

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Sandra Hobbs
direct line 0300 300 5257
date 15 May 2014

NOTICE OF MEETING

EXECUTIVE

Date & Time

Tuesday, 27 May 2014 at 9.30 a.m.

Venue

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the EXECUTIVE:

Cllrs	J Jamieson	– Chairman and Leader of the Council
	M Jones	– Deputy Leader and Executive Member for Corporate Resources
	M Versallion	– Executive Member for Children's Services
	C Hegley	– Executive Member for Social Care, Health and Housing
	N Young	– Executive Member for Regeneration
	B Spurr	– Executive Member for Community Services
	Mrs P Turner MBE	– Executive Member – Partnerships
	R Stay	– Executive Member – External Affairs

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

Please bring with you to the meeting the supplementary pack that was issued with the Children's Services Overview and Scrutiny Committee Agenda for their meeting on 7 May 2014 containing the Appendices to the Proposed School Closure for Brewers Hill, Streetfield and Ashton Middle Schools.

Please keep this Agenda and supplementary packs for Council on 12 June 2014 as items 11 and 17 below , if approved, will be recommended to Council.

AGENDA

1. **Apologies for Absence**

To receive apologies for absence.

2. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Executive held on 22 April 2014.

3. **Members' Interests**

To receive from Members any declarations of interest.

4. **Chairman's Announcements**

To receive any matters of communication from the Chairman.

5. **Petitions**

To consider petitions received in accordance with the Scheme of Public Participation set out in Annex 2 of Part A4 of the Constitution.

6. **Public Participation**

To respond to general questions and statements from members of the public in accordance with the Scheme of Public Participation set out in Appendix A of Part A4 of the Constitution.

7. **Forward Plan of Key Decisions**

To receive the Forward Plan of Key Decisions for the period 1 June 2014 to 31 May 2015.

Decisions

Item	Subject	Page Nos.
8.	Determination of the Statutory Proposal of the Governing Body of Ashton CofE Voluntary Aided Middle School Determination of the statutory proposal of the Governing Body of Ashton CofE Voluntary Aided Middle School to change the school's age range from 9 to 13 years Middle School to an 11 to 16 years Secondary School with effect from September 2015.	29 - 126

- | | | |
|-----|--|-----------|
| 9. | Consideration of the outcome of statutory consultations of proposals to close Brewers Hill Community Middle School, Streetfield Community Middle School and Ashton Church of England (C of E) Voluntary Aided (VA) Middle School in August 2016. | 127 - 152 |
| | <p>The report provides information regarding the responses to the consultations initiated with approval of the Council's Executive at its meeting on the 4 February 2014, on the phased closure of the Community Schools of Brewers Hill Middle School and Streetfield Middle School and the C of E VA School of Ashton Middle School from September 2015, with full closure from August 2016.</p> | |
| 10. | Developing the Early Intervention Offer through Children's Centres | 153 - 166 |
| | <p>To seek approval to commence the public consultation on developing the Early Intervention Offer through Children's Centres.</p> | |
| 11. | Development Strategy - Revised Pre-Submission Version | 167 - 178 |
| | <p>The report presents a revised draft Pre-Submission version of the Development Strategy.</p> | |
| 12. | Plan-making Programme - the Local Development Scheme | 179 - 198 |
| | <p>The report proposes that Members endorse the Local Development Scheme.</p> | |
| 13. | Local Development Order for Woodside Industrial Estate, Dunstable | 199 - 222 |
| | <p>The report recommends that Executive adopt the proposed Local Development Order for the Woodside Industrial Estate and surrounding area in Dunstable to assist economic and employment growth in the area.</p> | |
| 14. | Strategy for North of Luton | 223 - 232 |
| | <p>To seek approval of the way forward for land north of Luton.</p> | |

15. **Development Brief - Land at Potton Road, Biggleswade** 233 - 316

The report outlines the proposals contained within the draft development brief for land at Potton Road, Biggleswade and outlines where changes have been made in response to public consultation.

16. **Planning Guidance Note on Solar Farm Development in Central Bedfordshire** 317 - 364

The report proposes that Executive adopts the technical guidance document on solar farm development in Central Bedfordshire for development management purposes.

17. **Superfast Broadband Extension Programme** 365 - 374

The report proposes the Council fully participates in the Broadband Delivery UK Superfast Extension Programme, in order to deliver necessary infrastructure to provider superfast broadband (speeds of at least 24 Megabits per second) to at least 95% of premises and at least 2 Megabits per second to all premises.

18. **Housing Allocations Policy for Central Bedfordshire** 375 - 546

The report proposes that Executive approve and adopt the proposed Allocations Policy to ensure that social housing in Central Bedfordshire is allocated on a fair and transparent basis.

19. **Exclusion of the Press and Public**

To consider whether to pass a resolution under section 100A of the Local Government Act 1972 to exclude the Press and Public from the meeting for the following items of business on the grounds that the consideration of the items is likely to involve the disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Act.

Exempt Reports

- | Item | Subject | Exempt Para. | Page Nos. |
|-------------|--------------------------------|---------------------|------------------|
| 20. | Stratton Phases 4 and 5 | 3 | 547 - 554 |

To seek agreement on the way forward for Central Bedfordshire Council's interests at Stratton Park.

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012.

Details of any representations received by the Executive about why any of the above exempt decisions should be considered in public: none at the time of publication of the agenda. If representations are received they will be published separately, together with the statement given in response

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **EXECUTIVE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 22 April 2014.

PRESENT

Cllr J G Jamieson (Chairman)
Cllr M R Jones (Vice-Chairman)

Executive Members:	Cllrs	C Hegley B J Spurr R C Stay	Cllrs	Mrs P E Turner MBE M A G Versallion J N Young
Deputy Executive Members:	Cllrs	A D Brown Mrs S Clark I Dalgarno D J Hopkin	Cllrs	A M Turner B Wells R D Wenham
Apologies for Absence:	Deputy Executive Member	Cllr	A L Dodwell	
Members in Attendance:	Cllrs	P N Aldis A R Bastable M C Blair D Bowater P A Duckett C C Gomm Mrs S A Goodchild	Cllrs	Ms A M W Graham D Jones D McVicar J Murray B Saunders P Williams
Officers in Attendance		Mr R Carr Mrs M Clay Mr M Coiffait Dr D Cox Mr R Fox Mr D Galvin Mrs S Hobbs Ms L Kitson Mrs K Oellermann Mrs J Ogley		Chief Executive Chief Legal and Democratic Services Officer Community Services Director Chief Assets Officer Head of Development Planning and Housing Strategy Head of Financial Performance Committee Services Officer Green Infrastructure Co-ordinator Acting Assistant Director - Commissioning & Partnerships Director of Social Care, Health and Housing

E/13/152 **Minutes**

RESOLVED

that the minutes of the meeting held on 18 March 2014 be confirmed as a correct record and signed by the Chairman.

E/13/153 **Members' Interests**

Councillors M Jones and Mrs Turner declared a personal interest in agenda item 17 'Biggleswade Medical Centre' as they were patients at the Medical Centre.

Councillor Dalgarno declared a personal interest in agenda item 10 'Arlesey' as he was a member of the Arlesey Residents' Association.

E/13/154 **Chairman's Announcements**

The Chairman announced the following adjustments to the order of business:

- item 10 'Arlesey' would be considered after item 7 'Forward Plan'; and
- item 11 'Outline Planning Thorn Turn' after item 12 'The Future Management of Central Bedfordshire Council's Residential Care Homes for Older People'.

E/13/155 **Petitions**

No petitions were received.

E/13/156 **Public Participation**

There was one registered speaker who spoke under agenda item 10 'Arlesey'.

E/13/157 **Forward Plan of Key Decisions**

RESOLVED

that the Forward Plan of Key Decisions for the period 1 May 2014 to 30 April 2015 be noted.

E/13/158 **Arlesey**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that sought approval to secure a partner to promote a planning application for the land east of High Street, Arlesey and subsequent disposal of the Council's assets in the open market.

The Deputy Leader and Executive Member for Corporate Resources moved an additional recommendation, which was duly seconded:-

“that, in agreeing the engagement of a promoter, the Council would need to brief the promoter on the Council's expectations. The Council would explore the need to invest in road and other infrastructure at an early date and how to phase the development to minimise disruption to the residents and businesses of Arlesey.”

In accordance with the Public Participation Scheme a member of the public addressed the Executive:-

Mr Harper spoke on behalf of the Arlesey Residents' Association in support of the proposed development scheme for Arlesey and welcomed the additional recommendation relating to the road.

Reason for decision: The capital cost and potential capital receipt was potentially greater than £500,000 and therefore required Executive approval.

RESOLVED

1. **to authorise the Director of Improvement and Corporate Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources, to proceed in securing a partner to promote a planning application for the land east of High Street, Arlesey and progress a disposal of the Council's assets in the open market; and**
2. **that, in agreeing the engagement of a promoter, the Council would need to brief the promoter on the Council's expectations. The Council would explore the need to invest in road and other infrastructure at an early date and how to phase the development to minimise disruption to the residents and businesses of Arlesey.**

E/13/159 **Local Flood Risk Management Strategy**

The Executive considered a report from the Executive Member for Sustainable Communities – Services that proposed the approval of the Local Flood Risk Management Strategy for Central Bedfordshire. The Strategy would enable the Council to manage local flood risk and would contribute and support the delivery of the Council's priorities. It was consistent with the objectives and guiding principles within the Environment Agency's National Flood and Coastal Erosion Risk Management Strategy and recognised the aspirations of other Risk Management Authorities.

The Executive noted that the initial set up costs of the Sustainable Drainage Supplementary (SuDS) Approval Body would be met from the Department for Environment, Food and Rural Affairs (DEFRA) grant and subsequent on going administration costs would be met from application fees received.

Reason for decision: To allow actions to be progressed to enable the Council to meet its duties required under the Floods and Water Management Act 2010.

RESOLVED

that the Local Flood Risk Management Strategy be approved as Central Bedfordshire Council's working strategy to manage local flood risk in Central Bedfordshire as required by the Flood and Water Management Act 2010.

E/13/160

Sustainable Drainage Supplementary Planning Document

The Executive considered a report from the Executive Member for Sustainable Communities – Strategic Planning and Economic Development that proposed the adoption of the revised Sustainable Drainage Guidance as a Supplementary Planning Document. The guidance set out the Council's expectations for Sustainable Drainage Systems (SuDS) to be designed to provide not only drainage improvements, but also other planning policy requirements, including design quality, water quality and reuse, biodiversity, landscape and open space.

In response to a question, it was confirmed that the SuDS Approval Body would be responsible for adopting and maintaining the SuDS scheme through Section 106 Agreements.

Reason for decision: To meet the Council's priority of enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.

RESOLVED

- 1. that the revised Sustainable Drainage Guidance be adopted as a Supplementary Planning Document in support of current adopted planning policy and technical guidance for the purposes of development management in support of policy in the emerging Development Strategy; and**
- 2. to authorise the Director of Regeneration and Business Support, in consultation with the Executive Member for Strategic Planning and Economic Development, to make any minor amendments to the Sustainable Drainage Guidance prior to publication.**

E/13/161

The Future Management of Central Bedfordshire Council's Residential Care Homes for Older People

The Executive considered a report from the Executive Member for Social Care, Health and Housing that proposed the transfer of the management of the seven residential care homes for older people, owned by the Council, to the Council, given the notice received from Bupa to bring to an end the existing contract.. The Council was mindful of the need to provide continuity of care and reassurance to the residents of the homes, who were some of the most vulnerable members of the community and their relatives. The net cost of the transfer of the homes' staffing and management to Central Bedfordshire Council was estimated as broadly neutral.

Reason for decision: To ensure the continued delivery of services to older people in the seven residential homes for older people owned by Central Bedfordshire Council.

RECOMMENDED to Council

- 1. to approve the transfer of the staff in the homes affected to the employment of Central Bedfordshire Council on 1 August 2014 in accordance with TUPE regulations;***
- 2. to approve the virement from the budget allocated to the Bupa Residential Homes Contract for the period August 2014 to March 2015 of £3,789,000 to a new budget heading of 'Directly Managed Residential Homes for Older People' under the Assistant Director, Adult Social Care; the subjective amounts in the budget were set out in paragraph 45 of the Executive report; and***
- 3. that it increases the budget estimate for income from Fees for Residential Care Homes by £302,000 for the period August 2014 to March 2015.***

E/13/162

Outline Planning Thorn Turn

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that sought approval to pursue an outline planning application for the Thorn Turn site for employment uses and explore potential synergies with the proposed new waste transfer facility. If planning consent was secured, the disposal of the employment land would be progressed. Any design issues or planning constraints would be considered by the Development Management Committee.

Reason for decision: Any amendment to the existing Deed of Easement might have a financial impact to the Council in excess of £500,000 and required Executive approval.

RESOLVED

1. to pursue an outline planning application for the Thorn Turn employment land (Option 1); and
2. to authorise the Director of Improvement and Corporate Services, in consultation with the Deputy Leader and Executive Member for Corporate Resources, to seek best consideration for the employment land (including timing of receipts 'Option 1b') through the disposal on the open market.

E/13/163

Procurement of Specialist Professional Services

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that proposed a contract for the supply of specialist professional services through the North East Procurement Organisation framework.

Reason for decision: To enable the Council to continue to source specialist professional services, as required, in a new and more commercially compliant way for the period of the framework which ends on 16 September 2015 and with the option to extend for a period of up to a further year. This would contribute to the delivery of the Medium Term Financial Plan 2014/15.

RESOLVED

1. that the implementation of the North East Purchasing Organisation (NEPO) framework contract for the neutral provision of specialist professional services be approved; and
2. to authorise the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources, to award the contract, following presentations to assess organisational fit and best value.

E/13/164

Exclusion of the Press and Public

RESOLVED

that in accordance with Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part I of Schedule 12A of the Act.

E/13/165

Outline Planning Thorn Turn

See minute E/13/162 for further details.

E/13/166 **Procurement of Specialist Professional Services**

See minute E/13/163 for further details.

E/13/167 **Biggleswade Medical Centre**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that proposed the conversion of the Council owned Acorn Centre in Biggleswade into a dedicated GP primary care medical centre, which would be let on a commercial basis to the Ivel Medical Centre Practice.

Reason for decision: To safeguard primary care services, improve asset performance and secure an annual rental income.

RESOLVED

1. **that the project target cost of £1.4m funded from the Capital Programme be noted (this is the best estimate but it is still subject to tender in the open market.);**
2. **to authorise the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources, to negotiate the terms of the Agreement for Lease, and the Lease;**
3. **to authorise the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources, to enter into a Build Contract and Agreement for Lease with the Ivel Medical Centre, subject to the satisfactory drafting and execution of the Contract / Agreement by Legal Services.**

E/13/168 **Supply of Agency Workers and Interim Managers**

The Executive considered a report from the Deputy Leader and Executive Member for Corporate Resources that proposed to 'call off' the supply of agency and interim workers through a framework contract with the Eastern Shires Purchasing Organisation.

Reason for decision: To enable the Council to continue to source agency and interim workers, as required, for a period of up to three years with the option to extend for up to a further year. This would contribute to the delivery of the Medium Term Financial Plan 2014/15.

RESOLVED

1. **to approve the 'call off' of a supplier from the Managed Services for Temporary Agency Resource framework available through the Eastern Shires Purchasing Organisation; and**

2. **to authorise the Director of Improvement and Corporate Services, in consultation with the Executive Member for Corporate Resources, to award the contract, following presentations to assess organisational fit and best value.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.31 a.m.)

Chairman

Dated

**Central Bedfordshire Council
Forward Plan of Key Decisions
1 June 2014 to 31 May 2015**

- 1) During the period from **1 June 2014 to 31 May 2015**, Central Bedfordshire Council plans to make key decisions on the issues set out below. “Key decisions” relate to those decisions of the Executive which are likely:
- to result in the incurring of expenditure which is, or the making of savings which are, significant (namely £200,000 or above per annum) having regard to the budget for the service or function to which the decision relates; or
 - to be significant in terms of their effects on communities living or working in an area comprising one or more wards in the area of Central Bedfordshire.
- 2) The Forward Plan is a general guide to the key decisions to be determined by the Executive and will be updated on a monthly basis. Key decisions will be taken by the Executive as a whole. The Members of the Executive are:
- | | |
|----------------------------|--|
| Cllr James Jamieson | Leader of the Council and Chairman of the Executive |
| Cllr Maurice Jones | Deputy Leader and Executive Member for Corporate Resources |
| Cllr Mark Versallion | Executive Member for Children’s Services |
| Cllr Mrs Carole Hegley | Executive Member for Social Care, Health and Housing |
| Cllr Nigel Young | Executive Member for Sustainable Communities – Strategic Planning and Economic Development |
| Cllr Brian Spurr | Executive Member for Sustainable Communities - Services |
| Cllr Mrs Tricia Turner MBE | Executive Member for Partnerships |
| Cllr Richard Stay | Executive Member for External Affairs |
- 3) Whilst the majority of the Executive’s business at the meetings listed in this Forward Plan will be open to the public and media organisations to attend, there will inevitably be some business to be considered that contains, for example, confidential, commercially sensitive or personal information.

This is a formal notice under the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 that part of the Executive meeting listed in this Forward Plan will be held in private because the agenda and reports for the meeting will contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

- 4) Those items identified for decision more than one month in advance may change in forthcoming Plans. Each new Plan supersedes the previous Plan. Any person who wishes to make representations to the Executive about the matter in respect of which the decision is to be made should do so to the officer whose telephone number and e-mail address are shown in the Forward Plan. Any correspondence should be sent to the contact officer at the relevant address as shown below. General questions about the Plan such as specific dates, should be addressed to the Committee Services Manager, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
- 5) The agendas for meetings of the Executive will be published as follows:

Meeting Date	Publication of Agenda
18 March 2014	6 March 2014
22 April 2014	10 April 2014
27 May 2014	15 May 2014
15 July 2014	3 July 2014
19 August 2014	7 August 2014
23 September 2014	11 September 2014
4 November 2014	23 October 2014
9 December 2014	27 November 2014
13 January 2015	23 December 2014
10 February 2015	29 January 2015
17 March 2015	5 March 2015
21 April 2015	9 April 2015

Central Bedfordshire Council

Forward Plan of Key Decisions for the period 1 June 2014 to 31 May 2015

Key Decisions

Date of Publication: 16 April 2014

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
1.	Revenue, Capital and Housing Revenue Account Outturn 2013/14 -	To consider the Revenue, Capital and Housing Revenue Account Outturn 2013/14.	15 July 2014		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 14/06/14 to Contact Officer: Charles Warboys, Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
2.	Discretionary Housing Payment (DHP) Policy -	To review and endorse the Council's DHP Policy.	15 July 2014	A 12 week public consultation of all current recipients of Discretionary Housing Payments, major landlords and advice agencies. Consultation will commence in January 2014.	A report containing the draft Discretionary Housing Payment Policy and a summary of the outcome of the public consultation.	Deputy Leader and Executive Member for Corporate Resources Comments by 14/06/14 to Contact Officer: Gary Muskett, Head of Revenues & Benefits Email: gary.muskett@centralbedfordshire.gov.uk Tel: 0300 300 4097

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
3.	Community Infrastructure Levy (CIL) -	To decide the level and range of Community Infrastructure Levy (CIL) charges to be included in the Draft Charge Schedule.	15 July 2014	The CIL Preliminary Draft Charge Schedule was the subject of a full public consultation from 14 January to 25 February 2013 which included a developer workshop. Following member endorsement, the CIL Draft Charge Schedule will be the subject of a further 6 week consultation prior to submission to the Government.	Report	Executive Member for Sustainable Communities - Strategic Planning and Economic Development Comments by 14/06/14 to Contact Officer: Jonathan Baldwin, Senior Planning Officer Email: jonathan.baldwin@centralbedfordshire.gov.uk Tel: 0300 300 5510

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
4.	Draft Planning Obligations Strategy -	To seek approval of the draft Planning Obligations Strategy for consultation purposes and give delegated authority to the Director of Regeneration and Business Support, in consultation with the Executive Member for Sustainable Communities - Strategic Planning and Economic Development, to consider the representations received; any further amendments and approval for submission as a supporting technical document as part of the CIL Examination.	15 July 2014	Central Bedfordshire Council stakeholders will be consulted in April on the draft document for their comments and these will be reflected in the draft document.	Draft Planning Obligations Strategy	Executive Member for Sustainable Communities - Strategic Planning and Economic Development Comments by 14/06/14 to Contact Officer: Pru Khimasia-John, Principal Planning Officer Email: pru.khimasia@centralbedfordshire.gov.uk Tel: 0300 300 4473

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
5.	Children's Homes Contract -	To award to the new Children's Home Contract.	15 July 2014	Consultation with current and prospective providers will take place during commissioning process – March to May 2014.	Exempt Report, specification of services	Executive Member for Children's Services Comments by 14/06/14 to Contact Officer: Karen Oellermann, Acting Assistant Director - Commissioning & Partnerships Email: karen.oellermann@centralbedfordshire.gov.uk Tel: 0300 300 5265

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
6.	Consideration of Representations Received to Statutory Notices Published for Proposals to Close Brewers Hill Community Middle School, Streetfield Community Middle School and Ashton CofE VA Middle School in August 2016. -	Determination of the statutory proposals, subject to any decision taken by the Executive in May.	19 August 2014	<p>Statutory consultation undertaken - 24 February 2014 to 7 April 2014 with a further representation period from 9 June 2014 to 7 July 2014 with:</p> <ul style="list-style-type: none"> • the governing body of the schools which are the subject of proposals; • families of pupils, teachers and other staff at the schools; • the governing bodies, teachers and other staff of any other school that may be affected; • families of any pupils at any other school who may be affected by the proposals including families of pupils at feeder schools; • trade unions who represent staff at the schools and representatives of trade unions of any other staff at schools who may be affected by the proposals; • The Board of Education of the Diocese of St Albans; • The Ashton Schools Foundation; • Constituency MPs for the schools that are the subject of the proposals; • Dunstable Town Council; and • consultation materials and information including leaflets, press releases, public meetings and statutory notices. 	Report and representations received in response to Statutory notices published for proposals to close Brewers Hill Community Middle School, Streetfield Community Middle School and Ashton CofE VA Middle School in August 2016.	Executive Member for Children's Services Comments by 18/07/14 to Contact Officer: Helen Redding, Assistant Director School Improvement Email: helen.redding@centralbedfordshire.gov.uk Tel: 0300 300 6057

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
7.	Developing the Early Intervention Offer -	To consider the outcome of the public consultation on developing the Early Intervention Offer through Children's Centres.	23 September 2014	Public consultation from 27 May to 19 August 2014.	Summary report following consultation	Executive Member for Children's Services Comments by 22/08/14 to Contact Officer: Sue Tyler, Acting Assistant Director, Operational Services, Children's Services Email: sue.tyler@centralbedfordshire.gov.uk Tel: 0300 300 6553
NON KEY DECISIONS						
8.	Quarter 4 Performance Report -	To consider the quarter 4 performance report.	15 July 2014		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 14/06/14 to Contact Officer: Elaine Malarky, Head of Programmes & Performance Management Email: elaine.malarky@centralbedfordshire.gov.uk Tel: 0300 300 5517

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
9.	Quarter 1 Budget Monitoring -	To receive the quarter 1 budget monitoring reports for the Revenue, Capital and Housing Revenue Account.	23 September 2014		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 22/08/14 to Contact Officer: Charles Warboys, Chief Finance Officer Email: charles.wayboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
10.	Quarter 1 Performance Report -	To consider the quarter 1 performance report.	23 September 2014		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 22/08/14 to Contact Officer: Elaine Malarky, Head of Programmes & Performance Management Email: elaine.malarky@centralbedfordshire.gov.uk Tel: 0300 300 5517

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
11.	Quarter 2 Budget Monitoring -	To receive the quarter 2 budget monitoring reports for the Revenue, Capital and Housing Revenue Account.	9 December 2014		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 08/11/14 to Contact Officer: Charles Warboys, Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
12.	Quarter 2 Performance Report -	To consider the quarter 2 performance report.	13 January 2015		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 12/12/14 to Contact Officer: Elaine Malarky, Head of Programmes & Performance Management Email: elaine.malarky@centralbedfordshire.gov.uk Tel: 0300 300 5517

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
13.	Draft Budget 2015/16 -	To consider the draft Budget for 2015/16.	13 January 2015	The draft budget will be considered by the Overview and Scrutiny Committees during their cycle of meetings in January 2015.	Report	Deputy Leader and Executive Member for Corporate Resources Comments by 12/12/14 to Contact Officer: Charles Warboys, Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
14.	Budget 2015/16 -	To recommend to Council a proposed Budget for 2015/16 for approval.	10 February 2015	Consultation will take place with the Overview and Scrutiny Committees during the January cycle of meetings.	Report	Deputy Leader and Executive Member for Corporate Resources Comments by 19/01/15 to Contact Officer: Charles Warboys, Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
15.	Treasury Management Strategy -	To recommend to Council the approval of the Treasury Management Strategy.	10 February 2015		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 09/01/15 to Contact Officer: Charles Warboys, Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147
16.	Quarter 3 Budget Monitoring -	To receive the quarter 3 budget monitoring report for the Revenue, Capital and Housing Revenue Account.	17 March 2015		Report	Deputy Leader and Executive Member for Corporate Resources Comments by 16/02/15 to Contact Officer: Charles Warboys, Chief Finance Officer Email: charles.warboys@centralbedfordshire.gov.uk Tel: 0300 300 6147

Postal address for Contact Officers: Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

**Central Bedfordshire Council
Forward Plan of Decisions on Key Issues**

For the Municipal Year 2012/13 the Forward Plan will be published on the thirtieth day of each month or, where the thirtieth day is not a working day, the working day immediately proceeding the thirtieth day, or in February 2013 when the plan will be published on the twenty-eighth day:

Date of Publication	Period of Plan
1 April 2014	1 May 2014 – 30 April 2015
16 April 2014	1 June 2014 – 31 May 2015
4 June 2014	1 July 2014 – 30 June 2015
3 July 2014	1 August 2014 – 31 July 2015
7 August 2014	1 September 2014 – 31 August 2015
21 August 2014	1 October 2014 – 30 September 2015
24 September 2014	1 November 2014 – 31 October 2015
21 October 2014	1 December 2014 – 30 November 2015
28 November 2014	1 January 2015 – 31 December 2016
23 December 2014	1 February 2015 – 31 January 2016
29 January 2015	1 March 2015 – 29 February 2016
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Meeting: Executive
Date: 27 May 2014
Subject: **Determination of the Statutory Proposal of the Governing Body of Ashton CofE Voluntary Aided Middle School to Change the School's Age Range from a 9 to 13 years Middle School to an 11 to 16 years Secondary School with effect from September 2015**

Report of: Cllr Mark Versallion, Executive Member for Children's Services

Summary: This report outlines a significant change proposed by the Governing Body of Ashton Middle School, a Church of England Voluntary Aided school in Dunstable. The prescribed alteration being proposed by the school is an alteration of its existing upper and lower age limit that currently provides for children aged 9 to 13 years as a Middle School to become a Secondary School with effect from September 2015, eventually accommodating children aged 11 to 16 years.

The proposal has followed the legal process required in education law including statutory consultation, the outcome of which is outlined in this report. The Council's Executive is now required to determine the proposal.

The school is subject of a separate proposal made by the Council to close the school as a result of its decreasing viability with falling pupil numbers and a corresponding reduction in funding from 2014/15. That proposal has been subject to an initial phase of public consultation, the outcome of which is being reported to the Council's Executive on the 27 May 2014, with recommendations to progress, subject to the outcome of Executive's determination of the school's proposal set out in this report.

Advising Officer: Edwina Grant, Deputy Chief Executive/ Director of Children's Services
Contact Officer: Helen Redding, Assistant Director School Improvement
Public/Exempt: Public
Wards Affected: Dunstable Central, Dunstable Icknield, Dunstable Manshead, Dunstable Northfields, Dunstable Watling, Caddington
Function of: Executive
Key Decision Yes

CORPORATE IMPLICATIONS

Council Priorities:

The report supports Central Bedfordshire's Medium Term Plan: *Delivering your priorities – Our Plan for Central Bedfordshire 2012- 2016* and the specific priority of Improved Educational Attainment.

Financial:

1. The day to day running costs of school provision is met through revenue funding which is made available to each school as part of the Dedicated Schools Grant (DSG) and is based primarily on the numbers of pupils attending. There are financial implications for the school already identified within the report made to Council's Executive on 4 February 2014 as a result of falling pupil numbers with regard to its budget for 2014/2015 and beyond.
2. This reduction represents a decrease of £630k (29.8%) in the school's budget in 2014/15, compared with 2013/14. The implementation of the school's proposed change in age range would have further revenue implications as outlined in the report.

Legal:

3. Section 14 of the Education Act 1996 places a duty on Councils to secure sufficient and suitable school places to provide for 5 – 16 year old statutory aged children in its area. The Education and Inspections Act 2006 gives Councils a strategic role as commissioners, but not providers, of school places to promote parental choice, diversity, high standards, the fulfilment of every child's educational potential and fair access to educational opportunity.
4. The main legislation governing school organisation proposals of the nature set out in this report is found in the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 which came into force on 28 January 2014, replacing 2007 regulations of the same name. The Department for Education (DfE) has published guidance to provide additional information on the procedures established by the new regulations. Following a number of amendments, this new guidance was published in final form on 21 February 2014. Governing Bodies, Councils and the Schools Adjudicator must have regard to this guidance when exercising functions under the new regulations.
5. As a Voluntary School, the Governing Body of Ashton Middle School is able to propose the alteration of its upper and lower age limit by following a statutory process. The Council is decision maker and must determine the proposal within 2 months of the end of the representation period represented by Stage 2 in the process as set out later in this report.

6. The local Church of England (C of E) Diocese of St Albans, the Bishop of the local Roman Catholic Diocese of Northampton and the governing body and trustees of Ashton C of E Voluntary Aided (VA) Middle school have a right to appeal within 4 weeks of the determination to the schools adjudicator if they disagree with the Council's final decision. There is no right of appeal on determinations made by the Schools Adjudicator.
7. The statutory process for making significant changes to schools has 4 stages:
 1. Publication of Statutory notice
 2. Representation period – Period of 4 weeks to enable people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker.
 3. Decision – The Council's Executive determination of the proposal, within 2 months of the end of the representation period, otherwise it will fall to the Schools Adjudicator.
 4. Implementation – Putting into effect of the proposed closure.
8. The former school organisation regulations required a pre-publication consultation period to be undertaken for proposed significant changes. Although this is no longer a requirement the DfE guidance expresses a strong expectation of Schools and Councils to consult interested parties in developing their proposals prior to Stage 1 as set out above, as part of their duty under public law to act rationally and take into account all relevant considerations. DfE guidance also sets out the minimum information that must be contained within a statutory proposal to enable interested parties to make a decision on whether to support or challenge the proposed change.
9. As a Voluntary Aided school the Governing Body of Ashton Middle School must also ensure that they have the consent of the site's trustees, the Ashton Foundation, and the St Albans C of E Diocesan Board of Education.
10. The DfE guidance for decision makers contains a number of key factors to be considered when a final decision is made on school organisation proposals, represented by Stage 3 in the process as set out above. Decision makers determining proposals to make prescribed alterations must consider these factors and all of the views submitted throughout the consultation process, including all objections to and comments on the proposals. The guidance is clear that these factors should not be taken to be exhaustive and all proposals should be considered on their individual merits.

11. The factors outlined in statutory guidance for school organisation proposals to make prescribed alterations include:

Consideration of consultation and representation period
Education standards and diversity of provision
Demand
School size
Proposed admission arrangements
National curriculum
Equal opportunity issues
Community cohesion
Travel and accessibility
Capital
School premises and playing fields.

12. When issuing a decision, the decision maker can:

- Reject the proposal.
- Approve the proposal without modification.
- Approve the proposal with modifications, having consulted the governing body.
- Approve the proposal, subject to certain conditions.

Risk Management:

13. The proposal to change the age range of Ashton Middle School has implications for the Council, given its aim of improving educational attainment, particularly at Key Stage 4, its legal obligation to determine the outcome of the statutory process, its responsibility to consider the supply of school places in the Dunstable area and its monitoring of the financial viability of schools, the impact that can have on the education of children accommodated within them and the need to take positive action where required.

14. Key risks associated with taking no action include:

Failure to discharge the Council's legal and statutory duties/guidance.
Failure to deliver the Council's strategic priorities.
Reputational risks associated with the ineffective management of school places.
The potential for the inefficient use of dedicated schools grant and the financial and educational unviability of the proposed school.

Staffing (including Trades Unions):

15. Staff and Trades Unions have been consulted by the school as part of the process required by regulations and DfE guidance.
16. The School will have the support of their commissioned HR Provider where the proposal requires changes in school staff structures or to terms and conditions of employment. The Council's Schools Statutory HR Team will monitor restructures to ensure redundancy charges to the Council are minimised and justified.

17. Irrespective of the proposal set out in this report and as a result of the significant budget reduction that will impact the school as a consequence of the reducing numbers of pupils at the school from September 2014, it has been advised to seek advice from its Human Resources (HR) Provider regarding any restructuring of staffing.

Equalities/Human Rights:

18. The consultation and decision making process set out in regulation for proposals to make prescribed alterations to Council maintained schools requires an evaluation on a project by project basis of any equalities and human rights issues that might arise.
19. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and to foster good relations in respect of the following protected characteristics: age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
20. This statutory duty includes requirements to:
- Remove or minimise disadvantages suffered by people due to their protected characteristics.
 - Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
 - Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
21. The Governing Body of Ashton Middle School has considered that there are no race or disability discrimination issues that arise from the change in age range being proposed.

Public Health:

22. The range of extended services that may be provided in schools includes:
- Parenting and family support officers.
 - Transition support for pupils, schools and families.
 - Combined clubs and after school activities.
 - Holiday activities.
 - Support for vulnerable pupils and families.

The report sets out the range of services currently provided by the school.

Community Safety:

23. Schools have an important role under Section 17 of the Crime and Disorder Act 1998 to work alongside a range of other agencies to ensure safety in their local communities.

Sustainability:

24. Whilst there may be additional costs in order to meet sustainability objectives for new build and/or other significant capital projects on existing schools these measures contribute to reduced running costs through better energy and resource efficiency, alongside creating a better learning environment for the pupils. The school's Governing Body have not identified any significant capital investment required to implement the proposal set out in this report.

Procurement:

25. Not applicable.

Overview and Scrutiny:

26. The representation period of the statutory proposal published by the Governing Body of Ashton Middle School concluded on Monday 14 April 2014 and the deadline for the submission of final reports to the 7 May 2014 meeting of Children's Services Overview & Scrutiny Committee was 22 April 2014.

This did not allow sufficient time for –

- Ashton's Governing Body to meet and make their decision regarding whether they wish to progress with the proposal;
 - Ashton's Governing Body to submit a report to the Council to support their proposal (presuming they decided to proceed at that point); or
 - the report to be considered by officers, any missing information to be requested from the Governing Body and the report to Executive to be written and submitted.
27. On the basis of the information identified in paragraph 26, it was agreed to manage the determination of the proposal of Ashton Middle School with a report directly to Executive on the 27 May 2014. This report will therefore be an agenda item considered before the report on the closure proposals is considered.
28. This report has not therefore been subject of prior consideration by the Children's Services Overview and Scrutiny Committee.

RECOMMENDATIONS:

The Executive is asked to:

1. i. **confirm that the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, have been complied with in bringing forward the proposal to change the age range of Ashton C of E VA Middle School as outlined in this report and in the school's consultation document as attached at Appendix A to this report;**

<p>ii. confirm receipt of the representation on the 8 April 2014 attached at Appendix C in respect of the proposal to make a prescribed alteration to change the age range of Ashton C of E VA Middle School and the statutory notice as set out in Appendix B, issued on the 17 March 2014 under Section 19(3), of the Education and Inspections Act 2006; and</p> <p>iii. confirm receipt of the business case dated 4 April 2014 attached at Appendix D submitted by the Governing Body of Ashton C of E VA Middle School outlining its support and rationale for the proposal to change the age range of Ashton C of E VA Middle School as outlined in this report.</p> <p>2. consider the statutory proposal (Appendix B) published by the Governing Body of Ashton C of E VA Middle School on 17 March 2014, to change the age range of Ashton C of E VA Middle School, the linked Prescribed Alterations (Appendix A) and the current business case (Appendix D), and reject the statutory proposal for the reasons set out in paragraph 76 of this report.</p>	
<p><i>Reason for Recommendations:</i></p>	<p><i>To ensure the Council meets its statutory obligations as set out in the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013, to determine the proposal made by the Governing Body of Ashton C of E VA Middle School of a prescribed alteration to change the school's age range. The Council's Executive is required to make its decision within 2 months of the end of the representation period which concluded on the 14 April 2014.</i></p>

<p>Executive Summary</p>	
<p>29.</p>	<p>This report outlines the proposal made by the Governing Body of Ashton C of E VA Middle School, the process that it has followed and the responses it has received from interested parties to the consultation undertaken by the school. The report sets out an evaluation of the proposal, against decision makers' criterion defined by the Department for Education and concludes with a recommendation to reject the proposal.</p>

The Governing Body's proposal

30. As reported to the Council's Executive on the 4 February 2014 officers have been holding regular meetings since September 2013 with the Headteacher, Deputy Headteacher, Governors and the Diocese to consider future options for Ashton Middle School, given the local context of a pattern of school organisation that is changing largely to a Primary/Secondary model. The school is being supported through the Council's School Intervention Strategy due to its performance. It has recently been inspected and was judged as 'Requires Improvement'.
31. In March 2013 the Governing Body of the school consulted with stakeholders on becoming a Primary School, but decided not to continue with this option. In January 2014 the Governing Body announced a further consultation to change age range and become a Secondary school from September 2015.

32. The initial phase of consultation, which met the requirements set out in DfE guidance, commenced on the 13 January 2014 and concluded on the 3 March 2014. The school's consultation document is attached at Appendix A, along with the school's minutes of a public meeting and its evaluation of the responses received within this initial phase of consultation.
33. The school's Governing Body considered the outcome of its initial consultation and determined to progress to the publication of a statutory notice on the 17 March 2014, inviting further representations from interested parties for a final four week period which concluded on the 14 April 2014. The Statutory Notice is attached to this report at Appendix B and was published with the information provided in Appendix A.
34. One response was received by the Council within this period, from the school's Trustees, the Ashton Schools' Foundation. The response is attached as Appendix C. Within this response the Ashton Schools' Foundation corrected the schools interpretation of the initial response that the Foundation made to the proposal on the 27 February 2014 within the first phase of its consultation. Although the Foundation was keen to stress that it neither agreed nor disagreed with the school's proposal, it pointed to the lack of any detailed business case and sufficient supporting evidence of the viability of the proposal, particularly as the school would be very small for a secondary school, with only 3 forms of entry, giving a total of 450 pupils on roll.
35. On 4 April 2014 the Council received a business case from the school, in addition to further supporting information in a format aligned with the DfE decision makers' guidance. The business case and information is attached as Appendix D.
36. On 11 April 2014 the Council forwarded the business case to the Foundation, inviting it to consider the content and reconsider its initial response.
37. The formal representation period concluded on 14 April 2014.
38. The Foundation met on the 23 April 2014 and provided a formal response on the 24 April 2014, attached at Appendix E, maintaining its formal position of 'neither agree nor disagree' with the proposal but making a number of observations to specific points within the school's business case. On 25 April 2014 the school responded to the points raised in the Foundation's response. The school's final response to its Trustees is attached as Appendix F.
39. The procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, have been complied with in bringing forward the proposal to change the age range of Ashton CofE VA Middle School as outlined in this report.

Factors for Consideration by Decision Makers

Consideration of Consultation and Representation Period

40. The appropriate consultation and representation has been carried out by the Governing Body of the school and there is evidence that it has had regard to the responses received within Appendix A to this report and with regard to the response of its Trustees in Appendix F to this report.
41. Many of the views expressed by the school's Trustees are reflected in the following sections that provide an analysis of the proposal, against the factors that decision makers must take account of.

Education Standards and Diversity of Provision

42. There are 4 secondary schools in the Dunstable and Houghton Regis area. These are Manshead School, Queensbury Academy, All Saints Academy and Houghton Regis Academy.
43. Manshead School was inspected by Ofsted in November 2013 and was judged to 'require improvement'. A monitoring inspection visit undertaken in March 2014 found that senior leaders and governors are taking effective action to tackle the areas requiring improvement identified in the original inspection. The school will admit its first Year 7 intake in September 2014.
44. Queensbury became an Academy in September 2012 and is yet to receive a full Ofsted inspection. A monitoring visit in 2013 judged that it is making reasonable progress in raising standards for all students.
45. All Saints Academy was inspected by Ofsted in November 2013 and was judged to 'require improvement'. A Monitoring Visit undertaken in March 2014 identified that senior leaders, governors and sponsors are taking effective action to tackle the areas requiring improvement identified. The school opened as a new Academy, following the closure of the former Northfields Technology College in August 2009. As a new secondary school it admitted its first Year 7 intake in September 2013, and has made a significant transition into its new facilities and building within the past two years enabling it to embed improvements in teaching and learning.
46. Houghton Regis Academy opened in September 2012 and received DfE approval to expand and to change its age range to become a secondary school. In September 2014 the Academy will accommodate Years 7 to 10 and will then grow year on year eventually to provide for children aged 11 to 18. It is yet to be inspected by Ofsted.

47. Overall standards at Key Stage 4 in schools in the Dunstable and Houghton Regis area are in need of improvement. However, the ability of Ashton Middle School to make the transition to Secondary and provide a suitably broad curriculum, raising standards and narrowing attainment gaps is not sufficiently backed by evidence. The school was inspected in December 2013 and was judged to 'require improvement'. A Monitoring Visit is due imminently. The school's business case leaves significant questions unanswered, particularly in terms of the school's financial forecasts and the essential curriculum and resource planning at Key Stage 4.

Demand

48. The report to the Council's Executive on the 4 February 2014 set out data on the supply of places and the size of current cohorts of children accommodated within schools in the Dunstable and Houghton Regis area.
49. The following table illustrates the number of school places that are available across the area on the basis of changes to age ranges that have already been approved.

Year	R	1	2	3	4	5	6	7	8	9	10 **	11**
Number of places	985	985	985	985	985	1366	1366	1382	1382	802	877	877

** this includes an assumed 75 places at the University Technology College (UTC) for pupils who may wish to transfer at the end of Year 9.

50. The following table illustrates the size of each school year group cohort currently in schools and academies in the Dunstable and Houghton Regis area (May 2013 School Census data).

Year	R	1	2	3	4	5	6	7	8	9	10	11
Total number of pupils	897	822	819	793	750	675	686	648	656	610	576	663

51. The data suggests that the size of cohort seeking a place in Year 7 could increase to 750 children in September 2015. In pupil place planning terms, to allow for parental preferences while also balancing the negative impact of inefficient over supply of places across the area, this would ideally require a minimum of 840 places to be provided in each year.

52. In addition, further pupil yield is anticipated as a result of a number of housing developments in the existing urban area of Dunstable and Houghton Regis. The current over supply of places across the Primary age range will accommodate this growth but available capacity in Years 9 to 11 is at or below desired levels (i.e. +/- 5% noting that 75 places have been included as available through the University Technical College in the figures above) and the Council will be required to commission additional school places in the future (but probably not before September 2016) simply to accommodate the growth in pupil numbers that are already in the local school system.
53. In addition to housing developments in the existing urban area of Dunstable and Houghton Regis the proposed North Houghton Regis extension will require a forecast additional 9 forms of entry in new education infrastructure to be provided as part of that development.
54. The commissioning of all of these additional places will be guided by the Council's Policy Principles for Pupil Place Planning in Schools approved by the Council's Executive in February 2013. The principles ensure, among other factors, that the commissioning process provides new places where and when they are needed, by Ofsted Good or Outstanding providers reflecting the predominant pattern of school organisation in the area.
55. The proposal to create new Secondary school places by changing the age range of Ashton Middle School would not comply with the Council's principles as a result of the school's standards, proposed size and site location in relation to the new housing developments, although it is in a central location and able to maximise the use of sustainable modes of travel to and from the school site.
56. Aside from the demographic demand for further secondary places in the area it is not clear from the school's evaluation of its consultation responses of the extent of parental support and demand for the proposal secured from parents of children yet to be admitted to Ashton Middle School. It is impossible therefore to determine if there would be likely to be sustained levels of future parental demand to make the secondary proposal viable.
57. The potential for future pressure on sixth form places with higher staying on rates anticipated post 16 at Manshead School is identified by Ashton Middle School's proposal as a risk to the future supply of places for children in Year 7 to 11. The proposal alleges that Manshead's management options could include a further reduction in the school's admission number thereby reducing the supply of places to accommodate larger year groups in sixth form.
58. Young people in England who started in year 11 (or years below) in September 2013 will have to continue in education or training until at least their 18th birthday. This raising of the participation age does not mean young people must stay in school and is not a change to the legal school leaving age. Students will be able to choose from full-time education (e.g. school or college), an apprenticeship or full-time employment or volunteering, combined with part-time education or training.

59. The Council works with schools, colleges and other providers of Post 16 education and training. Where new or expanded provision is required the Council is able to seek capital funding from the DfE. The raising of the participation age does not therefore represent a further risk to the supply of Secondary places in the area.

School Size and National Curriculum

60. The size of the proposed secondary school would accommodate a total of 450 children in year groups of 90 across Years 7 to 11, without Sixth Form provision.
61. A secondary school needs enough pupils in each year group to support the full range of the curriculum, and especially to create a sufficiently broad offer at Key Stage 4 to be viable and cost effective. The Council's Policy Principles for Pupil Place Planning in Schools suggests a total minimum school size of around 900+ pupils for a single school. For schools engaged in collaborative and partnership arrangements this figure may be reduced to a minimum of 720 pupils where the schools in the federation or trust can demonstrate that a good, coherent educational offer is provided as a result of their sustainable collaborative arrangements.
62. The financial viability of the proposal carries a significant risk and assurances articulated in the school's business case and in Appendix F to this report appear to disregard the opening balance of the proposed school in 2015/16 given it closed the 2013/14 financial year with a deficit which will be further exacerbated by the reduction in current budget availability in 2014/15 as set out in paragraphs 1 and 2 of this report.
63. The school has set out a projected budget for 2015/16 based on a forecast of anticipated pupil numbers but it is insufficiently detailed and does not enable a more thorough assessment of the proposal.

Proposed Admission Arrangements

64. The proposed admission arrangements of the school would require a variation, with approval of the school's adjudicator, to remove a Year 5 transfer point from September 2015 as the admission arrangements for 2015/16 have already been determined.

Equal Opportunity Issues

65. There are no equal opportunity issues arising from the school's proposal.

Community Cohesion

66. As a faith school and member of the Ashton Schools Foundation, Ashton Middle School has provided places for parents seeking a faith based education for their child but, as is acknowledged by its Trustees, the current school has not been oversubscribed and has surplus places currently in each year group.
67. Church of England Voluntary Aided provision is available in the Dunstable and Houghton Regis area through Ashton St Peters and Thomas Whitehead primary schools, and through Manshead School.

68. For September 2014 Manshead School received 247 first preference applications for transfer into Year 9, but only 14 of these were on religious criteria. Similarly the school received 167 first preference applications for transfer into Year 7, but only 7 of these were on religious grounds.
69. The school's proposal refers to unmet demand for additional faith based secondary places in the town. Evidence of this demand has not been proven through the school's own consultation exercise and evaluation of the responses, or through the figures illustrated above in relation to Manshead School.
70. The school's buildings are part of the historical context of Dunstable and currently offer a range of extended services for its pupils who also engage with the wider community, hosting events and performances. The school's proposal does not communicate how this role would be sustained and further expanded through a change in age range.

Travel and Accessibility

71. Ashton Middle School actively engages in the promotion of sustainable transport and as a result of its central location in Dunstable is well connected to ensure that children are able to cycle, walk or utilise public transport. If it was approved as a secondary school it would need to ensure that it continued to promote sustainability through its Travel Plan and Accessibility Plan.

Capital, School Premises and Playing Fields

72. The school's proposal fails to indicate whether any analysis has been undertaken of its current facilities and those required by a secondary school of the size proposed. Likewise, it would appear that implications of shared playing field provision with Ashton St Peters Primary School, which has also expanded as it has changed age range, has not been fully considered.
73. It would be expected that a proposal of this nature would be supported by an evaluation of the school's existing accommodation schedule against a 'model' schedule developed from the relevant Building Bulletin guidance for a school of the proposed size and type.
74. The differing facility needs of delivering the Key Stage 3 and 4 curriculum, compared with those of an existing Middle School could be considerable and the decision maker and the school's Trustees would need to be satisfied that sufficient capital funding has been secured and is available, in order to approve the proposal.

Conclusion

75. The statutory proposal of the Governing Body of Ashton C of E VA Middle School has complied with the process established by regulation, as set out in DfE guidance.

76. An evaluation of the proposal against the factors set out in guidance for decision makers indicates serious weaknesses within the proposal itself and the information provided to support it. The school's Trustees, despite retaining a position of neither agreeing or disagreeing with the proposal, are also clearly concerned that a number of key areas of development and planning have not been addressed sufficiently to provide a level of confidence that the proposal is viable.
77. It is recommended for the reasons set out in this report that the Council's Executive reject the statutory proposal of the Governing Body of Ashton C of E VA Middle School, to change the age range of the school.

Appendices:

Appendix A – Ashton Middle School's consultation materials and responses

Appendix B - Statutory Notice published by Ashton CofE VA Middle School

Appendix C – Representation received from Ashton Schools Foundation

Appendix D - Business case produced by Ashton CofE VA Middle School

Appendix E – Response of Ashton Foundation to the publication of a business case by Ashton Middle School

Appendix F - Final response of Governing Body of Ashton Middle School

FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

In respect of a Governing Body Proposal: School and governing body's details

1. The name, address and category of the school for which the governing body are publishing the proposals.

Ashton Church of England Voluntary Aided Middle School
High Street North
Dunstable
Bedfordshire LU6 1NH

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school.

N/A

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

Implementation to take place in September 2015

- Four stages of implementation
- September 2014 - Year 5 pupils admitted to Ashton Middle School for the last time.
- September 2015 - Year 8 pupils stay on into YR 9 (School now Yrs6-9)
- September 2016 - Year 9 pupils stay on into YR 10 (school now Yrs 7-10)
- September 2017 - Year 10 pupils stay on into Yr 11 (School is now a fully 11 – 16 Secondary School.)

The school will welcome any pupils into any of the existing year groups, providing the school does not exceed their admission number.

The projected numbers on roll stated in this document differ from those quoted in our Consultation and the LA's figures. This is as a result of strong parental support and external professional guidance.

Objections and comments

3. A statement explaining the procedure for making representations, including—
 - (a) the date by which objections or comments should be sent to the local education authority;and

- (b) the address of the authority to which objections or comments should be sent.

(a) 14 April 2014

(b) The Deputy Chief Executive / Director of Children's Services, Central Bedfordshire Council, Priory House, Chicksands, Shefford, Beds, SG17 5TQ.

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The proposal is to change the age range of Ashton Church of England Voluntary Aided Middle School from a 9 – 13 years Middle school to a 11 – 16 years secondary school. We also propose to change the name of the school to The Frances Ashton C of E VA Secondary School.

School capacity

5. (a) Details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The proposal will provide a faith school in the centre of town.

The current capacity of the school is 620 this figure has always been too high for the size of this building.

Our numbers have reduced this year due to the changes in the Dunstable area. At present we have 475 pupils in the school. The proposed capacity will be 450 pupils from years 7-11. The resulting smaller PAN, from 155 to 90, will allow for increase in number of year groups from 4 (Yrs 5-8) to 5 (Yrs 7-11) and the change in provision required for older, larger pupils.

Our PAN, which is smaller than other secondary schools, gives increased choice for the significant number of parents who have raised concerns regarding the impact of the wide age range and the increase numbers in secondary schools compared with primary. Our school will offer a less daunting environment allowing personal support and time to develop the social skills required to work alongside much older pupils.

We will also be able to provide the additional places for a secondary education when Upper Schools are already predicting that *"the new rules regarding the raising participation age also mean that the school would expect a greater proportion of its year 11 students to remain in the sixth form."* (Manshead Consultation Document 2013) This ultimately could cause serious strain on buildings and facilities, where there is already the need to provide accommodation in temporary buildings. As the size of the sixth form increases and, as a consequence the total number in the school increases, there will be more pressure on the facilities available which could lead to a reduction in their PAN or reduction in number being admitted in Year 7 due to parental choice. Our additional numbers would allow upper schools to increase their already successful provision 16-18 thus improving standards throughout the community. Due to the changes in the Dunstable area there will only be a 5% surplus between years 9 and 11. This was described during the consultation meetings by LA representatives as "tight". By adding an additional 90 places in the Dunstable area we would be able to increase that surplus, address future concerns as explained above and provide parents with a choice, which may not be available to all

parents with a 'tight' 5% surplus. Future plans for increased housing developments would also put additional strain on secondary numbers.

- (b) Details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

The current numbers of pupils in year 7 are 110. In September 2015 we would expect to admit our PAN of 90.

From	Action
September 2015	Year 8 pupils remain at Frances Ashton C of E secondary school and move into Year 9. There will be no admission into Year 5 at this point, but current Year 5 pupils would move into, what would be, a final Year 6.
September 2016	Year 9 pupils remain at Frances Ashton C of E secondary school and move into Year 10. Year 6 pupils remain at the school and move into Year 7, to be joined by the first admission into that year group from local Primary Schools.
September 2017	Year 10 pupils at Frances Ashton C of E secondary school move into Year 11.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

Where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

Numbers on roll

	Sept 2014	Sept 2015	Sept 2016	Sept 2017	Sept 2018	Sept 2019
Year 5	60					
Year 6	100	90				
Year 7	50	90	90	90	90	90
Year 8	100	50+	90	90	90	90
Year 9		80+	60+	90	90	90
Year 10			80+	60+	90	90
Year 11				80+	60+	90
Total	310	310+	320+	410	420+	450

- (2) A statement of the number of pupils at the school at the time of the publication of the

proposals.

There are 475 pupils at the school at the time of the publication of the proposal. Following discussions with a variety of stakeholders, we aim to achieve three form entry for Year 7 by September 2015, to offer the Frances Ashton Church of England Voluntary Aided Secondary School as an additional secondary provision in Dunstable.

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

N/A

Additional Site

7. (1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

N/A

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

N/A

Changes in boarding arrangements

8. (1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision—
(a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

N/A

(b) the arrangements for safeguarding the welfare of children at the school;

N/A

(c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

N/A

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

N/A

- (2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision—
 - (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

N/A

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

N/A

Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

N/A

- (b) the distance between the proposed and current site;

N/A

- (c) the reason for the choice of proposed site;

N/A

- (d) the accessibility of the proposed site or sites;

N/A

- (e) the proposed arrangements for transport of pupils to the school on its new site; and

N/A

- (f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

N/A

Objectives

10. The objectives of the proposals.

The objective of our proposal is to provide the parents and students of Dunstable with greater choice. We would offer a faith based secondary education in the centre of the town. Currently Dunstable only has one faith based secondary school, which is Manshead Upper School. As a school that is located in the centre of the town we believe we are a truly viable option for our local community.

The school believes that continuing to offer access to a full curriculum provided by specialist teachers in specialist areas, from the age of 11, will provide our pupils with the skills and subject knowledge to enhance their learning to ensure consistent progress is made.

We have proved (OFSTED 2013) that progress is good for the years our pupils are with us and particularly in Years 7 and 8 in mathematics where it is recognised that progress in Years 7 and 8 is almost as much as that expected nationally across Years 7 to 9. The school sets challenging targets which exceed national expectations, this is resulting in accelerated progress at KS3 in most subjects, this would continue into KS4. The report also recognised the good tracking and effective interventions which are taking place throughout the school. These processes will be rolled out to KS4, this is vital to ensure that all pupils make good or better progress at KS4 and reach their full potential at GCSE.

Our pupils know how to behave, have an excellent learning ethos and high attendance, consistently 94-96%.

In year 8 our pupils are already competing and performing at the highest levels and we have committed staff who will be able to continue to facilitate this achievement up to year 11 and beyond.

Our work with vulnerable pupils has been consistently highly commended by OFSTED and by our local community e.g. Jigsaw and Social Services etc. We believe that the nurturing environment we can provide for these pupils, in a smaller school where we can meet individual needs, will also lead to higher levels of progress and success at KS4. Our small SAS group, an initiative designed to accelerate the progress of pupils who arrive with exceptionally poor language or mathematical skills, has proven to be highly successful at bringing them up to the level where they can effectively access the curriculum. This will be developed and adapted for the needs of slightly older pupils. We will also aim to provide an alternative work based programme for some vulnerable pupils for whom a traditional curriculum is inappropriate.

“Support in lessons for pupils with Special Educational Needs is good and, consequently, they make good progress in their learning.” OFSTED 2013

Progress of our SEN pupils is good. We are proud of our inclusion process and will be further developing the roles of our support staff including our Behaviour Manager and School Counsellor to ensure that every pupil is provided with the best opportunity to achieve the highest standards possible.

Current planning indicates that the school, although smaller, would provide a full curriculum and be financially viable. This is possible as a result of staff restructuring and careful budget planning, to this end we have appointed a new business manager with experience in this area. A full Business Plan to follow.

Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

(a) A list of the people and organisations that were consulted with are listed below-

- Chairs of Governors for all Central Bedfordshire schools & academies
- Head Teachers of all Central Bedfordshire schools & academies
- Central Bedfordshire Council officers within Children's Services
- Houghton Regis Ward members
- Dunstable Ward members
- All Central Bedfordshire Council ward members
- Ashton Middle School parents/carers
- Ashton Middle School staff
- Ashton Middle School governors
- Houghton Regis Town Council
- Dunstable Town Council
- Local MPs
- Trade unions
- General public

(b) minutes of the public meeting are attached at Appendix A

(c) The view of the persons consulted are summarised / listed at Appendix B

(d) All applicable statutory requirements in relation to the proposals to consult were complied with.

(e) A copy of the consultation document is attached at Appendix C. This consultation document was made available to all people listed in section (a) and was also publicised via Central

Bedfordshire Council's publication 'Central Essentials' which is emailed weekly to head teachers and chairs of governors within Central Bedfordshire.

Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

We have planned the curriculum based on statutory requirements, along with the provision for additional courses such as GCSEs in a range of subjects including art, business studies, media, graphic design, textiles and resistant materials, BTEC courses in music and sport and an additional work based programme as described in Section 10. We are also considering an EB based course for more able pupils who would be accelerated to complete this by end of Year 11. We have proven experience of getting pupils to at least GCSE level in maths and French by the end of Year 8, so this would not be difficult to achieve. The staffing requirements to achieve this have been carefully considered, along with a revised staffing structure, and currently we are looking at a teacher level of 33 staff. This structure has been carefully costed and, whilst we recognise that, until we reach full capacity this will be tight, we are confident that it can be achieved. A projected financial statement will be available by 7 April 2014, in our business plan, which will set out more details.

We have no requirement to build or expand. We would like to add certain resources but this will be provided by seeking grants and bids (we are already underway on this.) We have been very successful in recent and past bid applications. NHLF, Beds BIP.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

N/A

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

9 years to 13 years

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

N/A

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

N/A

- (c) evidence of parental demand for additional provision of early years provision;

N/A

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

N/A

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

N/A

Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

N/A

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

N/A

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

N/A

(d) The proposed number of sixth form places to be provided.

N/A

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

N/A

Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

(a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

N/A

(b) any additional specialist features will be provided;

N/A

(c) the proposed numbers of pupils for which the provision is to be made;

N/A

(d) details of how the provision will be funded;

N/A

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

N/A

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

N/A

(g) the location of the provision if it is not to be established on the existing site of the school;

N/A

(h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

N/A

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

N/A

19. Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

N/A

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

N/A

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

N/A

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

N/A

20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of —

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

N/A

Sex of pupils

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;

N/A

- (b) evidence of local demand for single-sex education; and

N/A

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

N/A

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

N/A

- (b) evidence of local demand for single-sex education.

N/A

Extended services

23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

N/A

Need or demand for additional places

24. If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

Please see the objectives of our proposal and Appendices B & C . Very high level of parental support – see consultation survey feedback Appendix B

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

As a voluntary aided Middle School we are part of the Ashton Foundation of schools, this would continue as a secondary school. The school works in close partnership with Ashton St Peters Lower School, students come from this and other Church of England lower schools, many of these have now converted to primary schools and we would provide an alternative faith based provision for these pupils into their secondary education.

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

N/A

25. If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

The proposal involves reducing the school's admission number from 155 to 90. This is to provide for additional year groups and to support changes in our local community. We believe this increases parental choice in Dunstable and surrounding areas.

- (b) a statement on the local capacity to accommodate displaced pupils.

The school believes that proposals that have been planned by other schools will change the intake in the future. Currently we take from up to 26 feeder schools and we are a popular choice for parents looking for faith provision. There will be spaces available in all year groups in the transition years and there will also be the option to increase our PAN should there be further demand.

