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05 January 2017

CABINET

A meeting of the Cabinet will be held in Committee Room 1 (Pink Room) at the Arun Civic Centre, Maltravers Road, Littlehampton, on **Monday, 16th January 2017 at 5.00 pm** and you are requested to attend.

Members: Councillors Mrs Brown (Chairman), Wensley (Vice-Chairman), Bence, R

Bower, Chapman, Dendle and Wotherspoon.

AGENDA

1. <u>APOLOGIES FOR ABSENCE</u>

2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of personal and/or prejudicial interests that they may have in relation to items on this Agenda.

You should declare your interest by stating:

- a) the item you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial interest
- d) if it is a prejudicial interest, whether you will be exercising your right to speak under Question Time

You then need to re-declare your interest and the nature of the interest at the commencement of the item or when the interest becomes apparent.

3. QUESTION TIME

- a) Questions from the public (for a period of up to 15 minutes).
- b) Questions from Members with prejudicial interests (for a period of up to 15 minutes).

4. MINUTES

To approve as a correct record the Minutes of the meeting held on 12 December 2016 (previously circulated).

5. *ADDITIONAL FUNDS TO SUPPORT BED AND BREAKFAST PAYMENTS

This report seeks authority to draw down funds to support Bed and Breakfast payments to assist in preventing homelessness.

6. *RESOURCING FOR POST APPROVAL, IMPLEMENTATION & MONITORING OF NEW DEVELOPMENTS

This report reviews the commissioning exercise undertaken with West Sussex County Council for universal day activities to prevent social isolation and improve the wellbeing of people later in life.

7. *LEISURE OPERATING CONTRACT - POST AWARD REPORT

This report updates Cabinet on the status of leisure services following the transfer of services to Freedom Leisure, ISS Facilities Management Ltd and Arun District Council.

8. **EXEMPT INFORMATION**

The Cabinet is asked to consider passing the following resolution:-

That under Section 100a (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure or exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

9. <u>*LEISURE SERVICES - FINANCIAL AND CONTRACTUAL MATTERS [EXEMPT - PARAGRAPH 3 - INFORMATION RELATING TO BUSINESS AFFAIRS]</u>

This report updates Cabinet on the status of leisure services following the transfer of services to Freedom Leisure and ISS Facility Services Landscaping.

10. <u>*ARUN LIFELINE [EXEMPT - PARAGRAPH 3 - INFORMATION RELATING TO BUSINESS AFFAIRS]</u>

This report updates Cabinet on West Sussex County Council's approach to the delivery of Telecare services, the implications for Arun Lifeline, partnership arrangements and proposals for replacing Lifeline units.

Note: *Indicates report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note: Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

AGENDA ITEM NO.5

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 16 January 2017.

PART A: REPORT

SUBJECT: Supplementary Estimate to support Bed and Breakfast payments.

REPORT AUTHOR: Brian Pople DATE: December 2016 EXTN: 37718

EXECUTIVE SUMMARY: This report seeks approval of a supplementary estimate of up to £70,000 to support expenditure on Bed and Breakfast provision up to the end of 2016/17.

RECOMMENDATIONS:

- 1. To request Full Council to approve a supplementary estimate of up to £80,000 (equivalent Band D tax £1.38) to support expenditure on Bed and Breakfast provision up to the end of 2016/17.
- 2. That the budget for the financial year 2017/18 to cover Bed and Breakfast expenditure will reflect the current net expenditure.

