1554802742366-1e75650a-72ed>

## **6. The Affordable Housing Statement**

- 6.1 It is expected that the Affordable Housing Statement will be a document that applicants will provide with the application when submitted. In providing this at submission, it will demonstrate and reflect the outcomes of any pre-application engagement that has taken place. The Affordable Housing Statement will be part of the Local List of Validation Requirements which will be required in support of a full or reserved matters planning application for 10 or more dwellings or where the site area is greater than 0.5 hectares, in order to be considered valid at receipt by the Council.
- 6.2 For a full or reserved matters application, the Affordable Housing Statement should cover the following aspects of provision:
- Registered Provider appointed to take the housing stock and provisions for transfer to them; (see also chapter 3)
  - Number of dwellings and number of affordable dwellings within the development (see also chapter 4; where off-site provision is proposed see chapter 8);
  - Tenure including mix of tenures where appropriate (see also chapter 3);
  - Affordable dwelling size (see also chapter 7);
  - Distribution of affordable housing within the development (see also chapter 7);
  - Timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing (see also chapter 4);
  - Management arrangements for the completed affordable dwellings (see also chapter 9);
  - Mechanism to secure on-going affordability (see also chapter 9);
  - Allocation arrangements (see also chapter 9);
  - Provision for the recycling of subsidy in the event of the exercise of right-to-buy, purchase of the remaining share of shared ownership or the resale of discounted property (see also chapter 9).
- 6.3 A template that should be used to produce an Affordable Housing Statement is provided as Appendix 2. A Word version of the template is provided on the Council's website.
- 6.4 Where an application is submitted in outline, applicants will be expected to set out how their development will deliver affordable homes in line with development plan policy.

### **Revision of the Affordable Housing Statement**

- 6.5 It may be necessary, during the course of consideration of an application, for amendments to be made to certain details of the Affordable Housing Statement, in order that the requirements of the Council are satisfied. These might reflect, for instance, revisions to the mix of affordable homes on the scheme, the overall number of homes or the mixture of tenures; alternatively revisions may be required where certain necessary details are missing on the initial submission. In such cases the Council will require the submission of an amended Affordable Housing Statement, clearly identified by date.

### **The Role of the Affordable Housing Statement**

- 6.6 The version of the Affordable Housing Statement that is agreed by the Council will form part of any planning permission granted, through a clause in the Section 106 agreement or through a planning condition. The applicant or successor in title to the land in the event that permission is implemented will be tied to all of the details set out in the Affordable Housing Statement, including the tenure and allocation arrangements of individual dwellings, the



overall number of affordable dwellings provided, management arrangements and appointed Registered Provider etc. The Affordable Housing Statement therefore is the device through which the Council will ensure that affordable housing is provided through the development in accordance with the Council's policies.

- 6.7 It is envisaged that there will be circumstances when the practicalities of the development and delivery of affordable housing on larger sites indicates that revisions to an agreed Affordable Housing Statement are requested. These will be considered through an appropriate formal application to the council and will only be accepted where the proposed change is supported by evidence and continues to comply with the relevant Policy.

## 7. Size, Type, Design and Distribution of Affordable Housing

- 7.1 It is essential, if the affordable homes delivered are to meet the needs of those requiring affordable housing in Fylde, that they are of a size and type which provides suitable accommodation, considering the circumstances of those in need.
- 7.2 Local Plan Policy H2 makes reference to the affordable housing need as detailed in the Fylde Coast Strategic Housing Market Assessment (SHMA). It makes some prescriptions of the types of homes required, based on the SHMA, but then refers to the SHMA or any subsequent housing needs surveys undertaken on behalf of the Council. The Council has since had the Housing Needs Survey 2022 produced. This does not update the overall mix required on sites, but does set out suitable sizes for certain affordable tenures, further explained below.
- 7.3 Applicants will need to engage with the Council and a Registered Provider, to ensure that the proposed affordable homes will meet the identified need.
- 7.4 The Local Plan provides policy on the design of development generally, and the Council is producing a separate Good Design SPD to provide further detail on design for all types of development. It is therefore not intended to repeat those elements of guidance contained within the Good Design SPD, but rather to highlight design requirements which apply specifically to affordable housing.

### Size and Mix of Types of Affordable Dwellings

- 7.5 The affordable homes to be provided on a development site will contribute to the overall mix of housing on the site, and as such the mix of sizes of the affordable homes provided will need to be chosen so that the affordable housing provision contributes to the overall mix required by Local Plan Policy H2, whilst also reflecting the overall mix of housing on the site.
- 7.6 The mix of affordable housing to be provided on an application site will need also to reflect affordable housing need. The overall mix should be agreed with the Council at pre-application stage, and be supported by an affordable housing provider.
- 7.7 The Housing Needs Survey provided a breakdown of the size mix of properties required by those in future need for affordable rented housing. Aggregating the newly forming households and the existing households falling into need, the future need for affordable rented housing is approximately 35% for 1-bedroom homes, 49% for 2-bedroom homes and 16% for 3-or-more bedroom homes. The Housing Needs Survey does not provide information on the sizes of homes needed by those in current need; however, there is no reason to suppose that the overall need would be substantially different once those in current need were included. Therefore, proposals for affordable rented homes on sites should consist mainly of one- and two-bedroom homes, with only smaller numbers of larger homes.
- 7.8 For discounted market sales housing / First Homes, the Housing Needs Survey identifies the amount that the households paying the lower quartile rents for different sizes of property would be able to afford to buy, on a Borough-wide basis.
- 7.9 In the case of 1-bedroom properties, the lower quartile renting household could afford to buy an existing dwelling of that size: discount would only make up for the premium on new-build property. Therefore, the Council does not consider it justifiable to seek 1-bedroom discount market sales housing on developments.

7.10 In the case of 2-bedroom homes, across the Borough, the housing needs survey demonstrates that a discount of between 20 and 30% could be justified. Therefore, provision of 2-bedroom homes with the Borough-wide discount of 30% could be appropriate.

7.11 In the case of larger homes, although it would be possible to deliver 3-bed and 4-bed homes, those households (who would be able to afford market rents) would also be able to afford to buy a smaller housing unit in the market. The discounted price of a 3-bed dwelling would be £130,000, significantly in excess of the market price of a new-build 2-bedroom dwelling; whilst such a household (with a need for 3-bedroom accommodation) would technically still be in affordable housing need, the Council does not consider that such households should be prioritised for affordable housing delivery. For 4-bedroom homes, larger discounts would likely be needed, and the Housing Needs Survey notes that it is important to ensure that any discount above 30% does not prejudice the viability of rented forms of affordable housing for which there is a more acute need. With these factors in mind, the Council will therefore expect that discount market sales housing is restricted to 2-bedroom units.

7.12 For shared ownership homes, the Housing Needs Survey identified that equity shares of less than 50% will be needed to make this tenure affordable (for 2- and 3-bedroom homes). It also looks difficult to make larger (4+-bedroom) homes affordable in a local context. Therefore, any shared ownership units should be 2- or 3-bedroom homes (and demonstrate affordability as set out in Chapter 3).

7.13 Affordable housing may be provided in the form of houses, flats or bungalows. However, the type(s) proposed should have been agreed with a Registered Provider (for affordable rent properties or other tenures where involvement of a Registered Provider is required) and with the Council prior to any full or reserved matters planning application being submitted. This is to ensure that, once the development is brought forward, the accommodation is suitable for its intended purpose and can be successfully marketed after completion.

7.14 Affordable housing must be able to meet the needs of those in affordable housing need. Therefore, the specific accommodation requirements of the individuals or families that are to occupy the units will need to be provided for at the stage of initial development. This means that, for instance, a 2-bedroom dwelling will have to be fit for purpose as a dwelling that can be let to or purchased by people in affordable housing need for a dwelling of that size. In addition, Homes England will not provide grant funding for affordable homes below certain sizes, the limit being set at 85% of the minimum gross internal floor areas in the Nationally Described Space Standard.

7.15 Registered providers consider that the overall size (i.e. floor area) of the affordable dwelling is reflective of the overall number of people that can be accommodated in a dwelling. Accordingly, the size of individual dwellings by floor area should be specified for each affordable dwelling proposed, within the Affordable Housing Statement for full or reserved matters applications. The number of bedrooms for each unit must also be specified.

7.16 The affordable housing units should normally be at least the following Gross Internal Area (GIA) for the number of bedrooms specified, in order to be considered suitable for the requirements of Registered Providers for a home of the stated size, unless the applicant can demonstrate that the units proposed will meet the declared requirements of a supporting Registered Provider:

**Table 3: Minimum Gross Internal Area**

Bedrooms	No. of persons	Min GIA m <sup>2</sup> 1-storey flat	Min GIA m <sup>2</sup> 2-storey house
1	1	33	
1	2	43	
2	3	52	60
2	4	60	67
3	4		71
3	5		79
4	7		98

7.117.17 The affordable housing units will need to be clearly identified on the site layout plan: they must be directly denoted as such on the drawing and should not require cross referral (e.g. by plot numbers or house types) from some other document.

## Design

7.127.18 Affordable housing design needs to reflect the requirements of Local Plan (and where appropriate, Neighbourhood Plan) Policies in the same way as other parts of the same development, or indeed as any other development.

7.137.19 Local Plan Policy GD7 provides the starting point for considerations of design. Most elements of the policy are directly relevant but in particular the following criteria are of note, in that they will need to be applied equally to the affordable housing as to other parts of the site:

- *d) Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.*
- *i) Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate*
- *k) Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycleways and open spaces, create user friendly, sustainable and inclusive connections between people and places resulting in the integration of the new development into the built and historic environment*
- *m) Protecting existing landscape features and natural assets as an integral part of the development; requiring multi-functional green infrastructure to be integrated into urban areas; providing enhancements to open spaces to encourage people to use them; protecting and enhancing habitats; providing open spaces and linkages to the wider ecological networks as part of the Green Infrastructure network; and enhancing the public realm.*
- *o) All new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor layout, poor or lacking outlook or inconvenient arrangements for waste, access or*

*cycle storage. Developments should include adequate outside amenity space for the needs of residents. New homes designed specifically to accommodate the elderly should comply with optional standard M4(3(2a)) in accordance with policy H2.*

7.147.20 The Good Design SPD will provide a design process that should be used by applicants when designing a scheme, and provide guidance on how the context of the site should shape the overall and detailed form of developments.

7.157.21 As the majority of new affordable housing will be within larger development sites, the context for the design of the affordable housing on the site will be the overall design principles adopted for the site. These will in turn be required to reflect the wider context of the site within the immediate surroundings and the settlement as a whole.

7.167.22 Developments should be “tenure-blind”, i.e. affordable housing should not appear distinctive from the market homes found on the same site. The design features and materials should be consistent. Sometimes, the different size of the affordable homes from the surrounding dwellings is notable. In such cases, dwellings might be distinctively smaller but they should not be distinctively affordable. The affordable dwellings should result in a similar (high) standard of visual appearance for the part of the development concerned, compared to the remainder of the site.

7.177.23 Below are set out some typical design mistakes with affordable housing that are not considered acceptable. On developments where the features described are present, the affordable housing is likely to be clearly distinctive from the market housing, in contravention of policy.

#### **Examples of Affordable Housing Design Mistakes**

**Featureless elevations:** dwellings with plain elevations and with standard form windows and doors, resulting in a spartan appearance lacking any distinctiveness

**Prominent bin storage:** bin storage should always be located within private areas, not visible from the street, even when provided on a communal basis for flats.

**Hard-surfaced frontages:** dedication of the whole or almost the whole of the frontages of houses to car parking resulting in continuous hard surfacing and a cramped, utilitarian appearance.

**Absence of rear access:** a means of gaining external access to the street from the rear of a property other than through the dwelling must always be included.

**Extreme low-cost design:** eaves sharply cut off to be almost flush with the wall face, uniformly plain materials, soil pipes and other services on the front elevation etc.

**Absence of soft landscaping:** use of cheap fencing, prominent metal railings or other excessive hard landscaping to define boundaries at the front, where use of hedging plants or other soft landscaping would be more appropriate.

7.187.24 Proposals should follow the requirement for a high standard of design set out in Local Plan Policy GD7. For affordable housing some particular examples of this are shown below.

7.197.25 Proposals that fall short of the required standard for the design of affordable housing, even where the design of the remainder of the development is considered acceptable, will be refused.

### **Good Practice in Affordable Housing Design**

**Blends into the Development Site:** the affordable dwellings should utilise some of the same design features as the market homes on the site so as to integrate the affordable homes into the development. The development as a whole should respond to the wider local context as required by Policy GD7.

**Small dwellings disguised as large dwellings:** identification of dwellings as affordable on the basis of their size can be avoided by utilising similar designs as the larger properties on the site, varying the orientation of the front entrance doors or use of a single entrance door to a number of flats that otherwise appears to be a single house.

**Well landscaped:** effective use of landscaping at the front of dwellings can add character without substantial cost.

**Variation:** avoidance of excessive uniformity by varying the design features used between groups of dwellings, use of colour, offsetting, detail features to create homes that are distinguishable from one another.

### **Distribution**

7.207.26 Housing developments should not be “exclusive”: Paragraph 127–135 of the Framework requires the creation of places that are inclusive. Affordable housing should therefore be distributed within the development so that is clearly integrated into the wider development site, and could not be regarded as separate from it.

7.217.27 Normally the expectation will be for affordable housing to be distributed in several small groups throughout the development site. Such groupings should not result in segregation (i.e. for instance in a cul-de-sac just consisting of affordable housing).

7.227.28 Where the Council has agreed that affordable housing is to be a distinct type from market housing on the site (for instance where it is to be flats, or to be housing designed for the elderly), it should not be located in a segregated part of the site, such as the furthest extremity from the main access; it should be no less visually prominent within the overall street scene than other housing on the site.

### **Affordable Specialist Accommodation for the Elderly**

7.237.29 Local Plan Policy H4 allows for affordable housing requirements to be met in full or part by the provision of sheltered or extra care housing, providing that it is provided for social rent or affordable rent and therefore meets the definition of affordable housing. Such schemes must fulfil the requirement of Policy H2 for specialist accommodation for the elderly, that the accommodation is built in compliance with optional technical standard M4(3(2a)), which means that the accommodation is wheelchair-adaptable. The specific design requirements relating to the standard are contained within the Building Regulations Approved Document Part M.

7.247.30 Affordable Specialist Accommodation for the Elderly should have regard to Lancashire County Council’s Care and Support Strategy, which outlines the type of accommodation considered suitable. LCC are the revenue funding provider for this type of accommodation as they are typically placing the tenants and may be paying some or all of the rental for certain types of such accommodation.

7.257.31 Local plan Policy H2 carries requirements where a proposal is for 100% accommodation for the elderly, and these apply equally when the accommodation is to be affordable. The design criteria are as follows:

- *It is situated to provide easy access to regular public transport. Within larger development sites, the part of the site in closest proximity to bus stops with a regular service should be chosen for this type of accommodation;*
- *The proposal is well-designed, avoiding unnecessary use of high fencing around the perimeter, orientated towards the street with an entrance on the street side of the building providing the shortest possible pedestrian access, including usable outside landscaped gardens with seating, and access and parking for vehicles well separated from pedestrian routes;*
- *The development complies with the development strategy and other policies of the plan; and*
- *Convenient access arrangements are provided for vehicles providing hospital transport.*

#### **Affordable Housing and Residential Park Home Sites**

7.267.32 Residential park homes form part of the broad mix of dwelling types required to meet needs set out in national policy. The Council does not consider park homes to be suitable to form part of the affordable housing mix as they are considered unsuitable by Registered Providers and do not provide living conditions acceptable to the Council for people in affordable housing need.

7.277.33 Policy H4 of the Local Plan states

*The presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. In circumstances where the Council considers that affordable housing would be most appropriately provided off-site, for instance in relation to applications for residential park homes, the Council will require contributions for off-site provision of affordable housing equivalent in value to the provision of 43% of the number of market homes to be built on site, this being the equivalent of providing 30% affordable housing on-site*

7.287.34 Therefore, where residential park homes are proposed, off-site contributions will be required in accordance with Policy H4. How this will be applied is dealt with in Chapter 8.



## 8. Off-Site Contributions

### When will off-site provision be acceptable?

- 8.1 Policy H4 of the Local Plan is clear on the presumption that affordable housing will be provided on-site:

*“The presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. In circumstances where the Council considers that affordable housing would be most appropriately provided off-site, for instance in relation to applications for residential park homes, the Council will require contributions for off-site provision of affordable housing”*

- 8.2 Where an applicant proposes that affordable housing provision should be off-site, this should be the subject of discussion with the Council prior to the submission of the application. Only where the Council has agreed that off-site provision is likely to be acceptable, does the Council recommend that a planning application based on affordable housing provision off-site be submitted. Any such advice would be without prejudice to any decision made on a planning application submitted.

### Calculation of Off-Site Contributions

- 8.3 The Local Plan sets out the requirement for off-site provision of affordable housing, where it is considered acceptable. Policy H4 states:

*“the Council will require contributions for off-site provision of affordable housing equivalent in value to the provision of 43% of the number of market homes to be built on site, this being the equivalent of providing 30% affordable housing on-site”*

- 8.4 For clarification, the use of 43% as the off-site calculation rather than 30% is a straightforward mathematical relationship. Where a site has 100 dwellings, if the affordable housing is to be on-site as normal, the result will be 30 affordable and 70 market homes. A site of 100 dwellings where the affordable housing is off-site will result in 43 affordable and 100 market homes: the requirement is for 30% of the total, not of the number on-site. The proportions of the total are the same:  $30/100 = 43/143 = 30\%$ .

- 8.5 In the same way as with provision on-site, where the calculation of the number of off-site homes to be provided does not result in a whole number, the result will need to be rounded up. For instance, in a case where 33 homes are provided on-site, but the Council agrees to provision off-site, 15 off-site affordable homes will be required ( $15/33=45.45\%$ , corresponding to  $15/48=31.2\%$  of the total number), as 14 would fall short of the requirement of 43% of homes on site:  $14/33=42.4\%$  (and correspondingly, short of 30% of the total number  $14/47=29.8\%$ ).

- 8.6 The contributions payable will be calculated as the discount that would have been applicable to affordable homes constructed on the site, multiplied by the required number of affordable homes off-site. The discount will be calculated as a proportion of the open market value of equivalent sized homes on-site to the affordable homes needed. The contribution will be calculated as 30% of the open market value, equivalent to the discount that would have been required for discounted market sales housing (including First Homes) on the site. Sale prices

~~of homes vary significantly across the borough for similar properties, being typically higher in the villages than most of the urban areas, and higher in Lytham than for instance Kirkham. Off-site contributions would therefore be a greater amount per home in the higher price areas. The proportion of the open market value used to calculate the discount will accord with the discount applied to discount market sales housing in the same area. Reference should be made to the right hand column of Table 2 in chapter 3.~~

- 8.7 Appendix 4 sets out the detailed method to be used in calculating these contributions and provides a template. The contributions will be phased in a front-loaded manner as with the provision of actual affordable dwellings.
- 8.8 Off-Site contributions can also be made through the provision of actual affordable dwellings on other sites in the borough. Where this is proposed there will need to be a mechanism to tie the delivery of those properties to the delivery of the 'parent' scheme, for the off-site affordable housing to meet all other affordable housing and general policy requirements, and that the level of provision complies with the requirement of Policy H4 to deliver off-site affordable housing contributions at 43% of the total on-site development. This will usually be through a s106 agreement to the market homes planning permission that secures provision and front-loads the phasing of its delivery. A further alternative that can be chosen is a hybrid, where another site provides only a proportion of the off-site units required, with the remainder provided for through a financial contribution for the residue.

#### **Securing off-site contributions**

- 8.9 Where off-site provision has been agreed by the Council, the payment of the commuted sum will need to be secured through a S106 legal agreement with the Council prior to the grant of planning permission. Chapter 11 of this document provides further guidance.

#### **Provision of Affordable Housing Using Off-Site Contributions**

- 8.10 The Council has adopted a strategic approach to the use of future S106 funds to deliver affordable housing. The Council has invited Registered Providers to come forward with expressions of interest for funding to support schemes they are developing. These expressions of interest will be assessed and taken before the Planning Committee to determine if the scheme meets the priorities for the funding.
- 8.11 Registered Providers will need to evidence they already have affordable housing stock within Fylde and that local management arrangements are in place. It is preferred that Registered Providers are registered as a partner in the Choice Based Letting (CBL) Scheme MyHomeChoiceFyldeCoast. If Providers current stock levels are not sufficient to formally become a partner with the scheme, they will need to demonstrate an allocation arrangement in place for affordable homes developed in Fylde with a partner of the (CBL) scheme.
- 8.12 Each scheme will be assessed under the following five criteria:
- Brownfield site – suitable previously developed land that is not currently in use, whether contaminated or not;
  - Local regeneration to an area – to support environmental, economic and social well-being of an area, and the sustainability of local communities;
  - Value for money – consideration of match funding available from other sources that will enable the development, for example Homes England funding and private finance raised by the Registered Provider.

- Tenure to be Social or Affordable rent – Affordable and social rented housing is let by private registered providers of social housing to households that are eligible for social rented housing. Affordable rent is not more than 80% of the local market rent (including services charges, where applicable). Guideline target rents are determined through the national rent regime for social rented housing that are agreed by the local authority and Homes England.
- Evidence of a need for affordable housing provision – The proposed scheme should take into account levels of housing need for development as determined by the Strategic Housing Market Assessment and Local Plan to 2032. In addition details of households registered for re-housing through MyHomeChoiceFyldeCoast will be considered to establish if the proposed size of units and location will meet housing need within Fylde.

## 9. Management arrangements

### Allocation

- 9.1 It is imperative that affordable housing delivered through the Council's Local Plan policies provides for people in Fylde who are in affordable housing need. Therefore, the entitlement to apply for affordable housing units is restricted to ensure, as far as is practicable, that those provided with affordable housing are people with a local connection to Fylde in affordable housing need.
- 9.2 The Council, notwithstanding its status as Local Planning Authority and Local Housing Authority, must have control over the allocation of affordable housing through the Affordable Housing Statement secured through the S106 agreement or Unilateral Undertaking, or through a planning condition. Ensuring that such controls are sufficient is vital.
- 9.3 The restrictions that the Council will require applied to each tenure are set out below. It will normally be necessary that provisions to ensure that the restrictions are placed, and retained in the future, are contained within affordable housing statement and secured by the S106 agreement or planning condition.
- 9.4 Affordable housing for rent should only be allocated to those with a maximum of £30,000 in savings and a maximum household income of £60,000. This is in accordance with the criteria used by MyHomeChoiceFyldeCoast for eligibility to bid<sup>5</sup>. These limits will be subject to review in line with the criteria used by MyHomeChoiceFyldeCoast and any specified in national policy.

### Local connection test

- 9.5 All affordable units are to be rented or sold to people with a local connection as set out in the Consistent Assessment Policy operated by MyHomeChoiceFyldeCoast, the choice-based lettings scheme (except for shared ownership properties, see below). This will mean that homes will be allocated to those applicants with a local connection to the Borough of Fylde, either through residence or work. Applicants must therefore be able to demonstrate they meet one or more of the following criteria:
- Local residency – they have lived in the local authority of Fylde continuously for the last three years;
  - Permanent employment in the area of Fylde or offer of permanent employment that is intended to last for at least 12 months;
  - Close family association – has a parent, adult child, adult brother or sister who is living in the area of Fylde and has done continuously for the last 5 years;
  - Applicants who are serving in the Armed Forces and who are either employed or are resident in the area of Fylde; and
  - Former armed forces personnel who had a previous residence in the area of Fylde as a result of a former posting in the area of Fylde within the last 5 years.
- 9.6 Within the rural settlements affordable rented properties require a local connection to the parish which includes priority for current residence in the parish, family residing in the parish,

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<sup>5</sup> Page 11 of the MHCFC Consistent Assessment Policy - Ineligibility (Non qualifying Persons) – 5. Households whose gross household income exceeds £60,000 pa and 6. Applicants and households aged under 55 with savings exceeding £30,000.

the need to give or receive care in the parish, or other long-standing connection. With new build stock in rural areas enabled under a S106 agreement or planning condition, where an occupant does not come forward with a local connection to a particular parish the eligibility criteria can open up to a Fylde Borough connection. New build stock delivered under a S106 agreements cannot be let to households outside of Fylde.

### **Affordable Rent**

- 9.7 People who wish to express an interest in taking up affordable housing in Fylde, register their interest through the MyHomeChoiceFyldeCoast service, the choice-based lettings scheme operated on behalf of affordable housing providers (including Progress Housing who took over Fylde Council's former housing stock) and Fylde, Blackpool and Wyre Councils.
- 9.8 The Council will require that all affordable housing provided on development sites or through developer contributions, as affordable homes for rent, are allocated through MyHomeChoiceFyldeCoast. It will be a requirement for this to be incorporated in the Affordable Housing Statement, tied to the planning condition, Section 106 Agreement or Unilateral Undertaking, which will require the agreement of the Registered Provider as well as the Council and applicant.

### **Shared Ownership**

- 9.9 Under the Affordable Homes Programme 2021-26 operated by Homes England no shared ownership properties funded under this scheme can be subject to local occupancy restrictions. The properties must be occupied as the main or only home by the purchaser.
- 9.10 Initial and future sales of other shared ownership homes will be marketed and sold to customers whose eligibility is determined with regard to local incomes and local house prices, in accordance with the Affordable Homes Programme in force at the time of the application. The Council would expect that applicants will normally meet the local connection criteria as apply to other types of affordable housing.

### **Discounted Market Sales Housing and First Homes**

- 9.11 For First Homes, the requirements are:
- Purchasers of First Homes must be first-time buyers;
  - They must have a household income not exceeding £80,000;
  - A First Home should be the buyers only home;
  - A purchaser will need to use a mortgage or home purchase plan for at least 50% of the purchase price of the home.
  - Additional criteria can be applied by local authorities. Those for Fylde are set out in the following paragraph. Such local criteria can be applied only for the first three months of marketing, before reverting to national criteria only.
- 9.12 For discounted market sales housing, the Council's policy is as follows. In the case of First Homes, the following are local criteria:
- Must be a qualifying buyer unable to afford a home in their local market. Applicants must not be able to buy a home suitable for their needs within a reasonable travelling distance of their work place, without assistance. Qualifying purchasers must live, work or have a

family connection to Fylde, specifically one of the following must apply but in no particular order:-

- They are permanently employed in the Borough of Fylde
  - They have been offered permanent employment in the Borough of Fylde
  - Or in the opinion of the Council has some other sufficiently long-standing connection with the Borough of Fylde
  - They have lived in the Borough of Fylde continuously for the last 3 years
  - Have a close family association (a parent, adult child, brother or sister) who has lived in the Borough of Fylde continuously for the last five years
  - For First Homes, Members of the Armed Forces, divorced/separated spouses/civil partners or members of the Armed Forces, the spouses/civil partners of deceased members of the Armed Forces (if their death was wholly or partly caused by their service) or veterans within 5 years of leaving the Armed Forces will be exempt from any local connection criteria.
- Must be able to demonstrate access to savings or sufficient funds to pay, if required, a deposit (which may be 5% or more of the purchase price), legal fees, stamp duty and other costs of moving.
  - Must have savings/equity of less than ~~£60,000~~£30,000 and a household income of less than ~~£80,000~~£60,000.
  - Must be able to sustain home ownership in the longer term. Typically applicants will be employed on a permanent contract of employment (there are exceptions for key workers). If self-employed, the applicant must be able to provide accounts for the last 3 years.
  - Must occupy the property as their only and principal home.
  - Must have a good credit history – if applicants have rent arrears during the last 12 months, are in breach of their current tenancy agreement or have an adverse credit history, which means they are unlikely to be able to sustain ownership, they will not be eligible for the scheme.
  - Must take out a first mortgage with a qualifying lender.
  - Must be approved by the local authority as being eligible under the scheme for discounted market sale

9.13 Applicants for discounted market sale properties will therefore need to approach the developer who in turn will be required to ensure that any potential buyers for discounted market sale properties are assessed for eligibility by the Council before proceeding with the sale.

9.14 A copy of the application form is available from the Council's Housing Services team. Applications should be made in respect of specific properties for sale: the Council will not keep a waiting list of applicants, and all information from the applicant must be up-to-date at the time of the potential purchase.