**APPENDIX A
THE MINUTES OF THE PUBLIC MEETING**

ASHTON C of E MIDDLE SCHOOL

**STAKEHOLDERS MEETING
20 JANUARY 2014**

Present

Mrs L Phillips	Headteacher
Mr R Fox	Chair of Governors
Mr W Mitchell	Staff Governor
Mr C Creasey	DT Teacher
Staff	
Parents	

	<p>Introduction Mr Fox made the introductions and explained the purpose of the meeting.</p> <p>Presentation by School Mrs Phillips, Mr Creasey and Dr Mitchell. Available on the website.</p> <p>Questions/Answers</p> <p><i>Would the school offer 6th form/where would students go after Year 11?</i> There is a wide choice in Dunstable, with a college just around the corner. The school was looking to develop close links with universities and was already consulting with Middlesex, Bedford and Northampton Universities. There were many choices and options available.</p> <p><i>Would the current staff have the ability to teach to GCSE?</i> 75% of the staff were secondary trained and therefore the school did not think this would be an issue. Some staff were already teaching Year 8s to GCSE level.</p> <p><i>Concerns were raised over the suitability of the buildings</i> Smaller PAN would mean opportunities to extend provision where required. The school already have an advanced DT provision with science laboratories capable of teaching to GCSE level. Plans are afoot to improve the facilities in the hall for drama. The school would look to provide language laboratories for MFL and create links with the leisure centre for PE.</p> <p><i>Would the school need to purchase lots of new equipment?</i> There was lots already available for DT and science. The school planned to bid for grants to update the drama facilities and MFL.</p> <p><i>Was the school financially viable?</i> Yes, it would require a staffing restructure and careful budgeting, particularly in</p>	
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	<p>transition years.</p> <p>There were many positive comments:</p> <ul style="list-style-type: none">• Location – middle of the town, less distance for 11 year olds from north of town to travel.• Faith provision – closer than Manshead for North and some villages.• Smaller environment – some children preferred a more nurturing environment.• Commitment of staff – there was a high level of dedication and extra-curricular activities were excellent.• Pastoral provision – the school cared well for children with needs and nurtures well. <p><i>Was it possible for Year 8s to stay on?</i> Not this year.</p> <p><i>With regard to the curriculum – would the school offer things such as EBAC?</i> The school would consider all options.</p>	
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Appendix B

**RESULTS OF CONSULTATION TO
CHANGE TO SECONDARY SCHOOL**

	Total Number of Responses	Percentage of Responses	Percentage excluding Neither Agree Nor Disagree comments
In favour	122	84.72%	93.13%
Neither agree nor disagree	13	9.03%	
Disagree	9	6.25%	6.87%
	144		131

“Agree” Comments

Was forced to make an application for an upper school last October but would prefer my child to continue his education at Ashton if this were possible. As such, the projected number for pupils for 9/14 have been manipulated. Also what choice is there when the decision regarding Ashton’s future will be decided until August?

To close Ashton would be a disgrace to Dunstable and Ashton pupils. Ashton needs to become a secondary school. *Parent*

I agree with the proposal to extend the age range of Ashton middle school to a single phase secondary school. As parents with a child in Year 7 we would be very happy for her to continue her education at Ashton until her 16th birthday. *Parent*

At a meeting of the Foundation on Monday 24 February the Trustees considered very carefully and with great interest the School’s Consultation Document on the proposal to change the age range of the school to a Single Phase Secondary provision. The Trustees also discussed alongside this the decision by the Executive of Central Bedfordshire Council to begin a consultation process on closure of Ashton and two other Middle Schools in the town, recognising that the School’s own proposal is now, in effect, being presented to the Local Authority as an alternative to closure.

The Trustees noted the difference between the School’s projected numbers on roll in Year 5 in September 2014 and the numbers projected to the Local Authority and, on the advice of the chairman, understood that this was the result of the School expecting to pick up a number of pupils for whom Ashton was ‘second preference’. The Trustees also noted that the School anticipates retaining more Year 6 pupils into Year 7 than the Local Authority is projecting. Clearly, numbers on roll are a crucial factor in determining the viability of the School.

The Trustees observed that, even on the School’s projected figures from 2014 to 2019, Ashton would be, by secondary standards, a very small school. The School has stated that in its consultation with stakeholders that pupils will be taught through to GCSE by specialist teachers while the consultation document emphasises the aspiration to provide a broad, balanced and cohesive curriculum that

meets the needs of all. The Trustees believe that it will be difficult to deliver both these objectives on such a small pupil number base.

Hence the advice of the Trustees is that the School will need to demonstrate to the Local Authority in its business plan clear evidence not only that the school will have appropriate facilities but, in particular, that the size of the teaching staff reflecting the number of pupils on roll will be able to offer genuine specialist teaching across the full ability range leading to a sufficiently comprehensive choice of academic and more practical or vocational courses. *Ashton Schools Foundation*

Our prestigious and historical school has an important role in the community. It would be suitable as a town centre Secondary School and the new proposal would be very welcomed by staff, parents and pupils.

Dunstable Parochial Church Council, as a stakeholder nominating to the Governing Body, considered the school's consultation document on 24 February 2014. The PCC's specific interest is in seeing that the school's religious status as a Church of England Voluntary Aided School is maintained and is satisfied that the school's current proposals do not compromise that position. *Dunstable PCC*

Apologies for delay in coming back to the consultation document, please take this email as confirmation that my wife and I (parents of xxxx) strongly agree with the below statement.

From September 2015 – Year 8 pupils should remain at Ashton C of E Middle School and move into Year 9 classes and, with subsequent moves, progressing into Year 11 by September 2017. Ashton C of E Middle School will admit its last intake of pupils into Year 5 in September 2014, these pupils progressing into Years 6 and 7 until the school becomes a fully-operating secondary school (ages 11-16) in September 2017.

In terms of additional comment, all I can say is that since Xxx started to attend Ashton Middle School in September 2013 we have seen her grow and grow in confidence, she is really fulfilling her potential academically, she's increased her drive and determination and she's displaying an ever increasing independence. It is a joy to see and we would like to recognise Xxx's fellow students and the teachers and staff at Ashton Middle for the massive part they have played in Xxx's development. From our first contact with Ashton at your open day in 2012 and continually through Xxx's first term, we have been impressed most of all by your unfailing commitment to putting the education, development, support and safety of the children first. Your commitment to this has been clearly and repeatedly reinforced through consistent and clear communication as well as through any contact we have had directly with any of the staff and teachers at the school - your actions speak louder than words and I have been really encouraged by your honesty, fairness and pragmatism.

In early 2013 I applied to and was successful in becoming a Governor at Queensbury Academy - my motivation was to 1) be involved in education, 2) give something back to the local community and 3) be a positive influence to help Queensbury become a great place for xxx (our daughter) to be taught. I resigned in December 2013, as after xxxx's experience at Ashton both my wife and I want xxxx to continue her education at Ashton for as long as possible and I would like to take this opportunity to offer my time, experience and energy in any way that I can to Ashton Middle, to help it achieve it's goal to become a Secondary School. *Parent*

Having a smaller secondary school based in a very central location would benefit, especially, those students whose needs are best met from being offered more individual strategies, support or challenges that may otherwise be lost in a bigger school. This allows a greater choice for parents, in both location and size of school, and also where faith is important.

I believe that this is the proposal the school should have made last year, it is a far better option than looking at primary status, I only hope it is not too late. *Parent*

This school plays a central part in the town. The building itself is fabulous and to close the school would be saying goodbye to hundreds of years of history. To give it a fighting chance at succeeding and having the future it deserves I wholeheartedly support this proposal to change the age range. *Teacher*

I support this so that there is a bigger choice for my children when they reach secondary school age. *Parent*

The school has been around for well over 100 years. It has always been accessible to children in the community whether they walk, cycle or are driven to school.

With the addition of 7000 new homes in Houghton Regis Ashton Middle School will be needed as the only faith school in this part of the town. Expecting families to travel to Manshead will be too much.

I went to Ashton. I have applied for my son to go there from September 2014. If Ashton were to change to a secondary school, then I wouldn't have to move him again. He could just stay there for the rest of his schooling which would be perfect. *Parent of a child at another school*

This is where I would like my child to go, so please become a secondary school. *Parent*

I loved being there as a pupil myself. Some of my old teachers are still there and I'm really hoping that my 3 children will all get the chance to go to this incredible school when it's their turn. *Ex-pupil and parent that wants her children to go here in a few years time.*

470 children on roll shows that parents do want their children at this school. Projected numbers are false! *Parent*

We strongly welcome this change as we have been extremely happy with Ashton for the past four years and would have loved our daughter to continue there. Ashton has offered a good education in a loving Christian environment. Please do not close this school. *Parent*

I feel the quality of the teaching staff and the enthusiasm of the school management team will make this proposal a success. My only concern relates to the building and facilities and if there is the scope to adapt the existing site to meet the needs of older pupils.

Think this is the best way forward for Ashton and Dunstable. *Parent*

I don't want these people to close the school. *Parent*

We believe that Dunstable needs a choice of upper schools and think Ashton would be a fantastic place for our daughter to stay until age 16.

A fantastic idea. Ashton will be a great secondary school. *Parent*

This school should remain open however I would love it to be taking Year 5 still until 2016 so my daughter could come here after Year 4 – definitely a secondary – full support. *Parent and professional who works alongside the school.*

I strongly agree that Ashton should become a secondary school and remain open. It is an excellent school. *Parent*

A school with a long standing history and a list of character. This along with dedicated teachers is what is needed in a school. *Parent*

This is a brilliant school which needs to stay open. I am even moving my other daughter to this school into year 7 so she can stay at one school until 16. *Parent*

My son enjoys coming to this school. For him to move now would mean him taking time to settle again. *Parent*

The school should be allowed to become a secondary school as it had contributed so much in the past and has a lot more to offer the children in the area. The school has taken steps to be at the forefront with digital technology support in the area and the children of the school will be at a strategically advantage over others having both hands-on experience on-site and expertise at their fingertips, this is the way of the future. The children deserve the opportunity to move to the next level of the education with a leading edge school, Ashton Middle School. *Parent*

Ashton Middle School has proven itself to be a proactive school and listening to the needs of the parents in the community and this has been shown by the drive to change to a secondary school. The school has been part of the life in Dunstable and the surrounding towns since 1887. In my opinion, the school should continue to educate our children to year 11. Some of the past pupils have become world famous while others have become outstanding individuals having had a firm grounding at Ashton Middle School. It would be a great dis-service to the children of Dunstable and environs and to future children if the school was not allowed to change to a secondary school. *Local resident*

Ashton Middle School reinforces the Christian ethos of the Ashton Foundation and continues to build on this following on from Ashton St Peters (also in the Ashton Foundation). The school also strongly supports the students academically and socially, contributing to building a productive and responsible citizens of Dunstable and the country where the students may go in the future. *Local resident*

Fantastic provision, caring environment, passionate teaching staff, happy children. Important to the community – will make a fantastic secondary school. *Parent and ex-pupil.*

We need another secondary school in Dunstable as the choice is very limited. *Year 5 Parent*

My daughter has settled very well since starting Year 5 in September. After all the disruption with school changes before we started we made the right choice for her to come to Ashton. *Parent*

Agree would be even better until 18 years. *Parent*

Keep middle schools in Dunstable. *Parent*

I fully support this proposal. The betrayal of the schools, its staff and parents, by the local authority is absolutely disgraceful. *Parent*

Ashton Middle should remain open as a school, it is part of the heritage of the town and it would be sacrilege for it to be knocked down or used for any other purpose. It would be short sighted to close 3 schools in the town because there will surely be a need for places as the children are not suddenly going to disappear and Ashton should remain open to accommodate that. *Parent*

We strongly believe that Ashton should become a secondary school. We feel that this move is vital and that the school must remain open. It is a wonderful school. *Parent*

Ofsted quotes this school as "middle deemed secondary". Ashton Middle School is well known for having a caring, safe and supportive environment. This school was built as a Grammar school in 1887 and although there have been many changes it has a huge amount of history and tradition which would be a great shame to lose. The intended specialist areas of Science and DT alongside Creative and Performing Arts is excellent because Ashton Middle School already has fantastic music and drama departments who regularly produce outstanding concerts and performances. We also already have suitable and safe science labs with innovative teachers. *Member of non-teaching staff*

As the structure of Ashton C of E school is a listed building and formerly a Grammar school, I strongly believe that the school should continue to provide educational needs as per the above proposal.

This is an exciting opportunity for children within the school and fully support it.

Another secondary age range school in the area would be an excellent idea, providing parents with more choice and helping to keep future numbers at other Dunstable schools more manageable. *Parent*

Ashton is a caring school which caters for their pupils individual needs. By becoming a secondary school I feel this will provide security for the children and will have a huge impact on future exam results and their futures. *Parent*

I wish Ashton every success with future developments. I'm very grateful for the standard of education and support my child has been given.

This is what Ashton should have originally been striving for instead of the primary route. It needs to be put into place as enough time has already been lost, to safeguard our children's education. *Parent*

I strongly agree that this is the way forward for Ashton school. *Employee*

As Ashton Middle School is a listed building. The school has been here for 100 years it being a grammar school. My children came to the school and did very well like many other children. I would like to think it will continue on. *Employee*

I have been delighted with the quality of education given to both of my girls at Ashton Middle School. Sadly, this consultation will not be completed in time for my child in Year 8 but I will be taking up this opportunity for my daughter who is in year 5. *Parent*

A unique school offering unique opportunities. *Staff*

I am in full support of this proposal. Ashton Middle is a brilliant school and it will offer a great education for 11-16 year olds. My daughter is really looking forward to coming to Ashton and I'm looking forward to it too! *Parent and governor*

I feel strongly that Ashton should remain open. It has (and continues to) provide my children with an excellent year 5 to 8 education. I fear the move to a 11-16 school may make demands on the physical structure of the school that it may struggle to meet but I also feel that this change is far better than the school closing. It provides a unique education environment in term of its ethics, morals and pastoral care that is not matched by other local schools and my family hope that can continue. *Parent*

I think this is a great idea and my son will continue at Ashton. *Parent*

Strongly agree. *Parent of a current year 7 pupil at Ashton and would be the first proposed year 9 class in Sept 2015*

Feel very strongly school should stay open. *Parent*

A great school that should be kept open! *Parent*

Great school – fantastically located in the heart of Dunstable. Great staff with strong focus on the children's learning and development. *Parent*

I have been more than happy with my children's progress whilst at Ashton, it would be very beneficial if they could continue their schooling there. *Parent*

I am more than happy with the progress my children have made, I would find it beneficial to become an upper where they can continue their education. *Parent*

Our son is currently in year 7 and has expressed a great interest in continuing his education at Ashton Middle on the basis of the said proposal. The school has our full support in this matter. *Parent*

My daughter doesn't want to leave until she is 16. *Parent*

I feel this would be brilliant and I would be very happy for my daughter to remain in this school. It meets all the needs of my child and she is happy at this school. *Parent*

It would be a shame for Dunstable heritage to close in the form of this school. My children have received an amazing education and all round support from all at Ashton over the last decade. *Parent*

My daughter who is in Year 7 is very happy at Ashton and we are really pleased with her progress and the support and encouragement she receives from all her teachers. *Parent*

I would like to see the school not only take pupils until 16 but to look at having a 6 form and giving pupils the option of staying on until they are 18. *Parent*

Transitions are hard for most students to deal with. I as a parent of a child with additional needs feel very strongly that Ashton should increase its age range. Change is hard for the children to have to cope with at a young age, and will have an impact on their learning it takes a long time for my child to settle and trust a school, like many with additional needs. If the school was able to increase its age range children will have longer to settle before having to take their most important exams to date (GCSE) rather than just 1 year to settle before they need to choose their GCSE subjects. Ashton is a great school, whom have supported both me and my son for the last couple of years. I know I'm not alone in my feelings after speaking to other parents. *Parent*

I strongly agree that Ashton should remain open and extend the age range if this were to happen I would keep my daughter at Ashton. *Parent*

I believe pupils should have this option if they wish to remain in a pastoral environment which will support their education through to year 11. Some pupils may wish to be on a school offering A levels too, but for many a 11-16 option is the best. *Parent*

This this sounds like a great idea. *Parent*

Think this sounds a great idea. Very happy with my daughter in year 7 at the school at present and look forward hopefully to her sister starting in Sept 2014. *Parent*

I think it is a good idea becoming a secondary school will help many pupils. *Parent*

The school was very late in making a decision in the light of other moving to two tier. By the time the proposal was made many parents had already made alternative plans and been through much confusion. An earlier decision would have been better. *Parent*

I am happy with the school now and look forward to the changes. *Parent*

My daughter has flourished since starting at Ashton. She is now in year 6. I would really like her to complete her school career at Ashton as I believe they really do see each child as an individual and cater to their individual needs. *Parent*

Ashton is a good viable school. Please give it a chance to continue to build on its reputation. *Parent*

To keep up the intake and I feel it is so important to preserve this as a school as it traditionally has been for so long. *Employee*

I strongly agree the school should progress to an upper school as it has the facilities to do this and the superb staff to maintain the good education of the pupils. *Employee*

“Disagree” Comments

I have applied for secondary school for my child, as Ashton was changing to primary. If I had known Ashton was going to change its mind and go to secondary I would have possibly had a re-think. *Parent*

I am not happy at the proposal, it affects the whole schooling arrangements as I have a year 4 child and a year 5. This causes a lot of confusion about the future. *Parent*

“Neither Agree nor Disagree” Comments

Just feel that this proposal may be too late for my child. As I am aware that many pupils may have already decided to leave. If the majority of year were staying I would consider remaining at Ashton! *Parent*

As a parent of a year 6 pupil, we are in an extremely difficult situation, finding it hard to make decisions on the “unknown”. If the proposal had already been in place there is no doubt I would have kept my child at Ashton. *Parent*

As our child’s sibling is already at Manshead we plan for our daughter to transfer to Manshead for Year 9. *Parent*

I would have considered my daughter staying at Ashton if they were offering 6th form but due to this she will be leaving at the end of year 8. *Parent*

Appendix C
Consultation Document

Ashton C of E VA Middle School

Consultation on our Proposal to

Change the Age Range of

Ashton C of E VA Middle School to a

Single Phase Secondary Provision for

2015-2016

**CONSULTATION ON PROPOSAL TO CHANGE THE AGE RANGE OF ASHTON C of E VA MIDDLE SCHOOL,
HIGH STREET NORTH, DUNSTABLE, BEDS, LU6 1NH TO A SINGLE PHASE SECONDARY PROVISION FOR
2015/2016**

The Purpose of the Consultation Document

The purpose of this document is to provide information on a proposal to change age range of Ashton C of E VA Middle from 9-13 years to 11-16 years from September 2015, to create a full secondary provision. As part of this consultation we would also like to propose that Ashton Middle School becomes the Frances Ashton Church of England Secondary School.

Background

Ashton C of E VA Middle School provides pupils with an extensive curriculum taught by specialist staff. Our school is underpinned by Christian values. We are an inclusive school, valuing and respecting everyone equally. We teach our pupils to set high expectations of themselves and to show compassion towards others. As such our pupils leave our school as enthusiastic and independent learners and fully prepared for the next phase of education.

At present pupils start Ashton Middle School at age 9 in the middle of their Key Stage 2 primary schooling. If the pupils were to start at Frances Ashton C of E Secondary School aged 11 then we would be fully responsible for the education of our pupils for the whole of Key Stages 3 and 4, and as such fully prepare our learners with specialist teaching in all curriculum areas.

We believe that our children would benefit from the stability of a secondary school setting that is organised to meet the specific learning needs of a child progressing through Key Stages 3 and 4. Our strength is the quality of provision in all curriculum areas and the knowledge of where children need to be to compete in the rigorous world of academic achievement in their GCSEs. Our aim would be to offer the firm foundations in a full range of subjects on which the pupils can build in preparation for their choice of secondary education.

Ashton C of E VA Middle School's Governing Body is therefore going out to consultation prior to asking Central Bedfordshire Council to consider a request to change the school's age range to enable it to provide secondary schooling for pupils from the age of 11 up to age 16.

Contextual position

Much change has occurred within the area of Houghton Regis and Dunstable, with a significant number of schools now being Academies and a general move towards a two-tier system of education from September 2014. The following points demonstrate these particular trends:

- All Lower Schools in Houghton Regis were granted permission by the Local Authority to operate as 4-11 Primary Schools from September 2013.

- Hadrian Academy and St Christopher's Academy, from where children eventually tend to feed into Queensbury Academy, were granted Primary (4-11) status from October 2012 and have retained their Year 5 pupils from September 2013.
- Barnfield Vale Academy (formerly Mill Vale Middle School) is admitted children into Years R to 5 from September 2013.
- All Saints Academy, formerly a 13-18 Upper School, is operating as an 11-18 Academy and admitted the first cohort of students into Year 7 from September 2013.
- Houghton Regis Academy is also making the transition from being a Middle School to an 11-18 secondary school from September 2013.
- During the summer months of 2013, the Department for Education and Central Bedfordshire Council agreed to a significant number of other changes that will come into effect from September 2014. These are:

Lark Rise, Ardley Hill and St Augustine's Academies to operate as complete Primary Schools, retaining Year 5 pupils from September 2014;

Lancot, Kensworth and Ashton St Peter's Lower Schools to operate as complete Primary Schools, retaining Year 5 pupils from September 2014;

Queensbury Academy to operate as a complete Secondary School, admitting pupils into both Year 7 and Year 9 in September 2014;

Manshead Upper School to operate as a complete Secondary School, admitting pupils into both Year 7 and Year 9 in September 2014;

Priory Academy to operate as a 9 -16 Secondary School, retaining pupils into Year 9 from September 2014.

A few Lower Schools (Dunstable Icknield, Studham, Watling and Totternhoe) have decided to remain as Lower Schools. The remaining two Middle Schools (Brewers Hill and Streetfield) have not formally announced what plans they might have, but the majority of Dunstable and Houghton Regis will be operating as a two-tier system from September 2014

Beecroft Lower School has recently become an Academy and is consulting on becoming a Primary school in September 2015.

The proposal to make a change to the age-range for Ashton C of E VA Middle School will be subject to the outcome of this informal consultation process by the governors. If, as a result of the consultation, governors then decide to proceed to the next stage for the proposed changes, statutory notices will be issued for a period of 6 weeks. At the close of this period, governors will again assess the responses they have received and if they decide to proceed, with then submit a

report on the outcome of the consultation, together with a business case, to Central Bedfordshire Council, which will make a determination on the proposal.

Proposal

We believe that our children would benefit from a secondary school setting that is designed to meet the desired learning needs of the Key Stages 3 and 4 students.

The change proposed would provide stability and a continuity of learning and more significantly the changing face of schooling in Dunstable, Houghton Regis, Luton and the immediate locality.

To summarize our objectives are:

- To provide for continuation of the curriculum, whereby each phase of education (Primary and Secondary) teaches two full Key Stages and are mutually able to support progress by reducing the number of transition points.
- To engage in determined collaborative working between and among phases with a view to enhancing the sharing of specialist provision.
- To provide and sustain the highest standards of education whilst maintaining the nurturing and well-being of all children. To ensure sustained progress in all areas by offering both consistency and expertise.
- To ensure that all of the schools involved in the proposal work positively as partners to ensure a high quality and localised educational provision.
- To ensure that all of the schools involved in the proposal offer children and young people a broad, balanced and cohesive curriculum that meets the needs of all.
- To offer all children and young people an exciting and innovative curriculum provision that meets a full range of diverse needs and supports every child / young person to achieve their full potential.
- To inform parental choice with regard to the variety of options and opportunities that are being offered.
- To forge innovative links with excellent post 16 provision ensuring smooth transition *for future educational provision*.

You are invited to meetings as part of this consultation – please see the attached schedule for consultation.

1. Details of the Proposed Arrangements for 2015-2016

The Governing Body of Ashton C of E VA Middle School will apply to Central Bedfordshire Council, subject to the outcome of the consultation process, to change the age range of pupils from the current arrangement from 9 years to 13 years to 11 years to 16 years from 1st September 2015.

2. Implementing age phase changes 2015-16 onwards

We are seeking to offer continuity of learning throughout the secondary stage of schooling and in particular to maintain our levels of provision through the entire National Curriculum phases known as Key Stages 3 & 4. The stage encompasses years 7, 8, 9, 10 and 11.

Currently pupils in this locality have to change school mid-way through this vital Key Stage. Our proposal to admit pupils into the school at age 11, would bring us in line with the national system of primary and secondary and reflect what many of the local secondary schools are proposing. Parental choice will shape the future of all schools across Dunstable, Houghton Regis, Luton and surrounding area and these proposed changes will assist parental choice.

3. Proposal

From	Action
September 2015	Year 8 pupils remain at Frances Ashton C of E secondary school and move into Year 9. There will be no admission into Year 5 at this point, but current Year 5 pupils would move into, what would be, a final Year 6.
September 2016	Year 9 pupils remain at Frances Ashton C of E secondary school and move into Year 10. Year 6 pupils remain at the school and move into Year 7, to be joined by the first admission into that year group from local Primary Schools.
September 2017	Year 10 pupils at Frances Ashton C of E secondary school move into Year 11. The school would then be a complete Secondary school with Year groups 7, 8, 9, 10 and 11.

Numbers on Roll – changes from September 2014 onwards

	September 2014	September 2015	September 2016	September 2017	September 2018	September 2019
Year 5	60					
Year 6	100	60				
Year 7	50	100*	90**	90	90	90
Year 8	100	50	100	90	90	90
Year 9		100*	50	100	90	90
Year 10			100	50	100	90
Year 11				100	50	100
Totals	310	310	340	430	410	460

* 2015 Parents will have the choice of upper school in year 7, we expect that some pupils would leave, however, some would transfer in from primary schools. There may also be in year admissions into years 6 and 8 which could easily be accommodated and increase the number of students in total.

** 2016 First intake year. Assuming 60 would transfer into year 7 from year 6 there would 30 places available for new intake bringing the numbers up to the expected PAN of 90.

Frances Ashton C of E VA secondary school is a well-resourced school with excellent accommodation. The school will continue to ensure that all pupils have the highest standard of educational environment possible.

The School and its facilities:

The present school is already the designated digital support centre for the South East of England. This is run by DevelopEBP and is supported by DATA (Design and Technology Association.)

Ashton is proud to announce that they have taken stock of a new state of the art 3D printer industrial rapid prototype machine, heat presses, and dye sublimation equipment, laser cutter logic blocks and much more. The liaison with DevelopEBP will see our School become the digital support centre for many schools and back to work /skills based training and development organisations. This support is recognised and promoted through the Design and Technology Association. The main focus will be teaching many processes in state of the art 3D CAD CAM (Computer Aided Design / Computer Aided Manufacture) modelling and design. We aim to provide a centre of excellence in digital technology.

Our buildings and facilities allow us to provide a wide range of subjects and our PAN (Pupils Admission Number) will ensure that pupils are fully supported to achieve at the highest levels in their GCSE's.

Our PAN of 90 will, by 2019, provide a total school number of approximately 450. This, based on current funding system, allows the school to function as a small secondary, providing all the opportunities expected for core subjects, languages and humanities to be taught to GCSE level whilst providing additional and exciting opportunities within the areas of performing arts, DT and science.

Currently there are no specialist science and DT schools in Dunstable, we would aim to provide a quality provision which would allow pupils to pursue careers in science and/or DT.

In the initial years the numbers are lower, however, due to the phased nature of the changes we will be able to provide a quality education at each stage, without any additional outlay or expenditure. In years 2014 – 2015 the KS3 curriculum will be well covered by existing facilities and staff, allowing for development of new subjects and expansion of existing courses in subsequent years when funding will be greater due to the increase in numbers and ages of the students.

We have already submitted a bid for Local Authority Coordinated Voluntary Aided Programme (LCVAP) funding to upgrade and refurbish our hall and drama facilities which will include improved staging, lighting and a light and sound booth.

Our vision extends to a five year plan to include firm links with Universities such as Middlesex University, The University of Northampton and The University of Bedfordshire, providing a potential source of additional support and possible sponsorship, whilst giving students clear options and paths for their onward education.

We aim to seek additional funding through grants and sponsorship as well as funding from our Digital Technology courses to provide additional resources such as:

- Upgrading certain elements of our Science Laboratories to build on to our already successful Science Department and to ensure full access to Physics, Chemistry and Biology.
- To further extend our ICT capacity with a particular reference to mobile technology by increasing the wireless provision across the school to support innovative use of ICT.
- Creation of a flexible learning space to support innovative and interchangeable usage supporting a wide variety of specialist teaching, supporting our academic programme.
- Usage of extended ICT to support new Language Laboratory facilities as part of the ICT improvement to plan for Language Laboratory facilities.

Our intended specialist areas are Science and DT alongside Creative and Performing Arts.

These have been carefully selected to reflect the strengths of the school, we would also consider applying for science specialist status, this does not currently exist within Dunstable. Should our LCVAP bid be successful we will be well on the way to providing good facilities for drama, science labs are already well stocked with equipment which will allow for GCSE level science and the DT department has advanced, cutting edge facilities. We are also well placed with excellent, secondary trained teachers in all these areas.

Post 16 we will establish clear routes and options into further education, these will be mapped out and fully supported by the school and will include opportunities for A level studies at local school sixth forms, UTC or further education colleges, apprenticeships and other work related options will also be offered where this is appropriate for the student. We have established good liaison processes with our current feeder and ongoing schools, we will use this expertise to ensure that pupils have a path which suits their needs and requirements post 16. Our links with universities will also provide for progression beyond 18.

We are asking you to comment upon this proposal.

Admission criteria

If the school becomes a Secondary School from September 2015 the intake of new pupils to the school in Year 7 will be 30 in addition to the Year 6 children who would automatically be entitled to move to Year 7 from Year 6.

In 2016 and subsequent years the PAN will be 90.

The admission criteria for pupils coming into Frances Ashton C of E secondary school from September 2015 is detailed below, this is unchanged from the current criteria.

	CURRENT CRITERIA
1	All 'looked after' children or children who were previously 'looked after'
2	Children who have a parent or guardian, who at the time of application is a practising member of the Church of England.
3	Those children who, at the time of application, attend Ashton St. Peter's Lower School.
4	Sibling of children who are already attending Ashton C. of E. Middle School VA at the time of admission.
5	Those children with a parent or guardian, who, at the time of application is a practising* member of another Christian Denomination**.
6	Those children with a parent or guardian, who, at the time of application is a practising* member of another faith or religion.
7	Children with very exceptional medical reasons
8	Any other children.

* A 'practising' member of the religion is a person who, for a period of 12 months prior to the time of application, has attended public worship at the Church or religious meeting place at least one in each calendar month.

** Another Christian Church is one which belongs to or is eligible for membership of Churches Together in Great Britain and Ireland, the Evangelical Alliance, or the Dunstable Fellowship of Evangelical Churches.

Applications in categories 2, 5 and 6 are required to provide confirmation of the attendance at their place of worship from the parish priest, clergyman, minister or faith leader in writing on the Local Authority confirmation of religious affiliation form.

Process of Consultation

In order to engage in meaningful and informed consultation, we will be holding a number of consultation events to engage with all stakeholders, as well as providing the opportunity for individuals and institutions to make written submissions about the proposals. All of this evidence will be collated into a Consultation Report that the governors will consider prior to deciding whether to make a submission to Central Bedfordshire Council. What follows is the full timetable, but processes after January 2014 will only be actioned if the governors decide to proceed.

Date	Action
13 th January 2014	Informal Consultation begins
20 th January 2014 3.30 pm at the school	Meeting with Ashton Middle School staff
20 th January 2014 6.30pm at the school	Meeting with parents, community and other stakeholders
3 rd March 2014	Consultation ends
5 th March 2014	Governing Body meet to consider results of consultation and to decide whether to proceed to the publication of statutory notices
12 th March 2014	Publication of statutory notices (Formal publication of the proposal)
13 th March 2014	Representation (Opportunities for interested parties to make their views known)
1 st May 2014	Representation ends

The Ashton Foundation and Diocese of St Albans will consider the proposals at meetings to be held during the consultation process, and will feed the outcome of their discussions into the overall process.



Ashton Church of England Middle School
High Street North, Dunstable, Bedfordshire. LU6 1NH
Tel: 01582 663511 Fax: 01582 666412
Email: office@ashtonmiddleschool.co.uk
Website: www.ashtonmiddleschool.co.uk

January 2014

Dear Parent/Staff/Member of the local community

Ashton C of E Middle School – Meetings for parents, carers, members of the community and neighbouring schools

20th January 2014 – 6:30 p.m.

The Governing Body of Ashton C of E Middle has decided that it should further investigate and consult on the proposal to change the age range to a single phase Secondary provision for 2015-16. You are invited to attend a meeting, in school, as detailed above.

We will be considering and inviting comments on the proposed age phase changes for Ashton C of E Middle School from 2015/2016.

If you have any questions or would like to express your views, I would be grateful if you could submit these in writing by Friday 17th January 2014 so that they can be addressed at the meeting.

The final decision on any proposed changes are made by Central Bedfordshire Council.

We look forward to seeing you.

Yours sincerely

Mr. Roger Fox
Chairperson of the Governing Body
Ashton C of E Middle School

Inspire all to flourish...



Our school is inspired by Christian values. We aim to work with parents, church and community to help each child flourish in all aspects of their lifelong development. We are an inclusive school valuing and respecting everyone equally and unconditionally. We teach pupils to set high expectations of themselves and show compassion towards others.

A member of the ten school partnership

CONSULTATION ON PROPOSAL TO EXTEND THE AGE RANGE TO A SINGLE PHASE SECONDARY PROVISION 2014-2015

Please take the time to read our Consultation outline and complete this questionnaire. Your feedback is important to us. Please send completed questionnaires by post to:

Mr Roger Fox, Chairperson of Ashton C of E Middle School, High Street North, Dunstable, Bedfordshire, LU6 1NH

Or enter your feedback on line at:
office@ashtonmiddleschool.co.uk

All responses must be received by 3.30 pm Monday 3rd March 2014.

Proposal

- That Ashton C of E Middle School becomes Frances Ashton Church of England Secondary School, from September 2015
- This would involve Year 8 pupils remaining at Ashton C of E Middle School and moving into Year 9 classes and, with subsequent moves, progressing into Year 11 by September 2017. Ashton C of E Middle School will admit its last intake of pupils into Year 5 in September 2014, these pupils progressing into Years 6 and 7 until the school becomes a fully-operating secondary school (ages 11-16) in September 2017.

Strongly Disagree	Disagree	Neither agree nor disagree	Agree	Strongly Agree

Comment

Please advise us of whom you represent if you so wish (eg, parent, local resident, school governor, etc)



Ashton Church of England Middle School
High Street North, Dunstable, Bedfordshire. LU6 1NH
Tel: 01582 663511 Fax: 01582 666412
Email: office@ashtonmiddleschool.co.uk
Website: www.ashtonmiddleschool.co.uk

Proposal to extend the age range of Ashton Church of England Voluntary Aided Middle School from 9 - 13 years to 11 – 16 years to create a secondary school.

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that The Governing Body of Ashton Church of England Voluntary Aided Middle School intends to make a prescribed alteration to Ashton Church of England Voluntary Aided Middle School, High Street North, Dunstable, Bedfordshire LU6 1NH from 1 September 2015.

The proposal is to change the age range of Ashton Church of England Voluntary Aided Middle School by extending it from a 9 – 13 years middle school to an 11 – 16 years secondary school. As a consequence the school name will change from Ashton Church of England Voluntary Aided Middle School to The Frances Ashton Church of England Voluntary Aided Secondary School.

This is to be implemented as follows:

September 2014 -	Year 5 pupils admitted to Ashton Middle School for the last time.
September 2015 -	Year 8 pupils stay on into Yr 9 (school now Yrs 6-9)
September 2016 -	Year 9 pupils stay on into Yr 10 (school now Yrs 7-10)
September 2017 -	Year 10 pupils stay on into Yr 11 (school is a full Yr7-11 secondary school)

The current capacity of the school is 620 places and when the proposals are implemented the proposed capacity will be 450 (with capacity for some growth).

The current admission number for the school is 155 for year groups Yr 5-Yr 8. The proposed admission number will reduce to 90.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: The Information Manager, Central Bedfordshire Council, Room DC2, Watling House, High Street North, Dunstable, Beds, LU6 1LF. It can also be viewed on the Council's website at www.centralbedfordshire.gov.uk/schoolconsultations and the school website <http://www.ashtonmiddleschool.co.uk>

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to The Deputy Chief Executive/Director of Children's Services, Central Bedfordshire Council, Priory House, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

Signed: Roger Fox

Chair of Governors, Ashton Church of England Voluntary Aided Middle School

Publication Date: 17 March 2014

Explanatory notes

It is proposed that extending the age range of Ashton Church of England Voluntary Aided Middle School from 9 – 13 years to 11 – 16 years will provide a smaller secondary faith school in the centre of the town, increasing choice for parents and addressing issues of school size and mix of age ranges. Building on current good progress whilst at Ashton Middle School, we will ensure good or better progress at KS4. Current planning indicates that the school, although smaller, would provide a full curriculum and would be financially viable.

Inspire all to flourish...



Our school is inspired by Christian values. We aim to work with parents, church and community to help each child flourish in all aspects of their lifelong development. We are an inclusive school valuing and respecting everyone equally and unconditionally. We teach pupils to set high expectations of themselves and show compassion towards others.

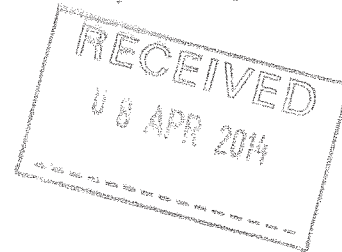
A member of the ten school partnership

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ASHTON SCHOOLS FOUNDATION
Charity Reg. No. 307526

- Ashton Almshouse Charity
- Ashton Schools Foundation
- Blandina Marshe Charity
- Chew's Foundation
- Dunstable Poor's Land Charity
- Mary Lockington Charity

The Deputy Chief Executive / Director of Children's Services,
Central Bedfordshire Council,
Priory House,
Chicksands,
Shefford,
Beds, SG17 5TQ



3rd April 2014

Dear Ms Grant,

ASHTON MIDDLE SCHOOL:
School Proposal to extend the age range to a single phase secondary provision
and
CBC Consultation on the Potential Closure of Ashton Middle School

The Trustees of the Ashton Schools Foundation, being the Trustees of Ashton Middle School, have considered the school's proposal to change the age range of the school to a Single Phase Secondary provision, alongside the consultation by Central Bedfordshire Council on potential closure of the school.

The Trustees wish to point out that the views which they submitted to the school at the initial consultation stage of the school's proposal to vary its age range have been misrepresented in Appendix B of the school's complete proposal document. In Appendix B, the response of the Foundation has been listed among those which 'agree' with the proposal. A copy of the Foundation's response is appended to this letter, where it can quite clearly be seen that the Trustees advised the school about what it would need to do to put together a viable proposal and this advice can best be described as 'neither agree nor disagree'.

The views expressed in that advice remain the views of the Trustees. The Foundation has not seen the school's business plan, which the Trustees note will be submitted to the Local Authority by 7th April. However, given the projected size of the school even on the most optimistic forecast of numbers on roll, the Trustees have reservations about whether the school will have the financial capability to provide the specialist staffing and facilities to deliver a broad and balanced curriculum across the full ability range. There is a reason why most secondary schools are the size they are. The school must demonstrate in its business plan how such a small school will have the necessary resources to enable all students to access a sufficiently broad and appropriate choice of courses leading to GCSE and other more practical and vocational qualifications at the end of Key Stage 4.

Yours sincerely,

A handwritten signature in cursive script that reads "Yvonne Beaumont".

Mrs Y E Beaumont
Clerk to the Trustees

Association of Dunstable Charities

- Ashton Almshouse Charity
- Ashton Schools Foundation
- Blandina Marshe Charity
- Chew's Foundation
- Dunstable Poor's Land Charity
- Mary Lockington Charity

ASHTON SCHOOLS FOUNDATION Charity Reg. No. 307526

Mr Roger Fox
Chairperson of Ashton C of E Middle School
High Street North
Dunstable, Bedfordshire.
LU6 1NH

27th February 2014

Dear Mr Fox,

Consultation on proposal to extend the age range to a single phase secondary provision 2014 – 2015

At a meeting of the Foundation on Monday 24th February the Trustees considered very carefully and with great interest the School's Consultation Document on the proposal to change the age range of the school to a Single Phase Secondary provision. The Trustees also discussed alongside this the decision by the Executive of Central Bedfordshire Council to begin a consultation process on closure of Ashton and two other Middle Schools in the town, recognising that the School's own proposal is now, in effect, being presented to the Local Authority as an alternative to closure.

The Trustees noted the difference between the School's projected numbers on roll in Year 5 in September 2014 and the numbers projected by the Local Authority and, on the advice of the chairman, understood that this was the result of the School expecting to pick up a number of pupils for whom Ashton was the 'second preference'. The Trustees also noted that the School anticipates retaining more Year 6 pupils into Year 7 than the Local Authority is projecting. Clearly, numbers on roll are a crucial factor in determining the viability of the School.

The Trustees observed that, even on the School's projected figures from 2014 to 2019, Ashton would be, by secondary standards, a very small school. The School has stated in its consultation with stakeholders that pupils will be taught through to GCSE by specialist teachers while the consultation document emphasises the aspiration to provide a broad, balanced and cohesive curriculum that meets the needs of all. The Trustees believe that it will be difficult to deliver both these objectives together on such a small pupil number base.

Hence, the advice of the Trustees is that the School will need to demonstrate to the Local Authority in its business plan clear evidence not only that the school will have appropriate facilities but, in particular, that the size of the teaching staff reflecting the number of pupils on roll will be able to offer genuine specialist teaching across the full ability range leading to a sufficiently comprehensive choice of academic and more practical or vocational courses.

Yours sincerely,



Mrs Y E Beaumont
Clerk to the Trustees



Frances Ashton C of E VA Secondary School

Business Plan

Head teacher **Lesley Phillips**

Chair of Governing Body **Roger Fox**

CONTENTS

- *Our history*
- *Our strategy*
- *Our people (teachers & support staff)*
- *Our pupils*
- *Our budget*
- *Our parents' choice*

BUSINESS PLAN – OUR HISTORY

Our History – **who we are**

- Ashton Middle School is situated in the heart of Dunstable town centre, the heart of Dunstable's history and the heart of Dunstable's community.
- In 1726, the Ashton Foundation established an educational institution based on the teachings and principles of the Church of England.
- Our current building is a well maintained, grade II listed building which dates back to 1888.
- For centuries, Ashton has worked with the parents and children of Dunstable and provided education as a boarding school, grammar school and middle school
- We are again proposing to reflect the wishes of the local community by changing our age range and continuing **Ashton's evolution** in becoming **The Frances Ashton C of E VA Secondary School**.
- Former pupils include **Mike Bannister** (pilot of the last commercial Concorde Flight), **Gary Cooper** (Hollywood Actor), **Geoffrey Moore CBE** (Vauxhall Motor's Chairman), **Norman Morris** (Professor who revolutionised maternity care in the UK), **Khawaja Nazimuddin** (Pakistan's 2nd Prime Minister in the 1950's) and **Kevin McCloud** (TV Presenter – Grand Designs)
- Ashton is no stranger to local and national media. Our recent appearance on BBC's Children In Need has been followed by ITV who have just finished filming a documentary on the 64 Ashton students who lost their lives in WWI (due to be broadcast in the summer)

BUSINESS PLAN – OUR STRATEGY

Mission Statement – **what we stand for**

At Ashton Church of England Middle School we aim to provide the maximum opportunity within the best possible environment which will enable all who work in this school to grow and develop to the best of his or her ability in the tradition of the Christian faith. Incorporated in this statement is our vision of the pursuit of excellent in teaching and learning.

- The school believes that continuing to offer access to a full curriculum provided **by specialist teachers** in **specialist areas**, from the age of 11, will provide our pupils with the skills and subject knowledge to enhance their learning to ensure consistent progress is made.
- We have proved (OFSTED 2013) that progress is **good** for the years our pupils are with us. Intervention is effective and consistent and pupils enjoy learning. We believe that this will lead to good or better progress at KS4.
- Our work with **vulnerable pupils** has been consistently **highly commended** by OFSTED and by our local community e.g. Jigsaw and Social Services etc.
- We also believe that the **nurturing environment** we provide for these pupils will also lead to higher levels of **progress and success at KS4**.
- OFSTED stated that the governing body were, and are, confident, they will continue to move the school forward.
- The school has a robust action plan following its recent OFSTED inspection. It was acknowledged by the inspectors that the SLT and governing body were already aware of, and working on, all issues highlighted. The School Improvement Partner has approved the action plan and he, along with the Governing Body, is monitoring its implementation and progress.

BUSINESS PLAN – OUR STRATEGY (CONTINUED)

Curriculum (current) – dynamic & responsive

Our curriculum is, and always has been, broad, balanced and innovative. We are confident to try new initiatives and exploring alternatives for our pupils. For example this year we have initiated three major curriculum changes:

- Year 5 PACA (Performance And Creative Art), which brings together all the performing arts.
- Year 8 SHOE (Science, Health and Outdoor Education) bringing together science and outdoor education,
- A highly successful SAS (Strive, Achieve, Succeed) group which prepares pupils who arrive with very poor language and maths skills to access the normal curriculum.

This bold, innovative approach would be continued and developed further in an 11 – 16 school and the small nature of the school would mean that we could respond to the needs of our pupils, developing the curriculum to ensure that all pupils make good progress and are ready for the workplace.

We have plans to develop our already well respected support for our vulnerable pupils and extend our more able, providing them with new and exciting challenges.

BUSINESS PLAN – OUR STRATEGY (CONTINUED)

Curriculum (current) – delivers

- Our pupils know how to behave, have an **excellent learning ethos** and high attendance, **consistently 94-96%**.
- In year 8 our pupils are already competing and performing at the highest levels and we have committed staff, experienced in delivering GCSEs, who will continue to facilitate this achievement up to year 11 and beyond. Over recent years we have prepared year 8 students for GCSE level work in both maths and French, indicating that our staff are confident and competent to deliver to GCSE level.

“Progress in mathematics accelerates in Key Stage 3. Last year’s year 8 pupils made almost as much progress across years 7 and 8 as expected nationally across years 7 to 9” OFSTED 2013

- Our work with vulnerable pupils has been consistently highly commended by OFSTED and by our local community e.g. Jigsaw and Social Services etc.

“Support for pupils who have emotional and behavioural needs is good and helps most of these pupils to understand and manage their behaviour better” OFSTED 2013

“I am writing to thank you for the excellent agency partnership working you have provided our service and the safety of our clients’ children” South Beds Women’s Refuge March 2014

BUSINESS PLAN – OUR STRATEGY (CONTINUED)

Curriculum (future) - options and choices

Qualification		Year 10	Year 11
GCSE	English & English Literature	4 lessons	
GCSE	Mathematics	4 lessons	
GCSE	Triple Science	6 lessons	
GCSE	Double Science		
GCSE	ICT	1 lesson	
	Physical Education	2 lessons	1 lesson
GCSE	Religious and Social Education	1 lesson	
GCSE	French	3 lessons	
Options			

Options will include:

- GCSE Art
- GCSE Business Studies
- GCSE Drama
- GCSE Geography
- GCSE Graphic Design
- GCSE History
- GCSE ICT
- GCSE Media Studies
- BTEC Music
- GCSE Resistant Materials
- BTEC Sport
- GCSE Textiles
- An Additional Work-Based Program

Alternative European Baccalaureate (EBac)

We are also considering an EBac based course for more able pupils who would be accelerated to complete this by end of year 11. We have proven experience of getting pupils to at least GCSE level in maths and French by the end of year 8, so this would not be difficult to achieve. We already have the expertise to teach the required subjects.

BUSINESS PLAN – OUR STRATEGY (CONTINUED)

Curriculum (future) – flexible & dynamic

Years 7 & 8 (KS3)

As per current timetable. The amended staffing structure, starting in September 2014, makes provision for the teaching of all current subjects without compromise. This structure is funded within our current budget.

Years 9-11 (KS4)

The current staffing structure allows includes expertise to teach all of the areas listed to GCSE level. As numbers increase we would employ staff to extend and enhance options available, depending on student demand.

School Day

The school day would be as currently operating i.e. 25 period week, with each period being 1 hour. The timetable runs over 2 weeks, in a secondary school this would allow for greater flexibility and more options for students. Once we begin to admit years nine and ten a change or modification would be considered to assess whether an earlier or later start would also be beneficial.

Grouping

Another consideration would be vertical grouping instead of year group classes. As with any proposed change, the effectiveness of this approach will be assessed fully before implementation

BUSINESS PLAN – OUR STRATEGY (CONTINUED)

Extra-Curricular Provision

The school has been recognised for many years for its extra-curricular provision. Each week we currently have over 50 clubs running at lunchtime and after school, in a variety of areas. This demonstrates not only the commitment of staff but also their versatility. We would enhance and develop opportunities available as the age range increases.

Alternative Curriculum For Our Vulnerable Pupils

We recognise our current strengths with vulnerable and less able pupils and would build on this to offer an alternative curriculum to meet their diverse needs. We already have an adapted timetable with our SAS programme (Strive Achieve Succeed), which is highly effective in ensuring that all pupils can access the curriculum. We are in the process of planning an extended and adapted SAS group for older pupils so that we can provide an appropriate curriculum for our less able pupils or those with specific needs. We have allocated and budgeted for staff to run this programme.

Curriculum - Summary

The above plan demonstrates our current thinking and is an indication of some of the options we would be able to offer.

We are keen to emphasise that **this is a starting point**.

Our leadership team and our **enthusiastic and innovative** staff will adapt as the needs of our pupils and the desires of our parents dictate, and we will design and develop a curriculum that delivers outstanding educational standards and keeps the needs of our **children at the heart of everything we do**.

BUSINESS PLAN – OUR PEOPLE

Our people – **our responsibilities**

- It is the responsibility of Central Bedfordshire Council to ensure that they provide enough school places for the children of Dunstable.
- It is the responsibility of Central Bedfordshire Council **to work together with Ashton**, to drive high educational standards, to offer parents **a real and genuine choice** and to show that Ashton is more than financially and educationally viable. Working together, Central Bedfordshire Council and Ashton can and will show that **Ashton is financially and educationally successful**
- It is responsibility of the committed and hardworking people of Ashton (**our teachers, our support staff, our leaders and our governors**) to deliver that success and the outstanding educational results for our pupils and our parents.

BUSINESS PLAN – OUR PEOPLE

Headline Staffing Numbers

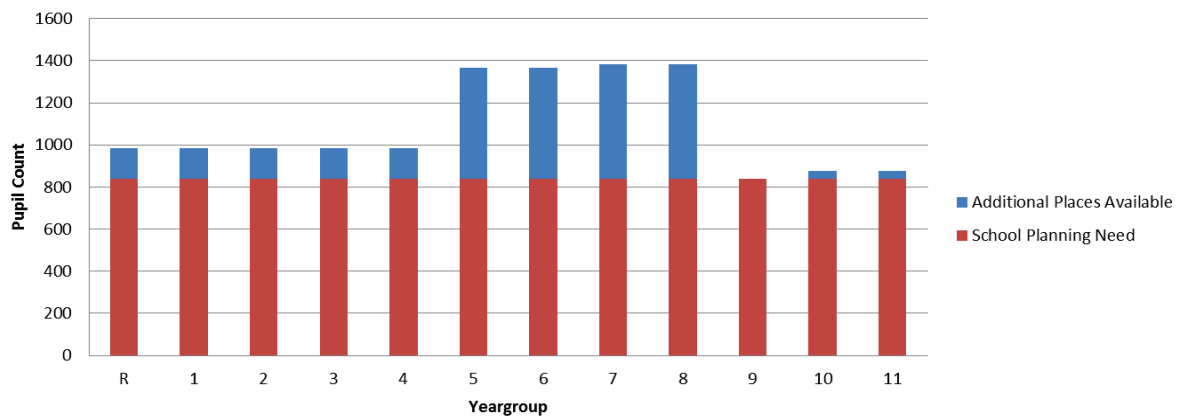
- September 2014:
 - Ashton will have 25 full time equivalent, specialist, KS4 experienced teaching staff in Ashton school.
 - 4 technicians, 15 LSAs, 9 Admin staff, 10 kitchen staff and lunchtime supervisors, 7 premises staff.
- Our people will build on the good quality of education they now provide to pupils of Ashton and these teachers are driven to deliver outstanding education to Ashton's pupils (and this will be delivered within budget).
- September 2015:
 - maintain the above staffing level
- September 2017:
- Once Ashton has transitioned and is fully functioning as The Frances Ashton C of E VA Secondary School, estimated numbers are as follows:
 - Estimated 30 - 33 teaching staff.
 - 5 technicians, LSAs – depending on needs of pupils, 10 Admin staff, 10 kitchen staff and 7 premises staff. The budget shows a significant surplus in year one of £211,007 which will enable us to respond to the needs of our pupils and the expectations of parents in our community, making us uniquely adaptable as we create a school for the future.

BUSINESS PLAN – OUR PUPILS

Our pupils – ensuring provision

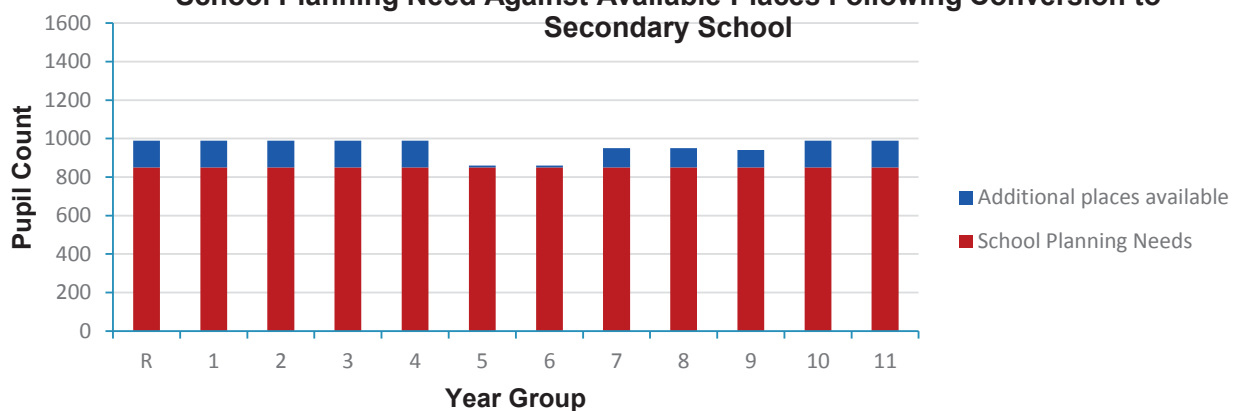
- Both the Children's Services of Central Bedfordshire Council and Ashton recognise that there is a risk that there will not be enough secondary school places in Dunstable in years 9, 10 and 11. (The following graph was presented by Rob Parsons at the consultation evening to close Ashton.)

School Planning Need Against Available Places



- On conversion to an 11 – 16 school the additional places Ashton would provide would ensure that there is the similar surplus in years 7 – 11 as for Years R – 4, giving parents a genuine choice.

School Planning Need Against Available Places Following Conversion to Secondary School



BUSINESS PLAN – OUR PUPILS

Our pupils – ensuring provision and providing choice

“I know how popular Church schools are with parents locally as many are hugely oversubscribed. I would support giving more parents the opportunity for a Church school education for their children in the north of Dunstable.”

Andrew Selous MP

(Andrew’s response when discussing proposals to convert Ashton Middle School to Frances Ashton C of E VA Secondary School.)

“We are already heavily over-subscribed for Year 9 entry.”

www.Mansheadschoo.co.uk 3rd April 2014

It is the responsibility of Central Bedfordshire Council to ensure that they provide enough school places for the children of Dunstable, to drive the highest educational standards and to ensure there is choice for parents.

With Frances Ashton C of E VA Secondary School there is a **choice**

BUSINESS PLAN – OUR PUPILS

Our pupils – ensuring provision and providing choice

- Both the Children's Services of Central Bedfordshire Council and Ashton agree that parents were misled in October 2013 when they were asked to select the schools they wanted their children to attend.
- Ashton believes that as it evolves and becomes a secondary school, and as parents are given an honest and realistic choice, it will attract the following numbers:

	September 2014	September 2015	September 2016	September 2017	September 2018	September 2019
Year 5	60					
Year 6	100	90				
Year 7	50	90	90	90	90	90
Year 8	100	50+	90	90	90	90
Year 9		80+	60+	90	90	90
Year 10			80+	60+	90	90
Year 11				80+	60+	90
Totals	310	310+	320+	410	420+	450

We consulted with relevant parties, including the **Local Authority**, who recommended we **increased admission numbers** in 2015 for year 6 to match our proposed PAN of 90.

Significantly, **since September**, we have had **34 in-year admissions**, even with all the current uncertainty. Other middle schools have had 11 and 14 additional pupils since September (data provided by CBC Schools Admissions).

It is of particular note that a number of pupils have returned into Year 7 following transfer to a local upper school which has converted to a secondary. It is clear that there is parental demand for the education which we offer.

BUSINESS PLAN – OUR PUPILS

Our pupils – **ensuring provision and providing choice**

Marketing

Ashton is confident in its admission numbers, although believes the numbers to be conservative so is undertaking the following activities to ensure that parents in Dunstable are aware of the choice that Ashton as a Secondary School gives them:

- Traditional Media – building on the afore mentioned links with the national and local media to ensure that Ashton’s positive collaboration and progress through the consultation process is being recognised in the local press (including: Dunstable Gazette, www.Dunstabletoday.co.uk, and 3 Counties Radio)
- Social Media – using the schools’ own site and Facebook. Ashton parents have also set up a site to inform other parents in Ashton and across Dunstable of the great work in school
- Year 6 evening
- Building links with other schools e.g. 60 lower school pupils attended the dress rehearsal for our annual school production (March 2014)
- The busy A5 runs alongside the school and the school fence is used to spread the word.

BUSINESS PLAN – OUR BUDGET

Our budget – **control costs, raise revenues**

- Ashton is honest, realistic and recognises that when Ashton delivers outstanding education it will also be delivering a successful financial position too. To support this reality Ashton has invested in a dedicated business manager who has worked with the Ashton Leadership Team and Governing Body to produce this budget.

Income Headlines

- Primary source of income is the capitation and the newly appointed Business Manager has used a realistic, but conservative, estimate of pupil numbers to build this budget.
- As well as driving up numbers through marketing activity the Business Manager also has great experience in cost control and revenue generation. Since starting in March 2014 she has already:
 - re- negotiated a number of contractual terms
 - sourced grants for music and general expenditure
 - refined existing and introduced new cost control practices to ensure best value is achieved.
- Future income opportunities – include leasing out buildings as the school transitions to become Frances Ashton C of E VA Secondary School.

BUSINESS PLAN – OUR BUDGET

Expenditure Headlines – People

- 2015-2016 – Maintain current staffing structure with minimal additional staffing adjustments. Leading to a **£211,000 surplus** which would be carried through to the following year.
- 2016 – 2017 – We would anticipate the need for an additional 4 teachers at this point. Taking an average salary of £40,000, including on-costs, this would add an additional £160,000 to the staffing costs for that year. This leaves **£81,923 to carry forward** to 2017 – 2018.
- 2017 -2018 – We would anticipate employing an additional 4 teachers at this point. Taking an average salary of £40,000, including on-costs, this would add an additional £160,000 to the staffing costs for that year. Leaving us with a **surplus of £306,807**.
- This means that, not only would we have sufficient to staff the planned curriculum, **additional funds would be available to enhance facilities** as required.
- It is expected that senior staff levels would be maintained or adapted. However, there is sufficient flexibility to add as required.

Risks:

At this stage these figures are based on average salaries and, whilst this is robust and based on current figures, this could change. However, we believe that the projected **budget has contingency & flex** to absorb any changes to pension contributions, salary increases or the need to appoint more highly qualified staff.

BUSINESS PLAN – OUR BUDGET

Expenditure Headlines - Premises

- There are additional costs and **responsibilities** that come with keeping a beautiful, grade II listed building alive.
- This has always been the case and we have managed to maintain our buildings to a high standard by effective housekeeping and the right investments. For example in 2013 **we upgraded our boiler system** and **carried out extensive renovation** to remove and protect the front of the school from pollution.
- Over the last three years **we have spent £54,230** on building repairs and maintenance, this averages out at **£18,076.66 per annum** which **is easily manageable** within our projected budget. (£49,742 of the total was on one off long term repairs such as replacing the boilers, new carpeting, roof repairs etc. These will not need to be re-done for many years.)
- Our 5 year electrical testing is due, this costs approximately £3,000 and is accounted for in the budget.
- 2015 – 17 (as the budget allows) – to support our outstanding teachers in delivering an outstanding education **we will upgrade** the science laboratories **and develop the gymnasium**, hall and language facilities. In the interim, these areas will be more than adequate.
- We are developing links with the leisure centre, a short walk from the school, which will enhance the access to facilities for our pupils.

BUSINESS PLAN – OUR BUDGET

Projected budget for 2015 -2016.