1. BACKGROUND:

- 1.1 Local Authorities have a statutory obligation to home homeless people when they are:-
 - Eligible for public funds (dependant on immigration status).
 - Have some sort of connection to the area.
 - Can prove that they are not intentionally homeless.
 - Prove that they have a priority need (pregnant women, dependent children, vulnerable due to age, mental illness or threatened with homelessness as a result of flood, fire or disaster).
- 1.2 The incidence of homelessness is showing no signs of overall reduction, which aligns with the situation at County and national level. This situation continues to impact on the Council's budget in relation to Bed and Breakfast payments. The main reasons for homelessness includes; eviction, parental eviction and relationship breakdown with street homelessness also starting to emerge as a notable cause.
- 1.3 In England since bottoming out in 2010/11, homeless placements in temporary accommodation have risen sharply, with the overall national total rising by 12% in the year to 30 June 2015; up by 40% since its low point four years earlier. Although accounting for only 8% of the national total, B & B placements rose sharply (23%) in the most recent year. 'Out of district' placements also continue to rise, now accounting for 26% of the national total, up from only 11% in 2010/11. Such

placements mainly involve London Boroughs. (Source: Crisis – The Homelessness Monitor, England 2016)

1.4 Another factor which is making it difficult to budget for Bed and Breakfast is the fluctuations in demand. This is highlighted below:

Date	Singles or couples with Dependants	Families	Cost to ADC Per week
31 July 2016	24	14	£12,178.00
9 October 2016	4	13	£ 4.300.03

Besides the variation in the number presenting as homeless, the cost of Bed and Breakfast continues to rise. This is especially noticeable in relation to larger room sizes, suitable for families. For the same dates identified above, the cost variation is as follows:

31 July 2016 £385 - £665 per week 9 October 2016 £280 - £476 per week

- 1.5 The amount of Housing Benefit that the Council claims to support Bed and Breakfast payments has remained the same since 2011 and is frozen until 2019. This will clearly lead to an increase in costs to the Council, even in that event that demand for Bed and Breakfast levels out.
- 1.6 Expenditure as at 30 November 2016, is as follows:

Gross Expenditure to date £280,144.22 Income to date (Housing Benefit Payments) £ 74,078.47 Net Expenditure to date £206,065.75

Net Budget for 2016/17 £248,500.00 Less Net Expenditure to date £206,065.75 Budget Remaining £ 42,434.25

- 1.7 Steps that have been taken to address the situation include:
 - a) Further investigations are being undertaken to see if additional contributions can be asked of homeless households towards their accommodation. This would have been the case, where they would have met the cost of utility bills, when they were previously housed in some instances.
 - b) Staff continue to meet with other Councils in West Sussex who are equally challenged by increasing levels of homelessness to explore options that may involve closer working or shared ideas. A current option is investigating the issue of modular housing.
 - c) Decision on homelessness in terms of cases where it is determined that they are intentionally homeless (for which the Council has no duty of care) are being made

earlier, reducing the need for Bed and Breakfast.

- d) Avoiding homeless cases in instances where mortgage companies or landlords notify the Council that a notice seeking possession is to be served. Intervention by the Housing Money Advisor may assist in avoiding homelessness in some cases.
- e) Working with Street Outreach organisations may mean that homelessness cases for which the Council may have a duty of care are able to be managed in a more effective planned way.
- f) Work continues to keep the Councils void turnaround time at a low level, currently days, which in turn helps reduce the impact on Bed and Breakfast spend.
- g) The Council has invested in additional temporary accommodation with the development of 6 flats at Glenlogie a few years ago. Without this investment costs in connection with Bed and Breakfast would be higher. Investigations are underway to see if more suitable accommodation could be acquired by the Council, which would offset spend on Bed and Breakfast accommodation, whilst at the same time effectively providing an asset for the Council.

2. PROPOSAL(S):

- 1. To request Full Council to approve a supplementary estimate of up to £80,000 to support expenditure on Bed and Breakfast provision up to the end of 2016/17 as per recommendation.
- 2. That the budget for the financial year 2016/17 to cover Bed and Breakfast will reflect the amount net expenditure.

3. OPTIONS:

- 1. To request Full Council to approve a supplementary estimate up to £80,000 to support expenditure on Bed and Breakfast provision up to the end of 2016/17. As per recommendation.
- Not to approve a supplementary estimate, which will lend to an overspend on Bed and Breakfast payment for which the Council has a statutory responsibility in relation to homelessness.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		~
Other groups/persons (please specify)		~
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES:	YES	NO

(Explain in more detail at 6 below)		
Financial	✓	
Legal		√
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		√
Technology		√
Other (please explain)		✓

6. IMPLICATIONS:

The transfer of funds from Housing resources will help to ensure that the existing bed and breakfast budget does not get overspent.