9.15 On the first occupancy from the developer to the buyer there will not be a charge for completing the assessment for the DMS application. On subsequent sales of the unit the Council will make a charge for assessment of these applications to the seller.

### **Rent-to-Buy**

9.16 Government guidance stipulates that Rent-to-Buy tenants must be working households and intending to buy their own home in the future at time of letting. To be eligible for Rent to Buy

tenants must be first time buyers having not previously owned their own home. An exception to this is where an applicant is looking to return to home ownership following a relationship breakdown.

- 9.17 Government guidance notes that Rent-to-Buy homes are not subject to local authority nominations although landlords may choose to work with the local authority to identify potential tenants. The applicants must be working households who intend to live in the properties concerned as their main or only home and therefore must be working within reachable distance of the property. It is therefore anticipated that most applicants will meet the local connection criteria used for other types of affordable housing.

#### **Implications for applicants/developers**

- 9.18 Whichever tenure is adopted, it will be necessary to ensure that the allocation policy is specified within the Affordable Housing Statement and secured through either Legal Agreement or planning condition.

#### **Retention as Affordable in Perpetuity**

- 9.19 The Council will require that affordable housing is retained as affordable in perpetuity, or where staircasing up to full ownership takes place that the subsidy previously applied is recycled for further use for the provision of affordable housing.
- 9.20 Provisions, within either the legal agreement or by the Affordable Housing Statement secured by legal agreement or planning condition, will be required to state explicitly how this will be achieved.
- 9.21 In the case of affordable rented housing, where a home is purchased under right-to-buy legislation, or partially purchased under right-to-shared ownership legislation, the home will previously have been wholly (or partially) owned by the Registered Provider. The requirement for the Registered Provider to reinvest the proceeds for the further provision of affordable housing may be subject to legislative provision.
- 9.22 There will be a requirement that any affordable rented housing that becomes available for re-letting, shall be re-let and not sold on the open market. Reletting shall be in accordance with the Council's allocation policy to those in affordable housing need.
- 9.23 In the case of discounted market sales housing / First Homes, there will be the requirement for any future sale of the property to remain at a discounted price in perpetuity. This will be secured through a restriction to be contained in the legal document disposing of the dwelling to the purchaser. The discount for any future resale will be set at the same percentage of open market value as the discount level applied to the original sale price. Open market value will be determined by assessment by two valuations undertaken by RICS-accredited valuers who are not connected to the vendor, with the average taken. When the property is offered for sale, there will be a requirement for the property to be offered in accordance with the Council's allocation policy. Owners will be required to complete and submit to the Council a form produced by the Council's Housing section in the first instance.
- 9.24 In the case of shared ownership homes, the occupier may purchase additional proportions of the equity from that acquired in the first instance, to "staircase" to a higher proportion of ownership, including up to 100%. Where additional shares are purchased, this payment is made to the owner of the previously rented share, which will be a Registered Provider, and is



a repayment of the subsidy originally provided as grant. Recycling of this funding to provide for further affordable housing in Fylde will be required, with detail provided in the Affordable Housing Statement secured by a s106 agreement or planning condition.

### **Service Charges**

- 9.25 The scope of any service charges to be imposed on occupiers must be expressly set out within the Affordable Housing Statement. Matters might include maintenance of the building, provision and maintenance of landscaping/gardens and other communal areas, security matters etc. The proposed level of charges should be declared in the Affordable Housing Statement and should not increase each year by more than the annual Consumer Price Index (CPI) published by the Government.

## 10. Viability Assessment

- 10.1 The Framework stresses the importance of ensuring housing delivery, in order that councils fulfil the national priority to boost significantly the supply of housing. Councils are required to identify sufficient land through their local plans to meet their local housing need. Local plans must be viability tested to ensure that they are deliverable. The Framework strongly stresses that assessment of viability should be undertaken at the plan-making stage.
- 10.2 The 2018 Local Plan, adopted in October 2018, was viability tested in accordance with these requirements. The Fylde Local Plan to 2032 (incorporating Partial Review) was subject to an Economic Viability Assessment Review which updated the assessment to take account of the amended policies, and of updated land values, build costs and sales prices. The testing identified that the plan as a whole was viable, and the sites allocated were developable in accordance with the policies contained in the Local Plan.
- 10.3 PPG states that there is a presumption that development on development plan allocations will be viable, as the principle will have been tested through the Local Plan examination, as was the case in Fylde. It follows that a challenge to the requirements of the policies of the Local Plan on the grounds of viability will only be justified exceptionally.
- 10.4 PPG states that plans should set out the contributions expected from development; that policy requirements should be clear so that they can be accurately accounted for in the price paid for land; to provide this certainty affordable housing requirements should be set out as a single figure rather than as a range. The Local Plan requirement figure of 30% accords with this guidance.
- 10.5 Where a developer proposes a lower number of affordable homes than the 30% requirement, Local Plan policy H4 requires:
- “robust financially-based justification to be provided by the applicant, demonstrating that the development would be unviable with a higher level of affordable housing than proposed.”*
- 10.6 Since development in accordance with the Local Plan will be taken as viable, PPG states that the developer will be required to demonstrate that the particular circumstances justify the need for a viability assessment at the application stage. This could include where innovative types of development are proposed, where unallocated sites are brought forward that are very different from the types of sites allocated in the Local Plan, where additional site costs have become apparent or where the macro-economic environment has significantly worsened.
- 10.7 Where the circumstances do not justify a reassessment of viability, any viability assessment submitted in support of a planning application can be given limited weight at most.

### Contents of the Viability Assessment

- 10.8 The PPG prescribes the inputs to any viability assessment.
- 10.9 The PPG indicates that any Viability Assessment should include an Executive Summary which sets out the headline data in the format of a template, to follow the Government’s data standards. The template will be produced by Government, but is not currently available. In

anticipation of the publication of this template, the Council has decided that it should not create its own template for viability assessment, which could become very quickly inconsistent with that provided by Government.

- 10.10 Any Viability Assessment submitted with a planning application should be based on and refer back to the viability assessment that informed the Local Plan; the applicant should provide evidence of what has changed since then.
- 10.11 The Viability Assessment that informed the ~~Local Plan~~ [Fylde Local Plan to 2032 \(incorporating Partial Review\)](#) was produced by Keppie Massie. It is in ~~two main~~ [three](#) parts. The principal assessment was conducted in support of the Revised Preferred Option Local Plan [\(2015\)](#), with an update provided in support of the Publication Version Local Plan [\(2016\)](#), and a further [update in support of the Partial Review \(2020\)](#). ~~Both~~ [All three](#) documents are available on the Council's website<sup>6</sup>.
- 10.12 The Local Plan's Viability Assessments utilise a residual valuation approach as the appraisal methodology, in accordance with the Royal Institution of Chartered Surveyors guidance note Financial Viability in Planning. Further details are provided in Section 3 of the main Viability Assessment<sup>7</sup> document. The Viability Assessment and update are based on an assessment of a range of site typologies reflecting on the mix of sites within the Local Plan, with a range of densities, housing types, locations and on greenfield/brownfield land. Site specific assessments were made for three sites.
- 10.13 Any Viability Assessment submitted with a planning application will therefore need to clearly relate the site concerned to the appropriate typologies within the viability assessment and provide justification for the reasons why changes have resulted in the original assessment or assumptions no longer being considered appropriate.

### Reassessment of Schemes

- 10.14 Frequently, developers request revisions to schemes after initial approval, to alter the type or reduce the amount of affordable housing provided within the scheme.
- 10.15 The PPG stresses that, since the allocation of any site has been subject to Examination, where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. Therefore, the need for viability assessment should be exceptional.
- 10.16 There are some circumstances where a reassessment after an initial permission might be appropriate. These include, as referred to in PPG, where a recession or significant economic changes have occurred since the plan was brought into force. Other circumstances could be where the applicant has evidence of significant unforeseen costs, the initial affordable housing tenure proves to be unviable or difficult to deliver.

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<https://www6.fylde.gov.uk/assets/legacy/getasset?id=fAA3ADcANQA0AHwAfABUAHIAdQBIAHwAfAAwAHwA0> and <https://online.fylde.gov.uk/council/planning-policy--local-plan-/local-development-framework/comprehensivelistofevidence/> (items ED016 a-e)

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<https://online.fylde.gov.uk/assets/legacy/getasset?id=fAA3ADcANgA5AHwAfABUAHIAdQBIAHwAfAAwAHwA0>

- 10.17 Where an assessment of viability is proposed by a developer, when one was not provided previously with the application, the same requirements will apply to a developer in producing an assessment of viability as would be required when submitted initially with an application.

**Council Verification of Submitted Viability Assessments**

- 10.18 Where the Council receives a Viability Assessment in support of a lower proportion of affordable housing than 30%, the Council will normally seek to verify its contents. Local Plan Policy H4 states:

*“The Council may seek to independently verify such information, with any costs associated with the verification met by the applicant, before approving a scheme with lower levels of affordable housing than that specified above.”*

- 10.19 The Council will normally use its retained consultants to undertake such verification. The Council will require that the applicant provides an undertaking to pay for the verification before it is carried out, and that payment is made in advance of any decision on the planning application being issued.

## 11. Legal agreements and undertakings

- 11.1 Section 106 of the Town and Country Planning Act 1990 provides a mechanism for the provision of affordable housing in connection with the grant of planning permission, through a legal agreement.
- 11.2 It is necessary to ensure, where affordable housing is proposed as part of a development, that the Local Planning Authority retains safeguards to ensure that it is actually delivered, once planning permission is granted. There will be occasions when the Council will impose planning conditions to secure affordable housing delivery: usually this will be only in the most straightforward of cases.
- 11.3 Where the Council considers that the use of planning conditions will be ineffective, open to circumvention, or cannot provide for all of the obligations necessary, the Council will require the landowner to enter into a Section 106 legal agreement, or submit a Unilateral Undertaking committing to obligations under Section 106, to ensure a commitment to deliver affordable housing linked to the grant of planning permission.
- 11.4 Where it is necessary to secure provision of affordable housing through legal agreement, it will be necessary for the Council to produce the agreement. The landowner will be liable for the fees to pay the costs incurred by the Council's legal department whether or not planning permission is granted. The Council's legal department will only commence work on the legal agreement once formally instructed by the Council's Planning Section, and will require the agreement of the landowner or applicant to pay the fees incurred usually by way of a costs undertaking from the firm of solicitors acting on behalf of the landowner or applicant.
- 11.5 The Council provides templates for legal agreements used to secure affordable housing provision. The templates are updated from time to time and are provided on the Council's website: <https://new.fylde.gov.uk/resident/planning/section-106-agreements/> The form of the main agreement is standardised and unlikely to require significant alteration; the schedules within the agreement will vary dependant on the nature of the obligations on the developer.
- 11.6 Where an applicant wishes to submit a draft agreement, it must only be produced using the template, it must be submitted in Word format and all changes to the template made by the applicant must be shown using Word's tracked changes facility.
- 11.7 When a draft agreement has been submitted with a planning application, the Council will hold it until the Council's legal department are formally instructed to proceed with further work on it. This instruction will only be accepted subject to confirmation that the costs incurred by the Council's legal department will be paid irrespective of the outcome of the planning application.
- 11.8 The legal agreement will, in most cases, need to make reference to the Affordable Housing Statement, and by virtue of this will link the obligations of the developer to the declared intentions set out within the Affordable Housing Statement.

## 12. Decision-taking, implementation and monitoring

- 12.1 Supplementary Planning Documents may be given weight in decision-making. Although not part of the Development Plan, they provide detailed guidance on the application of policy that is contained with the Local Plan. Therefore, accordance with the SPD helps an applicant demonstrate compliance with development plan policy. Failure to accord with the SPD may demonstrate failure to comply with the development plan policy, and this may justify the refusal of a planning application.
- 12.2 Therefore, the Council will use the SPDs as guidance for determining planning applications, in support of Local Plan policies. It will similarly be used for helping determine whether enforcement action is justified, where development has taken place that is unauthorised.
- 12.3 In addition, the Council will take account of the guidance within the SPD when bringing forward housing projects it will be undertaking, or [that](#) are undertaken on its behalf.
- 12.4 The Council intends to include the requirement for an Affordable Housing Statement to be on its Local List of information requirements for the validation of a planning application. Where the applicant fails to provide this, or where what is provided does not constitute such a document for the purposes of determining the application, the Council intends that an application will be invalid and will not be processed or determined until this is remedied.
- 12.5 Where the Council considers that a development proposal is in contravention of an aspect of this SPD, the Council will inform the applicant and seek amendments to the application, including the affordable housing statement. It will be necessary for applicants to engage at the pre-application stage in order that the planning application including the affordable housing statement that is submitted will have been subject to officers' advice, and any necessary alterations made.
- 12.6 The outcomes of this SPD will be monitored through:
- The number of affordable homes delivered;
  - The proportion of sites where 30% affordable housing is achieved;
  - Adherence by applicants to the requirements for the content of Affordable Housing Statements;
  - Appraisal of the design quality of the affordable housing within completed developments.

## 13. Glossary

13.1 Certain definitions in this Glossary are based on existing National Policy at the time of the production of the document (shown by reference to that document where applicable). However, the definitions should be considered revised in the event that the national policy as shown is revised, superseded or deleted.

<b>Affordable Housing</b>	(Definition from the Framework ( <del>2019</del> <a href="#">December 2023</a> ), as amended by the Written Ministerial Statement of 24 <sup>th</sup> May 2021): housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions: (see separate entries for Affordable housing for Rent, Starter Homes, Discounted Market Sales Housing, Other Affordable Routes to Home Ownership, First Homes).
<b>Affordable Housing for Rent</b>	(Definition from the Framework ( <del>2019</del> <a href="#">December 2023</a> )): meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
<b>Affordable Private Rent</b>	On-site affordable housing for rent provided as part of a build-to-rent scheme.
<b>Affordable Rent</b>	A class of Affordable Housing for Rent (see separate entry), and complying with all of the restrictions under that definition. Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).
<b>Build to Rent</b>	(Definition from the Framework ( <del>2019</del> <a href="#">December 2023</a> )): Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.
<b>Designated Protected Areas</b>	Areas designated in Schedule 5, Part 6 of The Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009. The effect of the designation is to impose a restriction that shared ownership housing must be offered by Registered Providers with a lease that contains provisions that either: a) restrict staircasing to no more than 80%; or b) in instances where the leaseholder is permitted to acquire more than 80% (i.e. up to full ownership), then there is an obligation on the



	landlord (or a designated alternative landlord) specified in the lease that commits them to repurchase the property when the leaseholder wishes to sell
<b>Discount Market Sales Housing</b>	(Definition from the Framework ( <del>2019</del> <a href="#">December 2023</a> )): is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
<b>First Homes</b>	(Definition from PPG) First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which: a) must be discounted by a minimum of 30% against the market value; b) are sold to a person or persons meeting the First Homes eligibility criteria; c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and, d) after the discount has been applied, the first sale must be at a price no higher than £250,000.
<b>Market housing</b>	Housing sold or rented on the open market, without any planning restriction applied by the Council.
<b>Other affordable routes to home ownership:</b>	(Definition from the Framework ( <del>2019</del> <a href="#">December 2023</a> )): housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.
<b>Planning Obligation</b>	A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.
<b>Registered Provider</b>	A body that is registered by Homes England as a provider of social housing (including affordable rent and social rent) under the Housing and Regeneration Act 2008.
<b>Rent-to-Buy</b>	A class of Affordable Housing which allows working households to rent a home at Intermediate Rent providing them the opportunity to save for a deposit over time to purchase their first home.
<b>Section 106 Agreement</b>	Section 106 (S106) of the Town and Country Planning Act, 1990 allows a Local Planning Authority to enter into a legally-binding agreement also called a planning obligation with a landowner in association with the granting of planning permission. S106 agreements or planning obligations are a way of addressing matters that are necessary to make a development acceptable in planning terms.

<b>Shared Ownership</b>	A class of affordable housing whereby a share of a home is bought, with the remainder rented through a Registered Provider.
<b>Social Rent</b>	A class of Affordable Housing for Rent (see separate entry), and complying with all of the restrictions under that definition. Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.
<b>Staircasing</b>	The purchase of additional shares in the property by the tenant occupying a home under a shared ownership scheme, so that a higher proportion of the property is owned by the tenant.
<b>Starter Homes</b>	(Definition from the Framework ( <del>2019</del> <a href="#">December 2023</a> )): is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
<b>Supplementary Planning Document</b>	Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.
<b>Sustainability Appraisal</b>	Appraisal of plans, strategies and proposals to test them against the four broad objectives set out in the Government's sustainable development strategy 'A Better Quality of Life: A Strategy for Sustainable Development for the UK', published in 1999.
<b>Unilateral Undertaking</b>	A unilateral undertaking is a legal document made pursuant to Section 106 of the Town and Country Planning Act 1990. This document provides that a landowner must make certain payments in the form of planning contributions if they implement a planning permission on the land in question.

### 13. References and further sources of information

Fylde Local Plan to 2032 ([incorporating Partial Review](#))

<https://new.fylde.gov.uk/resident/planning/planning-policy-local-plan/adopted-fylde-local-plan-to-2032-incorporating-partial-review/> <http://www.fylde.gov.uk/council/planning-policy-local-plan-/local-development-framework/adopted-fylde-local-plan-2032/>

Fylde Council Housing Needs Survey 2022 [https://new.fylde.gov.uk/wp-content/uploads/2023/01/Fylde\\_Final\\_HNS\\_140922.pdf](https://new.fylde.gov.uk/wp-content/uploads/2023/01/Fylde_Final_HNS_140922.pdf)

National Planning Policy Framework <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Planning Practice Guidance <https://www.gov.uk/government/collections/planning-practice-guidance>

St Annes on the Sea NDP <http://www.fylde.gov.uk/council/planning-policy--local-plan-/neighbourhood-planning/st-annes-sea-town-council-neighbourhood-plan/>

MyHomeChoiceFyldeCoast <https://www.myhomechoicefyldecoast.co.uk/Data/ASPPages/1/30.aspx>

Homes England Capital Funding Guide <https://www.gov.uk/guidance/capital-funding-guide/4-housing-for-rent>

Ratio of house price to workplace-based earnings (lower quartile and median), 1997 to 2018, Office for National Statistics

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

House Price Statistics for Small Areas (HPSSAs) HPSSA Dataset 48: Lower quartile price paid for residential properties by LSOA, Office for National Statistics

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/lowerquartilepricepaidbylowerlayersuperoutputareahpssadataset48>

Lower Layer Super Output Area (2011) to Ward (2017) Lookup in England and Wales, Office for National Statistics

[http://geoportal.statistics.gov.uk/datasets/500d4283cbe54e3fa7f358399ba3783e\\_0](http://geoportal.statistics.gov.uk/datasets/500d4283cbe54e3fa7f358399ba3783e_0)

Housing with Care and Support Strategy 2018-2025, Lancashire County Council

<http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwjP-6K2-I7kAhVvRBUIHdqPCRUFjAAegQIBBAC&url=http%3A%2F%2Fwww.lancashire.gov.uk%2Fdocuments%2Fs138807%2FAppendix%2520A.pdf&usg=AOvVaw2xzDRBR12CW0rqyaHNucku>

## Appendix 1: List of Affordable Housing Registered Providers with Housing Stock in Fylde

Name	Contact
Progress Housing Group	<a href="mailto:enquiries@progressgroup.org.uk">enquiries@progressgroup.org.uk</a> 03333 204555
Great Places Housing Group	<a href="mailto:land@greatplaces.org.uk">land@greatplaces.org.uk</a> 0300 123 1966
Muir Group Housing Association	<a href="mailto:info@muir.org.uk">info@muir.org.uk</a> 0300 123 1222
Places for People	<a href="https://homestorent.placesforpeople.co.uk/contact-us/">https://homestorent.placesforpeople.co.uk/contact-us/</a> 01772 666000
ForHousing	<a href="mailto:hello@forviva.co.uk">hello@forviva.co.uk</a> 0300 123 5522
Community Gateway	<a href="mailto:communications@communitygateway.co.uk">communications@communitygateway.co.uk</a> 0800 953 0213
Jigsaw Homes Group / Adactus	<a href="mailto:info@jigsawhomes.org.uk">info@jigsawhomes.org.uk</a> 0300 11 11 212
YMCA Housing	<a href="mailto:enquiries@fyldecoastymca.org">enquiries@fyldecoastymca.org</a> 01253 724117
Step Forward Homes / Auxesia Homes	<a href="mailto:info@auxesiahomes.co.uk">info@auxesiahomes.co.uk</a> 01565 648284
<a href="#">Regenda Homes</a>	<a href="mailto:Info@regenda.org.uk">Info@regenda.org.uk</a> 0344 7360066
Manchester and District Housing Association / Your Housing Group	<a href="mailto:general@yourhousinggroup.co.uk">general@yourhousinggroup.co.uk</a> Youggle House, 130 Birchwood Boulevard, Birchwood, Warrington WA3 7QH 0161 419 6400 or 01925 593000
Legal & General Affordable Homes	<a href="https://landgah.com/contact/">https://landgah.com/contact/</a> 12 Cock Lane London EC1A 9BU 0345 117 0660
Sage Housing	<a href="https://www.sagehousing.co.uk/partner-with-us/">https://www.sagehousing.co.uk/partner-with-us/</a> 020 8168 0500
Heylo Housing	<a href="https://heylohousing.com/partners">https://heylohousing.com/partners</a> 020 3744 0415

## **Appendix 2:**

### **Affordable Housing Statement Template – Full or Reserved Matters Application**

**Statement prepared on behalf of XXXXX XXXXXXXX (*applicant*)**

**By XXXXXXXXXXX XXXXXXXXXXXX (*agent*)**

**Site address:**

*(Enter site address*

*here)*

**Statement dated XXth XXXXXXXX 20XX**

This statement is provided in support of the full/reserved matters (*delete as necessary*) planning application for the erection of XXX dwellings. It relates to Condition XX of Outline Planning Permission application no. XX/XXXX OUT (*if applicable*), which states:

*(provide the text of the planning condition on the outline application if applicable)*

**Name of Registered Provider appointed to take the housing stock:**

*(insert name of Registered provider)*

**Number, mix and distribution of affordable homes**

The application proposes XXX net additional homes on the whole site. Of these, XXX will be affordable. The number of affordable homes proposed on site has been calculated as follows:

XXX net homes x 30% = YYY net affordable homes

*(provide further explanation of any other elements of the calculation)*

**Mix of dwellings on site:**

The affordable homes are shown individually identified by the plot numbers below on the site layout plan with the drawing number XXXXXXXXXXXX and will be:

*(fill in table)*

Developer's house type (name)	House/ flat/ bungalow	Bedrooms	Floor area sq m	Tenure	Number of units	Plot numbers

The affordable homes are distributed in XXX groups of between XX and XX affordable homes. The distribution has been chosen in order that ... *(Explain the reasoning for the distribution of the affordable dwellings within the site)*

**Phasing of delivery:**

No more than XXX market dwellings shall be delivered prior to the completion of transfer of YYY affordable dwellings to the agreed Registered Provider named below.

No more than WWW market dwellings shall be delivered prior to the completion of transfer of ZZZ affordable dwellings to the agreed Registered Provider named below.

## Transfer or sale of the completed affordable homes

All affordable homes shall on completion be transferred to a Registered Provider of affordable housing, except in the case of Discount Market Sales Housing / First Homes units, which will be dealt with as detailed below.

### Arrangements in the Event of Default

In this section, a “Chargee” shall refer to a mortgagee or chargee of the Registered Provider (or any receiver (including an administrative receiver)) appointed by such mortgagee or chargee or other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (however appointed) including a housing administrator (each a Receiver)) of the whole or any part of the Affordable Housing Units, or any persons or bodies deriving title through such mortgagee or chargee or Receiver

The affordable housing provisions in this Affordable Housing Scheme shall not be binding on a Chargee (or any receiver (including an administrative receiver) appointed by such Chargee or any other person appointed under any security documentation to enable such Chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver)) of the whole or any part of the affordable housing units or any persons or bodies deriving title through such Chargee or Receiver **PROVIDED THAT:**

- i) such Chargee or Receiver shall prior to seeking to dispose of the affordable housing units pursuant to any default under the terms of its mortgage or charge give not less than one month’s prior written notice to the Council and addressed to the Head of Planning and Housing of its intention to dispose of the affordable housing units (“Chargee’s Notice”); and
- ii) in the event that the Council responds in writing within two months from receipt of the Chargee’s Notice indicating that arrangements for the transfer of the affordable housing units can be made in such a way as to satisfy the terms of the mortgage or charge and to safeguard them as affordable housing units then the chargee shall co-operate with such arrangements and use its reasonable endeavours to secure such transfer;
- iii) in the event that within three months of the date of the Chargee’s Notice served under paragraph i), and despite using reasonable endeavours to do so, the Chargee or Receiver has been unable to complete the transfer of the affordable housing units to another Registered Provider for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses (so for the avoidance of doubt there shall be a total period of only three months from the Chargee’s Notice to completion of such transfer) then subject to the Chargee or Receiver providing written evidence to the Council of the negotiations with the Registered Provider and the reasons why the Chargee or Receiver has been unable to complete the transfer with the Registered Provider, the Chargee or Receiver shall be entitled to dispose of the affordable housing units free from the restrictions set out in this affordable housing statement which provisions shall thereby cease to apply;
- iv) if the Council does not serve its response to the Chargee’s Notice served under paragraph i) within two months then the Chargee or Receiver shall be entitled to dispose of the affordable housing units free of the restrictions set out in this affordable housing statement which provisions shall thereby cease to apply.



**Affordable Rent Units** - the completed affordable rent homes shall be acquired by *(insert name of Registered Provider)*. The transfer value of the affordable rented homes shall be determined by agreement between *(insert name of developer)* and *(insert name of Registered Provider)*.

The affordable rent homes shall be transferred to *(insert name of Registered Provider)*. They shall be made available by the Registered Provider for affordable rent through MyHomeChoiceFyldeCoast to eligible applicants in accordance with the Council's lettings policy as detailed below in the section regarding occupancy.

At the end of any tenancy in connection with the above, the affordable rent properties shall be relet in the same way, and this shall continue in perpetuity unless subsequently agreed otherwise by the Council, or where the obligation is released by right-to-buy legislation.

The rent chargeable shall not exceed that specified in government policy in relation to affordable rented homes.

**Shared Ownership Homes:** These units shall be transferred directly to the end purchaser on a shared ownership basis, using a lease based on the Homes England standard shared ownership lease. The retained proportion of ownership will be transferred to the Registered Provider who will own and manage the property. The proportion owned by the purchaser can be varied according to the means of the purchaser, but will be between 10% and 75% of the open market value of the property.

Where a purchaser subsequently purchases further shares of the property, the Registered Provider shall reinvest the proceeds into further affordable housing: firstly in Fylde; secondly in the Fylde sub-region; thirdly elsewhere in North West England.

All transactions, both initial and subsequent shares, shall be reported periodically to the Council in a form and at intervals to be specified by the Council.

*(The section below is applicable only within parishes covered by Designated Protected Area status)*

*(Either:)*

The lease shall specify that purchase of additional tranches of equity ("staircasing") shall be restricted to 80%;

*(Or)*

The lease shall ensure that once the leaseholder has acquired 100% share of the house, that when it becomes available for resale that it is sold back to the landlord (or a designated alternative landlord);

*(Or)*

*(In the event that the shared ownership units are not being acquired with Homes England grant funding)* The lease shall restrict the purchase of further equity shares above 80% to the following circumstances:

- (i) where this is agreed in writing with the Council and supported by legitimate reasons (i.e. that a new eligible purchaser cannot be found after a set period of marketing and evidence of that marketing provided);
- (ii) after a minimum period of 10 years; and

- (iii) providing that the 20% staircasing funds received after the 10 year period are recycled/reinvested in Fylde – including an agreed mechanism for that to take place (e.g. notices from the Registered Provider as to when that occurs, confirmation of the sale price and a time limit for the relevant monies to be paid into the Council’s affordable housing S106 fund thereafter).

In the event that it is demonstrated to the Council’s satisfaction that an eligible person to occupy the shared ownership units cannot be found within a period of 6 months of marketing, the tenure of the unsold units may be transferred to affordable rent.