Headlines :

Expenditure 2015 - 16

Teaching staff	£1,110,619
Support staff	£557,174
Buildings and occupancy costs	£ 92,180
Learning resources and other costs	£136,830

Income 2015 -16 £2,116,310

Projected surplus 2015 - 2016 **£211,007**

In the following years the projected cumulative surplus is:

2016 - 2017	£241,923
2017 – 2018	£663,215

BUSINESS PLAN – OUR BUDGET

703201 ASHTON MIDDLE - Summary Income and Expenditure Projections				
CFR Code	Details	2015-16	2016-17	2017-18
Income				
I01-I04 / I14	Individual School Budget	1,861,810	1,685,900	2,045,290
I05	Pupil Premium	115,000	125,000	135,000
I06 - I07	Other Grants	44,500	45,500	46,500
I08 - I13	Other Income	95,000	95,000	95,000
I15 - I17	Com. Foc. Schools Income	0	0	0
Total Income		2,116,310	1,951,400	2,321,790
Expenditure				
E01-E02 / E26	Staff Costs - Teaching	1,110,619	1,116,813	1,123,035
E03 - E07	Staff Costs - Support	557,174	558,112	558,891
E08 - E11	Other Employment Costs	8,500	8,800	9,400
Total Staffing Costs		1,676,293	1,683,725	1,691,326
E12 - E18	Occupancy Costs	92,180	94,930	98,750
E19 - E21	Learning Resources	64,830	69,830	74,830
E22-E25 / E27-E30	Other Costs	72,000	72,000	72,000
E31 - E32	Com. Foc. School Costs	0	0	0
Total Expenditure		1,905,303	1,920,485	1,936,906
In Year Surplus / (Deficit)		211,007	30,915	384,884
Surplus / (Deficit) Brought Forward		0	211,007	241,923
Cumulative Surplus / (Deficit) C/Fwd		211,007	241,923	626,807
Capital				
CI01/CI03-CI04	Capital Income	0	0	0
CE01 - CE04	Capital Expenditure	0	0	0
In Year Surplus / (Deficit)		0	0	0
Surplus / (Deficit) Brought Forward		0	0	0
Cumulative Surplus / (Deficit) C/Fwd		0	0	0

BUSINESS PLAN – OUR PARENTS’ CHOICE

Our Parents’ choice – consultation outcome

	Total Number of Responses	Percentage of Responses	Percentage excluding Neither Agree Nor Disagree comments
In favour	122	84.72%	93.13%
Neither agree nor disagree	13	9.03%	
Disagree	9	6.25%	6.87%
	144		131

Through the recent consultation, our parents have actively and clearly articulated their views, here are just a few:

- Having a smaller secondary school based in a very central location would benefit, especially, those students whose needs are best met from being offered more individual strategies, support or challenges that may otherwise be lost in a bigger school. This **allows a greater choice for parents**, in both location and size of school, and also where **faith is important**. *Parent*
- We **strongly welcome this change** as we have been extremely happy with Ashton for the past four years and would have loved our daughter to continue there. Ashton has **offered a good education** in a loving Christian environment. Please do not close this school. *Parent*
- Ashton Middle School **has proven itself** to be a proactive school and **listening to the needs of the parents** in the community and this has been shown by the drive to change to a secondary school. The school has been part of the life in Dunstable and the surrounding towns since 1887. In my opinion, the school should continue to educate our children to year 11. *Parent*

•BUSINESS PLAN – OUR PARENTS’ CHOICE

- My daughter has flourished since starting at Ashton. She is now in year 6. I would really like her to complete her school career at Ashton as I believe they really do **see each child as an individual** and cater to their individual needs. *Parent*
- Another secondary age range school in the area would be an excellent idea, **providing parents with more choice** and helping to keep future numbers at other Dunstable schools more manageable. *Parent*

(The full list of comments can be found in the consultation document.)

• BUSINESS PLAN – OUR PARENTS' CHOICE

Our Parents' Choice - Conclusion

- Our parents, the people of Dunstable, know that it is the responsibility of Central Bedfordshire Council to ensure that they provide enough school places for the children of Dunstable.
- Our parents, the people of Dunstable, want Central Bedfordshire Council to **work together with Ashton**, to drive high educational standards, to offer parents **a real and genuine choice** and to show that Ashton is more than financially and educationally viable. Working together, Central Bedfordshire and Ashton will show that **Ashton is financially and educationally successful**
- Our parents want Central Bedfordshire Council to support the people of Ashton (our teachers, our support staff, our leaders and our governors) to deliver that success and outstanding educational results for our pupils.
- Let's give our parents a real and genuine choice. Let's support Ashton in nurturing and developing our children, to equip our children to make the best possible choices in life.

PROPOSALS FOR PRESCRIBED ALTERATIONS

NB It is important that this document is read in conjunction with the attached business plan, which contains additional, more detailed, information.

1 - Name of Proposer

(Local Education Authority or Governing Body)

Ashton C of E VA Middle School Governing Body

2 - School Name

Ashton C of E Middle School

3 - School Address

High Street North
Dunstable
Bedfordshire
LU6 1NH

4 - Description of proposed prescribed alteration

The proposal is to change the age range of Ashton Church of England Voluntary Aided Middle School from a 9 – 13 years Middle school to an 11 – 16 years secondary school. We also propose to change the name of the school to The Frances Ashton C of E VA Secondary School.

5 - The date on which the proposals are planned to be implemented - If they are to be implemented in stages, a description of what is planned for each stage and the number of stages intended and the dates of each stage

Implementation to take place in September 2015

Four stages of implementation

- September 2014 - Year 5 pupils admitted to Ashton Middle School for the last time.
- September 2015 - Year 8 pupils stay on into YR 9 (School now Yrs 6-9)
- September 2016 - Year 9 pupils stay on into YR 10 (school now Yrs 7-10)
- September 2017 - Year 10 pupils stay on into Yr 11. The school is now a fully functioning 11 – 16 school.

The school will welcome any pupils into any of the existing year groups, providing the school does not exceed their admission number of 90 pupils per year group.

6 – Consideration of consultation and representation period - evidence of demand for the proposed alteration, including details of consultation(s) carried out, meetings held and responses received.

We have undertaken extensive consultation with all key stakeholders and, as a result, we know that our proposal meets with widespread agreement.

We held two main evenings: one for stakeholders (96 attended) and one for staff (71 attended).

The following were consulted:

- Chairs of Governors for all Central Bedfordshire schools & academies
- Head Teachers of all Central Bedfordshire schools & academies
- Central Bedfordshire Council officers within Children’s Services
- Dunstable PCC
- Ashton Schools Foundation
- Houghton Regis Ward members
- Dunstable Ward members
- All Central Bedfordshire Council ward members
- Ashton Middle School parents/carers
- Ashton Middle School staff
- Ashton Middle School governors
- Houghton Regis Town Council
- Dunstable Town Council
- Local MPs
- Trade unions
- General public

Andrew Selous MP said **“I know how popular Church schools are with parents locally as many are hugely oversubscribed. I would support giving more parents the opportunity for a Church school education for their children in the north of Dunstable.”**

All applicable statutory requirements in relation to the proposals to consult were complied with.

**RESULTS OF CONSULTATION TO
CHANGE TO SECONDARY SCHOOL**

	No. of respondents	% responses	% responses excluding neither agree nor disagree
In favour	122	84.72%	93.13%
Neither agree nor disagree	13	9.03%	
Disagree	9	6.25%	6.87%
	144		131

A list of the overwhelmingly positive responses was included in the consultation document and a sample included in the attached business plan.

We have had a letter stating some concern over our interpretation of the Foundations response to our consultation document. The Foundation suggested that their decision would, as with everybody else, be based on viability. As we had already completed our business plan and are quite confident about our viability, we placed their response in our Agree section. However, it was pointed out that they are very keen to hold the “middle line” in this situation – which we fully understand.

There were concerns around the following issues:

1. Financial viability

Primary source of income is the capitation and the Business Manager has used a realistic but conservative estimate of pupil numbers to build our proposed budget. As well as driving up numbers through marketing activity, our newly appointed Business Manager also has great experience in raising revenue from grants. Since starting in March 2014 she has already re-negotiated some terms and has sourced grants for music and general expenditure and refined all current practices to ensure best value is achieved.

Other Income opportunities – leasing out buildings

Projected budget for 2015 -2016.

Expenditure

Teaching staff	£1,110,619
Support staff	£557,174
Buildings and occupancy costs	£ 92,180
Learning resources and other costs	£136,830
Income 2015 -16	£2,116,310

Projected surplus 2015 - 2016 £211,007

In the following years the projected cumulative surplus is:

2016 - 2017	£241,923
2017 - 2018	£663,215

See business plan for more detailed analysis.

Projected anticipated staffing levels are as follows:

- 2015-2016 – Maintain current staffing structure with minimal additional staffing adjustments. Leading to a £211,000 surplus which would be carried through to the following year.
- 2016 – 2017 – We would anticipate the need for an additional 4 teachers at this point. Taking an average salary of £40,000, including “on costs”, this would add an additional £160,000 to the staffing costs for that year. This leaves £81,923 to carry forward to 2017 – 2018.
- 2017 -2018 – We would anticipate employing an additional 4 teachers at this point. Taking an average salary of £40,000, including on costs, this would add an additional £160,000 to the staffing costs for that year. Leaving us with a surplus of £306,807.
- This means that, not only would we have sufficient to staff the planned curriculum, additional funds would be available to enhance facilities as required.
- It is expected that senior staff levels would be maintained or adapted. However, there is sufficient flexibility to add as required.

Risks:

At this stage these figures are based on average salaries and, whilst this is robust and based on current figures, this could change. However, we believe that the projected budget has sufficient surplus to absorb any changes to pension contributions, salary increases or the need to appoint more highly qualified staff.

2. Cost of building maintenance

- There are additional costs and responsibilities that come with keeping a beautiful, grade II listed building alive.
- This has always been the case and we have managed to maintain our buildings to a high standard by effective housekeeping and the right investments. For example in 2013 we upgraded our boiler system and removed the pollution from the front of the school.
- Over the last three years we have spent £54,230 on building repairs and maintenance, this averages out at £18,076.66 per year which is easily manageable within our projected budget. However, £49,742 of the total was spent on one off long term repairs such as replacing the boilers, new carpeting, roof repairs etc. These will not need to be done for many years.

Our 5 year electrical testing is due, this costs approximately £3000 and has been included in the budget.

- 2015 – 17 as the budget allows – to support our outstanding teachers in delivering an outstanding education we will upgrade the science laboratories and develop the gymnasium, hall and language facilities. In the interim, these areas will be more than adequate.

3. Ability to provide a full secondary curriculum

Given staffing levels listed above we are able to provide a full, innovative and reactive curriculum based on the needs and desires of parents and pupils. See section 7 and the business plan for more information.

4. The need for additional places in the secondary sector in Dunstable

“I know how popular Church schools are with parents locally as many are hugely over-subscribed. I would support giving more parents the opportunity for a Church school education for their children in the north of Dunstable.”

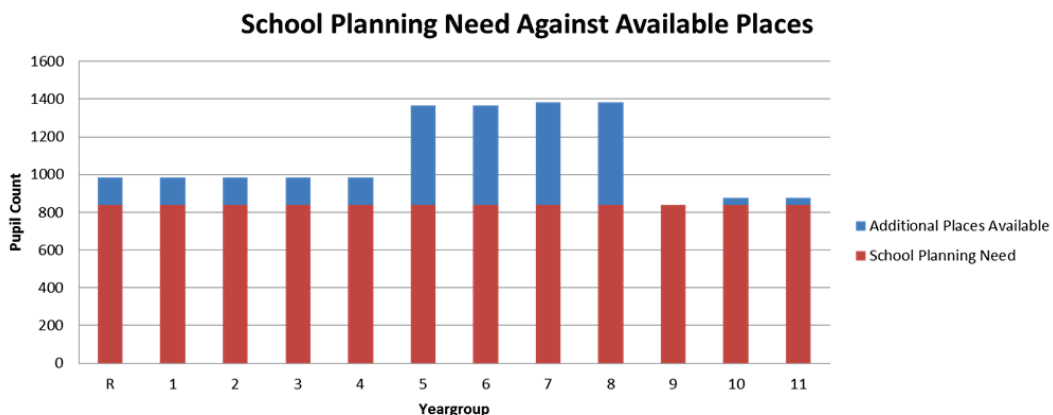
Response by Andrew Selous MP when discussing proposals to convert Ashton Middle School to Frances Ashton C of E Secondary School.

The risk of there being too few secondary places is a reality if parents wish their child to be educated in a faith school, as the one other faith school is continually over-subscribed, their website on 1st April states that “We are already heavily over-subscribed for Year 9 entry.”

It is widely recognised how important having a choice of faith education is to the voters in Dunstable.

Both the Children's Services of Central Bedfordshire Council and Ashton recognise that there is a risk that there will not be enough secondary school places in Dunstable in years 9, 10 and 11.

The following graph was presented by Rob Parsons at the consultation evening to close Ashton.



7 – Education standards and diversity of provision - the effect that this proposal would have on other schools, academies and educational institutions within the area and also on the local community

Our curriculum is, and always has been, broad, balanced and innovative. We are confident to try new initiatives and exploring alternatives for our pupils. This year we have initiated three major curriculum changes, see our business plan for details.

This bold, innovative approach would be continued and developed further in an 11 – 16 school and the small nature of the school would mean that we could respond to the needs of our pupils, developing the curriculum to ensure that all pupils make good progress and are ready for the workplace. We have plans to support our vulnerable pupils and extend our more able providing them with new and exciting challenges. See section 11 for more details.

The school believes that continuing to offer access to a full curriculum provided by **specialist teachers** in **specialist areas**, from the age of 11, will provide our pupils with the skills and subject knowledge to enhance their learning to ensure consistent progress is made.

We have proved (OFSTED 2013) that progress is **good** for the years our pupils are with us. Intervention is effective and consistent and pupils enjoy learning. We believe that this will lead to good or better progress at KS4.

Our work with **vulnerable pupils** has been consistently **highly commended** by OFSTED and by our local community e.g. Jigsaw and Social Services etc.

We also believe that the **nurturing environment** we provide for these pupils will also lead to higher levels of **progress and success at KS4**.

In year 8 our pupils are already competing and performing at the highest levels and we have committed staff, experienced in delivering GCSE's, who will continue to facilitate this achievement up to year 11 and beyond. Over recent years we have prepared year 8 students for GCSE level work in both maths and French, indicating that our staff are confident and competent to deliver to GCSE level.

“Progress in mathematics accelerates in Key Stage 3. Last year’s year 8 pupils made almost as much progress across years 7 and 8 as expected nationally across years 7 to 9” OFSTED 2013.

We believe that our conversion to a secondary faith school would not have a negative impact on other schools in the area due to the figures quotes by CBC – see graph in section 6. The other secondary faith school is already reporting that year 9 is heavily oversubscribed this year, this is clearly an option parents are choosing and our conversion to secondary will help to meet this demand. Future plans for additional housing in the north of the town will also put additional pressure on school places in the long term. OFSTED stated that the Governing Body were and are confident and continued to move the school forward.

8 – Demand

Demand for secondary faith provision has already been shown, see section 7, and the local MP recognises that church school are a popular option for parents.

Our own consultation has also demonstrated clear demand from stakeholders – see figures in section 6 and full responses in our consultation document. There is a representative sample of comments in our business plan.

9 – School size - details of the number of pupils in school at the date of publication of this proposal, the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration

There are 475 pupils at the school at the time of the publication of the proposal. Following discussions with a variety of stakeholders, we aim to achieve three form entry for Year 7 by September 2015, to offer the Frances Ashton Church of England Voluntary Aided Secondary School as an additional secondary provision in Dunstable.

See following page for table.

We consulted with relevant parties, including the LA who recommended we increase admission numbers for 2015 in Year 6 to 90, matching our proposed PAN.

	Sept 2014	Sept 2015	Sept 2016	Sept 2017	Sept 2018	Sept 2019
Year 5	60					
Year 6	100	90				
Year 7	50	90	90	90	90	90
Year 8	100	50+	90	90	90	90
Year 9		80+	60+	90	90	90
Year 10			80+	60+	90	90
Year 11				80+	60+	90
Total	310	310+	320+	410	420+	450

10 – Proposed admission arrangements (including post-16 provision)

The current admission arrangements fully comply with the admissions code, any amendment the Governors wish to make would be fully compliant with any regulations in place at the time. Initially we expect the admission criteria to remain the same, as the age range changes we will amend accordingly.

11 – National Curriculum

Our curriculum is, and always has been, broad, balanced and innovative, see section 7 above.

We will continue to enhance and develop our provision as follows:

Years 7 & 8 (KS3)

As per current timetable. The amended staffing structure, starting in September 2014, makes provision for the teaching of all current subjects without compromise. This structure is funded within our current budget.

Years 9-11 (KS4)

The current staffing structure allows includes expertise to teach all of these areas to GCSE level. As numbers increase we would employ staff to extend and enhance options available, depending on student demand.

Current thinking is as follows:

Qualification		Year 10	Year 11
GCSE	English & English Literature	4 lessons	
GCSE	Mathematics	4 lessons	
GCSE	Triple Science	6 lessons	
GCSE	Double Science		
GCSE	ICT	1 lesson	
	Physical Education	2 lessons	1 lesson
GCSE	Religious and Social Education	1 lesson	
GCSE	French	3 lessons	
Options		See next page	

Options include

- GCSE Art
- GCSE Business Studies
- GCSE Drama
- GCSE Geography
- GCSE Graphic Design
- GCSE History
- GCSE ICT
- GCSE Media Studies
- BTEC Music
- GCSE Resistant Materials
- BTEC Sport
- GCSE Textiles
- An Additional Work-Based Program

We already have staff who could deliver all of these options and other BTEC courses would be considered. Projections indicate that this is achievable within our projected budget. See section 6 – Financial viability.

The above is only an indication of some of the options we would be able to offer.

Alternative Curriculum For Our Vulnerable Pupils

We recognise our current strengths with vulnerable and less able pupils and would be able to offer an alternative curriculum to meet their diverse needs. We already have experience of an adapted timetable with our SAS programme (Strive Achieve Succeed), which is highly effective in ensuring that all pupils can access the curriculum. We are in the process of planning an extended and adapted SAS group for older pupils so that we can provide an appropriate curriculum for our less able pupils or those with specific needs. We have allocated and budgeted for staff to run this programme and they have already visited a number of alternative provisions as part of the planning process.

Alternative European Baccalaureate (EBac) alongside GCSE for more able pupils?

We are also considering an EBac based course for more able pupils who would be accelerated to complete this by end of year 11. We have proven experience of getting pupils to at least GCSE level in maths and French by the end of year 8, so this would not be difficult to achieve. We already have the expertise to teach the required subjects.

Extra-Curricular Provision

The school has been recognised for many years for its extra-curricular provision. Each week we currently have over 50 clubs running at lunchtime and after school, in a variety of areas. This demonstrates not only the commitment of staff but also their versatility. We would enhance and develop opportunities available as the age range increases.

School Day

The school day would be as currently operating i.e. 25 period week, with each period being 1 hour. The timetable runs over 2 weeks, in a secondary school this would allow for greater flexibility and more options for students. Once we begin to admit years nine and ten a change or modification would be considered to assess whether an earlier or later start would also be beneficial.

Curriculum - Summary

The above plan demonstrates our current thinking and is an indication of some of the options we would be able to offer.

We are keen to emphasise that **this is a starting point.**

Our leadership team and our **enthusiastic and innovative** staff will adapt as the needs of our pupils and the desires of our parents dictate, and we will design and develop a curriculum that delivers outstanding educational standards and keeps the needs of our **children at the heart of everything we do**.

12 – Equal opportunity issues

NA

13 – Community cohesion

- Ashton Middle School is situated in the heart of Dunstable town centre, the heart of Dunstable's history and the heart of Dunstable's community
- In 1726, the Ashton Foundation established an educational institution based on the teachings and principles of the Church of England.
- Our current building is a well maintained, grade II listed building which dates back to 1888.
- For centuries, Ashton has worked with the parents and children of Dunstable and provided education as a boarding school, grammar school and middle school.
- We are again proposing to reflect the wishes of the local community by changing our age range and continuing **Ashton's evolution** in becoming **The Frances Ashton C of E VA Secondary School**.
- Former pupils include **Mike Bannister** (pilot of the last commercial Concorde Flight), **Gary Cooper** (Hollywood Actor), **Geoffrey Moore CBE** (Vauxhall Motor's Chairman), **Norman Morris** (Professor who revolutionised maternity care in the UK), **Khawaja Nazimuddin** (Pakistan's 2nd Prime Minister in the 1950's) and **Kevin McCloud** (TV Presenter – Grand Designs)

Contribution to the community through sport, music and charity events is a strength of the school. (Success in music exams, performance in the community, outstanding achievement in local and county sporting events).

The percentage of vulnerable/FSM/SEN pupils contributing to the above is high, all our extra-curricular activities are inclusive. This is the expectation of our school. We take every opportunity to work with any school in our local community and beyond.

14 – Travel and accessibility

There will be no significant changes to travel or accessibility as the overall number of pupils will not change. The school has recently been part of the Sustrans programme and has upgraded the provision for pupils wishing to cycle to school. We will continue to work with all relevant authorities to ensure that we continue to encourage sustainable transport where possible.

15 – Capital

No additional land or buildings are required.

16 – School premises and playing fields

We have a playing field at West Parade and astro-turf facilities on the school grounds, ensuring sufficient space for all legal requirements regarding outdoor space to be met.

17 – Changes to special educational need provision – the SEN improvement test

NA

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Appendix E – Response from Ashton Schools Foundation Middle School to business case published by Ashton Middle School.

Association of Dunstable Charities

- *Ashton Almshouse Charity*
- *Ashton Schools Foundation*
- *Blandina Marshe Charity*
- *Chew's Foundation*
- *Dunstable Poor's Land Charity*
- *Mary Lockington Charity*

24th April, 2014

Sue Barrow
Information Manager
School Organisation, Admissions and Capital Planning, Children's Services
Central Bedfordshire Council
Watling House, High Street North,
Dunstable, Bedfordshire. LU6 1LF

Dear Ms Barrow,

Re: Ashton Middle School – School proposal to change age range

Further to your e-mail, I am now sending you the Ashton Foundation's response for submission to the Council's Executive meeting on 27th May.

While wishing to maintain its formal position of 'neither agree nor disagree' with the proposal, the Trustees wish to make the following factual observations:

Finances

The school's budget forecast from 2015-2016 onwards assumes a 'fresh start' in that financial year. Hence the £211,000 surplus which is anticipated in that year takes no account of any deficit carried forward from the current year 2014-2015.

The year on year rise in expenditure on Learning Resources (E19-21) seems very modest as new GCSE courses come on-stream, some of which are presumably quite resource-intensive especially in the set up stage. The Trustees have not seen the 2014-15 budget, but in 2013-14 the actual expenditure on Learning Resources (E19-21) and other costs (E22-25&E27-30) was very substantially higher than the projected expenditure in the Business Plan from 2015-16 onwards.

Faith School Provision

The school refers to the need for further 'faith school' places in the secondary sector in Dunstable and includes a statement of support from the local M.P. Andrew Selous concerning popular and over-subscribed church schools. In fact, as the only Church Middle School in the area, none of the year groups currently in Ashton Middle School is full. The school claims that there is local demand for further secondary faith provision, citing the fact that Manshead School is over-subscribed as evidence to support this. Manshead is also an Ashton Foundation School. While it would be true to say that Manshead School is regularly over-subscribed, Manshead has always been able to provide sufficient 'faith places' to meet the number of applications that are made on those grounds. Manshead is currently adjusting its admissions policy to reflect the reduction in its PAN from 270 to 210 to ensure that, based on previous experience of the level of demand, it will continue to be able to offer a place to all those who legitimately apply on faith grounds.

Religious Education in the Key Stage 4 Curriculum

Many Church of England Secondary Schools teach a GCSE course in Religious Education as part of its (compulsory) core curriculum. This is the case at Manshead School where its GCSE course in Ethics, Philosophy and Religion is studied by all students with equal lesson time to other GCSE subjects offered as options (4 one hour lessons per two week cycle). In addition, all students at Manshead have one lesson per week in Personal Development Education as a separate subject on the timetable. In the KS4 curriculum proposed at Frances Ashton Secondary School, there is only one lesson per week of *combined* Religious and Social Education. The school claims this one lesson per week will lead to a GCSE but the lesson time allowed seems unrealistically low for this to be a possibility. Arguably the proposed curriculum time does not meet the legal minimum requirement for RE and it is certainly less than might be expected in a school which is promoting itself as an alternative 'faith' secondary school in the area.

Staffing Provision

The school does not give any breakdown of the subject specialisms of the 25/33 teaching staff which the proposal document indicates will be required. The Trustees are not able to judge whether this is indeed the case, but think that the following points need to be considered. Will the same specialist staff needed to deliver the full Key Stage 3 curriculum also be able to deliver the specialist teaching required in all the GCSE/BTEC courses offered as options in Key Stage 4? On a maximum pupil number base of 90 per year, given the range of GCSE/BTEC options on offer has the likelihood of some very small 'option group' classes been budgeted for in the projection of 25/33 specialist teaching staff? In financial and staffing terms, has the school allowed for all of these courses to run concurrently, or will a number of these 'option groups' in fact be numerically unviable, meaning that pupils will actually have a much narrower range of options to choose from?

Breadth of Curriculum at Key Stage 4

In its previous comments, the Trustees have stated that the school '*must demonstrate in its business plan how such a small school will have the necessary resources to enable all students to access a sufficiently broad and appropriate choice of courses leading to GCSE and other more practical and vocational qualifications at the end of Key Stage 4*'.

Comparing the Frances Ashton proposal with the Foundation's existing secondary school (Manshead), it is recognised that the difference in size between the two schools will mean that the smaller school will offer a more restricted range of subjects. The Frances Ashton proposal offers 12 option subjects against Manshead's 20. There are some notable absences in the provision. For example, there is no provision of a second modern language, or of catering/food technology.

A more important issue, however, may be the number of choices each student can make. The core curriculum in the Frances Ashton proposal takes up more of the timetable than at Manshead and pupils would not make as many option choices. Like the Frances Ashton proposal, Manshead works on a two-week cycle of 50 one hour lessons. At Manshead, the

core curriculum which all students follow consists of 34/50 lessons. The other 16/50 are apportioned to four option choices each consisting of 4/50 lessons. At Frances Ashton, the proposal is for a core curriculum of 42/50 lessons. This includes more lesson time in English, Maths and Science and includes all pupils studying French to GCSE. The number of option choices is not stated but the assumption is that this will consist of two choices (ie 2 x 4/50). A smaller school with fewer segments in the timetable for option choices will mean that the timetable will be less flexible. Choice will be further curtailed by the fact that there will be a much greater chance of a student's two preferred options being timetabled against each other. The result of all this would appear to be that less academically able students would study a modern language to GCSE alongside the core subjects, while their scope to choose a range of more practical, creative and vocational courses would be quite limited.

Land and Buildings

The school contends that it will have the financial capacity to upgrade its science laboratories. There is no specific reference to the specialist facilities which would be necessary for subjects such as Drama, Media Studies, Textiles and Resistant Materials. Neither is there any reference to upgrading the library facilities. The business plan states that upgrading and refurbishments will be managed through the school's projected normal income and expenditure budget. However, in recent years the school has needed to apply for, and has received, substantial sums from LCVAP (Locally Co-ordinated Voluntary Aided Programme) to fund its refurbishments. The Trustees are aware that LCVAP funding in Central Bedfordshire VA schools this year has only been available for essential repairs and that there can be no expectation in the immediate future of any LCVAP funding for development projects. The Ashton Foundation has only a very small annual income and cannot itself be regarded as a potential source of capital funding.

The proposal document states (section 16) that the school has a playing field at West Parade. In fact, the Ashton Foundation itself owns this land (Mill Field) independently of the land and buildings which constitute Ashton Middle School. The Foundation allows Mill Field to be used as a school playing field, currently in a shared arrangement between Ashton St Peter's Lower/Primary School and Ashton Middle School. As the school 'on-site', Ashton St Peter's School currently has day to day control over the running and maintenance of the field on the understanding that Ashton Middle School has equal shared use. The two schools have used the field at different times. Mill Field is quite small and what is now being proposed would entail sharing it between a Primary School and a Secondary School, which would increase its use to include years 9-11 in addition to its current use by years R-8.

With best wishes,

Yvonne Beaumont
Clerk to the Association of Dunstable Charities

Grove House, 76 High Street North, Dunstable, Beds. LU6 1NF

E-mail: dunstablecharity@yahoo.com Tel:(01582) 660008

Appendix F – Response from Ashton Middle School to letter from Ashton Schools Foundation (in bold beneath each paragraph in original letter) received by Central Bedfordshire from Ashton Middle School on 25 April 2014.

Association of Dunstable Charities

- *Ashton Almshouse Charity*
- *Ashton Schools Foundation*
- *Blandina Marshe Charity*
- *Chew's Foundation*
- *Dunstable Poor's Land Charity*
- *Mary Lockington Charity*

24th April, 2014

Sue Barrow
Information Manager
School Organisation, Admissions and Capital Planning, Children's Services
Central Bedfordshire Council
Watling House, High Street North,
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Dear Ms Barrow,

Re: Ashton Middle School – School proposal to change age range

Further to your e-mail, I am now sending you the Ashton Foundation's response for submission to the Council's Executive meeting on 27th May.

While wishing to maintain its formal position of 'neither agree nor disagree' with the proposal, the Trustees wish to make the following factual observations:

Finances

The school's budget forecast from 2015-2016 onwards assumes a 'fresh start' in that financial year. Hence the £211,000 surplus which is anticipated in that year takes no account of any deficit carried forward from the current year 2014-2015.

The year on year rise in expenditure on Learning Resources (E19-21) seems very modest as new GCSE courses come on-stream, some of which are presumably quite resource-intensive especially in the set up stage. The Trustees have not seen the 2014-15 budget, but in 2013-14 the actual expenditure on Learning Resources (E19-21) and other costs (E22-25&E27-30) was very substantially higher than the projected expenditure in the Business Plan from 2015-16 onwards.

The figures for the budget forecast for 2015/16 are based on best guess figures as every budget is each year. I am sure you are aware pupil numbers and funding are unknown each year to every education establishment not solely to Ashton. The £211,000 surplus does not take account any deficit/surplus carried forward. It will be a best guess based on the change in funding for “specific schools” (refer to the CBC Consultation Document, Proposed School Funding for 2014/15). Francis Ashton would take effect from Sept 2015 and thus a 7/12ths budget would then be required by the LA.

Year on year rise in expenditure on E19 may seem modest, however, it is not best practice for Learning Resources to increase year on year. I feel our budget reflects we are seeking “best value”

E19-21 Learning Resources also includes the following:-

Purchase, lease, hire or maintenance contracts of audio-visual or other equipment used for teaching.

Curriculum transport, including minibus expenses such as maintenance, tax, fuel

Reprographic resources and equipment used specifically for teaching purposes.

School trips and educational visits

Plus many others – please refer to DFE Consistent financial reporting framework: 2013-2014

The above also applies to the other cost centres.

FaithSchool Provision

The school refers to the need for further ‘faith school’ places in the secondary sector in Dunstable and includes a statement of support from the local M.P. Andrew Selous concerning popular and over-subscribed church schools. In fact, as the only ChurchMiddle School in the area, none of the year groups currently in AshtonMiddle School is full.

The school claims that there is local demand for further secondary faith provision, citing the fact thatMansheadSchool is over-subscribed as evidence to support this. Manshead is also an AshtonFoundationSchool. While it would be true to say that Manshead School is regularly over-subscribed, Manshead has always been able to provide sufficient ‘faith places’ to meet the number of applications that are made on those grounds. Manshead is currently adjusting its admissions policy to reflect the reduction in its PAN from 270 to 210 to ensure that, based on previous experience of the level of demand, it will continue to be able to offer a place to all those who legitimately apply on faith grounds.

Several parents commented on their desire for a faith school in the centre of Dunstable negating the need to travel from one end of Dunstable to the other (See P21 of business plan).

Whilst it is true that Manshead will ‘...provide sufficient “faith places”’ there are a number of parents who wish their children to be educated in a faith school but who do not meet the criteria for a “faith place”. If Manshead is regularly oversubscribed it is these parents who will miss out on their choice of a faith school for their child. Surely a reduction in the PAN from 270 -210 will only exacerbate this problem within a given year group. Manshead has already stated that yr7 for next year is oversubscribed, there are still pupils in middle schools next year in year 7, if we did not exist then parents would not have the choice of a faith education for their child.

Religious Education in the Key Stage 4 Curriculum

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We recognise that we are the early stages of planning, this is definitely an area we will look at and amend, should it become obvious that we have underestimated the number of lessons required. We are currently creative in how we deliver the PSHCE POS, ie by a rolling programme, as stated in our document we will be looking into innovative ways of fulfilling all requirements e.g. adapting school day, rolling programme, form time etc.

Staffing Provision

The school does not give any breakdown of the subject specialisms of the 25/33 teaching staff which the proposal document indicates will be required. The Trustees are not able to judge whether this is indeed the case, but think that the following points need to be considered. Will the same specialist staff needed to deliver the full Key Stage 3 curriculum also be able to deliver the specialist teaching required in all the GCSE/BTEC courses offered as options in Key Stage 4? On a maximum pupil number base of 90 per year, given the range of GCSE/BTEC options on offer has the likelihood of some very small 'option group' classes been budgeted for in the projection of 25/33 specialist teaching staff? In financial and staffing terms, has the school allowed for all of these courses to run concurrently, or will a number of these 'option groups' in fact be numerically unviable, meaning that pupils will actually have a much narrower range of options to choose from?

All our HODs have experience of teaching at KS4, some very recently. We will be reappointing our Head of Maths, as she is retiring, and our new Head of English has come from a secondary school where she achieved an outstanding grading for her department. As appointments are made we will address any spaces in our staffing which become obvious. With regards to limited options, nearly all year 9 options booklets which we considered, from secondary schools across the country, had a catch all statement saying that it may not be possible to run all options offered, so, although some schools may initially offer more options, it is apparent from our research that in reality not all these options are available in any particular year. Any newly appointed staff will have secondary experience and we will seek to enhance our already extensive skills base, giving us more options in the future.

Breadth of Curriculum at Key Stage 4

In its previous comments, the Trustees have stated that the school '*must demonstrate in its business plan how such a small school will have the necessary resources to enable all students to access a sufficiently broad and appropriate choice of courses leading to GCSE and other more practical and vocational qualifications at the end of Key Stage 4*'.

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Our business plan states quite clearly that the proposed curriculum is only a starting point. We do not wish to be a clone of any other school, locally or otherwise, we wish to offer something which is different, giving a genuine choice for parents. As a new secondary school we would initially consult with all stakeholders, in particular parents and pupils, to find out what they would like us to offer, we will put forward suggestions and together we will produce a broad and balanced curriculum. Our language teachers are easily able to offer another language to GCSE level, indeed one is a German specialist, and our DT department have staff which are able to offer food technology, if that is required. A recent skills survey amongst staff indicated that we have many other options also available to us. As part of the consultation process we will consider further the time allocation of the core subjects and amend accordingly. Whilst it appears that all will study GCSE French it would be our intention to adapt the curriculum to suit e.g. some pupils may require additional literacy support as we currently have in our dedicated, highly successful SAS group. Whilst some schools offer 4 options our research indicated that there was a variation between secondary schools of between 2 and 6 options. Our vocational/creative courses will be delivered differently, we are already exploring links with local universities and will also look at links with colleges and places of work, we think that this will give students more choices, we will be a new school with no existing routes so we can be innovative and different, it is very exciting!

Land and Buildings

The school contends that it will have the financial capacity to upgrade its science laboratories. There is no specific reference to the specialist facilities which would be necessary for subjects such as Drama, Media Studies, Textiles and Resistant Materials. Neither is there any reference to upgrading the library facilities. The business plan states that upgrading and refurbishments will be managed through the school's projected normal income and expenditure budget. However, in recent years the school has needed to apply for, and has received, substantial sums from LCVAP (Locally Co-ordinated Voluntary Aided Programme) to fund its refurbishments. The Trustees are aware that LCVAP funding in Central Bedfordshire VA schools this year has only been available for essential repairs and that there can be no expectation in the immediate future of any LCVAP funding for development projects. The Ashton Foundation has only a very small annual income and cannot itself be regarded as a potential source of capital funding.

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proposed would entail sharing it between a Primary School and a Secondary School, which would increase its use to include years 9-11 in addition to its current use by years R-8.

We have made use of LCVAP, we would be foolish not to have done, all schools offered this funding have done so, and this does not mean that it has been used to plug a financial hole. If this funding is not available in the future we will find alternative sources of revenue. With this in mind we have appointed a business manager who is already accessing external grants and she is currently looking into funding for the upgrade of our drama and music facilities. With regards to textiles and resistant materials, working alongside Develop EBP as the designated training centre for digital technology for SE England, we have already been provided with facilities which we have been told are the envy of some upper schools e.g. we have a 3D printer and laser cutter in our DT department. Mill field used to be managed by ourselves but this was transferred to Ashton St Peters by the Foundation, not at our request. Yes, we would need to use it more, why is this a problem? As mentioned previously where there is a need for further facilities we will think creatively and find a solution to meet the needs of our pupils.

With best wishes,

Yvonne Beaumont
Clerk to the Association of Dunstable Charities

Please be aware that we are a new secondary school, we will have a full, overall, long term plan in place by this Autumn, which will provide us with the skeleton on which to build a unique and innovative school for our pupils. As we increase our age range we will adapt and amend. We will be different, we recognize that we will need to be creative and we will meet the needs of our pupils as we go forward.

Grove House, 76 High Street North, Dunstable, Beds. LU6 1NF

E-mail: dunstablecharity@yahoo.com Tel:(01582) 660008

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Meeting: Executive

Date: 27 May 2014

Subject: **Consideration of the Outcome of Statutory Consultations of Proposals to close Brewers Hill Community Middle School, Streetfield Community Middle School and Ashton Church of England (C of E) Voluntary Aided (VA) Middle School in August 2016**

Report of: **Cllr Mark Versallion, Executive Member for Children’s Services**

Summary: The report provides information regarding the responses to the consultations initiated with approval of the Council’s Executive at its meeting on the 4 February 2014, on the phased closure of the Community Schools of Brewers Hill Middle School and Streetfield Middle School and the C of E VA School of Ashton Middle School from September 2015, with full closure from August 2016. The report provides responses to the points raised and makes recommendations for the Executive to consider with regard to the next stage.

Advising Officer: Edwina Grant, Deputy Chief Executive, Director of Children’s Services

Contact Officer: Helen Redding, Assistant Director School Improvement

Public/Exempt: Public

Wards Affected: Dunstable Central, Dunstable Icknield, Dunstable Manshead, Dunstable Northfields, Dunstable Watling, Caddington

Function of: Executive

Key Decision Yes

CORPORATE IMPLICATIONS
Council Priorities: The report supports Central Bedfordshire’s Medium Term Plan: Delivering your priorities – Our Plan for Central Bedfordshire 2012- 2016 and the specific priority of Improved Educational Attainment.

Financial:

1. Schools budgets are funded through Dedicated Schools Grant (DSG). There are financial implications for the schools identified within this report with regard to their budgets for 2014/2015 and beyond. Budgetary provisions for redundancy payments as a consequence of a school closure are the responsibility of the Council. Should a maintained school close with a deficit budget, the deficit falls to the de-delegated school DSG contingency budget. If there is not sufficient budget within the de-delegated DSG school contingency, a deficit on central expenditure can be applied to the next year to be funded by the schools budget. The School Forum makes this decision, and the DFE adjudicates where the Schools Forum does not agree.
2. Following consultation with schools and others in September 2013, and the recommendations of the Schools Forum, the Council's Executive approved the distribution of DSG at its meeting on 14 January 2014. This included approval of the recommendation of using admissions applications data for calculating schools' budgets for a limited number of schools and Academies that are affected by their own change in age range or the impact of others locally. This is to ensure that as far as is possible the financial resources follow the pupils where age range changes are approved, based on January admissions applications data for the period September 2014 to March 2015, rather than the previous year's October Census data.
3. Each schools' budget share has been calculated based on the October 2013 census for the period April to August, and on the admissions applications data in January for the period September to March. If the actual numbers differ by more than 10%, an adjustment will be applied the following September. If the impact of this is that a school finds itself in financial difficulty, maintained schools can apply to the Council for a licenced deficit, and the Council will evaluate the proposal and support the school to address the issues.
4. Streetfield Middle School and Brewers Hill Middle School are both Community Schools with land and buildings owned by the Council. This report does not include consideration of potential future use or disposal of either site. If the outcome of this consultation process results in a decision to close either or both of these schools, subsequent reports will be made to the Council's Executive on options for the land and buildings.
5. The land occupied by Ashton Middle School is owned by the Ashton Foundation and the school is a St Albans Diocese School. If the outcome of this consultation process results in a decision to close the school, the Ashton Foundation would need to consider future use of the land and buildings.

Legal:

6. Section 14 of the Education Act 1996 places a duty on Councils to secure sufficient and suitable school places to provide for 5 – 16 year old statutory aged children in its area. The Education and Inspections Act 2006 gives Councils a strategic role as commissioners, but not providers, of school places to promote parental choice, diversity, high standards, the fulfilment of every child's educational potential and fair access to educational opportunity.

7. To help meet these duties and restructure local provision Council's also have the power to close all categories of maintained schools. Reasons for closing a maintained mainstream school may include:
 - Where it is being replaced by a new school;
 - Where it is to be amalgamated/merged with another school; or
 - Where it is surplus to requirements (e.g. as a result of area wide school reorganisation and/or where there are sufficient places in neighbouring schools to accommodate displaced pupils).
8. The main legislation governing the discontinuance of Council maintained schools in force, when the report to the Council's Executive on the 4 February proposing to initiate the consultations was published, was contained in the Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendments) (England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009).
9. As a result of Department for Education (DfE) proposals published in 2013, these regulations have now been revoked and replaced by The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 which came into force on 28 January 2014. The DfE has also published revised guidance to provide additional information on the procedures established by the new regulations to outline the detailed requirements and process for proposals to close Council maintained schools that include full public consultation, the publication of statutory proposals and the decision making process. This new guidance was published in final form on the 21 February 2014. Under Section 16(3) of the Education & Inspections Act 2006 the Council, as proposer of the school closures covered in this report, must have regard to the guidance issued by the DfE.
10. The revised statutory process to close a Council maintained school continues to have 5 stages:
 1. Full public consultation - Minimum of 6 weeks recommended in DfE guidance.
 2. Publication of Statutory notice – following consideration of outcome of initial consultation.
 3. Representation period – Final period of 4 weeks to enable people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker.
 4. Decision – The Council's Executive determination of the proposal, within 2 months of the end of the representation period, otherwise it will fall to the Schools Adjudicator.
 5. Implementation – Putting into effect of the proposed closure.

11. The Council is able to propose the discontinuance of the maintained schools as set out in this report and is also decision maker for these proposals. On the 4 February 2014 the Council's Executive approved commencement of consultation, represented by Stage 1 of the process set out above and the purpose of the report to the Council's Executive on 27 May 2014 is to provide advice on the outcome of that exercise and to consider progression to Stage 2, the service of statutory notices. If approved, the Statutory Notices will automatically include the commencement of the Stage 3 Representation period and will require final determination (Stage4) by the Council's Executive on 19 August 2014.
12. The DfE guidance for decision makers contains a number of key factors to be considered when a final decision is made on school organisation proposals, represented by Stage 4 in the process as set out above. Decision makers determining school closure proposals must consider these factors and all of the views submitted throughout the consultation process, including all objections to and comments on the proposals. The guidance is clear that these factors should not be taken to be exhaustive and all proposals should be considered on their individual merits.
13. The factors outlined in statutory guidance for school organisation proposals include:
 - Consideration of consultation and representation period
 - Education standards and diversity of provision
 - Demand
 - School size
 - Proposed admission arrangements
 - National curriculum
 - Equal opportunity issues
 - Community cohesion
 - Travel and accessibility
 - Capital
 - School premises and playing fields.
14. In addition, the guidance sets out additional factors relevant to the closure proposals set out in this report which include:
 - Arrangements and capacity elsewhere for displaced pupils;
 - Popularity of those schools with surplus places and evidence of parents aspirations;
 - Schools to be replaced by provision in a more successful/popular school;
 - Schools causing concern;
 - Balance of denominational provision;
 - Community Services.
15. Proposals that make changes to special educational needs (SEN) provision must also be carefully considered and evaluated by the decision maker. This factor is relevant to the proposal to close Streetfield Middle School which currently includes a Specialist Autistic Spectrum Disorder Provision, which would need to be re-commissioned if the school were to close.

16. If the proposals are to proceed to the service of statutory notices, the final report to the Council's Executive on 19 August 2014 will reflect upon each of the factors set out in Paragraphs 13, 14 and 15, and any others that have arisen throughout the initial consultation phase. This will provide the information required before the Council's Executive makes a final decision.
17. If the proposals are to proceed, the local Church of England (CofE) Diocese of St Albans, the Bishop of the local Roman Catholic Diocese of Northampton and the governing body and trustees of Ashton CofE Voluntary Aided Middle school have a right of appeal to the schools adjudicator if they disagree with the Council's final decision at Stage 4 in the process as set out previously in this report. The Governing Bodies of the Community Schools of Streetfield Middle and Brewers Hill Middle have no right of appeal. The Frequently Asked Questions (FAQs) published originally with the consultation documents for Streetfield Middle and Brewers Hill Middle Schools made reference to the right of appeal of any Governing Body of a school subject to closure proposals. This has been since clarified in the DfE revised guidance for School Organisation proposals, published in final form on the 21 February 2014, following implementation of the new regulations in January 2014.

Risk Management:

18. The proposals to close the 3 Council maintained schools which have been the subject of 6 weeks consultation as set out in this report supports the need to manage the supply of school places in the Dunstable area by reducing the significant surplus in places in Years 5 to 8, and addressing the impact that reducing rolls will have on the financial viability of these 3 schools and the education of children accommodated within them.
19. Key risks associated with taking no action include:

Failure to discharge the Council's legal and statutory duties/guidance.
Failure to deliver the Council's strategic priorities.
Reputational risks associated with the ineffective management of school places.
Inefficient use of dedicated schools grant and corresponding reduction in funding for all other schools and Academies in Central Bedfordshire.
Financial and educational unviability as pupil numbers fall further.
Unplanned and un-coordinated loss of teaching and support staff.
20. If these proposals are approved once due process has been followed, each will be project managed to delivery which will include risk assessment and management processes overseen by a Project Team from the Council and involving key school staff. External support for each school will be commissioned as appropriate by the Council.

Staffing (including Trades Unions):

21. Staff and Trade Unions/Professional Associations have been consulted on proposals to close Council maintained schools as part of the informal and statutory process required by regulations and DfE guidance.

22. Alongside the proposals set out in this report, all 3 schools have been advised to seek advice from their Human Resources (HR) Provider regarding any restructuring of staffing as a consequence of the reducing numbers of pupils at the schools from September 2014.
23. The Council's HR Team has monitored all proposed restructures to ensure redundancy charges to the Council are minimised and justified, and the Team will be represented in the Project Team created to deliver each school's closure, if this is the decision that is made.
24. Opportunities would be sought to ensure that good staff are retained in the area where possible and staff wish it. Schools will be supported to consider incentives for retention of key staff throughout a phased closure process, if this is the decision that is made. If agreed and can be afforded by the school, this process would need to be in accordance with conditions of service, be transparent and be discussed and agreed with Trade Unions/Professional Associations. Employment in other schools in the area that will have opportunities due to their changing age ranges can also be encouraged and facilitated through the use of the schools redeployment policy. The Council do not have any powers to redeploy staff to other schools as the Governing Body of each school is responsible for the appointment of staff.

Equalities/Human Rights:

25. The consultation and decision making process set out in regulation for proposals to close Council maintained schools requires an evaluation of any equalities and human rights issues that might arise.
26. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and to foster good relations in respect of the following protected characteristics: age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
27. This statutory duty includes requirements to:

Remove or minimise disadvantages suffered by people due to their protected characteristics.
Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
28. Where it is identified that the proposals impact on provision for children with special educational needs and disabilities or on provision of extended school services, these will be outlined in the final report to Executive in August 2014, if the decision is taken to proceed to the next stage.

Public Health:

29. The range of Extended Services provided by schools may include:

- Parenting and family support officers.
- Transition support for pupils, schools and families.
- Combined clubs and after school activities.
- Holiday activities.
- Support for vulnerable pupils and families.

These services can have an important impact on public health and be of benefit to the communities in which the schools are based although they will become increasingly unviable as any hosting school suffers a significant fall in pupil numbers. The consultation process will include an evaluation of the impact of closure on any extended service currently being provided from these school sites and further reports to the Council's Executive will propose how these can be sustained or re-provided through alternative local services.

Community Safety:

30. Whilst it is acknowledged that schools have an important role under Section 17 of the Crime and Disorder Act 1998 to work alongside a range of other agencies to ensure safety in their local communities, the closure of any school site also has the potential to increase community safety issues around the school's location as disused buildings can attract anti social behaviour and have a significant impact on residents living in the school vicinity, placing additional demand upon the services responsible for dealing with them. To meet its statutory duty in relation to crime and disorder the Council as landlord for both Brewers Hill Middle School and Streetfield Middle, and the Ashton Foundation as Trustees of Ashton Middle School will need to work to ensure that community safety issues are considered and appropriate measures are put in place to mitigate any risks.

Sustainability:

31. Not applicable.

Procurement:

32. Not applicable.

Overview and Scrutiny

- 33. The Overview and Scrutiny Committee met on 7 May 2014 and considered the responses to the consultations.
- 34. The Overview and Scrutiny Committee

RECOMMEND TO EXECUTIVE to:

- 1. Progress to the publication of statutory notices and final representation period to close **Brewers Hill Community Middle School** in Dunstable, phased from September 2015, with final implementation in August 2016.
- 2. Progress to the publication of statutory notices and final representation period to close **Streetfield Community Middle School** in Dunstable, phased from September 2015, with final implementation in August 2016.
- 3. Progress to the publication of statutory notices and final representation period to close **Ashton Church of England Voluntary Aided Middle School** in Dunstable, phased from September 2015, with final implementation in August 2016.
- 4. That there be further opportunity for schools either individually or in conjunction with another or other schools to bring forward a viable business plan with any appropriate assistance being provided by Council officers, which can be scrutinised at the May 2014 Executive if possible or August 2014 at the latest.

RECOMMENDATIONS:

The Executive is asked to:

- 1. progress to the publication of statutory notices and final representation period to close **Brewers Hill Community Middle School** in Dunstable, phased from September 2015, with final implementation in August 2016;
- 2. progress to the publication of statutory notices and final representation period to close **Streetfield Community Middle School** in Dunstable, phased from September 2015, with final implementation in August 2016; and
- 3. progress to the publication of statutory notices and final representation period to close **Ashton Church of England Voluntary Aided Middle School** in Dunstable, phased from September 2015, with final implementation in August 2016.

<i>Reason for Recommendations:</i>	<i>To ensure the Council continues to meet its statutory obligations to provide sufficient school places and also to meet the legal requirements placed on the Council by The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2013 regarding proposals to close the three maintained schools as set out in this report. Final approval of the proposals that are agreed by the Council's Executive on 27 May 2014 to be taken forward to the next stage of consultation will be determined by the Council's Executive on 19 August 2014, informed by the outcome of the consultation exercises. The Council's Executive is required to make its decision within 2 months of the end of the consultation period.</i>
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Summary

35. The purpose of this report is to provide the Council's Executive with information on the responses to the initial consultations on proposals to close Brewers Hill Community Middle School, Streetfield Community Middle School and Ashton Church of England Voluntary Aided Middle School.
36. The report sets out a summary of the responses to the consultation for each school, and gives a response to any questions identified or points made through that process.
37. The report seeks a decision from the Executive for each recommendation regarding the next actions to be taken.

Background

38. The Council's Executive considered a report at its meeting on the 4 February 2014 (available as Background Paper) which set out the rationale for commencement of consultation on proposals to close Streetfield Community Middle School, Brewers Hill Community Middle School and Ashton C of E VA Middle School from August 2016. Letters were sent by the Executive Member for Children's Services to all parents and carers of pupils at each of the three schools before the 4 February Executive meeting to advise them of its forthcoming consideration to commence consultation.
39. The future viability of the three schools in this report has been evaluated and reported to the Council's Executive on the 4 February 2014 on the basis of reduced applications for admission to Year 5 in each school in September 2014 and increased numbers of children applying to transfer from each school at the end of Year 6 to take a place in Year 7 at one of the secondary schools in the area from September 2014. This report set out the background to this, which relates to the changed pattern of provision and therefore admission and transfer points in the local area which has significantly altered the supply of places with particular impact on the 3 identified middle schools. The report set out in detail the availability of places within the local area, and clearly set out the high percentage of surplus places in particular year groups. If no action was taken there would be between 63% and 65% surplus places across the year groups served by middle schools. The report also included information on the number and percentage of places available should all 3 proposals be implemented, which showed that there would still be between 14% and 15% more places available within the local area than currently needed for school place planning.
40. The Executive report of 4 February also illustrated the forecast reduction in the total number of children attending each of the 3 schools based on Admission applications, and the consequential impact on the reduction in revenue funding that the schools will receive from September 2014. The report highlighted the challenges both the reduction in pupil numbers and therefore budget would have on the ability of the schools to continue to deliver both the Key Stage 2 and Key Stage 3 curriculum in their schools.

41. The Council's Executive approved the recommendations within that report and a 6 week period of consultation, required by regulation, commenced for each proposal on the 24 February 2014 concluding on the 7 April 2014.
42. Consultees included:
- Parents and carers of pupils at each of the three schools
 - Governors and staff at each of the three schools
 - Dunstable Town Council
 - Central Bedfordshire ward Members for the Dunstable, Houghton Regis and Caddington areas
 - All other Central Bedfordshire Ward Members
 - General public – via notices in the local library, on the Council's Admissions website and through press releases
 - All schools and academies within Central Beds, and through them Governors, parents and carers in the area
 - Ashton Foundation
 - Roman Catholic and Church of England Diocesan Boards
 - Central Bedfordshire Council Children's Services colleagues
 - Local MP
 - Trade union representatives
 - Neighbouring local authorities
 - Voluntary Sector Organisations
 - Central Beds Children's Trust Board.
43. A total of 4 press releases were published by the Council following the Executive approval of the consultation exercises. These press releases were provided to:
- Dunstable Gazette, Luton News, Luton on Sunday, Leighton Buzzard Observer
 - Three Counties Radio, BBC Look East
 - All elected Members of Central Bedfordshire Council
 - Senior staff within the Council
 - The Council's website news pages and also on the schools pages
 - Email updates to residents.
44. Separate letters were also sent by the Executive Member for Children's Services and by the Council's School Admissions Team to all parents and carers of Year 4 pupils who had applied for a place at 1 of the 3 schools in September 2014 to advise on the initiation of consultations.
45. The Council's consultation was supported by publication of a consultation document specific to each school including a range of frequently asked questions. The frequently asked questions (FAQs) were also updated on an ongoing basis on the Council's website as new issues and queries arose throughout the process.
46. Each of the proposals were also communicated through a meeting organised by the Council at each school with staff, trade unions and professional organisations. A separate meeting was also held at each school for parents, carers and other stakeholders.

47. The Council's consultation document and notes of meetings held at each school are attached to this report as Appendices A, B and C. Appendix D provides the FAQs published on the Council's website that summarise issues that have arisen that are generic and not necessarily specific to any one of the proposals.

Issues Raised through the Consultation Process in relation to all Proposals, and the Council's Response to these.

48. A number of issues were raised throughout the consultations that were common to all 3 proposals. The following sections of the report summarise these and provide the Council's response.
49. On 12 September 2013, following the approval by the Council and DfE of the changes in age range of Manshead Upper and Queensbury Academy, the Council's Admissions Service sent a letter to parents and carers of all children attending a middle or combined middle school in Year 6 advising them of the loss of a Year 9 co-ordinated transfer point in Dunstable and Houghton Regis from September 2016. A concern was raised by consultees both within the meetings and in the written responses that this was misleading and parents and carers had made the transfer application as they were concerned that they would not be able to access a place in any local school in the future in Year 9. The letter was intended to provide information to parents and carers that there would not be a coordinated transfer point, and directed parents and carers to the Council's website and to the Admissions Helpline for further information. The service did respond to all requests for advice that it received. At the consultation meetings the Admissions Service clarified the process for In Year Admissions, and advised parents and carers that although sufficient places exist across the Dunstable and Houghton Regis area this process relied on the availability of places in the right year group at their chosen school.
50. Concern was raised through the consultation process that the Council's Admissions Team had not actively sought to explain to all parents and carers of children in Year 4 in any of the Lower Schools due to become Primary Schools in September 2014 of the continued option of a Year 5 transfer application to any of the middle schools in the area for September 2014. Throughout the consultation process respondents have been advised that the Council has never sought to target parents and carers of children at schools that could continue to accommodate them through to the last year of their current phase of education at that particular school. Examples in the area include schools such as St Vincents Primary School (Years R to 6) and Caddington Village School (Years R to 8) where parents could have opted to transfer their children out of these schools and into a local middle school at Year 5, but the Council has never proactively contacted parents to provide this advice. Therefore the precedent for this was clearly set in relation to other schools, and it was believed that any change to this was likely to cause confusion.
51. The Admissions website sets out information on the pattern of provision in the local area and the different transfer arrangements.

52. Some consultees queried the accuracy of admissions application data taken in January 2014 as the basis for each school's budget for the period September 2014 to March 2015 in that the modelling set out in the 4 February Executive report did not include subsequent changes in school population that occur each year as a result of in year admissions. The following tables illustrate for each school that in year admissions have a negligible effect on the total number on roll as measured between the October and January census, when in year losses are also taken account of.

Brewers Hill	Number on Roll Autumn 2013	Number on Roll Spring 2014	In-year apps from September 2013	Net Difference +/-
Year 5	64	62	2	-2
Year 6	53	54	4	+1
Year 7	31	28	2	-3
Year 8	28	27	3	-1

Streetfield	Number on Roll Autumn 2013	Number on Roll Spring 2014	In-year apps from September 13	Net Difference +/-
Year 5	77	78	2	+1
Year 6	85	85	4	=
Year 7	84	84	6	=
Year 8	116	114	2	-2

Ashton	Number on Roll Autumn 2013	Number on Roll Spring 2014	In-year apps from September 13	Net Difference +/-
Year 5	101	107	10	+6
Year 6	116	117	4	+1
Year 7	102	104	14	+2
Year 8	141	139	6	-2

53. The report to the 4 February Executive provided information on the prospective numbers of pupils at each of the schools on the basis of Year 5 admissions application data to each middle school as at 15 January 2014, and data on transfer applications made by parents of Year 6 children to a Year 7 Secondary place. As set out in the 4 February report this is the basis for schools budgets from September 2014. The report acknowledged that not all parents will necessarily take up these places, and there may also be some additional late applications. In response to questions at the consultation meetings it was again acknowledged that it was understood that not all parents and carers would take up the places and that they could decline the place if they wished to. Consultees were advised that the schools funding formula for 2014/2015 includes a correction factor that will ensure that school budgets are corrected in 2015/2016 if there is a significant difference between the pupil numbers forecast from September 2014 and the actual pupils on roll.

54. The tables below provide an update on the figures provided in the 4 February report which includes:
- current numbers of pupils on roll at each school as of 9 April 2014
 - the projected numbers in September 2014 based on Year 5 offers now made (including late applications that will be allocated to each school);
 - Year 7 transfer offers now made and late applications yet to be offered.
 - Projected numbers for September 2015 which are based on the same assumptions regarding applications as set out within the 4 February report.

NB The original data reported to the Executive on 4 February 2014 is indicated in brackets.

The following table relates to Brewers Hill Middle School which has a Published Admission Number of 120.

Year Group	Current	Projected September 2014	Projected September 2015
5	62 (64)	41 (36)	0 (0)
6	57 (56)	62 (64)	42 (36)
7	29 (33)	29 (28)	31 (32)
8	28 (28)	29 (33)	29 (28)
Total	176 (181)	162 (161)	102 (96)
Capacity	480	480	480

The following table below relates to Streetfield Middle School which has a Published Admission Number (PAN) of 130.

Year Group	Current	Projected September 2014	Projected September 2015
5	76 (78)	23 (22)	0 (0)
6	87 (86)	76 (78)	23 (22)
7	83 (85)	28 (29)	24 (26)
8	111 (114)	83 (85)	28 (29)
Total	357 (363)	210 (206)	75 (77)
Capacity	520	520	520

The following table relates to Ashton Middle School which has a Published Admission Number (PAN) of 155.