7. REASON FOR THE DECISION:

To approve a supplementary estimate of £80,000 to support expenditure on bed and breakfast up to the end of 2016/17 financial year.

8.	BACKGROUND PAPERS:
	None

AGENDA ITEM NO.6

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF SPECIAL CABINET ON 16 JANUARY 2017

PART A: REPORT

SUBJECT: Resourcing for Post Approval Implementation and Monitoring of New

Developments

REPORT AUTHOR: Karl Roberts DATE: 14 December 2016 EXTN: 37760

EXECUTIVE SUMMARY:

In order to create an improved system for the post approval, implementation and monitoring of new developments to benefit the Council, residents and developers, it is proposed to seek additional funding from a range of sources to facilitate the creation of at least 1 no. post dedicated to this role.

RECOMMENDATIONS:

It is recommended that Cabinet support the approach outlined below and the following:

- 1. The creation of a new post for the purposes of aiding the delivery and monitoring of large development schemes funded by a combination of contributions made through Planning Performance Agreements and, where necessary, vacancy savings.
- 2. The creation of a second new post for the purposes of aiding the delivery and monitoring of large development schemes funded by a combination of contributions made through Planning Performance Agreements and, where necessary, vacancy savings. This post is only to be created when the workload would be greater than that which could be supported by a single post.

1. BACKGROUND:

Major development proposals can be highly complex, involving a wide range of stakeholders and have significant impacts on time, resources and the communities in which they will go. To achieve the objectives of quality sustainable development the 'Strategic Development' team needs to be adequately resourced. The Council is now preparing a Local Plan which will seek to deliver approximately 1000 homes per annum. It is likely there will be at least four developments with a minimum of 1000 homes each (some will be much larger) being allocated in the emerging Local Plan plus numerous other proposals of between 50 and 500 homes. Consideration also needs to be given to applications for large non-residential proposals. Therefore, the structure of the service will need to be rebalanced to reflect this changing of priorities.

2. PROPOSAL(S):

Major development proposals can be highly complex, involving a wide range of stakeholders and have significant impacts on time, resources and the communities in which they will go.

The Advisory Team for Large Applications Service (ATLAS) which is part of the Homes & Communities Agency states on their website that the 'Government places considerable focus on the delivery of housing and economic growth. Government is concerned that the planning system does not always effectively deal with large development proposals, and that the time taken to evolve, appraise and determine applications can be too long. This can lead to uncertainty for development promoters, and results in delayed implementation and increased costs to all those involved in the process. Ensuring that the planning system performs in an effective and efficient manner is crucial to achieve growth through a managed process.'

The ATLAS website has a considerable amount of helpful information to support the delivery of quality outcomes through major development.

Any large development proposal essentially has three key stages. The pre-application stage, the application stage and finally, the implementation and monitoring stage. The table below sets out the main activities in each stage and where funding is drawn from.

Key Stage	Main activities	Funding
Pre-Application	Vision & objective setting Collation of evidence and discussion Consultation & engagement Negotiation of desired outcomes	 Standard fee set by LA Planning Performance Agreements for additional resources
Application	Consultation Evaluation of proposals and responses Negotiation of desired outcomes Report writing and decision making Drafting of legal agreements	 Planning fee set by Government Planning Performance Agreements for additional resources
Implementation and Monitoring	Consultation Evaluation of proposals and responses Negotiation of desired outcomes	 Planning fee set by Government for discharge of condition applications Section 106 funds in limited cases Planning Performance Agreements for additional resources

	Report writing and decision making
	Monitoring site
,	works, compliance
	with conditions and
	legal agreements

To achieve the objectives of quality sustainable development the 'Strategic Development' team needs to be adequately resourced. The Council is now preparing a Local Plan which will seek to deliver approximately 1000 homes per annum. It is likely there will be at least four developments with a minimum of 1000 homes each (some will be much larger) being allocated in the emerging Local Plan plus numerous other proposals of between 50 and 500 homes. Consideration also needs to be given to applications for large non-residential proposals. Therefore, the structure of the service will need to be rebalanced to reflect this changing of priorities.