**Discounted Market Sales Housing Units** - The discounted market sales units shall be disposed of in perpetuity to an end purchaser for a price which does not exceed ~~XX70%~~ *(insert appropriate percentage in accordance with Table 1 of the Affordable Housing Supplementary Planning Document)* of market value, and to a person who meets the occupancy criteria.

The Transfer or lease (as appropriate) of every discounted market sales unit shall contain the following covenants by the Transferee for the benefit of the Council.

1) Not to allow the unit to be occupied other than by the Transferee and the Transferee’s immediate dependents as their primary and sole residence (without prior consent of the Local Authority).

2) Not to dispose in perpetuity of the discounted sale unit at a price exceeding the Discount Price ~~(insert appropriate percentage in accordance with Table 1 of the Affordable Housing Supplementary Planning Document)~~ which shall not exceed 70% of market value.

3) Not to dispose of the discounted sale unit other than to a person in housing need who meets the occupancy criteria as detailed elsewhere in this statement.

4) To enter the following restriction on the registered title in favour of the Council as soon as reasonably practicable following first registration and to produce official copies of the title to the Council within 14 days of the completion of such registration:

“No disposition of the registered estate (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by Fylde Council of Town Hall, St Annes Road West, Lytham St Annes FY8 1LW or their conveyancer that the provisions of clause XX (the Discounted Market Sales provision) of the Transfer dated [Date] referred to in the Charges Register have been complied with or that they do not apply to the disposition.”.

5) Not to dispose of a discounted sale unit without the intended buyer covenanting directly with the Council (and paying the Council’s associated legal costs) to observe and perform the terms of this Scheme and delivering a completed deed of covenant in such terms to the Council in a form reasonably acceptable to the Council.

### **First Homes Units:**

The First Homes units shall be disposed of in perpetuity to an end purchaser for a price which does not exceed ~~XX70%~~ *(insert appropriate percentage in accordance with Table 2 of the Affordable Housing Supplementary Planning Document)* of market value, and to a person who meets the occupancy criteria.

The Transfer or lease (as appropriate) of every First Homes unit shall contain the following covenant by the Transferee for the benefit of the Council.

1) To enter the following restriction on the registered title in favour of the Council as soon as reasonably practicable following first registration and to produce official copies of the title to the Council within 14 days of the completion of such registration:

“No disposition of the registered estate (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by Fylde Council of Town Hall, St Annes Road West, Lytham St Annes FY8 1LW or their conveyancer that the provisions of clause XX (the First Homes provision) of the Transfer dated [Date] referred to in the Charges Register have been complied with or that they do not apply to the disposition.”

**Rent-to-Buy Units:** - These units shall be transferred on completion to *(insert name of Registered Provider)* the Registered Provider. Each unit shall be made available by the Registered Provider in accordance with the government guidance concerning rent-to-buy, for affordable rent for a period of *(insert specified period, normally to be 5 years, other periods through agreement with the Council)*, which shall be to an eligible applicant in accordance with the Council’s lettings policy as detailed below in the section regarding occupancy.

At the end of the period of *(insert period specified above)*, each rent-to-buy property shall be offered for sale, solely to the tenant that has occupied the property in the first instance. The offer for sale shall be either outright, or through shared ownership using the Homes England standard shared ownership lease, with the Registered Provider retaining the residual share of the equity. If the tenant does not exercise the opportunity to purchase either outright or through shared ownership, the units will be offered on a shared ownership basis to a new eligible applicant (which may be on rent-to-buy terms if appropriate for the new tenant’s circumstances). The terms of the arrangement, including the length of rental term (notwithstanding the actual tenancy length), arrangements for purchase or shared ownership, the terms of any shared ownership arrangement to be offered, the rental level and any management charges shall be clearly indicated to any applicant before the tenancy commences, and copies of such documentation provided to the Council.

In the event that a tenancy ends before the five year period, the property shall be relet for a five year term to a new eligible applicant, unless it is sold to the tenant that has occupied the unit, which early sale shall not take place within the first two years of occupancy.

The rent chargeable shall not exceed that specified in government policy in relation to affordable rented homes.

Where a property is sold or a share in the property is sold through a shared ownership arrangement, the Registered Provider shall reinvest the proceeds into further affordable housing: firstly in Fylde; secondly in the Fylde sub-region; thirdly elsewhere in North West England.

All transactions shall be reported periodically to the Council in a form and at intervals to be specified by the Council.

## Occupancy of the Affordable Homes

**Affordable rented units:** the properties shall only be rented to people with a local connection as set out in the Consistent Assessment Policy operated by MyHomeChoiceFyldeCoast, the choice-based lettings scheme. This will mean that homes will be allocated to those applicants with a local connection to the Borough of Fylde, either through residence or work. Applicants must therefore be able to demonstrate they meet one or more of the following criteria:

- Local residency: has lived in the local authority of Fylde continuously for the last three years;
- Permanent employment in the area of Fylde or offer of permanent employment that is intended to last for at least 12 months;
- Close family association – has a parent, adult child, adult brother or sister who is living in the area of Fylde and has done continuously for the last 5 years;
- Applicants who are serving in the Armed Forces and who are either employed or are resident in the area of Fylde; and
- Former armed forces personnel who had a previous residence in the area of Fylde as a result of a former posting in the area of Fylde within the last 5 years.

*(Where the application site is located within or adjacent to the rural settlements)* In addition, as the application site lies within / adjacent to the rural settlement of *(insert name of settlement)* the properties shall only be rented to people who have demonstrated a local connection to *(insert name of parish)* parish in line with the criteria above. Immediately prior to and during the period of offer for let, the availability of the properties shall be publicised locally by *(insert name of developer)* jointly with *(insert name of registered provider)*, the parish council *(insert name of parish)* and Fylde Council, by means of advertising within the parish, on parish noticeboards, in parish newsletters and the holding of an open day. Where an occupant does not come forward with a local connection to *(insert name of parish)* within a period a period of 3 weeks commencing with the day of first offering a dwelling for let or within the first 3 letting cycles (whichever is the earlier) through MyHomeChoiceFyldeCoast, the eligibility criteria may be widened to a Fylde Borough connection. The affordable rented homes on this site cannot be let to households that do not demonstrate any of the connections to Fylde specified above.

In addition, the properties shall only be rented to people with no more than £30,000 in savings and with a household income of no more than £60,000 per annum. These amounts shall be updated in accordance with the MyHomeChoiceFyldeCoast Consistent Assessment Policy, or any successor policy.

When a tenancy ends and a property vacated, the property shall be relet only to people who fulfil the same criteria above.

## Shared Ownership Homes

The developer (*enter developer name*) will market and sell shared ownership homes in line with the criteria in Homes England's regulatory framework, using the Homes England standard shared ownership lease. The properties must be occupied as the main or only home by the purchaser.

Initial and future sales of shared ownership homes will be marketed and sold to customers whose eligibility is determined with regard to local incomes and local house prices, in accordance with the Shared Ownership and Affordable Homes Programme in force at the time of the application. The Council would expect that applicants will normally meet the local connection criteria as detailed above.

**Discounted Market Sales Homes / First Homes** (*delete as appropriate*): the discounted market sales dwellings / First Homes (*delete as appropriate*) (plot numbers (*insert plot numbers*)) shall be marketed by (*insert name of applicant*).

(*In all cases*): Purchasers shall be required to meet the following criteria:

- They are first-time buyers;
- They must have a household income not exceeding £80,000;
- The Discounted Market Sales Home (*or*) First Home (*delete as applicable*) will be the buyer's only home;
- The purchaser will need to use a mortgage or home purchase plan for at least 50% of the purchase price of the home.

(*Either*):

(*In the case of discounted market sales housing*): Purchasers shall be required to meet the following criteria:

(*Or*):

(*In the case of First Homes*): Purchasers shall also be required to meet the following local criteria. If no purchaser has agreed to buy within the first three months of marketing, these criteria shall cease to apply:

(*In all cases*):

- Shall have reasonably demonstrated to the Council that having regard to house prices within the Local Area, they are unable to afford Open Market Housing based on their earned income and any available capital and on the earned income and available capital of any person living with them which it would be reasonable to take into account and assuming a mortgage of not more than three (3) times their earned income plus the earned income of any other person aforesaid or such other less restrictive criteria as may be reasonably agreed by the Council from time to time;
- They must not have equity or savings in excess of ~~£60,000~~£30,000; and
- Be able to demonstrate they meet one or more of the following criteria:

- Local residency – they have lived in local authority of Fylde continuously for the last three years;
- Permanent employment in the area of Fylde or offer of permanent employment that is intended to last for at least 12 months;
- Close family association – has a parent, adult child, adult brother or sister who is living in the area of Fylde and has done continuously for the last 5 years;
- Applicants who are serving in the Armed Forces and who are either employed or are resident in the area of Fylde; and
- Former armed forces personnel who had a previous residence in the area of Fylde as a result of a former posting in the area of Fylde within the last 5 years.
- For First Homes, Members of the Armed Forces, divorced/separated spouses/civil partners or members of the Armed Forces, the spouses/civil partners of deceased members of the Armed Forces (if their death was wholly or partly caused by their service) or veterans within 5 years of leaving the Armed Forces will be exempt from any local connection criteria.
- Must be approved in writing by the Council such approval not to be unreasonably withheld or delayed and will in any event be provided within 3 working days of application by the developer.
- Shall enter into a covenant directly with the Council to observe and perform the terms of this Scheme, particularly those contained above.

On the resale of the property, the same criteria shall apply to the subsequent purchaser.

### **Rent-to-Buy Homes**

Applicants for Rent-to-Buy units must satisfy the following criteria:

- Shall have reasonably demonstrated to the Council that having regard to house prices within the Local Area, they are unable to afford Open Market Housing based on their earned income and any available capital and on the earned income and available capital of any person living with them which it would be reasonable to take into account and assuming a mortgage of not more than three (3) times their earned income plus the earned income of any other person aforesaid or such other less restrictive criteria as may be reasonably agreed by the Council from time to time; and
- Must be approved in writing by the Council such approval not to be unreasonably withheld or delayed and will in any event be provided within 3 working days of application by the developer.

In the event that the property is relet under the terms of the scheme, the same criteria shall apply to any further applicant.

In the event that a unit has been marketed for a period of three months without a suitable applicant coming forward, the Registered Provider may apply to the Council for a waiver to the local connection requirement.

## Management and charges

The following aspects of the management of the site will be undertaken by the Registered Provider XXXXXXXXXXXX / YYYYYYYYYYYY Management Company (*delete as applicable, insert name of RP or company*) in perpetuity, unless agreed in writing by the Council:

*(List areas or responsibilities covered).*

*e.g.*

- Maintenance and upkeep of the landscaped areas denoted by *(insert colour or means of denotation)* shading on the landscaping plan / site layout plan (*delete as applicable, insert plan reference*) in accordance with the approved landscaping management plan ref *(insert reference of document)*.

Charges will be imposed per dwelling, payable by the occupiers to the Registered Provider XXXXXXXXXXXX / YYYYYYYYYYYY Management Company (*delete as applicable, insert name of RP or company*), at a rate of £ZZZ annually per dwelling, which may be increased annually by no more than the Consumer Price Index published by Government.

No further charges will be payable other than as stated within this document.



## Appendix 3: Discount Applicable for Discount Market Sales Housing

~~The tables that~~There follows ~~provide the data and justification drawn~~ from the ~~Office for National Statistics~~Housing Needs Survey which is used to determine the appropriate level of discount for discount market sales housing in different parts of the Borough of Fylde.

~~The first page of the table provides the summary data and the subsequent pages the raw data for the lower super output areas (LSOAs). The lower quartile house prices for the year to September 2018 for the individual LSOAs have been used to produce a figure across whole settlements or groups of settlements which are shown in the summary table. This has been used to deduce a figure of discount that can be applied for the level of deficit to make up the approximate shortfall suffered by a household at the lower quartile earnings level for Fylde (based on the earnings of the lower quartile worker in Fylde to the year end April 2018, of £21,445).~~

~~The LSOAs have been identified as close as possible with the ward boundaries for Fylde using the Office for National Statistics LSOA to Ward lookup data. This has allowed the LSOAs to be identified with a particular settlement with a reasonable degree of accuracy.~~

~~The amounts of discount in the right hand column derive from that needed to (approximately) ensure affordability for the lower quartile worker in the borough. However, the actual discount applied as set out in Chapter 3 has been moderated, to ensure that provision of such housing remains viable, in Lytham and in Wrea Green (Rural South) (where in both cases the larger than average dwelling profile affects the data) and in Newton and Clifton (Rural East) (where the impact of very high values in Treales, Roseacre and Wharles affects the data, whilst any units would be delivered in Newton and Clifton).~~

~~Discounted market sales housing is intended to fulfil the need for affordable housing for those who wish to buy but cannot in the [open](#) market. Those households whom it can successfully provide for are able to afford to rent.~~

~~The Housing Needs Survey states that a single discount rate of 30% for the Borough is reasonable, given that a single discount figure is likely to be needed for plan-making purposes. For First Homes, a single, Borough-wide figure is required; however, as many of the sites in Fylde have planning permission and are therefore covered by the transitional arrangement for first homes, consideration follows of whether some variation is warranted in certain circumstances.~~

### **Discount Levels for Different Areas of the Borough**

~~The Housing Needs Survey identifies a considerable variation in housing costs between areas of the Borough, both in terms of the market rents and purchase costs for market housing. The discount rate therefore should reflect this. The Council has run an assessment following the approach of the Housing Needs Survey (what can be afforded by the household on the lower quartile market rent) on an area-by-area basis. The results are shown in the table below. Although the open market values of the new discount market sales homes vary very significantly, there is little variation in the appropriate level of discount. This is because the households in need of discounted market sales housing in (for instance) Wesham will have a lower income and be paying a lower rental than households in need in higher cost locations, who will be paying higher rentals. The net result is that broadly similar levels of discount are appropriate across all locations, supporting the Housing Needs Survey's conclusion that a single figure of 30% would be appropriate.~~

**Calculation of appropriate discounts for discounted market sales housing, settlements across the Borough of Fylde**

Based on a maximum of 30% of income spent on housing, assuming 10% deposit and 4x mortgage multiple, September 2021 prices as in Housing Needs Survey

<u>Settlement</u>	<u>Lower quartile price (existing dwellings)</u>	<u>Lower quartile rent, pcm</u>	<u>Income pcm to afford lower quartile rent</u>	<u>Price of home affordable</u>	<u>Mid point to lower quartile price</u>	<u>Lower quartile price with 10% newbuild premium added</u>	<u>Typical discount needed - lower end of income range</u>	<u>Typical discount needed - upper end of income range</u>	<u>Appropriate range</u>
<u>St. Annes</u>	<u>£142,000</u>	<u>£405</u>	<u>£1,350.0</u>	<u>£72,000.0</u>	<u>£107,000.0</u>	<u>£156,200.0</u>	<u>54%</u>	<u>31%</u>	<u>30-50%</u>
<u>Lytham</u>	<u>£211,000</u>	<u>£610</u>	<u>£2,033.3</u>	<u>£108,444.4</u>	<u>£159,722.2</u>	<u>£232,100.0</u>	<u>53%</u>	<u>31%</u>	<u>30-50%</u>
<u>Fylde Blackpool Periphery</u>	<u>£148,000</u>	<u>£485</u>	<u>£1,616.7</u>	<u>£86,222.2</u>	<u>£117,111.1</u>	<u>£162,800.0</u>	<u>47%</u>	<u>28%</u>	<u>30-40%</u>
<u>Kirkham</u>	<u>£132,000</u>	<u>£460</u>	<u>£1,533.3</u>	<u>£81,777.8</u>	<u>£106,888.9</u>	<u>£145,200.0</u>	<u>44%</u>	<u>26%</u>	<u>25-40%</u>
<u>Wesham</u>	<u>£118,000</u>	<u>£435</u>	<u>£1,450.0</u>	<u>£77,333.3</u>	<u>£97,666.7</u>	<u>£129,800.0</u>	<u>40%</u>	<u>25%</u>	<u>25-40%</u>
<u>Warton</u>	<u>£144,000</u>	<u>£545</u>	<u>£1,816.7</u>	<u>£96,888.9</u>	<u>£120,444.4</u>	<u>£158,400.0</u>	<u>39%</u>	<u>24%</u>	<u>25-40%</u>
<u>Freckleton</u>	<u>£142,000</u>	<u>£550</u>	<u>£1,833.3</u>	<u>£97,777.8</u>	<u>£119,888.9</u>	<u>£156,200.0</u>	<u>37%</u>	<u>23%</u>	<u>25-35%</u>
<u>Rural North</u>	<u>£177,000</u>	<u>£600</u>	<u>£2,000.0</u>	<u>£106,666.7</u>	<u>£141,833.3</u>	<u>£194,700.0</u>	<u>45%</u>	<u>27%</u>	<u>25-45%</u>
<u>Rural West</u>	<u>£284,000</u>	<u>£910</u>	<u>£3,033.3</u>	<u>£161,777.8</u>	<u>£222,888.9</u>	<u>£312,400.0</u>	<u>48%</u>	<u>29%</u>	<u>30-45%</u>
<u>Rural East</u>	<u>£172,000</u>	<u>£595</u>	<u>£1,983.3</u>	<u>£105,777.8</u>	<u>£138,888.9</u>	<u>£189,200.0</u>	<u>44%</u>	<u>27%</u>	<u>30-45%</u>
<u>Borough</u>	<u>£155,000</u>	<u>£475</u>	<u>£1,583.3</u>	<u>£84,444.4</u>	<u>£119,722.2</u>	<u>£170,500.0</u>	<u>50%</u>	<u>30%</u>	<u>30-50%</u>
<u>Borough 1-bed</u>	<u>£70,000</u>	<u>£397</u>	<u>£1,323.3</u>	<u>£70,577.8</u>	<u>£70,288.9</u>	<u>£77,000.0</u>	<u>8%</u>	<u>9%</u>	<u>Not appropriate</u>
<u>Borough 2-bed</u>	<u>£115,000</u>	<u>£520</u>	<u>£1,733.3</u>	<u>£92,444.4</u>	<u>£103,722.2</u>	<u>£126,500.0</u>	<u>27%</u>	<u>18%</u>	<u>20-30%</u>
<u>Borough 3-bed</u>	<u>£170,000</u>	<u>£650</u>	<u>£2,166.7</u>	<u>£115,555.6</u>	<u>£142,777.8</u>	<u>£187,000.0</u>	<u>38%</u>	<u>24%</u>	<u>Not appropriate</u>
<u>Borough 4-bed</u>	<u>£275,000</u>	<u>£800</u>	<u>£2,666.7</u>	<u>£142,222.2</u>	<u>£208,611.1</u>	<u>£302,500.0</u>	<u>53%</u>	<u>31%</u>	<u>Not appropriate</u>

## Appendix 4: Calculation of Contributions Required for Off-Site Affordable Housing

The calculation of the contributions due, where provision of affordable housing off-site has been agreed by the Council, should follow the following process.

The number of affordable dwellings equivalent to be provided off-site should be established. This should use the 43% calculation, rounded up as detailed in Chapter 8.

A mix of sizes of this number of affordable homes that would be appropriate to contributing to fulfilling affordable housing need in the settlement concerned in line with Local Plan policy should be established, reflecting the property types to be built on the site (i.e. whether the homes are to be, for instance, houses, flats or park homes). This should specify the different sizes of affordable home, e.g. with 2 bedrooms, with 3 bedrooms etc, and the number of each. These numbers should add up to the total provided by the 43% calculation.

An open market valuation of an example of each of these property types should then be undertaken, at the developer's expense, supposing that they were to be built on the application site. Such valuations should be undertaken by two RICS-accredited valuers not associated with the developer, and the average value taken for each type. The valuations should assume that the notional properties would be built concurrently with the remainder of the development on the site and should be informed by valuations of the actual dwellings proposed to be constructed on the site. Where the application is outline, the valuations should be based on similar-sized properties in the immediately surrounding area. These valuations should then be multiplied by the number of each type identified as above.

The open market valuations for each property size should then be multiplied by the discount applicable to make the property affordable, utilising the ~~Council's standard 30% percentage discounts applied to discounted market sales housing in Chapter 3, which will depend on the area of the Borough. These~~ This discounts ~~are is~~ appropriate for any type of affordable housing, ~~recognising that local housing allowance rates are set at a single level across the borough whilst there are significant variations in value between settlements.~~

The sum of the discounts needed to all of the notional homes at open market value, provides the total amount of the contribution required in relation to affordable housing on the site.

The following table may be used to complete the calculation or remodelled as appropriate:

### Off-Site Affordable Housing Contribution Calculator

Housing type/size	Number of units	Open market valuation		Discount rate	Amount of Discount	
		Per dwelling	Total		Per dwelling	Total
1-bedroom flat				<u>30%</u>		
1-bedroom park home				<u>30%</u>		
2-bedroom flat				<u>30%</u>		
2-bedroom park home				<u>30%</u>		
2-bedroom house				<u>30%</u>		
3-bedroom house				<u>30%</u>		
4-bedroom house				<u>30%</u>		
Other				<u>30%</u>		
Total contribution payable						

**Worked example (100 unit scheme, 30% affordable housing off-site, Lytham)**

Housing type/size	Number of units	Open market valuation		Discount rate	Amount of Discount	
		Per dwelling	Total		Per dwelling	Total
1-bedroom flat	6	£170,000	£1,020,000	<del>40%</del> 30%	<del>£68,000</del> 51,000	<del>£408,000</del> 306,000
1-bedroom park home						
2-bedroom flat						
2-bedroom park home						
2-bedroom house	14	£200,000	£2,800,000	<del>40%</del> 30%	<del>£80,000</del> 60,000	<del>£1,120,000</del> 840,000
3-bedroom house	19	£240,000	£4,560,000	<del>40%</del> 30%	<del>£96,000</del> 72,000	<del>£1,824,000</del> 1,368,000
4-bedroom house	4	£280,000	£1,120,000	<del>40%</del> 30%	<del>£112,000</del> 84,000	<del>£448,000</del> 336,000
Other						
<b>Total contribution payable</b>						<b><del>£3,800,000</del>2,850,000</b>





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Date: July 2023 April 2024

Our Ref: AHSPD

Review Date: N/A

Authorised by: Julie Glaister, Planning Policy Manager

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF ENVIRONMENTAL AND HOUSING SERVICES	EXECUTIVE COMMITTEE	25 APRIL 2024	7
<b>UPDATES AND AMENDMENTS TO THE HOUSING ASSISTANCE POLICY ENCOMPASSING THE DISABLED FACILITIES GRANT, BETTER CARE FUND ADAPTIONS GRANT, AND AFFORDABLE WARMTH GRANT</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### RELEVANT LEAD MEMBER

This item is within the remit of Councillor Chris Dixon, Lead Member for Social Wellbeing

### PURPOSE OF THE REPORT

This report provides an update on the Disabled Facilities Grant (DFG) programme within Fylde and seeks approval of an amendment to the DFG and, the Better Care Fund (BCF) adaptations grant policy.

Amendments to the policy since 2022 has seen the DFG and BCF to become accessible to more applicants with the revised value of means tested funding for the better care fund, a reduction in fees for complex case's involving children, and match funding with registered providers.

A review of the 2022 policy has been necessary to decide whether the changes to the policy met the needs of the customer. On review the main driver for revision has been the cost increase of materials, fuel, and contractor rates. It has been necessary to look at the amount of funding available and if adaptations can realistically be done at the current set value.

In 2022, match funding was introduced as a trial to the policy to Improve the allocation of funding to registered Providers allowing the maximum DFG funding. The trial had a positive impact and will remain part of the policy.

All equipment provided through the BCF comes with a 5-year warranty; equipment has a life expectancy of 7 years. Once the warranty period has expired, the customer assumes the responsibility for maintaining the item(s) of equipment regardless of the test of resource result. Fylde will fund a further 2 years warranty for customers on a passported benefit.

All equipment belongs to the customer and the customer is responsible for the removal and disposal of equipment when it is no longer required. Fylde will fund the removal of equipment that is less than 2 years old and in good working order for re-use.

To note the inclusion of a new Affordable Warmth Grant Policy

## RECOMMENDATIONS

Committee are requested to:

- To approve the increase of the BCF for the delivery of adaptations for a single adaptation from a value of up to £7,000 to a value of up to £8,000. With an increase in the contribution made by the applicant from £14,000 to £16,000. For two adaptations from a value of up to £12,000 to a value of up to £14,000 with an increase in the contribution made by the applicant from £24,000 to £28,000.
- To approve the continuation of match funding with registered providers for extensions to property, which would ordinarily be outside of the budget of low-income families. Often this leaves families without any adaptations and unable to move due to affordability and lack of available social housing.
- To approve the extended warranty for customers that initially passed the means test on a passported benefit.
- To approve funds for removal and re-use of equipment for Fylde residents under the BCF

## BACKGROUND

### Grant delivery in 2023/24

Fylde Council has been awarded £1,237,227m from the Better Care Fund to deliver adaptations in the current financial year; In November 2023 LCC awarded Fylde a further £107,960 bringing the total BCF to £1,345.187 for the 2023/24 financial year.

This year has seen an increase in demand for this service, this is partly due to Lancashire County Council (LCC) enrolling the support of agency Occupational Therapists (OTs) to help reduce the significant back log of clients that had been waiting for assessments since the service resumed post pandemic. There have also been several complex children's cases which have not only exceed the cap but the discretionary payment. This has resulted in a total spend of the BCF as of December 2023.

Over the past two years there has been significant increases in costs for fuel, materials, and energy, these costs are inevitably passed on to the consumer which has impacted on the value of available funding. The maximum DFG award is £30,000 and this has not increased for over twenty years.

Previous decisions have been made to make the DFG means testing fairer but an increase in the cap has not been deemed necessary. The decision to increase the funding from the Better Care Fund (BCF) was introduced in 2022 to offset increases seen in accelerated costs.

In 2022 the policy was amended to reduce the 15% fee to 5% on adaptations involving children and to waive the fees on complex adaptations involving children that exceeds the £30,000 cap. During 2023/24 there have been 7 complex children's DFGs where fees have been waived enabling essential grant work to be completed.

Match funding for Registered Providers (RPs) was included in the 2022 policy as a trial. In doing this, families in social housing could remain in their home without the worry of having to relocate, which can often lead to children having to leave their school and move out of the area. The trial has proven successful in keeping families in their homes with For Housing being the first registered provider agreeing to match fund.

### Proposed increase to the test of resources

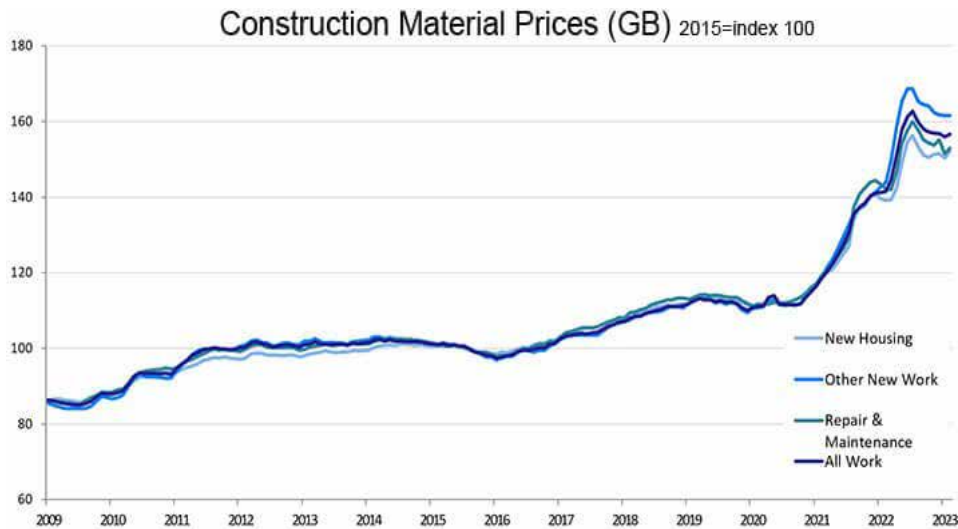
The pandemic and Brexit have had a detrimental effect on trade. Consequently, in 2021 the cost of materials saw a steady increase driving the decision to increase the value of the BCF. Since the last policy change in 2022, and according to, Monthly Statistics of Building Materials and Components by Department for Business and Trade.