Year Group	Current	Projected September 2014	Projected September 2015
5	110 (106)	40 (35)	0
6	118 (118)	110 (106)	40 (35)
7	107 (104)	25 (37)	37 (33)
8	139 (140)	107 (104)	25 (37)
Total	474 (468)	284 (282)	102 (105)
Capacity	620	620	620

55. A common concern arising in the public meetings and reflected in the responses to the wider consultation was a perception that the Council should have taken the strategic lead and driven change across the area, rather than the piecemeal, uncoordinated approach that many stated as their view of the recent process of change in the pattern of provision. The report made to the Council's Executive on 31 May 2011 at the conclusion of its review of school organisation in Dunstable and Houghton Regis reflected on the significant policy changes that had been introduced by the new Government since 2010, and the changing role of Local Authorities in driving School Improvement and in School Organisation. The report was clear that increasing autonomy and independence of Schools and Academies meant that the Council was unable, even if it were minded, to implement system wide change in the area. The report was also clear that the new freedoms for Schools and Academies was not an inert policy and there would inevitably be some schools that would see difficulties arising from reducing pupil numbers and associated reducing financial and therefore educational viability. The Council has been active in communicating these changes to schools, parents and carers, including through a public meeting held in April 2013, and consultees at the meetings were reminded of these policy changes.
56. A further issue raised in each consultation was that the closure of any of the three schools, if approved, would remove the potential of a Year 5 transfer point for those parents who are currently expressing a preference for it, therefore limiting choice in the future. Parents and carers do have a right to express a preference for a particular school whereas choices are defined by viable and popular schools that are capable of being sustained in the local area, which the three schools subject to this report are not.
57. A common concern raised was arrangements for staff at risk of potential redundancy as a result of the closure proposals. The Council has been clear throughout the consultation process that opportunities will be sought to ensure that good staff are retained in the area where possible and staff wish it. Employment in other schools in the area that will have opportunities due to their changing age ranges can also be encouraged and facilitated through the use of the schools redeployment policy.

58. Queries were raised with regard to the demographic data and housing forecasts outlined in the 4 February 2014 report to the Executive. It was suggested that the middle schools could potentially provide places required as a result of forecast population growth. The report to the Executive acknowledged that housing development and demographic growth in Dunstable and Houghton Regis will indeed require the Council to commission new school places in the area, in due course. As set out in the 4 February 2014 report to the Executive the current supply of places is sufficient to provide for the current demographic, other than in Years 9 to 11 where additional places may be required to accommodate children already receiving their education in the area, but probably not before September 2016. New school provision will be needed in the area but predominantly as a result of the proposed North Houghton Regis extension which will provide additional education infrastructure as part of that development, within the development area or on sites immediately adjacent to it. In addition, there are a number of approved in-fill developments within the existing urban area of Dunstable and Houghton Regis but these are not forecast to produce significant additional pupil yield that cannot already be accommodated within the surplus places that currently exist across the area.
59. The Council has approved a set of nine Policy Principles for Pupil Place Planning which guide its commissioning of new school places ensuring among other factors that they are provided where and when they are needed, by Ofsted Good or Outstanding providers reflecting the predominant pattern of school organisation in the area. As a result, none of the middle schools subject to this report would currently be considered to provide new primary and secondary places required as a result of housing development in the area.
60. Many respondents have expressed their desire to retain middle schools stating their preference for the nurturing environment that they believe they have provided to date. The debate of the relative benefits of three tier versus two tier education has been reflected in the consultations undertaken by every school and academy that has sought to change age range in the Dunstable and Houghton Regis area. As a result the pattern of provision has now changed significantly towards two tier primary and secondary schools with a very limited number of lower schools remaining and no upper schools in the area. In addition to the three schools in this report only three other schools in the area (Barnfield Vale offering Years R to 8, Caddington Village School offering Years R to 8 and Priory Academy offering Years 5 to 11) now offer a Year 5 transfer point through the Council's coordinated admissions scheme but these have not been sufficiently impacted by a reduction in pupil numbers to bring their financial viability into doubt. The admissions data reported to the Council's Executive on 4 February 2014 illustrates the extent of change in parental preferences in the area and the lack of sufficient support available to sustain these middle schools in a viable form.
61. Many respondents referred positively to the experiences of current and previous pupils at each of the schools, their reputation and role within their local communities. These views are not questioned, but the purpose of initiating these consultations was with regard to their viability in the future given the impact of falling numbers and finances, and the inevitable impact of this on any school, and its ability to sustain good standards with reducing resources.

62. The following sections of this report set out the summary of the responses to the consultation process for each of the 3 schools individually.
63. The full detailed responses submitted to each consultation are provided for Council and for public scrutiny at the Council Offices at Watling House, Dunstable and at Priory House, Monks Walk, Chicksands.

Brewers Hill Middle School

64. The original report to the Executive on 4 February 2014 was clear about the future viability of the school as being the main rationale supporting the consultation of the proposal to close the school. In addition to the issues raised through consultation that are common to all three consultations, addressed earlier in this report and through the FAQs, a number of issues were raised that are specific to Brewers Hill Middle School.
65. A consultation meeting was held with staff and Trade Union/Professional Association representatives on 25 February 2014, and with parents and other stakeholders on 4 March 2014. The second meeting was also attended by several staff. Consultees were advised that the process was not a referendum, and therefore it was important that in responding they gave the reasons for their views.
66. Appendix A to this report contains the Consultation document and notes of the staff and public meetings and provides a summary of the key issues arising along with answers given by officers attending the meetings.
67. Appendix D also contains a range of questions that were commonly asked throughout the consultations on each proposal, along with responses provided.
68. Appendix E provides a statistical analysis of the responses received by the Council within the consultation period. 291 responses were received of which 103 were received from pupils currently attending the school, and 55 were from parents of pupils currently attending the school. 60 responses were received from local residents.

69. The main points recorded by respondents who disagreed with the proposal to close the school related to:

The current Ofsted 'Good' rating of the school;
The good staff and resulting loss of good teaching and non teaching staff from the area;
The supportive, nurturing ethos of the school and more widely support for the three tier system;
The good facilities of the school in comparison with lower and primary schools;
Increased travel to access a local school;
Larger class sizes in other schools;
The good reputation and role within the local community that the school has;
Concern that the proposal will result in a reduction in choices for parents seeking a year 5 transfer to a middle school;
The need to retain school places as a result of housing development in the area;
The loss of provision for children with special educational needs and those from a disadvantaged background.

Some of these points are common to all 3 consultations, and therefore the Council's response to these are covered in sections 46 to 61 of this report.

70. Many respondents raised concerns at the potential loss of Brewers Hill Middle School, currently rated Good by Ofsted, with other schools in the area judged by Ofsted as 'requiring improvement' and not offering the same quality of education for local children. The Council made it clear throughout the consultation period that it recognised the quality of education currently being provided by the school. The main issue which initiated the consultation remains, which is the future viability of the school due to the reduction in pupil numbers and therefore the impact of this on the school's budget. This has direct implications on the future ability of the school to continue to provide a broad, balanced and appropriate curriculum to all pupils, and sustain good standards and improvement.
71. A number of respondents identified the specialist facilities such as science and art often supported by specialist teaching staff provided by a middle school in comparison with those in a lower or a primary school as of value in sustaining the middle school. These facilities are key to the current national curriculum at Key Stage 3 and are available in secondary schools in the area. The absence of such facilities in lower and primary schools in the area should not be regarded as a barrier to the appropriate delivery of the curriculum, teaching and learning of children at Key Stage 2. It was also highlighted in the consultation process that the reduction in pupil numbers and the impact of that on the school budget would place pressure on a school's ability to be able to continue to provide these resources. Some questions were also raised with regard to the playing field provision on the school site. The Council is committed to sustaining playing field provision on the school site which is shared with Creasey Park as part of a Community Football Centre in partnership with the Football Association and Dunstable Town Council.
72. Increased travel and traffic was recorded as grounds for objecting to the proposed closure. In reality the balance of local provision would be sustained in primary and secondary provision in the immediate area that will serve the local community, which would not impact on increased traffic.

73. Some respondents identified that there were larger class sizes in other schools, and they liked the smaller classes at the school. All schools are able to organise their classes, including class sizes, within the resources available to them. It may be that with reduced pupil numbers, and therefore a reduced budget from this September, the school cannot afford to continue to have classes of the size that they could afford previously.
74. Some respondents raised concerns at the potential loss of the school's current supporting ethos for children with special educational needs and disadvantaged children. The Council recognises the importance of this, but also recognises that all schools are required to make appropriate provision for those children who have SEN and are disadvantaged, and other schools serving the local catchment demographic are also recognised as having a similarly supportive ethos and good practice.
75. The main reasons recorded by respondents who agreed with the proposal to close the school related to:
- The lack of financial viability of the school.
The changed pattern of provision in the area and the lack of a role for middle schools as a result.
The potential to make Ashton Middle School viable by closing Streetfield and Brewers Hill Middle Schools.
76. Although two of these issues are aligned with the Council's own rationale for the proposals to close the school, the proposal of closing Streetfield and Brewers Hill Middle Schools to sustain Ashton Middle School is not. The level of parental demand for an option to sustain Ashton Middle School to enable continuation of a Year 5 transfer for parents has not been proven within the consultation and is not a proposal that has been brought forward by the school's Governing Body which has consulted on its own proposal to become a secondary school serving children aged 11-16, as referred to later in this report.
77. The Governing Body of Brewers Hill launched a consultation on 3 April 2014 on its intention to convert to Academy status in August 2014. The school's consultation document, attached at Appendix H to this report, also articulates a proposal to change the school's age range following successful conversion. The consultation ends on 15 May 2014. Although the school was previously granted an Academy Order by the DfE in December 2011 it has been required to reapply as a result of the delay in implementing the conversion, and the April consultation is part of the process required now by the DfE. The potential Academy conversion of the school will be determined by the DfE and not the Council. In considering the school's application for Academy conversion the DfE will consider the viability of the current school as a middle school, as it is required to convert in its current form and, if approved, subsequently apply to make any change in age range.

78. The proposed age range of the new academy is to eventually provide for an age range of 4 through to 18 years of age starting in September 2015. If the Academy conversion is approved, any subsequent application that the Academy makes to change its age range will be determined by the DfE and not by the Council. The DfE would require an application to make such a significant change to an Academy to be supported by a business case detailing the following:

The details of the change, including any potential issues/risks relating to the proposals (e.g. changes to the leadership, any foreseen adaptations, additions, refurbishments or land transfers needed), and evidence of demand;
When the change is to be implemented, and how (e.g. will it need to be done in stages);

The effect on other schools, academies and educational institutions within the local authority, and an overview of the responses to the consultation;

The degree of local authority support and what the academy has done in response to any consultation responses from them;

Any indicative costings and an indication of how these might be met, including how the change will be sustained in terms of capacity and value for money;

Any suggested changes to the admission arrangements;

Details of financial arrangements and confirmation that planning permission has been secured.

79. This level of detail is not provided within the current consultation document and it is therefore difficult to evaluate the school's ability to deliver such a proposal. However, the lack of demographic demand for places serving the 4 to 18 year age range is clear in the data provided in the 4 February 2014 report to the Executive.
80. The school's proposed implementation date of a change of age range from September 2015 is not achievable without School Adjudicator approval of a variation in existing admissions arrangements as the proposed change in age range represents a significant alteration to those already determined for 2015/16, in line with the legal obligations set out within the Admissions Code which Academies are also required to comply with.
81. Given that their consultation does not finish until 15 May 2014, the school is unlikely to receive a decision from the DfE prior to the Executive meeting on 27 May 2014. If the Executive made a decision to delay the publication of Statutory Notices pending a decision by the DfE, this delay in decision would impact on the Admission round for September 2015. The Council's Admissions Booklet for 2015/16 has to be published by the 12 September 2014 at the latest. If the Executive delayed the publication of statutory notices and the DfE reached a decision to approve the Academy Order during the summer term, Statutory Notices would not be required. If the DfE reached a decision to not approve the Academy Order, the delay in the publication of Statutory Notices would impact on the information required in the Admissions Booklet for 2015/2016. This could cause confusion for parents and carers. Alternatively, the Executive could make a decision to publish Statutory Notices, and then rescind these should the DfE approve the Academy order.

Streetfield Middle School

82. The original report to the Executive on 4 February 2014 was clear of the rationale supporting the consultation of the proposal to close the school. In addition to the issues raised through consultation that are common to all three consultations and have been addressed earlier in this report and through the FAQs, a number of issues were raised that are specific to Streetfield Middle School.
83. A consultation meeting was held with staff and Trade Union/Professional Association representatives on 26 February 2014, and with parents and other stakeholders on 5 March 2014. The second meeting was also attended by several staff. Consultees were advised that the process was not a referendum, and therefore it was important that in responding they gave the reasons for their views.
84. Appendix A to this report contains the notes of the staff and public meetings and provides a summary of the key issues arising along with answers given by officers attending the meetings.
85. Appendix D also contains a range of questions that were commonly asked throughout the consultations on each proposal, along with responses provided.
86. Appendix F provides a statistical analysis of the responses received by the Council within the consultation period. 220 responses were received of which 126 were received from parents of pupils currently attending the school. 35 responses were received from local residents.
87. The main reasons recorded by respondents who disagreed with the proposal to close the school related to:
- The school's good staff and facilities;
 - The school is a good school and provides a well balanced education;
 - Support for the three tier system and the support that the middle school provides for children who are not ready for a larger secondary school environment;
 - The need to retain school places as a result of housing development in the area;
 - Concern that the proposal will result in a reduction in choices for parents seeking a year 5 transfer to a middle school;
 - Concern that the school's SEN unit and overall good support for children with a statement of special educational needs will be lost.
- Some of these points are common to all 3 consultations, and therefore the Council's response to these are set out in sections 46 to 61 of this report.
88. The quality of education currently being provided by the school and its staff and facilities have not been identified as a key issue with regard to the proposed closure by the Council. The main issue remains which is the future viability of the school due to the reduction in pupil numbers and therefore the impact of this on the school's budget. This has direct implications on the future ability of the school to continue to provide a broad, balanced and appropriate curriculum to all pupils, and sustain improvement.

89. A number of respondents referred to the school's current Autistic Spectrum Disorder SEN Provision and concerns from parents whose children currently receive specialist support that this and the support provided within the mainstream provision would be lost as a result of the school's closure. The Council will be required to re-commission this provision if the closure of the school were to be approved. In doing so the Council would have regard to guidance and a specific SEN improvement test that must set out how the alternative arrangements are likely to lead to an improvement in the standard and quality of the provision. This would be subject to a separate consultation and statutory proposal which would ensure that parental representations are taken account of.
90. The main reasons recorded by respondents who agreed with the proposal to close the school related to:
- The lack of financial viability of the school.
The changed pattern of provision in the area and the lack of a role for middle schools as a result.
The potential to make Ashton Middle School viable by closing Streetfield and Brewers Hill Middle Schools.
91. Although two of these issues are aligned with the Council's own rationale for the proposals to close the school, the proposal of closing Streetfield and Brewers Hill Middle Schools to sustain Ashton Middle School is not. The level of parental demand for an option to sustain Ashton Middle School to enable continuation of a Year 5 transfer for parents has not been proven within the consultation and is not a proposal that has been brought forward by the school's Governing Body which has consulted on its own proposal to become a Secondary School serving children aged 11-16, as referred to in this report.
92. The Governing Body of Streetfield Middle School has developed a proposal as an alternative to closure to change age range and become a Primary School serving children aged 4 to 11, with a Nursery for children aged 6 months to 4 years of age, from September 2015. The school's consultation document and report are attached to this report at Appendix I. As a Community School, the Governing Body is unable in law to undertake a statutory consultation on this proposal and the exercise conducted thus far must therefore be considered to be informal at this stage. It is the Council's responsibility to determine the viability of the school's proposal and to decide whether it should be subject of statutory consultation or not.

93. The school's proposal has been considered and issues have been identified in a number of areas:
- A change in age range as proposed would increase the number of surplus places across the area from its current level of +17% across the Primary School age range, to 24%. There is no demographic demand for these additional places and they are not required by the Council in order to meet its legal obligations.
 - The consultation document refers to the proposal of a 2 form entry Primary school full to its admission number with 60 children in every year group, Year R through to Year 4 in September 2015. However, the school's report on the outcome of its initial consultation appears to indicate a level of support from parents and carers willing to transfer their children into the new year groups that is significantly lower.
 - The report is currently significantly lacking in detail on the required transitional arrangements in staffing, in curriculum planning and the financial implications of the proposed change in age range. This is particularly relevant given that the school currently has no experience of teaching the Early Years Foundation Stage or Key Stage 1.
 - The school's proposed implementation date of September 2015 is not achievable without School Adjudicator approval of a variation in existing admissions arrangements, as the proposed change in age range represents a significant alteration to those approved by the Council for 2015/16 which have already been determined, in line with the legal obligations set out within the Admissions Code.
 - If this proposal were to be approved subject to further consultation, statutory processes and an application for variation to the School's Adjudicator, there would be insufficient time to conclude the processes in time for publication within the Council's Admissions Booklet for 2015/16, which has to be published by the 12 September 2014 at the latest.
94. On the basis of the information outlined in paragraph 93 the school's proposal is not regarded as a viable alternative option, and therefore does not recommend that the proposal proceeds to be the subject of a statutory consultation.

Ashton Middle School

95. The original report to the Executive on 4 February 2014 was clear of the rationale supporting the consultation of the proposal to close the school. In addition to the issues raised through consultation that are common to all three consultations and have been addressed earlier in sections 46 to 61 of this report and through the FAQs, a number of issues were raised that are specific to Ashton Middle School.
96. A consultation meeting was held with staff and Trade Union/Professional Association representatives on 24 February 2014, and with parents and other stakeholders on 3 March 2014. The second meeting was also attended by several staff. Consultees were advised that the process was not a referendum, and therefore it was important that in responding they gave the reasons for their views.

97. Appendix C to this report contains the notes of the staff and public meetings and provides a summary of the key issues arising along with answers given by officers attending the meetings.
98. Appendix D also contains a range of questions that were commonly asked throughout the consultations on each proposal, along with responses provided.
99. Appendix G provides a statistical analysis of the responses received by the Council within the consultation period. 167 responses were received of which 71 were received from parents of pupils currently attending the school and 27 from parents of a child/children in another school. 26 responses were received from local residents.
100. The main reasons recorded by respondents who disagreed with the proposal to close the school related to:

The history and heritage of the school and its location in the town.

The good reputation and role within the local community that the school has.

The positive experience of previous pupils at the school.

The school's Christian ethos and a concern at the loss of faith based places in the town.

Concern that the proposal will result in a reduction in choices for parents seeking a year 5 transfer to a middle school.

The resulting loss of good teaching and non teaching staff from the area.

The need to retain school places as a result of housing development in the area.

The supportive, nurturing ethos of the school and more widely support for the three tier system.

101. A number of respondents cited a loss of history and heritage to the town as a reason for not proceeding with the proposal. The building and the land are owned by the Ashton Foundation who will determine how it can continue to achieve its educational objectives and also the future use of the site if a decision was taken to close the school. Retaining the school for this reason would not address the issue of viability of the school in the future.
102. The reputation of the school, its role within the community and the education it provides have not been identified reasons for proposing closure. The main issue remains which is the future viability of the school due to the reduction in pupil numbers and therefore the impact of this on the school's budget. This has direct implications on the future ability of the school to continue to provide a broad, balanced and appropriate curriculum to all pupils, and sustain improvement.

103. The Christian ethos reflected in the curriculum delivered in C of E Voluntary Aided schools is provided in the Dunstable and Houghton Regis area by Manshead Upper School and by Ashton St Peters Lower School, both schools also within the Ashton Foundation. The change in age range of Ashton St Peters Voluntary Aided Lower School to become a primary school from September 2014 now provides an additional 30 places in each of Years 5 and 6. Likewise the change in age range of Manshead Upper School to become a secondary school from September 2014 now provides an additional 210 places in each of years 7 and 8, increasing the total capacity of the former upper school from 810 places with 300 Post 16 places, to 1050 places with 300 Post 16 places from September 2014. Thomas Whitehead primary School in Houghton Regis is also a C of E VA school providing 44 places per year group and therefore contributing to the faith based provision in the area. Crucially, these are places for parents who seek a faith based provision in schools that are financially viable.
104. The main reasons recorded by respondents who agreed with the proposal to close the school related to:
- Poor standards at Ashton Middle School, the findings of the recent Ofsted inspection and its current Ofsted rating.
The changed pattern of provision in the area and the lack of a role for middle schools as a result.
Falling rolls and reducing financial viability.
105. Although two of these issues are aligned with the Council's own rationale for the proposals to close the school the reference to poor standards and the current Ofsted rating of the school are not. The school was last subject to an Ofsted inspection in December 2013 with the report published in January 2014 and was judged as 'Requiring Improvement'. It is being supported to improve through the Council's School Intervention Strategy, and is due an HMI Monitoring Visit imminently.
106. A number of respondents to the consultation recorded support for the school to become an 11-16 secondary school as an alternative to closure. The proposal to change age range has been subject of a statutory consultation undertaken by the school's Governing Body. As a Voluntary School the Governing Body is legally able to propose this change and to undertake consultation required by regulation. The Council is decision maker for the proposal and as a result of timeframes required by regulation will be required to determine the outcome at the meeting of the Council's Executive on the 27 May 2014.
107. A separate report will be provided to the Council's Executive for the purpose of determining the school's proposal and the local Church of England Diocese of St Albans, the Bishop of the local Roman Catholic Diocese of Northampton and the governing body and trustees of Ashton C of E Voluntary Aided Middle school will have a right of appeal to the schools adjudicator if they disagree with the Council's final decision.

Conclusion

108. The responses to each of the consultations have not yet identified viable alternative options to closure for any of the 3 schools. The Council will agree with each school any assistance they require to support them in bringing forward a viable business plan to support alternative options.
109. As set out within the report, the DfE is responsible for considering Brewers Hill viability as a Middle School with regard to the proposal to become an Academy. If the DfE does approve the proposal to become an Academy, the school's consultation documentation does not currently provide sufficient detail to support the business case the DfE would require in order to subsequently approve the significant changes proposed. Paragraph 81 outlines the alternatives available to the Executive with regard to the publication of Statutory Notices
110. As set out within the report, there are currently significant issues with Streetfield Middle School's proposals which indicate that the proposal would still not be viable.
111. As set out within the report, as a C of E VA school, Ashton Middle School's proposal to become a secondary school will be considered as a separate report at the Executive on 27 May 2014.

Appendices: Please bring with you to the meeting the supplementary pack that was issued with the Children's Services Overview and Scrutiny Committee Agenda for their meeting on 7 May 2014 containing the Appendices to the Proposed School Closure for Brewers Hill, Streetfield and Ashton Middle Schools.

Appendix A – Council consultation document, frequently asked questions and notes of staff and public meetings held in relation to the proposal to close Brewers Hill Middle School

Appendix B – Council consultation document, frequently asked questions and notes of staff and public meetings held in relation to the proposal to close Streetfield Middle School

Appendix C – Council consultation document, frequently asked questions and notes of staff and public meetings held in relation to the proposal to close Ashton C of E Voluntary Aided Middle School

Appendix D – Frequently asked questions published on the Council's website

Appendix E – Analysis of responses in relation to the proposal to close Brewers Hill Middle School

Appendix F - Analysis of responses in relation to the proposal to close Streetfield Middle School

Appendix G - Analysis of responses in relation to the proposal to close Ashton C of E VA Middle School

Appendix H – Brewers Hill Middle School Academy conversion consultation document

Appendix I – Primary School proposal from the Governing Body of Streetfield Middle School (The Streetfield Lyceum)

Background Papers: (open to public inspection)

The Executive Report of 4 February 2014 seeking approval to initiate the first stage of consultations.

Full set of responses received to all 3 consultations is available from The Council Offices, Watling House, Dunstable and The Council Offices, Priory House, Chicksands, Shefford.

Meeting: Executive
Date: 27 May 2014
Subject: Developing the Early Intervention, Early Help Offer
Delivered through Children's Centres
Report of: Cllr Mark Versallion, Executive Member for Children's Services
Summary: The report proposes a Public Consultation Exercise around 4 potential models of delivery of the Early Intervention, Early Help offer through Children's Centres.

Advising Officer: Edwina Grant, Deputy Chief Executive / Director of Children's Services
Contact Officer: Sue Tyler, Head of Child Poverty and Early Intervention
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

- Improved educational attainment.
- Promote health and wellbeing and protecting the vulnerable.

Financial:

1. The modelling has been carried out within the current resource envelope.

Legal:

2. No legal implications for the consultation process.

Risk Management:

3. The 4 potential models for the delivery of the Early Intervention, Early Help offer through Children's Centres are suggested proposals to address the identified need of ensuring that the available resources are targeted most appropriately. The public consultation will mitigate the risk of failing to identify and address the needs of stakeholders.
4. Key risks of not having a robust approach include:
 - Failure to discharge legal and statutory duties/guidelines
 - Failure to deliver the Council's strategic priorities
 - Failure to identify problems at an early stage and provide appropriate interventions, and
 - Failure to target the service in the most effective way.

Staffing (including Trades Unions):

5. Not applicable.

Equalities/Human Rights:

6. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
7. Research indicates that attainment and other outcomes in later life can be significantly improved by the provision of targeted early help. Factors such as early developmental problems, living in an area of high deprivation, having three or more siblings and having a mother with a low level of education can all impact adversely on a child's life chances. Equality analysis will be undertaken during the consultation process in order to explore these issues further.

Public Health:

8. Giving every child the best start in life is a high priority in improving public health. Children's centres play an important role in supporting families of young children and if targeted towards the areas of highest need can significantly contribute towards reducing inequalities in health seen in Central Bedfordshire.

Community Safety:

9. The Council has a statutory duty under Section 17 of the Crime and Disorder Act to do all that it reasonably can to reduce crime and disorder. Programmes that provide early help to children and families can bring longer term community safety benefits, e.g. reducing anti social behaviour and domestic abuse by ensuring that vulnerable families receive appropriate support.

Sustainability

10. Whilst environmental implications are often focused here, it is important to highlight that true sustainability also ensures the best possible outcomes for society that are in balance and support environmental and economic outcomes. Early help is a key service to help ensure our communities are able to grow and thrive in a sustainable way, making sure support is available at the earliest opportunity and the mechanism for appropriate interventions is in place.

Procurement:

11. Not applicable.

Overview and Scrutiny:

12. This matter has been considered by the Children’s Services Overview and Scrutiny Committee on 1 April 2014 where they:

RECOMMENDED to Executive

1. That the Overview and Scrutiny Committee supports the approach to deliver targeted early intervention but feels it is important that children not included in the identified age range should still be able to access support where necessary.
2. That the consultation include a range of proposed models that also identify the alternative support that would be available if a ‘spoke’ ceased to operate as a result of the proposal.
3. That none of the current ‘hubs’ in Central Bedfordshire should disappear as a result of the proposed changes.

RECOMMENDATION:

The Executive is asked to:

- | | |
|----|--|
| 1. | approve the commencement of the consultation process, based on the four potential models, as set out in the report. |
|----|--|

Executive Summary

13. Following discussions on a range of models, four are proposed for a public consultation exercise.

Background

14. The original Sure Start programme required delivery of services from 22 Children’s Centres across the Council area. In 2012, following consultation, a reconfigured offer was put in place.

15. This consolidated the service offer into nine hubs with some services being delivered from the smaller satellite centres, most of which were not in areas of high need.
16. The Hubs are in:

Dunstable North, Dunstable South, Houghton Regis, Leighton Buzzard, Sandy, Flitwick, Biggleswade, Shefford and Stotfold with Arlesey.
17. The management of the Centres was commissioned out and the Centres are run by a mixture of schools and two large national voluntary organisations.
18. The Centres offer a range of targeted and universal services. Many of the universal services duplicate provision run by the voluntary and private sectors such as toddler groups run by Churches and local charities, networks organised by the National Childbirth Trust, and private music and baby gym classes for example.
19. Since the consultation exercise in 2011, and the subsequent reconfiguring, there has been a growing awareness nationally of the importance of Early Intervention and Early Help with the most vulnerable families, and a number of other changes in the landscape affecting the services delivered out of Children's Centres.
20. These include:
 - Funding to support 15 hours free child care for two year olds in low income families (881 children in Central Bedfordshire to be benefitting by Sept 2014).
 - Provision of additional Health Visitors to support the Healthy Child programme.
 - More funding directly to schools through the pupil premium to provide activities and interventions, particularly for those entitled to free school meals, which at present is available from year R.
 - More funding for vulnerable families and families where there are complex issues through the Troubled Families programme.
 - The importance of Early Help identified in the report of Professor Munro on children's social care.
 - A revised Ofsted framework for Local Authorities in which there is an increased emphasis on Early help.
 - The new duty for the Local Safeguarding Board around the Early Help Offer.

More Early Help

21. Early Help is the term for a wide range of services which can be offered to children and their families to support their development when a problem emerges or is identified which, if left, will lead to poorer life outcomes. Many of these services will be offered to children and families who are accessing universal services. The problem will often be identified by a health visitor, or GP, an education setting, either in the early years or a school, by a professional who is perhaps dealing with a specific problem and realises that there are additional issues which need some help and support. By working to help the family with the identified problem, the child and/or family will benefit from improved outcomes, and will be able to continue accessing the full range of universal services. If this work is not carried out there is a risk that it will escalate. This could then result in a Child In Need Plan, or a Child Protection Plan or even in the longer term a child becoming accommodated by the Council. In these circumstances life outcomes are likely to be more challenging, and there is the risk of an escalating cost to the public purse.
22. In Central Bedfordshire we offer a very wide of range of Early Help Services including: advice from dieticians and oral health for young children; smoking cessation; speech and language support; evidenced based parenting programmes for parents with children of all ages from antenatal to mid-late teenagers; support for Teen Parents on the teen parent pathway including the Young Mums to be and parents with prospects courses; support for parents to get back into employment; volunteering opportunities; Getting Families Working Programme; individual and group mentoring for young people; sexual health services; drug and alcohol treatment services for young people; ASPIRE programme to address risk factors associated with low aspirations and teenage pregnancy; one to one parenting support in the home; one to one support for parents with learning disabilities; support for parents of children and young people with disabilities Freedom Programme for women experiencing domestic abuse; postnatal depression groups; MPACT programme for families living with parental substance misuse; Kidstime workshops for families living with parental mental illness; family group meeting service; home visiting support for families; emotional wellbeing service for children; therapeutic support for children aged 5 – 13 who have experienced domestic abuse; counselling services for young people affected by parental domestic abuse, parental substance misuse or a family member in prison; homelessness and mediation service for young people aged 14+.
23. There is upward of £4m spent on Early Help Services (including Children's Centres).
24. In order to further develop the Central Bedfordshire offer around Early Help, a more targeted approach with an increased focus on work with the families who are most likely to need help is required, at the expense of complete universality. This will concentrate the resources available for work within Children's Centres on a clearly targeted service to the most vulnerable families in order to drive up life chances. This would be at the expense of the completely universal service, which provides a superficial level of support for the many.

25. The targeted use of resources will give an enhanced opportunity to:

- Improve health and education outcomes.
- Prepare for major national Early Intervention projects.
- Adopt a more integrated approach.
- Raise standards of parenting.

Factors in Developing Models

26. A number of factors have been considered in the development of the Early Help Offer through Children's Centres going forward. These include:

- Age range
- Who are the services for (known as Reach)
- Where Services are to be delivered
- Which services should be delivered from Children's Centres

27. a. Age Range

- i. The original Sure Start model covered children from conception until their fifth birthday. In reality this became until they started school, which in most cases will be at 4+ and could be as young as just over 4 years for the late summer born children.
- ii. The original model also included provision either onsite or linked with childcare. The Central Bedfordshire model only included linked early years provision, namely local pre-schools, day-nurseries, child-minders and lower school foundation stage units that are listed at a Children's Centre as providing this part of the service delivery.
- iii. Children from the term after their third birthday are eligible for 15 hours a week free care and education at an early years provider. This limits the hours that are then available for accessing Children's Centres Services. It does however enable parents to access services which may be delivered from a Children's Centre around training for work, or taking up volunteering opportunities. In Central Bedfordshire the current take-up rate of three year old provision is over 95%.
- iv. Following a pilot, a more comprehensive offer for two year olds is presently being rolled out across the country. In Central Bedfordshire 556 two year olds have been identified as amongst the 20% most deprived and from September 2014 881 which is 40% of the most deprived two year olds will be identified and offered places.
- v. If virtually all three and four year olds and the 40% most vulnerable two year olds are in early years and childcare provisions for up to 15 hours a week, this leaves limited time for participation at a Children's Centre. Although for many of the most vulnerable families support throughout the day could prove beneficial, especially for parents who need assistance with returning to work.

- vi. Not all two year olds are able to enter provision immediately they reach their second birthday therefore offering services until they start this provision would ensure they are accessing services until that time and would enable their parents to continue to access parental services around training and education skills to enable work.
- vii Some children will be on specific programmes, or have specific plans that would require attendance by them and their parents/carers beyond the age of two. Children's Centres should be accessible to these families, as part of their core business.

28. **b. Who are the services for (Reach)**

- i. Since 2012 the Children's Centres have been offering a targeted service within a universal environment. This has proved challenging and threatens to weaken the Early Help offer for the most vulnerable in favour of a high numerical level intervention for families who do not have specific needs.
- ii. Data analysis both within the authority and across our partners indicates that many of our vulnerable families are living in particular areas known as lower super output areas (LSOA) – these are a very specific area within a ward. Data indicates that poor health outcomes, unemployment, higher rates of crime, and many other deprivation factors are focussed in these specific areas of need.
- iii. Some Children are accessing specific services, delivered following an Early Help Assessment (EHA formerly known as a CAF), others are subject to Child in Need (CIN) Plans and being supported by our Family Support Teams, and some are on Child Protection (CP) Plans. These children will be from 0-16. Children's Centres should be playing an integral role in the delivery of these very specific interventions.
- iv. A concentration within a Centre on working with families and children from specifically defined LSOAs or accessing services through an EHA, CIN or CP plan would enable much more targeted work to deliver improved outcomes to our most vulnerable children and families.
- v. Most of the existing hubs are now offering some aspects of universal delivery of the Healthy Child Programme (HCP). For example baby and weighing clinics, advice sessions, drop-in surgeries by health visitors and two year old checks are increasingly being delivered from Children's Centres. The continuation of this universal service should ensure that early identification of developing children and family problems from outside the previously identified cohort would be able to take place, along with an early help assessment and the provision of specific interventions. It also provides additional financial value by using the provision for multi-agency delivery.

- vi. There is a growing body of evidence emerging that improved parenting is a cost-effective and successful intervention for many families at a very early stage in their parental career. An extended Parenting offer of a short evidenced based parenting programme could be offered from Centres in conjunction with the universal HCP programme. This would contribute to helping all children have the best start in life, and as with the Health Visitor work would enhance identification of parents who need additional assistance through an EHA who are not in the identified cohort. This would be offered during the first year of a baby's life.
- vii. If a targeted approach to Children's Centres delivery is adopted, the Centres should retain their responsibility to offer direct and support parents to other services. In many areas there are wide ranging community and private activities for parents with young children. By maintaining a comprehensive list of other services available in the locality Children's Centres would be able to assist parents who are not accessing their services, to find appropriate provision for them.
- viii. In a targeted service Children's Centres would maintain an open door policy for parents who self-referred. Following a self-referral work could be offered if it became clear that Early Help was required, or appropriate support and direction made.

29. c. Where Services are to be delivered

- i. There are presently 9 hubs for Children's Centre Services all based on school sites. At the last reconfiguration a number of satellite sites were retained.
- ii. Virtually all of the hubs work in a wider area than the hub building itself. This outreach work can be carried out in people's homes, or in community or church buildings, as well as the few existing satellite buildings.
- iii. For some Centres the building provided as a Satellite is not as suitable as a local community building, due to size or geography. Where this is the case the building would be retained for Early Childhood Services, possibly enhancing the two year old offer.
- iv. The resourcing of each Centre would be related to the numbers of children and families it was working with.

30. d. Which services should be delivered from Children's Centres

- i. As part of an enhanced, targeted Early Help Offer, many universal services such as an open access stay and play, baby rhyme time and similar groups would be reduced so that a more intensive range of services could be offered to the most vulnerable families. This would be in conjunction with many of the targeted services offered now to known children.

ii. In the event of the reduction of group services offered by Children's Centres there are a wide range of services offered by the community voluntary and private sector for parents with young children to access. These include Parent and Toddler Groups, some run by Parental Committees, some which are run by Churches or Town Councils, others by the National Childbirth Trust (NCT). There are groups such as Jo Jingles, Modern Music 0-5, Ballet classes 18th Month to 4 year's old, Music, Movement and Rhyme sessions to 0 - 5 aged children and other similar privately provided activities. There is Storytime at the libraries, Buggy Walks and for examples Arty Crafty at Snakes and Ladders at Dunstable Leisure Centre. Children's Centres would be required to keep a list of universal services for children 0-5 available in their locality in order to successfully signpost parents.

iii. Intensive programmes to the most vulnerable families would be offered if a targeted approach was adopted with the diminution of Universal Services. This would include:

- Family Work with 1:1 support for families with children 0-2 based on the Family Intervention Project Models.
- Mellow Parenting Groups – an extension of the numbers of families who access these groups.
- High level evidence based parenting courses for vulnerable families.
- Delivery of other specific targeted programmes linked with Child Protection and Child in Need programmes for children of all ages.

iv. Targeted Programmes

- Speech and Language Work.
- Group work with Early Years Professionals.
- Freedom Programmes.
- Evidence Based Parents as First Educators (PAFT).
- Healthy Eating – dietary and oral health/anti obesity.
- Specific work as a result of Early Help Assessments, Child in Need Plans, Child Protection plans.
- Specific work around improving health outcomes – anti-smoking, breastfeeding, improved fitness, reduction in obesity Great Expectation Groups for Post Natal Depression.

v. Universal Services

- Delivery of Clinics and other aspects of Healthy Child programme including Baby Brasseries for breastfeeding advice (Especially by health partners).
- Short evidence based parenting course offered to all parents within the first year of parenting.
- Work with Job Centre Plus and Adult Education Services around training and work readiness.
- Directing parents to community, voluntary and private groups in the locality.
- Working with parents who self-refer for the most appropriate outcomes.

Possible Models

Model No. 1 Existing Model

Age

0-5

Reach

Universal: A reach to all children in the hub area regardless of need is required

Where

Existing 9 hub areas, and outreach within the community

Services

As now universal services are offered such as Stay and Play, Rhyme Time, and other groups open to all. Some targeted services are offered, but space and the times available limit other work taking place

Advantages of Model

Universal coverage

Open to all parents who want to access the services

Disadvantages of Model

Dilutes Early help offer

Not able to offer Intensive or many targeted programmes due to resource limitations of time, space and staff availability

Offering services to three and four year old who are in care and education, or at school

Model No. 2

Age

0- 3

Reach

All Children and Families living within the Lower Super Output Areas with the highest levels of deprivation

Children and Families (of any age) with Early Help Assessment

Children and Families (of any age) with Child in Need Plans

Children and Families (of any age) with Child Protection Plans

Where

Existing 9 Hubs and outreach within the community

Services

Intensive Programmes

Targeted Programmes

Universal Offer

Advantages of Model

Able to offer all three levels of programme support

Greatest opportunity for targeted early help across whole Council area

Disadvantages of Model

Some families above the age of three not able to access services

Centres seen as only for 'problem families'

Challenge over offer from families not in the identified cohort

Model No. 3	
Age	
0-5	
Reach	
All Children and Families living within the Lower Super Output Areas with the highest levels of deprivation Children and Families (of any age) with Early Help Assessment Children and Families (of any age) with Child in Need Plans Children and Families (of any age) with Child Protection Plans	
Where	
Existing 9 Hubs and outreach within the community	
Services	
Intensive Programmes Targeted Programmes Universal Offer	
Advantages of Model	Disadvantages of Model
Able to offer all three levels of programme support Greatest opportunity for targeted early help in hub areas	Centres seen as only for 'problem families' Resources will be directed to 3&4 year olds which may need to be spent on families at an earlier stage. Challenge over offer from families not in the identified cohort
Model No. 4	
Age	
0- 3	
Reach	
Universal: A reach to all children in the hub area regardless of need is required	
Where	
Existing 9 Hubs and outreach within the community	
Services	
As now universal services are offered such as Stay and Play, Rhyme Time, and other groups open to all. Some targeted services are offered, but space and the times available limit other work taking place	
Advantages of Model	Disadvantages of Model
Open to all families even if there is not an identified need	Dilution of Early Help Offer Not able to offer intensive support due to universal offer Some families above the age of three not able to access services

Possible Future Developments

31. A number of potential developments offer support for this enhanced approach to targeted early intervention:
- From April 2015 the Troubled Families agenda is likely to become more of an early intervention model.
 - A refresh of the government's Child Poverty Strategy is likely to continue the focus on poor educational attainment, parental ill health, and tackling barriers to underachievement.
 - Increasing government approach to supporting the most vulnerable in society e.g. the increasing use of the Pupil Premium.
32. Many other local authorities are in the course of reconfiguring Children's Centres, and the government has made it clear that it wishes to focus the work of Children's Centres on those with whom it will have the greatest effect.

Challenges and Opportunities

33. a. In the current financial climate funding will be a challenge moving ahead. The previously ring fenced Early Intervention Grant has been subsumed into the Revenue Support Grant and the ring-fence removed.
- b. Delivery of these models is predicated on the same resource envelope, but by reducing the main universal approach more spend would be available for early intervention and early help work.
- c. A stronger focus on Early Help would enable a clearer case to be made with partners, of the time and space resource that is available to work with families in need at the Centres.
- d. A more integrated pattern of support would be facilitated by a key family worker thus ensuring that families were able to receive a suite of appropriate services in a timely and organised way rather than an ad hoc approach by a number of partner services. (This is how the FIP and subsequently Troubled Families interventions are organised).
- e. The delivery of a universal aspect of the Healthy Child Programme offers Health partners an opportunity to enhance their delivery of the HCP.

Consultation Process

34. A Public Consultation will begin on 28 May 2014 and continue until 19 August 2014. This will consist of hard copy questionnaires as well as an on-line survey aimed at parents, carers and Centre users, as well as stakeholders in the community such as voluntary organisations, schools and health services. A number of targeted Focus groups will be held.
35. The questionnaire will ask what other services respondents would like to see working in Children's Centres, as well as finding out which services current Centre users find most useful.

Next Steps

36. A paper will be brought to the Executive on 23 September 2014 which will report on the outcome of the consultation process and will specify future contract arrangements for Early Intervention and Prevention Services for Children and Families operating within Children's Centres for the next three year period.

Risk

37. A change in government and a return to the universal Sure-Start model. Removal of funding so that an inadequate Early Help model can be offered

Conclusions

38. The Executive is asked to approve the commencement of the consultation process.

Appendices: None

Background Papers: None

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Meeting: Executive

Date: 12 May 2014

Subject: Development Strategy – Revised Pre-Submission Version

Report of: Cllr Nigel Young, Executive Member for Regeneration

Summary: The report presents a revised draft Pre-Submission version of the Development Strategy. This version of the Development Strategy responds to comments arising from the public consultation last year and the changed policy context that now exists. Following consideration by Council, the Strategy will be published for a further period of consultation and then submitted to the Secretary of State.

Advising Officer: Jason Longhurst, Director of Regeneration and Business

Contact Officer: Richard Fox, Head of Development Planning and Housing Strategy

Public/Exempt: Public

Wards Affected: All

Function of: Council

Key Decision Yes

**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

The Development Strategy, as an overarching planning policy document, has the potential to contribute to each of the Council priorities. The main focus of the document is “Enhancing Central Bedfordshire” through planning for the new homes, jobs and infrastructure the area needs while protecting the countryside. However, the document can also help contribute to improved educational attainment and promoting health and wellbeing, through securing appropriate contributions from new development. Infrastructure planning and delivery is a key focus of the Strategy and there is a critical link between adoption of the Development Strategy and implementation of the Community Infrastructure Levy (CIL).

Financial:

1. The report to the Executive on 4 October 2011 included detail on the costs associated with producing a Development Strategy and the costs of not producing one. The Executive agreed that there was a need to produce a Development Strategy, with the associated financial implications.

2. Other than staff costs already built in to the base budget, the main financial cost associated with producing the Development Strategy is consultant's costs in preparing technical studies and the cost of the Public Examination. The latter includes the Planning Inspectorate's costs (around £100,000) and the legal/consultants costs in representing the Council's case (also estimated at around £100,000). Costs at this level can be met from within the Development Planning and Housing Strategy budget already approved by Council. The decision to submit the Development Strategy to the Secretary of State is a function of Council, rather than an Executive function. Incurring the above costs is therefore a consequence of this Council decision. The financial costs associated with producing a Development Strategy were known when Executive committed to the work in October 2011.
3. The scale of the Council's investment should be seen in the context of the scale of new investment (new commercial and retail development as well as residential) into Central Bedfordshire that a Development Strategy will enable. The Development Strategy document will also enable a Community Infrastructure Levy (CIL) to be produced that will help lever in funding for new infrastructure to support development. The cost of plan-making should also be seen against the cost of the alternative approach of fighting public inquiries against inappropriate development.
4. The production of the Development Strategy is also important in terms of New Homes Bonus receipts. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes – both new build, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes. In 2014/15 the Council will receive a payment totalling over £6,947,000. This money helps to support the Council's base budget, thus supporting the delivery of services to residents in those areas affected by new housing development. Having an agreed strategy to deliver the right number of new homes and direct these homes to the best locations is critical.

Legal:

5. Once adopted the Development Strategy will be a "local plan" and will form part of the statutory Development Plan and will be the basis for consideration of planning applications. Until this happens the existing adopted documents will continue to set the planning framework.

Risk Management:

6. Failing to adopt a "sound" Development Strategy could lead to a failure to deliver the required levels of housing, jobs and infrastructure proposed for growth and regeneration in the area in a planned way. There is a risk that a planning inspector could find the Strategy unsound and there are numerous recent examples of this across the country. Advice has been taken from government officials, the Planning Inspectorate, the Planning Advisory Service and counsel to help minimise this risk. A risk register is maintained and reviewed on a regular basis as part of the project management of this work.

Staffing (including Trades Unions):

7. Not applicable.

Equalities/Human Rights:

8. The draft Development Strategy was subject to a specific Equality Impact Assessment prior to the public consultation. The results show that the draft Development Strategy covers a broad range of issues and does so in a way that does not discriminate against particular groups. The overall results were extremely positive in terms of helping to advance equality of opportunity. This Equality Impact Assessment will need to be revised and updated following changes to the Development Strategy. This will be done and the results consulted upon as part of the publication period later this year.

Public Health:

9. The Development Strategy could have a number of benefits in terms of public health and wellbeing. There is a specific section of the document that seeks to summarise the interactions between strategic planning and public health. These include promoting healthy lifestyles through enabling walking and cycling and through appropriate leisure and open space provision. Health infrastructure and securing appropriate developer contributions towards such provision are also important aspects, in association with the Community Infrastructure Levy (CIL).

Community Safety:

10. Various policies within the Development Strategy address community safety issues, particularly those relating to standards for new development.

Sustainability:

11. The Development Strategy has as its underlying basis the achievement and delivery of sustainable development. The Development Strategy has been subject to a specific Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) in order to comply with the relevant regulatory requirements. The results of this work were published for comment alongside the Development Strategy. The SA/SEA work will be revised and updated following any changes to the Development Strategy.

Procurement:

12. Not applicable.

Overview and Scrutiny:

13. This matter was considered by the Sustainable Communities Overview and Scrutiny Committee on 12 May 2014. The Committee acknowledged the increase in housing requirement and supported the overall approach being taken to address the increase. While the Committee supported the principle of an Allocations Local Plan, it sought further clarification on the approach to identifying new sites. It was agreed a scoping document would be presented to the Committee at a future date outlining the approach to be used.

RECOMMENDATIONS:

The Executive is asked to:

1. consider the draft revised Pre-Submission Development Strategy attached at Appendix A and recommend that Council agrees the document for the purposes of Publication and Submission to the Secretary of State;
2. recommend that Council delegates authority to the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration, to make any minor amendments to the Development Strategy:
 - (i) prior to Publication;
 - (ii) after Publication but before Submission; and
 - (iii) during the Examination process.
3. endorse for Development Management guidance purposes the draft revised Pre-Submission Development Strategy for use in the south of Central Bedfordshire prior to its formal adoption*.

<i>Reason for Recommendations:</i>	<i>To enable progress on the draft revised Development Strategy prior to its formal submission to the Secretary of State in October 2014 and during the Examination period.</i>
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** In the north of Central Bedfordshire the existing adopted documents will continue to be used.*

Executive Summary

14. This report presents the draft revised Pre-Submission Development Strategy for Central Bedfordshire. The Development Strategy is an overarching planning policy document that will set out the overall approach to new development in Central Bedfordshire for the period to 2031, including new homes, jobs and infrastructure and detailed policies to guide decisions on planning applications.
15. This version of the Development Strategy responds to comments arising from the public consultation last year and the changed policy context that now exists. Following consideration by Council, the Strategy will be published for a further period of consultation and then submitted to the Secretary of State.

Background

16. The Development Strategy is a planning policy document that will set out the overall approach to new development in Central Bedfordshire for the period to 2031. It will contain targets for new development, such as new homes and jobs, needed locally in the period and will identify large-scale new development sites, as well as setting out details of the infrastructure needed to accompany such development. The Strategy will also set out detailed policies against which future planning applications will be determined.

17. In addition to the statutory requirements, there are compelling local reasons for producing a strong and proactive planning policy framework. New development within communities can bring many benefits (new homes, jobs, shops, community facilities etc) and a positive framework can act to enable and encourage this development. Similarly, some development proposals bring harmful impacts and planning policies can help bring about mitigation of these impacts or, where the impact cannot be mitigated, enable the Council to resist inappropriate development proposals. Further, the Council's ability to require developer contributions towards infrastructure through the Community Infrastructure Levy (CIL) is dependent on having an adopted strategy in place.
18. Currently there are separate planning policy frameworks for the north and south of Central Bedfordshire. This Development Strategy seeks to draw together for the first time a comprehensive framework for the whole of Central Bedfordshire. Once adopted, the Development Strategy will largely replace the adopted Local Plan (2004) in the south and the Core Strategy and remaining Local Plan policies in the north. The Site Allocations DPD for the north adopted in 2011 will remain in place.
19. The Council's Executive approved a Plan-making Programme for Central Bedfordshire in October 2011. This established the principle of a "Development Strategy" for the area for the period 2011 to 2031. It also proposed a Gypsy and Traveller Local Plan covering the same period, which is being progressed separately.
20. The Council undertook informal consultation in February/March 2012 on the key strategic issues, which fed into a draft Development Strategy that was consulted on between June and August 2012. Executive and Council agreed a Pre-Submission version in November 2012, which was then consulted on for 6-weeks in January and February 2013.

Events since February 2013

21. Submission of the Development Strategy to the Secretary of State for Examination was anticipated to take place in May 2013. However, a number of issues arose that meant submission needed to be delayed.
22. The main reason why submission has had to be delayed was the publication, in April 2013, of updated demographic information by the Office for National Statistics (ONS). This led to a reconsideration of the population and household projections that underpin the Strategy. While the projections were not vastly different for Central Bedfordshire, for Luton the projections were considerably different from those on which the previous version of the Development Strategy was based. Given that Luton's administrative area is tightly bounded and this limits the potential urban capacity, an increase in Luton's household projections has potentially significant implications for the Development Strategy.
23. The Development Strategy is, first and foremost, a plan for Central Bedfordshire. The strategic plan for Luton will be set out in due course by Luton Borough Council.

24. Nevertheless, the National Planning Policy Framework (NPPF) makes it clear that plans should consider how to respond to unmet need from elsewhere. One of the tests of soundness relates to whether the plan is “positively prepared”, meaning:
- “the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;” (NPPF, para 182)*
25. There is clearly not an absolute requirement to provide housing for other areas but increasing housing provision is a critical element of government policy and this issue cannot be ignored.
26. In addition to providing for unmet housing need, the Duty to Cooperate requires authorities to work together on the process of plan-making, with a view to producing plans that are based on effective joint working on strategic cross boundary priorities. This duty is part of the response to the abolition of Regional Strategies and higher level targets being set. While it is not a “Duty to Agree”, authorities should “leave no stone unturned” in their efforts to co-operate and produce effective plans.
27. Recent Inspector’s conclusions on a number of local plans across the country have made it clear that if the Duty to Cooperate is to act as an effective replacement for Regional Strategies it must be taken seriously. Housing need must be met in full unless there is a genuine reason otherwise, unmet need from elsewhere must be fully considered and authorities must cooperate on plan-making. The most relevant example is that of Aylesbury Vale District Council who have recently withdrawn their plan on the advice of a Planning Inspector who considered that the plan did not meet the duty to cooperate and failed to provide for adequate levels of growth. There are numerous other examples from across the country where similar messages have been received (Coventry, North West Leicestershire and Mid Sussex Councils to name but a few). This Council is not alone in facing difficulties in this respect.
28. What is clear from the above is submitting a plan that either does not acknowledge a substantial unmet need from elsewhere, or does nothing about it is not a viable option. This has been reinforced by informal advice from the Planning Inspectorate.

Strategic Housing Market Assessment update April 2014

29. The key mechanism for establishing “objectively assessed housing need”, as required by the NPPF, is through production of a Strategic Housing Market Assessment (SHMA). Since mid-2013, officers have been working with colleagues at Luton Borough Council and with consultants, ORS, on a joint SHMA for the Luton and Central Bedfordshire areas. This work is expected to be completed by 27 May. The draft final report shows a significant increase to the housing requirement for Luton and, under the Duty to Co-operate, this increase has implications for the Development Strategy. In response to this increase, officers are recommending an increase in housing provision in the Development Strategy.
30. The draft SHMA indicates that Central Bedfordshire’s objectively assessed housing need is around 25,500 homes. This need is provided for by the revised Development Strategy. A surplus above this level is recommended that can help to meet Luton’s unmet housing need, as required by the NPPF. As mentioned above, the NPPF’s requirement is not an absolute requirement to meet unmet housing need from elsewhere but only “where it is reasonable to do so”. Officers are recommending an increase in the overall housing provision included in the Development Strategy from the 28,700 homes published in January 2013 to around 30-31,000 homes. This would mean a surplus of around 5,000 homes to help meet Luton’s need. This additional provision is an appropriate response to the increasing need in Luton and, together with appropriate provision from other local authorities in the area with links to Luton (either through proximity or through migration/commuting patterns), will ensure local housing need is provided for.
31. The draft Development Strategy at Appendix A remains only a draft and will need to be updated following the cross-boundary meeting on 21 May 2014. A verbal update from this meeting will be provided on 27 May.
32. The response to the increase in housing requirement is in a number of parts and, in broad terms, is set out below:
- A new “Market-Led Sustainable Development” policy
 - Provision for an Allocations Local Plan to identify further sites
 - Allocation of a new site at Chaul End, emerging from work on a Neighbourhood Plan
33. The proposed new “Market-Led Sustainable Development” policy is a departure from previous planning policy and would allow a certain amount of development to come forward outside of settlement envelopes, where current policy would prevent it. The policy is not a *carte blanche* and the scale of development would be limited and strict criteria applied. In particular, any such development would need to be of the highest design quality. This policy responds to the increase in housing need and, critically, would contribute to the 5-year supply of housing land, a vital requirement if a plan is to be found sound and to avoid planning appeals based on an inadequate 5-year land supply.

34. A new site at Chaul End is also being recommended for inclusion in the Development Strategy. In terms of capacity it is smaller than the other sites being specifically identified and is smaller than the indicative threshold of 500 units used elsewhere in the Strategy. However, it has been subject to local consultation through the Neighbourhood Plan process and has received local support. Given the uncertainties involved in the Neighbourhood Plan process it is considered appropriate to identify the site in the Development Strategy at this stage.
35. The proposed Allocations Local Plan is necessary for a number of reasons.
- Only large scale strategic sites are considered for the Development Strategy. Further housing provision across the whole of Central Bedfordshire is likely to be required.
 - Any new allocations in the Green Belt identified in emerging Neighbourhood Plans are likely to require formal allocation through a Local Plan.
 - Designations such as Green Belt infill boundaries and settlement envelopes have not been comprehensively reviewed for many years. Given the NPPF's requirement to seek out opportunities for sustainable development, it is necessary to embark on this process.
 - The 2012 planning regulations require that specific standards for new development cannot be set out in Supplementary Planning Documents, but have to be tested at examination through the Local Plan process.

Other Changes to the Development Strategy

36. In addition to changes in relation to housing need and supply the revised Development Strategy at Appendix A has also been amended to take account of issues arising from representations made and to update the plan since it was published in January 2013.
37. Key changes include:
- i. clarifying the approach in relation to the Housing Standards Review and its impact on Lifetime Homes standards and the Code for Sustainable Homes etc;
 - ii. reflecting the recently endorsed Design Guide;
 - iii. incorporating minerals and waste policy elements – such policy was originally to be in a separate document but has now been included within the Development Strategy;
 - iv. incorporating parking standards from the Design Guide – specific standards for new development need to be within a local plan document rather than as supplementary guidance;
 - v. incorporating leisure and open space standards from the Leisure Strategy – as above; and
 - vi. updating the site specific policies to reflect progress since last year.

Next Steps

- 38. Agreeing the version of the Development Strategy to be formally submitted to the Secretary of State is a function of Council. This is programmed for the Council meeting on 12 June 2014. There may be changes arising from Executive’s consideration of the draft Development Strategy and other changes that emerge that will need to be included in the version that is considered by Council on 12 June.

- 39. Prior to Submission, the draft document must be published for a 6-week period to enable representations to be made. Given the timing of this period over the summer, it is recommended that slightly longer than 6-weeks be allowed. Although the representations made will be summarised by officers, they are ultimately for the attention of the Planning Inspectorate. The format of the consultation is therefore quite formal as it is effectively the pre-cursor to the Examination process. Representations made during this period must relate to whether the Strategy is “sound” i.e. positively prepared, justified, effective and consistent with national policy (taken from paragraph182 of the National Planning Policy Framework).

- 40. The estimated timetable for the next stages of the process is set out below:

12 May	Overview and Scrutiny Committee
27 May	Executive
12 June	Full Council
End-June 2014	“Publication” start date
August 2014	“Publication” end date
October 2014	Submission to the Secretary of State
March 2015	Examination hearing sessions start
May 2015	Inspector’s report due
July 2015	Adoption

- 41. The timetable set out above is a challenging one. In order that we can respond flexibly to issues as they arise, while still maintaining democratic accountability, delegated authority is recommended. This has been carried out for previous LDF documents for the northern part of Central Bedfordshire and has worked successfully.

42. There are three key stages when delegated authority to make minor changes to the Development Strategy will be important.
- Firstly, there may be a need for further minor changes to be made to the Strategy following Council and before the Publication period.
 - Secondly, after the Publication period, minor changes can be put forward, in schedule form, for the Inspector's consideration. These changes should not go to the heart of the Strategy but be matters of detail, consistent with the overall thrust of the Strategy.
 - Thirdly, during the Examination itself, issues may arise that need a response within a short period of time. Delegated authority to suggest further minor changes to the Strategy in response to issues arising from the Examination hearing sessions would help keep the timetable on track.

This is the approach previously and successfully used for the two LDF documents already adopted.

43. In order to ensure that the timescales are adhered to, it is recommended that authority is delegated to the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration. More substantial changes to the Strategy would not be covered by this delegation and would need to be considered through the normal channels.

Planning Guidance in Advance of the Development Strategy

44. The current timetable assumes adoption of the Development Strategy in May 2015. While the adopted Core Strategy and Site Allocations documents remain relevant in the north of Central Bedfordshire, the Local Plan for the south was adopted in 2004 and in some respects is not consistent with the NPPF.
45. It was for this reason, and to avoid a policy vacuum, that the joint Core Strategy for Luton and southern Central Bedfordshire was endorsed for Development Management guidance purposes by Executive in August 2011. Given the progress of time since 2011 and the progress made on the Development Strategy it is considered that the draft Development Strategy at Appendix A would be a better basis for informal planning guidance than the endorsed Joint Core Strategy.
46. The Executive is therefore recommended to endorse for Development Management guidance purposes in the south of Central Bedfordshire the draft revised Pre-Submission Development Strategy, in advance of its formal adoption.

Conclusion

47. Members are asked to consider the draft revised Pre-Submission Development Strategy attached as Appendix A and recommend that Council agree to formally publish the draft Strategy and then following publication to submit the draft Strategy to the Secretary of State.

48. Members are also asked to endorse for Development Management guidance purposes the draft revised Pre-Submission Development Strategy, in advance of its formal adoption.

Appendices:

Appendix A – Draft revised Pre-Submission Development Strategy (May 2014) **Please note that Appendix A has been circulated separately to the Agenda.**

Background Papers: (open to public inspection)

Development Strategy for Central Bedfordshire – January 2013 (available to view on the Council's website at the following address:

<http://www.centralbedfordshire.gov.uk/planning/strategic-planning/development-strategy.aspx>

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Meeting: Executive

Date: 27 May 2014

Subject: Plan-making Programme - the Local Development Scheme

Report of: Cllr Young, Executive Member for Regeneration

Summary: The report proposes that Members endorse the Local Development Scheme (LDS) which sets out the scope and timetable for the production of future local plans for Central Bedfordshire, including specific reference to the Development Strategy, the Gypsy and Traveller Local Plan and an Allocations Local Plan. These documents will refresh, update and roll forward the planning policy framework in Central Bedfordshire.

Advising Officer: Jason Longhurst, Director of Regeneration and Business

Contact Officer: Sally Chapman, Development Plan Process Manager

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

**Reason for urgency/
exemption from call-
in (if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

1. The Plan-Making Programme - Local Development Scheme is the project plan which sets out the timetable for planning documents which are integral to the delivery of three of the Council's priorities
 - Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
 - Promote health and wellbeing and protecting the vulnerable.
 - Better infrastructure – improved roads, broadband reach and transport.