In the interim, additional resources are being negotiated via Planning Performance Agreements to help manage the variable workloads. These Agreements not only assist with the project management, of what are often complex proposals, but additional funds can be negotiated for matters such as Design Reviews and/or human resources to assist in seeking to ensure that a particular application is presented at a particular Committee meeting.

However, what remains a significant issue is the lack of resources that are devoted to the implementation and monitoring phase. At present this is limited to a single administrative post for monitoring Section 106 Agreements and the overall level of housing building.

Going forward, therefore, it is considered that this issue needs to be addressed as part of the new approach to strategic development. It is considered that developers, residents, key stakeholders and the Council would all benefit from an approach where the whole development process (from end to end) is better resourced, but in particular the implementation and monitoring phase. Too much time and money is lost trying to resolve problems which could have probably been avoided in the first place.

It is, therefore, proposed that in addition to any other changes that might be identified to support the pre-application and application phases, two new support posts should be created, details of which are provided below. In order to fund these posts it is proposed to negotiate as part of any Planning Performance Agreements a sum to cover the implementation and monitoring phase.

It is important to stress that any payments made under a Planning Performance Agreement are entirely voluntary. It is, therefore, important that a developer/promoter is satisfied that value for money and an enhanced service is being obtained for any contributions agreed under the terms of a Planning Performance Agreement. Those that choose not to make such a contribution would receive the standard level of service for both the discharge of conditions and compliance issues.

The key roles of these posts would include the following:-

Provide dedicated administrative technical support for the discharge of conditions;

- Provide project management support for large scale developments;
- Provide a liaison role for local residents with developers;
- Provide administrative support for any advisory Committees established for each key development area;
- Develop the Council's web presence for major developments so that existing and future residents can be more informed regarding what is proposed, what has been approved and when different parts of the development are likely to occur;
- Take an active role in the monitoring of each development to ensure development is carried out in accordance with approved details and that that key infrastructure is delivered in a timely manner; and
- Liaison with infrastructure providers.

Informal discussions with the development industry suggest that such an initiative would be supported. However, the effectiveness of the approach could be the subject of a review by the Overview Select Committee in due course.

The annual cost of these two posts would, including on-costs, total approximately £64,000 (subject to Pay-Profiling). The intention would be to stagger the implementation of the two posts so that the second post is only filled when it is anticipated that the workload would be greater than that which could be supported by a single post.

Not all of the key tasks could be reasonably charged to a development and, therefore, approximately 20% of the cost of the posts will be funded by the Council. Furthermore, it may take time for the funds to accumulate and, therefore, the Council would need to initially underwrite the costs of these posts. To assist with this it is proposed to ring fence one of the current vacant planning officer posts to initially cover the cost of the first post.

The first post will initially be for 2 years after which the funding position and effectiveness of the post will be reviewed.

To assist in providing transparency and consistency in how any contributions might be negotiated a formula has been created and will be used to inform discussions with any developers.

Finally, the Strategic Development should ideally be supported by a dedicated Compliance officer post. However, at this time funding is insufficient to support the creation of such a post. This should be reviewed either as part of the service review or should the Government decide to provide additional funding for planning services.

3. OPTIONS:

- To approve the creation of a new post for the purposes of aiding the delivery and monitoring of large development schemes funded by a combination of contributions made through Planning Performance Agreements and, where necessary, vacancy savings.
- 2. To approve the creation of a second new post for the purposes of aiding the delivery and monitoring of large development schemes funded by a combination of contributions made through Planning Performance Agreements and, where necessary, vacancy savings. This post is only to be created when the workload would be greater

than that which could be supported by a single post.