The increased cost of "All Work" continued with a further 15.5% increase in October 2022 compared to the previous year and a further 10.4% in January 2023 compared with the previous year. Although the last twelve months has seen a slight decrease in "All Work" by 2.1%, see Table 1, this decrease is having little effect on the cost to consumers.



Previously, rising costs have been absorbed by contractors, this is no longer viable, and many contractors have increased their rates following higher UK interest rates, see Table 2. Occasionally, unforeseen circumstances such as delays, and complications with installation increase the cost beyond what was originally quoted. The concern is that the increased cost of materials and fuel along with specialist equipment and unforeseen circumstances will drive the BCF over the cap, which is currently set at £7,000 for a single adaptation and £12,000 for two adaptations. It is proposed that these values are increased to £8,000 for a single adaptation and £14,000 for two adaptations, see highlighted paragraph 5, page 12, 3.4 DFG Grant Conditions of the attached HAP.

Table 1

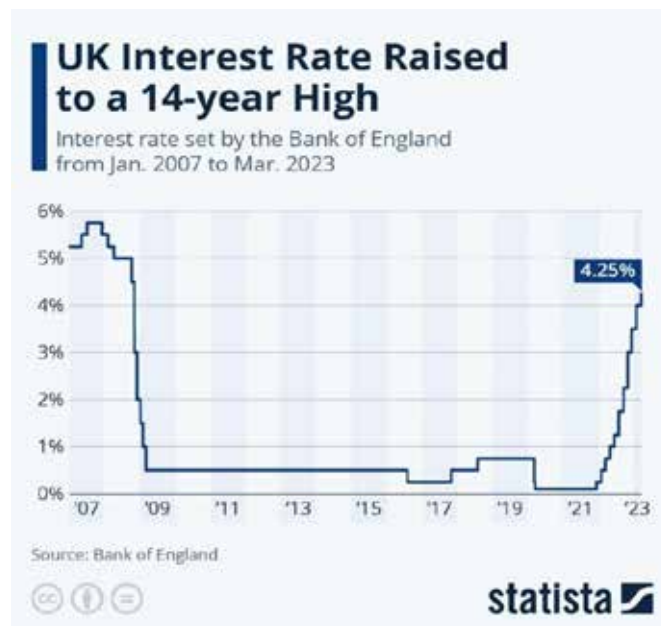


Source: Monthly Statistics of Building Materials and Components, Table 1

[Monthly Statistics of Building Materials and Components January 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

The chart illustrates how the cost of materials has increased during and after the pandemic and Brexit.

Table 2



Source: Bank of England

[Chart: UK Interest Rate Raised to a 14-year High | Statista](#)

The chart illustrates how the increased interest rates since the pandemic and Brexit.

### Military compensation exemption

150,000 of the Armed Forces community receive compensation awarded by the Government to support with the ongoing costs of an illness or injury acquired in Service. Local authorities are not mandated to exempt military compensation within means tests for locally administered benefits. Civil compensation awards are typically exempt, and where military compensation is regarded as income, some of the poorest members of the Armed Forces community are denied the support that their civilian counterparts receive, missing out on thousands of pounds a

year. From 2024 the DFG policy will discount military compensation from the test of resource, *see highlighted paragraph, page 11, 3.1.5 DFG Grant Conditions of the attached HAP.*

### **Registered Provider Match Funding.**

In the 2022 policy a trial period was included for match funding with RPs. This year we have approved match funding for two grants. This approval and the RPs willingness to match funds reduced the need for re-homing which puts added pressure on vulnerable families already struggling with the impact of prolonged poor health. In this situation, Fylde council now offer RPs an opportunity to match fund to the maximum DFG amount of £30,000. This can be used to extend property, and install the adaptations needed.

The first RP to agree to match funding was, For Housing, agreeing to match funds at a cost of £19,473.72 this provided a family with an extension allowing them to remain in their home. It is proposed that match funding with RPs is permanently introduced into the policy, *see highlighted paragraph 2, page 10, 3.1.5 Maximum DFG entitlement of the attached HAP.*

## **Amendments to the Housing Assistance Policy 2024**

### **Warranty and Removal of Specialist Equipment**

Included within the grant for items of equipment is an extended warranty which gives the customer reassurance in the event of maintenance issues or breakdown of the item, *see highlighted paragraph 8, page 10, 3.1.3 Warranty of the attached HAP.* Once the warranty period has expired, the customer assumes the responsibility for maintaining the item(s) of equipment. After discussion with Stannah, who install stairlifts and through floor lifts, it has been agreed that Fylde Council will fund the extension of warranties for customers who passed the means test on their initial test of resource, the Council will fund a further 2-year warranty period on equipment that is in good working order.

All fitted equipment belongs to the customer previously when the equipment is no longer required the customer is responsible for its removal and any incurred costs. In some instances, equipment may require removal after short periods of installation, in these instances, Fylde Council will incur the cost of removal for equipment that is less than 2 years old and in good working order. These items will be stored by our partner Stannah to be re-used for further installations within Fylde reducing cost and environmental impact, *see highlighted paragraph 6, page 12, 5.0 Discretionary Grants of the attached HAP.*

### **Conclusion**

Since the 2022 policy, the cost of goods for trade purposes has risen sharply, other factors such as national wage increases, and bank rates continue to put pressure on contractors. Price increases were being absorbed by contractor's post Covid unfortunately, contractors are no longer absorbing these price increases and have since applied their own rate increases. The previous policy increased the value of the BCF which provided a small reprieve however, cost increases have continued requiring the BCF to do the same.

The decision in 2022 to reduce the 15% fee to 5% or to waive the fee for complex children's cases has this year funded seven large scale extensions and adaptations, previously these would have exceeded the cap and delayed completion. The flexibility of reduced or waived fees means essential adaptations can be completed within the scope of funding.

The introduction of an extended warranty for customers on passported benefits removes the financial burden for some of our most vulnerable customers. Equally, funding the removal of equipment less than 2 years old allows the service to re-use items that would be disposed of by customers, saving cost and environmental impact.

Match funding with RPs has been successful with RPs willing to look at alternative possibilities to reduce transiency. It allows those who reside in social housing the same benefits as those living in the private rental sector.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	

IMPLICATIONS	
Finance	No implications from this report
Legal	None arising directly from this report
Community Safety	None arising directly from this report
Human Rights and Equalities	None arising directly from this report
Sustainability and Environmental Impact	Improving the energy efficiency of dwellings will contribute to sustainable communities and improve the environment
Health & Safety and Risk Management	None arising directly from this report

SUMMARY OF PREVIOUS DECISIONS
1. Housing Assistance Policy 2022/24 <a href="#">Document.ashx (cmis.uk.com)</a>
2. Housing Assistance Policy 2020/22 <a href="#">FBC (cmis.uk.com)</a>

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
Monthly Statistics of Building Materials and Components	January 2023	<a href="#">Monthly Statistics of Building Materials and Components January 2023 (publishing.service.gov.uk)</a>
Bank of England	March 2023	<a href="#">Bank Rate increased to 4.25% - March 2023   Bank of England</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Cheryl Bennett	Email <a href="mailto:Cheryl.bennett@fylde.gov.uk">Cheryl.bennett@fylde.gov.uk</a> Tel 01253 658691	23/04/2024

Attached Documents

Appendix 1 – Draft Housing Assistance Policy (with highlighted changes)

Appendix 2 – DFG Performance Indicators 2023/24

# Housing Assistance Policy

April 2024



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## **1.0 Introduction**

This policy document outlines Fylde Borough Council's policy in relation to the provision of information, advice and enabling activities to assist homeowners and tenants requiring adaptations, energy efficiency measures and other support relating to their home. This policy is intended to replace and update elements of the existing housing policy relating to grant assistance.

The policy will continue to be reviewed as circumstances and finances dictate. Factors that may prompt a review of the policy could include:

- Changes to capital spending plans
- Acute changes to local circumstances (including increase in demand)
- Change in national or regional policy
- Legislative changes

Fylde Council (The Council) takes the view that the prime responsibility for maintaining and improving housing rests with homeowners and landlords. However, the Council is committed to improving the quality of housing across all tenures, including owner occupation and private renting. In addition, it is acknowledged that there are some vulnerable homeowners who will need support to enable them to access relevant available assistance to keep their home to a decent standard.

### **1.0 Policy Aims**

- This policy is to update the previous private sector assistance policy produced in 2019 in relation to grant assistance.
- To provide advice, information and support on repair, maintenance, and adaptation of properties.
- To offer a framework of assistance to vulnerable groups/households.
- To comply with the legal requirements placed on the Council under the Home Energy Conservation Act 1995. (HECA)
- To facilitate an increase in the number of households able to heat their homes at reasonable cost thereby reducing fuel poverty and helping households to achieve affordable warmth.
- To reduce carbon dioxide (CO2) emissions in the borough's private housing stock.
- To help to improve the physical conditions of both homes and neighbourhoods.
- To assist disabled people with adaptations to facilitate their movement in and around their home, thereby improving their quality of life.
- To contribute to the aims of the Better Care Fund, principally to reduce delayed transfers of care, minimise avoidable hospital admission and facilitate early discharge from hospital.
- In offering assistance, the Council is seeking to enable people to help themselves and advise customers of services offered by other organisations.
- To treat individuals fairly, regardless of age, sex, gender, disability, and sexual orientation.
- To protect their rights under data protection and human rights legislation.

### **1.2 Corporate Objectives**

The housing assistance policy works towards meeting Fylde Council's priorities in relation to the following corporate objectives set in the Corporate Plan 2020 - 2024.

#### **Clean and green**

- The provision of grant assistance and advice to reduce levels of CO2, improve home insulation and improve the efficiency of and replace old defective heating systems, contributes towards providing a clean and green environment.



## **Great place to live**

- The provision of Disabled Facility Grants (DFG's) assists residents to live independently in their own homes.
- Adaptations reduce non elective admissions to hospital and improve the quality of life for persons with disabilities and their carer's.
- The DFG service is improving the housing stock in Fylde by increasing the number of adapted properties suitable for a range of needs.
- To ensure that Fylde properties remain below the England and North West averages for fuel poverty.

## **Value for money**

- The Housing Services Section has undergone a time lean process to improve delivery of our disabled facility service.

## **2.0 Disabled Facilities Grants (DFGs)**

Under Part 1 of the Housing Grants, Construction and Regeneration Act 1996 the Council has a legal duty to provide specialist adaptations to meet the care and mobility needs of people with disabilities to enable them to live independently with privacy and dignity.

The need for the adaptation is determined by an Occupational Therapist from the Lancashire County Council's Adult Social Care Services Department.

Fylde Council is the lower tier authority responsible for statutory housing functions, whilst Lancashire County Council (LCC) is the upper tier responsible for social care.

### **2.1 DFGs for Tenants of Registered Social Housing Providers**

In legal terms the ultimate responsibility for funding adaptations lies with the Council. However, registered providers also have a duty to their tenants to provide a home which is accessible and safe.

The Regulator of Social Housing sets standards that registered social housing providers must comply with.

Promoting a viable, efficient, and well-governed social housing sector able to deliver homes that meet a range of needs (The regulatory framework for social housing in England, 1st April 2015) Included in the regulatory standards is the, home standard, which states, "*the approach should include responsive and cyclical repairs, planned and capital work, work on empty properties, and adaptations.*"

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/914576/Home\\_Standard\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/914576/Home_Standard_2015.pdf)

As such, Fylde Council work in partnership with our registered providers to provide a suitable housing offer for the needs of residents in the borough. All households who are resident in 'Intermediate home ownership' housing i.e. those living in Shared Ownership, properties purchased with an equity loan and discounted for sale properties are classed as 'private' owner occupiers for the purpose of DFG applications.

### **2.2 Lancashire County Council (LCC) Financial Threshold – Minor Adaptations**

Where an adaptation will cost under £1,000 and the property is privately rented or owned, the County Council will arrange for the works to be completed as a minor adaptation. This is a legal requirement for Social Services to undertake adaptation work under £1,000.

## **3.0 DFG Delivery**

### **3.1 Prioritisation of DFG Applications**

Fylde has now adopted the Lancashire criteria for prioritisation of DFG applications. This criterion has been worked on and agreed between all district authorities in Lancashire as well as LCC in order to remove a "postcode lottery" in relation to prioritisation. Applications are classified as either P1 requiring urgent attention or P2 non urgent. An applicant's needs are assessed monthly at the Priority Panel which consists of representatives from the District Council, LCC and registered providers. The panel is also an avenue for one-to-one conversations with relevant organisations and allows for effective partnership working.

The Lancashire criteria is as follows. Regardless of priority all cases will be dealt with by the council.

#### **1. URGENT (P1)**

**The applicant has an urgent need for an adaptation such as:**

1. To facilitate hospital discharge/prevention of hospital re-admission
2. Under the recommendation of the Occupational Therapist acting on behalf of the Social Services.
3. Provision of independent or safe access to essential facilities and to the property without which there would be a potential breakdown of the current situation.
4. Service user and/or carer at high risk of physical injury needing alternative care arrangements until/unless work is completed

#### **2. NON-URGENT (P2)**

**The applicant has a need for a DFG however the need is not an urgent priority such as:**

1. Under the recommendation of the Occupational Therapist acting on behalf of the social services authority
2. Works which prevent long term admission to residential care
3. Improve the service user's long-term ability to remain at home

Within the system there is flexibility for applicants with unusual circumstances to be given priority however it would be expected that such circumstances are provided with supporting evidence from various medical/health professionals.

There is a strong emphasis on the OT recommendation to determine prioritisation as they are the best placed professional to assess the client and their needs from a medical perspective.

Fylde will contact all clients to notify them of their priority based on this system.

### **3.2 Eligibility**

A customer who is a disabled person as described by the Housing Grants, Construction and Regeneration Act 1996 is eligible for assistance.

The duty is 'tenure blind', thus adaptations should be provided for those in need, irrespective of the type of home that they live in.

In addition,

- Applicants must be over 18.
- Parents or guardians may apply on behalf of children.
- Landlords may apply on behalf of tenants.
- The property must be a legal residence which includes dwellings, mobile homes, caravans and houseboats.
- Works must be "reasonable and practicable" to carry out, as determined by a designated Council officer in consultation with an OT and the applicant. (grants cannot be awarded retrospectively)



### **3.3 Certificate of Future Occupation**

#### **Owner's application:**

The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Grants this must be the disabled person) will live in the property as their, or that family member's only or main residence for 5 years.

#### **Tenant's application:**

- a. The tenant must sign a tenant's certificate which certifies that their intention is that they or a member of their family will live in the property as their, or the member's, only or main residence for 5 years.
- b. This certificate must be accompanied by a certificate of intended letting from the landlord.

#### **Occupier's application**

An occupier must sign an occupier's certificate indicating they have acquired and occupy a qualifying houseboat or park home.

### **3.4 DFG Grant Conditions**

- All applications are dealt with in accordance with the priority awarded them (see above) and in date order (received from LCC). All applications are subject to a test of financial resources in accordance with the Housing Grants, Construction and Regeneration Act 1996 (as amended) to determine the amount, if any, to be contributed by the applicant towards the cost of the work.
- In accordance with legislation the test of financial resources will not be applied in cases where an application is being made on behalf of a child or young person (within the context of the legislation).
- An administration fee for approved grants is set at 15%.
- From January 2022 and in consultation with Fylde Council's finance section the Council has reduced its administration fee for approved grants in child adaptations from 15% to 5%. In complex child adaptations where the maximum grant plus the full discretionary payment is required the fees will be waived.
- **Armed Forces Compensation Scheme payments will not be treated as income in the test of resources.**

### **3.5 Eligible Works (specified by an OT assessment)**

- To assist entry and exit from the property by means of ramps, door wideners, and steps.
- To aid access into and around the living areas, bedrooms, kitchens, and bathrooms.
- To improve or provide light controls for essential rooms.
- improve/provide heating controls.
- To make the dwelling safe for the disabled occupant and other people residing with him/her.
- Access to and from the garden by a disabled occupant.
- To aid with essential pathways for ease of access
- Where the existing footprint or layout of the dwelling, including outbuildings and garages, can be adapted or converted to accommodate the facilities required the Council will not consider any extension to the property.

- Where an extension is necessary and there is no other option, the Council will consider the most cost-effective method of meeting the applicant's requirements.
- Where the applicant has a preference for works that are over and above those necessary to meet the disabled person's needs (such as an extension rather than the provision of stair lift and level access shower) the Council will only fund the cost of the original recommended works, with the remainder being funded by the applicant.
- Other adaptations will only be considered in exceptional circumstances, these are not mandatory and may only be possible if discretionary funding is available. All enquiries are considered on a case-by-case basis and at the discretion of the Principal Housing Services Officer.
- Applications for grants where works have started but have not been completed will only be considered where the applicant can demonstrate exceptional circumstances as to why they did not apply and seek approval prior to the start of the work. In such cases any work already completed will be excluded from the subsequent application. Disabled Facility Grants cannot be retrospectively applied for after works are complete.

### **3.6 Service Standards**

- Legislation requires a decision from the Council to approve the grant (or not) within 6 months of receiving the full application (this includes all necessary information e.g., proof of home ownership or landlord consent);
- In accordance with legislation, the Council will complete the installation of all disabled adaptations within 12 months from the date of grant approval. Fylde Council will aim to complete the works within a reasonable time.
- Delays in the process are often associated with factors which are external to the Council for example, obtaining owners consents, asbestos surveys, delays in the ordering, construction and supply of equipment or delays in receiving invoices from contractors or partner agencies. The reasons for any delays beyond the time periods which the Council aim to achieve will be monitored and recorded.
- The Council aims to process applications fairly, efficiently, courteously, and promptly.
- The Council aims to pay grant money due within 30 days of a valid claim on certified work.
- All works are carried out in accordance with current Building Regulations and British Standards.

### **3.7 Legal Charges and repayments**

In accordance with the legislation set out in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, where the adaptation is carried out to a property which is privately owned and the cost of the work is £5,000, or more, a legal charge will be placed on the property through Fylde Council's Land Charges Register.

The legal charge will last for ten years. If the property is sold or otherwise changes ownership within ten years of the completion date, the Council will require repayment of the grant. The maximum repayable amount at the change of ownership is £10,000.

The Council do not register a legal charge on works amounting to less than £5,000 or on a tenanted property. Equipment that has been installed under the grant will be discounted from any repayments.

The following is the criteria set in the above legislation to determine grant repayments:

- The extent to which the recipient of the grant would suffer financial hardship were he or she be required to repay all or any of the grant.
- Whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment.
- Whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises; and

- Whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

Decisions in relation to grant repayments are made at the discretion of the Principal Housing Services Officer based on the above criteria.

### **3.8 The DFG application process: considering alternative options.**

During the period that the Council is considering the application a number of options will be explored with the applicant which include:

- Possibly moving to a property owned by a registered provider or a private sector property.
- If the customer is a registered provider tenant, the Council will liaise with the registered providers to determine whether it is more cost effective for the applicant to transfer to another property rather than adapt the existing property. This is discussed at the Priority Panel when necessary.
- Exploring options to assist the applicant in funding any contribution required by them in the form of third sector assistance.

### **3.9 Contractors**

The applicant for a Disabled Facility Grant (DFG) can instruct any contractor to obtain quotes and undertake works in relation to a DFG. However, the Council has a list of contractors who have a history of successfully undertaking work to adapt properties which an applicant can use as part of the agreement. Please note this is not an approved list of council contractors and the contract for undertaking works remains between the applicant and the contractor.

#### **3.1.0 Contractor declaration and certification**

Any contractor who undertakes work as part of a DFG will be asked to complete a Standard Selection Questionnaire and other qualifying declarations as part of the Council's due diligence procedure. Sufficient documentation to satisfy the Council that the works will be conducted in a safe and timely fashion and that sufficient insurance is in place will also be required. (see below).

#### **What Fylde Council require from contractors**

- Standard Selection Agreement - required once
- Conflict of Interest declaration - required annually
- Collusion of Canvas declaration - required annually
- Copy of current Public Liability Insurance - required annually
- Copy of current Employers Liability Insurance - required annually
- Copy of current all risks/contract works insurance (for larger extensions only) - required annually
- DBS Checked - required initially and on recruitment of each new employee.
- Sub-Contractors – Council checked contractors will be expected to carry out their own due diligence on sub contractual work which may be requested by the Council on an ad hoc basis.

#### **3.1.1 Quotation process**

Three quotes are usually obtained in relation to undertaking major alterations. Each quote will be scored on the cost, timescale in which the works can begin, and the capacity of the contractor to take on the work, i.e., where the contractor has other on-going work. The contractor will be awarded the works if the quote covers all the required elements. To minimise disruption, the council may instruct more than one contractor in order to complete works within a timely manner.

One quote will be deemed as acceptable for works where the situation permits (for example, where the works are required urgently or to minimise disruption to clients who are vulnerable). As part of the grant's approval process, each quote is checked by the Senior Technical Housing Officer to ensure it is reasonable. Contractors will be required to provide further details where quotes are above what would usually be expected. All quotes go to the Principal Housing Services Officer or Housing Services Manager for final approval.

Clients may wish to use their preferred contractor. In these cases, the Council will compare the quote against two other quotes. If the client decides to use their preferred contractor, and the quote exceeds the lowest quotation cost for the works proposed, the Council will only pay what is deemed as reasonable and the client will be required to pay the difference.

### **3.1.2 Specialist equipment**

The exception to the above process is for specialist equipment where a single quote is sufficient, this includes the supply and installation of stair lifts, through floor lifts, step lifts, semi-permanent ramps and wash/dry toilets.

Fylde Council work in partnership with LCC, who arrange the supply and installation of bathing and ceiling track hoists (for adults and children). This process occurs across Lancashire and allows fixed low-cost prices of equipment. Children's adaptations are supplied and installed by LCC Children's services.

Fylde Council also work in partnership with Stannah Lifts who, under a procurement agreement, arrange the supply and installation of stair lifts, through floor lifts and step lifts.

### **3.1.3 Warranty**

Included within the grant sum paid for such items of equipment is an extended warranty which gives the customer reassurance in the event of maintenance issues or breakdown of the item. Once the warranty period has expired, the customer assumes the responsibility for maintaining the item(s) of equipment.

For customers who passed the means test on their initial test of resource the Council will fund a further 2-year warranty period on equipment that is in good working order. Once the warranty period has expired, the customer assumes the responsibility for maintaining the item(s) of equipment. Customers who did not pass the means test on the initial test of resource will not be considered, nor will a new test of resource be completed.

### **3.1.4 Customer Satisfaction**

Fylde Council measure DFG performance to ensure an excellent customer service is provided. Therefore, performance is measured throughout the year. All applicants receive a feedback form and performance is measured on responses received.

- The percentage of customers who agree or strongly agree that the adaptation has increased their independence on completion of DFG.
- The quarterly percentage of customers who agree or strongly agree that the adaptation has increased their independence.
- The percentage of customers rating the DFG service as good or excellent on completion.
- The quarterly percentage of customers rate the service as good or excellent.

The percentage of the total BCF DFG Budget committed.

- Each quarter the DFG Technical Officer compiles the total percentage of annual BCF committed.

### **3.1.5 Maximum DFG entitlement**

The mandatory maximum that an applicant can be awarded (per application) under the DFG legislation is £30,000.

From January 2024 the Council will match fund, up to the maximum grant of £30,000, with social housing providers. This is where extensions are considered to be the most appropriate and cost-effective solution for families to remain in their home. Before match funding is considered, the social housing provider will have exhausted the alternatives.

### **4.0 Better Care Fund Grant**

From 2015/16 the grant paid from Central Government to Local Housing Authorities to help pay for DFGs has been a named part of the Department of Health's 'Better Care Fund'.

The Better Care Fund is described as a 'single pooled budget for health & social care services to work more closely together in local areas based on a plan agreed between the NHS & local authorities.' The Better Care Fund 2016/17 Policy Framework refers to the Better Care Fund as 'the biggest ever financial incentive for the integration of health and social care...it requires Clinical Commissioning Groups and Local Authorities to pool budgets and to agree an integrated spending plan for how they will use their Better Care Fund allocation'.

Integration and Better Care Fund planning requirements for 2017-19 (and other subsequent policy frameworks) <https://www.england.nhs.uk/wp-content/uploads/2017/07/integration-better-care-fund-planning-requirements.pdf>

Paragraph 31 Confirms that 'the statutory duty on local housing authorities to provide DFG to those who qualify for it will remain. Therefore, each area will have to allocate this funding to its respective housing authorities (district councils in two-tier areas) from the pooled budget to enable them to continue to meet their statutory duty to provide adaptations to the homes of disabled people, including in relation to young people'.

The Council intends to use the funding that it receives via the Better Care Fund to help to address the Better Care Fund priorities, namely:

- **Reducing delayed transfers of care**
- **Minimising avoidable hospital admissions**
- **Facilitating early discharge from hospital**

### **5.0 Discretionary Grants**

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ("the RRO") removed most of the prescriptive housing renewal grant legislation contained in the Housing Grants, Construction and Regeneration Act 1996. Article 3 of the RRO introduced wide ranging discretionary powers to allow Councils to develop different forms of assistance to meet local needs.

The Head of Environmental Health and Housing, and the Housing Services Manager have the discretion to increase the upper limit for DFG's if it is stated in the Housing Assistance Policy. This funding will be supplied from the Better Care Fund grant received by the Council in relation to Disabled Facility Grants and is therefore subject to review dependent on changes to Better Care Fund grant changes.

Since 2018/19 the Council has allocated additional funds (subject to budget availability) of up to a further £20,000. This additional funding will continue to be available where complex adaptations are required, as recommended by the Occupational Therapist, and exceed the statutory maximum grant of £30,000.

The Council intends to continue to make use of the RRO provisions to enable it to use funds received from the Better Care Fund more flexibly, responsively, and effectively.

For adaptations the following test of resources will be applied for all referrals received from the 1<sup>st</sup> April 2024.

- For a single adaptation of a value of up to £8,000: The standard means test will be carried out and, if the applicant has a contribution of £16,000 or more towards the cost of the work, they will be ineligible for grant aid.
- For two adaptations of a value of up to £14,000: The standard means test will be carried out and, if the applicant has a contribution of £28,000 or more towards the cost of the work, they will be ineligible for grant aid.

In addition, where the OT recommendation is for a specialist piece of equipment, a means test will be carried out on the applicant, and subject to available funding, the specialist piece of equipment will be installed irrespective of the outcome. It is important to note that these grants would be classified as a Discretionary Grant

All fitted equipment belongs to the customer (except in the case of LCC hoists and bathing equipment) - should a time come when the equipment is no longer required the customer or person with control is wholly responsible for its removal and any incurred costs. In some cases where equipment has been fitted and requires removal, Fylde Council will incur the cost of removal for equipment that is less than 2 years old and in good working order, this will be at the discretion of the Council. If the equipment has been supplied via LCC, they will be responsible for the equipment's removal.

The Council also reserve the right, on a case by case basis and in exceptional circumstances, (subject to available funding) to consider a more flexible approach by offering customers other adaptation items that are not normally available under DFG such as the provision of safe rooms for children or adults with behavioural disabilities, automatic door openings, the funding of temporary accommodation where staying in the home during building works is considered detrimental to the health of the disabled applicant, and help with relocation expenses to a maximum of £10,000 where the Council deem adaptations or extensions unworkable.

There are a number of reasons for the Council introducing an alternative approach to its adaptation service:

- The Council's wish to make best use of the financial resources received from the Better Care Fund.
- The Council's wish to streamline the adaptation service for the benefit of customers.
- The need to address the 'prevention and early intervention' agenda.
- To enable the Council to provide assistance to customers who already have or who would fail the DFG financial assessment, but who still have a need determined by a Health Care Professional for an adaptation.

The Council intend to operate the "Discretionary Grant" using most of the same features that are used in processing DFG applications, namely:

- The recommended work must be 'reasonable and practical' using the DFG definition.
- The work would still require landlord's permission where the applicant rents from a private or social landlord.
- A 15% agency fee, payable to the Council, would be included in the cost of the grant award.
- The applicant would be eligible to apply for a DFG in the future should their needs change and an Occupational Therapist referral confirms this.
- Repayments would be required for any amount over £5,000 within 10 years of the certified date of completion if the property is sold, subject to a maximum of £10,000, unless the property is rented from a private landlord or a housing association.
- A Local land charge will not be registered on properties that are rented from a private landlord or a housing association and the above grant condition will therefore not apply.