Financial:

2. The scale of the Council's investment in Local Plans should be seen in the context of the scale of new investment in Central Bedfordshire, including commercial and business investment, infrastructural investment and investment in new homes and services that they will enable. In addition, the New Homes Bonus Scheme seeks to provide a powerful local incentive to support the development of new homes. A Development Strategy document will also enable a Community Infrastructure Levy (CIL) to be produced that will help lever in funding for new infrastructure to support development. Grant income from government is available to help resource Neighbourhood Planning.
3. The first phases of the Development Strategy and Gypsy & Traveller Local Plan have been completed. The next phase for these two documents is preparing them for Examination, employing Programme Officers and the Planning Inspectorates costs. The Allocations Local Plan work in 2014/15 will mainly involve officer time and can be met within existing budgets. The Examination should take place in 2016/17.
4. The Medium Term Financial Planning has efficiency saving of £150K on this budget for 2014/15 with a pressure of £150K in 2016/17. The work on the three documents will create a pressure on the budget in 2014/15 and 2015/16 but the service will aim to manage this risk.
5. Producing Local Plans is a statutory requirement and the Medium Term Financial Plan takes into account the requirements both to prepare them and conduct examination hearings into their soundness. Further detailed costs for each of the individual plans are being worked on.

Legal:

6. Planning is a statutory function under various Acts including the Planning and Compensation Act 2004 and Localism Act 2011. Once adopted the documents included within the plan-making programme will form part of the statutory Development Plan and will be the basis for consideration of planning applications. Until this happens the existing adopted documents will continue to set the planning framework.

Risk Management:

7. The process of producing a Development Strategy and other planning policy documents is long and complex and high quality project management and risk management skills will be required. Project teams are in place to oversee the work and risk management is part of the process of management. A risk assessment, along with mitigating actions is contained within the Plan Making Programme.

Staffing (including Trades Unions):

8. Staff resources to undertake this project are largely in place. Any resource required can be accommodated within the existing staff structures and budgets.

Equalities/Human Rights:

9. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
10. The main documents set out in the LDS are each subjected to an Equality Impact Assessment.

Public Health

11. The Development Strategy could have a number of benefits in terms of public health and wellbeing. There is a specific section of the document that seeks to summarise the interactions between strategic planning and public health. These include promoting healthy lifestyles through enabling walking and cycling and through appropriate leisure and open space provision. Health infrastructure and securing appropriate developer contributions towards such provision are also important aspects, in association with the Community Infrastructure Levy (CIL).

Community Safety:

12. The Council has a statutory duty to do all that it reasonably can to address community safety across all of its functions. Plan-making has an indirect influence on community safety, setting out policy to deliver appropriate provision of community infrastructure and to ensure that individual development proposals take account of community safety issues.

Sustainability:

13. Sustainable development is at the heart of all the strategic and local planning documents produced. All Local Plans are subject to a specific Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) in order to comply with the relevant regulatory requirements.

Procurement:

14. Not applicable.

Overview and Scrutiny

15. Sustainable Communities Overview and Scrutiny Committee considered the matter on 12 May 2014. Following discussion, it recommended that the Executive support the Preparation of the three Local Plans and agree the Plan-Making Programme. The Committee also require that the scope of the Allocations Plan is reported back to Overview and Scrutiny when it has been prepared.

RECOMMENDATIONS:

The Executive is asked to:-

- 1. support the preparation of the three Local Plans (Development Strategy, Gypsy and Traveller Local Plan and Allocations Local Plan) and other associated documents; and**
- 2. agree the attached programme of plan-making which sets out the formal Local Development Scheme for the whole of Central Bedfordshire.**

Executive Summary

The report proposes that Members endorse the Plan-Making Programme (Local Development Scheme) which sets out the scope and timetable for the production of future local plans for Central Bedfordshire, including specific reference to the Development Strategy, the Gypsy and Traveller Local Plan and an Allocations Local Plan. These documents will refresh, update and roll forward the planning policy framework in Central Bedfordshire.

Background

16. In terms of planning policy there is currently a separate statutory framework between the northern and southern parts of Central Bedfordshire, derived from the arrangements of the legacy authorities. In the northern part of Central Bedfordshire, formerly Mid Bedfordshire District, there is an adopted Core Strategy and Development Management Policies Development Plan Document and a Site Allocations Development Plan Document. In the southern part, previously South Bedfordshire District, there is the South Beds Local Plan Review 2004.
17. Before 1 April 2012, formal responsibility for planning policy making was with the Luton and South Bedfordshire Joint Committee. Following the withdrawal of the Joint Core Strategy in July 2011 and dissolution of the Joint Committee, Central Bedfordshire has been preparing the Development Strategy, a single plan covering the whole of Central Bedfordshire. Similarly, the Gypsy and Traveller Local Plan, currently being prepared, also covers the whole area.
18. The previous Plan-Making Programme, endorsed by Executive on the 4 October 2011, is now out of date for a number of reasons as set out below.

Development Strategy

19. The Development Strategy has been subject to a number of issues which have resulted in delays to the programme set out in the previous Plan-Making Programme. These have all arisen as rapid changes to the planning policy environment and statutory requirements have been introduced by the Government. They include:
- a) new population projections from the Office for National Statistics indicating a substantially higher housing need in Luton; and
 - b) the implications of the Duty to Cooperate introduced by the Localism Act 2011.

Gypsy and Traveller Local Plan

20. This document has been delayed from its original programme due to the necessity to re-consult as the plan has evolved. In addition, there was a need to carry out a new Gypsy and Traveller Accommodation Assessment, the results of which were received in January 2014.
21. These delays have resulted in a major proportion of previously allocated expenditure falling in 2014/15 instead of 2013/14.

Allocations Local Plan

22. In effect, this will be 'Part 3' of the Local Plan and is intended to, include non-strategic allocations for development, updated or new designations and possibly new standards for development. The need for this Plan is elaborated upon in the Report on the Development Strategy elsewhere on this Agenda.
23. The Executive was advised in 2011 that a more 'localist' approach to site allocations could be embraced in the spirit of the Localism Act, allowing Town and Parish Councils to produce their own Neighbourhood Plans, bringing forward site allocations for housing, employment and community uses which were endorsed by the local community. As Neighbourhood Planning practice has developed, it has become clear that it is not a straightforward process for communities. Legal challenges have been brought against early Neighbourhood Plans and whilst the outcome of these is not known yet, it has stalled production of Neighbourhood Plans in other areas. In addition, it is unlikely that Neighbourhood Plans will be able to allocate land for development in the Green Belt, so any proposed allocations suggested by Neighbourhood Plans in Green Belt may need to be taken forward through the Allocations Local Plan.

24. Central Bedfordshire has seven areas designated for neighbourhood planning so far, but no draft plans have been produced yet. The Council has a statutory duty to support communities in drawing up Neighbourhood Plans. Officers will continue to support existing and new Neighbourhood Plans making use of the government grant available. However Neighbourhood Plans cannot by themselves, be relied upon to achieve the growth required up to 2031 and therefore the Allocations Plan will be the mechanism by which other non-strategic development allocations can be brought forward to help meet local housing requirements not specifically identified in the Development Strategy.
25. In addition, designations such as settlement envelopes and Green Belt Infill Boundaries have not been reviewed for many years in either of the legacy authorities. Similarly, there has been no comprehensive review of Green Belt boundaries, particularly around settlements. In order to achieve the growth in housing likely to be required across Central Bedfordshire, these restrictive boundaries will have to be looked at in detail, particularly in the light of the NPPF's requirement to drive forward sustainable development. The scope of changes to such boundaries will need to be investigated as a first stage of the Allocations Local Plan.
26. Finally, standards for development (such as standards for open space and recreation) are required to be set out in Local Plans, whereas under the previous LDF regime, they could be set out in Supplementary Planning Documents. Some standards have been incorporated into the Development Strategy, however more may come to light and will need to be set out in the Allocations Local Plan.

Conclusion and Next Steps

27. Members are asked to agree the Plan-Making Programme and endorse the production of the three Local Plans.

Appendices:

Appendix A – Plan-Making Programme – a local development scheme for Central Bedfordshire.

Background Papers: (open to public inspection)

None



A plan-making programme for Central Bedfordshire

2014

(Local Development Scheme for Central
Bedfordshire)

1. Introduction

- 1.1. The Planning and Compulsory Purchase Act 2004 requires each local planning authority to produce a Local Development Scheme (LDS), which is essentially a work programme for the preparation of new planning policy documents. This plan-making Programme represents the LDS for Central Bedfordshire.
- 1.2. This document covers the whole administrative area of Central Bedfordshire. It is the starting point for the community and other stakeholders in order to find out which planning policy documents the Council intends to produce, and the timescale for their preparation.

2. About the area

- 2.1. Central Bedfordshire is a varied area containing a mixture of rural countryside, attractive villages, and small to medium sized towns. It is well connected, being traversed by the M1, A1, A5 and A6 as well as several railways. London Luton Airport is also in close proximity.
- 2.2. Much of the rural area is of high landscape and biodiversity value with extensive tracts of high-grade agricultural land. The Chilterns Area of Outstanding Natural Beauty covers a substantial part of the area while much land outside of the main towns and villages is designated as Green Belt.

3. Policy Framework and the requirement for a new Plan-making Programme

- 3.1. Following the formation of Central Bedfordshire Council as a unitary authority in April 2009, three separate Local Development Frameworks were progressed; one covering the area formerly administered by Mid Beds District Council and one covering Luton and the area formerly administered by South Beds District Council and one for minerals and waste development covering the whole of Central Bedfordshire, Bedford Borough and Luton Borough.
- 3.2. The withdrawal of the joint Luton and South Bedfordshire Core Strategy in 2011 means that the opportunity has arisen to consolidate two of the separate frameworks into one. In the interim, the Development Plan for the former Mid Beds area will consist of the existing adopted Core Strategy and Development Management Policies DPD and Site Allocations DPD. For the former South Beds area, it will consist of the saved Structure Plan and Local Plan policies. It will also consist of the Adopted Minerals and waste Local Plan (Jan 2014) and the remaining Saved Policies of the M&W Local Plan 2005.

- 3.3. The Localism Act 2011 has changed the nature and process of planning policy. It introduces a change in terminology from Local Development Framework to Local Plan and introduces the new system of Neighbourhood Planning.
- 3.4. In March 2012, the government published the National Planning Policy Framework (NPPF) which replaces almost all existing national planning policy and guidance. The principles of the Local Development Framework (LDF) system remain, but the emphasis in the NPPF is now on each local planning authority (LPA) producing an up to date Local Plan for its area. This can comprise existing adopted development plan documents under the LDF system, or can involve the production of new Local Plan documents, depending on the local context. Existing development plan documents can be reviewed in whole or in part to respond flexibly to changing circumstances.
- 3.5. The NPPF requires Local Plan policies to be up to date to ensure that local planning authorities are well placed in relation to the new presumption in favour of sustainable development. Where policies are out of date or silent on an issue, it may be difficult for the council to use its planning powers to secure the best outcome from proposed development schemes. The Council's Development Strategy will provide such an up to date Local Plan for the area.
- 3.6. The procedure for preparation and review of Local Plans and Supplementary Planning Documents (SPD's) is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

4. Project Management

- 4.1. In order to ensure that the preparation of policy documents is undertaken in a focussed and coherent manner, a project management approach is being taken to the coordination of the work.
- 4.2. The Gantt Chart at Figure 1 identifies how Local Plan documents will be prepared and when key milestones are expected to be met. Following the Planning Act 2008, it is no longer necessary to include details of proposed Supplementary Planning Documents and other planning documents within an LDS, so only Local Plans are shown in Figure 1.
- 4.3. The project management approach enables the undertaking of clear and accurate monitoring which will inform the Annual Monitoring Report (AMR). This process will feed into the regular review of the Plan-making Programme and ensure that it continues to be relevant and up-to-date.

5. Proposed Local Plan Documents

- 5.1. This Programme focuses solely on the preparation of three Local Plan documents: the Central Bedfordshire Development Strategy Local Plan, the Allocations Local Plan and the Gypsy and Traveller Local Plan.

Table 1: Central Bedfordshire Development Strategy

Central Bedfordshire Development Strategy	
Role and content	To set out the vision, strategic objectives and spatial strategy for the area up to 2031 and the policies for achieving the strategic vision. This will entail an assessment of general development needs together with the consideration of any necessary Green Belt reviews. It will also incorporate a review of the remaining saved policies from the Minerals and Waste Local Plan as they relate to the Central Bedfordshire area. The identification of strategic-scale development sites will also be considered.
Status	Local Plan
Chain of conformity	General conformity with national planning guidance
Geographic coverage	The entire administrative area of Central Bedfordshire
Projected timetable and milestones	
Commencement (including SA Scoping Report)	September 2011
Evidence Gathering	October 2011 – April 2012
Formal consultation (Regulation 18)	May – June 2012
Consideration of consultation responses and produce revised Plan	July – November 2012
Publication stage (Regulation 19)	December 2012 – February 2013 June – August 2014
Submission to Secretary of State	October 2014
Examination Hearings	March 2015
Receipt of Draft Inspector's Report	May 2015*
Adoption	July 2015
Arrangements for production	
Management arrangements	Decisions will be taken by Central Bedfordshire Council's Executive. Day to day management of process by Head of Development Plan and Housing Strategy.
Resources required	Officers from the Development Plan team with input as necessary from other teams and departments. Consultants may be used for specific aspects of the work.
Stakeholder and Community Involvement	The SCI sets out the standard mechanisms for community involvement. This Local Plan will be prepared in light of the views of the community and other stakeholders
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.

* If consultation on modifications is required, this may add 2-3 months to the timetable after the Examination hearings

Table 2: Central Bedfordshire Local Plan: Allocations Plan

Local Plan Part 2	
Role and content	To review, boundaries such as Green Belt, Settlement Envelopes etc, allocate non-strategic sites for development across a range of uses for the period up to 2031 and to provide standards for development
Status	Local Plan
Chain of conformity	General conformity with national planning guidance
Geographic coverage	The entire administrative area of Central Bedfordshire
Projected timetable and milestones	
Commencement (including SA Scoping Report)	September 2013
Evidence Gathering	September – September 2015
Formal consultation (Regulation 18)	October - November 2015
Consideration of consultation responses and produce revised Plan	December 2015 – April 2016
Publication stage (Regulation 19)	May – June 2016
Submission to Secretary of State	September 2016
Examination Hearings	January 2017
Receipt of Draft Inspector's Report	April 2017
Adoption	July 2017
Arrangements for production	
Management arrangements	Decisions will be taken by CBC Executive. Day to day management of process by Head of Development Plan and Housing Strategy.
Resources required	Officers from the Development Plan team with input as necessary from other teams and departments. Consultants may be used some aspects of work.
Stakeholder and Community Involvement	The SCI sets out the standard mechanisms for community involvement. This Local Plan will be prepared in light of the views of the community and other stakeholders
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.

Table 3: Gypsy and Traveller Local Plan

Gypsy and Traveller Local Plan	
Role and content	To identify the Councils approach to the provision of additional Gypsy and Traveller pitches and sites, including the allocation of new sites if required.
Status	Local Plan
Chain of conformity	General conformity national planning guidance

Geographic coverage	The entire administrative area of Central Bedfordshire	
Projected timetable and milestones		
Commencement (including SA Scoping Report)	January 2012	
Evidence Gathering	February – September 2012	
Formal consultation (Regulation 18)	October - November 2012	
Consideration of consultation responses and produce revised Plan	December 2012 – April 2013	
Publication stage (Regulation 19)	May – June 2013	
Submission to Secretary of State	June 2014	
Examination Hearings	September 2014	
Receipt of Draft Inspector's Report	December 2014	
Adoption	March 2015	
Arrangements for production		
Management arrangements	Decisions will be taken by CBC Executive. Day to day management of process by Head of Development Plan and Housing Strategy.	
Resources required	Officers from the Development Plan team with input as necessary from other teams and departments. Consultants may be used for some aspects of work.	
Stakeholder and Community Involvement	The SCI sets out the standard mechanisms for community involvement. This Local Plan will be prepared in light of the views of the community and other stakeholders	
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.	

- 5.2. In preparing these policy documents, the Council will have regard to a number of different strategies. These include the Sustainable Community Strategy (SCS) and others covering topic areas such as education, health, social inclusion, waste, biodiversity, recycling and environmental protection, local housing strategies and transport plans.
- 5.3. In order to inform the preparation of policy documents, the Council has undertaken a large number of background technical studies. These will be refreshed and updated periodically as necessary.
- 5.4. The Council will seek to work closely with neighbouring authorities on the preparation of policy documents. Technical studies maybe undertaken jointly where this is deemed to be appropriate.

6. Other Documents

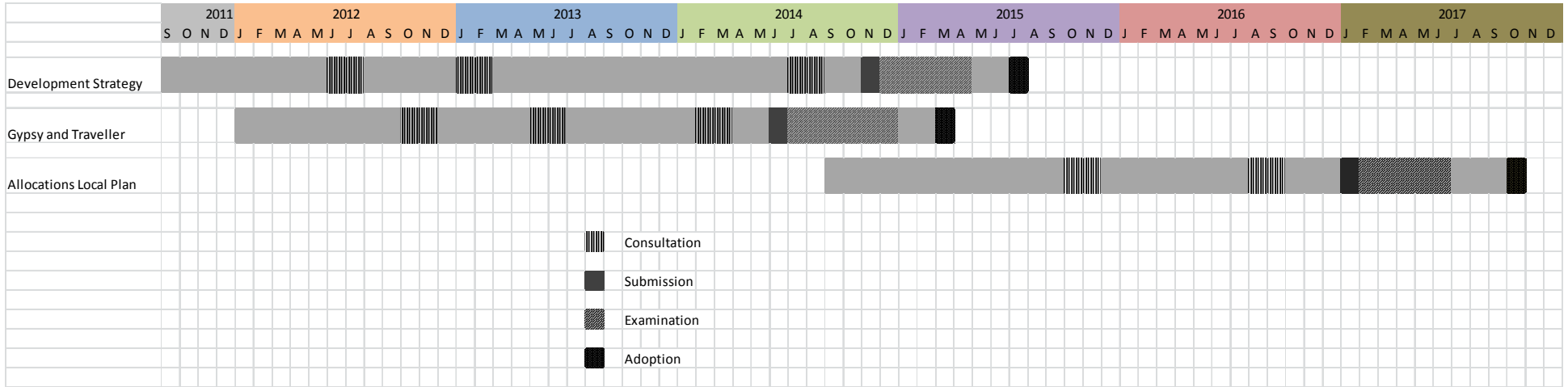
6.1. Other documents will be published to complement and add detail to the Local plan documents the table below sets out a range of documents, but is not exhaustive.

Table 4:Other documents

Document	Purpose	Status
Policies Map	To illustrate geographically the adopted policies and proposals within adopted Local Plans and Neighbourhood Plans	A new Policies Map will be published every time a Local Plan or Neighbourhood Plan is adopted.
Statement of Community Involvement	This document sets out the standards and approach to involving the community and stakeholders in the production of policy documents and in the Development Management process.	The current SCI was adopted in October 2012
Annual Monitoring Report	To assess progress in preparing planning documents and monitor progress in planning policies, housing, employment and other development.	Each Monitoring Report covers the period from April to March and will be published each year
Design for Central Bedfordshire: A Guide for Development	A document which gives detailed design principles to ensure that all development in the area is of high quality in the broadest sense.	An adopted SPD Guide is in place and is currently being reviewed.
Community Infrastructure Levy (CIL) Charging Schedule	To set out the standard levy which the local authority will be applying to some developments and to define the infrastructure projects, which it is intended to fund.	
Planning Obligations Strategy	To set out the requirements and direct the allocation and spending of money raised through	A Supplementary Planning Document for each of the former districts, Mid Bedfordshire and South

	development.	Bedfordshire has been adopted
Neighbourhood Plans	Parish and Town Councils can opt to produce a Neighbourhood Plan or Neighbourhood Development Order to provide for development in their parish.	If a Neighbourhood Plan is successful at Examination and passes a local referendum, CBC will adopt the document as part of the development plan.
Masterplans, Development Briefs and Framework Plans	To provide more details for the guidance of development on allocated sites	To be produced, usually by the developer, as sites begin to come forward.
Housing Supplementary Planning Document	To set out the type of housing the Council wishes to see in implementation of its housing numbers	SPD
Environmental Enhancement Strategy	To provide a cohesive guide to the approach the Council wishes to take on environmental matters through a compendium of existing and new documents and guidance. This includes: <ul style="list-style-type: none"> - Guidance for Renewables, Sustainable Urban Drainage systems (SUDs) and any other guides relating to the environment - Refreshed Landscape Character Assessment - Studies linking environment to health and economic benefits - Resource efficiency (energy and water) studies and toolkits. - Renewables capacity study. 	Will be produced as a series of documents. Some of the associated documents will hold status as being endorsed as guidance to inform planning decisions and some as SPD.

Figure 1: Timeline for plan preparation



7. Risk Assessment

7.1. An analysis has been completed of the principal tasks associated with undertaking the preparation of planning policy documents. These risks, listed in Table 5 below, have been taken into consideration in devising this Programme and will be closely monitored.

Table 5: Key risks and mitigation measures

Key Risks/Owner	Action to Mitigate Risk and Comments	Risk Level
Challenging time-scales for preparing policy documents	<ol style="list-style-type: none"> 1. Careful project management and regular review 2. If necessary, adjustment of Programme through annual review. Prioritisation of other work <p>Uncertainty factors remain – e.g. the level of representations submitted on documents, time taken in public examination and reporting time, or if new issues arise requiring other documents to be prepared or the diversion of staff.</p> <p>Other factors identified in this assessment may also lead to delay to the timescales.</p> <p>There is no real slack in the timetable.</p>	Medium
Premature planning applications for sites resulting in staff being redeployed to deal with time-consuming appeals	<ol style="list-style-type: none"> 1. Regular monitoring and review of progress with a view to delivery on schedule 2. If necessary, allocate relevant officer(s) and/or appeals consultants. 	High
Too few staff, staff turnover, level of experience of staff and strong reliance on consultants	<ol style="list-style-type: none"> 1. Scope for flexible use of staff from other teams is limited 2. Recruit additional staff <p>Current difficulties in recruiting experienced staff</p>	Medium
Previously developed sites not being redeveloped because of lack of investment in essential infrastructure	<p>Continue to exert pressure on government, Highways Agency and other bodies to ensure that essential infrastructure is in place and other blockages to development are removed to facilitate delivery.</p> <p>Current market downturn affects all development in the short term.</p>	High
Financial	Regular budget monitoring.	Medium

resources		
Capacity of Planning Inspectorate (PINS) and other agencies to support the preparation of documents	Provide early warning to PINS and other agencies of timescales and requirements and develop good relationships with agencies through consultation.	Medium
Ensuring 'Soundness' of documents	Through preparing a good evidence base, good dialogue with the community/stakeholders in line with the SCI, regular liaison with Counsel and CLG.	Low
Legal Challenge	Through ensuring preparation of 'sound' documents.	Low

- 7.2. Plan-making bodies must prepare an Annual Monitoring Report (AMR) to assess their implementation of the plan-making, and the extent to which plan policies are being achieved. Such review will assess progress against targets and milestones in the Programme, with appropriate action being taken in the light of findings.
- 7.3. Changes to the Plan-making Programme will be reported in the AMR with complete revisions to the Programme only made where necessary.

Glossary

Development Plan: the Local Plan Documents together with any adopted Neighbourhood Plans constitute the statutory development plan.

Local Development Framework (LDF): a portfolio of documents – it consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports

Local Plan: The formal document the set out the planning policy in an area. May be more than one volume.

Development Plan Documents (DPD): a name given to a range of policy plans that are subject to independent examination, and are shown geographically on an adopted Proposals Map (discussed below).

Site Allocations: allocations of sites for specific or mixed uses or developments to be contained in Local Plan documents. Policies will identify any specific requirements for individual proposals.

Development Management Policies: these constitute a suite of criteria-based policies, which are required to ensure that all development within an area meets the spatial vision and objectives set out in the Core Strategy. They may be included in any Local Plan or form a standalone document.

Policies Map: the adopted policies map illustrates on a base map at a registered scale all the policies contained in Local Plan documents, together with any saved policies. It must be revised as each new Local Plan or Neighbourhood Plan is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted policies map accompany submitted local plan documents in the form of a submission policies map.

Supplementary Planning Documents (SPD): provide supplementary information in respect of the policies in Local Plan documents or a saved policy. They do not form part of the Development Plan and are not subject to independent examination.

Annual Monitoring Report (AMR): A public report to be produced by local authorities to assess their progress on implementation of the LDS and the effectiveness of the Local Plans in terms of policy achievement.

Sustainability Appraisal (SA): a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Local Plans

This process incorporates the requirements of the Strategic Environmental Assessment Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

Examination: a local planning authority must submit a Local Plan for independent examination to the Secretary of State, publish a notice and invite representations, to be made within a specified period of at least six weeks.

Neighbourhood Planning: In CBC the bodies who can produce neighbourhood plans are Town and Parish Councils. There are two types of documents that can be produced. Neighbourhood Plans which may allocate land for development and/or include policies against which planning applications are judged and Neighbourhood Development Orders which can grant planning permission for a specific type of development.

Meeting: Executive
Date: 27 May 2014
Subject: Local Development Order for Woodside Industrial Estate, Dunstable
Report of: Cllr Nigel Young, Executive Member for Regeneration
Summary: The report recommends that the Executive adopt the proposed Local Development Order for the Woodside Industrial Estate and surrounding area in Dunstable to assist economic and employment growth in the area.

Advising Officer: Jason Longhurst, Director of Regeneration and Business
Contact Officer: Matt Pyecroft, Major Projects Officer - Economic Growth and Regeneration
Public/Exempt: Public
Wards Affected: Houghton Hall and Dunstable Icknield
Function of: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) N/A

CORPORATE IMPLICATIONS

Council Priorities:

This proposed Local Development Order (LDO) will contribute towards the Council priority of enhancing Central Bedfordshire by creating jobs and managing growth, encouraging employment growth in this key location in Dunstable and seeking to make the area more attractive to businesses.

Financial:

1. Based on applications received in the period 2007-2011, it is estimated that the proposed LDO will result in an approximate £2,500pa in lost planning fees. However, this reduced income will be offset by a reduction in the workload of planning officers in processing applications, and in reduced costs from not being required to undertake public consultation on planning applications.

Legal:

2. Local Authorities are permitted to make Local Development Orders (LDO's) under Part 4 of the Planning & Compulsory Purchase Act 2004. A LDO allows a local authority to extend permitted development rights for certain forms of development within a defined area. This order seeks to streamline the planning process by removing the need for developers to make a planning application to Central Bedfordshire Council in respect of the Woodside Industrial Estate in Dunstable thus creating certainty and saving time and money for those involved in the planning process.
3. A draft order and statement of reasons has been prepared and advertised and an extensive consultation period has been conducted in accordance with the Town & Country Planning (Development Management Procedure) (England) Order 2010 and the Council's own Statement of Community Involvement.

Risk Management:

4. It is considered that there are no operational, financial or reputational risks from this proposal. There is a very small risk that unintended development could arise if the parameters of the proposed LDO are not drafted properly. However, these have been considered in detail, so officers are confident that such an eventuality will not occur. As with any document of this nature, there is a small risk of legal challenge, but the LDO has been subject to public consultation, and the risk is considered to be minimal. Adoption of the LDO will provide stakeholders with more certainty in the planning process.

Staffing (including Trades Unions):

5. Not applicable.

Equalities/Human Rights:

6. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
7. Good planning can improve environments and opportunities for communities experiencing disadvantage. Planning which does not adequately engage with, or consider the needs of, local communities is unlikely to improve their life chances and may further entrench area-based disadvantage. Promoting equality of opportunity and social inclusion relates to the access to facilities and services, enhancing employment opportunities, the protection of open spaces as well as a broad range of policies concerned with the quality of life.
8. This proposal seeks to increase employment in the Dunstable area, which will increase opportunities for residents to work locally. This will have a positive impact upon equalities.

Public Health:

9. Good quality employment has a significant positive impact upon health and wellbeing. This proposal seeks to improve the economic and employment prospects in Dunstable and is therefore likely to impact upon health and wellbeing in this area of Central Bedfordshire.

Community Safety:

10. It is not considered that the proposed LDO will have any impact upon Community Safety.

Sustainability:

11. This proposal should help sustainability by improving employment in the Dunstable area and increasing opportunities for residents to work nearer home. In addition, the proposal to allow solar or photovoltaic (PV) panels and development for housing biomass or Combined Heat and Power (CHP) systems under the order will encourage the growth of renewable energy.

Procurement:

12. Not applicable.

Overview and Scrutiny:

13. This matter has not been considered by Overview and Scrutiny.

RECOMMENDATION:

The Executive is asked to:

- 1. adopt the proposed Local Development Order (LDO) for the Woodside Estate and surrounding area in Dunstable, in order to assist businesses and contribute towards economic and employment growth in the area.**

<i>Reason for Recommendation:</i>	<i>To encourage economic and employment growth in the Dunstable area.</i>
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Executive Summary

14. LDO's allow Local Planning Authorities to extend permitted development rights for certain specified forms of development and are intended to help businesses by making the planning process quicker, easier and cheaper, making the site in question more attractive for investors and occupiers, therefore encouraging employment growth, whilst ensuring that nearby residents are protected.
15. It is proposed that an LDO be adopted for the Woodside Estate and surrounding area in Dunstable. It is proposed that this should allow a range of minor works including certain changes of use, extensions and a degree of new build. The conditions proposed as part of the LDO include specific conditions around parking, noise, light pollution and building heights to ensure appropriate protection for nearby residents.

16. What is proposed through the LDO are developments for which planning permission would normally be granted, and the proposed conditions and restrictions are those which would normally be imposed, so the LDO seeks to make development easier for businesses, save them time and money, and help make them more competitive in order to help the economy of the Dunstable area and Central Bedfordshire more generally. Once the LDO is adopted, it will be used to support wider promotion activities in the area, to promote the area as an “Enterprise Area” for businesses.

Background

17. LDO’s were introduced with the Planning and Compulsory Purchase Act 2004, and allow Local Planning Authorities to extend permitted development rights for certain specified forms of development to enable businesses and landowners to undertake a greater range of works without the need for planning permission. The nature of these works and precise parameters needs to be stated by the LDO. Equally, to protect nearby amenity, this is balanced by standard conditions and restrictions, which again need to be stated by the LDO. The intention is to help businesses by making the planning process quicker, easier and cheaper, making the site in question more attractive for investors and occupiers, and therefore to encourage employment and economic growth, whilst ensuring that nearby residents are protected.

Woodside Estate and Surrounding Area

18. The Woodside Estate and the surrounding area is the largest continuous industrial area in Southern England. The site extends to approximately 107 hectares plus approximately 10.7ha for the Eastern Avenue area. Woodside’s strategic importance as well as position close to the M1 makes it an attractive location for business. There are, however, competing areas in the vicinity and along the M1 corridor, all of whom may attract occupiers seeking an accessible location.
19. Some of the area surrounding Woodside experiences deprivation issues, such as the Houghton Hall ward, which Woodside partly falls within. Details of the Job Seekers Allowance claimant count and Out of Work benefits can be found in Section 2 of the proposed LDO, which is attached to this report as Appendix 1.
20. Woodside is ideally suited to an LDO. It is a substantial, purpose built established industrial / employment area, with well-defined development parameters and site boundaries, but with some scope for intensification. Some of the units are also of an age where improvements are required, as is shown by the large number of planning applications received in recent years for small scale improvements or minor works to existing buildings, which have been uncontroversial and approved under delegated authority.

Proposed Woodside LDO

21. It is proposed that the LDO for Woodside and the surrounding area should enable a mixture of minor works such as certain changes of use, new or replacement windows, shutters and doors, mezzanine floors and the sub division of units to be undertaken without the need for planning permission. The draft LDO also proposed that extensions up to 1200sqm or 25% of the current floor area, and new builds of 25% should be permitted without the need for planning permission. The full list of provisions is detailed in Part B of Appendix 1 of the LDO, which is appended to this report.

Restrictions and Conditions

22. The proposed LDO will also ensure that the needs of nearby residents and others are properly recognised and their amenity protected, so that they can be assured that the LDO permits only development of an appropriate scale, and that appropriate safeguards are in place. The proposed LDO has conditions relating to building height, noise levels, light levels, contaminated land, parking standards and conformity with the Central Bedfordshire Design Guide, and these are conditions which would normally be imposed on a planning permission in this area. A full list of conditions, along with a number of informatives designed to assist businesses and landowners, is at Sections C and D of the Local Development Order, which is attached to this report.
23. It is important to stress that any development which falls outside of the terms of the proposed LDO is not prohibited, but instead must go through the normal planning process. It should also be made clear that the proposed LDO does not supersede the need to comply with other relevant legislation, for example Building Regulations, Hazardous Substances Consent or licences or permits from other bodies such as the Environment Agency.
24. It is also important to clarify that the proposed LDO does not allocate any additional land, but instead seeks to maximise the potential of the existing site. LDO's are intended to be in place for a specified period of time. It is proposed that the Woodside LDO be put in place for five years, at which point it will be reviewed and could then be extended, amended, or allowed to lapse.

Public Consultation

25. A public consultation on a draft LDO took place between 30 January and 28 February 2014. This consisted of a public exhibition held on the Woodside Estate, where members of the public or businesses could attend and ask questions of Officers, which was publicised locally. There was also a static display in Dunstable library. The consultation process and the results are summarised in the public consultation report, but the key aspects are as follows:

- A total of 32 questionnaire responses were received along with five letters from statutory consultees and a landowner and two internal responses. Of the questionnaire responses, 75% were from residents living close to the area in question.
- A majority (56.3%) agreed with the principle of the LDO, namely allowing businesses to undertake a greater range of work without planning permission. A majority (59.4%) agreed with allowing a range of minor works to be undertaken without planning permission.
- 50% disagreed with proposals to allow extensions, whereas 40.6% agreed. A majority (53.1%) disagreed with proposals to allow new build up to 1200sqm. A large majority (83.3%) agreed with the principle of placing restrictions or conditions in an LDO to protect residents and others.

A range of comments were forthcoming, but the majority of those who raised concerns did so based on the potential impact upon residents from noise, light and proximity of buildings to residential areas.

26. The final document takes on board the results of the consultation and several amendments have been made as a result. These amendments include an additional condition on surface water drainage, slightly amended boundaries and points intended to provide further reassurance for residents.

The LDO was verbally reported to Development Management Committee on 7 May 2014.

Appendices:

Appendix A – Dunstable Woodside Local Development Order – Draft Final Document and Statement of Reasons

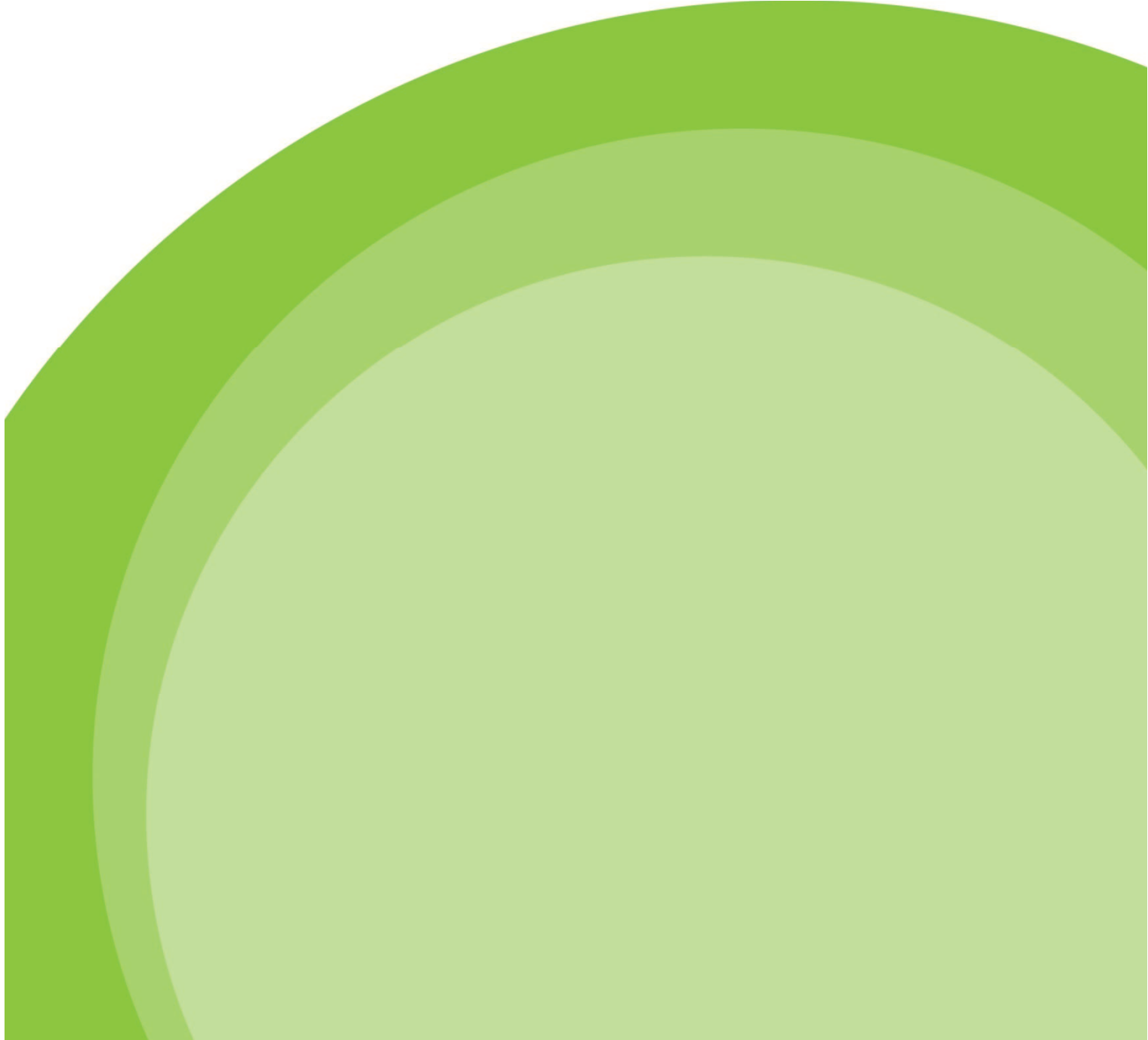
Background Papers: (open to public inspection)

Draft Woodside Local Development Order – Consultation Report.

Environmental Impact Assessment Screening Opinion Letter (dated 18 November 2013)

Dunstable Woodside Local Development Order

Draft Final Document and Statement of Reasons



1. Purpose of this document

1.1 Central Bedfordshire Council (CBC) (the Local Planning Authority) is adopting a Local Development Order (LDO) for the Woodside Industrial Estate and adjacent industrial areas in Dunstable including Eastern Avenue, hereafter referred to for simplicity just as “Woodside”.

1.2 Local Development Orders were introduced with the Planning and Compulsory Purchase Act 2004 and allow local planning authorities to extend permitted development rights for certain specified forms of development. The Planning Act 2008 removes the requirements that LDO’s should implement policies set out in adopted local development documents.

1.3 The process governing the preparation and the implementation of Local Development Orders is outlined in Circular 01/2006 ‘Guidance on Changes to the Development Control System’, available online at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7667/144854.pdf .

1.4 Article 34 of the Town and Country Planning (Development Management Procedure) (England) Order (DMPO) 2010 paragraph 1 outlines that if a local planning authority proposes to make a LDO they shall first prepare:

- (a) A draft of the Order; and
- (b) A statement of their reasons for making the order.

1.5 The final LDO document is provided in Appendix 1 of this document.

1.6 Article 34 paragraph (2) of the DMPO states that the statement of reasons shall contain:

- (a) A description of the development which the order would permit; and
- (b) A plan or statement identifying the land to which the order would relate.

1.7 This document contains the statement of reasons for making the LDO. A map identifying the area of land to which the Order relates is included in Appendix 2. The adopted LDO will be implemented for a period of 5 years from the date of adoption, but will be reviewed before this date to determine whether an extension to the timescale should be considered, whether the terms should be amended, or whether it should be allowed to lapse.

2. Introduction and Reasons for the proposed LDO

2.1 The Woodside Estate and the surrounding area is the largest continuous industrial area in Southern England. The site extends to approximately 107 hectares (265 acres), plus approximately 10.7ha (26.5 acres) for the Eastern Avenue area. Woodside’s strategic importance as well as position close to the M1 makes it an attractive location for business. There are, however,

competing areas in the vicinity and along the M1 corridor, all of whom may attract occupiers seeking an accessible location.

2.2 Central Bedfordshire Council is undertaking significant work to improve and regenerate Dunstable. The Luton and Dunstable Guided Busway opened in September 2013, and the Woodside Connection which will enable traffic going to and from the Woodside Estate to access the M1 directly, thus avoiding the town centre, is scheduled to start construction towards the end of 2014.

2.3 Some of the area surrounding Woodside experiences deprivation issues. For example, Houghton Hall, one of the Wards which Woodside falls within, typically has a Job Seekers Allowance claimant count of almost twice the Central Bedfordshire average (3.5% in September 2013, compared to 1.9% for Central Bedfordshire as a whole). The situation for all Out of Work benefits is similar (12.8% in Houghton Hall in February 2013, as compared to a Central Bedfordshire average of 7.3%). Equally, one of Houghton Hall's Lower Super Output Areas (LSOA's) is the third most deprived LSOA in Central Bedfordshire, and in the most deprived 10-20% of LSOA's in England as a whole.

2.4 Central Bedfordshire Council is seeking to support significant job creation by 2031. This is detailed in the emerging Development Strategy for Central Bedfordshire. As well as allocating new land for employment development through this strategy, the Council is committed to helping existing businesses and employment areas to grow, and has adopted flexible and positive policies in order to help encourage employment growth and achieve jobs targets.

2.5 Woodside is ideally suited to a Local Development Order. It is a substantial, purpose built established industrial / employment area, with well-defined development parameters and site boundaries, but with some scope for intensification. Some of the units are also of an age where improvements are required, as is shown by the large number of planning applications received in recent years for small scale improvements or minor works to existing buildings.

2.6 In the past few years there have been a considerable number of applications for minor works which have been uncontroversial and have been approved under delegated authority, and it would be advantageous to make this process easier and quicker where possible.

2.7 The purpose of the LDO is to assist the Woodside Estate, help businesses located there and help contribute towards economic and employment growth in Dunstable, and in Central Bedfordshire more generally, through simplifying the planning permission requirements on the site. This will give businesses and developers more certainty in an uncertain economic climate by detailing the specific types of development and uses which are permitted and enable development to take place more quickly. It will support business by making it simpler for businesses to set-up, diversify or expand their existing operations. The LDO will also give greater confidence to business to invest in Woodside.

2.8 The LDO will also ensure that the needs of nearby residents and others are properly recognised and their amenity protected, so that they can be assured that the LDO permits only development of an appropriate scale and that appropriate safeguards are in place.

2.9 Success will be measured by Woodside continuing to be a prime business location in Central Bedfordshire and continuing to attract investment and new employment.

3. Benefits of the proposed LDO

3.1 There are a number of benefits to be derived from the LDO in that it will:

- Promote and communicate a clear and individual planning policy framework for the Woodside Estate to landowners, occupiers, and other stakeholders.
- Ensure that appropriate protections are in place for nearby residents and others so that their amenity is protected from inappropriate development.
- Provide a comprehensive outline of all development that is permitted, without the need for planning permission.
- Enable and facilitate economic development and allow sustainable economic growth to happen in a timely manner allowing businesses to react quickly to economic growth opportunities.
- Provide this location with a source of competitive advantage compared to other areas, particularly along the M1 and help attract footloose investment.
- Employment and the growth of companies on the Woodside Estate will be encouraged and these companies and landowners will enjoy a saving in time and cost when planning investment, and enjoy greater certainty on what they are able to do with their buildings.
- Enable the site to respond according to the requirements of industry.
- Build up confidence in and inform the community of future development.
- Improve investor and occupier clarity, certainty and confidence.
- Encourage the growth of micro generation of renewable energy, specifically through the use of solar and PV panels, biomass and Combined Heat and Power systems (CHP).
- Reduce the burden on the Local Planning Authority and its consultees.

- Demonstrate a positive approach to planning and the general desire by CBC to support business and encourage business growth.
- This initiative would add to the benefits to the area derived from the opening of the guided busway and, in time, the Woodside Connection.

4. Provisions of the LDO

4.1 The Woodside Local Development Order grants planning permission for specified development in the area, subject to Conditions.

4.2 The parameters for the LDO at Woodside seek to simplify the planning process in relation to:

1. The construction of new buildings
2. Extending existing buildings
3. Changes of use
4. Other minor works

4.3 The Woodside Local Development Order, set out in full in Appendix 1 of this document, modifies nationally prescribed permitted development rights (under the Town and Country Planning (General Permitted Development) Order 1995 as amended) to allow for small scale minor works to buildings and to the extension or construction of new floorspace as follows:

1. Changes of Use from B2 [General Industrial Uses] or B8 [Storage and Distribution Uses] to B1 [Offices, Research and Development or Light Industrial Uses].
2. Changes of Use from B2 to B8.
3. Sub division of existing units.
4. The recladding of existing units, or the installation of new windows, shutters or doors.
5. The installation of mezzanine floors into existing units.
6. The installation of solar or photovoltaic (PV) panels onto existing units.
7. The installation of external lighting, including columns to a height of 5m, subject to controls over light pollution.
8. New or replacement fencing is permitted up to 3m in height, unless the site is adjacent to a residential property or the Houghton Regis Conservation Area, in which case it is permitted to 2m in height, or a public highway, in which case it is permitted to 1m in height.
9. Single storey ancillary structures, for specific uses.

4.4 The Council believes that minor works of these types would be uncontroversial in this location. In addition, they are concerned with the normal operation of businesses of the type who locate on the Woodside Estate, so will assist those businesses with their everyday activities.

4.5 In addition, the Council will permit a degree of building extension and new build under the terms of an Order:

10. Extensions to existing units up to 1200sqm or 25% of the current building footprint (whichever is the greater), provided the extension is within the curtilage of the existing building, and the extension does not exceed the height of the existing building. The area of the Apex Business Centre is excluded from this provision, and in this case, a maximum extension of 35% of the existing building footprint is permitted.
11. New buildings, for uses falling within the Use Classes B1, B2 or B8, up to a maximum size of 1200sqm.

4.6 The Council believes that built development of this scale is entirely appropriate within the Woodside Estate and that provided appropriate safeguards around the proximity of neighbouring uses and appropriate heights are in place, any newly built development would be of an acceptable form in this location.

(N.B. For the avoidance of doubt, all references to new floor space to be provided through the LDO relate to Gross Internal Area (GIA). GIA means the gross internal area measured in accordance with the RICS Code of Measuring Practice published by the Royal Institution of Chartered Surveyors and the Incorporated Society of Valuers and Auctioneers Sixth Edition (2007 edition)).

4.7 The full terms of this LDO, along with conditions, are detailed in Appendix 1 of this document. The Local Development Order makes no changes to advertisement consent regulations, since these are subject to separate legislation outside of the terms of legislation covering Permitted Development.

5. Procedure

5.1 Where a development scheme is proposed, written confirmation should be sought from the Local Planning Authority that the proposals are in compliance with the LDO. A self certification form needs to be completed and submitted to the Council. In response, within 28 days of receipt, the Council will issue either a letter of conformity, a letter stating that the proposed development is not in line with the provisions of the LDO and therefore planning permission must be applied for, or a request for further information.

5.2 Development which has started under the provision of the LDO can be completed following the expiry of the LDO, or in the event that the LDO is revoked or revised. The uses that have taken place will therefore be allowed to continue to operate but no further changes of use will be allowed under the terms of the LDO following its expiry without planning permission.

5.3 Proposed development which falls outside the scope of the LDO will require the submission of a planning application or other appropriate application. For the avoidance of doubt, this LDO does not exclude applicants from applying for planning permission for developments that are not permitted

by this Order. Neither does the LDO supersede the requirements for development to comply with all other relevant legislation, for example, Building Regulations, Hazardous Substances Consent, and licences or permits from other bodies such as the Environment Agency.

6. Conditions and Informatives

6.1 Development undertaken under the terms of the Local Development Order will be subject to standard conditions in areas such as highways, contaminated land, noise, design, proximity to neighbouring uses and others. The full proposed standard conditions can be found in Part C of Appendix 1 of this document. Informatives, covering a number of areas, can be found in Part D of Appendix 1 of this document.

7. Environment Impact Assessment (EIA) Screening

7.1 There are a number of potentially sensitive receptors in the wider area, including designated heritage assets, the Houghton Regis Conservation Area and publicly accessible natural landscape, including the Blows Down Site of Special Scientific Interest (SSSI), and the Chilterns Area of Outstanding Natural Beauty (AONB) to the south of the site.

7.2 It is considered that, subject to the appropriate conditions, the proposed Local Development Order would not have any unusually complex or potentially hazardous environmental effects sufficient to trigger the need for an EIA. The proposed LDO has been considered against the relevant tests set out under the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 and the Local Planning Authority has formally adopted an opinion that an EIA is not required.

8. Monitoring

8.1 This LDO will be monitored to assess its effectiveness in delivering development. The outcome of this process will be reported as part of the Council's Annual Monitoring Report (AMR) process.

9. Compliance and Enforcement

9.1 Failure to comply with the terms of the LDO or any other statutory requirements may result in appropriate enforcement action being taken by the Local Planning Authority.

10. Consultation on the LDO

10.1 Central Bedfordshire Council undertook public and business consultation on a draft LDO with relevant stakeholders and the communities affected in January – February 2014. This consultation followed the publicity and consultation requirements of Article 34 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (DMPO), and was in accordance with the Council's own guidelines on public consultation as set out in the 'Statement of Community Involvement' (2012).

10.2 The adopted Local Development Order takes on board a number of amendments made as a result of this consultation along with other updates and corrections from the draft document.

Appendix 1: The Dunstable Woodside Local Development Order

Part A

1. This Local Development Order relates to the area within the Woodside Estate and surrounding areas, as outlined in red on the map contained within Appendix 2.
2. The Order grants planning permission, subject to compliance with certain criteria and standard conditions, for the erection, extension or alteration of an office building, industrial building or warehouse. The criteria which proposed development will be permitted under is detailed in Part B.
3. Planning permission is granted for the above development proposals subject to conditions set out in Part C.
4. The Order, and the terms within it, will be active for a period of five years following the day of its adoption, and will expire following this period. The Order will therefore cease to apply following the fifth anniversary of the adoption of the Order.
5. Development which has started under the provision of the Order will be allowed to be completed in the event the Order is revoked or revised.
6. Development which has started under the provision of the Order prior to its expiry can be completed following the expiry of the Order.
7. The developments that have taken place under the Order will therefore be allowed to continue to operate but no new developments will be allowed under the terms of the Order following its expiry without planning permission.

Part B

In addition to the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order with or without modification, within the area identified in the map at Appendix 2, and subject to the conditions detailed in Part C, the following development is permitted:

1. The change of use of a premises from any purpose falling within Class B2 (general industrial) or B8 (storage or distribution), to a use for any purpose falling within Class B1 (business).
2. The change of use of a premises from any purpose falling within Class B2 (general industrial) to a use for any purpose falling within Class B8 (storage or distribution).
3. The sub division of a Class B1 (business); Class B2 (general industrial) or B8 (storage and distribution) premises to create a new planning unit falling within Class B1 (business); Class B2 (general industrial) or B8 (storage and distribution).

4. The installation, alteration or replacement of external cladding, shutters, windows or doors.
5. The installation, alteration or replacement of mezzanine flooring
6. The installation, alteration or replacement of solar photovoltaics or solar thermal equipment.
7. The installation, alteration or replacement of external lighting.
8. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
9. The erection or installation of a single storey structure for the purposes of the parking of bicycles, the charging of electric cars, a smoking shelter, a covered bin store or the housing of plant or machinery, including those for biomass or Combined Heat and Power (CHP) systems.
10. The extension of a Use Class B1 (business), B2 (general industrial) or B8 (storage or distribution) building up to a maximum size of 1200sqm or 25% of the building footprint (whichever is the greater). Within the Apex Business Centre (which is shown as cross hatched on the map at Appendix 2), the extension of a Use Class B1 (business), B2 (general industrial) or B8 (storage or distribution) building up to a maximum of 35% of the building footprint.
11. The erection of a Use Class B1 (business), B2 (general industrial) or B8 (storage or distribution) building up to a maximum size of 1200sqm.

(N.B. For the purposes of Appendix 1, Part B (10), 'building footprint' means, in relation to a building existing on 27 May 2014, as existing on that date and, in relation to a building built after the date of adoption of this Local Development Order, as originally built. For the avoidance of doubt, 'building footprint' does not therefore include any extension erected under the provisions of Appendix 1, Part B (10) of the LDO, the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any order revoking or re-enacting those orders with or without modification.

All references to new floor space to be provided through the LDO relate to Gross Internal Area (GIA). GIA means the gross internal area measured in accordance with the RICS Code of Measuring Practice published by the Royal Institution of Chartered Surveyors and the Incorporated Society of Valuers and Auctioneers Sixth Edition (2007 edition)).

Part C

Development under this Local Development Order is subject to the following conditions:

1. Height and layout:

No development under the provisions of Appendix 1, Part B (11) of the LDO shall exceed –

- (i) if within 10 metres of any residential property, 5 metres in height; or
- (ii) in all other cases, 15 metres in height.

Reason: In the interests of visual and residential amenity.

No development under the provisions of Appendix 1, Part B (10) of the LDO shall exceed –

- (i) if within 10 metres of any residential property, 5 metres in height; or
- (ii) in all other cases, the height of the building being extended.

Reason: In the interests of visual and residential amenity.

No development under the provisions of Appendix 1, Part B (8) of the LDO shall exceed –

- (i) if erected or constructed less than 2 metres from any highway used by vehicular traffic, 1 metre in height; or
- (ii) if erected or constructed less than 2 metres from any residential property or the Houghton Regis Conservation Area, 2 metres in height; or
- (iii) in all other cases, 3 metres in height.

Reason: In the interests of visual and residential amenity and highway safety.

(N.B. The Houghton Regis Conservation Area Appraisal and Management Plan, which included details of it's boundaries, can be found at:

<http://www.centralbedfordshire.gov.uk/environment/conservation/conservation-areas.aspx>)

All development under the provisions of the LDO shall be within the curtilage of an existing Class B1 (business), Class B2 (general industrial) or B8 (storage or distribution) site and shall only be used for a purpose incidental to the use of that Class B1 (business), Class B2 (general industrial) or B8 (storage or distribution) site.

Reason: To prevent the amalgamation of existing B Class sites to create larger planning units and thereby ensure that the LDO only permits development of an appropriate scale.

2. Noise disturbance and privacy:

Noise resulting from the use of plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To prevent nuisance from noise and to safeguard the amenities of neighbouring residents.

Any upper-floor window located in a wall or roof slope fronting any residential dwelling at a distance of 21 metres or less shall be—

- (i) obscure-glazed, and
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To safeguard the amenities of neighbouring residents.

3. Lighting:

Any external lighting on the site shall be installed to meet the guidance provided by the Institution of Lighting Professionals in their document 'Guidance Notes for the Reduction of Light Pollution'. The guidance notes are available from the Institute of Lighting Professionals website.

Reason: In the interests of visual and residential amenity.

No external lighting column shall exceed 5 metres in height.

Reason: In the interests of visual and residential amenity.

4. Land contamination:

No development under the provisions of Appendix 1, Part B (11) of the LDO shall take place until written confirmation has been secured from the Environment Agency as to whether a Site Investigation and Remediation Report will be required.

Any scheme of investigation and/or remediation, including variations as required by the Environment Agency shall be submitted to and approved in writing by the Environment Agency prior to the commencement of such works. This should include responses to any unexpected contamination discovered during works.

Should groundwater or surface water courses be at risk of contamination during or after development, Environment Agency approval of measures to protect water resources must be sought. Waste Licensing and related matters are also in the remit of the Environment Agency.

Reason: To protect human health and the environment.

5. CBC Parking Standards:

All development under the provisions of Appendix 1, Part B (1), (2), (3), (10) and (11) of the LDO, shall make provision for vehicular parking and manoeuvring arrangements in accordance with the CBC Parking Strategy, Appendix F, Central Bedfordshire Local Transport Plan as endorsed for Development Management purposes by CBC Executive October 2012 and the Central Bedfordshire Design Guide, Adopted March 2014 (or any adopted documents revoking or re-enacting those documents).

For any development where the parking and manoeuvring arrangements are not in accordance with those documents, an evidence base demonstrating that the parking and manoeuvring arrangements proposed will not have a detrimental affect on the adjacent highway safety, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interest of highway safety and to minimise danger, obstruction and inconvenience to users of the adjoining highway.

6. Drainage:

No development under the provisions of Appendix 1, Part B (11) of the LDO shall take place until a scheme to dispose of foul and surface water drainage has been submitted to and approved in writing by the Environment Agency. The scheme shall incorporate a plan showing foul and surface water drainage arrangements and where they connect to the mains; location of petrol interceptors; and approval from Anglian Water. The scheme shall then be implemented in accordance with the approved details and retained as such thereafter.

Reason: To prevent the pollution of the underlying Principal Aquifer and the water environment.

7. Wheel cleaning facilities:

No development under the provisions of Appendix 1, Part B (11) of the LDO shall take place until a wheel cleaning facility has been provided at all site exits to prevent the deposit of mud or other extraneous material on the highway during the construction period. The wheel cleaner(s) shall be removed from the site following the construction period.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

Part D

Additionally, attention is drawn to the following advice notes:

1. Land contamination:

INFORMATIVE: It is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Council's Contaminated Land Pollution Team and the Environment Agency without delay. Any land contamination identified shall be remediated to the satisfaction of the Environment Agency to ensure that the site is made suitable for its end use.

2. Wheel Cleaning:

INFORMATIVE: It is contrary to Section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. All development should therefore be designed and constructed so that surface water from the development does not drain into the public highway or the highway drainage system.

3. Travel plans and travel plan statements:

INFORMATIVE: In the interests of improving site access and travel choice, reducing congestion and demand for parking spaces and increasing business efficiency and equality, a Travel Plan should be prepared and implemented for all commercial premises in accordance with the Council's detailed guidance and thresholds which are available online via the Council's website (<http://www.centralbedfordshire.gov.uk/travelling/your-travel-choices/travel-plans/travel-plans-and-guidance.aspx>).

4. Conformity with the design guide:

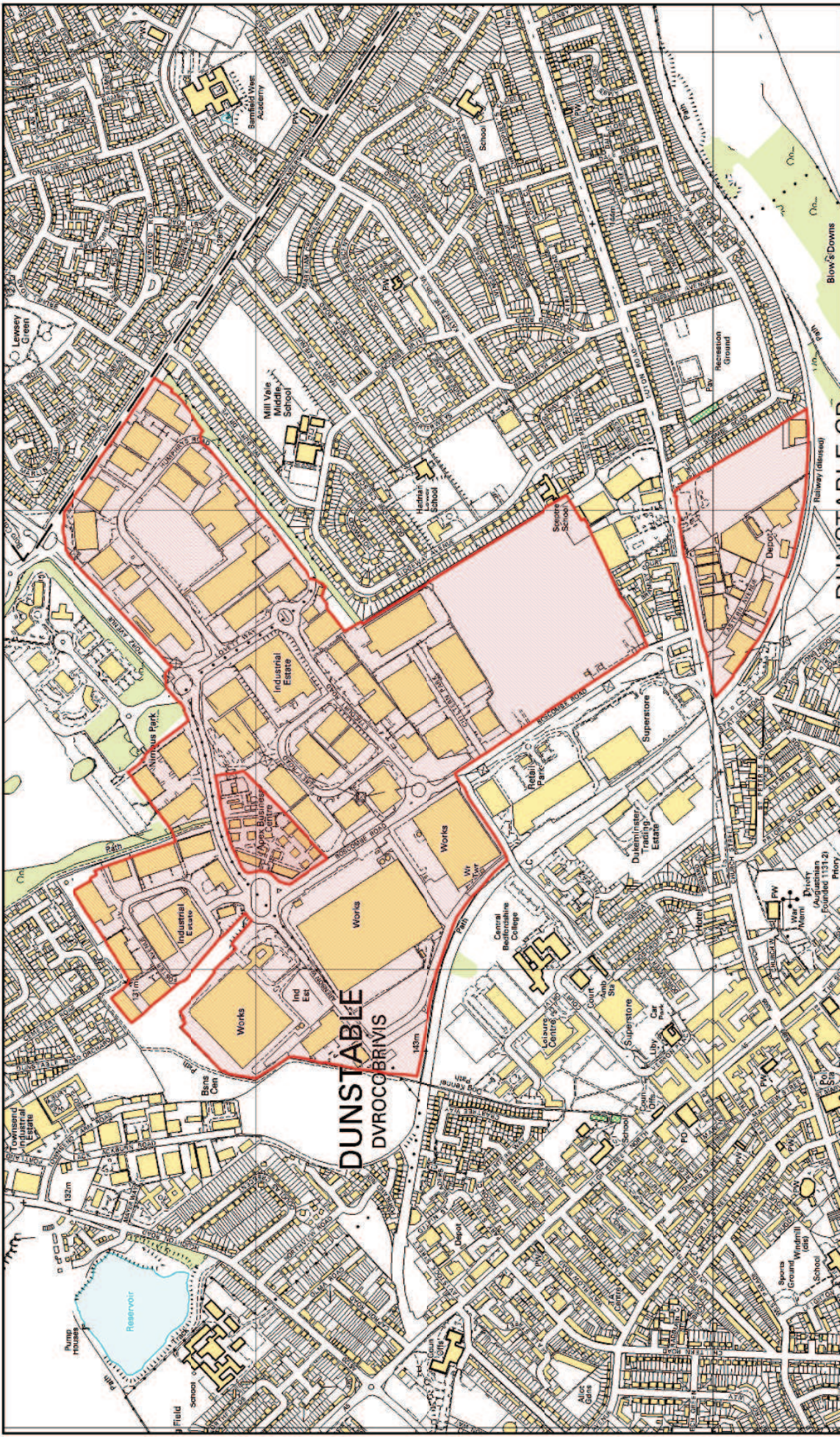
INFORMATIVE: The building siting, design and materials of all development, landscaping and green infrastructure should be carried out in accordance with the design principles set out within the Central Bedfordshire Design Guide, Adopted March 2014 (or any subsequent Central Bedfordshire Design guidance document revoking or re-enacting that document) and shall include appropriate manoeuvring space for vehicles to access and egress from site in forward gear.