3. To reject the same requests.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		
5. ARE THERE ANY IMPLICATIONS IN RELATION TO	YES	NO
THE FOLLOWING COUNCIL POLICIES:		
(Explain in more detail at 6 below)		
Financial	х	
Legal		х
Human Rights/Equality Impact Assessment		х
Community Safety including Section 17 of Crime & Disorder Act		х
Sustainability		Х
Asset Management/Property/Land		Х
Technology		Х
Other (please explain)		

6. IMPLICATIONS:

Not all of the key tasks could be reasonably charged to a development and, therefore, approximately 20% of the cost of the posts will be funded by the Council. Furthermore, it may take time for the funds to accumulate and, therefore, the Council would need to initially underwrite the costs of these posts. To assist with this it is proposed to ring fence one of the current vacant planning officer posts to initially cover the cost of the first post.

7. REASON FOR THE DECISION:

To rebalance the structure of the service to reflect the changing of priorities.

8. BACKGROUND PAPERS:

None.

Equality Impact Assessment – Not required as the service being offered is an enhancement to what the Council currently offers.

AGENDA ITEM NO.7

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 16 JANUARY 2017

PART A: REPORT

SUBJECT: LEISURE OPERATING CONTRACT – POST AWARD REPORT

REPORT AUTHOR: Robin Wickham **DATE:** December 2016 **EXTN:** 37835

EXECUTIVE SUMMARY:

This report updates Cabinet on the status of leisure services following the transfer of services to Freedom Leisure, ISS Facilities Management Ltd and Arun District Council.

RECOMMENDATIONS:

It is recommended that Cabinet note this report and the revised sums associated with the leisure operating contract

1.0 BACKGROUND:

- 1.1 In October 2014 Cabinet reviewed the scope of the leisure operating contract. It was agreed that the new contract would focus on the built facilities comprising of the Arun Leisure Centre, Littlehampton Swimming and Sports Centre, the Windmill Entertainment Centre and Bersted Park Community Centre (C/039/131014).
- 1.2 It was also agreed that the Outdoor Recreation Service would temporarily transfer to ISS Facility Management pending inclusion in the Greenspace contract and the Beach Hut service would revert back to the Council.
- 1.3 In September 2015 Cabinet awarded a new leisure operating contract to Freedom Leisure (C/013/140915) for the tendered sum of £503,192 per annum (averaged over ten years) payable to the Council.
- 1.4 This report provides an update to Cabinet on the transfer of these services to the respective parties and the financial impact of the changes.

2.0 LEISURE OPERATING CONTRACT:

- 2.1 Freedom Leisure commenced operation of the facilities on 1 April 2016 following a six month mobilisation period. This transition period ensured a smooth handover of the facilities with no interruption to the delivery of services.
- 2.2 At the time of award, Cabinet agreed to review the cost benefit of funding improvement works proposed by Freedom Leisure in their tender proposal. The assessment indicated that there would be a significant saving particularly on VAT