However, the applicant would not be prevented from making a full DFG application if they preferred to do so. Under the RRO the Council is not permitted to deny an applicant the right to make a full DFG application, although in practice such a scenario would be unlikely.

## **6.0 Energy Efficiency**

The Home Energy Conservation Act (HECA) 1995 requires Council's to improve the energy efficiency of homes in their area, i.e. to reduce energy usage and carbon dioxide emissions within the housing stock.

The Council meets its HECA requirements through a variety of projects and funding bids.

Since March 2013, HECA has required the Council to publish a biennial progress report setting out measures the Council considers practical and cost effective in improving the energy efficiency in the borough. The Home Energy Conservation Act 1995 asks local authorities (LAs) to publish a report by 31 May 2021, outlining their plans to promote improved energy efficiency in their area. The council have completed the report, and this is accessible by visiting [www.fyldecouncil.gov.uk](http://www.fyldecouncil.gov.uk) Customers can contact the Housing Services Team to obtain the current version of the HECA report, and to find out about the grants currently available

## **7.0 Affordable Warmth Grant**

### **7.1 Introduction**

Lancashire County Council is making funding available to district Council's to deliver high impact affordable warmth interventions to individuals who are the most vulnerable to harm from cold or damp homes. The funding is subject to Lancashire County Council approving proposals.

Ultimately, the funding aims to reduce levels of death and illness over the winter months and to improve people's wellbeing, through affordable warmth interventions resulting in a reduction in hospital admissions and in demand for health and social care services.

Affordable warmth grant is an ad hoc grant and is only available until the funding has become exhausted, the Council's aim is to target its most vulnerable homeowners on the lowest incomes who suffer from health conditions that are severely affected by cold weather therefore, the council have set the grant limit at £2500 per household.

### **7.2 Interventions**

The grant is provided to support services to ensure there is a response available for people most vulnerable to cold homes, either by direct use of the grant or by linking with other services. A range of long-term interventions are available and will work alongside shorter-term emergency measures e.g. emergency space heating –that are important to relieve crisis and enable people to stay safe and well in their own home, whilst longer term measures are put in place.

- Servicing, repairs and replacement boilers and heating systems and associated works, including programmable controls and replacement of unsafe heating appliances.
- Repairs to and new radiators and radiator reflectors
- Standard loft and cavity wall insulation
- Glazing improvements
- Advice on fuel poverty, advice to reduce costs through fuel switching, income maximisation, managing fuel bills/debts and warm home checks.

In cases where heating, boiler repair and replacement, or cavity and loft insulation measures have been applied for the Council will look for the most appropriate funding source available. All applications will be subject to a full property survey which will be carried out by installers to see if homeowners are eligible for ECO or ECO Flex funding.

If energy efficiency measures can be fully funded through ECO, this will be seen as the most appropriate intervention. Customers will still be approved for the affordable warmth grant if a contribution towards the cost of ECO is required up to the maximum award of £2500.

Grants are awarded in order of application received, emergency work will be considered in extenuating circumstances and on a case-by-case basis. The Council may not assess or approve applications where works have commenced before approval. Any works started before a grant is approved may not be funded. Affordable Warmth Grants cannot be retrospectively applied for after works are complete.

In cases where double glazing has failed (glazing that has condensation between the panes) but the casement is still in good condition the Council will replace the glazing but not the casement. In instances where the Upvc casement or frame has lost its integrity the Council will only replace with A+ standard double glazing and white Upvc frames and casements. Any further enhancements to the standard of glazing, frames, casements (such as colour), window furniture, and patterns to glazing, the applicant will be required to pay the difference. Note that wooden frames and casements will only be replaced with white Upvc as this is the most energy efficient option.

## **8.0 Eligibility**

Being on a low income, living in a thermally inefficient home, having higher heating needs and high fuel costs can all increase the risks of living in a cold home. The funding is aimed at the most vulnerable to harm from cold or damp homes. This could include a wide range of individuals who either are, or are at serious risk of, experiencing poor health and wellbeing due to a cold home.

Homeowners will be eligible for funding if they meet at least one of both criteria 1 vulnerabilities **and** criteria 2 have a low income, defined as follows.

### **8.1 Vulnerabilities:**

- people with a diagnosed cardiovascular conditions
- people with a diagnosed respiratory conditions (in particular, chronic obstructive pulmonary disease and childhood asthma)
- people with diagnosed mental health conditions
- people with diagnosed disabilities
- older people (65 and older)
- households with young children (up to the age of 5)
- pregnant women
- people who are terminally ill
- people with suppressed immune systems (e.g. from cancer treatment or HIV)
- people who have attended hospital due to a fall

**The following vulnerable groups will be considered on referral from the Local Authority or health / social care professional.**

- people who move in and out of homelessness
- people with addictions
- Recent immigrants and refugees.

### **8.2 Low income**

- Low income can be confirmed in one of the following ways:
- Someone being in receipt of means tested benefits.
- Have a total gross household income not more than £31,000



- Household savings will not be used to limit access to the grant if other criteria are met.

### **8.3 Tenure**

Owner occupiers must be able to show evidence of tenure this can be provided by land registry, if the ownership of a property pre- dates land registration records, then the owner must be able to provide a copy of the deeds for the property, or a signed letter from a solicitor evidencing that the property deeds are in the name of the applicant, any costs incurred will not be covered by the grant.

### **8.4 Discretionary Grants**

Although Fylde Council have not included damp and mould in the proposal anyone coming through the service with respiratory conditions severely affected by damp and mould will be considered at the Council's discretion for interventions including but not limited to

- Damp surveys
- Minor repairs, including pointing, roof repairs, sealing of open cracks, ventilation bricks.
- Tanking (in more serious cases)
- Mould removal and anti-fungal prevention measures

Discretionary payments will not be considered where ECO funding has been accepted.

## **9.0 Contractors**

The applicant for the affordable warmth grant can instruct any contractor to obtain quotes and undertake works in relation to AFW. However, the Council has a list of contractors who have a history of successfully undertaking work which an applicant can use as part of the agreement. Please note this is not an approved list of Council contractors and the contract for undertaking works remains between the applicant and the contractor.

### **9.1 Contractor declaration and certification**

Any contractor who undertakes work as part of AFW will be asked to complete a Data Sharing Agreement and other qualifying declarations as part of the Council's due diligence procedure. Sufficient documentation to satisfy the Council that the works will be conducted in a safe and timely fashion and that sufficient insurance is in place will also be required. (see below).

What Fylde Council require from contractors

- Data Sharing Agreement - required once
- Conflict of Interest declaration - required annually
- Copy of current Public Liability Insurance - required annually
- Copy of current Employers Liability Insurance - required annually
- Copy of current all risks/contract works insurance (for larger extensions only) - required annually
- Sub-Contractors – Council checked contractors will be expected to carry out their own due diligence on sub contractual work which may be requested by the Council on an ad hoc basis

### **9.2 Quotations**

Two quotes are usually obtained in relation to undertaking work related to failed glazing, the council will award to the cheapest quote. Depending on the amount of grant awarded and the work being undertaken to minimise disruption, the council may instruct more than one contractor in order to complete works within a timely manner.

Where the work involves heating, boiler repair or replacement, and cavity wall or loft insulation there will be only one quotation required, this is due to the level of disruption caused by having a full property survey carried out and

because installers carry out differing energy saving measures, in each case the most appropriate installer will be requested to quote for the work applied for.

## **10.0 Fylde Council Handyperson and Sanctuary Scheme**

The Minor Adaptation service is a statutory function of LCC which provides housing related support to disabled individuals. Minor Adaptations customers are not subject to a financial assessment. Customers who have medical needs – as confirmed by an OT assessment – which can be met by the provision of Minor Adaptations costing less than £1000 (typically banister rails, external metal rails and adjustments to steps) LCC will send these cases direct to Care and Repair who arrange for the works to be carried out.

From August 2021, Fylde Council joined partnership with Preston Care and Repair to run a pilot a handy person and sanctuary scheme. Enquiries from Fylde residents made to the Council are referred to Preston Care and Repair as the handyperson and sanctuary scheme. The service is targeted at lower income households and comprises both health, housing, and social care aims and objectives to enable vulnerable clients to remain in their own homes. This is done by assisting households to keep on top of minor household repairs and DIY.

### **10.1 The service will offer impartial and practical help including:**

- Handyperson and minor works service
- Healthy home checks to improve home safety and security
- Advice and assistance with larger adaptations and home repairs
- Practical support to people returning from hospital

The Sanctuary Scheme is designed to enable victims of domestic abuse to remain in their own homes, where it is safe for them to do so, and where it is their choice. It encompasses the council's duty under the new Domestic Abuse Act 2021, which states the act will, *"place a duty on local authorities in England to provide accommodation-based support to victims of domestic abuse and their children in refuges and other safe accommodation."* The service ensures when clients move into their new home security measures can be installed.

## **11.0 Complaints or Comments**

In the event of dissatisfaction with the service being provided the enquirer/applicant should first raise the matter with the member of staff dealing with the case. Given the opportunity to do so most issues should be resolved by the member of staff concerned.

In the event of the matter not being resolved the Council has a formal complaints procedure which can be accessed here: <https://new.fylde.gov.uk/complaints/> Or in writing to the Housing Services Manager, Fylde Council, Town Hall, St. Annes on Sea, FY8 1LW.

The housing service routinely asks for comments through its customer satisfaction survey and applicants are encouraged to return questionnaires. The Council also welcomes comments at any time about its services.



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Date: Month / Year Review Date: Month / Year

Our Ref: XXXXXXXXX

Authorised by: Insert Name and Position

Indicator	Monitored	Out turn 21/22	Out turn 22/23	Target/Budget 23/24	Jun-23	Sep-23	Dec-23	Mar-24
<b>Disabled Fac+A25:H31ilities Grants</b>								
Better Care Fund (BCF) DFG Allocation	Team Meeting	£1,237,227	£1,237,227	£1,237,227	£1,237,227	£1,237,227	£1,237,227	£1,237,227
Additional allocation	Team Meeting	£0	£0	£0	£0	£107,960	£107,960	£107,960
£ Amount slippage from previous year	Team Meeting	£106,000	£190,000	£213,000	£213,000	£213,000	£213,000	£213,000
Progress Housing Association contribution	Team Meeting	£80,000	£80,000	£80,000	£80,000	£80,000	£80,000	£80,000
Total number of approvals	Team Meeting	131	135	Qtr monitor	50	85	124	136
Total value of grants approved	Team Meeting	£1,317,327.00	£1,290,142.00	Qtr monitor	£407,387	£926,814	£1,184,858.68	£1,436,488.96

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF ENVIRONMENTAL HEALTH AND HOUSING	EXECUTIVE COMMITTEE	25 APRIL 2024	8
<b>ASYLUM DISPERSAL GRANT FUNDING</b>			

**PUBLIC ITEM**

This item is for consideration in the public part of the meeting.

**RELEVANT LEAD MEMBER**

This item is within the remit of Lead Member for Social Wellbeing, Councillor Chris Dixon

**PURPOSE OF THE REPORT**

Since July 2022 Fylde Council have been receiving Asylum Seeker Dispersal Grant (ASDG) from the Home Office, intended to address concerns raised by Local Authorities in relation to pressure on local services associated with supporting Asylum Seekers with settled status leaving National Asylum Support Service (NASS) accommodation within their areas. Fylde Council currently have £67,000 Asylum Seeker Dispersal Funding received throughout 2023/24.

Fylde Council previously funded a worker employed by Progress Housing to deliver support to clients in ten temporary units managed by Progress Housing Association in partnership with the Local Authority. This service was ended in April 2023, following increased costs of the project and the increasing need to widen the client group to support all clients to whom the Local Authority hold a homeless duty, outside of Fylde. The budget available from this project is £24,000.

Fylde Council Housing Service have been successful during 23/24 to secure additional units of Temporary Accommodation to support households facing homelessness within Fylde. The Local Authority Housing Fund (LAHF2) has been accessed to provide 9 units of additional temporary accommodation and 5 units under the Afghan Citizens Resettlement Scheme (ACRS). Fylde Coast YMCA have repurposed a supported unit in Fylde to provide 13 single units of homeless accommodation.

As a result of the increase in temporary units of accommodation in Fylde there is a need to re-introduce the Floating Support Service to assist clients to move on into permanent accommodation with the employment of a Full Time Moving On Tenancy Support Officer.

The purpose of this report is to request grant funding available from the ASDG, totalling £67,000, be used to support the employment of the Moving On Tenancy Support Officer, for a three year period, by addressing the shortfall of funding required for a full-time position. The position will provide support for Asylum Seekers with Settled status, who approach the local authority under homelessness legislation on leaving NASS accommodation.

## RECOMMENDATION

Executive Committee are requested to approve:

1. An ongoing Virement from 2024/25 onwards from the New Fylde Housing Floating Support Budget of £24,000 into the Asylum Seeker Dispersal Budget, to support the staffing costs of a Full Time Moving On Tenancy Support Officer within the Moving On Service; and
2. That funding held by the Local Authority under the Asylum Seeker Dispersal Grant (ASDG), totalling £67,000, be used to support the employment of a Full Time Moving On Tenancy Support Officer within the Moving On Service, for a three year period. The position will be reviewed and possibly continued beyond the three years, depending on the level of funding received from the ASDG within the next three years.

### ASYLUM SEEKER DISPERSAL GRANT (ASDG)

1. The Asylum Seeker Dispersal Grant (ASDG) is a scheme that provides financial support to local authorities in England, Scotland and Wales to house people seeking asylum. The grant is intended to address concerns raised by Local Authorities in relation to pressure on local services associated with supporting Asylum Seekers with settled status leaving National Asylum Support Service (NASS) accommodation within their areas.
2. Different grants are paid at different times of the year and it is not possible to predict with financial certainty the funding the Local Authority will receive for new and occupied bed spaces in NASS accommodation within the financial year.
3. Between March 2022 – March 2023 Local Authorities received £3,500 per new and occupied bed space opened in National Asylum Support Service (NASS) accommodation.
4. In 2022/23 the scheme provided £250 per person seeking asylum placed within NASS accommodation within an authority.
5. In 2022/23 Fylde Council received £13,750 in July 2022. This was related to a one off payment of 55 Asylum Seekers placed in the local Authority as at the 1<sup>st</sup> April 2022. This funding was placed within the B&B budget.
6. In 2023/24 the amount per asylum seeker housed within a local authority increased to £750 per person. In June 2023 we received £39,000 which was related to a one off payment of 52 Asylum Seekers placed in the district on the 1<sup>st</sup> April 2023.
7. Further payments throughout 23/24 relate to newly occupied bedspaces. Under the current funding arrangements a Local Authority will receive £3,500 per newly occupied bedspace, above the baseline figure from the 1<sup>st</sup> April 2023.
8. In 2023/24 we have received two payment of £17,500 in November 2023 and £10,500 in March 2024. These payments related to an increase of 5 and 3 people respectively.
9. The next data upon which funding is decided will be at the end of March 2024.
10. The funding is not ringfenced and can be carried forward within the next financial year.
11. DLUHC have advised:  
*“The Recipient shall be free to determine how best to utilise the Funding but for monitoring and Schemes’ evaluation purposes must be able to demonstrate that they have fulfilled the eligibility conditions in supporting Asylum Seeker Dispersal”*
12. There is currently £67,000 Asylum Seeker Dispersal Funding. There is an expectation that further funding is to be received which will be focused on priorities within the Housing Service Budget.

### SUPPORT FOR ASYLUM SEEKERS WITH SETTLED STATUS

13. On receiving a notice to leave NASS accommodation Fylde Council will accept a Homeless Prevention Duty towards an Asylum Seeker with settled status, on production of Right to Remain in the UK documentation.
14. On leaving NASS accommodation Fylde Council accept a Homeless Relief Duty. The Local Authority has adopted an approach of offering five nights No Second Night Out as clients will be new to rough sleeping. This gives the



local authority an opportunity to establish if clients are in priority need and if therefore a duty to provide Temporary accommodation is owed.

15. This period also gives Asylum Seekers with settled status, not in a priority need category, time to either source sofa surfing options with friends, clarify the situation with benefits and be provided with advice on the housing options available to them.
16. To date in 23/24 we have provided 60 nights NSNO to this cohort. In some scenarios we have extended the NSNO provision, for example where clients have sourced accommodation or we require further evidence to determine priority need.
17. In 2022/23 the service had a total of 5 clients leaving NASS accommodation and in 2023/24 this has risen to 7 clients. Clients have been provided with Aldi Food vouchers, advice to source accommodation or provided with travel warrants to a chosen destination in the UK where they have connections either family, friends or employment opportunities. We have accepted a Main Housing Duty towards three households who have been granted Settled Status in the UK on leaving NASS accommodation.

## MOVING ON SERVICE

18. In October 2022 Full Council approved the placing of Homeless Prevention Grant (HPG) into the Housing Services base budget in order to respond to new reporting financial data requirements under homeless prevention, relief and main duty support from April 2023, as a result of the introduction of the Homeless Reduction Act 2017.
19. In response the Housing Service established a separate service within the Homelessness and Housing Advice function, Moving On Service, from April 2023. This service focusses on support for clients to move on from temporary accommodation, by providing a dedicated service to source move on options in the private and social rented sector, accessing funding to set the tenancy up with rent bond, rent in advance and household items and ensuring the appropriate social services support is in place.
20. The service has been instrumental in applying for funding to increase the supply of temporary homeless accommodation in Fylde via the LAHF2 and negotiating with the YMCA for repurposing accommodation as temporary homeless accommodation.
21. The additional temporary accommodation sourced in 2023/24 will increase the supply of temporary accommodation managed by Registered Providers in Fylde from 10 units provided by Progress Housing to 31 units; 13 units provided by the YMCA and, 8 units with an additional unit expected to come on board in June 24 totalling 32 units, provided by Humankind under LAHF2.
22. The additional provision of temporary accommodation in Fylde will reduce the reliance on Bed and Breakfast accommodation and reduce the costs of providing temporary accommodation this way. Customers are required to sign a license with the Landlord and responsible for paying the rent direct to the Landlord either through housing benefit or from earned income.
23. The costs of Bed and Breakfast accommodation used by Fylde Council to provide temporary accommodation have increased significantly over the last few years due to the number of households approaching the local authority to whom there is a duty to provide interim accommodation. The Housing Service has negotiated competitive rates with the majority of B&B owners we work with on a regular basis.
24. Clients in receipt of Housing Benefit are entitled to £91.15 per week for single clients and from £114 for clients with children. The actual cost of B&B accommodation varies depending on household size from £210 to £420 per week and for larger families can be as much as £560 per week. Clients in employment are invoiced at the same level, as if they were in receipt of Housing Benefit.
25. The Moving On Tenancy Support Officer role is instrumental in supporting clients to actively source permanent accommodation within either the private or social rented sector. The role assists customers with complex needs to access the required funding and support to manage their tenancies. Support is focussed on customers with a history of:
  - a. Repeat homelessness/failed tenancies
  - b. Families with dependent children
  - c. History of domestic abuse

- d. Diagnosed mental ill health
  - e. Chronic health conditions
  - f. Involvement with the criminal justice system
  - g. Substance misuse
  - h. Leaving supported and NASS accommodation
26. The Moving On Service will be required to adapt to a number of existing challenges and new opportunities in 24/25 and beyond;
- a. The Moving On Service at the time of writing this report is supporting 51 households in temporary accommodation. This figure includes 19 families with 38 children.
  - b. Under the Homelessness (Suitability of Accommodation) Order 2003 it is unlawful for local authorities to place families with children in accommodation considered to be B&B for over 6 weeks. Three of these families have been in B&B accommodation for over 6 weeks, out of area.
  - c. Increased support required for Refugees leaving NASS accommodation and approaching the local authority under homelessness legislation.
  - d. Increased support required from households, including families placed in temporary accommodation to whom a full homelessness duty placed within Fylde. This support will be focussed on moving clients on, to ensure the supply is available when needed.
  - e. A requirement for increased support and co-ordination of additional homeless temporary self-contained units provided in Fylde from 1<sup>st</sup> April 2024 under the LAHF2 and units provided by Fylde Coast YMCA.

## Conclusion

27. The Housing Service currently hold a budget for Floating support of £24,000. This funded a worker employed by Progress Housing to deliver support to clients in the ten temporary units they provide in Fylde. This service was ended in April 2023, following increased costs of the project and the increasing need to widen the client group to support all clients to whom the Local Authority hold a homeless duty outside of Fylde. In addition the Moving On service had been established to address this need.
28. As a result of the increase in temporary units of accommodation in Fylde there is a need to re-introduce the Floating Support Service to assist clients to move on into permanent accommodation with the employment of a Full Time Moving On Tenancy Support Officer.
29. The purpose of this report is to request grant funding available from the ASDG held by Fylde Council, totalling £67,000, be used to support the employment of the Moving On Tenancy Support Officer, for a three year period, by addressing the shortfall of funding required for a full-time position. The position will provide support for Asylum Seekers with Settled status, who approach the local authority under homelessness legislation on leaving NASS accommodation.



CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	

IMPLICATIONS	
Finance	This report requests that current funding held by the Local Authority under ASDG, totalling £67,000, be used to support the employment of a full time Moving On tenancy Support Officer; and that an ongoing Virement from 2024/25 onwards from the New Fylde Housing Floating Support Budget of £24,000 into the Asylum Seeker Dispersal Budget be approved, to support the staffing costs of a Full Time Moving On Tenancy Support Officer within the Moving On Service.
Legal	No legal implications
Community Safety	None
Human Rights and Equalities	Asylum Seeker Dispersal Grant (ASDG) from the Home Office, to address concerns in relation to pressure on local services associated with supporting Asylum Seekers with settled status leaving National Asylum Support Service (NASS) accommodation within their areas.
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

SUMMARY OF PREVIOUS DECISIONS
<p><u>CMIS &gt; Meetings Calendar</u> - Council 12<sup>th</sup> October 2022 Preparing for changes to DLUHC Homeless Prevention Grant Funding reporting requirements and future funding to be placed within the Housing Services base budget to demonstrate spend on homeless prevention, relief and main duty support.</p> <p><u>CMIS &gt; Meetings Calendar</u> Executive Committee 05/12/2023 <u>CMIS &gt; Meetings Calendar</u> Council 18<sup>th</sup> December 18/12/2023 LAHF Phase 2 and S106 funding to provide 8 additional units of temporary accommodation to support homelessness pressures in the borough and 4 units of accommodation provided under the Afghan Resettlement Programmes.</p>

BACKGROUND PAPERS RELEVANT TO THIS ITEM		
Name of document	Date	Where available for inspection
Asylum Dispersal Grants – Information for Local Authorities	March 2022	<a href="#">Asylum Dispersal Grants- information for Local Authorities – North West Regional Strategic Migration Partnership (northwestrsmp.org.uk)</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Kirstine Riding	Kirstine.riding2@fylde.gov.uk & Tel 01253 658569	11 <sup>th</sup> April 2024

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF ENVIRONMENTAL HEALTH AND HOUSING	EXECUTIVE COMMITTEE	25 APRIL 2024	9
<b>DOMESTIC ABUSE ACT 2021 - PART IV DUTIES FUNDING 2024/25</b>			

**PUBLIC ITEM**

This item is for consideration in the public part of the meeting.

**RELEVANT LEAD MEMBER**

This item is within the remit of Lead Member for Social Wellbeing, Councillor Chris Dixon.

**PURPOSE OF THIS REPORT**

- To update the Executive Committee on the work of the Housing Service to meet our Statutory Duties under the Domestic Abuse Act 2021 (The Act); and
- To request approval of a fully funded revenue budget increase for the total of £35,690 to be met by Department of Levelling Up, Housing and Communities (DLUHC) New Burdens Funding for Accommodation-based support provided by Local Authorities under Part 4 of the Domestic Abuse Act 2021 (2024-25).

Following the introduction of the Act, Fylde Council have been awarded funding in the sum of £33,196 in 21/22, £33,224 in 22/23, £35,030 in 23/24 and in 24/25 this amount has risen to £35,690.

Fylde Council will continue to work in partnership with Wyre Council and Fylde Coast Women’s Aid (FCWA) by utilising the provision of a Housing Outreach Worker to engage and support female and male victims and their children. The post is employed by FCWA with the remaining funding being used to enhance other support services in place to enable victims to either, remain in their own homes or set up a new home.

**RECOMMENDATION**

The Committee are recommended to:

- Approve a fully-funded revenue budget increase for 2024/25 in the sum of £35,690 in respect of the Fylde Coast Women’s Aid (FCWA) service, to be met by funding received from DLUHC under Part IV Domestic Abuse Act 2021.

**Part IV Duties Domestic Abuse Act 2021**

- Four main objectives of the Domestic Abuse Act 2021 are to:
  - Promote awareness** – to put domestic abuse at the top of everyone’s agenda, and raise public and professional awareness
  - Protect and support** – to enhance the safety of victims and the support that they receive
  - Transform the justice process** – to prioritise victim safety in the criminal and family courts, and review the perpetrator journey from identification to rehabilitation

4. **Improve performance** – to drive consistency and better performance in the response to domestic abuse across all local areas, agencies and sectors
2. Fylde Council's duties under the Domestic Abuse Act fall under Part IV under which the new burdens funding is provided. This includes the provision of outreach support, emergency accommodation provision, operation of a sanctuary scheme and assistance with securing accommodation.
3. In order to take forward the duties under Part IV Fylde Council have worked in partnership with Wyre Council and FCWA since November 21 to employ a Housing Outreach Worker across both areas to engage and support female and male victims and their children.
4. Local Authorities split the cost of this role equally and the Housing Outreach Worker equally shares the working week between both Local Authorities and a day a week at FCWA Offices in Blackpool. The proposed costings for the project in 2024/25 are detailed in Table 1 below:

Table 1: Housing Outreach Worker Fylde and Wyre costings 24/25

Housing DA post	2024-2025
Salary	£24,440.00
Ni	£2,117.00
Pension	£1,222.00
Mobile Phone (2 workers)	£850.00
travel	£600.00
Training	£500.00
ITSystem/HR/Insurance	£630.00
Management Uplift/Overhead Costs	£3,000.00
<b>Total</b>	<b>£33,359.00</b>

5. Fylde Coast Women's Aid (FCWA) offers free advice and support to individuals living in Blackpool, Fylde and Wyre who are experiencing or have experienced domestic abuse. Initially a service level agreement (SLA) was in place for a 12 month period to 31/03/2023 to undertake the Housing Outreach Worker project. A new SLA has been signed to continue the project for a further two years 23/24 and 24/25.
6. This role has been instrumental in providing additional advice and assistance to clients fleeing domestic abuse and all clients who approach the service are referred into the support. In addition to support provided under homelessness and housing advice, clients benefit from the expertise available in house from FCWA, for example; Refuge provision, IDVA workers (Independent Domestic Abuse Advisors), specialist male project, advice on stalking, safe haven support for children and substance mis-use recovery programmes.
7. Referrals into the service come from a number of sources and are not restricted to clients approaching Fylde Council as at risk of Domestic Abuse under homelessness legislation. Clients must have a local connection to Fylde or Wyre and referrals have been received from Children's Social Care, the IDVA service, (Multi-Agency Safeguarding Hub (MASH) and from LCC outreach workers.
8. In 2022/23 the Housing Outreach Worker supported 43 clients who were referred into the service. The demand for the service has increased throughout 23/24 to 81 clients.
9. FCWA as part of the project provide training for housing staff and other teams within the local authority who may come across domestic abuse situations and require an insight into the warning signs, support required and actions to take.
10. Initially a legal expenses budget was held by FCWA to assist clients where applicable with non-molestation orders, occupation orders and prohibited steps. The Legal Fund was reduced in the SLA for 2023/24 to £1,000 and FCWA have removed it from the project costings for 24/25. The rationale for this decision is that it is rarely used and comment;

- There is no fee to issue an injunction and workers are trained to help clients complete the forms
  - Most of the clients that FCWA support through child contact orders etc are either on benefits or low incomes and are entitled to legal aid
  - FCWA workers utilise the 30 mins free advice service that solicitors offer
  - FCWA also hold a legal clinic for clients each Thursday when a solicitor attends the office, this must be prearranged.
11. A Sanctuary Scheme is operated via Preston Care and Repair connected to the Handyperson service. This service supports households experiencing domestic violence to remain in their own homes, where it is safe for them to do so and where it is their choice. The service also ensures that when clients move into their new home security measures and external lighting can be installed.
  12. The Sanctuary Scheme will complete home security assessments and complete required works. If the accommodation is owned by a Registered Provider they will complete the works.
  13. Funding is to be allocated to the Housing Outreach Worker and the remaining funding is placed in a budget to provide an emergency temporary accommodation provision, removal and storage costs, Sanctuary Scheme initiatives and assistance with bond and rent in advance if other funding streams are not accessible.
  14. Table 1 overleaf details the support provided for clients since 22/23. Providing emergency accommodation is crucial when clients are forced to leave their homes. Whilst Refuge Placements (if available) are the preferred option due to the specialised support services offered, these placements will often deny accommodation to clients with a history of drug or alcohol misuse. Therefore, there is limited availability for family accommodation at present due to low turnover.
  15. In 2023/24 Fylde Council have supported families affected by domestic abuse with Aldi vouchers for food while in temporary accommodation, Argos vouchers for household essentials, carpets, beds and white goods provided under the Household Support Funding.