5. Flood risk and drainage:

INFORMATIVE: The LDO area falls within Flood Zone 1 where all uses of land are appropriate in terms of flood risk. However all development should aim to not increase, and where practicable reduce, the rate of surface water runoff from the site as a result of the development. Allowance should be made in design for opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development and the application of sustainable drainage systems. Prior to any development involving the erection of new buildings or the extension of any existing premises you should discuss it with the Environment Agency.


- Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstanding susceptible to oil contamination should be passed through an oil interceptor designed to be compatible with the site being drained. Roof water must not pass through the interceptor.
 - Surface water from roads and impermeable vehicle parking areas should be discharged via trapped gullies.
 - All surface water from roofs should be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
 - Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter must not be connected to the surface water drainage system.
 - All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent must be discharged to the public foul sewer, with the prior written approval of statutory undertaker.
 - Detergents entering oil separators may render them ineffective.
- Further advice in respect of flood risk and the design of foul and surface water drainage is available online via the Environment Agency's website.

**Appendix 2: The Dunstable Woodside Local
Development Order Site Plan**



Date: 28 April 2014
Scale 1:11000

Woodside Industrial Estate, Dunstable Local Development Order area



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Cities Revealed aerial photography copyright
The GeoInformation Group, 2010

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by telephone: 0300 300 8000

by email: customer.services@centralbedfordshire.gov.uk

on the web: www.centralbedfordshire.gov.uk

Write to Central Bedfordshire Council, Priory House,
Monks Walk, Chicksands, Shefford, Bedfordshire SG17 5TQ

Meeting: Executive
Date: 27 May 2014
Subject: Strategy for North of Luton
Report of: Cllr Maurice Jones, Executive Member for Corporate Resources
Cllr Nigel Young, Executive Member for Regeneration
Summary: This report seeks commitment by the Council as landowner to active participation in the North of Luton (NOL) consortium. This will support the Council's emerging Development Strategy.

Advising Officer: Deb Clarke, Director of Improvement and Corporate Services
Jason Longhurst, Director of Regeneration and Business
Contact Officer: David Cox, Chief Assets Officer
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
**Reason for urgency/
exemption from call-in
(if appropriate)**

CORPORATE IMPLICATIONS

Council Priorities:

- Enhancing Central Bedfordshire – the Council's land sits within the strategic allocation (SA) to the north of Luton. Development of this area will provide much needed housing and employment as well as new schools, community facilities, green infrastructure and a new strategic road link between the A6 and the M1, which is part of the wider package of road improvements planned between the A6 and A5, north of Luton, Dunstable and Houghton Regis to help support growth being planned in the emerging Development Strategy. The Council is keen to support the delivery of this site by bringing its land assets forward for development, once the site is allocated.
- Improved infrastructure – the development of the site will specifically deliver a new strategic link road from the new M1 junction 11a to the A6.
- Value for money – the Council will seek best value whilst taking account of the wider advantage which the new development, delivery of new infrastructure, affordable housing, employment and other community benefits would bring to the locality.

Financial:

1. Securing the future of the land as a mixed use allocated site for development will increase its value substantially. A further approval of an outline planning consent for the land in conjunction with the North of Luton Consortium (NOL) will provide a further increase in value of the whole North of Luton site.
2. The cost of developing the site as part of NOL will generate a S106 payment. This will contribute to, amongst other things, the delivery of the M1-A6 strategic link road, the costs of which will be offset against any capital receipt.
3. Following development, the employment space that would form part of the broader NOL scheme will generate business rates and as a result create an additional revenue source for the Council.
4. Any sale will be subject to the disaggregation agreement with Bedford Borough Council (BBC), whereby 37.5% of the net sale value will be payable to BBC. Under the agreement the cost of securing a planning permission would be deducted prior to the calculation of what is due to BBC.
5. There is a cost to the Council of:
 - a. participating within the Consortium to take the broader scheme to Development Strategy examination which is estimated at £70K plus £30K legal fees; and then
 - b. promoting the scheme as part of the Consortium through to the outline planning stage, another c. £230K.
6. There are three existing farm tenancies on the site due to expire in March 2015. If the recommendations within this report are accepted, the tenancies would be terminated resulting in a loss of rental income. The rental income received for the period from April 2014 to April 2015 is £35K.
7. The project has £125K of funding identified within the 2014/2015 Capital Programme Budget and a provisional allowance of £750K within the capital budget for the years 2015 – 2017.

Legal:

8. The Authority will need to ensure full and vacant possession of the site. The current farming tenancies run until March 2015; and whilst the tenants may be granted permission to continue on the site under the basis of short term extensions this will need to be managed. The legal team will provide advice and guidance to ensure the Council's procedures are followed.
9. Legal support will also be required for any Planning related issues that may occur and ultimately in any sale agreements that are put in place.

Risk Management:

10. The following key risks have been identified:
 - a. If the site is not allocated through the Development Strategy the anticipated level of capital receipts will not be achieved. The levels of receipts will be dependent on market conditions and cost of infrastructure, levels of Section 106 etc. There is a further risk that the capital receipts will not be achieved within the MTFP period – the proposed method of delivery will optimise the potential level and timing of capital receipts – the possibility of this will be lessened by commitment to the consortium and production of a Framework Plan.
 - b. Failure to obtain planning permission resulting in abortive costs – sites are included within the draft development strategy although currently within green belt – the possibility of this will be lessened by commitment to the consortium and production of a Framework Plan.
 - c. Reputational risk – the Council are looking to achieve a planning consent for its own site. A Planning Performance Agreement (PPA) will be put in place with CBC Planning as part of NOL as a mechanism to manage any potential conflict of interest. Slippage of timescales – a resource plan will be developed to ensure that the appropriate resources are available to deliver the project.
 - d. The development fails to make reasonable progress against the planning milestones identified in the emerging Development Strategy, the Council will need to secure reasonable options to enable alternative action if required.
11. The planning and execution of this project will be developed recognising these risks.

Staffing (including Trades Unions):

12. Not applicable.

Equalities/Human Rights:

13. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Good planning can improve environments and opportunities for communities experiencing disadvantage. Planning which does not adequately engage with, or consider the needs of, local communities is unlikely to improve their life chances and may further entrench area-based disadvantage. Promoting equality of opportunity and social inclusion relates to the access to facilities and services, enhancing employment opportunities, the protection of open spaces as well as a broad range of policies concerned with the quality of life. Addressing the strategic land use, transport and development aspects of these needs is key to ensuring that the planning system is used to its full potential to deliver benefits to all communities.

Public Health:

14. The NOL project will enable the development of housing and new employment space and the creation of new jobs which will have a positive impact on the health and wellbeing of local communities.

Community Safety:

15. The Council has a statutory duty to consider community safety implications across all of its functions. As part of the planning and development process the statutory standards for Community Safety will be met.

Sustainability:

16. As part of the planning process the development will be required to take account of all planning policy requirements and unless viability considerations dictate otherwise, to fully comply with those policies. Proposals will also be expected to comply with the Council's planning guidance, including for example, the adopted Design Guide. The development will therefore deliver high quality sustainable development as well as meeting any national standards that are in place. Where possible the Council should use reasonable efforts to ensure these standards are met.
17. The development of the North of Luton site will create employment opportunities during the construction phase and upon occupation. Where possible, contractors and occupiers will be encouraged to use local labour and suppliers, including those from neighbouring disadvantaged communities.

Procurement:

18. Procurement have considered the report and are ready to provide advice, support and guidance as required to ensure CBC secure best value from our suppliers and contractors in the development of North of Luton.

Overview and Scrutiny:

19. This matter has not been considered by Overview and Scrutiny.

RECOMMENDATIONS:

The Executive is asked to agree:

1. **that the Council as Landowner actively participates within the NOL Consortium to support the Framework Plan and strategic allocation in the Council's emerging Development Strategy and continue through to at least public examination (estimated by 1st Quarter 2015);**
2. **spending allocated in the Capital Programme 2014/15 of up to £125kto enable commitment to a Planning Performance Agreement with the consortium and to achieve a Framework Plan for the site and to enter into a collaboration agreement to bring forward development within the timescales identified in the emerging Development Strategy; and**
3. **authorise the Director of Regeneration & Business in consultation with the Director of Improvement and Corporate Services, the Deputy Leader and Executive Member for Corporate Resources and Executive Member for Regeneration to monitor progress, evaluate emerging options and take appropriate actions to sustain the corporate interests of the Council.**

<i>Reason for</i>	<i>There is a potential financial impact on the Council greater than</i>
<i>Recommendations:</i>	<i>£500,000 and therefore requires Executive approval.</i>

Executive Summary

20. The emerging Development Strategy for Central Bedfordshire identifies a sustainable urban extension north of Luton adjacent to the urban area of Luton for a mixed use development comprising up to 4,000 homes, new employment land, schools, shops and community facilities as well as a new strategic relief road from the M1 to the A6. The Council owns a significant area of land on the eastern end of this proposed allocation adjacent to the A6. The Council as landowner is fully committed to bringing the site forward to ensure its delivery which will generate additional value from its two land holdings within the site in terms of capital receipts, to contribute to the MTFP targets. However, it is recognised that in order for the site to be allocated there is a need to participate in the production of a Framework Plan to support the emerging Development Strategy, it must therefore, fully participate within the broader NOL consortium to bring this Framework Plan to fruition with some longer term flexibility if necessary.

Background

21. The North of Luton strategic allocation is identified within the emerging Development Strategy as being capable of providing up to 4,000 homes. However, given the complexity of planning proposals on this scale the timescale for delivery will be over a number of years. The first phase of development is likely to be led from the west to take advantage of the new strategic like to junction 11A on the M1. Further phases will come forward within a programme to be agreed. It is likely that approximately 3000 homes will be delivered during the Development Plan period up to 2031. The rest will come forward beyond the plan period. Within this area the Council own 38 ha (95 acres) of land in two parcels as marked on the attached plan (Appendix A). Parcel A amounts to 30 ha (74 acres) and fronts the A6 whereas Parcel B is located close to the Sundon water tower and amounts to 9 ha (21 acres). The total gross size of the NOL Consortium land (including CBC) is 274 ha (676 acres).
22. The plan in Appendix A identifies the other 3 principal land owners; AXA (a major shareholder in HRDC site 1), Thurstaston Trustees and St John's College, Oxford (over which 3 other developers holds options).
23. Also identified on the plan in Appendix A is an area of land held under option by Prologis from the St Francis Group (who also own land within HRDC site 2). Prologis propose a rail connected distribution facility of 2m sq. ft.
24. The successful development of HRDC site 1 would create a new junction 11a on the M1 motorway to which a link road connecting to the A6 can be created.
25. Whilst the provision of the new motorway junction is fundamental to the overall delivery of the North of Luton development, the scheme is likely to start after the commencement of the HRDC development and the marketing/disposal strategy employed by the North of Luton consortium will reflect the volume of housing and accommodation released into the broader market by both schemes.
26. The NOL consortium has committed to sign up to a PPA for the production of a Framework Plan. It is expected the consortium will continue with the work needed to promote the scheme up to the public examination this is anticipated by 1st quarter 2015. In order for this to progress the Council will contribute its share in this expenditure currently 15% based on land ownership.

27. If the site is allocated the Council will need to contribute to the consortium's submission of an outline planning application, estimated at £230K.
28. Thereafter, the Council would be expected to contribute to infrastructure costs and it will therefore need to explore ways in which it best contributes resources to this project, balanced against the need to support its wider aspirations.

A Consideration of Options

29. The recommended option is to commit to collaboration with the consortium in support of the Council's emerging Development Strategy.
30. This would see the Council agree to:
 - a. Continue funding their share of the Consortium budget including the PPA, at least until the Development Strategy public examination - £70K.
 - b. Enter into a collaboration agreement with the Consortium – the Council would to consider options related to the future timing and deliverability of the scheme within the agreement.
 - c. If matters proceed as envisaged the Council will continue with the consortium to the submission of a planning application (£230K), at which point the Council could seek to exit, if it was considered appropriate.
31. The benefits of this approach are:
 - a. The Council ensures momentum is retained with the consortium continuing to promote a comprehensive Framework Plan to support the Development Strategy.
 - b. The collaboration agreement, particularly an agreement to grant easements and rights of way once various triggers have been reached, provides comfort to the rest of the consortium that the Council or successors are committed to the Framework Plan.
32. The main issue with this approach is that the Council would need to fund up until the public examination (anticipated to be approximately £70k) which would potentially be abortive costs if the inspector does not support the Council's Development Strategy and/or viability hurdles can not be overcome by then.
33. **Alternative option**
 The Council has the choice not to do anything with the land, however this would undermine the Council's wider aspirations to deliver growth and infrastructure as well as presenting significant planning issues. The only benefit of this approach would be continued income from agricultural and farm tenancies and no cost exposure.

Conclusion and Next Steps

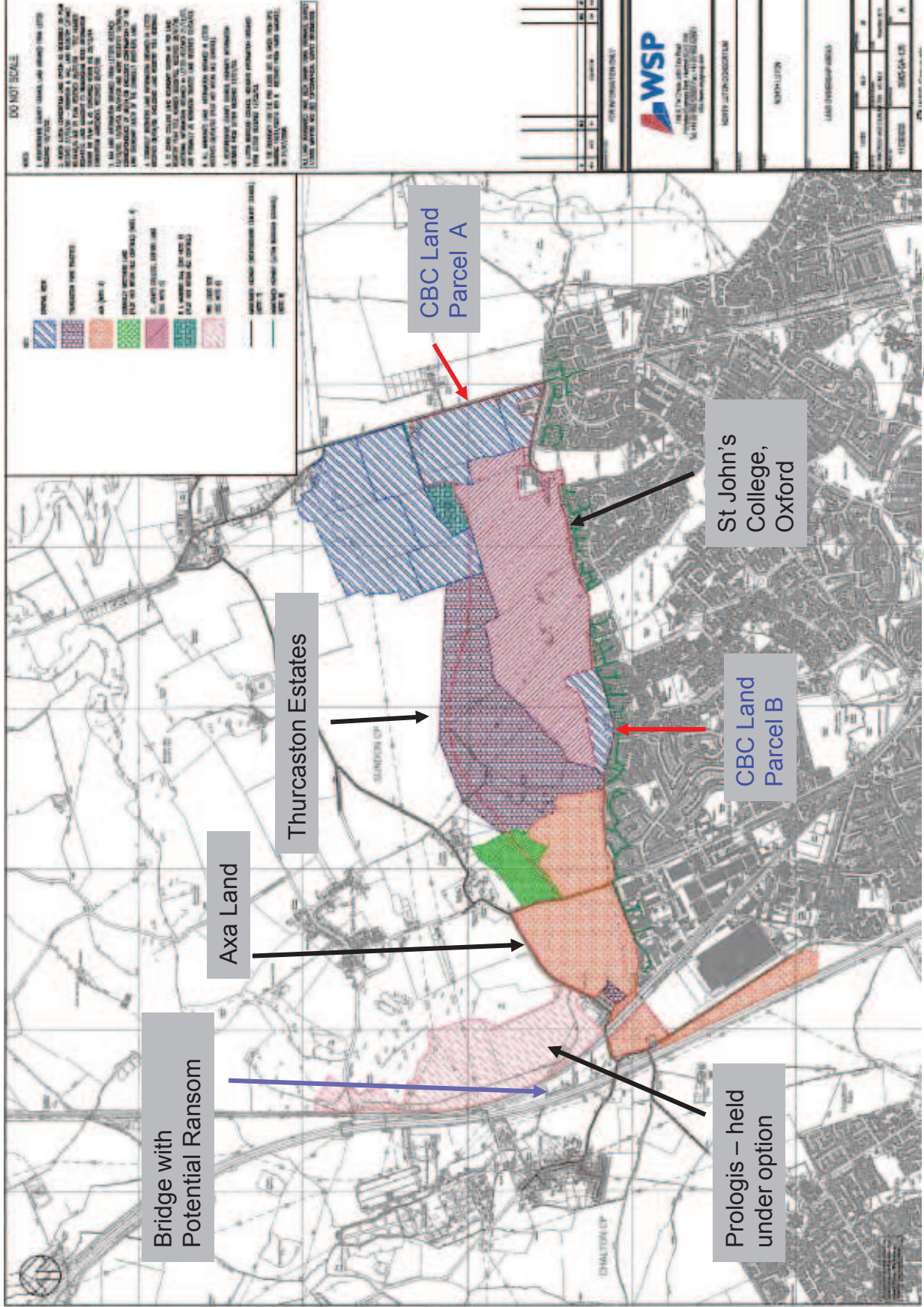
34. This therefore report recommends active participation in the Consortium to enable promotion of the emerging Council's Development Strategy and Framework Plan for North of Luton.
35. The costs and resources for the project are in place, and it can be delivered within acceptable risk parameters.
36. If the recommendations set out in this Executive paper are approved, the Council will, reaffirm its continued commitment to the consortium to conclude an appropriate collaboration agreement.

Appendices:

Appendix A – Site plan for North of Luton

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Plan showing Land ownership – North of Luton



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Meeting: Executive

Date: 27 May 2014

Subject: Development Brief – Land at Potton Road, Biggleswade

Report of: Cllr Nigel Young, Executive Member for Regeneration

Summary: The report outlines the proposals contained within the draft development brief for land at Potton Road, Biggleswade and outlines where changes have been made in response to public consultation. It further recommends that Executive adopt the development brief as technical guidance for Development Management purposes.

Advising Officer: Jason Longhurst, Director of Regeneration and Business

Contact Officer: Carry Murphy, Principal Planning Officer, Local Planning and Housing Team

Public/Exempt: Public

Wards Affected: Biggleswade (North and South)

Function of: Executive

CORPORATE IMPLICATIONS

Council Priorities:

The development brief will deliver against two of the Council's key priorities:

- Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
- Better infrastructure – improved roads, broadband reach and transport.

Financial:

1. The creation of the development brief will not represent a financial burden on the Council. Many of the costs for creating the development brief have been borne by the promoters. Furthermore, a Planning Performance Agreement (PPA), a collaborative project management tool, has been entered into with the Planning Division which has secured funding for the administration and supervision of the development brief and subsequent determination of any future planning applications.

Legal:

2. Once adopted as technical guidance the development brief will constitute a material planning consideration to be taken into account when determining applications made in respect of the site.

Risk Management:

3. Policy HA1 of the adopted Site Allocations DPD allocates this land for development and makes clear the requirement for the production of a development brief for the site. The policy and development brief together set the requirements for the development and a framework within which future planning decisions will be made. A failure to endorse the development brief and determine any subsequent planning applications in accordance with the agreed PPA timelines may result in the Council being forced to pay back a meaning proportion of the monies secured through the PPA.
4. An adopted development brief will give more certainty to the development management process, although there are still risks associated with this separate statutory stage such as securing adequate planning obligations to meet the needs of the development and a failure to meet the public's expectations of the development.

Staffing (including Trades Unions):

5. Not applicable.

Equalities/Human Rights:

6. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The Equality Impact assessment (EIA) that was undertaken for the Site Allocations DPD highlighted the need for:
 - The delivery of housing and employment in towns and villages throughout the north of Central Bedfordshire.
 - The selection of housing sites on the basis that that future residents live in locations close to services and public transport routes.
 - Provision of land for community facilities.

Public Health:

7. The Council needs to ensure that it complies with its duties to promote access to green space, encourage sustainable transport and ensure that the built environment maximises opportunities for physical activity. This in turn will help the Council to improve outcomes for health and wellbeing. The development brief requires new or improved facilities and which will allow people to use sustainable modes of transport as well as on-site provision of additional open space, which will contribute to health and wellbeing.

Community Safety:

8. The Council needs to ensure that it complies with its statutory duties under Section 17 of the Crime and Disorder Act and as such the development brief refers to compliance with the Central Bedfordshire Design Guide which includes criteria set down for community safety.

Sustainability:

9. Biggleswade is the largest town in Central Bedfordshire (North) area. Within the Core Strategy and Development Management Policies Development Plan Document (DPD) for Central Bedfordshire (North), Biggleswade has been identified as a major service centre with good road and rail connections capable of accommodating additional housing and employment provision. The proposed development would also contribute toward the vitality and viability of local facilities thereby reducing the need to travel. The Site Allocations DPD has also been the subject of a Sustainability Appraisal and Strategic Environmental Assessment.

Procurement:

10. Not applicable.

Overview and Scrutiny:

11. The Sustainable Communities Overview and Scrutiny Committee considered the report at their meeting on 8 May 2014. Whilst Members were mindful that there were local traffic concerns, which would be reviewed as part of a full traffic assessment at the planning application stage, the Committee unanimously agreed to recommend to the Executive that the development brief be endorsed for Development Management purposes.

RECOMMENDATION:

The Executive is asked to:

1. **endorse the development brief and adopt it as technical guidance for Development Management purposes.**

<i>Reason for Recommendation:</i>	<i>A development brief is required by policy HA1 of the Site Allocations DPD for the North of Central Bedfordshire before applications are submitted to help guide the Development Management process.</i>
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Executive Summary

12. The report outlines the contents of the development brief for a residential development site in Biggleswade which is allocated in the adopted Site Allocations Development Plan Document for Central Bedfordshire (North) under policy HA1. It is one of two new sites allocated in the town, providing for a total of 373 new dwellings. Policy HA1 allocates land at Potton Road for 330 dwellings. The draft development brief has been subject to public consultation. This report outlines the responses received on this publicity and those resulting changes to the brief. The recommendation made from Overview and Scrutiny Committee is also reported.

Purpose of the Development Brief

13. The draft development brief (Appendix A) provides the background and policy context for this site and its allocation for residential development. It also sets out the aims for the development identifying the particular constraints and opportunities of the site and confirms the range of technical work which any planning application must address.
14. The brief is a high level document whose purpose is to set out general principles; the more concentrated and detailed work is a matter to be addressed at the planning application stages. Nevertheless, it does provide a mechanism through which members of the public and other interested parties can have a greater involvement in the development of proposals for the site and provide some certainty as to the future development of the site. Once approved, the brief will act as Development Management guidance and any future planning applications will be considered against the background of the adopted brief.

Background

15. Biggleswade is classified in planning terms as a 'major service centre'. It has grown steadily over a number of years in terms of housing, jobs and services.
16. In November 2009, the Council adopted the Core Strategy and Development Management DPD following an Examination in Public. The Core Strategy required the delivery of at least 17,950 new homes between 2001 and 2026 with 5,000 new homes required in addition to those already committed. Of these 5,000, the Core Strategy stated that 250-500 homes should be provided in Biggleswade (Policy CS5: Providing Homes).
17. In April 2011, the Council formally adopted the Site Allocations DPD following a public examination. Two sites were allocated for residential development in Biggleswade providing for a total of 373 dwellings. Policy HA1 allocates the land at Potton Road for 330 dwellings. This is, therefore, an important site in helping the Council meet its future housing requirements.
18. Policy HA1 states that development on the site will be subject to a number of requirements. A full list of these requirements is set out on page 12 of the development brief and is covered in more detail below. There is also an obligation for a development brief to be prepared to help inform subsequent planning applications and guide the development.
19. Since late 2013 Council officers, from a wide range of service areas, have been working in partnership with the developers for the site, on the preparation of a development brief for this site. Council officers and the developers have also met with the representatives of the Biggleswade Town Council on two occasions. This work has explored the local and site specific issues to inform the development brief.

20. A planning performance agreement (PPA) has been entered into between the Council and the landowners/promoter. The agreement identifies a shared vision and identifies key milestones and timescales for the delivery of a planning decision by both the Council and the developer. Whilst it offers project management certainty, this does not mean a favourable planning application outcome is guaranteed.

The Development Brief

21. Land west of Potton Road, Biggleswade comprises of an 11 hectare site located on the north-western side of Potton Road (B1040), immediately north east of the town. Location plans and aerial photographs are shown in the draft brief.
22. The site may be described as a trapezium shaped parcel of land which is generally level in topographical terms. There are two existing gated vehicular access points from Potton Road. The site comprises a derelict plant nursery adjacent to the short eastern boundary with a group of greenhouses. The remainder of the land is in arable use with further open farmland to the north. There are some mature trees and hedgerows to the northern and to the south-western section of the Potton Road frontage. The western boundary is predominantly open.
23. The site abuts some residential properties which will need careful regard when designing a layout scheme. These are:
- along the south west boundary set centrally within the development site's Potton Road frontage, but excluded from it, a small group of three detached bungalows;
 - to the front of the derelict nursery but excluded from the development sites is a pair of semi-detached houses; and
 - immediately to the south-west of the site is a wider area of suburban housing estates.
24. Opposite the development site is an urban extension under construction for some 2,000 dwellings referred to as 'land east of Biggleswade'. Edward Peake Middle School and Potton Hospital are also located off Potton Road (east side) and in close proximity to the site.
25. The brief sets out a number of design principles under Section 6 'Opportunities' and Section 7 'Proposals and Visions For The Site' to which any development proposals will need to adhere. In particular, the amount and type of development envisaged as well as the mix and type of dwellings (including particular needs such as affordable housing), scale, massing, drainage, landscape and open space requirements will need to be carefully considered.

26. Given the site's location, the brief aims to ensure that quality design is achieved throughout the development, providing a clear sense of place that enhances and integrates successfully with the surrounding development to the south and open countryside to the north, east and west.
27. In response to addressing these issues any layout scheme will need to take account of the site's constraints and opportunities associated with the site together with other relevant urban design principles set out in the Council Design Guide, for example the street hierarchy and parking. An opportunities plan has therefore been prepared and is shown in figure 6.1 of the brief.
28. The brief is explicit in setting out the Council's specific requirements for access and connectivity both within and immediately surrounding the site in accordance with policy HA1. These cover the timing of the development in relation to the completion of the relief road to the east of Biggleswade and roundabout at Potton Road. An assessment will also need to be undertaken into the impact of additional traffic on the B1040 Potton Road and A1/A6001 roundabout and Sun Street, and a satisfactory resolution on the impact of additional traffic on the A1 roundabouts and on the roads within the town. The extent of physical mitigation works or financial contributions to address these impacts will need to be determined and considered as part of any future planning application.
29. There are also opportunities to improve and enhance connections into, out from and around the site. These routes will connect to existing roads and footpaths including the proposed Biggleswade Green Wheel. This will promote more sustainable means of travel to other areas of the town and countryside.
30. The brief sets out the Council's likely requirements for developer contributions in line with the adopted Planning Obligations Strategy. These also cover contributions to improvements of key projects in the town such as the town centre redevelopment proposals and Biggleswade Common.

Consultation and Changes in Response to Feedback

31. A public consultation on the draft development brief was held from 13 March to 9 April 2014. The consultation exercise was advertised through a variety of media in accordance with established procedures. Letters to statutory consultees were sent as well as over 1,000 letters to residents living in the vicinity of the site. Copies of the document were made available to view on the Council's website and at the Council's offices, Biggleswade Library and Biggleswade Town Council offices. A questionnaire was available to complete and submit via post or on-line. Added to this, a public exhibition was held on 13 March at the Town Council's buildings. This was attended by representatives of the developers as well as Council officers. Approximately 85 people attended the exhibition.
32. A total of 35 survey responses were received along with a further 12 written responses. Formal comments have been submitted by the Town Council, Highways Agency, English Heritage, Environment Agency, Anglian Water, Health and Safety Executive and Natural England. The feedback in these responses has been analysed and a detailed response has been provided in the consultation statement Appendix B.

33. A number of comments received have been about the principle of development itself and in the context of Biggleswade being able to absorb further development. Other responses include comments on the issues residents perceive to have a bearing on the development and their personal aspirations for the site. Adopted planning policies will prevail and therefore comments which relate to dwelling numbers, mix and tenure, are not pertinent. They are also not salient to informing the development brief given its purpose is to identify key principles for the site, opportunities and constraints and are therefore more relevant to any subsequent planning application.
34. A summary of other comments received of relevance to the development itself are as follows:
- a) Access arrangements to and from the site.
 - b) Concerns about safety and additional traffic around the school.
 - c) Impact of additional traffic on Potton Road and wider network.
 - d) Amenity impact for existing neighbouring properties.
 - e) Issues about open space and connectivity.
 - f) Need for adequate parking and road design.
 - g) Potential impacts and loss of Rights of Way and Bridleways on the site's boundaries.
 - h) Impacts on the natural environment – loss of trees/hedgerows, wildlife affected.
 - i) Integration with the existing neighbourhood and rest of town.
 - j) Impact on local facilities/services and need for improvements to address this.
35. A table is included in Appendix B which summarises the main comments received during the consultation, each with a response explaining how each issue will be addressed, and a column showing changes to the brief where necessary. The main issues identified above were responded to as follows:
- a) The safest method of access to the site will be considered in consultation with the CBC Highways Officers through the Transport Assessment. This was already stated in the brief so no change was proposed.
 - b) Discussions are to be arranged with Edward Peake School to ensure that they are satisfied with the proposed arrangements for access to the development site. In addition to this text was added to section 2.3.1 of the brief to confirm that Edward Peake School would retain their crossing point.
 - c) A full Transport Assessment to CBC's satisfaction will be accompanying the planning application. The Transport Assessment is being prepared within a scope agreed with CBC, including consideration of contentious junctions within the town and assessment of impact on the Eastern Relief Road. Section 7.8 was added to the brief to confirm that this development would not come forward without completion of the Eastern Relief Road.

- d) Text was added to section 2.3.1 to reference the need to regard relationships with existing properties.
 - e) Some comments were made about the location of open spaces, suggesting that a more holistic approach with linked open spaces would be preferable as it would form a green corridor for residents and wildlife. This has been noted for consideration in the planning application stage.
 - f) Many comments concerned the quality of design, in particular road design and provision of adequate parking. The reference to the CBC Design Guide in the brief was updated to reflect that the Design Guide has now been adopted.
 - g) Reference was added in table 5.1 under 'Topography' and in section 6.3 to reflect that the Council has recently adopted guidance on Sustainable Urban Drainage (SuDS).
 - h) Text was added to section 6.7 to confirm that the existing footpath and bridleway to the west and north respectively would be retained and improved. It was also confirmed that the view from the bridleway and footpath would be considered.
 - i) Text was added to section 7.4 to confirm that existing hedgerows would be retained and enhanced. The brief already stated that full ecological surveys would be undertaken and submitted at planning application stage, so no change was proposed.
 - j) Comments were made in relation to the integration of the site in to the surrounding rural area and the need for high-quality design. The brief already stated that a full Landscape Visual Impact Assessment (LVIA) would be undertaken and that the development would take account of the Design Guide so no change to the brief was proposed.
36. Some comments of a technical nature have also been received and are largely concerned with clarification being made to the brief on the requirements of the development.
37. The proposed changes to the draft development brief have been highlighted in Appendix A.

Conclusion and Next Steps

38. Full consideration has been afforded to the consultation exercise and, where appropriate, amendments have been made to the draft brief. As a technical document, the development brief has followed due process and is fit for development management purposes.

Appendices:

Appendix A – Draft development brief incorporating proposed changes

Appendix B – Draft Statement of Community Involvement and consultation results

Background Papers: (open to public inspection)

Core Strategy and Development Management Policies DPD -

<http://www.centralbedfordshire.gov.uk/planning/strategic-planning/core-strategy-dm-policies.aspx>

Site Allocations Development Plan Document -

<http://www.centralbedfordshire.gov.uk/planning/strategic-planning/ldf/site-allocations.aspx>

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POTTON ROAD
BIGGLESWADE
DEVELOPMENT BRIEF

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8.0 APPLICATION REQUIREMENTS

9.0 ABBREVIATIONS



	DLA TOWN PLANNING LTD	DLA TOWN PLANNING LTD 5 THE GAVEL CENTRE PORTERS WOOD, STALBANS, HERTS, AL3 6PQ
	Central Bedfordshire	CENTRAL BEDFORDSHIRE COUNCIL, PRIORY HOUSE MONKS WALK, CHICKSANDS SHEFFORD, SG17 5TQ
	MCBAINS COOPER	120 OLD BROAD STREET, LONDON, EC2 1AR
		BEECHWOOD, GROVE PARK, WALTHAM ROAD, MAIDENHEAD, SL6 3LW

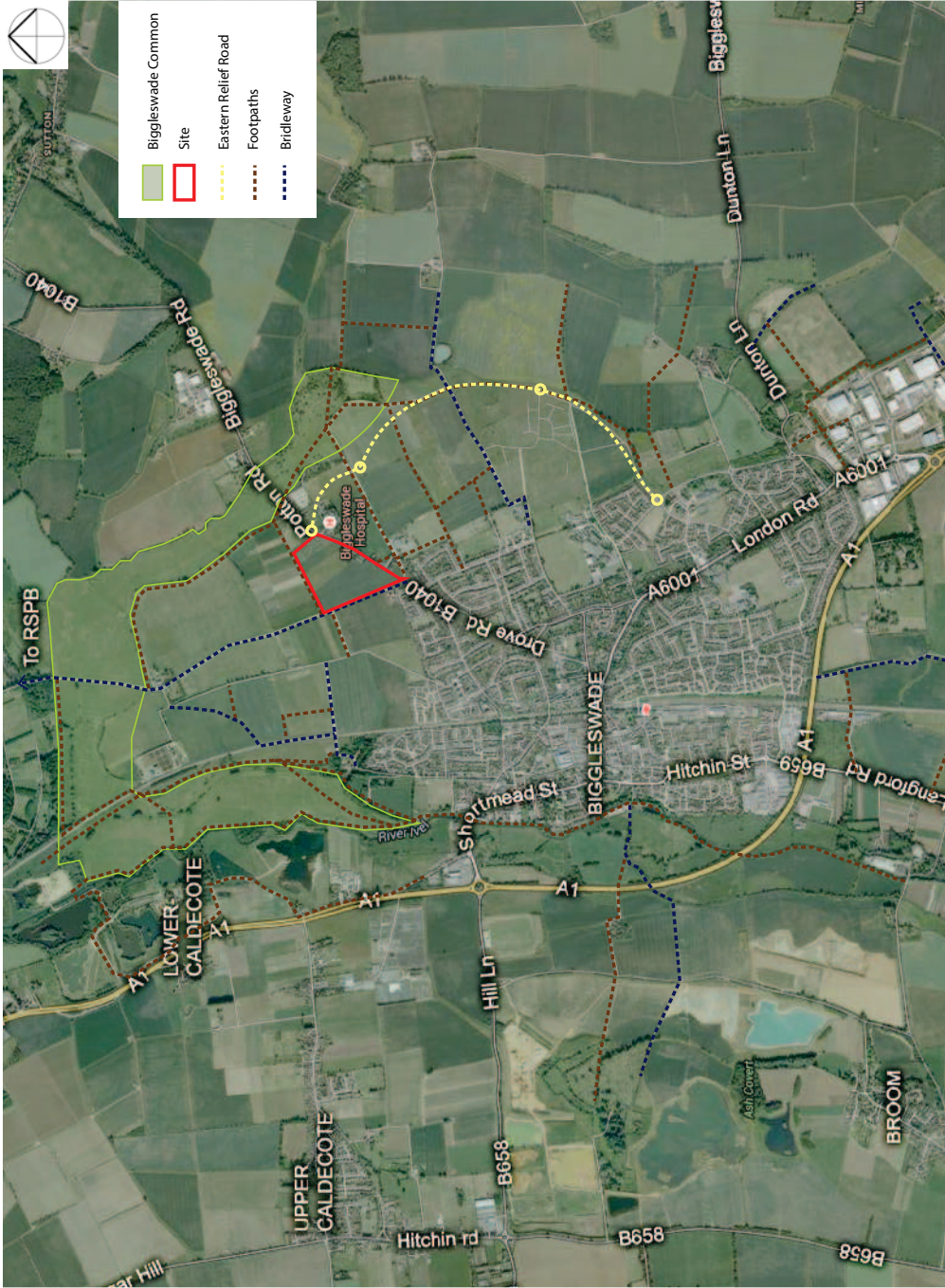


Fig. 1.1



Fig. 1.2



Fig. 1.3



Fig. 1.4

1 INTRODUCTION

This Development Brief has been prepared by Bellway Homes and Bloor Homes, working alongside Central Bedfordshire Council. It has been produced to guide the potential residential development of a parcel of land which is located on the north-western side of Potton Road (B1040), immediately to the north-east of the town of Biggleswade. The site is allocated for residential development to provide a minimum of 330 dwellings.

This brief aims to ensure that a high quality design is achieved throughout the development, providing an attractive environment that complements the existing built form of Biggleswade and ensuring any developing environment reflects and responds to the surrounding environment. The site is shown in a strategic context in figure 1.1, with figures 1.2, 1.3 and 1.4 presenting the nearby town centre of Biggleswade.

1.1 PURPOSE

The purpose of this development brief is to:

- Establish an urban design framework for the site, based on site characteristics and constraints;
- Provide design guidance for the preparation of detailed proposals for the site and assist the consideration of future planning applications;
- Provide clear indication of the planning obligations required to support development on the site;
- Confirm the nature of the technical work required to support any planning application for the development of the site;
- Provide a mechanism through which members of the public and other stakeholders can have greater involvement in the development of proposals for the site; and
- Provide certainty for prospective developers and members of the public as to the nature of future development of the site.

It is intended that the draft development brief will be endorsed by the Central Bedfordshire Council as planning guidance and will be a material consideration in guiding and informing development management decisions in respect of any future planning applications for the site.

1.2 CONSULTATION

The Council has an adopted a Statement of Community Involvement (SCI) which sets out how the Council will engage with the community as part of the planning process. Although the SCI does not set out specific proposals for consultation on technical guidance, it is intended that consultation on this brief should be carried out in accordance with the broad principles established in the SCI. The National Planning Policy Framework places importance on early engagement between key stakeholders, local community groups and other interested parties. The guidance explains that quality pre-application discussion enables a more efficient and effective planning system and improved outcomes for the local community.

The first stage of consultation has involved dialogue with representatives of Biggleswade Town Council, and officers in the Council. This work has explored the local and site specific issues that should inform the development proposals and considered how the proposals could be brought forward. This draft Development brief has been produced, taking into account the feedback from these meetings.

This draft development brief is published for a four week consultation, beginning on **Thursday March 13th** and ending on **Wednesday April 9th**. Members of the public are invited to view plans and have their say on the draft development brief. There are a number of ways in which to view and comment on the draft document:

1) Visit the Public Exhibition:

A public exhibition is taking place on Thursday 13th March 2014 (between 2pm-8pm) at Biggleswade Town Hall, The Old Court House, 4 Saffron Road, Biggleswade.

2) Visit the website:

www.centralbedfordshire.gov.uk/consultations

3) View the document at the following locations:

- Biggleswade Library, Chestnut Avenue, Biggleswade
- Biggleswade Town Council Offices, The Old Court House, 4 Saffron Road, Biggleswade
- Central Bedfordshire Council Offices, Priory House, Chicksands

4) Paper copies of the document are available on request:

Contact the Local Planning and Housing Team on Tel. 0300 300 4353.

A questionnaire will be available to allow members of the public, groups and organisations to comment on the draft development brief.

All comments and completed questionnaires should be received by 5pm Wednesday 9th April 2014. Written comments may be emailed to ldf@centralbedfordshire.gov.uk or posted to the following freepost address:

FREEPOST RSJS GBB2 SRZT (you do not need a stamp)

**Potton Road development brief
Central Bedfordshire Council, Priory House
Monks Walk, Chicksands
Shefford, SG17 5TQ**

Following this consultation period, the draft development brief will be updated, taking account of any relevant suggestions or comments received. The revised development brief will then be considered by the Executive Committee of Central Bedfordshire Council for endorsement as technical guidance to inform any future planning applications for the site. Further consultation will be required in advance of the submission of any planning applications on more detailed proposals for the site as they evolve.

1.3 SCOPE

This brief considers the proposed residential development of the site in the context of national planning guidance and adopted and emerging development plan policy.

This brief is broken down into the following sections:

- Chapter 2 presents an analysis of the site and its immediate context;
- Chapter 3 provides a review of Policy HA1;
- Chapter 4 reviews the relevant planning guidance;
- Chapter 5 assesses the constraints presented by the site;
- Chapter 6 identifies the opportunities that the development of the site presents;
- Chapter 7 outlines the vision for the development of the site;
- Chapter 8 sets out the expectations for any future planning application for the site; and
- Chapter 9 outlines the next stages.

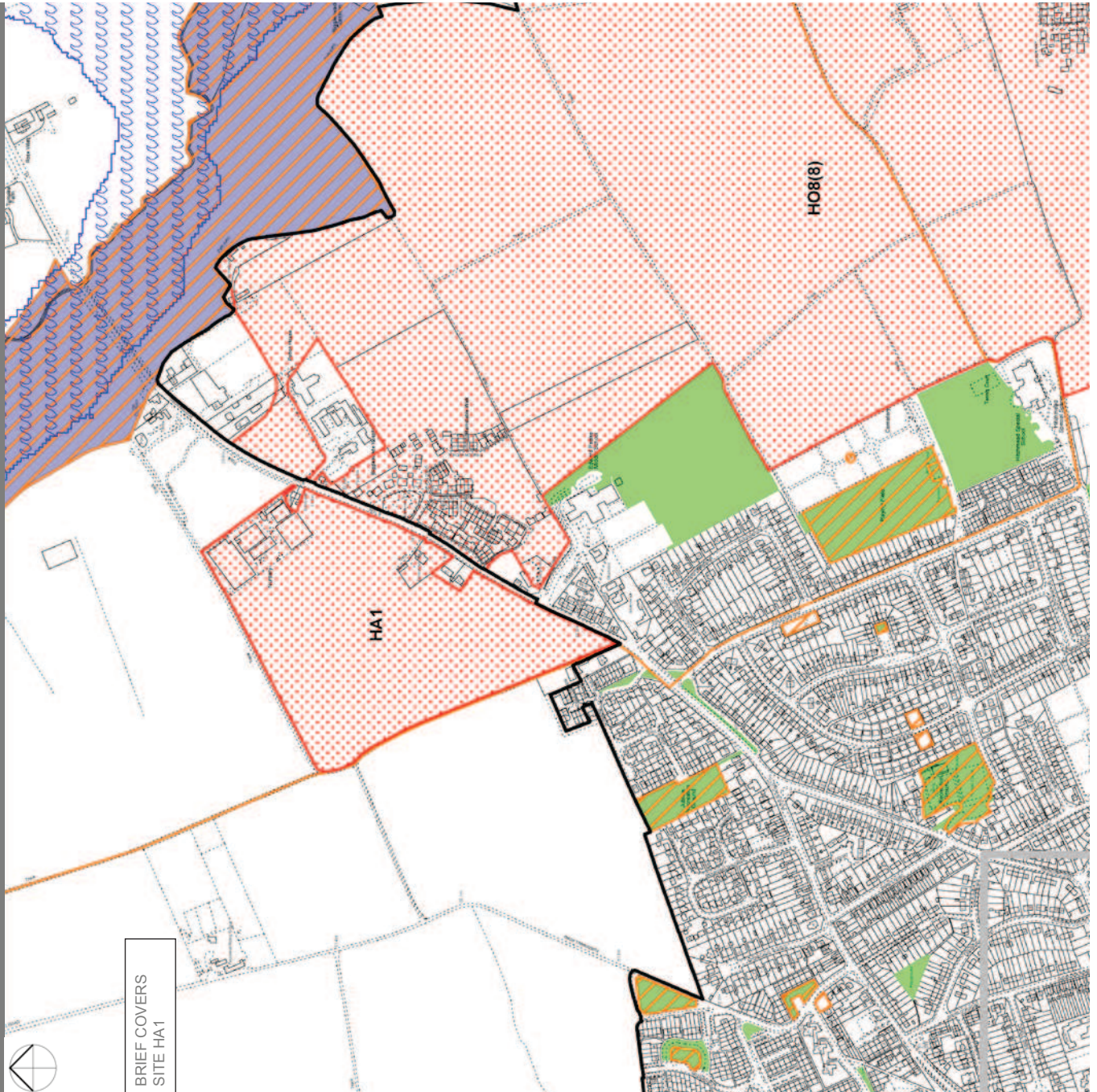
1.4 BACKGROUND

Policy HA1 of the Central Bedfordshire Site Allocations Development Plan Document (North Area) adopted in 2011 allocates the land for the development of 330 dwellings. Policy HA1 states that development on the site will be subject to a number of requirements including the production of a development brief to guide development. Further information on policy HA1 is given in chapter 3. The inset proposals map for Biggleswade, as given in Central Bedfordshire Council's North Local Development Framework, is shown in figure 1.5. This shows the location of the parcel of land covered by Policy HA1.

1.5 WHAT IS A DEVELOPMENT BRIEF?

This development brief document is a technical document which will be subject to public consultation, prior to ratification by Central Bedfordshire Council's Executive Committee. The development brief will then guide the design and preparation of a full planning application.

Fig. 1.5 DLF PROPOSALS MAP (NORTH) BIGGLESWADE INSET 7 (SOURCED FROM WWW.CENTRALBEDFORDSHIRE.GOV.UK)



2 SITE AND CONTEXT APPRAISAL

2.1.0 LOCATION

The development site is located on the north-western side of Potton Road (B1040), immediately to the north-east of the town of Biggleswade. Figure 2.1 presents an aerial view of the site, whilst photographs showing views around the site are presented in figure 2.9 at the end of this chapter.

2.2.1 THE DEVELOPMENT SITE

The development site is essentially a trapezoid shaped parcel, 11ha in size. Close up aerial views of the derelict nursery within the site, the houses backing onto the site and the houses and track to the western boundary are given in figures 2.2, 2.3 and 2.4 respectively.

Figure 2.5 presents an appraisal of the site in its baseline condition and is supplemented by the photographs displayed as figures 2.6, 2.7 and 2.8. Figure 2.6 shows the derelict nursery which lies within the site, figure 2.7 shows a Balancing Pond on the opposite side of Potton Road to the site, and figure 2.8 shows the track which runs alongside the western boundary of the site.



Fig. 2.1



Fig 2.2 View of derelict nursery within the site



Fig 2.3 View of existing houses with back gardens facing the site



Fig 2.4 View of track and houses to the western boundary

2.2.2 USE

Adjacent to the short eastern site boundary is a derelict plant nursery (shown in Figure 2.2), comprising a rectangular group of greenhouses. It is otherwise a Greenfield site, with an arable use.

2.2.3 TOPOGRAPHY / LANDSCAPE FEATURES

The site is generally level. There are some mature trees / hedgerows to the northern and to the south-western section of the Potton Road frontage. To the north-east of the group of 3 houses, the site boundary is largely open, other than some sporadic growth. The western boundary is open.

2.2.4 ACCESS

There are 2 existing gated vehicular accesses from Potton Road. To the north-east is the entrance to the aforementioned derelict nursery, with a further access located towards the centre of the site immediately to the north-east of the group of 3 frontage detached properties abutting the site noted at 2.3.1 below.

Fig. 2.5 SITE APPRAISAL DIAGRAM

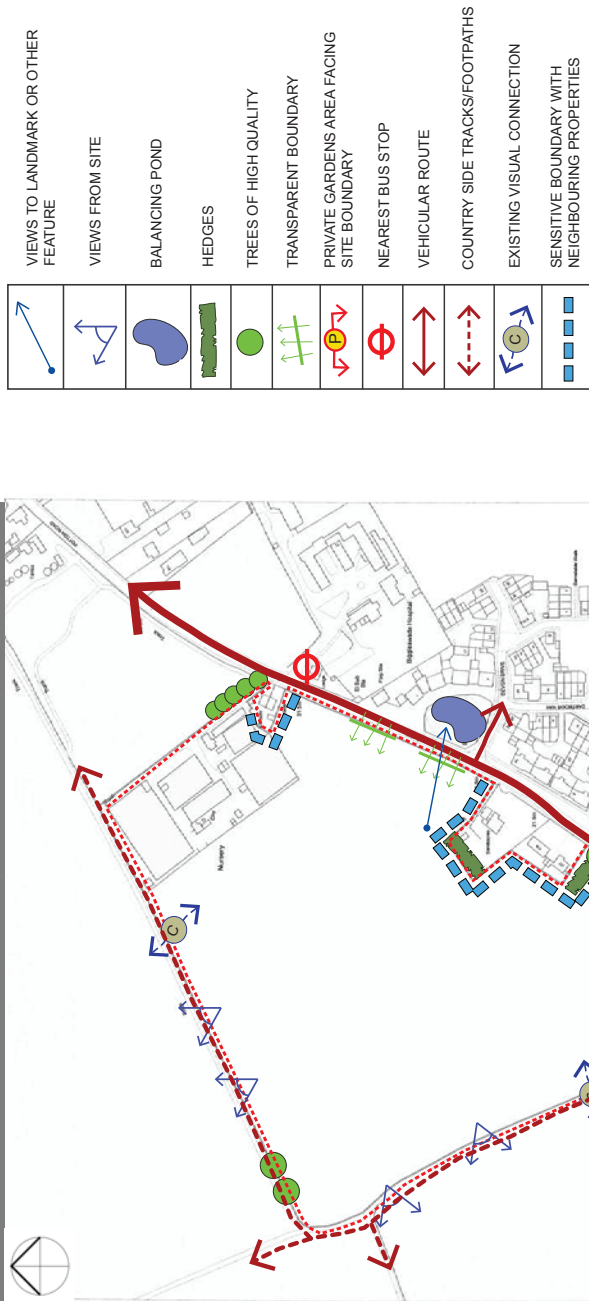


Fig 2.6 View of derelict nursery within the site



Fig. 2.7 View of balancing pond across Potton Road from site



Fig. 2.8 View of track to western boundary

2.2.5 RIGHTS OF WAY

A bridleway (BW9) runs adjacent to the western site boundary and continues northwards through Biggleswade common, (Photograph D in figure 2.9). A footpath (FP12) runs along the northern site boundary, (Photograph F in figure 2.9) with onward links to the north, south, east and west.

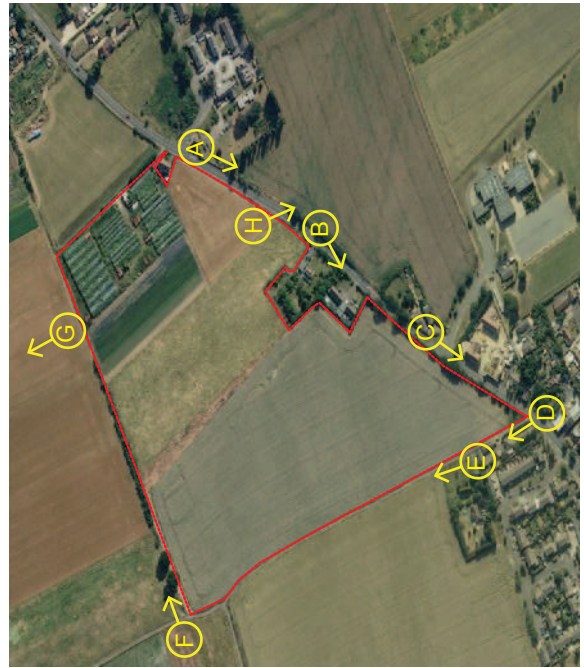


Fig. 2.9



A



B



C



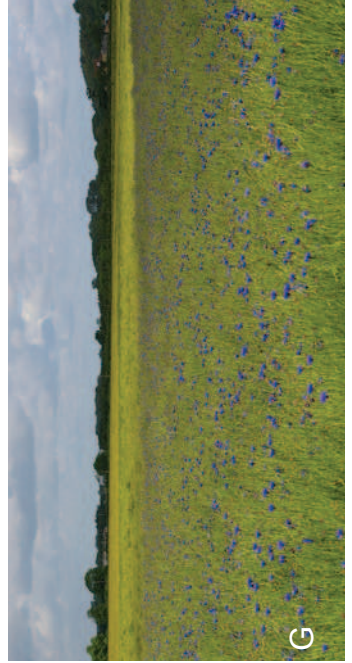
D



E



F



G



H

2.3.1 SURROUNDING AREA

This immediate locality comprises the following elements.

FARMLAND

The site abuts open farmland to the north, (Photograph G in figure 2.9) east and west.

FRONTAGE RESIDENTIAL PROPERTIES

Set centrally within the development site's Potton Road frontage, but excluded from it, occupying an L-shaped site, is a group of 3 detached bungalows (Photograph B in figure 2.9). In addition, to the front of the derelict nursery adjacent to the eastern site boundary and also excluded from the site is a pair of semi-detached houses. **The development will need to have regard to the relationship with these existing properties.**

LAND EAST OF BIGGLESWADE

Immediately opposite the development site is an area of urban expansion of over 2,000 dwellings to the east of Biggleswade set between Potton Road to the north and Baden Powell Way to the south. The site is currently under construction by a consortium of developers, known as the 'Kingsreach' consortium, albeit a frontage scheme of 95 units was recently developed independently of this main area on land to the south of Potton Road (opposite the development site), by David Wilson Homes

(Photographs A & H in figure 2.9).

BIGGLESWADE HOSPITAL

This is located on the southern side of Potton Road, opposite the derelict nursery within the development site.

BIGGLESWADE

Immediately to the south-west of the development Site is a wider area of suburban housing to the north-east of the town centre. This includes the modern cul-de-sac development at Rowletts **View**, which backs onto the southern section of the western development site boundary (Photograph E in figure 2.9) and the Williams Court linear development opposite the south-westernmost section of the Site (Photograph C in figure 2.9). Houses in the locality are typically of traditional pitched or hipped roof compact design and are of 2 storey height. A mix of detached, semi-detached and terraced properties are evident. **A School Crossing Point is located adjacent Nursery Close, and will be unaffected by the development of the site.**

3 LOCAL DEVELOPMENT FRAMEWORK

3.1 POLICY HA1: LAND AT POTTON ROAD, BIGGLESWADE

Policy HA1 designates the site for residential development on the following basis:

Site Area: 11.00 ha

Land west of Potton Road, Biggleswade, as identified on the Proposals Map, is allocated for residential development providing a minimum of 330 dwellings.

In addition to general policy requirements in the Core Strategy and Development Management Policies DPD and appropriate contributions to infrastructure provision in the Planning Obligations SPD, development on this site will be subject to the following:

- The production of a development brief to guide development;
- The completion of the relief road to the east of Biggleswade with a roundabout on Potton Road;
- Preparation of a Transport Assessment to help identify the impact of the development on the highway network. This assessment should specifically include the impact on the B1040 Potton Road the A1/A6001 roundabout and Sun Street, and a satisfactory resolution of the impact of additional traffic on the A1 roundabouts and on the roads within the town;

- Contributions for an extension and buffering to Biggleswade Common and access and facilities improvements; and provision of links to the Biggleswade Eastern Relief Road Linear Park, in accordance with the Mid Bedfordshire Green Infrastructure Plan;
- The provision of sufficient capacity at the wastewater treatment works to meet the needs of the development;
- Contributions towards Biggleswade town centre developments; and
- Contributions towards the Biggleswade Eastern Relief Road and the A1 southern junction improvements.

4 SUPPLEMENTARY PLANNING GUIDANCE

At the time of brief preparation the following supplementary planning guidance has been published:

4.1.0 THE CENTRAL BEDFORDSHIRE DESIGN GUIDE 2014

The **recently approved Design Guide (March 2014)** supports existing policy (**including the NPPF**), the emerging Central Bedfordshire Draft Development Strategy Policy 43: High Quality Development and the NPPF. It broadly follows the approach of the previous guide that was adopted in 2009. It sets out Council's key design principles with one core supplement and nine further theme based supplements that add additional detail on areas like historic conservation and green infrastructure. The guide also provides standards for internal space dimensions and car parking; and stresses the importance of detailing, landscaping, bin storage and a hierarchy of safe and attractive streets. Guidance is included on the Leisure Strategy **also recently approved. The Design Guide also supports the recently approved Sustainable Drainage guidance aimed at preventing surface water flooding and exploring the potential to deliver benefits beyond flood risk.** In the main however, it is intended to be non-prescriptive as it is appreciated that appropriate and high quality design solutions vary depending on context.

4.1.1 PLANNING OBLIGATIONS

This Supplementary Planning Document (SPD) sets out proposals for an improved approach to negotiating and securing planning obligations associated with new development in Central Bedfordshire.

4.1.2 LOCAL TRANSPORT PLAN

Account needs to be taken of this guidance which sets out a long term framework for investment in transport across Central Bedfordshire. The Local Transport Plan (LTP) includes the Council's Cycling and Parking Strategies. Furthermore any proposal must take reference to the Cycle Parking Guidance.

4.1.3 MID BEDFORDSHIRE GREEN INFRASTRUCTURE PLAN

This document is a strategic plan for Green Infrastructure in the area previously covered by Mid Bedfordshire District Council. It provides a framework for Green Infrastructure provision in the area to meet the needs of existing and new communities.

4.1.4 BIGGLESWADE GREEN INFRASTRUCTURE PLAN

Biggleswade has produced its own Green Infrastructure Plan. This plan identifies what the community value in terms of the local environment, and what aspirations they have for improving this environment.

4.1.5 BIGGLESWADE GREEN WHEEL: GREENSPACE MASTERPLAN 2013

This document aims to create a wildlife rich setting through attractive landscape corridors, providing walking and ultimately cycling access both around the urban fringe and into and out of the town.

5 CONSTRAINTS

The site has been assessed to identify the constraints that have an impact on the design and layout of any development. Figure 5.1 presents these constraints in relation to the site, with photographs taken from the boundaries shown in figures 5.2, 5.3 and 5.4.

As assessment of the site's constraints are shown in the table 5.1.

Fig. 5.1 CONSTRAINTS PLAN

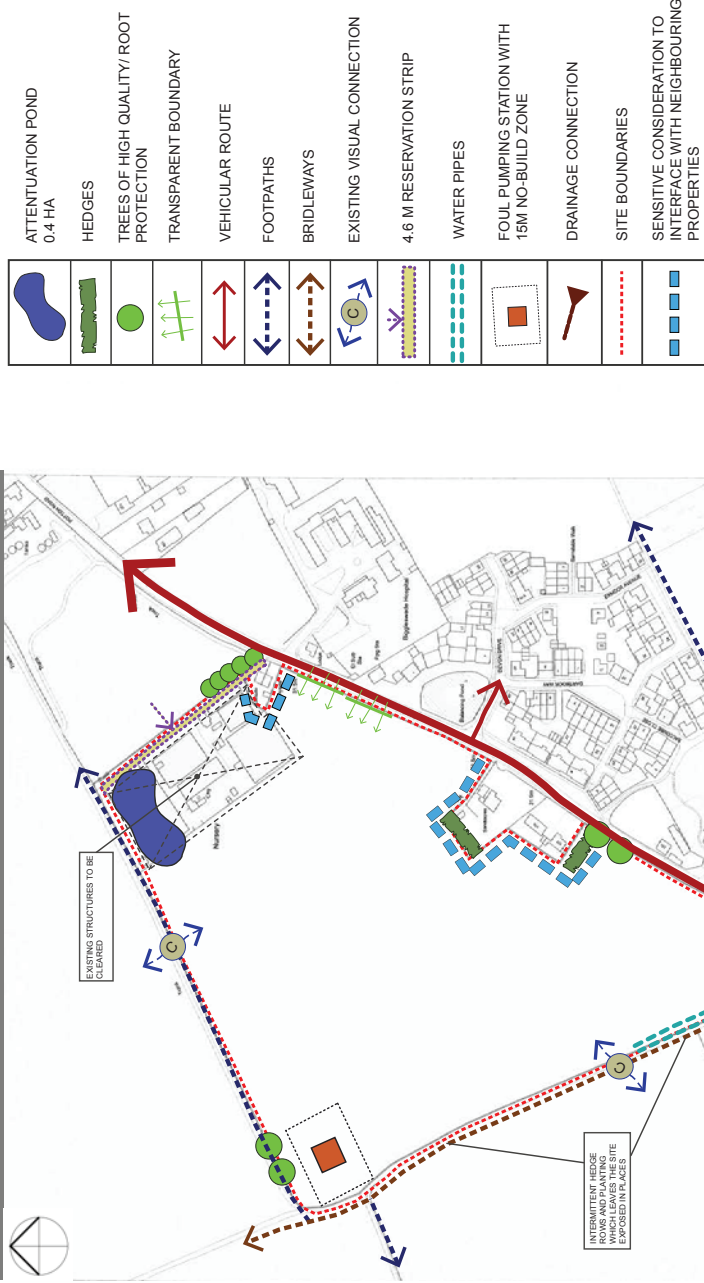


Fig 5.2 View of houses on Potton Road with rear gardens on to the site.