- and Cabinet approved a sum of £1,153,000 from the Council's Capital, Asset Management and other Projects Budget 2016/17 (C/058/210316) for this purpose.
- 2.3 Also at the time of the award of contract, Cabinet was advised that the tenders were based on assumptions provided by the Council. It was a requirement that Freedom Leisure adjust its operating fee to reflect of the actual operating conditions rather than the assumptions provided at the tender stage.
- 2.4 To this end, the net impact of the adjustments will benefit the Council. The average ten year payment will increase from the tendered sum of £503,192 to £680,683 per annum. After allowance is made for the Council funding the capital investment, this represents a net increase in total operating fee of £621,909 over the life of the contract. This favourable position is largely due to the Council funding the capital investment originally proposed by Freedom Leisure.
- 2.5 In respect of the capital investment, work has started at the Arun Leisure Centre. Environmental improvements are largely complete and include, LED lighting, better insulation, a new building management system and pool dosing plant. In January 2017 construction work will commence on remodelling the entrance, reception and café areas. The changing rooms on the first floor will also be relocated and reconfigured to increase the size of the changing rooms and improve the facilities.
- 2.6 In December 2016 the swimming pools were closed to carry out essential maintenance. This work included the lining of sumps to resolve a long standing leak, re-grouting the pool tanks, tiling around the pools surrounds and refurbishing the filtration chambers.
- 2.7 Since being awarded the contract, Freedom Leisure has worked with officers to improve the range and quality of services provided in the leisure centres. They have also engaged with Arun's Wellbeing team and are working together on a range of initiatives to improve the health and vitality of the community.
- 2.8 Freedom Leisure has also invested significant time and expertise working with the new Littlehampton Leisure Centre Project team to ensure that the new facility will achieve the operational and quality standards expected of a modern leisure centre.
- 2.9 Contract management is by means of monthly operational meetings, quarterly performance meetings and site visits. Reporting is managed through an agreed framework with full access to information as detailed in the operating contract. In addition to annual reports to Overview Select Committee, the Cabinet Member for Leisure and Amenities is updated on contract matters each month.

3.0 OUTDOOR RECREATION SERVICES

- 3.1 On 1 April 2016 the Outdoor Recreation services transferred to ISS Facility Services Landscaping. The purpose of the transfer was to maintain continuity of service whilst the Greenspace contract was tendered.
- 3.2 Members are aware that ISS Facility Services Landscaping has subsequently been awarded the contract and has proposed £513,750 of capital investment in the facilities. The Council will particularly benefit from a reduction in the contract sum. A saving of some £270,000 per annum (averaged over 10 years) will be achieved in

the new Greenspace contract which is largely attributed to the commercial opportunity provided by the inclusion of Outdoor Recreation services.

4.0 BEACH HUT SERVICE:

- 4.1 On 1 April 2016 the Property and Estates team acquired the Beach Hut service of over 240 huts in Ferring, Littlehampton and Felpham. The team has taken responsibility of this service with no additional resource and in the first month issued new leases to all of the occupants.
- 4.2 Over the summer months the team replaced a number of huts in Littlehampton and have plans to continue a programme of replacement in accordance with approvals detailed in the Capital, Asset Management and other Projects Budget.
- 4.2 The net revenue generated from this service is £76,000. The total sum collected is in the region of £117,000 and this will now be an ongoing annual receipt for the Council.

5.0 CONCLUSION:

5.1 This report highlights a number of the significant benefits associated with the changes that have been made to the delivery of the Councils leisure services. Previously these services were delivered at a cost to the Council of over £600,000 per annum. Over the next ten years the Council will receive over £6.8 million from the leisure operating contract, a reduction in the cost of the Greenspace contract of over £2.7 million and it will retain the revenue generated from the Beach Hut service.

6.0 PROPOSAL(S):

6.1 It is proposed that Cabinet note this report and the revised sums associated with the leisure operating contract.

7.0 OPTIONS:

i. Not applicable

8.0 CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		√
Relevant District Ward Councillors		√
Other groups/persons (please specify)		
9.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	√	

Legal	√	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		√
Sustainability		✓
Asset Management/Property/Land	✓	
Technology		✓
Safeguarding		✓
Other (please explain)		√

10.0 IMPLICATIONS:

Financial: Impact on the Council's budget and long term forecast

Property: Capital improvement work at the Arun Leisure Centre and management of the

Beach Hut service

Greenspace: Inclusion of the Outdoor Recreation service in the Greenspace contract

11.0 REASON FOR THE DECISION:

To note this report and the revised sums associated with the leisure operating contract.

12.0 BACKGROUND PAPERS:

Cabinet Paper – <u>Leisure Management Contract 2016 (September 2013)</u>

Cabinet Paper – Leisure Management Contract 2016 (October 2014)

Cabinet Paper - Award of Leisure Management Contract 2016 (September 2015)

Cabinet Paper - Arun District Council Budget 2016/17 (February 2016)

Cabinet Paper – <u>Leisure Contract Works</u> (March 2016)