**Table 1 : Support provided for under Part IV Domestic Abuse Act**

	Provision of emergency accommodation (Non Refuge)	Removals, storage and kennelling	Rent Bond/Rent in Advance	Household items	Sanctuary Scheme Health Home Assessments with Security Measures	Supported into alternative accommodation	Advice and Assistance
22/23	5	5	1	4	11	12	43
23/24	36	5	3	3	11	12	81

16. During 2023/24 36 clients have been accommodated in temporary accommodation after they approached the Local Authority seeking assistance to escape Domestic Abuse. Of these households, 15 had dependent children, resulting in a total of 34 children being provided emergency accommodation within families where the main applicant was fleeing domestic abuse.
17. Throughout 2023/24: 12 households have been supported into alternative accommodation; 11 households have had Sanctuary security and lighting measures installed to enable them to remain in their own home or secure their new home; and, 3 households accommodated have only required advice and assistance. A total of 9 households have withdrawn their application as homeless and 3 households have ceased to be eligible for assistance, this will be as a result of returning to the family home or enquiries have determined they are not fleeing domestic abuse.
18. As of the 1<sup>st</sup> April 2024 Fylde Council are currently accommodating 9 households who have approached the local authority as a result of domestic abuse, with 13 children.
19. Actual expenditure for this support was greater than the available budget in 2023/24 primarily due to the cost of storage. As a result the storage policy has been altered and Fylde Council will no longer fund the cost to

place and remove items from storage, but will fund the actual storage costs. Clients are required to make a £10 per week contribution. In addition storage is restricted to large items of furniture and white goods and not moveable personal items.

20. The Domestic Abuse Act places a Duty on Tier 1 Local Authorities to appoint a Domestic Abuse Partnership Board. Fylde Council attend the Board to represent the interests of Tier 2 Local Authorities from the North region and report back on measures in place in Fylde and Wyre to meet Part IV duties. This is a multi-agency board that undertakes specific functions; assessing the need for accommodation-based domestic abuse support; developing and publishing a Domestic Abuse Safe Accommodation Strategy for the provision of support in Lancashire; monitoring and evaluating the effectiveness of the Strategy; and, returning data sets for Lancashire to DLUHC.
21. Fylde Council have received funding under Part IV Domestic Abuse Act 2021 for 2024/25 totalling £35,690 and Committee is requested to approve a fully funded budget increase to enable the continuation of the support as detailed in this report.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	

IMPLICATIONS	
Finance	This report requests approval to a fully-funded revenue budget increase for 2024/25 in the sum of £35,690 in respect of the Fylde Coast Women’s Aid (FCWA) service, to be met by funding received from DLUHC under Part IV Domestic Abuse Act 2021.
Legal	None. SLA in place for 24/25.
Community Safety	None
Human Rights and Equalities	Part IV Duties under the Domestic Abuse Act 2021
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

SUMMARY OF PREVIOUS DECISIONS
<p><a href="#">Executive Committee 19<sup>th</sup> September 2023 – Domestic Abuse Part IV Duties 2023/24</a> Approval of a fully funded revenue budget increase for £35,030 to be met by DLUHC New Burdens Domestic Abuse Grant 2023-24</p> <p><a href="#">Finance and Democracy 30<sup>th</sup> Jan 23 – Domestic Abuse Act Funding 22/23</a> Approval of a fully funded revenue budget increase for £33,224 to be met by MHCLG New Duties Funding to continue Part IV Duties under the Domestic Abuse Act 2021.</p> <p><a href="#">Environment, Health and Housing – 24<sup>th</sup> Jan 2023 – Homelessness and Rough Sleeping Strategy Update</a> Recommend to Finance and Democracy approval of a fully funded revenue budget increase for £33,224 to be met by MHCLG New Duties Funding to continue Part IV Duties under the Domestic Abuse Act 2021.</p>

[Finance and Democracy Committee – Domestic Abuse Act 2021 Funding for enhanced support](#)

Information Item following a request for a further report to be brought back to Committee advising of recommendations for a separate budget for legal representation.

[Finance and Democracy Committee – 7<sup>th</sup> October 2021 – Domestic Abuse Act 2021](#)

Approval of a fully funded revenue budget increase for the total of £33,196 to be met by MHCLG New Duties funding to undertake new Part IV duties under the Domestic Abuse Act 2021

[Environment, Health and Housing 2<sup>nd</sup> September 2021 – Domestic Abuse Act 2021](#)

Recommend to Finance and Democracy approval of a fully funded revenue budget increase for £33,196 to be met by MHCLG New Duties Funding to continue Part IV Duties under the Domestic Abuse Act 2021.

[Environment, Health and Housing 15<sup>th</sup> June 2021 – Fylde Council handyperson and sanctuary pilot scheme](#)

Details of the Sanctuary Scheme, for clients experiencing domestic abuse, will comply with new duties placed on Local Authorities under the Domestic Abuse Act 2021.

**BACKGROUND PAPERS REVELANT TO THIS ITEM**

Name of document	Date	Where available for inspection
Domestic Abuse	03/04/2024	<a href="#">Domestic abuse - Lancashire County Council</a>
Domestic Abuse	03/04/2024	<a href="#">Domestic Abuse - Lancashire Safeguarding Children Board</a>
Lancashire Domestic Abuse Services	03/04/2024	<a href="#">lancashire-domestic-abuse-services.pdf</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Kirstine Riding	Kirstine.riding2@fylde.gov.uk & Tel 01253 658569	03/04/2024

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
OFFICE OF THE CHIEF EXECUTIVE	EXECUTIVE COMMITTEE	25 APRIL 2024	10
<b>CORPORATE PLAN 2024-2028</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### RELEVANT LEAD MEMBER

This item is within the remit of the Lead Member Councillor Karen Buckley, Leader of the Council.

#### PURPOSE OF THE REPORT

To present the draft of the new four-year Corporate Plan 2024-28.

To provide details of the process for developing the Corporate Plan and links with other key strategic documents.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATIONS

1. The committee considers the draft Corporate Plan for 2024-2028 and recommends that it be forwarded to Full Council for approval following stakeholder consultation as outlined in the report.

### REPORT

1. Every council has its own methods and preference for producing strategic and business plans, including the corporate plan, there is no prescribed process or statutory requirement to produce a corporate plan. However, without a corporate plan or similar document any organisation would be operating without vision, aims, objectives, or priorities and it would be identified as a strategic failure at audit and inspection for example, the forthcoming [Corporate Peer Review](#) as well as the work carried out by [Oflog](#), will expect the council to have a Corporate Plan as a required element of operating the organisation. The corporate plan is aimed at every stakeholder linked to the council including residents, partners, elected members, local businesses, visitors, employees etc. sharing the strategic priorities and vision with everyone.
2. The corporate plan at Fylde has always been based on a four-year cycle to coincide with the administrative term of office for elected members. A new four-year plan is developed after the Borough elections which is common best practice with many local authorities.
3. As part of the established process at Fylde, the corporate plan is reviewed every year to monitor and evaluate progress but also to consider whether changes in policy, regulations, laws, politics, or the community have occurred that would require a revision of the plan. For example, the pandemic resulted in a review of targets, projects, and resource priorities in the corporate plan.

4. The annual review is best practice because, over the four-year life of a corporate plan, there will be factors that change from the situation when the plan is initially drafted. The annual review will be presented to the Internal Affairs Scrutiny Committee which can forward recommendations to Executive Committee and Full Council. Over the life of the plan, there will be factors outside of the council's control that will change, for example, legislation, regulations, national policy etc. It will be necessary to review the plan to consider whether any changes impact strategic issues in Fylde.
5. The Corporate Plan sets out the vision, aims and priorities for the Council over the next four years. The Plan is the Council's primary strategic document, providing a framework for the delivery of services, and providing the context for other relevant strategies and plans produced. The objective is to have a 'golden thread' with the Corporate Plan as the lead strategic document which informs other strategic documents that the council is either required or has chosen to develop to support the delivery of the priorities in the Corporate Plan. Appendix 1 of this report includes a summary of the key performance measures, projects, strategies, and plans for each of the themes in the Corporate Plan.
6. The Plan informs the development of service plans, the budget, and the direction of the Council and is a key component of good governance. Ensuring that resources are allocated appropriately is particularly important given the financial challenge and resource restraint the Council has experienced since the pandemic, and which are evident over the five-year forecast in the Medium-Term Financial Strategy. Local authorities need to plan their future direction based on the best strategic fit between the resources available to meet stakeholder needs and expectations and the environmental conditions which prevail. Putting strategies into practice and acting strategically ensures that councils are focused on the things that really matter and can allocate scarce resources accordingly.
7. Each service area of the council produces a service plan (also referred to as a business plan in some organisations) that links to the corporate plan drawing from the priority of the activities, projects, and measures that will deliver the outcomes. Service plans are the operational element of the process and an essential part of the 'golden thread' because they include tangible activity that employees deliver to achieve the vision, the link is made between the high-level strategic document and the work each service area delivers. Service plans used to shape service delivery and resource allocation within teams, are reviewed at least annually but can often be revised in response to changes in service because of regulation, unexpected circumstances, a surge in demand, policy review, member decisions, etc. The service plan is flexible because it needs to be responsive to change.
8. The Council's vision is "*Fylde to be a place where people choose to live, work and raise a family, retire and feel safe, visit and want to return*". To deliver this, five strategic commitments have been outlined:
  - 1) Quality Services
  - 2) Clean and Green Environment
  - 3) Vibrant and Healthy Economy
  - 4) Safe and Caring Community
  - 5) A Great Place to Visit
9. The strategic commitments have been developed after consideration of the priorities for the Borough which stakeholders have informed through several methods:
  - Stakeholder engagement – the information that is gathered on a regular basis through surveys, committees, forums, research, complaints, compliments, campaigns, and direct conversations. This information comes through all the service areas, employees, elected members, partners etc. and is the body of knowledge that enables the council to understand the local community.
  - Local intelligence – statistics (such as census data) or information and data from partners, economic statistics, local facts, shared intelligence, research, projects, audits, and inspections.
  - National issues – statutory services have laws, regulations, targets, and requirements laid out by the government which must be reflected in the corporate plan priorities, the council has a legal duty to deliver many services, and the plan is informed by the strategic direction set by the government.



- Partner priorities – the council considers the priorities of lead partners such as the county council, the police, or the NHS who serve the same local community. Using resources effectively by understanding the roles and responsibilities of partner agencies avoids waste and duplication whilst increasing synergy.
- Internal priorities – the leading group have provided a steer on the priorities for the next four years based on the key issues identified through canvassing and commitment drawn from the manifesto.

- Each strategic commitment will have performance measures that will be used to monitor progress and outcomes over the life of the plan (Appendix 1) which will be included in the relevant service plans. The Performance Management Framework (PMF) monitors the progress and delivery of the Corporate Plan through the agreed performance measures and completion of actions or projects. The information is available online, it is 'live' and represents the latest position and can be accessed at any time. The performance monitoring data is a primary element in the annual review of the corporate plan reported to the Internal Affairs Scrutiny Committee. The PMF provides the necessary assurance that performance management is being undertaken rigorously and transparently, with appropriate oversight and reporting of performance.
- Activities within the Corporate Plan, and those included in the service plans, are subject to individual risk and equality impact assessments where applicable. The Corporate Plan is kept under review, particularly in circumstances where the Council is facing new challenges or opportunities, whether these are local, regional, or national. Several initiatives have been carefully considered that will be monitored to determine whether there is an impact on the plan including, forthcoming elections, review of local government finance, Lancashire devolution, and measures being considered in the Levelling Up and Regeneration Bill.
- The draft of the Corporate Plan was presented to the Internal Affairs Scrutiny Committee on February 20<sup>th</sup>, 2024, with the committee providing feedback and comments that have helped shape this report and inform the plan. The committee is asked to consider the draft Corporate Plan 2024-2028 and recommend it to the Full Council for approval after a period of stakeholder consultation. The final draft will be presented to the next ordinary Full Council meeting on July 15<sup>th</sup>, 2024. Any further feedback provided to inform the final draft will be considered and should be received by May 31<sup>st</sup>, 2024. The [draft Corporate Plan 2024-28 is available online](#).
- Once approved by the Full Council the Corporate Plan 2024-2028 will be published online, linked to other media channels used by the council, and circulated to all partners, and a limited number of hard copies made available at customer service points and on request.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

SUMMARY OF PREVIOUS DECISIONS
Internal Affairs Scrutiny Committee – February 20 <sup>th</sup> , 2024. The Committee RESOLVED to recommend the proposed Corporate Plan 2024-2028 to Full Council for approval.

BACKGROUND PAPERS RELEVANT TO THIS ITEM		
Name of document	Date	Where available for inspection
An online drafted version of Corporate Plan 2024-28	February 2024	<a href="https://new.fylde.gov.uk/3d-flip-book/corporate-plan-draft">https://new.fylde.gov.uk/3d-flip-book/corporate-plan-draft</a>

Business planning and strategic Management (LGA Guide)	August 2012	<a href="#">business-planning-867.pdf (local.gov.uk)</a>
Oflog (The Office for Local Government)	December 2023	<a href="#">Office for Local Government - GOV.UK (www.gov.uk)</a>
LGA Corporate Peer Challenge Reports	April 2021 -2024	<a href="#">Corporate Peer Challenge reports   Local Government Association</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Allan Oldfield	<a href="mailto:Allan.olfield@fylde.gov.uk">Allan.olfield@fylde.gov.uk</a> & 01253 658500	5 <sup>th</sup> April 2024
Alex Scrivens	<a href="mailto:Alex.Scrivens@fylde.gov.uk">Alex.Scrivens@fylde.gov.uk</a> & 01253 658543	16 <sup>th</sup> April 2024

**Appendix 1 – Activity Linked to the Corporate Plan Themes**



## Appendix 1 – Activity Linked to the Corporate Plan Themes

### 1. Quality services

#### Our commitments

- Retain a face-to-face service in a digital age
- Seek and act upon customer service reviews on all our services
- Seek income generating opportunities to lessen the tax burden on residents
- Seek new ways of providing services that deliver best outcomes for residents
- Work with all tiers of government to provide best value for money

#### KPIs to measure achievement

Number of customer services face to face appointments held at the Town Hall  
Waiting times for customers (time on hold)  
Monitor the quality of responses provided by customer services at first point of contact  
Report monthly on the summary of results captured in customer surveys  
Record the feedback made as a result of service area surveys  
Record actions taken in response to the annual Fylde Residents' Survey  
% council tax collected  
% business rates collected

#### Projects to achieve commitments

Ongoing review of fees and charges index-linking where appropriate  
Grow business rate base  
Review yield on rentals/Estates Strategy  
Invest to save initiatives  
Review the digital payment system and roll out digital training  
Review discretionary discounts on council tax and benchmark against other authorities  
Deliver the recommendations set out in the Planning Advisory Service Peer Review  
BPR by service area

#### Relevant Polices/Strategies Internal and External

Asset Management Policy  
MTFS (to include a paragraph on income generation and VFM)

## 2. Clean and Green Environment

### Our commitments

- Reduce litter, dog fouling, fly tipping and plastic pollution and increase recycling with partner organisations
- Improve the beach and estuary environment
- Develop and implement a climate change strategy to reduce our carbon footprint
- Work with all partners to improve bathing water quality and reduce flooding
- Maintain our coastal defenses in line with the Shoreline Management Plan

### KPIs to measure achievement

Increased interventions with partners with the aim to reduce fly tipping  
Maintain and monitor the delivery of PSPOs to reduce dog fouling and antisocial behaviour in our open spaces  
Increased number of dog enforcement patrols  
Report on the air quality status annually

### Projects to achieve commitments

Complete 'All things beach' Action Plan  
Complete 'Climate Change' Action Plan  
Complete 'Surface Water Management' Action Plan  
Education Programme led by Fylde Rangers

### Relevant Policies/Strategies Internal and External

Beach Management Policy  
Coastal Strategy

Planning policies relevant: -  
Fylde Local Plan - 2032 (Partial Review 2021) Conservation ENV1 Landscape  
Water management, Flood risk and Climate change CL1,2.  
Supplementary Planning Document - Flooding

### 3. Vibrant and Healthy Economy

#### Our Commitments

- Continue to improve our town centres, with a primary focus on delivering the St Annes Masterplan
- Target investment to support jobs, businesses and critical infrastructure
- Continue to operate council finances responsibly within a balanced budget
- Support Parish and Town councils to deliver regeneration projects and/or urban design improvements
- Support our neighbours and partners to develop Enterprise Zones with a focus on job creation and economic growth

#### KPIs to measure achievement

Increase number of day visitors to Fylde

Record the footfall data of Fylde town centres

Increased spend within the local economy by supporting businesses

Increase number of jobs created, businesses engaged and gross value added (GVA) through council lead interventions.

Monitor promotion of local area (through social media reach/initiatives)

#### Projects to achieve commitments

Undertake lighting/planting scheme in Clifton Street, Lytham

Provide a new Events Space for St Annes Square

Complete the Kirkham Futures programme

Improve lighting and signage in St Annes Square

Deliver the UK Shared Prosperity Fund Investment Plan

#### Relevant Policies/Strategies Internal and External

St Annes Masterplan

Lancashire 2050

MTFS

Planning policies relevant:

Fylde Local Plan 2032 Partial Review 2021

Strategic Policy Fylde Economy EC1, EC2, EC3, EC4, EC5, EC6, EC7 (non-strategic).

Neighbourhood Plans of St Annes, Bryning with Warton, Ribby with Wrea, Elswick, Singleton, Staining

## 4. Safe and Caring Community

### Our Commitments

- Improve play areas and access to the beach for all users
- Work with partners to reduce anti-social behaviour
- Support our volunteers and community organisations
- Deliver support to our most vulnerable residents and increase availability of temporary accommodation
- Provide an appropriate mix of affordable and market housing to meet the needs of all generations
- Protect the health of our residents by maintaining housing standards and reducing homelessness

### KPIs to measure achievement

Measure and record the quarterly % of high, medium or low risk findings in play areas on Play Inspection Software

Evaluate the delivery of statutory responsibilities to protect public health

Evaluate the provision of affordable homes provided across Fylde

Reduce time spent by households living in temporary accommodation

Increase the number of community groups supported across Fylde

### Projects to achieve commitments

Complete the Beach Hub and improve accessibility to the beach

Carry out a review of the Fylde Local Plan

Install two more Changing Places toilets in Kirkham and Fairhaven

HAF programme

Community Wellbeing Fund/Community Projects Fund

Sports/holiday provision – need to list the projects

Warm Homes Scheme

Disabled Facilities Grants

Playzones Scheme in St Annes, Lytham and Kirkham

### Relevant Policies/Strategies Internal and External

Local Plan 2032 (Partial Review 2021)

Community Safety Plan 2024

Planning policies relevant: -

Fylde Local Plan (Partial Review 2021) Strategic Policy - Health and Wellbeing HW1, HW2, HW3

Provision of Homes H4.

## 5. A Great Place to Visit

### Our Commitments

- Provide high quality parks, open spaces and leisure facilities
- Improve our events offering to further boost tourism and support hospitality across Fylde
- Improve parking provision for visitors
- Support our towns and parishes with local events/markets/club days
- Support our local heritage

### KPIs to measure achievement

Maintain number of parks achieving Green Flag status

Maintain number of In Bloom awards

Record the number and range of supported events held in Fylde

Record the number of visitors to Lytham Hall Gallery

Increased number of car parking spaces and motorhome spaces

Record number of leisure users at our sites

### Projects to achieve commitments

Kirkham Futures

Local Listing Project – next stage

Refresh Events Application to include monitoring and accessibility stats

Complete the Beach Hub and improve accessibility to the beach

Refurbish the Long Gallery at Lytham Hall to display the Lytham St Annes Art Collection

Deliver Project Vento at Granny's Bay

Complete renovations to the Paddling Pool

De-silt Fairhaven Lake

### Relevant Policies/Strategies Internal and External

Planning policies relevant: -

Fylde Local Plan 2032 (Partial Review 2021)

Conservation and enhancing the natural, historic and built environment ENV1,2,3,4,5,

Fylde economy EC6, EC7

Built Heritage Strategy Policy

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF TECHNICAL SERVICES	EXECUTIVE COMMITTEE	25 APRIL 2024	11
<b>THE ASSET MANAGEMENT PLAN</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### RELEVANT LEAD MEMBER

This item is within the remit of the lead member for Corporate and Economic Development, Councillor Karen Buckley.

#### PURPOSE OF THE REPORT

To present the Asset Management Plan for Fylde for the committee to consider for approval.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATION

1. That the committee consider and approve the proposed Asset Management Plan.

### REPORT

#### BACKGROUND

1. The proposed Asset Management Plan for Fylde council is included in Appendix 1 to this report, the previous plan was scheduled for review in 2018/19 but has been significantly delayed because of the pandemic, other priorities, and having the necessary resource to develop a new plan.
2. Assets included in the plan are physical items that have value and contribute to the delivery of services or achieving organisational objectives. Examples include buildings, vehicles, equipment etc. but not non-physical asset such as intellectual property.
3. The primary purpose of the Asset Management Plan (AMP) is to provide a structured approach to managing assets throughout their lifecycle, from acquisition or creation to disposal. An AMP for a local authority serves as a strategic document that outlines how the organisation will manage its assets effectively and efficiently.
4. An AMP will help allocate resources in a way that maximises the value of every asset, to optimise the use of resources in line with corporate priorities, including service delivery, community need, and investment opportunity requirements. The plan requires assessment of the condition, performance, and criticality of assets to prioritise investment and maintenance activity over the life of the assets.



5. The plan ensures that the council understands the condition and performance of assets so that it is possible to identify potential risks and develop strategies to mitigate them. This proactive approach will prevent unexpected failures or disruptions and ensure the maximum value from the use of any asset.
6. The AMP is a long-term perspective which will allow the council to plan for the lifecycle of the assets, ensuring that they are replaced, upgraded, or maintained as needed to meet service delivery requirements.
7. The AMP assists in budgeting and financial forecasting by providing information on the costs associated with managing and maintaining assets as well as the income realised from investment assets. This will support informed decisions about funding priorities and investment strategies.
8. The AMP is aligned with regulatory requirements and industry standards providing a well-documented asset portfolio that enhances accountability and transparency, demonstrating that the council is managing assets responsibly and in accordance with applicable regulations.
9. The AMP requires the retention of data about the condition, performance, and criticality of assets. This data-driven approach allows the council to make informed decisions based on objective information rather than relying on intuition or ad hoc assessments / feedback.
10. The environmental impact of asset management activities is becoming increasingly important. The AMP will help the council to incorporate sustainable practices into the management of every asset, promoting responsible resource use, and reducing environmental impact for example, energy efficiency requirements and directives from net zero carbon requirements.
11. The Asset Management Plan is a strategic tool that enables efficient and effective management of assets, contributing to improved service delivery, risk mitigation, and long-term financial sustainability. The committee is asked to consider the proposed Asset Management Plan for Fylde included in Appendix 1 to this report and recommend approval of the plan.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	

IMPLICATIONS	
Finance	There are no direct financial implications from the approval of the updated Asset Management Plan.
Legal	There are no direct legal implications from the report. However, active and appropriate management of assets forms part of the best value duty that applies to all local authorities.
Community Safety	There are no direct community safety implications from the report.
Human Rights and Equalities	There are no direct equalities or human rights implications from the report.
Sustainability and Environmental Impact	There is no direct sustainability or environmental impact implications from the report.
Health & Safety and Risk Management	There are no direct health & safety or risk management implications from the report.

SUMMARY OF PREVIOUS DECISIONS
none

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection

LEAD AUTHOR	CONTACT DETAILS	DATE
Darren Bell	<a href="mailto:Darren.bell@fylde.gov.uk">Darren.bell@fylde.gov.uk</a>	March 8th

Appendix 1: The Asset Management Plan

# **DRAFT - Fylde Borough Council**

## **Asset Management Plan 2024**

**Head of Technical Services**  
Office of the Chief Executive (FBC)

## Introduction & Objectives

Effective asset management has a major role in delivering better outcomes for citizens, creating a sense of place, and generating efficiency gains. Asset management underpins and contributes to the delivery of the vision and priorities set out in the Corporate Plan, the objective is to modernise service delivery and achieve the maximum from asset resources.

***Strategic asset management seeks to align the asset base with the organisation's corporate goals and objectives. It ensures that the land and buildings asset base is optimally structured in the best corporate interest of the council.***

The Asset Management Plan (AMP) aims to:

- Deliver exceptional services for citizens, aligned with locally agreed priorities.
- Focus investment based on need.
- Improve the economic well-being of Fylde.
- Ensure the effective management and maintenance of assets.
- Reduce carbon emissions and improve environmental sustainability.
- Generate efficiency gains, capital receipts, or an income stream.
- Improve the quality of the public realm.
- Maximise opportunities to regenerate key areas of the Borough so that communities share in the environmental, economic, and social benefits.

The decision-making arrangements described in the AMP will ensure assets are managed in accordance with the strategic objectives. Each asset managed or owned by the council is held for one of the following three objectives:

- **Community** – assets held for the benefit of the community, which may have restrictions on use or disposal for example, Parks, Recreation Grounds, Playing Fields, Allotments and Public Open Spaces, which may have lettings to charities or community organisations at concessionary rates. The Council's objective is to maintain and enhance these assets to maximise the well-being benefit to the community.
- **Operational** – assets held and occupied in the delivery of services for which it has either a statutory or discretionary responsibility, for example, Council Offices, Depots, Public Conveniences etc. The objective is to manage these assets to maximise operational and financial efficiency and to ensure the assets are procured, managed, operated, maintained, and disposed of in a sustainable way minimising any negative impact on the environment for example, rationalising the amount of space occupied by Council services or exploring opportunities for shared space with partners.
- **Investment** – assets which generate rental income including commercial lettings (cafes and leisure facilities) as well as council-owned and operated assets such as car parks. The objective is to maximise income to the Council, though regard will be given to the contribution made by the asset to wider Council objectives such as tourism and community wellbeing. Investment assets will be under constant review to consider whether they should be retained or disposed of or in the case of lettings at undervalue

for well-being or community purposes, to consider whether the level of Council support continues to be appropriate.

### **Responsibility and Decision Making**

Elected members through committees make strategic, policy, and budget decisions including approval of the AMP as well as the acquisition and disposal of assets.

Asset management is embedded in the corporate and service planning process, the lead responsibility is with the Head of Technical Services whose remit covers estates and asset management and reports to the Chief Executive. The Head of Technical Services or the Chief Executive have delegated authority to approve taking, granting, and renewing leases for periods not exceeding seven years.