Fig 5.3 View of houses across Potton Road from the site



Fig 5.4 View of track and houses to the western boundary

ISSUE	COMMENT
Topography	The site is essentially level, such that there is no barrier to development in this respect. A drainage strategy has been undertaken and will inform the design of the development. The proposal would include SUDs where appropriate using Central Bedfordshire Council's recently approved Sustainable Drainage SPD as guidance to the design.
Environmental constraints	The site is not located in an area of flood risk. The site is not located within or in close proximity to an SSSI or National Nature Reserve, but is within 200m of County Wildlife Site. The absence of significant landscape features of watercourses restricts the value of habitats within the site however a full ecological report would accompany any application. An initial ecology survey has been undertaken which confirms that there is nothing of particular interest; however, a full survey will be submitted with any application. Natural environments will be created within the site to provide natural green links across the proposed development.
Landscape	The site and surrounding area are not included within the Chilterns AONB, the Forest of Marston Vale, The Bedford and Milton Keynes Waterway or any other nationally or locally designated area of landscape value / improvement. There are no significant landscape features within the site, with mature trees / hedgerows to the northern and eastern boundaries, and to the south-western section of the Potton Road frontage. None of these trees are subject to a Tree Preservation Order; however the high quality boundary trees are identified on the constraints plan. A landscape assessment and tree survey will be undertaken. Account and consideration must be given to how any development will interact with the surrounding countryside and the distant views into and from within the site. Hard urban edges should be avoided. The enhancement and visual linkage with the surrounding areas of interest need to be accommodated within the development. The existing boundaries are exposed, therefore careful consideration is required to ensure the development relates well to adjacent land and beyond and avoids hard urban exposed edges. A Landscape Visual Impact Assessment (LVIA) will be submitted with any application.
Heritage / Archaeology	The site is not located within or in close proximity to a Conservation Area, Historic Parks and Gardens or Scheduled Ancient Monuments. There are no listed or locally listed buildings abutting the site. Working in conjunction with Central Bedfordshire Archaeologist, trial trenching will be undertaken (the timing of which is to be agreed) across the development site to assess for the presence of archaeological features.
Access	To be agreed with the Highways Authority.
Highways	Site Allocation Policy HA1 requires the completion of the Eastern Relief Road (ERR) with a roundabout on Potton Road. The provision of the ERR is however linked to the Land East of Biggleswade development to the south. The S106 for the Land East of Biggleswade development notes that the ERR must be delivered by the 700th completion. A transport assessment would accompany any application, and assess impacts on the ERR and the surrounding road network, including Sun Street, St John's Street and the A1 roundabout. A full assessment of identified junctions will be carried out and as a result of this any mitigation works to address any concerns will be implemented.
Rights of Way	Whilst the Site is bounded by rights of way to the west and north, there are no such routes crossing the site. A transport assessment would include a review of the connectivity to existing rights of way. The scheme will address how these will visually relate to the site. The type, location and design of a pedestrian crossing on Potton Road will be agreed with the relevant highway authority. The provision of links to the existing and enhanced bus services will also be assessed.
Utilities	The Constraints Plan identifies the following elements which will be required to facilitate the residential development of the site: <ul style="list-style-type: none"> - Attenuation Pond of 0.4ha to be located to the north-eastern corner; - Foul Pumping Station with 15m no build zone, located adjacent to northern boundary; - Water Pipes adjacent to the western boundary; - 4.6 m reservation strip adjacent to the eastern boundary.
Urban Design	The proposal will need to make a positive interface ensuring acceptable standards of amenity with the following elements: <ul style="list-style-type: none"> - Frontage Residential Properties; - There are 2 small groups of properties, including bungalows, located to the Potton Road frontage, but excluded from the development site, orientated such that their private rear garden areas face onto the Development Site; - Open Farmland; - The site adjoins open farmland to the north, east and west.

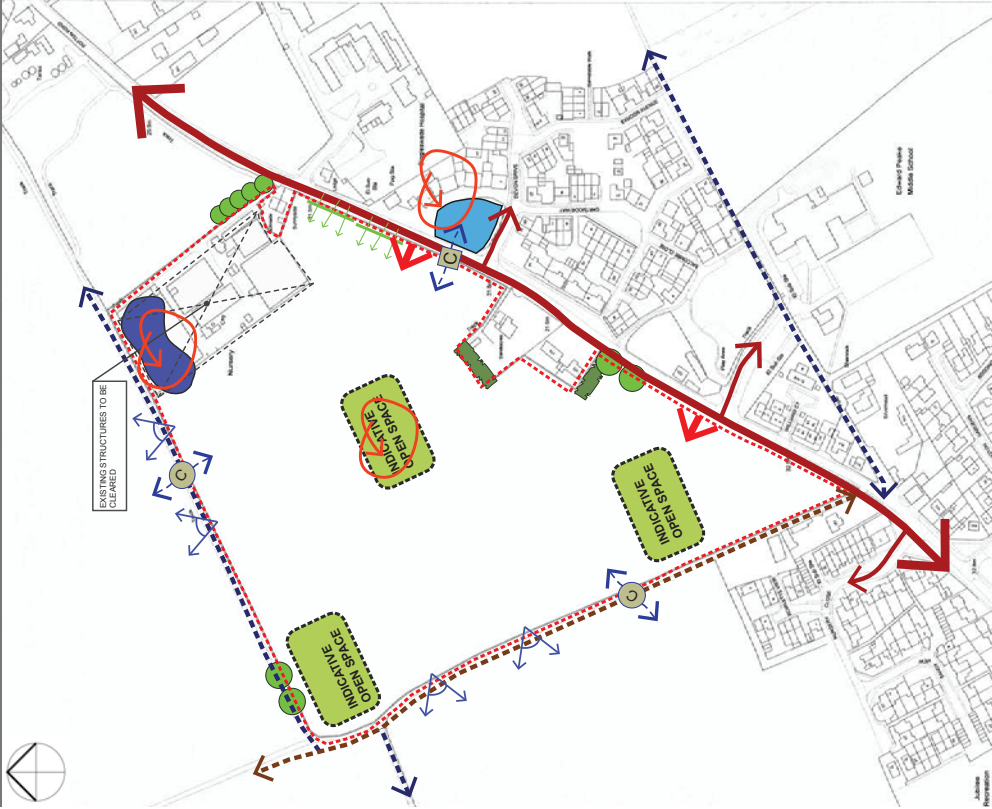
Table 5.1: An assessment of the potential constraints identified on the site

6 OPPORTUNITIES

Following on from the identified constraints in the previous section, the following opportunities for sustainable residential development exist:

- Provision of quality design;
- Provision of appropriate open space;
- Positive integration with existing community;
- Improved access to the countryside and linkage to footpaths/bridleways and cycle paths beyond the site, **as part of strategic landscaping scheme;**
- Delivery of much needed housing;
- Provision of much needed affordable housing;
- Appropriate level of planning obligations, in accordance with policy;
- Integration with surrounding development and open countryside including the distant views beyond the immediate environs;
- Increased connectivity across the site;
- Protection of Ecology;
- Opportunities to include SUDS where appropriate due to site constraints;
- The layout and design would take account of the integration of appropriate sustainable measures;
- Opportunities for superfast broadband would be delivered as soon as practicably possible;
- Opportunities to include Public Art that can enhance developments overall design and sense of place.

Fig. 6.1 OPPORTUNITIES PLAN



VIEWS FROM SITE

ATTENUATION POND
0.4 HA

HEDGES

TREES OF HIGH QUALITY/ROOT
PROTECTION

TRANSPARENT BOUNDARY

VEHICULAR ROUTE

FOOTPATHS

BRIDLEWAYS

EXISTING VISUAL CONNECTION

AREA OF SPATIAL IDENTITY

INDICATIVE OPEN SPACE

POTENTIAL VEHICULAR CONNECTION

POTENTIAL VISUAL CONNECTION

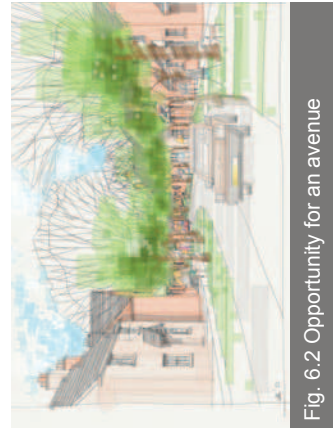


Fig. 6.2 Opportunity for an avenue

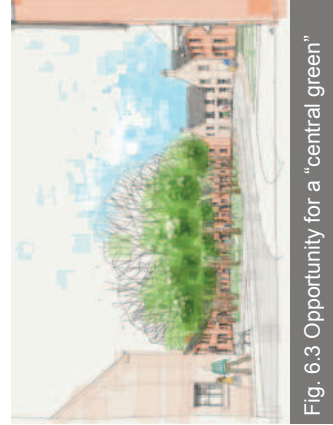


Fig. 6.3 Opportunity for a "central green"



Fig. 6.4 Opportunity for "active frontages"

Opportunities for potential connections and potential areas of open space or landscaping are presented in the context of the existing site in figure 6.1. Design concepts for the delivery of these opportunities in the form of an avenue, central green and active frontages are shown in figures 6.2, 6.3 and 6.4 respectively.

6.1 NEW HOMES FOR BIGGLESWADE

The development site provides the opportunity to deliver at least 330 new homes to help meet the local housing need for Biggleswade. The proposals will provide a range of housing, tenures and sizes, in order to meet the needs of all sections of the local community and to promote sustainable development.

6.2 QUALITY OF DESIGN

This is an opportunity to create an extension to Biggleswade that will favourably respond to the surrounding development and open countryside with an appreciation of the local context by providing a variety of scale and enclosure of space. Proposals will seek to ensure that there are appropriate variations in height (maximum 3 storeys to reflect the character of Biggleswade), density, building types and roofscape to create an area with a sense of place.

6.3 CENTRAL BEDFORDSHIRE DESIGN GUIDE

Central Bedfordshire Council have **recently** adopted comprehensive revised design guidance to help **guide** improvements in the quality of new development. This Design Guides will provide specific guidance on residential development and should be taken account of in any residential developments. The design will also need to take account of Code for Sustainable Homes, Safer Places by Design, Manual for Streets 2 (including the use of shared surfaces), Building for Life Standards and the Policies in the Core Strategy. Key requirements of the above guidance / policies are as follows:

Local Distinctiveness

Account must also be taken of the local distinctiveness in terms of scale, design, detailing and materials.

Amenity Standards

Internal space standards and garden sizes should accord with the standards set out in the Guide. Setbacks depending upon street scene should be given careful consideration. Privacy, impact, sunlight and daylight are other important points to consider.

Parking / Garaging

Parking should be provided in accordance with the standards set out and where appropriate should be provided on-plot. All parking must be located to allow natural surveillance and should relate to dwellings that it would serve. Parking of cars should not be less than 2m from habitable room windows. On street parking **will be sensitively incorporated** to reduce the **potential** visual impact of parked cars. Streets will be designed to be safe and attractive and this can be achieved by suitable pinch points, appropriate landscaping and changes in material. Garaging will be no less than 7.0m x 3.2m as a minimum if it is to constitute a car parking space.

Security

Careful design will help to design out crime. Blank gable walls should be avoided, footpaths should be closely associated with carriageways, front doors should be visible from the public realm, single storey flat roofs avoided, rear access to properties should be as few as possible and if necessary then they should only have one point of entry. Clear distinction between private and public areas will be provided and large rear parking areas avoided. Where small rear parking courtyards are provided they will be secure.

Sustainability

Opportunity will be taken to prove sustainable design and development, through site layout and orientation, landscape consideration and sustainable drainage.

6.4 OPEN SPACE

A public open space strategy will provide the opportunity for formal sporting open space, informal recreation and amenity space, children's play, and provision for young people as an integral part of the design. A variety of safe, overlooked landscaped spaces will also be provided around the site to provide easy access for all. Areas and type of amenity space should be discussed with the Central Bedfordshire Leisure Services Facilities officers during the design process. The design, content and location for children's play space and provision for young people should accord with adopted policy.

6.5 PUBLIC REALM

A Public Realm Plan will enable high quality Public Art to be integrated into the schemes core design.

Central Bedfordshire Council's approach to Public Art in housing developments is that Public Art is 'integrated' into a developments core design. This means Public Art is considered at the initial design stages and woven into the design of a developments shared spaces such as parks, squares, play areas, to enhance the Public Realm.

Public Art will be included in shared spaces across the development and will draw on local distinctiveness and materials to help create a unique sense of place. Areas for Public Art inclusion and plans for involving artists in design will be discussed with the Central Bedfordshire Arts Development Officer.

6.6 POSITIVE INTEGRATION WITH EXISTING COMMUNITY

The development will include footpaths and opportunities for cycling into, out from and around the site which will connect to existing roads and footpaths including linkages with the national cycle route. The development will secure acceptable standards of amenity with existing dwellings and will relate properly to the scale and character of the residential frontage to the southern side of Potton Road. **Provision for the infrastructure needs of the community will be considered through discussions on the S106 package.**

6.7 IMPROVED ACCESS TO THE COUNTRYSIDE

The proposals will also make provision for pedestrian connections from the site to the public rights of way bounding the site. **The existing footpath and bridleway to the west and north respectively will be retained and improved, with new links from the development promoted at sensitive locations adjacent proposed open space.** Careful consideration will be given to how the development will integrate with the immediate countryside and land beyond including the Common. **Views from the bridleway and footpath will also be considered.** A full LVIA would assess this and guide the design accordingly.

7 PROPOSALS AND VISIONS FOR THE SITE

7.1 DELIVERY OF HOUSING

This development brief proposes to deliver a minimum of 330 new dwellings, as required by Policy HA1 of the Site Allocations DPD. This will include the provision of a range of housing types and sizes based upon an assessment for the need in this area in accordance with Policy DM10 of the Core Strategy.

7.2 AFFORDABLE HOUSING

Affordable housing will be provided in accordance with Policy CS7 of the Core Strategy (**with a requirement for 35% affordable units**), unless viability considerations dictate otherwise. A mix of affordable rent and intermediate tenures (shared ownership, shared equity, low cost homes for sale in accordance with NPPF) will be provided on site. The location of the affordable housing and exact mix of tenure will be determined through negotiations with the Council and the registered provider. The location of the affordable housing and exact mix of tenure will be determined through negotiations with the Council and the registered provider.

Fig. 7.1 INDICATIVE LAYOUT (for illustrative purposes only)



- Housing
- Principal route
- Secondary route
- Tertiary links + lanes
- Links to footpath / bridleway
- Proposed landscaped areas at site edges act as an interface with footlinks and wider context
- Existing hedgerows and trees
- Public art provision
- Pumping station

7.3 PLANNING OBLIGATIONS

To mitigate the impact of the development on local community facilities and services, and secure the proposed community benefits, the developers will be required to enter into a planning obligation. Prospective developers are advised to enter into early discussions with the Council to determine appropriate draft Heads of Terms, although it is acknowledged that the precise terms of any planning obligation will not be agreed until a resolution to approve planning permission has been made. The Council's Planning Obligations Supplementary Planning Document (2009) sets out the Council's expectations, although the Council acknowledges that any obligation sought will need to comply with the statutory tests laid out in the Community Infrastructure Levy Regulations 2010. These contributions will be provided through entering into a S.106 agreement or any future infrastructure levy charging schedule. In accordance with the Strategy and policy HA1, this will be expected to secure:

- Offsite Highway works;
- Affordable Housing to meet Council's policy requirements;
- A contribution to meet educational needs of the development;
- Sustainable transport;
- Leisure, recreational open space and Green Infrastructure;
- Waste Management;
- Emergency Services;
- Healthcare;
- Community Cohesion.

7.4 SENSE OF PLACE / INTEGRATION WITH SURROUNDING DEVELOPMENT & OPEN COUNTRYSIDE

Figure 7.1 shows the proposed layout for the site, it identifies the routes and links that will be provided on site. Indicative views of the site are given in figures 7.2, 7.3 and 7.4; these show how the site would look on the ground.

In order to provide a development with a clear sense of space but which also relates to the neighbouring development to the south and the open farmland to the north, east and west, the development will include the following elements:

- The design of an active frontage to Potton Road, which relates well to the scale of the existing development, including that opposite and allowing a visual link with the existing pond provided by the existing development. Careful consideration of the need to preserve the amenities of adjacent frontage development.

- A clear hierarchy of roads, based on a perimeter block system, with junctions signposted by the provision of landmark houses, squares and incidental spaces. These will be identified by different surfaces to aid traffic calming. Shared surfaces will be utilised where appropriate within individual clusters of houses which will further aid traffic calming.

- Development will need to be taken into account the impact on the local road network. A full Transport Assessment will be carried out to determine access points, road layout and junction types.

- Open spaces to be dispersed throughout the site, to include a central green space, incorporating a LEAP and a LAP as a focal point, with further open space and play areas across the site, making a feature of the attenuation pond to be provided on the north-eastern corner, and an element which softens the visual link to the open countryside beyond.

- The development will also need to consider the wider views from outside the settlement looking into the site, with high quality landscaping to be provided as a visual buffer. A full assessment of this will be provided through an LVIA, tree and hedgerow surveys. Any planning application will also be supported by a detailed landscape plan.

- Public Art will be integrated into public space areas throughout shared space areas on the site and will be used to aid connectivity and legibility. Themes for Public Art will draw on local history, ecology and materials. Themes can help to link the development visually with its wider context including neighbouring developments and surrounding farmland.

- Existing hedgerows will be retained and enhanced with appropriate new planting.

7.5 CONNECTIVITY ACROSS THE SITE

Development proposals for the site will be expected to allow connections from the proposed perimeter areas of open space to the adjacent tracks and footpaths which bound the site to the west and north and which form part of the proposed Biggleswade Green Wheel, which aims to provide access to the edge of the urban area and into the surrounding countryside for walkers and cyclists. Any proposed development must respond to adjacent footpaths creating interest and intrigue for all users and provide visual interaction and natural surveillance of the public areas.

7.6 ECOLOGY

The Proposals will also be informed by habitat surveys with appropriate mitigation and compensation measures to be employed and incorporated into the design and layout. An initial ecological report has been undertaken however an updated report will inform the development.

7.7 OPEN SPACE

The development will provide improvements to open space in line with Central Bedfordshire Council's standards. The current standards are presented in Table 7.1 alongside the required provision for this development assuming that 300 houses are built.

7.8 EASTERN RELIEF ROAD

Policy HA1 provides that development of the site cannot come forward of the delivery and completion of the Eastern Relief Road. Progress on the relief road will need to be monitored and the development timed accordingly.

TYPE OF OPEN SPACE	CENTRAL BEDFORDSHIRE COUNCIL STANDARD	REQUIRED SPACE FOR 300 HOUSES (720 PEOPLE)
Informal Recreation Space	1.8 hectares per 1000 people In a Major Service Centre: Every home should be within 400m of an informal recreation space of at least 2.5 hectares	1.30 hectares
Allotments	For the East Subarea: 0.34 hectares per 1000 population	0.25 hectares
Amenity Greenspace	0.6 hectares per 1000 people	0.43 hectares
Children's Playing Space	0.4 hectares of designated equipped play space per 1000 population.	0.29 hectares
Natural and Semi Natural Greenspace	5.4 hectares of accessible greenspace per 1000 population according to a system of tiers into which sites of different sizes fit as follows: <ul style="list-style-type: none"> No person should live more than 300 meters from their nearest area of natural greenspace There should be at least one accessible site of between 10 and 20 hectares within one kilometre of home There should be at least one accessible 20 hectare site within 2 kilometres of home There should be one accessible 100 hectare site within 5 kilometres There should be one accessible 500 hectare site within 10 kilometres. 	3.89 hectares
Outdoor Sport	The quantity standard for playing pitches is 1.8 hectares per 1000 population.	1.30 hectares

Table 7.1: Open Space Requirements

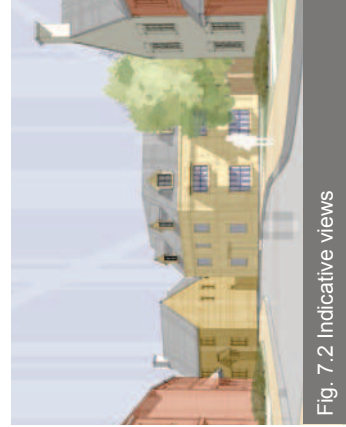


Fig. 7.2 Indicative views



Fig. 7.3 Indicative views



Fig. 7.4 Indicative views

8 APPLICATION REQUIREMENTS

8.1

Given the extent of guidance available the Council expect prospective developers to make a full application for planning permission for the development of site HA1.

Any future planning application will be supported by a range of technical documents.

These are likely to include:

- Tree Survey and Arboricultural Impact Assessment;
- Landscape Value Impact Assessment;
- Land Contamination Report;
- Transport Assessment and Travel Plan;
- Flood Risk Assessment and Drainage Strategy;
- Habitat and Protected Species Survey;
- Construction Traffic Management Plan;**
- Noise Impact Assessment;**
- Archaeological Assessment;
- Planning Statement and Affordable Housing Statement;
- Design and Access Statement;
- Draft Section 106 Heads of Terms.

9 ABBREVIATIONS

- AONB – Area of Outstanding Natural Beauty
- BW – Bridleway
- DPD – Development Plan Document
- ERR – Eastern Relief Road
- FP – Footpath
- NPPF – National Planning Policy Framework
- LAP – Local Area for Play
- LEAP – Local Equipped Area for Play
- LTP – Local Transport Plan
- LVIA – Landscape Visual Impact Assessment
- SCI – Statement of Community Involvement
- SPD – Supplementary Planning Document
- SSSI – Site of Special Scientific Interest
- SuDS – Sustainable Urban Drainage Systems



Statement of Community Involvement

Development Brief for Potton Road,
Biggleswade

April 2014

1. INTRODUCTION

1.1 Background

1.1.1 This document is a Statement of Community Involvement. It has been written in accordance with Central Bedfordshire Council's guidelines, these guidelines are provided in Central Bedfordshire Council's Statement of Community Involvement, adopted in October 2012.

1.1.2 This statement details the public consultation undertaken during the production of the draft development brief for the land north of Potton Road in Biggleswade.

1.1.3 The developers for the site are proposed to be Bellway Homes and Bloor Homes. The development brief has been written by these developers in conjunction with Central Bedfordshire Council.

1.2 Policy Background

1.2.1 Policy HA1 in the Site allocations and Development Plan Document designated the Potton Road site for residential development. One of the requirements of this policy was that a development brief be produced to guide the development of the site. This policy allocated the 11 hectare site for residential development providing a minimum of 330 dwellings.

1.2.2 Paragraph 155 of the National Planning Policy Framework states:

'Early and meaningful engagement and collaboration with neighbours, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that local plans, as far as possible, reflect a collective vision a set of agreed priorities for the sustainable development of the area'

1.2.3 Paragraphs 188-191 also note the participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle and the guidance notes Local Planning Authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage, which can improve the efficiency and effectiveness of the planning application system for all parties.

1.2.4 The Planning and Compulsory Purchase Act 2004 requires Local Authorities to prepare a Statement of Community Involvement. Central Bedfordshire Council (CBC) adopted their Statement of Community Involvement (SCI) in October 2012. This SCI sets out four key ways the Council would wish to see the Community engaged on major applications (para 6.11):

- *"Developers or landowners take a key role in this [public consultation] as part of their obligation to the local community;*
- *Consultation carried out at the earliest stage of the application process with local people to explore their reactions and optimise potential community benefits as part of the development;*
- *Extra effort made to engage with hard to reach groups;*
- *Exhibitions and/or workshops being held to involve people in a non confrontational way, if appropriate."*

2. CONSULTATION UNDERTAKEN

2.1 Outline

2.1.1 Bellway Homes and Bloor Homes prepared the draft development brief whilst working alongside Central Bedfordshire Council. The consultation which took place during the production of this brief is detailed in the following sections.

2.2 Early Engagement with Biggleswade Town Council

2.2.1 Two meetings were held with Biggleswade Town Council prior to the production of the development brief, these were attended by representatives from the developer's side and also Central Bedfordshire Council Officers. The first meeting was held on Tuesday 14th January and the second on Wednesday 26th February.

2.2.2 These meetings were arranged to give the Town Council the opportunity to highlight any issues which they thought should be picked up by the brief. At the first meeting representatives from Bellway and Bloor Homes gave a short presentation on their proposals for both the development brief and for the planning application. This presentation was followed by a short discussion and a question and answer session. The second meeting was a follow up to this. As the Town Council has responded this might provide a succinct summary of the issues raised/discussed.

2.2.3 Following the public consultation another meeting was held between the developers, CBC Officers and the Town Council. This was held on Thursday 24th April with the purpose of briefing the Town Council on the results of the public consultation and discussing the proposed steps moving forward.

2.3 Formal Period of Consultation:

2.3.1 Once the brief had been agreed with Central Bedfordshire Council officers and gained delegated approval via Members and the Assistant Director, it was put forward for public consultation. A four week public consultation was arranged; it began on Thursday 13th March and concluded on Wednesday 9th April.

2.3.2 The activities that this consultation involved are detailed below; however copies of the document and questionnaires were made available to the public online and in hard copy at selected locations throughout this consultation period.

Letters to statutory consultees and residents

2.3.3 Statutory consultees, local Town and Parish Councils and the local ward members were sent letters and emails prior to the formal period of public consultation. The letters informed them of the upcoming public consultation and included details on the planned public exhibition.

2.3.4 A total of 1,996 letters were sent to residents to inform them of the consultation on the draft development brief and invite them to the public exhibition.

2.3.5 Letters also provided contact details for the Local Planning team and gave details on where documents could be viewed both online and in hard copy.

Questionnaire

2.3.6 A questionnaire was set up to allow the public to respond to the draft development brief. This questionnaire could be completed online, or if it was completed as a hard copy it could be posted to a freepost address or left at either Biggleswade Town Council or Biggleswade Library.

2.3.7 The questionnaire was set out with questions on different sections of the brief to ensure that the brief was being read in conjunction with the questionnaire. A copy of the questionnaire is provided in Appendix A at the end of this report. Questions were asked on:

- *Constraints identified in the brief;*
- *Opportunities identified in the brief;*
- *Housing, including integration with the countryside and range of types and sizes;*
- *Open space;*
- *Access to the site;*
- *Planning contributions.*

Media

2.3.8 The Biggleswade Advertiser included a piece on the consultation in its 12th March edition. A reporter from the paper then attended the exhibition and produced a follow up piece in the 19th March edition. Copies of these are provided in Appendix B at the end of this report.

2.3.9 Biggleswade Town Council included a piece on the consultation in the news section of their website (Appendix C). This was supported by the exhibition material which was left at the Town Council following the exhibition. The exhibition boards were left on display at Biggleswade Town Council's offices for a period of two weeks following the public consultation event and were then displayed at Central Bedfordshire Council's Chicksands offices. The exhibition boards are displayed in Appendix D.

2.3.10 The consultation and public exhibition were advertised by Central Bedfordshire Council using their website and Twitter and Facebook social media platforms. In addition to this emails were sent to residents who had signed up to receive alerts from the Council on these matters. Appendix E provides examples of these.

2.3.11 Throughout the exhibition Central Bedfordshire Council had links to the draft Development Brief and questionnaire on their consultation and planning pages. This website was publicised in all the letters and emails sent out, social media announcements and posters displayed around the site.

Posters

2.3.12 Prior to the public consultation, posters were put up around the development site. The posters advertised the public exhibition, provided a web address for the online consultation page and stated that material could also be viewed at Biggleswade Town Council, Biggleswade Library and Central Bedfordshire Council's Chicksands offices.

2.3.13 These posters were displayed in prominent public locations including; Biggleswade Library, Biggleswade Town Council offices, the Post Office, ASDA, Sainsbury's and three newsagents around the town. On the day of the exhibition additional posters were put up in the streets around the Town Council offices where the exhibition was being held. A copy of the poster is provided in Appendix F.

Public consultation event

2.3.14 On Thursday March 13th a public consultation event was held at Biggleswade Town Council's offices. This event was held between the hours of 14:00 and 20:00 to allow people to stop by if they were visiting the town centre around lunchtime, or later on their way home from school and work. The event set up half an hour early to give local ward members the opportunity to stop by beforehand.

- 2.3.15 Throughout the exhibition representatives from the developer's side and from Central Bedfordshire Council were available to take questions and talk to the public, a transport consultant was also present to address anticipated concerns over traffic.
- 2.3.16 Boards were set up to display the proposals and copies of the development brief and questionnaires were available to either fill in at the event or take home. Tables and chairs were provided to allow people to fill out their questionnaires at the event if they wished.
- 2.3.17 A total of 85 people were checked in, but it is thought that more people may have entered the exhibition and chosen not to sign in. Prior to the public consultation event, some members of the public had complained that not enough notice was given. Central Bedfordshire Council resolved to monitor attendance and then put on another consultation event if deemed necessary. Since attendance was high and all documents were available online, another event was not deemed necessary.
- 2.3.18 The exhibition boards were displayed at the Town Council offices until 21st March when the space was no longer available. They were then moved to Central Bedfordshire Council's Chicksands offices and displayed in the reception area for the remainder of the consultation. In addition to this an electronic copy of the exhibition boards were loaded onto the consultation section of Central Bedfordshire Council's website. Therefore there was adequate opportunity to see the exhibition boards for those not able to attend the event.

3. RESULTS OF CONSULTATION

3.1 Responses received

- 3.1.1 During the four week consultation period, a total of 35 questionnaires were completed. There was a fairly even split between those completed online and those completed in hard copies. The hard copies were picked up from Biggleswade Town Council (some on the day of the exhibition) and received via the freepost address. Of the 35 respondents to the questionnaire, the vast majority identified as residents of Biggleswade.
- 3.1.2 During analysis of the results it became clear that on the questions which were open to comments, the comments made did not necessarily respond to the question asked. Therefore it was decided that all comments should be considered against the brief as a whole, rather than considering each comment in relation to the question it was written under.
- 3.1.3 An additional 12 representations were received by email or letter, including those from Statutory Consultees.

3.2 Issues identified

- 3.2.1 All comments and questionnaire responses received have been summarised in table 1. This table identifies the issues raised and includes a response to the query alongside any changes made to the brief as a result.
- 3.2.2 In general the main issues raised within the questionnaire and written responses were:
- Facilities: Concern was raised over increased pressure on Biggleswade's services and facilities, particularly the doctor's surgery and schools.
- Highways: Though the document did state that the development would not go ahead until the Eastern Relief Road was completed, many people commented that the development should not be

allowed to go ahead until the Eastern Relief Road and associated roundabout was fully complete and in use. A number of comments were also received concerning the impact of additional traffic on the local road network including Potton Road, St John's Street, Sun Street, Drove Road and London Road.

Access: A number of comments on access were received though there did not seem to be one preferred method of access.

Pedestrian and cycle links: The development will retain and enhance the existing bridle path and footpath which border the site. Some questionnaire respondents did not understand this and commented about their loss or maintenance. Comments were made in favour of the proposed pedestrian crossing point on Potton Road, though some were cautious about the impact that this would have upon the school.

Wildlife: Particular reference was made to the potential presence of a Badger sett and Skylarks on site by some respondents. The development brief did state that full ecological surveys would be undertaken.

Rural nature of the area: The comments made on the site's rural location in general disagreed with the allocation of the site as a whole, something which is outside of the context of this brief. Some respondents felt that the rural landscape would be negatively affected by the development, some of these comments suggested that the respondents did not realise that existing hedgerows would be retained and enhanced.

Impact on Edward Peake School: Some respondents were concerned that provision of a pedestrian crossing on Potton Road would mean that Edward Peake School would lose the school crossing patrol currently in place. One respondent suggested that the parking associated with the school drop-off and pick-up periods should be considered within the context of the development.

Design: A large number of comments on design were received, especially in relation to parking provision and road design. Repeatedly reference was made to the other new developments nearby which respondents felt were poorly designed and ruined by on-street parking. Other comments about design included concerns over density and comments about sizes and locations of play areas and open space.

Housing type: A number of respondents felt that the number of homes on site should be reduced and questions were also raised as to the proportions and locations of affordable housing.

Drainage: A small number of comments were received on drainage, with residents of bordering estates concerned that their recent issues drainage and odour would return or be increased as a result of the development.

- 3.2.3 Many comments were also received on issues outside of the scope of this brief including; provision of litter bins in town, potential to ban HGVs from the town centre, signage for the Eastern Relief Road and specific parking, taxi or road issues in the town centre.
- 3.2.4 More technical comments were made about the document itself, some of which did lead to changes including the addition of a glossary, improved definition of public art and expansion of Figure 5.1.
- 3.2.5 A full breakdown of comments received is given alongside responses in table 1.

3.3 **Resulting changes to brief**

3.3.1 The draft development brief was updated in response to the comments received during public consultation. No major changes were made to the context but a list of abbreviations was added to the end of the document and some points were clarified.

3.3.2 The tracked change document gives a detailed account of all changes made, however the main changes were:

Addition of a list of abbreviations – this was in response to comments received regarding the readability of the document and over-use of technical terms.

Small changes for consistency – this included ensuring that all figures given in the document were given in metric measurements.

Integration with existing properties – text was added to the brief to confirm that the development would need to have regard to relationships with existing properties on Potton Road. (Section 2.3.1)

Crossing point – reference was added to the school crossing point adjacent to Nursery Close, confirming that this would be unaffected by the development site. (Section 2.3.1)

Changes in policy – the policy section was updated to reflect the recent adoption of the Design Guide and approval of the Leisure Strategy. (Section 4.1.0)

Traffic issues – Although the document already stated that a full Transport Assessment would accompany any planning application, text was added to the document to state that this Transport Assessment would include an assessment of impacts on the surrounding road network including Sun Street, St John's Street and the A1 roundabout. (Section 5) (Reference to Construction Traffic Management Plan and Noise Assessment also added to Section 8.1)

Access – text added to clarify requirements. (Section 7.4)

Infrastructure and facilities – text was added to confirm that the infrastructure needs of the community would be met through discussions on the Section 106 package. (Section 6.6)

Existing bridle paths and footpaths – the opportunities section was updated to clarify that the existing bridle path and footpath would be retained and improved and that views from them would also be considered. (Section 6.7)

Affordable Housing – text was updated to state that the required percentage of affordable housing was 35%. (Section 7.2)

Eastern Relief Road – an individual section on the Eastern Relief Road was added to make it clear that the development would not come forward until the Eastern Relief Road had been completed. (Section 7.8)

Public Art – a definition of public art was added to the document in response to a comment asking what it was. (Section 6.5)

4. **CONCLUSION**

4.1.1 This report has shown that considerable effort was made to engage with residents on this development brief. The public consultation event was well advertised through media and posters around the town, this led to a high attendance rate at the exhibition.

- 4.1.2 As shown by Table 1 the Development Brief has been updated where required, reflecting comments made during consultation. There were many comments made which were either outside of the scope of the brief, or will need to be instead picked up at Planning Application stage.
- 4.1.3 Moving forward, it is proposed that Edward Peake School be consulted on the proposals to address the concerns raised by residents during the public consultation.

Tables and Appendices:

Table 1: Summary of Consultation Responses

Appendix A: Questionnaire

Appendix B: Articles from Biggleswade Advertiser

Appendix C: Biggleswade Town Council news page publicising event

Appendix D: Exhibition Boards

Appendix E: Central Bedfordshire Council publicity of event: (1) Consultations Page, (2) Planning Page, (3) Online Survey, (4) Letter, (5) Reminder Email, (6) Twitter announcement, (7) Facebook announcement.

Appendix F: Poster displayed around town to advertise event

Table 1 : Summary of Consultation Responses

Summary of main issues raised during Consultation for Potton Road, Biggleswade

<u>Comment</u>	<u>Response</u>	<u>Change made (if required)</u>
Document and Consultation process		
1. Acronyms not defined and no glossary of terms in document.	Accepted. List of abbreviations to be added to the Brief.	List of Abbreviations added to document (Section 9).
2. Document very technical and difficult for residents to understand.		
3. Document is vague.	This document is a Development Brief, and therefore only intended to provide a guide to inform a later and more detailed planning application.	N/A
4. Metric and imperial measurements both used throughout document.	Acknowledged – amend to metric.	Reference to 15ft reservation strip amended to metric measurement.
5. No maximum number of homes mentioned.		N/A
6. How many more than 330 are proposed?	Policy HA1 stipulates a minimum of 330 dwellings at the site. It does not state a maximum amount, and therefore no reference to a maximum is made in the document. The final number of units will however be determined through pre-application discussion, having regard to Council policy, in particular the newly approved Design Guide.	
7. What is the upper limit of housing on the site?	Plans within the document are indicative.	
8. Existing hedges not shown on plan.	Contributions towards healthcare will be required as part of the Section 106 Agreement at the planning application stage.	N/A
9. Brief will need to address health constraints.	These are 2-storey dwellings with rooms in the roof spaces.	N/A
10. What is a 2.5 storey house?		Paragraph 6.2 amended to clarify.
11. Document does not show impact on views from Bridle Way.	Matter to be addressed at the application stage, through a Landscape Visual Impact Assessment.	Acknowledged – add to text (refer to Paragraph 6.7)
12. No communication or consultation with residents.	The site has been allocated since 2011 in the Site Allocations DPD. Its allocation was promoted through standard consultation processes prior to its adoption. In respect of the Development Brief, the Town Council have been consulted since discussions on the site commenced with the developers. Similarly, residents in the adjacent bungalows have been consulted separately and their comments taken on board by the developers in their emerging plans.	N/A
13. More notices should be given of consultation.	Accepted, due to the late notice of the exhibition Central Bedfordshire Council decided to monitor attendance at the exhibition and carry out another if deemed necessary, however due to a high turnout this was not deemed necessary. In addition to this Central Bedfordshire Council have been available to answer questions throughout the 4 week	N/A

Summary of main issues raised during Consultation for Potton Road, Biggleswade

	consultation.	
14.	Only a small section details water pipes? This detail will be picked up in the planning application.	N/A
15.	Figure 5.1 too small to read. Cannot understand the vehicle route into Nursery Close. Suggest a bigger map with the three photos at the side. Noted.	Figure will be expanded. Change 'vehicular route' to say 'existing vehicular route'.
16.	Presume red dotted line is perimeter of development although not indicated. Noted.	This will be added to the key in Figure 5.1.
17.	Pumping Station not shown on map. Noted.	This will be added to Figure 5.1.
18.	What is public art provision? Noted.	Explanation will be added to Section 6.5.
Facilities		
19.	The development will not provide any public services or facilities. Increased pressure will be put on existing facilities and services in Biggleswade which are already stretched (including schools and healthcare). The developers are in talks with the Council on the heads of terms for a S106 Agreement to address infrastructure capacity issues. This matter will be addressed and potentially agreed prior to the submission of the planning application.	N/A
20.	No mention of improved health facilities.	
21.	Development needs shop/ doctors etc.	
22.	Perhaps Biggleswade Hospital could incorporate a doctors and dentists for residents of this site and King's Reach?	
23.	Impacts on doctors and schools should be addressed by relevant parties not just developers.	
24.	Impacts should be considered sooner rather than later.	
Highways		
25.	Concern over the impact that additional traffic could have on the local roads and the town centre. Particular concern for Potton Road, Drove Road, Sun Street, London Road and St John's Road. A full Transport Assessment to CBC's satisfaction will be required at planning application stage. A draft of the Transport Assessment for the site is with our Highway Officers for agreement. The Transport Assessment has been prepared within an agreed scope, including consideration of contentious junctions within the town. This includes an assessment of the Eastern Relief Road.	Add to text to refer to particular roads (Table 5.1).
26.	How will existing traffic be managed?	
27.	Will travel surveys be undertaken to map the impact of extra traffic using Potton Road, and how much will traffic reduce by when the new relief road is built?	
28.	Impacts of King's Reach, the Eastern Relief Road and other proposed developments should be properly considered before this development is allowed. In particular the traffic generation that is likely to result from A full Transport Assessment to CBC's satisfaction will be required at planning application stage. This Transport Assessment will take account of committed development in its assessments.	N/A

Summary of main issues raised during Consultation for Potton Road, Biggleswade

<p>King's Reach. 29. Suggestion of a northern relief road.</p>	<p>The completion of the ERR will adequately address the capacity of this site.</p>	<p>N/A</p>
<p>30. Eastern Relief Road should be built before this development.</p>	<p>Policy HA1 stipulates that development on this site will be subject to the completion of the ERR. This is acknowledged by the developers.</p>	<p>Already referenced in Section 3, but Section 7.8 added to ensure clarity.</p>
<p>31. Access to the development should be from Eastern Relief Road, not Potton Road.</p>	<p>This is not possible as the development site will not border the new roundabout and that land is in separate ownership.</p>	<p>N/A</p>
<p>32. Roundabouts should be provided to access the development.</p>	<p>The safest method of access to the development site will be considered in consultation with CBC Highways Officers through the Transport Assessment. At present, priority junctions are proposed and deemed acceptable subject to consideration of the final TA.</p>	<p>Text added at 7.4 to clarify requirements.</p>
<p>33. Access should be via staggered mini-roundabouts in line with existing access roads, not staggered as the plan shows.</p>		
<p>34. Access roads situated very close to existing roads.</p>		
<p>35. Access should not be opposite the Maythorns, to reduce congestion.</p>		
<p>36. Why should there be two vehicular accesses when the David Wilson Homes (King's Reach) development has only one.</p>		
<p>37. Access opposite the Williams Court would be problematic as it is just past a very busy school crossing patrol and also a blind-bend in the road.</p>		
<p>38. One proposed exit/entrance opposite or staggered to Devon Drive would be more appropriate as Potton Road is already extremely busy.</p>		
<p>39. Don't want too many traffic calming measures.</p>		
<p>40. A 20mph speed limit should be considered away from main distributor roads.</p>	<p>Design and types of roads will be considered in consultation with CBC Highways Officers through the Transport Assessment. This will be in part informed by the guidance provided by the Central Bedfordshire Design Guide.</p>	<p>N/A</p>
<p>41. Traffic calming measures required</p>		
<p>42. Have the impacts of construction traffic been considered, in particular the increase in traffic and the noise generated?</p>	<p>See above regarding the increase in traffic. A full Noise Impact Assessment will support the planning application in time. It will consider the noise impacts from Potton Road as well as from the railway line further west. A Construction Traffic Management Plan will accompany the Transport Assessment also.</p>	<p>Reference to a Noise Assessment and Construction Traffic Management Plan added to the list of documents required with the application (refer to</p>

Summary of main issues raised during Consultation for Potton Road, Biggleswade

	Paragraph 8.1).
43. Access to the A1 (north and south) would need improvement.	The impact on highways will be assessed in the Transport Assessment.
44. Proposed development is within a 40mph, with the increase in traffic and Eastern Relief Road, is there scope to extend the 30mph to include the development site.	This is not within the scope of the brief, however we understand that it the possibility of making the stretch of road between the Roundabout and Eastern Relief Road 30mph is being explored.
45. When the Eastern Relief Road is complete, a height/weight limit should be considered for other roads to reduce HGVs in town centre.	These are matters for CBC Highway Officers to consider and beyond the scope of the Brief.
46. Should stop HGVs from accessing the town centre, perhaps by moving industries out of town centre.	
47. Good signage at Eastern Relief Road needed to direct all non-Biggleswade traffic onto the Relief Road.	
48. Current speed restrictions ignored.	
49. There is already a great deal of pressure on parking in Biggleswade Town Centre.	
50. Parking study required to understand the impact of the new road layout on parking at the junction of Potton Road/ Drove Road near where the Spread Eagle pub was.	
51. Review should be undertaken of yellow lines on main routes into town to ensure free-flow enforced.	
52. Once new road opened, will there be a prohibition on foreign and UK HGV's?	
53. Approval has been given to the installation of traffic calming measures on Potton Road in the near future; this will reduce the capacity of the road.	
54. Is there consideration to extend the 40mph to include the Bedfordshire Growers and Plymouth Brethren School, if not 40mph then 50mph?	
55. On Sun Street accessibility is poor, large vehicles often go on the pavement.	
56. Junction of Drove Road and London Road needs redesigning for heavy traffic.	
Other transport	
57. Loss of Bridle Path for rural walks.	There will be no loss of existing bridleway or foot path adjacent the site as a result of the development. These rights of way do not currently enter the site, instead following the field boundary. These will be
58. No mention of improvements to Bridle Paths or footpaths on boundaries. No information is given on their future	Text updated to reflect retention and enhancement of existing

Summary of main issues raised during Consultation for Potton Road, Biggleswade

<p>59. maintenance either. The route to the Common should be a key consideration. 60. How will access to walking areas be preserved for all local people? 61. How will the Common and access to it for all local people be preserved? 62. There should be connections to existing Rights of Way. 63. Many people exercise along these Rights of Way, and many also use them to cycle to the RSPB.</p>	<p>protected and enhanced with linkages from the development in time.</p>	<p><i>rights of way (refer to Paragraph 6.7).</i></p>
<p>64. Although Rights of Way will not be restricted, not many people will want to run/cycle/walk alongside houses.</p>	<p>The Rights of Way will be retained and improved, therefore improving links to green space such as the Biggleswade Common.</p>	<p>N/A</p>
<p>65. Definite need for pedestrian crossing on Potton Road.</p>	<p>Agreed. The location of a new crossing point (and potentially two crossings) is being discussed with CBC Highways and the developers, and will be confirmed in the Transport Assessment supporting the application on submission.</p>	<p>N/A</p>
<p>66. Two pedestrian crossings needed one near Edward Peak School / Drove Road and one near Drove Road / Mountbatten Drive.</p>	<p>Pedestrian and cycle facilities will be provided in line with the guidance given in the Central Bedfordshire Design Guide.</p>	<p>N/A</p>
<p>67. Development needs to provide good quality pedestrian and cycle paths to reduce car reliance.</p>	<p>The Transport Assessment will assess access by all modes and identify any issues which may need to be considered for off-site contributions.</p>	<p>N/A</p>
<p>68. Footpath/pavement from Biggleswade to the site would need huge upgrading; it is not even safe to walk along there. It needs maintenance to stop weeds growing over it.</p>	<p>The Transport Assessment will assess the impacts that the development will have on public transport. Any appropriate mitigation measures which are required will be identified following this.</p>	<p>N/A</p>
<p>69. No firm proposals for improved public transport.</p>	<p>This is not deemed necessary for the scale of development at the site.</p>	<p>N/A</p>
<p>70. Additional rail capacity should be considered.</p>	<p>This is not a matter for consideration within the scope of the document.</p>	<p>N/A</p>
<p>71. More taxis and taxi rank needed in the town centre.</p>	<p>This is not a matter for consideration within the scope of the document.</p>	<p>N/A</p>
<p>Wildlife</p>		
<p>72. Impact on wildlife should be properly considered.</p>	<p>Agreed. Full ecological surveys will be undertaken and submitted at application stage.</p>	<p>N/A</p>
<p>73. Wildlife will be pushed out of the area.</p>	<p>CBC Environmental Policy teams have been consulted on this brief and the Wildlife Trust will be consulted on the full Planning Application.</p>	<p>N/A</p>
<p>74. How will ecology be protected? Have any surveys been done?</p>	<p>The presence of a badger sett will be considered in the further surveys to be undertaken by the developers. If located, suitable and appropriate mitigation will be required, to the satisfaction of CBC.</p>	<p>N/A</p>
<p>75. Area is within close proximity to land designated as a local wildlife site. Advised to consult with the Local Wildlife Trust on this matter.</p>	<p>The suitability of the site as breeding habitats for skylarks and corn</p>	<p>N/A</p>
<p>76. There is an active Badger Sett to the northern boundary; this conflicts with the proposed location for the pumping station.</p>	<p>The presence of a badger sett will be considered in the further surveys to be undertaken by the developers. If located, suitable and appropriate mitigation will be required, to the satisfaction of CBC.</p>	<p>N/A</p>
<p>77. Area is a breeding site for endangered Skylarks and corn</p>	<p>The suitability of the site as breeding habitats for skylarks and corn</p>	<p>N/A</p>

Summary of main issues raised during Consultation for Potton Road, Biggleswade

bunting.	bunting will be considered in the further surveys to be undertaken by the developers. If located, suitable and appropriate mitigation will be required, to the satisfaction of CBC.	
Rural nature of the area		
78. Development will remove rural and open nature of the area.	The site is allocated for development under Policy HA1 and will come forward as part of CBC's 5 year housing land supply. Change to the open nature of the site is inevitable as a result. However, the development of the site will be subject to design and landscape considerations, as well as landscape visual impact assessment, to ensure delivery of a high quality scheme.	N/A
79. Potton Road is a natural break to King's Reach and enables a visual connection with the Common.		
80. Houses should be built on wasteland, not on farmland.		
81. Loss of rural views.		
82. Will be hardly any agricultural land left. This land is used to farm crops; loss of it will reduce available food.		
83. Site is proposed in an area of Outstanding Natural Amenity with sweeping panoramic views.	The area does not lie within an Area of Outstanding Natural Beauty.	N/A
84. Hedgerows and planting should be replaced by continuous screening to maintain a rural walk.	Existing hedgerows around the site will be retained and enhanced with appropriate new planting	Text added to Section 7.4.
85. Figure 7.1 indicated the existing hedgerows and trees, will these remain in place or will they be cut down and not replaced?		
86. Site should not be developed as it is Greenfield, countryside and possibly greenbelt.	The site does not lie within the Green Belt.	N/A
87. Existing trees already identified are of high quality and need to be retained.	A detailed tree survey will be undertaken and submitted at application stage. Existing trees are to be retained.	N/A
88. I assume trees of high quality foot protection will not be retained		
89. Open space referred to as a 'village green', will this be a village?	The term is indicative and related to the concept of a centrally located, open green for use and enjoyment by all.	Amend text to remove reference to 'village green' (refer to Paragraph 7.4, 3 rd bullet point).
90. Will take away open space which is popular with walkers/cyclists.	The site is private and not currently accessible by walkers. The existing footpath and bridleway bordering the site will be retained and enhanced.	N/A
91. Mature trees should be planted to screen the development from bridle ways and footpaths.	The existing hedgerow planting around the site will be supplemented with new planting to reinforce the boundaries.	N/A
92. Will existing hedgerows and trees remain in place?		
93. Green Space is not a substitute for countryside.	Agreed. The open space within the site will however provide useable space for play and enjoyment. Play spaces will be being designed in accordance with the Council's recent Leisure Strategy.	N/A

Summary of main issues raised during Consultation for Potton Road, Biggleswade

Impact on Edward Peak School		
94. Safety impacts for pupils accessing Edward Peake School, including the potential for the school to lose their crossing patrol as a result of the proposed crossing point.	The existing school crossing point further west on Potton Road will not be affected. At least one new crossing point from the site will also be delivered which will facilitate safe access to the school.	Reference to the retention of the School Crossing Point on Potton Road to be added (refer to Paragraph 2.3.1, under Biggleswade).
95. Concerns over additional traffic near school, traffic calming measures required.	Design and types of roads will be considered in consultation with CBC Highways Officers through the Transport Assessment. This will be in part informed by the guidance provided by the Central Bedfordshire Design Guide.	N/A
96. Speed camera should be considered outside Edward Peak as many drivers exceed the speed limit.		
97. Increase in traffic will endanger pupils accessing the school.		
98. Currently parents are unable to collect their children directly from school by car so wait for their children in adjoining roads. This is dangerous and increases congestion.	Discussions will be had to determine any impacts that the development would have on Edward Peak School. This will include issues of parking and safe access for pedestrians.	N/A
Design		
99. Screening should be provided to ensure the surrounding area and bridle paths preserves their rural nature.	Existing hedgerows around the site will be retained and enhanced with appropriate new planting.	N/A
100. Some greenery should be provided near border with existing housing to ensure residents aren't boxed in.		
101. No mention of keeping homes a good distance apart.		
102. Should ensure that development is of high quality and unique and different to all other new developments.	Any planning application will be assessed against the Central Bedfordshire Design Standards to ensure high quality design.	N/A
103. Provides developers with an open book.		
104. Roads should be built to high specifications		
105. New builds have not followed this approach, how will it be enforced?		
106. How will it be ensured that a sufficient amount of parking is provided and that this parking is well designed to avoid the problems which have been seen on the Kings Reach development where cars are parked on verges and blocking pavements.	Will be addressed at the application stage, with regard to the new parking standards within the Design Guide.	Reference to the approval of the Design Guide to be added (refer to Paragraph 4.1.0).
107. If the roads are narrow and cars attempt to park on both sides, it can be difficult for emergency vehicles to access the site or for cars to get off driveways.		

Summary of main issues raised during Consultation for Potton Road, Biggleswade

108. Concern over garage sizes.		
109. How will development blend in with surrounding areas?	Any planning application will be assessed against the Central Bedfordshire Design Standards to ensure high quality design. This includes having regard to the character of the local area.	N/A
110. How do emergency services access the site, especially houses on the perimeter?	This is a matter for the planning application to consider, with a need for the scheme to be tracked to ensure safe and easy access for emergency services. The arrangements will need to satisfy CBC officers in this regard.	N/A
111. Do not require 4 LEAPs.	LEAP spaces are being provided in line with CBC requirements, as set out in the Leisure Strategy.	N/A
112. The Indicative Open Spaces seem random; a more holistic approach is required with linked open spaces forming a meandering green corridor for residents and wildlife.	Noted. This will be picked up as a consideration for the Planning Application.	N/A
113. More open spaces should be provided rather than just one large one.	Agreed. The development will need to provide for the open space needs of all new residents to the standards of CBC's Leisure Strategy.	N/A
114. Regardless of mitigation, existing residents will be overlooked.	The relationship to existing housing is acknowledged. The development architects will need to carefully consider these relationships.	Reference to the need to regard existing relationships added at Paragraph 2.3.1.
115. Two storey houses on border with existing properties will box-in existing bungalows.		
116. Excellent provision must be made for bungalows backing onto the site.		
117. Care should be given to how affordable housing is integrated into the development.	Affordable housing will be provided in clusters across the site.	N/A
118. Too dense- High density housing causes narrow roads with cars parked on verges/ obstructing pavements.	Development of 330 dwellings at the site will yield units at 30 dwellings per hectare, which is appropriate for this location. Any planning application will be assessed against the Central Bedfordshire Design Standards to ensure high quality design.	N/A
119. Housing too dense and too intensive.		
120. Houses must have their own gardens.	Gardens will be provided in accordance with the guidance set out in Central Bedfordshire Council's Design Guide.	N/A
121. Housing located close to foul pump.	A 15m no build zone is to be provided around the existing foul pumping station, as required.	N/A
122. No footpaths have been provided on King's Reach, no confirmation that this will not be the case here.	Estate roads will need to be designed to the satisfaction of CBC's Highway Officers. Limited shared surface streets may not have footpaths on both sides but will be a shared space.	N/A
123. Roads shouldn't be too narrow.	Estate roads will need to be designed to the satisfaction of CBC's Highway Officers.	N/A
124. Parking and storage areas should be visible from homes	Agreed.	N/A

Summary of main issues raised during Consultation for Potton Road, Biggleswade

	to reduce theft.		
125.	Must ensure high specification locks are fitted on doors and windows.	Noted.	N/A
126.	Parking areas should be permeable to reduce flood risk.	A full Flood Risk Assessment will be required at application stage to determine the flood risk strategy for the site.	N/A
Housing type			
127.	Number of homes should be reduced.	Policy HA1 required an indicative minimum of 330 homes.	N/A
128.	How far away are houses from Potton Road?	Setback from Potton Road is around 10m (To be checked)	N/A
129.	No consideration has been given to elderly/disabled housing.	Noted. The mix of units will be agreed as part of the pre-application discussions.	N/A
130.	Proportion of affordable housing not clear. What is Policy CS7?	35% affordable housing will be provided. This will be pepper-potted across the site in small-medium sized clusters.	Added to text (refer to Paragraph 7.2).
131.	What percentage is social housing and is it all in one area?		
132.	Would like to see 50% social housing.	Noted, but not a policy requirement.	N/A
133.	Affordable housing should be reduced; it looks out of place on any development.	Noted, but 35% is the policy requirement, subject to viability assessment.	N/A
134.	Housing type unsuitable.	The mix of units will be agreed as part of the pre-application discussions.	N/A
135.	King's Reach provides this type/size, Biggleswade needs more larger houses		
136.	Young people cannot currently afford to purchase in the area.	CBC policies will require an appropriate mix of property sizes and types.	N/A
137.	Don't want people from outside the area to live in the affordable housing.	Noted. This will be a matter for CBC Housing Officers and the Housing Association to be linked to the site.	N/A
S106 contributions			
138.	Should be more entertainment/leisure facilities, including for young people.	The Heads of Terms for the S106 Agreement are subject to discussion, and for agreement prior to the submission of the planning application.	N/A
139.	Highways improvements should be in the form of junction improvements and better quality roads, which will benefit more people than just cycling improvements.	The amount of financial contribution towards sustainable transport remains to be agreed, subject to the findings of the final Transport Assessment.	N/A
140.	At time of writing, NHS England required a contribution of £621 per dwelling for Primary Care.	Noted.	N/A
141.	S106 contributions too high, could be omitted completely and money spent on building for community or ring fenced for Biggleswade.	Section 106 contributions will be sought in line with Central Bedfordshire Council's Planning Obligations Strategy, this is set out in Section 7.3 However, if there are specific requirements then these will be taken into consideration at the Planning Application stage.	N/A
142.	Make sure the full amount is charged.		
143.	No evidence or detail to show how these can be met.		
Miscellaneous			

Summary of main issues raised during Consultation for Potton Road, Biggleswade

144.	Development has destroyed Biggleswade's character without improving the town.	This site has been allocated under Policy HA1.	N/A
145.	There is no need for any more development in this area; King's Reach fulfils all need for development here.	The site is allocated for development under Policy HA1 and will come forward as part of CBC's 5 year housing land supply.	N/A
146.	Existing houses onto the site will become overlooked, boxed-in and natural light to the site will be restricted.	The relationship to existing housing is acknowledged. The development architects will need to carefully consider these relationships.	N/A
147.	Impact on security for existing properties bordering the site that simply have fences at present.	The new development will have to provide new and robust fencing to existing properties.	N/A
148.	This development was previously turned down, what has changed since then?	The site was allocated in 2011 to meet Central Bedfordshire Council's housing targets. This is a Development Brief to guide future planning applications.	N/A
149.	May set precedent for building from site up to railway (infilling).	The site allocation only includes the subject site, with no land beyond the site boundary currently proposed for development or allocation.	N/A
150.	Pressure for further housing will cause spread beyond nominated sites.	The site allocation only includes the subject site, with no land beyond the site boundary currently proposed for development or allocation.	N/A
151.	Existing drainage odour problems may be worsened.	A full Flood Risk Assessment will be required at application stage to determine the surface water flood risk and foul water drainage strategy for the site.	N/A
152.	Will water pump be able to cope; existing residents have had problems with this in the past.		
153.	Existing residents have problems with sewage, this will worsen it.		
154.	Impact on house prices for existing residents.	Not a planning consideration.	N/A
155.	Disagree with principle of expanding Biggleswade (either in this part or in general). Would be more sustainable to build a completely new settlement/ elsewhere.	The site is allocated for development under Policy HA1 and will come forward as part of CBC's 5 year housing land supply.	N/A
156.	Should build near the A1 south roundabout instead.		
157.	What are the timescales?	Approval of the document at Executive in May 2014, with a planning application submission to follow. Development on site cannot start until the Eastern Relief Road is complete.	N/A
158.	No more schemes should be proposed until the effects of the existing developments/ schemes are known.	The site allocation only includes the subject site, with no land beyond the site boundary currently proposed for development or allocation.	N/A
159.	Needs to be more litter bins around the town.	This is outside of the scope of this brief.	N/A
160.	How do you know what is not an area of historic interest bearing in mind old hill fort not far away.	Historic/ Environment Records have been considered and CBC have consulted their in-house specialist archaeologist.	N/A

Appendix A: Questionnaire



Development brief for Land off Potton Road, Biggleswade



The draft Potton Road Development Brief will become planning guidance for residential development on the site in the future. The site has been allocated for a minimum of 330 dwellings. We would like to hear your views on the draft Development Brief.

Please review the draft Development Brief and provide your feedback by completing this questionnaire by Wednesday 9th April 2014.

You can also complete this online at <http://www.centralbedfordshire.gov.uk/consultations>

1. Are you responding as a:

- Resident of Biggleswade
- Resident of Central Bedfordshire
- Local Business
- Community/Voluntary Organisation
- Town/Parish Council
- Landowner/Developer/Agent
- Other

Please specify

Constraints

To answer the following question, please refer to section 5 of the draft Development Brief.

2. The document identifies the constraints for developing the site. How far do you agree or disagree with these constraints?

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree

3. Do you have any comments to make about the constraints we have identified?

4. Are there any other constraints you think we have missed?

Opportunities

To answer the following question, please refer to section 6 of the draft Development Brief.

5. The document identifies the opportunities for developing the site. How far do you agree or disagree with these opportunities?