The Strategic Risk Management Group membership comprises those officers who would also have responsibility for delivering the aims and objectives of the AMP. The Risk Management Group membership comprises the Chief Executive, Deputy Chief Executive and Monitoring Officer, Section 151 Officer, the Head of Governance, the Risk Management and Emergency Planning Officer with representation from the Corporate Health and Safety Team as required. It is proposed that on the rising of the Strategic Risk Management Group, that an Asset Management Sub-Group meets to discuss assets comprising the named officers above together with the Head of Technical Services with other officers invited as necessary. The Asset Management Sub-Group will be chaired by the Head of Technical Services who will set the agenda for the meeting in consultation with other officers. The Strategic Risk Management Officer will not attend the Sub-Group unless input is required on any given issue. The group meets on a quarterly basis or as necessary if required.

Asset Management is a corporate responsibility that is essential to operational service planning which is reviewed through the senior Management Team. Service managers are responsible for ensuring that assets within their remit are properly managed, maintained, and regularly reviewed to ensure maximum use/value. Estates and procurement teams will provide support on leases, concessions, disposal, and acquisition of assets.

### **Asset Inventory (register)**

An inventory of all assets including infrastructure, buildings, and vehicles is maintained by the Technical Services team. The inventory is the formal register for all assets and will include:

- The purpose for which the asset is held (community, operational or investment).
- The specific use of the asset.
- The location, size, and construction of the asset.
- The current condition of the asset with inspection and survey data.
- The most recent market valuation with any depreciation recorded.
- Details of any lease terms, listed building matters, lettable space etc.
- The management and maintenance responsibility for each asset.
- Any risk issues associated with the asset.
- Energy consumption rating

- Fixture, fittings, servicing, testing requirements etc.

The asset inventory will be a working document subject to regular updates and will be maintained and administered in digital format by the Technical Services team.

### **Asset Maintenance & Management**

A systematic review of assets will be undertaken based on the following principles:

- A review of all building and property assets carried out over a five-year period.
- Priority for assets with identified issues or where concessions have been granted by the council to the tenant.
- Reviews will be brought forward if required.

The objective of a review is to determine whether assets are achieving the best value for the council in the context of the corporate priorities, or if the greater value would come from a transfer or disposal.

The requirements and arrangements for management, maintenance, and repairs including statutory health and safety inspection or testing requirements is dependent on the function and purpose of the asset. Assets owned by the council that are used for the purpose of conducting the business of the council are managed and maintained by the council. Buildings will be managed and maintained by the in-house facilities team, and vehicles and equipment are managed by the fleet team in compliance with the Operator's Licence where applicable.

Council-owned assets (land and property) with third-party occupiers will be managed, maintained, and repaired through the terms of the lease arrangements. Lease reviews and renewals are managed by the Estates team within Technical Services, the asset inventory identifies land and property that is subject to lease arrangements with details of the terms and review schedule for each asset.

The objective is to achieve the best value arrangements for every lease taking into consideration financial return, contribution to priorities in the local economy, contribution to social community value, climate and environmental impact and sustainability.

Open market competition for leases that generate a financial return for the council will be applied unless there is an exemption that prohibits this approach, or a Council decision is made under permitted regulations.

### **Asset Valuations**

Council operational and investment assets will be revalued at least once every five years, with additional impairment valuations where there is a significant change likely to affect the value of an asset. The estates and finance team will maintain a schedule of annual asset valuations to ensure a valuation is carried out at least once every five years. Valuations will be carried out using the employed/commissioned estates resources where possible and applicable with external consultants used when necessary.

## **Condition Surveys**

Condition surveys will be carried out on a rolling basis over a five-year period with 20% of assets that require a survey completed each year. Data relating to the condition of assets will be gathered from operators through inspection or maintenance work, or where required in the terms of an agreement. Where applicable 'light touch' and interim surveys will be carried out.

## **Performance Management and Monitoring**

The council has an online corporate performance management framework that collates and manages all targets and performance indicators, with exceptions in performance identified for reporting to Scrutiny. Performance measures related to asset management are agreed upon and reviewed by the Asset Management Sub-Group in consultation with elected members through the arrangements approved in the constitution in relation to lead members. Lead members have a role in ensuring that corporate priorities are delivered working under the direction of the Chairman of the Executive Committee. They act as an advisor for lead officers and monitor and report regularly at both meetings of the Executive Committee and the Council, on progress of each of their priority areas. They have a lead role in developing council policy and making recommendations thereon. They also provide guidance to member forums on budget priorities and performance.

Performance indicators agreed by the Asset Management sub-Group will be a combination of best-practice national measures and local service-based measures. Performance measures with the latest performance data and targets in relation to the AMP will be available online and can be viewed at any time on the council's website.

The Head of Technical services will include asset management performance measures in the service plan that is required to link to asset management objectives and outcomes in the Corporate Plan.

## **Sustainability and Environmental Consideration**

Officers responsible for the management, maintenance, and development of assets (land, property, vehicles, equipment) will incorporate sustainability and a reduction in environmental impact into the daily management as well as the review of assets, whenever applicable. The council has a corporate priority in relation to climate change with objectives to deliver long-term sustainable carbon reduction, efficient clean energy, and a contribution to biodiversity.

Legislation and regulations on sustainability or environmental impact must be implemented where applicable to any asset owned or used by the council in the delivery of public services. Tenanted assets will be required to operate in a sustainable and environmentally conscious manner. For example, any property let by the council is required to have a minimum energy performance certificate (EPC) rating of 'E' from April 1<sup>st</sup>, 2023.

## **Consultation and Continuous Improvement**

The council will obtain feedback from all property users through the relationship with the occupier or user of the asset with the aim of improving the service.

Employees who occupy and use assets in the delivery of council services will provide feedback through established internal communication systems including regular team brief sessions, the Asset Management Sub-Group, and online feedback forms available 24/7.

Targeted consultation will be included in the review of any asset or where a change of use or alterations are planned.

The council has an agreed corporate policy statement on continuous review which aims to achieve continuous improvement in all service areas. The requirement to improve services through technology with the objective of achieving efficiencies to create capacity is embedded in all service areas as part of the continuous review policy statement (Appendix 1). Reviews must take into consideration corporate priorities and objectives as well as other review activities planned or active in the organisation to ensure a coordinated corporate approach to change and improvement.

Asset reviews and revision of the AMP will include engagement with relevant stakeholders determined by the use and purpose of the asset as well as the objective of the review.

### **Data Management**

Data related to each asset is digitally stored on the register/inventory that is accessible by permission based on the roles and responsibilities of the employee in accordance with UK GDPR and other data protection legislation that fall within the remit of the Data Protection Officer. The Asset Owner for the register/inventory is the Head of Technical Services.

The validity of data relating to each asset is checked regularly through the following procedures:

- The 5-year rolling programme of condition surveys.
- Annual consultation with financial services.
- The 5-year rolling programme of asset re-valuation (where applicable).
- The asset review process.
- Internal and/or external audit of assets.

### **Acquisitions**

Acquisitions will be based on the purchase or transfer of various types of assets to support the council's functions and responsibilities. Assets can include land, buildings, vehicles, equipment, and more. The following factors will be considered in the decision to acquire an asset:

1. Whether the council has the legal authority to acquire the asset.



2. That the purchase as well as any ongoing budget and resource requirements are in place.
3. Suitability of the asset to fulfil the identified corporate objective / purpose and offers best value.
4. The required appropriate procurement process to make the acquisition.
5. Due diligence - assess the condition of the asset, check for any legal encumbrances or liabilities, and ensure compliance with regulations.
6. What governance approvals or delegated authority is required.
7. The title can be transferred to achieve clear and unencumbered ownership.
8. Impact on the asset management, maintenance, and repair functions.
9. Public accountability, ensure transparency and disclosure of financial details and decision-making processes.

Acquisitions of land will be subject to the specific requirements in the council's Land Transaction Procedure Rules, which form part of the council's constitution.

### **Disposals**

The council will sell, transfer, or dispose of assets no longer required or which become surplus. The rationale for disposal can include the requirement for new equipment, to reduce maintenance costs, optimise resource allocation, or divesting from assets no longer essential. The following steps will be considered in the disposal of assets:

1. Identify and assess assets to be disposed of from the inventory.
2. Determine the fair market value of the asset to be disposed of.
3. Whether the council can legally dispose of the asset.
4. Public notification and transparency - inform relevant stakeholders about the intention to dispose of assets.
5. Governance approvals or delegated authority in place to dispose of assets.
6. The method of disposal achieves best value, advice from the procurement officer will help determine the best option.
7. The terms and conditions of disposal to be clear, including payment terms, transfer of ownership, and any warranties or guarantees.
8. Maintain detailed records of the asset disposal process, including the sale price, transaction details, and approvals for accountability and audit purposes.
9. Consider environmental regulations in disposing of assets, especially if they contain hazardous materials or chemicals.

10. Whether the proceeds from disposal are required to reinvest in new assets or upgrade existing ones.

Disposals of land will be subject to the specific requirements in the council's Land Transaction Procedure Rules, which form part of the council's constitution.

### **Car Parks**

Car parks are primary commercial income-generating assets owned by the council, the operation and administration are carried out through a dedicated [Car Park Strategy](#) which covers the following:

- Review and revise tariff and permits; to implement charging structures that reflect changing user needs whilst maximising income.
- Improve the provision of disabled facilities to meet recommended Department for Transport guidance.
- Improve safety and security.
- Deliver the annual maintenance and improvement programme and bespoke projects.

### **Review**

The Asset Management Plan will be reviewed through the Asset Management Sub-Group at least every 5 years or whenever there is an identified requirement to update and adapt to changing circumstances and priorities.

End.

## **Appendix 1 - Fylde Council Continuous Review Policy Statement**

*This policy statement is consistent with the culture of continuous improvement that has been the approach to efficiency and high performance at Fylde. Modern society changes faster than ever driven by technologies that have enhanced communication, progressive forward-thinking organisations are flexible and responsive to change. It is accepted that change has always been a constant, but change is now faster than ever, and it is essential the council keeps pace.*

*Review and restructure will always be happening. Rather than setting out a traditional fixed organisational structure, council resources are aligned at any given time based on the priorities and demands at that moment. Digital transformation is a primary factor in future service delivery driving change in skill set, experience, and knowledge as well as employee development establishing the need to continuously review everything the council does.*

*The future structure of the council must sustain a flexible, innovative approach to change embracing alternative means of service delivery as well as changes to roles and responsibilities determined by the need for greater commercialism and digital transformation. The management structure and reporting responsibilities are subject to review whenever an opportunity arises through natural movement or a change in local government (regulations, policy. Legislation etc.) The constant objective is to deliver a 'fit for purpose' structure (alignment of resources) that supports the most efficient service delivery methods, to achieve this the organisation can never stand still.*

*Local government has always faced significant challenges with pressure on finances whilst having the requirement to increasingly deliver more to a higher standard with the expectation from stakeholders to deliver 'more from less'. Reviewing what we do and how we do it, will ensure that the council remains in control of its own destiny and avoids being in a position where decisions are forced upon it.*

*The ability to move resources within the organisation on a 'one council, one team' approach will deliver efficiencies. The current resource required to deliver services will be reshaped rather than downsized with digital transformation delivering efficiencies in transactional activity to release resource that can be transferred to front end services.*

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Any enquiries regarding this document should be sent to us at:  
The Town Hall, St Annes Road West, St Annes, Lancashire FY8 1LW or to [listening@fylde.gov.uk](mailto:listening@fylde.gov.uk)

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF TECHNICAL SERVICES	EXECUTIVE COMMITTEE	25 APRIL 2024	12
<b>TRANSFER OF LAND CHARGES FUNCTIONS TO LAND REGISTRY</b>			

## PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### RELEVANT LEAD MEMBER

This item is within the remit of the Lead Member for Customer and Operational Services, Councillor Michelle Morris.

### PURPOSE OF THE REPORT

To outline the transfer of the Land Charges Register (LLC1) to HM Land Registry under the 2015 Infrastructure Act.  
To add the fully funded grant for the transfer to the council revenue budget.

### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

### RECOMMENDATION

1. Approve a fully funded addition to the Councils 2024/25 revenue budget of £60,000 to facilitate the transfer of the Land Charges Register to the HM Land Registry.

## REPORT

### INTRODUCTION

1. The Local Land Charges Registers and associated searches were established under the Land Charges Act 1925 to inform prospective land or property purchasers of any relevant financial claims, restrictions, or decisions affecting a piece of land. These registers, consisting of 12 parts covering various aspects such as financial charges and planning, are currently maintained by individual local authorities across England.

### TRANSFER TO HM LAND REGISTRY

2. As per The Infrastructure Act 2015, responsibility for hosting these registers will be transferred to HM Land Registry in a phased approach. This will culminate in the creation of a national Local Land Charges (LLC) Register, replacing the current decentralised system.

### PURPOSE OF LOCAL LAND CHARGES REGISTER SEARCH

3. A local land charges register search (LLC1) provides applicants with details of entries on the LLC Register concerning the property(s) in question. Searches can encompass all 12 parts of the Register or specific elements as needed.

## ACCESSING THE REGISTER

4. The Local Land Charges register can be accessed either by paying a fee or through in-person inspection at the Local Authority, which is free of charge. These searches are integral to the conveyancing process for property transactions, offering insights into property desirability, outstanding debts, and potential future developments.

## COMPONENTS OF A LOCAL SEARCH

5. A local search consists of an LLC1 form (Local Land Charges) and a CON29 form (enquiry form), involving various departments such as planning and building control. While the Local Authority remains responsible for the CON29, HM Land Registry will oversee the LLC1 form and register inspection.

## TRANSFER PROCESS AND RESOURCE IMPLICATIONS

6. The transfer process to HM Land Registry involves digitising existing registers, which may require additional resources. Fylde Council's computerised register will need spatial data alignment to meet Land Registry requirements.

## CURRENT PHASE AND TIMELINE

7. Fylde Council is currently in the Design and Delivery Phase of the transfer process, which has been extended due to revised requirements. Following this phase, data cleansing, modernisation and quality assurance will be undertaken.

## RESOURCE ALLOCATION

8. HM Land Registry has allocated burdens grant of £60,000 to assist the council with the transfer process, which Fylde Council will utilise for temporary resources and alignment activities. The grant will be available in two instalments based on the following:

9. "Milestone 1" – £20k

Mobilisation meeting with HMLR to agree the Milestone 1 activities and completion dates.

A transfer to HMLR target date will be agreed as part of HMLR's programme plan.

A Migration Delivery Plan will be agreed, with the necessary activities and completion / delivery dates.

Fylde to produce a Collaboration Agreement for HMLR

HMLR and Fylde to complete Discovery activities which will inform the Delivery Plan.

The above activities must be achieved in a 10-week period, or a time period agreed by the HMLR in order for the milestone 1 payment to be made. During milestone 1 a work plan will be developed which identifies all the tasks required to bring the Land Charges register into an acceptable format. The milestone 1 payment will enable the Council to part fund the resources necessary to complete this stage.

10. "Milestone 2" – £40k

On completion of the migration project, which is the transfer and 'go live' of the Fylde Council LLC dataset onto the central HMLR register, assuming that the agreed delivery timescales are met. If the agreed delivery timescales are not met this would pose a potential financial risk to the council with possible additional costs of resources having to be funded outside of the agreed £60,000.

## REVENUE IMPLICATIONS

11. Land Charges is a fee charging service and is open to competition from private search companies. The annual income for 23/24 was £61,000, it is estimated that the loss of income to the Council would be around £16k (based on loss of LLC1 income) per annum, this would be offset by reduced resourced costs.

## NEXT STEPS

12. The council will appoint a team with the requisite skills and experience to facilitate the project's progression.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

IMPLICATIONS	
Finance	The report recommends approval of a fully funded addition to the Councils 2024/25 revenue budget of £60,000 to facilitate the transfer of the Land Charges Register to the HM Land Registry. It should be noted that it is estimated that the loss of income to the Council would be around £16k (based on loss of LLC1 income) per annum, and that it is estimated that this would be offset by the reduction in the current resource cost.
Legal	The movement of the land charges register to the Land Registry is required as part of the Infrastructure Act 2015.
Community Safety	There is no direct implications from the report.
Human Rights and Equalities	There is no direct implications from the report.
Sustainability and Environmental Impact	There is no direct implications from the report.
Health & Safety and Risk Management	There is no direct implications from the report.

SUMMARY OF PREVIOUS DECISIONS
None

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
None		

LEAD AUTHOR	CONTACT DETAILS	DATE
Darren Bell Keith Vernon	<a href="mailto:Darren.bell@fylde.gov.uk">Darren.bell@fylde.gov.uk</a> Tel 01253 658465 <a href="mailto:Keith.vernon@fylde.gov.uk">Keith.vernon@fylde.gov.uk</a> Tel 01253 658679	April 24

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
SCRUTINY TEAM	EXECUTIVE COMMITTEE	25 APRIL 2024	13
<b>REQUEST - REVENUE GROWTH BUDGET ITEMS</b>			

## PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### RELEVANT LEAD MEMBER

This item is within the remit of the Lead Member for Environment - Councillor Tommy Threlfall

### PURPOSE OF THE REPORT

To outline the recommendations made by the Community Focus Scrutiny Committee at its meeting on 18 January 2024 regarding revenue budget contributions.

### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

### RECOMMENDATION

- To consider making an annual financial contribution towards the Turning Tides Partnership to assist in the work to improve the quality of bathing waters.
- To consider establishing an annual revenue budget to carry out drainage surveys and site investigations in relation to flooding issues in the borough.

## REPORT

- The Community Focus Scrutiny Committee (CFSC) at its meeting held on 18 January 2024 considered (i) an update of the water quality at the St Annes Bathing Waters locations following the 2023 bathing water season and (ii) the Flood & Surface Water Management Annual Report 2023.
- In terms of the Bathing Waters item, the CFSC Resolved:  
*“That the Executive Committee be requested to consider making an annual financial contribution towards the Turning Tides Partnership to assist in its work in improving the quality of bathing waters.”*
- In terms of the Flood & Surface Water Management Annual Report 2023, the CFSC Resolved:  
*“That the Executive Committee be requested to consider establishing an annual revenue budget to enable drainage surveys and site investigations to be undertaken to deal with flooding issues in the borough”.*
- The Flood & Surface Water Management Annual Report 2023 provided the CFSC with the opportunity to monitor progress with implementation and delivery of the flood risk and surface water management action



plan. It was recognised that significant progress had been made on the recommendations in the Flooding Review Report. Two areas that have required some investment from the council are drainage surveys and site investigations that are undertaken to address flooding issues in the borough. It was felt the Executive Committee could consider establishing a revenue budget to fund drainage surveys and site investigations in relation to flooding matters.

5. The CFSC received an update of the water quality at the two St Annes Bathing Water locations following the 2023 bathing water season and the committee considered the possible reasons for the deterioration in results and the actions to improve water quality. Officers from Technical Services, representatives of United Utilities and the Environment Agency addressed the committee on the matter.
6. Members were briefed on the work of the Turning Tides partnership, which includes the Environment Agency, United Utilities, Northwest Local Authorities, and the Rivers Trust, which aims to improve bathing waters across the region. The Head of Technical Services attends the Turning Tides meetings on behalf of the Council. An Action Plan produced by the Turning Tides Partnership was considered by the CFSC which considered the work to be beneficial to the coastal area and recommended; "That the Executive Committee be requested to consider making an annual financial contribution towards the Turning Tides Partnership to assist in its work in improving the quality of bathing waters."
7. The full reports and decision can be accessed in the 'previous decisions' section of this report. The Executive Committee is invited to consider both recommendations from the CFSC, as set out at the head of this report.

CORPORATE PRIORITIES	
Economy - To create a vibrant and healthy economy	✓
Environment - To deliver services customers expect	✓
Efficiency - By spending money in the most efficient way	✓
Tourism - To create a great place to live and visit	✓

IMPLICATIONS	
Finance	There is currently no approved revenue budget in respect of the proposals as described within this report. If the proposals are to be adopted, the scale and method of funding would need to be considered as part of the budget-setting process for future years.
Legal	There are no direct legal implications that need to be brought to the attention of the committee.
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

## SUMMARY OF PREVIOUS DECISIONS

### [Community Focus Scrutiny Committee - 18 January 2024](#)

#### 1. Flood & Surface Water Management Annual Report 2023

##### RESOLVED

1. That the Executive Committee be requested to consider establishing an annual revenue budget to enable drainage surveys and site investigations to be undertaken to deal with flooding issues in the borough.
2. That an interim report be presented (within a three-month time frame) to the scrutiny committee setting out the Council's arrangements for responding to flooding emergencies including any support to residents and businesses who may be affected.
3. That the above report also includes details of any enforcement action (including prosecutions) undertaken by the Environment Agency and Lead Local Flood Authority (Lancashire County Council) in Fylde of riparian owners.

#### 2. St Annes Bathing Waters 2023

##### RESOLVED

1. That the Executive Committee be requested to consider making an annual financial contribution towards the Turning Tides Partnership to assist in its work in improving the quality of bathing waters.
2. That an updated report be presented to the committee (within a three-month timeframe) detailing progress made of the actions identified in the report.

## BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
Agenda and Minutes		<a href="#">Community Focus Scrutiny Committee - 18 January 2024</a> A Review of Flood Risk and Surface Water Management in Fylde Borough <a href="#">14 October 2021</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Lyndsey Lacey- Simone	<a href="mailto:Scrutiny@fylde.gov.uk">Scrutiny@fylde.gov.uk</a> Tel 01253 658504	April 2024

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
SCRUTINY TEAM	EXECUTIVE COMMITTEE	25 APRIL 2024	14
<b>SPOTLIGHT REVIEW - CLIMATE NEUTRAL ACTION PLAN</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### RELEVANT LEAD MEMBER(S)

This item is within the remit of:

Lead Member for Environment - Councillor Tommy Threlfall.

#### PURPOSE OF THE REPORT

To advise members of the recommendations from the Spotlight Review on the Climate Neutral Action Plan.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATIONS

1. The Executive Committee is requested to consider the recommendations from the spotlight review included in paragraph 15 of the report.
2. That the Internal Affairs Scrutiny Committee be kept apprised of any responses and progress in relation to the recommended actions through periodic reports from the relevant Lead Officer.

### REPORT

#### BACKGROUND

1. At the November meeting of the Internal Affairs Scrutiny Committee (IASC), it was agreed that a Spotlight Review on the Climate Neutral Action Plan be included on the list of reviews to be commenced during 2024.
2. Two documents were presented to the Committee in November: (i) Climate Change Action Planning document and (ii) the Fylde Council Carbon Emissions Report. Both documents do not have the benefit of a relevant strategy being in place.
3. The Climate Neutral Action Plan was prepared in response to ambitions set out in the Council's Corporate Plan 2020-24 and the Fylde Council Carbon Emissions Report is baseline study which provides details about the carbon footprint for Fylde and an overview on how it could theoretically reduce its carbon emissions.
4. As requested by the IASC, the findings of the Task and Finish Group are reported direct to the Executive Committee.

## THE REVIEW

5. Climate Change is an important issue nationally and internationally, the commitments in the Council's Corporate Plan relating to climate change mitigation have been a useful reference point during the review. With the development of the new 2024-2028 Corporate Plan, it was considered timely that members of the scrutiny committee review the ambitions/commitments and actions relating to climate change.
6. The Task and Finish Group met on 3 April 2024 to carry out the Spotlight Review with a view to scrutinising the commitment and actions in the Corporate Plan and to make appropriate recommendations for the Executive committee to consider.
7. The Lead Member for Environment, Councillor Thomas Threlfall was invited to contribute to the review. The Task and Finish Group also took evidence from the Deputy Chief Executive, Tracy Manning and the Head of Environmental and Housing Services, Ian Williamson.
8. The commitment contained in the draft Corporate Plan 2024-2028 in the section entitled 'Clean and Green Environment' is: "Develop a climate change strategy to reduce our carbon footprint "
9. Fundamental to the work of the Task and Finish group was a clear understanding of the direction of travel. It was felt that the development of a strategy is essential to progress this commitment which should include reference to the cross-cutting nature of work in house and within the local community.

## CONSIDERATIONS BY THE TASK AND FINISH GROUP

10. The Task and Finish Group noted there is no dedicated resource within the Council currently responsible for leading the Climate Change agenda. Although the Council has tried to secure a specialist resource(s) to prepare the strategy and deliver the plan, it is considered necessary that a Lead Officer is identified to manage and drive the climate agenda.
11. The Task and Finish Group was aware that some councils have agreed a Climate Emergency Declaration as part of the commitment to the climate change initiative. Some councils have made a commitment for the Council to be carbon neutral by a specified date and to work with partners to achieve this target for the authority. This goes further than the commitment in the Corporate Plan 2024-2028, which is to reduce the council's carbon footprint but without specific measurement with a target date.
12. Members recognised that the Corporate Plan 2024-2028 is a good starting point to understand the Council's goals and commitments regarding climate change, it was felt that the Council's commitment to reduce the carbon footprint should extend to becoming carbon neutral by a specified date and include details of what that would look like, the Council should consider adopting SMART<sup>1</sup> targets.
13. The Climate Change Action Plan addresses what Fylde Council will do as an organisation to reduce its carbon footprint. The Task and Finish Group felt that the Climate Change Strategy should address the Council's role as a community leader responsible for encouraging people, businesses, and other organisations to reduce their carbon footprint to benefit the borough and wider regional climate. The Council should consider working with all stakeholders to address climate change issues.

## REFERENCE DOCUMENTS

14. The following reference documents were referred to in the Spotlight review:
  - § [Centre for Public Scrutiny – 10 questions to scrutinise climate action | Local Government Association](#)
  - § [Scrutinising Climate Action Event Blog | Local Government Association](#)
  - § [Engaging with the climate emergency - Centre for Governance and Scrutiny \(cfgs.org.uk\)](#)
  - § Climate Change Strategy and actions from other local authorities.

## CONCLUSION

15. The Task and Finish Group recognised that the Council has proposals to embrace the Climate Change agenda and after consideration of the information made available to the committee have made the following recommendations to the Executive Committee:

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<sup>1</sup> [SMART is an acronym used for effective goal setting and objective development: Specific, Measurable, Assignable, Realistic, and Time-bound.](#)

1. That the Council considers setting measurable commitments in its new Corporate Plan to reduce its own carbon footprint by a defined percentage by an agreed date and to address the council's role as a community leader in encouraging people, businesses, and other organisations to reduce their carbon footprint, setting an example for the whole borough.
  2. To fully embrace the Climate Change agenda the Executive Committee and Full Council should consider acknowledging a climate change crisis. This will focus attention and priority on achieving the Council's commitments on climate change.
  3. That a Lead Officer is identified to lead, drive, and manage the Council's climate change commitments.
  4. That officers explore joint and collaborative climate change service delivery options with Wyre Borough Council and / or other partners.
  5. Agree an effective means to produce a 'Climate Change Strategy' for Fylde Council and to ensure adequate resource for its production.
  6. To consider a dedicated resource responsible for the coordination, facilitation, and delivery of the strategy across the council and its partners.
16. The committee should note that there is no current resource with the capacity and the required capability, or skill set, to take on the responsibility of a Lead Officer for Climate Change to address recommendation number 3, the resource would need to be appointed or commissioned externally. Any dedicated resource to deliver the actions proposed from a Climate Strategy would only be known once the strategy has been developed however, any resource would need to be an additional cost to the revenue budget.

CORPORATE PRIORITIES	
Economy - To create a vibrant and healthy economy	√
Environment - To deliver services customers expect	√
Efficiency - By spending money in the most efficient way	√
Tourism - To create a great place to live and visit	√

IMPLICATIONS	
Finance	There is currently no approved revenue or capital budget provision in respect of the proposals as described within this report. If the proposals are to be adopted, the scale and method of funding would need to be considered as part of the budget-setting process for future years.
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	If the recommendations of the Scrutiny Committee are accepted the sustainability and environmental implications will be positive.
Health & Safety and Risk Management	None

SUMMARY OF PREVIOUS DECISIONS
<a href="#">Internal Affairs Scrutiny Committee 21 November 2023</a> In commending the progress and ambitions listed, the Committee <b>RESOLVED</b> (i) to note the report and (ii) to establish a Task and Finish group comprising councillors Sue Fazackerley, Damian Buckley, Joanne Gardner, Bill

Taylor, Viv Willder and Sandra Pitman to undertake a spotlight review on the topic with a view to reporting its findings to the Executive Committee.

#### BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
Agenda/ Minutes IASC	21 November 2023	<a href="#">CMIS &gt; Meetings Calendar</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Lyndsey Lacey-Simone	Tel 01253 658504	April 2024

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF CORPORATE SERVICES	EXECUTIVE COMMITTEE	25 APRIL 2024	15

### ST ANNES POOL – SPORT ENGLAND FUNDING AND CAPITAL WORKS

#### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Tourism, Leisure, and Culture (Councillor Jayne Nixon).

#### PURPOSE OF THE REPORT

To provide details of capital work required to the plant & equipment at St Annes pool including the use of the grant of £220,000 capital funding from the Sport England Swimming Pool Support Fund for the St Annes Pool.

To provide the latest position regarding surveys and investigations on the building and infrastructure at St Annes pool identified from a condition survey as well as test and assessment of the condensation and humidity experienced over recent months.

To outline the process and resource implications of the procurement process for the operation of the pool and leisure facility from August 2025.

To highlight the current strategic high-risk status of St Annes pool and the actions required to mitigate the risk.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATIONS

1. That the Executive Committee note the current risk status of the St Annes pool infrastructure and equipment.
2. That the sum of £220,000 from the Sport England Swimming Pool Fund is drawn down from the capital programme to deliver the works to fund the solar panels and replacement boiler system.
3. To note that the Major Repairs Reserve held by the YMCA (latest balance £76,249) will be used to fund the cost of work to the roof of the pool in preparation for the solar panels and any electrical upgrade required to accommodate the boiler and the panels.
4. That a programme of work for St Annes pool facility is developed based on the findings from reports, surveys, and investigations and brought before the Executive Committee for approval.
5. That the committee note the decision made by the Chief Executive, in consultation with the Lead Member for Tourism, Leisure and Culture, and the Leader of the Council, to use urgent delegated powers to approve £23,200 for the services of the leisure consultant to support the procurement process for the operation of St Annes pool from August 2025, fully funded from the unspent COVID support grant budget.

## REPORT

### BACKGROUND

1. The St Annes pool facility was constructed in 1986 during a period in local government when public swimming facilities were being constructed nationwide. The operational life expectancy of the facility based on the construction and materials was 25 years (as per warranty from construction standards) the pool has operated for 38 years.
2. From 1986 through to 2010 the council operated the facility employing a team of staff as well as leisure management responsible for the St Annes pool and Kirkham pool. In response to financial challenges in 2009, and following a competitive tendering exercise, YMCA was commissioned to operate the St Annes facility under a contract with the council retaining ownership of the asset. Included in the agreement, YMCA are required to make annual contributions into a Major Repairs Reserve for maintenance and major repairs.
3. Under the terms of the contract, responsibility for maintenance and management of the plant and equipment was principally the YMCA'S however, if the cost of replacement was over £5,000 then this was classed as a major repair which was funded from the YMCA'S Major Repairs Reserve budget. If at the end of any financial year, there was an excess of expenditure the YMCA could seek a further subsidy from the Council that would be offset against surpluses from previous years.
4. The facility has already exceeded the operational life expectancy by 12 years and the need for investment has been highlighted in recent months with issues relating to condensation, ventilation, roof damage, and other operational factors, the issues experienced in the operational areas of the facility resulted in limited closure of the pool on several occasions.
5. Urgent work required to the pool plant and equipment because of condensation and associated electrical faults as well as system management has been carried out and funded from the Major Repairs Reserve budget for maintenance and repair. The budget is also being used to address the condensation in the operational environment with the introduction of humidifiers whilst further assessment of the heating and ventilation systems are carried out.
6. The boiler is energy inefficient, outdated, and not fit for purpose, this had a significant impact when the energy cost increased, the need for a replacement was highlighted. In response to this a bid for grant funding was submitted to Sport England Swimming Pool Fund to replace the boiler and fund energy efficiency measures.
7. Over the last few months, the council has commissioned surveys, investigations, and inspections to establish the condition of the building and the internal fixtures, systems, and facilities, to identify the works required to address immediate issues regarding condensation, ventilation, roof damage, and humidity as well as all works necessary to maintain the asset and extend the operational life. The information from the surveys and inspections will also be used to inform the development of a longer-term works programme.
8. In response to the issues that have been identified to date the potential impact on the facility and the services provided are significant, it has been necessary to record this on the strategic risk register with associated actions to mitigate the risk. The recommendations included in this report are actions that will mitigate the risk to the asset and the service. Members are asked to note the current risk status of the St Annes pool infrastructure and equipment.
9. In June 2023 the Government announced a Swimming Pool Support Fund (SPSF) of £60 million to support public leisure facilities with swimming pools, it was split into two phases.
  - Phase I – Revenue £20m was made available to support facilities with swimming pools with increased cost pressures.
  - Phase II – Capital £40m was made available for capital investment to improve energy efficiency of public facilities with pools in the medium to long term.
10. Fylde Council applied for both Phase I and II and have been successfully awarded funds from both schemes. The funding has been awarded to St Annes Pool because it was the only council owned facility that was operational at the time grant was available. Fylde's SPSF grants are:
  - Phase I – Revenue – an application for £59,189 was submitted and awarded in full in September 2023.



- Phase II – Capital – an application for £660,000 was submitted and £220,000 awarded in February 2024.
- The Phase II bid included energy efficient interventions but given the demand on the grant only two interventions in the application submitted by Fylde were approved. A grant of £220,000 was awarded for: the photo voltaic (PV) panels (solar panels) for £110,000, and the replacement of the boiler system for £110,000.
  - At the Executive Committee meeting on March 5<sup>th</sup>, 2024, the fully funded sum of £220,000 was included in the capital programme. The report included full details of the grant including the list of works in the £660,000 bid.

### ST ANNES POOL CONDITION SURVEYS

- In December 2023 there was a report from YMCA who operate St Annes pool regarding issues with ceiling damage, roof leaks, condensation, and the electrics, there was a significant risk of the facility having to be closed for a period. After inspection and remedial work, the facility was able to operate reduced hours for a period and immediate works were carried out to rectify the issue. However, it was clear that there are works required to the building infrastructure to prevent further damage or risk that the premises cannot remain operational.
- Several surveys and investigations have been commissioned to identify the full list of works required to extend the operational life of the facility. Mechanical and electrical surveys are being carried out on the plant and equipment required to operate the facility for public swimming, a dry side gym, and café offer. A building condition survey is being carried out to determine all work required to the infrastructure including brick work, roof, windows etc. The list of condition surveys and assessment work is included in Table 1 below.

**Table 1: Condition Surveys and Assessment for St Annes Pool**

Survey / Assessment	Current Timescale	Comments
Building Condition report.	Complete by April 15 <sup>th</sup>	Most work completed, awaiting condensation risk assessment to include in report. The requirements from the report will be costed and included in a programme of works.
Mechanical work	Works package has been detailed up and priced.	Already priced including fees The SPSF elements are included in the scope of the Mechanical work.
Electrical survey	Discussing scheduling in the electrical test with Blackpool Council in the next 2 -3 weeks	Blackpool Council have recommended a full electrical test of the pool. We need to ensure the electrics can deal with new mechanical installation and comply with current legislation. The electrical work needs to be costed for the report.
Interior refurbishment	To be completed May 24	The work needs to be detailed and priced up.

- The YMCA hold a Major Repairs Reserve into which they contribute £15,000 per annum under the terms of the agreement with the council. Any urgent work identified through surveys or on-site response to incidents has been carried out and funded from this reserve and the general maintenance and repair budgets held by the council. YMCA confirmed that the reserve should be used to fund identified works for plant and equipment, after the cost of immediate work funded from the reserve there is a balance of £76,249 available for further capital works. Appendix 1 includes a list of the immediate work that has already been undertaken from the Major Repairs Reserve held by YMCA and the maintenance and repair budget retained by Fylde.
- The work completed to date indicates that the structure of the building is 'sound' however, remedial work is required and a full programme of works over a planned period will need to be agreed to extend the operational life of the facility as well as support the tender process to secure an operator for the facility from August 2025.
- The list in Appendix 3 includes the works relevant to the criteria for the Swimming Pool Support Fund Phase II capital grants related to energy efficiency and sustainability which were submitted in the bid. Appendix 3 is a list of the works submitted for the SPSF which totalled £660,000, an award was made for the photo voltaic (PV) panels (solar panels) for £110,000, and the replacement of the boiler system for £110,000. The remainder of

the work listed on Appendix 3 that was not included in the bid did not meet the SPSF criteria will be included in the programme of works developed from the findings of the reports included in Table 1.

18. Based on the works identified when submitting the SPSF bid and the emerging outcomes from the work included in Table 1, capital investment will be required at St Annes pool over the next few years, with some works expected to be required in the current financial year, that at present are not budgeted for and there are no current grant opportunities available. A further report will be presented to the committee, in May and / or June with details of a work programme that will include estimated cost and a delivery timeframe.
19. The grant secured from the SPSF has to be spent in the current financial year. The work to replace the boiler and install the solar panels will be commissioned alongside remedial work to the roof where the solar panels will be located, and any identified electrical work required to accommodate the boiler and the panels. The committee is asked to approve the draw down of the £220,000 grant funding that was added to the capital programme for the solar panels and boiler system. Work required to the roof and any electrical work that may be required to facilitate the SPSF schemes will be funded from the Major Repairs Reserve budget held by the YMCA.

#### **ST ANNES POOL PROCUREMENT TO OPERATE THE FACILITY**

20. Investment in the facility will be essential to attract potential operators at a competitive price but will also demonstrate the commitment by the council in the building infrastructure that will be significant to interested bidders and the quality of tenders submitted.
21. In 2010 when the YMCA took on the operation of the facilities in St Annes and Kirkham staff employed by Fylde Council were transferred to YMCA. The skill set, knowledge, and experience of operating pool and leisure facilities was not required for the client monitoring function, the council did not retain any leisure facility operational employees. The procurement process necessary to obtain tenders for the operation of St Annes pool from August 2025 requires advice and support from a leisure operations specialist.
22. The timeframe to carry out the tender process is at least six months and could be longer dependent on the procurement process selected. It has been necessary for the council to secure the services of a specialist leisure consultant to support and advise on the procurement process to tender for the operation of St Annes pool from August 2025.
23. Obtaining the widest range of suitable potential operators and ensuring that the specification and terms properly reflect the council's needs and aspirations requires in depth and detailed understanding and knowledge of pool and leisure operations. The council must therefore ensure that the long-term (minimum 10-year) arrangement to operate the facility is commissioned with the appropriate support. The commission for specialist support was tendered in February / March this year with the successful bid awarded at a cost of £23,200.
24. Members are asked to note the decision made by the Chief Executive, in consultation with the Lead Member and Leader of the Council, under delegated powers to approve £23,200 for the services of the leisure consultant. This will provide the necessary support to the procurement process for the operation of St Annes pool from August 2025, fully funded from the unspent COVID support grant budget.

#### **FINANCE**

25. The pool will require ongoing investment to maintain the life of the asset, this will be profiled in a revised works programme based on the findings from the works included in Table 1 to this report.

#### **NEXT STEPS**

26. The council's Strategic Risk Register will be reported to and reviewed by the Audit and Governance Committee, it identifies the condition of the building and the pool management system as a key strategic risk that officers will continue to monitor.
27. The findings from the survey work included in Table 1 to the report will be used to compile a programme of costed works required to extend the operational life of the pool facility. A report will be brought before the committee to consider the programme.
28. The SPSF grant work will be commissioned alongside any necessary roofing and electrical work to facilitate the installation of solar panels and replacement of the boiler system.

29. The tender process to procure the operator of the pool for a minimum of 10 years from August 2025 will continue with the support of the consultant. A decision on the award of the tender will be presented to the Executive Committee.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

IMPLICATIONS	
Finance	The report requests approval of the drawdown of £220,000 in 2024/25 from the capital programme to deliver the works of the solar panels and replacement boiler system fully funded from the Sport England Swimming Pool Fund, and to note that a further report will be presented to the committee at a future date with details of a work programme for further maintenance work at St Annes Pool which will include estimated costs and a delivery timeframe. The report also asks the committee to note the decision made by the Chief Executive, in consultation with the Lead Member for Tourism, Leisure and Culture, and the Leader of the Council, to use urgent delegated powers to approve £23,200 for the services of the leisure consultant to support the procurement process for the operation of St Annes pool from August 2025, fully funded from the unspent COVID support grant budget.
Legal	There are no legal implications arising from the report.
Community Safety	There are no community safety implications arising from the report.
Human Rights and Equalities	There are no human rights or equalities implications arising from the report.
Sustainability and Environmental Impact	There are no sustainability or environmental impact implications arising from the report.
Health & Safety and Risk Management	The condition of the building and the pool management system presents a current risk to the on-going operation of the facility. This is identified as a strategic risk facing the council and a part of the control measures in place is keeping lead members informed of the associated challenges related to this.

SUMMARY OF PREVIOUS DECISIONS
<p><b>Executive Committee March 5th, 2024.</b>            It was RESOLVED.</p> <ol style="list-style-type: none"> <li>1. That the Executive Committee approve the receipt of £220,000 from the Swimming Pool Support Fund for the installation of solar panels and a replacement boiler system with the commitment that the asset will have at least a 10-year life in accordance with the grant offer; and</li> <li>2. That a new scheme to the value of £220,000 is included in the capital programme for 2024/25 entitled “Swimming Pool Support Fund – St Anne’s Pool”, fully funded from the grant.</li> </ol> <p>Agreement with YMCA to operate St Annes Pool -</p>

**Cabinet decision from 28 April 2010 regarding the awarding of the tender to YMCA for the operation of St Annes Pool.**

**“RESOLVED –**

- 1) To note the outcome of the tender evaluation exercise and accept the YMCA as the preferred bidder to operate the pool.
- 2) To appoint the YMCA on the basis of their bid for a 12-year management agreement with lease subject to the heads of terms and costs as detailed in the report.
- 3) To agree a revised revenue budget of £148,785 to operate the pool in 2010/11 (as set out in section 8 of the report) funded by the revenue estimate of £119,000 agreed by Budget Council along with a fully funded addition to the revenue budget of £30,000 of unallocated area-based grant.
- 4) To approve the Capital scheme for the refurbishment and reopening of St Annes pool at the level of £322,000 as detailed in section 8 and appendix 1 of the report.
- 5) To approve the retention and earmarking of the remaining £153,000 of capital to help contribute towards the cost of meeting future replacement/refurbishment needs and liabilities.”

Swimming Pool Support Fund – Addition to capital programme: March 5<sup>th</sup>, 2024

#### BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
Swimming Pool Support Funding from Sports England.	June 2023	<a href="https://www.sportengland.org/guidance-and-support/facilities-and-planning/swimming-pool-support-fund">https://www.sportengland.org/guidance-and-support/facilities-and-planning/swimming-pool-support-fund</a>
Strategic Risk Register	February 2024	Audit and Governance Committee papers, 1 <sup>st</sup> February 2023 meeting

LEAD AUTHOR	CONTACT DETAILS	DATE
Gemma Broadley	<a href="mailto:Gemma.broadley@fylde.gov.uk">Gemma.broadley@fylde.gov.uk</a> & Tel 01253 658513	14.04.2024

**Appendix 1 – List of the Immediate Works Completed**

**Appendix 2 – Mechanical Works Package**

**Appendix 3 – The Swimming Pool Support Fund Capital Works Bid**

## Appendix 1 - Plant & Equipment work carried out at St Annes Pool

<b>Historical works</b>	
Plant room ventilation	1500
Remedial works to gas train	2500
Co2 PH Correction equipment	1000
PAC System	1000
Reception ventilation system	25000
Water heater	15000
Spray foam insulation	5666
<b>Total</b>	<b>51666</b>

<b>YMCA Major repairs</b>	
New pump St Annes YMCA	4,540
Chemical Dosing Controller and chemical batching unit, replace Pool circulation pumps	19,952
New pool cover	24,980
<b>Total</b>	<b>49,472</b>

<b>Emergency works Nov 23 onwards</b>	Cost
Retrofit cavity trays, remove copings and insert cavity wall insulation approx.	1,495
Inspect swimming pool areas of extreme condensation.	180
Please attend to roof leak on swimming pool rooflight.	160
Sealing works above suspended ceiling tiles.	580
Electrical visual inspection	120
Canopy wall on roof - Seal copings to wall and waterproof	196
Dehumidifier hire for swimming pool 01 Feb to 29 Feb	970
Dehumidifier hire for swimming pool Dec 15 to Jan 2	1,619
Swimming pool brickwork cavity inspection Estimate	98
<b>Total</b>	<b>5,418</b>

<b>Work In Progress</b>	
Full Electrical Test	3,500
Building Condition Survey	5,000
Dehumidifier hire a month £768 6m £4.5k approx.	4,500
Roof and outside repairs and maintenance estimated	12,000
<b>Total</b>	<b>25,000</b>

## Appendix 2 - List of all Plant & Equipment Work Identified

Outstanding Works	Cost
Overflow Channel Gratings	£15,000
Reinstate Pool Water Automatic Make Up	£5,000
Pool Water Circulation Pump	£9,000
Back-wash Compressor	£7,500
Pool Pipe Work Valves	£15,000
Variable Speed Pool Pump Inverters	£7,500
Variable Speed Filtration	£15,000
Pool Filter Media Change/Access	£45,000
Pool Tank Clean and Re-grout	£20,000
Plant Room Insulation of Filters and HX	£10,000
Balance Tank Clean and Inspection	£6,000
Reception Ventilation and Air Conditioning	£10,000
Gym Ventilation and Air Conditioning	£15,000
Strip out Redundant Equipment	£10,000
Control Panel C/W Field Equipment	£90,000
Changing Room Air Handling Unit Replacement	£45,000
Pool Hall Air Handling Unit Replacement	£100,000
Duct Cleaning	£15,000
Total	£440,000

Appendix 3 – The Swimming Pool Support Fund Capital Works Bid

<b><u>Estimated cost of capital intervention</u></b>	<b>Material costs and labour costs <i>Please enter as the nearest positive whole number with no text or symbols</i></b>	<b>Directly Associated professional and technical costs <i>Please enter as the nearest positive whole number with no text or symbols</i></b>
Photo Voltaic (PV) panels	100,000	10,000
Pool Covers	3,000	300
Replace Fluorescent Lighting with LED Lighting	22,000	2,200
Install Combined heat and power (CHP) system;		
Replace gas boilers > 20 years old with new	100,000	10,000
Install additional metering and monitoring software		
Upgrade pool hall windows to triple glazing	20,000	2,000
Heat recovery to air handling units		
Variable speed pumps	5,000	500
Variable speed fans	10,000	1,000
Variable speed filtration	30,000	3,000
Plant room insulation	10,000	1,000
Shower flow restrictors		
Thermostatic radiator valves		
Power factor correction	20,000	2,000
Micro-filtration	220,000	22,000
Other 1 (not on menu of options)	30,000	3,000
Other 2 (not on menu of options)	30,000	3,000
Other 3 (not on menu of options)	5,000	500
<b>Total</b>	<b>605,000</b>	<b>60,500</b>
<b>Total estimated cost of capital intervention</b>	<b>665,500</b>	

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF CORPORATE SERVICES	EXECUTIVE COMMITTEE	25 APRIL 2024	16
<b>KIRKHAM POOL – SCRUTINY RECOMMENDATIONS</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Tourism, Leisure, and Culture (Councillor Jayne Nixon)

### PURPOSE OF THE REPORT

The purpose of the report is to summarise a report that was presented at Community Focus Scrutiny Committee, entitled Swimming Provision on 22<sup>nd</sup> April 2024. Any subsequent recommendations and feedback from the Scrutiny Committee being presented to Executive Committee will follow prior to the meeting.

### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

### RECOMMENDATION

1. To consider appropriate recommendations collated from the Community Focus Scrutiny Committee.
2. To comment on any feedback or questions arising from the information provided within the same report presented at Community Focus Scrutiny Committee.

### REPORT

#### PREVIOUS DECISIONS/BACKGROUND

1. On 22 April, the Community Focus Scrutiny Committee considered a report presenting the agreed Disposal Plan for Kirkham Pool, the outputs of the work commissioned from Active Lancashire to consult with key local stakeholders and existing swimming providers, the feasibility, and costs of making the existing Kirkham Pool fit for purpose/building of a new fit for purpose swimming pool on another site. The report also set out potential workstreams over the next few months to secure swimming in line with the resolution of Council dated 5<sup>th</sup> December 2023. The report and its appendices are included as appendix 1 to this report.
2. The Scrutiny Committee was asked to make appropriate recommendations arising from the information in the report that would look to determine the next steps for swimming provision. The Scrutiny Committee's recommendations will be reported to members of the Executive Committee as soon as they are available.

#### THE DISPOSAL PLAN

3. In accordance with the 2009 agreement the YMCA announced a Closure Event in relation to Kirkham Pool on 10 August 2023, and submitted a Disposal Plan to Fylde Council. The Closure Event notification stated that



YMCA was unable to continue operating the pool and had no use for the asset in delivering the objects of the trust.

4. The Disposal Plan sets out a period in which community or voluntary groups can submit expressions of interest in acquiring and operating Kirkham Pool. The period began on 12th April 2024, and will run until Friday 24th May 2024. Fylde Council is facilitating the expression of interest process with the permission of YMCA Fylde Coast.
5. If any expressions of interest are received, there will be a further period for any expression of interest that has been received to be worked up to a business plan. This period would end on 14 September. If any business plans are submitted, there would then be a further period until 18 October for the council to evaluate the plans.
6. During these periods, the pool may not be disposed of by the YMCA except to such a voluntary or community group, or to the council. If there are no expressions of interest during the period allowed for them, or if no expressions are supported by a business plan during the period allowed, the YMCA would (unless the council wished to purchase the premises) be able to sell the premises on the open market. In the case of either scenario, a report will be prepared to Scrutiny and the Executive Committee to report the outcome.

#### SWIMMING POOLS PUBLIC AND STAKEHOLDER CONSULTATION

7. Active Lancashire were commissioned from December 2023 to undertake a public consultation to ascertain stakeholder perceptions of swimming provision in the Fylde area.
8. The consultation took place between January and March 2024 and involved a public survey, key stakeholder discussions with schools, swimming pool providers and a series of public consultation events based on responses to the survey.
9. The public survey attracted 2,556 responses over a 3-week period in January 2024. As a result of undertaking this consultation exercise Active Lancashire have developed four considerations designed to support the council in its own next steps. These themes can be summarised as:
  - Communication.
  - Being clear on role and responsibilities.
  - Aspirations and plans.
  - Provision and facility sustainability.
10. The full report, Fylde Borough Council Swimming Pools Public and Stakeholder Consultation Report – April 2024, produced by Active Lancashire is attached within the body of the report at appendix 1 from pages 15 - 56.

#### FEASIBILITY AND COSTS OF MAKING THE EXISTING KIRKHAM POOL FIT FOR PURPOSE

11. Consultants were appointed in January 2024 to assess the feasibility and costings of recommissioning/enhancing the existing Kirkham Pool or constructing a new build facility to assist in facilitating any expressions of interest in order that any interested parties have a broad idea of scope and costs. The feasibility and costings looked at four design concepts:
  - Design concept 1 – Minimum Level Proposal to re-commission existing facilities at Kirkham Pool. £1,853,163
  - Design concept 2 – Refurbishment of existing pool hall area with a new adjoining two storey building to provide modern facilities for the pool with complimentary multifunctional spaces including gym, café and viewing gallery. £4,450,060
  - Design concept 3 – Re-develop the Station Road site to provide a new 4 lane 25m pool with complementary modern facilities including reception area, changing village, multifunctional activity spaces, spectator areas, gymnasium, and café. £6,627,696
  - Design concept 4 - A new 4 lane, 25m pool with multifunctional use based upon Sport England's design guidance notes on a notional site to be determined/acquired. £8,531,075
12. The documents attached at appendix 1 from pages 57 – 175 includes a mechanical and electrical condition report, an options appraisal along with sketches/plans and estimated costs of each design concept.

## THE TIMELINE OF FUTURE STEPS TO SUPPORT THE RESOLUTION

13. A dedicated webpage entitled Swimming in Fylde has been launched to provide information on the steps being taken to support the council resolution on swimming. The webpage provides a direct source of information aimed to improve the council's communication surrounding swimming and leisure in Fylde. Here you will find documents, design plans and surveys referred to in this report and the supporting documents found within appendix 1. Additionally, and with the permission of the YMCA, the webpage facilitates the process to allow a voluntary or community body to submit an expression of interest in owning and operating Kirkham Pool. The webpage incorporates an in-depth timeline with details of all actions taken to date and will be regularly updated to reflect progress.
14. Any recommendations arising from Scrutiny Committee, which will be issued ahead of Executive Committee, and if taken forward will also form part of the councils next steps in supporting the resolution.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

IMPLICATIONS	
Finance	There are no direct financial implications arising from the report as currently presented. Any recommendations arising from Scrutiny Committee, which will be issued ahead of the Executive Committee meeting, if taken forward will form part of the council's next steps in supporting the resolution from Council regarding swimming provision in the Borough. Any financial implications will be detailed in future reports on swimming provision as these are brought before members in due course.
Legal	The procedure for the submission of expressions of interest to be followed by business plans is intended to optimise the opportunity for community or voluntary groups to work up sustainable proposals to operate the facility.
Community Safety	There are no community safety implications arising from the report.
Human Rights and Equalities	There are no human rights or equalities implications arising from the report.
Sustainability and Environmental Impact	There are no sustainability or environmental impact implications arising from the report.
Health & Safety and Risk Management	Whilst St Annes pool is not directly associated with this report, it does encompass swimming provision within the Borough. The condition of the building at St Annes pool and the pool management system presents a current risk to the on-going operation of the facility. This is identified as a strategic risk facing the council and a part of the control measures in place is keeping lead members informed of the associated challenges related to this.

## SUMMARY OF PREVIOUS DECISIONS

Council 2 October 2023

It was therefore RESOLVED as follows:

*“In the corporate and local plan this Council seeks to maintain or encourage public swim provision. I propose that this Council as a matter of urgency, supports that position and in light of the recent announcement by the YMCA to permanently close Kirkham Baths looks at all practicable options to work with partners and stakeholders to support that provision, and such options to be considered by the external Scrutiny Committee.”*

Executive Committee 5 December 2023

It was unanimously RESOLVED:

1. The council does not approve the Disposal Plan submitted by YMCA as they are dissatisfied with:
  - The length of time allowed to express and work up expressions of interest
  - The provision made for the involvement of the council in deciding whether an expression of interest is acceptable
2. To approve the expenditure of £25,900 fully funded from the UKSPF (£16,601) and unallocated Covid Support Grant (£9,299) held by the council, for Active Lancashire to deliver the works listed under recommendation 3 of their report (Appendix 3), that is to consult with key local stakeholders and existing swimming providers in Fylde to understand the existing position, potential challenges and opportunities for the short, medium and long term.
3. To delegate authority to the Chief Executive, following consultation with the Leader and Lead Member for Tourism, Leisure and Culture to:
  - (i) commission any further work that may be required to address the Notice of Motion regarding swimming provision. Such further work is to be funded from the unallocated Covid Support Grant funding to a maximum of £30,000 including the expenditure to date from the budget of £9,299, any expenditure to be reported to this committee.
  - (ii) draft and submit to the YMCA suggested changes to the Disposal Plan that would satisfy the Council.

## BACKGROUND PAPERS RELEVANT TO THIS ITEM

Name of document	Date	Where available for inspection
Council report and minutes – Notice of Motion rural swim provision	2 October 2023	<a href="#">CMIS &gt; Meetings Calendar</a>
Executive Committee report and minutes - YMCA Disposal Plan & Notice of Motion – Kirkham Pool	5 December 2023	<a href="#">CMIS &gt; Meetings Calendar</a>
Community Focus Scrutiny Committee report and minutes – Swimming Provision	18 January 2024	<a href="#">CMIS Meetings Calendar</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Gemma Broadley	<a href="mailto:Gemma.broadley@fylde.gov.uk">Gemma.broadley@fylde.gov.uk</a> & Tel 01253 658513	15.04.2024

Please see link below for the reports and appendices that are included in the agenda for the Community Focus Scrutiny Committee meeting.

[Community Focus Scrutiny Committee meeting 22/04/2024 – Covering Report Swimming Provision](#)