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree

6. Do you have any comments to make about the opportunities we have identified?

7. Are there any other opportunities you think we have missed?

Housing

To answer the following question, please refer to section 7 of the draft Development Brief.

8. We recognise that this development is on the edge of the existing town and it will therefore impact on the countryside as well as expanding the size of the town. We have proposed a range of actions to reduce this impact as far as possible. This includes landscaping, incorporating green open space within the development and attractive frontages to houses in keeping with the town. How far do you agree or disagree with these actions?

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree

9. Do you have any comments to make about this?

10. The draft Development Brief seeks to provide a range of both house types and house sizes including a range of affordable housing. How far do you agree or disagree with this approach?

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree

11. Do you have any comments to make about the housing on the development?

Open space

To answer the following question, please refer to section 7 of the draft Development Brief.

12. The brief proposes to provide green open space within the development, including a Village Green with play space as well as connections to open space outside of the site, including the Biggleswade Green Wheel and Biggleswade Common. How far do you agree or disagree with these proposals?

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree

13. Do you have any suggestions or comments to make in relation to the proposed open space provision and connections?

Accessing the site

To answer the following question, please refer to section 6 and 7 of the draft Development Brief.

14. The draft Development Brief proposes to link the site to existing surrounding pedestrian and cycle networks. In addition to this it proposes that a pedestrian crossing will be provided on Potton Road. How far do you agree or disagree with these proposals?

- Strongly agree Agree Neither agree or disagree Disagree Strongly disagree

15. We recognise that this development may increase the volume of traffic on the key routes through the town centre. Do you have any comments or suggestions to make in relation to access and movement to/from/within the site?

Planning Contributions

To answer the following question, please refer to section 7 of the draft Development Brief. Planning obligations aim to mitigate the impact of the development on the local area and enable a council to secure financial contributions to services, infrastructure and amenities in order to support a proposed development. These are often referred to as Section 106 agreements. The draft Development Brief lists where potential contributions could be made in Section 7.3.0.

16. How far do you agree or disagree with the areas identified for potential Section 106 contributions?

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree
Affordable housing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Education	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sustainable transport measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Associated highways improvements in the local area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leisure, recreational space and green infrastructure provision (e.g. high quality green spaces and other environmental features)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Waste management provision	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Emergency services provision	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Healthcare provision	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community cohesion measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

17. Do you have any specific comments on the proposed areas for Section 106 contributions?

18. Do you have any other comments to make on the draft Development Brief?

About you

The last few questions are about you. The information you give us will help us to make sure that we're getting the views of all members of the community. The answers will not be used to identify any individual.

19. Your postcode:

20. Are you?

Male

Female

21. What is your age?

Under 16

20-29

45-59

65-74

16-19

30-44

60-64

75+

22. Do you consider yourself to be disabled? Under the Equality Act 2010 a person is considered to have a disability if he/she has a physical or mental impairment which has a sustained and long-term adverse effect on his/her ability to carry out normal day to day activities.

Yes

No

23. To which of these groups do you consider you belong?

Asian or Asian British

Chinese

White British

Black or Black British

Mixed

Other Ethnic group

Please specify:

Thank you for your views.

**Please return your completed questionnaire by Wednesday 9th April 2014 to:
FREEPOST RSJS GBB2 SRZT (you do not need a stamp)
Potton Road development brief
Central Bedfordshire Council, Priory House
Monks Walk, Chicksands
Shefford, SG17 5TQ**

Data Protection Act 1998

Please note that your personal details supplied on this form will be held and/or computerised by Central Bedfordshire Council for the purpose of creating planning guidance for the land off of Potton Road. The information collected may be disclosed to officers and members of the Council and its partners involved in this consultation. Summarised information from the forms may be published, but no individual details will be disclosed under these circumstances.

Your personal details will be safeguarded and will not be divulged to any other individual or organisation for any other purposes.

Information classification: Protected when complete

Appendix B: Articles from Biggleswade Advertiser



FAIR ENOUGH: Verity O'Shaughnessy of Fairtrade Foundation with Alistair Burt MP, centre.

MP plays it fair at annual event

THE Think As You Shop event took place on Saturday to raise awareness of fairtrade and local products which are traceable and sustainable. Edward Peake School held competitions including banana balancing. Other stalls featured Good Store Cupboard (Julian Pennant) Fair Deal World (Jane

Parker), Rebecca Fugill (crafts/jewellery), Honeyman (honey) and Garden Friends (vegetable boxes) and Neil's Yard organic cosmetics. Verity O'Shaughnessy of Fairtrade Foundation gave presentations about the "Make bananas fair" campaign and the commercial and ethical benefits of supporting fair-

trade. Guests included Alistair Burt MP and Biggleswade Mayor Hazel Ramsay. The event was staged by FAB (Fairtrade Association Biggleswade) who are a group of volunteers and have a display in the library for Fairtrade Fortnight. You can find out more at www.fabweb.org.uk

Consulation over land for homes

BY MICHAEL HAVIS
michael.havis@theadvertisergroup.co.uk

THE future of a site near Biggleswade set aside for at least 330 homes is the subject of an exhibition tomorrow.

Land located on the north-west side of Potton Road, to the north-east of Biggleswade has been allocated for housing by Central Bedfordshire Council (CBC).

From 2pm to 8pm, an exhibition will be held at the Biggleswade Town Council offices in Saffron Road, enabling residents to view and have their say on emerging plans for the site.

A public consultation over the development brief, produced by Bellway Homes and Bloor Homes in collaboration with CBC, also kicks off tomorrow and will continue until April 9.

Cllr Nigel Young, Executive Member for Strategic

Planning and Economic Development, said: "The site has been allocated a minimum of 330 dwellings and we want to make sure a solid development brief is in place. "This brief can then be adopted by the council as technical guidance for that site and so we want to make sure that local residents can have their say on the initial proposals.

"We would encourage people to go along to the exhibition and have their say during the consultation. "It is important that we have a good development brief in place for when planning applications come in to ensure any applications follow a quality design that builds on the existing character of Biggleswade."

Cllr Young added: "The consultation means that the local community can comment on the broad view of the devel-

opment now in order to have more control over the plans in the future."

The land was set aside for housing under policy HA1 of the CBC Site Allocations Development Plan Document (North).

Copies of the plans, as well as the consultation questionnaire, will be available from tomorrow at www.centralbedfordshire.gov.uk/consultations.

Alternatively, paper copies can be viewed at Biggleswade Library in Chestnut Avenue, Biggleswade Town Council offices in Saffron Road or the CBC offices at Priory House, Chicksands.

Last week at the King's Reach development - also in Potton Road - a new 'town square' with space for retailers and restaurants, as well as a care home, residential units and a community building, won council approval.

Pick up safety advice with your spuds

The spring Four Seasons market is taking place in Potton on Saturday March 22.

Shoppers also have the chance to pick up some tips on how to stay safe, as the town's community

safety roadshow, where the fire service, police, community officers and councillors will all be on hand.

The stalls will offer breads, cheese, wine, fancy goods, plants, garden produce and

hot locally-produced and freshly-prepared food.

The fire service will advise on the supply and fit of free smoke detectors, while police officers will security etch your bike or fit security

screws to your number plate.

Talk to cold calling officers and find out how to prevent rogue traders from conning you out of money and discover how Neighbourhood Watch can help you.

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LESSONS LEARNED: Debbie Hicks of Exam Readiness with a student.

New scheme offers exam help to hard up pupils

STUDENTS from low income families studying sociology, politics or social sciences can now apply for revision help as part of a new scheme.

The tuition service, Exam Readiness, is an intensive revision course service for GCSE, A Level and

undergraduate students in Bedfordshire. It offers 50 per cent of its places for free on one or two day, or two night, intensive courses for students across the county and offers free 90 minute exam workshops to sixth forms, colleges and universities.

Managing director Debbie Hicks said: "After 10 years in mainstream teaching I started working as a private tutor in 2013 and was shocked at the growing demand for quality, private tuition from students in low income homes. I decided I couldn't

teach social and political science subjects without providing some ethical form of free provision to poorer students." The free courses are available seven days a week from now and can be booked online at www.alevel-revision-courses.co.uk

New homes plan put out to public

BY MICHAEL HAVIS
michael.havis@theadvertisergroup.co.uk

INITIAL plans for a housing development of at least 330 homes on the outskirts of Biggleswade have been outlined at an exhibition.

Central Bedfordshire Council (CBC) is currently consulting over a development brief, created in consultation with Biggleswade Town Council, for land to the north of Potton Road.

The site – opposite the King's Reach development – consists mostly of arable land, with a derelict nursery on its eastern boundary.

At Thursday's exhibition, which was held in the town council's offices in Saffron Road, the *Advertiser* spoke to the project's principal planning officer at CBC, Carry Murphy.

She said: "The site has been allocated for development

since 2011 and there is a requirement to submit a development brief prior to the planning application.

"So we have been working with Bellway and Bloor Homes setting out what the requirements, constraints and opportunities are for when the planning application comes in.

"We find the consultation really useful and will feed comments back, making any necessary changes, before it goes to the overview and scrutiny committee and then the council's executive.

"For the size of the site, given an appropriate density, we would be expecting a planning application of 330 homes. This is to meet our housing requirement for central Bedfordshire.

"We had to allocate about 5,000 new homes which we did across about 40 sites, but it's a changing delivery that

we are required to make as there's another draft development plan on the way."

Among the constraints outlined in the brief which could affect the site's development is the requirement for its countryside context – as well as the affect of any building on views – to be taken into account.

Numerous surveys and studies are also required prior to development under the draft brief, including a full ecology survey, a drainage strategy and a transport assessment.

Opportunities identified at the site include the chance to deliver "much needed" housing – including affordable housing – on top of space for a central green and public art.

The plans and consultation questionnaire are available online at www.centralbedfordshire.gov.uk/consultations until April 9.

A town of Roman coins and cucumbers!

PETER Ibbett, of Potton History Society gave a fascinating talk on 'Sandy Records held by the Potton History Society' to the Sandy Historical Research Group on recently.

Peter's presentation included old photographs and maps of Sandy, including a series of publications and writings going back 300 years which had mentioned the town.

In 1715, it was reported that Sandy (market) gardeners often found Roman coins on their

land; 19th Century writers said that the sandy soil in Sandy was ideal for growing carrots and cucumbers and that "Sandy is developing into a town" (1890s).

The well-attended meeting was held at Sandy Fire Station. SHRG chairman Mick Reynolds said the presentation had been "enthralling."

The group's next event is an exhibition, to be held at Sandy Baptist Hall on Saturday April 26, 11am to 3.30pm. Entrance is £1

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Appendix C: Biggleswade Town Council news section

News - Biggleswade Town Council - Windows Internet Explorer

https://www.biggleswadetowncouncil.gov.uk/Biggleswade-TC/news_-2762.aspx

File Edit View Favorites Tools Help

Home Council Community Our Heritage Site Map

Biggleswade
Town Council

[Home](#) >> [News](#)

FREE Microchipping form Dogs Trust - 26th March 2014

As from 6th April 2016 you must have your dog microchipped. Dogs Trust is offering free microchipping at Stratton Way Rec, Stratton Way, Biggleswade, SG18 0NW on Wednesday 26th March, 11-3pm. No appointment needed.

Have Your Say On The Proposed Potton Road Development

On Thursday 13th March you can view the draft Development Brief and ask any question at the public exhibition at Biggleswade Town Council Office, The Old Court House, 4 Saffron Road between 2-8pm.

Alternatively, copies can be viewed at Biggleswade Library or CBC Priory House Office, Chicksands.

Catchment Plan Survey

BRCC would be very grateful if you and your Councillors could spend just a few minutes responding to a survey about the River Ivel and its tributaries. Your town / parish falls within the Ivel sub-catchment of the wider Upper and Bedford Ouse catchment (see map of catchment

[via web-link for more info below](#)

Contact Us »

What's On »

About Biggleswade »

News »

Job opportunities »

Civic Information »

Street Light Fault Reporting »

Allotments in Biggleswade »

Parks and Recreation Facilities »

Cemeteries »

Markets »

Internet | Protected Mode: Off

15:43 17/03/2014

Appendix D: Exhibition Boards



A Development Brief has been prepared by Bellway Homes and Bloor Homes, working alongside Central Bedfordshire Council. It has been produced to guide the potential residential development of a parcel of land which is located on the north-western side of Potton Road (B1040), immediately to the north-east of the town of Biggleswade. The site is allocated for residential development to provide a minimum of 330 dwellings.

This brief aims to ensure that a high quality design is achieved throughout the development, providing an attractive environment that complements the existing built form of Biggleswade and ensuring any development reflects and responds to the surrounding environment.

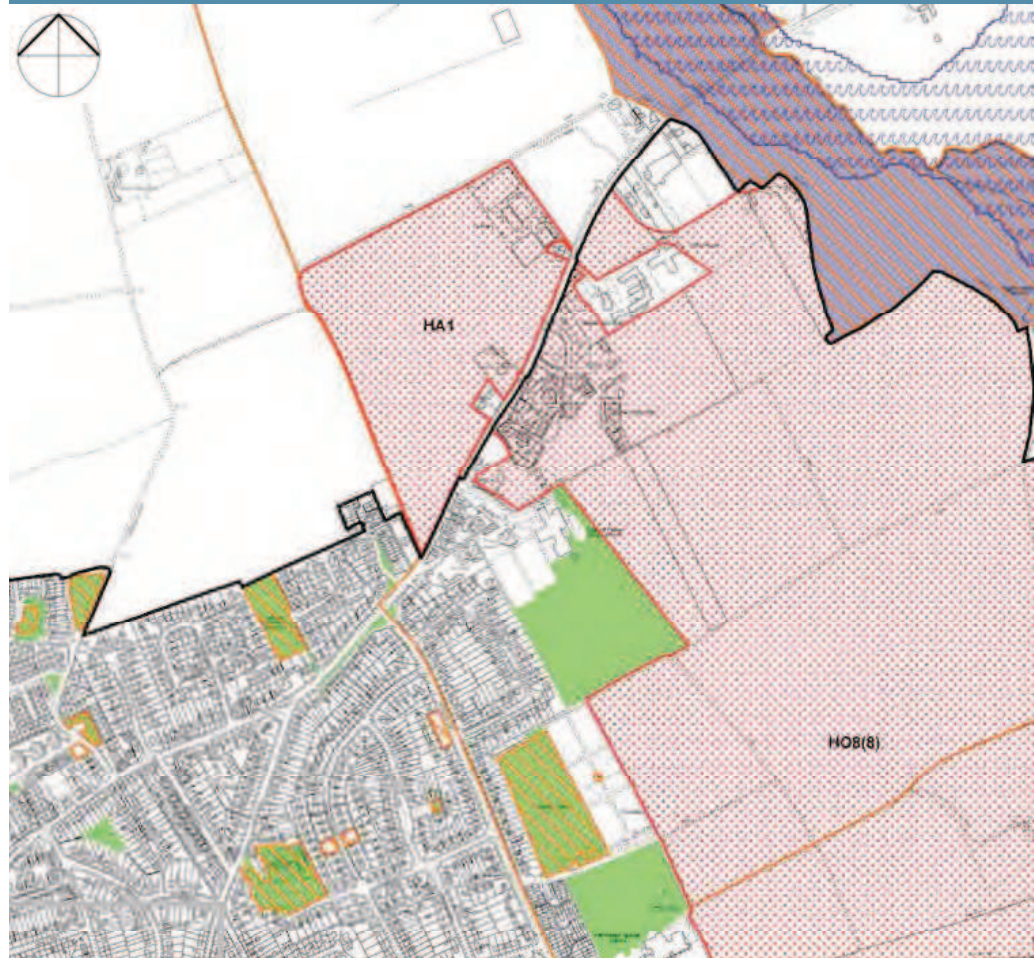
PURPOSE

The purpose of the development brief is to:

- Establish an urban design framework for the site, based on site characteristics and constraints;
- Provide design guidance for the preparation of detailed proposals for the site and assist the consideration of future planning applications;
- Provide an indication of the likely planning obligations required to support development on the site;
- Confirm the nature of the technical work required to support any planning application for the development of the site;
- Provide a mechanism through which members of the public can have greater involvement in the development of proposals for the site; and
- Provide certainty for prospective developers and members of the public as to the future development of the site.

It is intended that the draft development brief will be endorsed by the Central Bedfordshire Council as planning guidance and will be a material consideration in guiding and informing development management decisions in respect of any future planning applications for the site.

DLF PROPOSALS MAP (NORTH) BIGGLESWADE INSET 7 (SOURCED FROM WWW.CENTRALBEDFORDSHIRE.GOV)



LOCATION

The development site is located on the north-western side of Potton Road (B1040), immediately to the north-east of the town of Biggleswade.

THE DEVELOPMENT SITE

The development site is essentially a trapezoid shaped parcel, 11ha in size.

USE

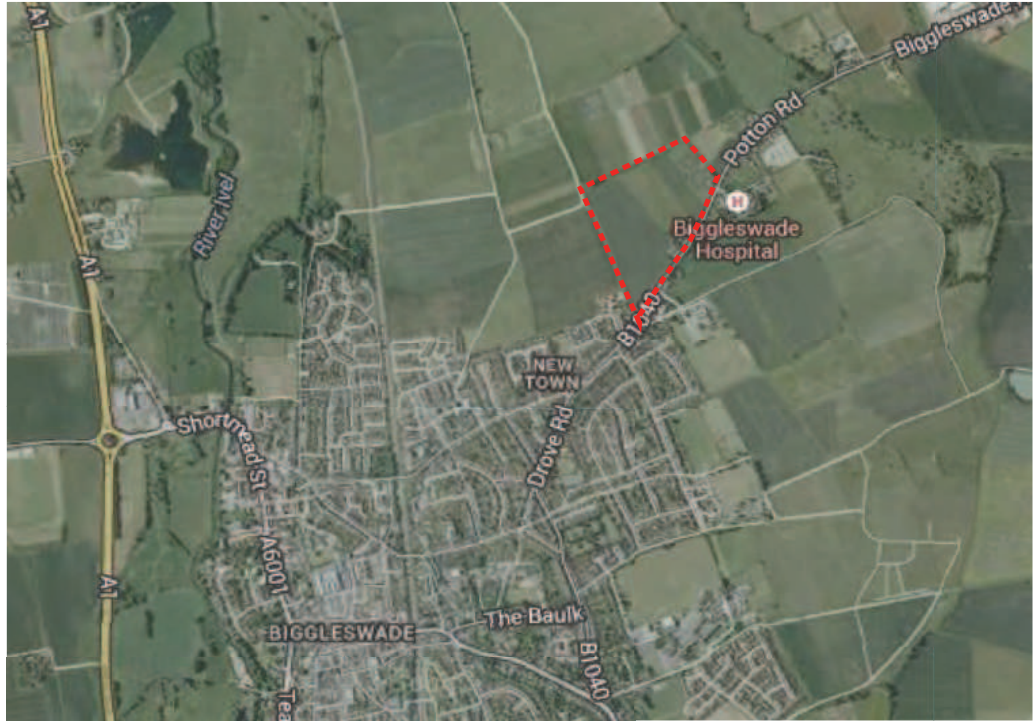
Adjacent to the short eastern site boundary is a derelict plant nursery, comprising a rectangular group of greenhouses. It is otherwise a greenfield site, with an arable use.

TOPOGRAPHY / LANDSCAPE FEATURES

The site is generally level. There are some mature trees / hedgerows to the northern and to the south-western section of the Potton Road frontage. To the north-east of the group of 3 dwellings, the site boundary is largely open, other than some sporadic growth. The western boundary is open.

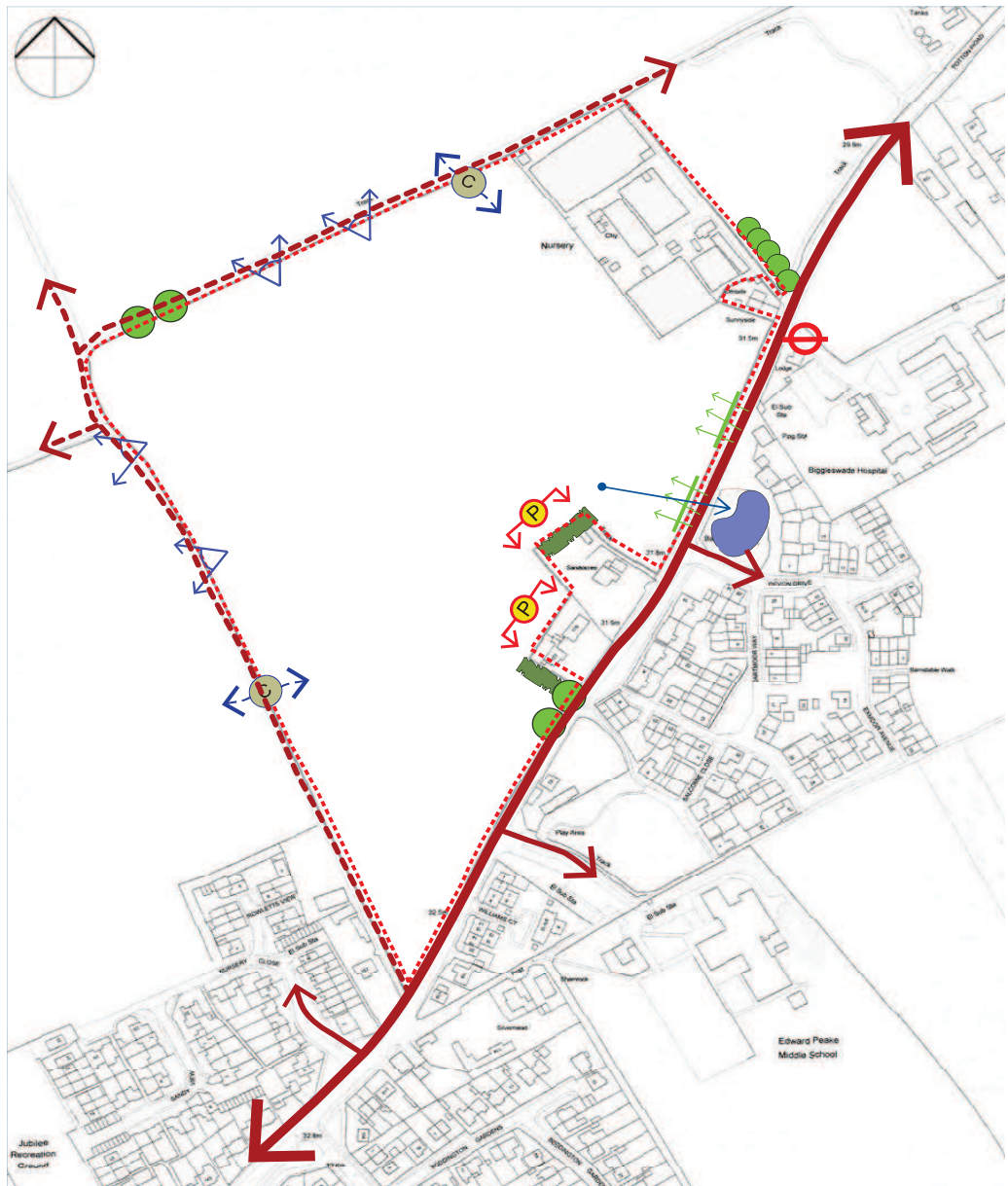
ACCESS

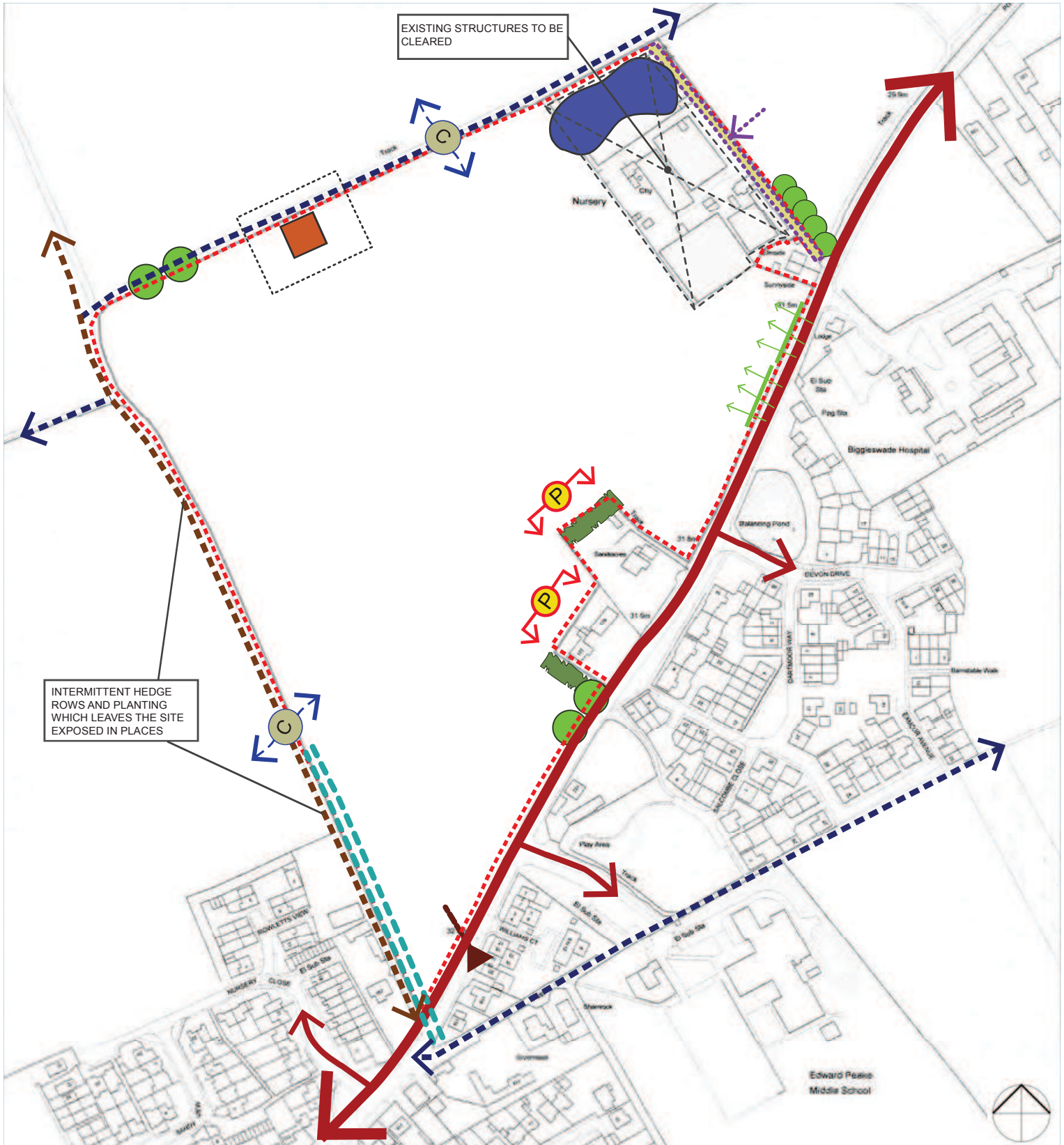
There are 2 existing gated vehicular accesses from Potton Road. To the north-east is the entrance to the aforementioned derelict nursery, with a further access located towards the centre of the site immediately to the north-east of the group of 3 frontage detached properties abutting the site.










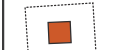





SITE APPRAISAL NOTATION

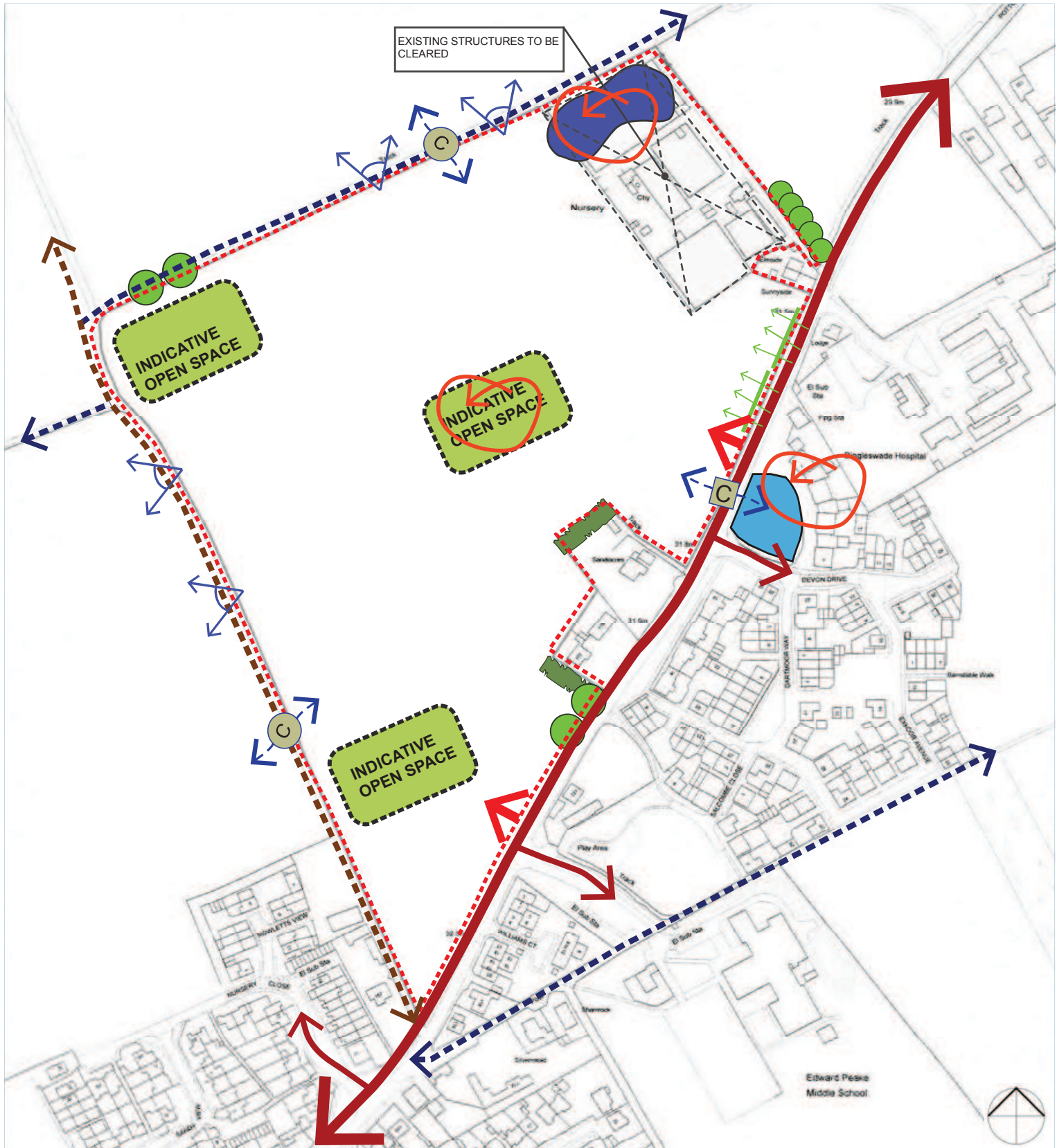
	VIEWS TO LANDMARK OR OTHER FEATURE
	VIEWS FROM SITE
	BALANCING POND
	HEDGES
	TREES OF HIGH QUALITY
	TRANSPARENT BOUNDARY
	PRIVATE GARDENS AREA FACING SITE BOUNDARY
	NEAREST BUS STOP
	VEHICULAR ROUTE
	COUNTRY SIDE TRACKS/ FOOTPATHS
	EXISTING VISUAL CONNECTION



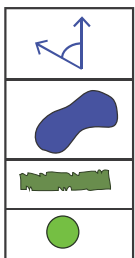


CONSTRAINTS NOTATION

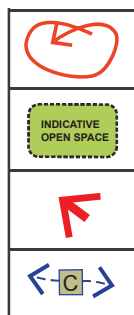
	ATTENUATION POND 0.4 HA		15 FT RESERVATION STRIP		VEHICULAR ROUTE
	HEDGES		WATER PIPES		FOOTPATHS
	TREES OF HIGH QUALITY/ ROOT PROTECTION		FOUL PUMPING STATION WITH 15M NO-BUILD ZONE		BRIDLEWAYS
	TRANSPARENT BOUNDARY		DRAINAGE CONNECTION		EXISTING VISUAL CONNECTION
	PRIVATE GARDENS AREA FACING SITE BOUNDARY				



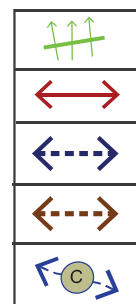
OPPORTUNITIES NOTATION



- VIEWS FROM SITE
- ATTENUATION POND
0.4 HA
- HEDGES
- TREES OF HIGH QUALITY/ROOT PROTECTION



- AREA OF SPATIAL IDENTITY
- INDICATIVE OPEN SPACE
- POTENTIAL VEHICULAR CONNECTION
- POTENTIAL VISUAL CONNECTION



- TRANSPARENT BOUNDARY
- VEHICULAR ROUTE
- FOOTPATHS
- BRIDLEWAYS
- EXISTING VISUAL CONNECTION



INDICATIVE LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY

A Development Brief has been prepared for this site.

The development brief is currently out for public consultation and will remain available as follows.

Visit the website:

www.centralbedfordshire.gov.uk/consultations

View the document at the following locations:

- Biggleswade Library, Chestnut Avenue, Biggleswade
- Biggleswade Town Council Offices, The Old Court House, 4 Saffron Road, Biggleswade
- Central Bedfordshire Council Offices, Priory House, Chicksands

Paper copies of the document are available on request.

Contact the Local Planning and Housing Team on Tel. 0300 300 4353.

A questionnaire will be available to allow members of the public, groups and organisations to comment on the draft development brief.

All comments and completed questionnaires should be received by 5pm Wednesday 9th April 2014. Written comments may be emailed to ldf@centralbedfordshire.gov.uk or posted to the following freepost address:

FREEPOST RSJS GBB2 SRZT
(you do not need a stamp)
Potton Road development brief
Central Bedfordshire Council, Priory House
Monks Walk, Chicksands
Shefford, SG17 5TQ

Following this consultation period, the draft development brief will be updated, taking account of any relevant suggestions or comments received. The revised development brief will then be considered by the Executive Committee of Central Bedfordshire Council for endorsement as technical guidance to inform any future planning applications for the site. Further consultation will be required in advance of the submission of any planning applications on more detailed proposals for the site as they evolve.



INDICATIVE VIEWS



INDICATIVE VIEWS



Appendix E: Central Bedfordshire Council communications

- 1: Consultations page
2. Planning page (Have your say)
3. Online survey front page
4. Consultation letter sent out
5. Reminder email sent to those signed up for alerts
6. Tweet on Twitter page
7. Post on Facebook

A-Z of services:

A
 B
 C
 D



Consultations



Have your say

- watch our video about the [proposed closure of Dunstable Middle Schools](#)
- sign up for [email alerts](#) to keep informed of all our consultations
- view our [consultations database](#)

Consultations - find out about

▶ [Consultations - stay informed](#)

▶ [Consultations database](#)



Current consultations

- our latest consultations are listed below
- find key dates and have your say
- register to hear about consultations by email

▶ [Residents Telephone Survey](#)

▶ [Children's Services Feedback form](#)

▶ [Draft Public Protection Service Plan 14-15](#)

▶ [Dog Control Orders Consultation with Town and Parish Councils](#)

▶ [Houghton Regis Expansion - land west of Bidwell](#)

▶ [Special Educational Needs and Disability Mainstream survey](#)

▼ [Potton Road Consultation and Exhibition](#)

Central Bedfordshire council is working with Bellway and Bloor homes on a draft development brief for land off of Potton Road, Biggleswade. You can [have your say](#) in the public consultation 13 March - 9 April 2014 and also view the draft plan at Biggleswade Library - Chestnut Avenue and Central Bedfordshire Council offices, Chicksands.

The public exhibition was held on Thursday, 13 March 2014 at Biggleswade Town Hall with 85 attendees. We received some great feedback from this exhibition. If you were unable to attend you can view the exhibition boards [online](#) (PDF 2.1MB).

If you received a letter notifying you of the exhibition and consultation, you may have noticed that the freepost return address states Gypsy and Traveller plan consultation. If you respond to this address, your response will still reach the same team and will be accounted for.

▶ [Special Educational Needs and Disability survey](#)

▶ [Discretionary Housing Payments](#)

▶ [Sheltered Housing Standard](#)

▶ [Superfast Broadband Survey](#)

A-Z of services:

A
B
C
D

Consultations



Taking part in consultations

- find out how to comment on a consultation
- check what we are currently consulting about
- read about recent consultations which are now closed

How you can take part

▶ How to make comments

▶ What can you comment on?


▶ Information about submitting comments



Current consultations

- Our latest consultations are listed below
- Find out key dates for our consultations
- Have your say today

▼ Potton Rd, Biggleswade Development Plan Consultation 13 March - 9 April 2014

The  [draft Development Brief](#) (PDF 5.7MB) is being published for comment starting on **Thursday 13th March 2014 for four weeks until Wednesday 9th April 2014**. The easiest way to have your say is to complete the [online](#) questionnaire.

This site has been allocated for residential development under policy HA1 of the Site Allocations Development Plan Document (North) which was adopted by the Council in 2011. The development site is located on the north-western site of Potton Road (B1040), immediately to the north-east of Biggleswade.

Policy HA1 requires a minimum of 330 dwellings to be provided on the site and there is also a need to produce a development brief. A development brief is a document which is produced for a site with the intention of being adopted as technical guidance for any future development of that site. Once finalised, the development brief will guide and inform management decisions in respect of any future planning applications for the site.

The development brief is to provide design guidance on the aims for the development and indicate likely planning obligations required. It also identifies the particular constraints and opportunities of the site, and confirms the range of technical work which any subsequent planning application must address to support any planning application for the development site.

The production of the brief provides an opportunity for members of the public to have greater involvement in the development of the site, and provides certainty for both members of the public and prospective developers as to the future development of the site.

This development brief is being produced by developers Bellway Homes and Bloor Homes working alongside the Council.

How to have your say

You are invited to view plans and have your say on the emerging development proposals for the land off Potton Road in Biggleswade. The easiest way to have your say is to complete the [online](#) questionnaire. If you would rather complete a paper copy of the questionnaire they will be available, along with copies of the draft document, by:

1) Visiting the Public Exhibition:

A public exhibition is taking place on Thursday 13th March 2014 (between 2pm-8pm) at Biggleswade Town Hall, The Old Court House, 4 Saffron Road, Biggleswade.

2) Viewing the document and picking up a paper questionnaire at the following locations:

- Biggleswade Library, Chestnut Avenue, Biggleswade
- Biggleswade Town Council Offices, The Old Court House, 4 Saffron Road, Biggleswade
- Central Bedfordshire Council Offices, Priory House, Chicksands

3) Requesting paper copies of the document and questionnaire by contacting the Local Planning and Housing Team on Tel. 0300 300 4353.

All comments and completed questionnaires should be received by **Wednesday 9th April 2014**, please post to the following freepost address or email to ldf@centralbedfordshire.gov.uk

FREEPOST RSJS GBB2 SRZT (you do not need a stamp),
Potton Rd Biggleswade Consultation, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

What happens next

Following this consultation period, the draft Development Brief will be updated, taking account of any relevant suggestions or comments received. The revised Development Brief will then be considered by the Executive Committee of Central Bedfordshire Council for endorsement as technical guidance.

[text only](#)

Development brief for Land off Potton Road, Biggleswade



The draft Potton Road Development Brief will become planning guidance for residential development on the site in the future. The site has been allocated for a minimum of 330 dwellings. We would like to hear your views on the draft Development Brief.

Please review the draft Development Brief and provide your feedback by completing this questionnaire by Wednesday 9th April 2014.

1. Are you responding as a:

- Resident of Biggleswade
- Resident of Central Bedfordshire
- Local Business
- Community/Voluntary Organisation
- Town/Parish Council
- Landowner/Developer/Agent
- Other



Your ref:

Our ref: LP/CM/POTTONRD

Date: 7 March 2014

Dear Sir or Madam

Consultation on Development Brief for Land off Potton Road in Biggleswade.

The draft Development Brief is being published for comment starting on **Thursday 13th March 2014 for four weeks until Wednesday 9th April 2014.**

This site has been allocated for residential development under policy HA1 of the Site Allocations Development Plan Document (North) which was adopted by the Council in 2011. The development site is located on the north-western site of Potton Road (B1040), immediately to the north-east of Biggleswade.

Policy HA1 requires a minimum of 330 dwellings to be provided on the site and there is also a need to produce a development brief. A development brief is a document which is produced for a site with the intention of being adopted as technical guidance for any future development of that site. Once finalised, the development brief will guide and inform management decisions in respect of any future planning applications for the site.

The development brief is to provide design guidance on the aims for the development and indicate likely planning obligations required. It also identifies the particular constraints and opportunities of the site, and confirms the range of technical work which any subsequent planning application must address to support any planning application for the development site.

The production of the brief provides an opportunity for members of the public to have greater involvement in the development of the site, and provides certainty for both members of the public and prospective developers as to the future development of the site.

This development brief is being produced by developers Bellway Homes and Bloor Homes working alongside the Council.

You are invited to view plans and have your say on the emerging development proposals for the land off Potton Road in Biggleswade. There are a number of ways in which to view and comment on the draft document:

1) Visit the Public Exhibition:

- **A public exhibition is taking place on Thursday 13th March 2014 (between 2pm-8pm) at Biggleswade Town Hall, The Old Court House, 4 Saffron Road, Biggleswade.**

2) Visit the website:

- www.centralbedfordshire.gov.uk/consultations

3) View the document at the following locations:

- Biggleswade Library, Chestnut Avenue, Biggleswade
- Biggleswade Town Council Offices, The Old Court House, 4 Saffron Road, Biggleswade
- Central Bedfordshire Council Offices, Priory House, Chicksands

4) Paper copies of the document are available on request by contacting the Local Planning and Housing Team on Tel. 0300 300 4353.

All written comments should be submitted by Wednesday 9th April 2014, and posted to the following freepost address or emailed to ldf@centralbedfordshire.gov.uk

FREEPOST RSJS GBB2 SRZT (you do not need a stamp), Gypsy and Traveller Plan Consultation, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

Following this consultation period, the draft Development Brief will be updated, taking account of any relevant suggestions or comments received. The revised Development Brief will then be considered by the Executive Committee of Central Bedfordshire Council for endorsement as technical guidance.

Yours sincerely



Richard Fox,
Head of Development Planning and Housing Strategy

Having trouble viewing this email? [View it as a Web page.](#)



Potton Road Development Brief - Have Your Say

- Consultation on the draft development brief for the land off of Potton Road, Biggleswade.
- Consultation is open until 9 April 2014.
- [Find out more](#) and have your say on the draft development brief.



Potton Road Development Brief Consultation

Central Bedfordshire council is working with Bellway and Bloor homes on a draft development brief for land off of Potton Road, Biggleswade. You are invited to [view the plans and have your say](#)

on the emerging development proposals.

You can see the plans and consultation questionnaire online, or paper copies can be viewed at:

- Biggleswade Library, Chestnut Avenue, Biggleswade
- Biggleswade Town Council Offices, The Old Court House, 4 Saffron Road, Biggleswade
- Central Bedfordshire Council Offices, Priory House, Chicksands

Residents can also request a paper copy by contacting the Local Planning and Housing Team on LDF@centralbedfordshire.gov.uk or calling 0300 300 4353. The consultation will be open until 9 April 2014.

Questions for Central Bedfordshire Council? [Contact us](#)

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Monks Walk
Chicksands
Shefford
Bedfordshire
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Email
customers@centralbedfordshire.gov.uk
Website
www.centralbedfordshire.gov.uk

plan for the next 4 years. Have your say [on 14 April 24](#)
Expand

Central Beds Council @letstalkcentral Mar 12
Are you over 50 and looking to get more active? Check out our new Fit4Life 50+ activities [\(see 14/04/24\)](#)
Expand

Central Beds Council @letstalkcentral Mar 17
Ride Free is back next month! Great event that attracts 2000+ motorcyclists! Find out how you can get involved [\(see 14/04/24\)](#)
Expand

Central Beds Council @letstalkcentral Mar 13
View plans and comment on the proposed Potton Road [\(see 14/04/24\)](#) development today. Find out more here [\(see 14/04/24\)](#)
View photo Reply Retweet Favourite More

Central Beds Council @letstalkcentral Mar 12
New consultation - Have your say on the draft homelessness policy. Find out more and give your comments here [\(see 14/04/24\)](#)
Expand

Central Beds Council @letstalkcentral Mar 12
[\(see 14/04/24\)](#) generally they don't hit the school run, they finish at 2pm unless there are missed collections to go back for.
[\(see 14/04/24\)](#)
Expand

Central Beds Council @letstalkcentral Mar 12
RT [\(see 14/04/24\)](#): Friends of [\(see 14/04/24\)](#) Common latest newsletter now available! Find under the News tab [\(see 14/04/24\)](#)
Expand

There's a public exhibition in #Biggingswade tomorrow where you can view plans and give your comments on a development to the north-west of Potton Road. Find out more in the poster below and have your say when the consultation opens here
<http://ow.ly/utr6U>

Central Bedfordshire

Central Bedfordshire Council
www.centralbedfordshire.gov.uk

HAVE YOUR SAY... ...on the proposed Potton Road development

You are invited to view emerging plans for a development situated north-west of Potton Road, Biggingswade. This allocated site will provide a minimum of 300 residential dwellings.



To view the draft Development Plan and any objections, come along to the public exhibition on **Thursday 14th March** at **Biggingswade Town Council Offices, The Old Court House, 4 Salford Road between 2-6pm**

You can comment on the plans from **13 March to 6 April**. Find out more at www.centralbedfordshire.gov.uk/consultations

Alternatively, you can view copies of the document at Biggingswade Library, Biggingswade Town Council Office or CBC Policy House office, Chidsland.

An information enquiries contact CBC (and Planning & Housing Team) for: 0300043333 @ information@centralbedfordshire.gov.uk

Like · Comment · Share

Address: after 3. April on change we will set it on a public road and all other road to be changed. I will be happy to help you with any queries. I will be happy to help you with any queries. I will be happy to help you with any queries.

Like · Comment · Share

Steph Wailes, Richard Down and 2 others like this.

Let's Talk Central (Central Bedfordshire Councils Countywide Access Team) status
12 March · @

The restaurant at Rushmere Park is currently closed until further notice due to a small fire. We are working hard to get it re-opened and will let you know as soon as we have more news.

Like · Comment · Share

About Leighton Buzzard likes this.

Beverley Whisnman Such a shame, a really beautiful place.
13 March at 03:15

Let's Talk Central
11 March · @

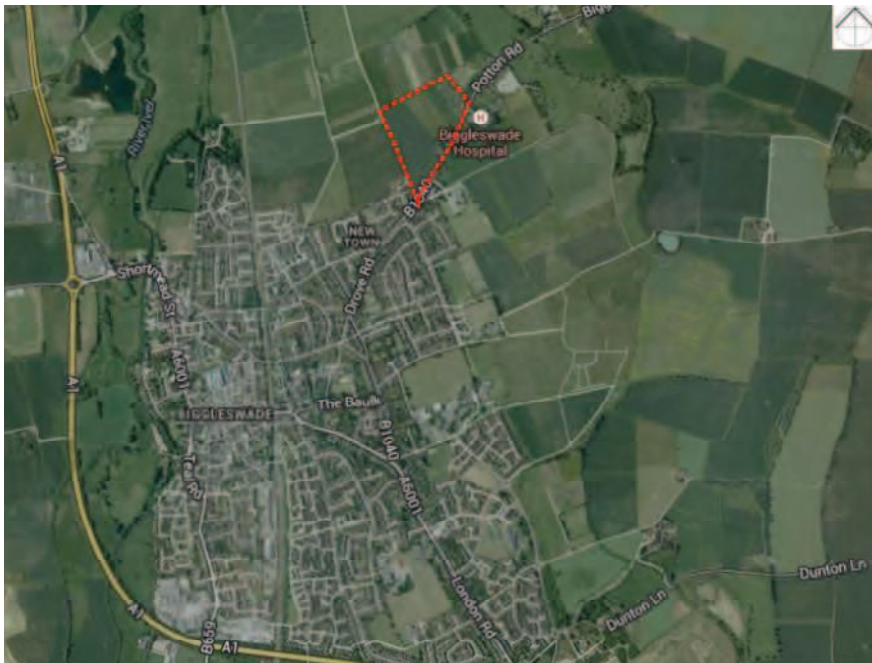
Do you run a business in the Dunstable area? If you do, make sure you sign up to next week's Business Chat! It's a great chance to have a chat with a business advisor about any questions you might have and discuss growth ideas. Other clinics have had great feedback so book your slot now by emailing business@centralbedfordshire.gov.uk

Appendix F: Potton Road Poster

HAVE YOUR SAY...

...on the proposed Potton Road development

You are invited to view emerging plans for a development situated north-west of Potton Road, Biggleswade. This allocated site will provide a minimum of 330 residential dwellings.



To view the draft Development Brief and ask any questions, come along to the public exhibition on **Thursday 13th March** at **Biggleswade Town Council Offices, The Old Court House, 4 Saffron Road** between 2-8pm

You can comment on the plans from 13 March to 9 April. Find out more at: www.centralbedfordshire.gov.uk/consultations

Alternatively, you can view copies of the document at Biggleswade library, Biggleswade Town Council Offices or CBC Priory House office, Chicksands

For further information and requests contact CBC Local Planning & Housing Team

Tel: 03003004353 @: ldf@centralbedfordshire.gov.uk

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Meeting: Executive
Date: 27 May 2014
Subject: Planning Guidance Note on Solar Farm Development in Central Bedfordshire
Report of: Cllr Nigel Young, Executive Member for Regeneration
Summary: The report proposes that the Executive adopts the technical guidance document on solar farm development in Central Bedfordshire for development management purposes.

Advising Officer: Jason Longhurst, Director of Regeneration & Business
Contact Officer: Stephen Mooring, Environmental Policy Manager
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes

CORPORATE IMPLICATIONS

Council Priorities:

Putting in place clear guidance for how solar farm developments will be considered in the development management process provides a greater degree of clarity as to what scale and type of solar farm developments would be most suitable and where. This will provide all stakeholders with a greater degree of confidence and contribute to the delivery of Council's priorities in the Medium Term Plan, particularly in relation to 'Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow'.

Financial:

1. None arising directly from this report. Failure to have sound technical guidance in place for development management purposes with regards to solar farm developments may lead to more appeals against council decisions and the subsequent costs of these against the Planning Section's budget.

Legal:

2. No major issues anticipated. As technical guidance for development management purposes, this document does hold some weight as a material consideration in planning decisions and therefore is going through a period of public consultation.

Risk Management:

3. A failure to have planning guidance on Solar Farm Development would risk poor standards for the development of such solar farms. An endorsed guide will also give more certainty to the development management process and to developers in terms of the Council's expectations.
4. Other risks, such as failure to deliver the Council's priorities, failure to discharge statutory responsibilities, environmental and financial risks could also be incurred. The planning guidance note serves to minimise these risks by setting an agreed framework in advance of the planning applications and subsequent decision making.

Staffing (including Trades Unions):

5. Not applicable.

Equalities/Human Rights:

6. None.

Public Health:

7. None.

Community Safety:

8. The Council has a statutory duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to reduce crime and disorder in its area. This duty applies to all of the Council's functions and there should therefore be a mechanism in place to ensure that this is considered when planning applications for solar farm developments are received as this falls outside the scope of the Planning Design Guide. Planning advice on site security is included within the scope of this document.

Sustainability:

9. Renewables, such as solar farms play an important role in reducing CO₂ emissions and contributing to the global effort to mitigate climate change. However there are a range of technologies available and this technical guidance aims to help inform planners, developers and members decisions to ensure that the right balance is achieved between the deployment of the appropriate technologies in the most appropriate places, limiting negative impact on landscape character, biodiversity and heritage, whilst at the same time ensuring local communities receive maximum benefits.

Procurement:

10. None.

Overview and Scrutiny:

11. Sustainable Communities Overview & Scrutiny Committee reviewed the Guidance Document and accompanying report on the 10 April 2014. In light of the report the Committee discussed the following issues in detail:-
- a. Whether consultants had been employed to draft the technical guidance or if they would be used to provide advice in the future. Officers clarified that consultants had not been used to draft the guidance but if necessary could be used in the future to advise on issues such as glint, glare and noise.
 - b. Whether it was appropriate to freeze the classification of agricultural land in Central Bedfordshire due to the impact of climate change it was likely that land quality would change over time. In response officers stated that the quality of the land would be reviewed regularly.
 - c. Whether solar farms would be precluded in areas that were deemed to be 'sensitive' and whether the document was guidance or an obligation. In response the Executive Member for Regeneration commented that the guidance would be reviewed alongside the draft Development Strategy so that it could become a supplementary planning document (SPD), which would carry more weight. If the document became an SPD it would still not outweigh a policy within an adopted plan, so would not be an obligation.
 - d. Concerns regarding specific references to Marston Vale and Cranfield. It was clarified by officers that the guidance referred to appropriate locations, which in this context were on an elevated plateau that could be screened effectively. All individual applications would be considered on their own merits.
 - e. References to the area at Whitsondoles should be reviewed as this was located outside of Central Bedfordshire.

The Committee recommends to Executive that the solar farm guidance be adopted as technical guidance for development management purposes.

RECOMMENDATIONS:

The Executive is asked to:

- 1. adopt the technical guidance document on solar farm development in Central Bedfordshire for development management purposes; and**
- 2. delegate authority to the Director of Regeneration and Business in consultation with the Executive Member for Regeneration to make minor amendments to the technical guidance note prior to its publication.**

Reason for Recommendation:

To provide the Council with an additional planning guidance for the consideration of planning applications for solar farm developments.

Executive Summary

12. National Planning Policy places a presumption on Local Planning Authorities to approve sustainable energy developments, this includes Solar Farms. However it also allows local planning authorities to set their own criteria to assess site suitability and the cumulative impact of development. Further guidance issued by the Department for Communities and Local Government (CLG) in July places an increased emphasis on community engagement and consultation by the developer before a planning application is submitted. It also clarifies the importance of protecting landscape and heritage alongside considering cumulative impact.
13. A technical guidance document focusing on solar farm developments has been produced for development management purposes. It clarifies how issues such as landscape sensitivity, heritage and biodiversity should be taken into account in planning decisions. The guidance highlights key principles on which developments should be assessed, as well as providing a clear overview of the standards required from Solar Farm developments. Areas of Central Bedfordshire where the landscape character and type would be highly sensitive to accommodate solar farm developments, alongside indicating in what instances they could be made acceptable as well how cumulative impact will be assessed, is also included.
14. The guidance has been through a four and a half week period of public consultation and as a result further supporting work is being carried out to ensure that the guidance is as robust as possible and would stand up to scrutiny through appeal etc.
15. The technical guidance was considered by Sustainable Communities Overview & Scrutiny Committee on the 10 April 2014. Comments are provided above in paragraph 11. The Committee's recommendation was that this guidance document be adopted by Executive for Development Management purposes. It is envisaged that this document could become a supplementary planning document once the Council's emerging Development Strategy is adopted.

Introduction

16. The Council's Climate Change Strategy (adopted in June 2010) acknowledges that climate change is a real and immediate threat for us all. Carbon dioxide (CO₂) levels have already reached their highest level for almost half a million years and are rising faster than ever. Decarbonisation of the UK's energy supply through the increased deployment of renewable and low carbon energy generation technologies is a key element of the UK Government's approach to meeting the tough carbon reduction targets set in law by the Climate Change Act (2008), these being to reduce green house gas emissions by 34%, from 1990 levels, by 2020 and 80% by 2050. In addition to this the UK is also committed to generating 15 per cent of energy from renewable sources by 2020 (through the European Renewable Energy Directive).

17. This has and will lead to an increase in planning applications and developments of renewable energy generation technologies across the UK. In order to ensure maximum deployment, national planning policy via the National Planning Policy Framework (NPPF) places a presumption in favour of 'sustainable energy developments'. This means that the Council should subsequently approve any application if its impacts are, or can be made acceptable.
18. To provide greater detail and further clarification CLG produced further planning guidance in the summer of 2013. This places an increased emphasis on community engagement and consultation by the developer before a planning application is submitted. It also clarifies the importance of protecting landscape and heritage alongside considering cumulative impact.
20. To provide local level interpretation of how planning applications for Renewables will be considered in light of national policy and local requirements, the Council is committed to producing a series of Technical Guidance notes. The first of these considered wind generation and was adopted by the Executive for development management purposes in March 2013. Draft Technical Guidance relating to the development of solar farms has now been produced (see Appendix 1), and it is this document that the Executive is being asked to consider.
21. The technical guidance notes are intended to help all those concerned in renewable energy to understand the Council's approach and therefore help achieve development that is both suitable in scale and has least impact. This is in line with national policy, as set out in the UK Government's Renewable Energy Roadmap (2011).
22. The Renewable Energy Roadmap states that encouraging a diverse mix of energy sources, including renewables, is the best way to meet the UK's decarbonisation objectives, protect consumers against rising energy prices and safeguard supply. Therefore providing clarification on the planning issues relating to a range of Renewables technologies will support the deployment of a wider range of technologies in Central Bedfordshire, allowing the most appropriate use of technology for the proposed location.

Content of the Guidance

23. Solar farms have the potential to impact on the landscape and other sensitive receptors, particularly in relation to the preservation and survival of below ground archaeological deposits. The technical guidance note therefore considers:
 - a) The capacity of the landscape to accommodate solar farm developments.
 - b) How solar farms should be considered in relation to the historic environment, both in terms of heritage assets and landscapes, as well as archaeological remains.

- c) Consider the impact of measures deployed to secure the solar farm, such as fencing, CCTV and floodlighting.
 - d) The potential for solar farm site management to be used to deliver a net-gain in biodiversity.
 - e) How issues such as glint, glare and noise should be considered.
 - f) How agricultural land quality and grades will be considered, particularly where solar farm proposals look to be sited on higher grade land (grades 1, 2 and 3a).
 - g) Sets out the key principles for consideration by developers, planners, councillors and other interested parties with regards to the key aspects and impacts of a solar farm development.
24. The technical guidance considers and applies the requirements of the National Planning Policy Framework, the Planning practice guidance for renewable and low carbon energy¹, and other key policies and strategies at a national and local scale.
25. It is important to reiterate that this document does not select sites or rule out any areas of Central Bedfordshire. It does provide an overview of areas of sensitivity, with those deemed unsuitable or highly sensitive likely to need a far greater level of mitigation in addition to what would normally be required in order to make them acceptable. By setting out key principles in relation to a full range of considerations, the guidance document provides an upfront steer on both what a planning application for a solar farm should cover, alongside how its impacts should be assessed and mitigated.

Recommendations of the Guidance

26. If managed correctly solar farms represent an excellent opportunity to deliver a biodiversity net gain for the area by providing a largely undisturbed habitat for a wide range of flora and fauna.
27. In line with national and local planning policy, the Council will seek to protect the best and most valuable agricultural land from significant development, however there is flexibility with regards to how this is done allowing the applicant to demonstrate why that particular site is suitable. It also notes that poorer grade soils often support habitats or landscapes of local and national importance (e.g. the Greensand Ridge).
28. The deployment of large scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However the visual impact of a well-planned and well-screened solar farm can often be properly addressed within the landscape if planned sensitively.
29. Those areas across Central Bedfordshire where the landscape is flatter and where there is screening from hedgerows and tree lines would be best placed to accommodate solar farm developments.

¹ Produced by CLG in July 2013 and available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225689/Planning_Practice_Guidance_for_Renewable_and_Low_Carbon_Energy.pdf

30. The biggest impacts and disruption caused by a proposed solar farm are likely to happen during construction. Although the construction period for solar farms is short compared to the deployment of other Renewable Energy developments, it still needs to be carefully managed, given the sensitive nature of the rural environment where solar farm developments tend to happen.
31. The need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. Developers of renewables, including solar farms will have to take a proactive approach to working with affected communities at the earliest stage in order to mitigate impacts and provide adequate compensation and benefits.
32. The Council will therefore support truly community-led initiatives for renewable and low carbon energy, where the benefits – be they financial or the generated electricity are realised by the communities most affected (and as long as other impacts as mitigated and addressed as detailed in the remainder of the guidance document). Neighbourhood Plans represent one way in which communities could plan for a community-led renewable energy project.

Consultation

32. The technical guidance has been through a four and a half week consultation period running from the 11 April to 7 May 2014. During this process the Council has been proactive in seeking views from local stakeholders, communities, solar farm developers and the relevant trade associations and industry specialists.
33. The guidance note will be amended to take account of valid comments received as part of the consultation period and alongside those comments made at Overview & Scrutiny. As the amendments are largely minor clarification of points a revised final guidance note will be completed after Executive. A table of changes is included in Appendix B.

Conclusion

35. National planning policy places a presumption in favour of sustainable energy developments. This potentially makes it difficult to refuse planning applications for solar farm developments without sound and robust reasons.
36. The clarification provided in this technical planning guidance for planners, developers, communities and other stakeholders alike, represents the Council taking a proactive step to enable solar farm developments to be located in the most suitable areas, with least negative impact. It is envisaged that developers of solar farms welcome the clarification this technical guidance note provides.
37. The technical guidance note will also provide the Council with a more robust platform for negotiation with developers and ensure that those communities and areas affected are in a position to benefit as much as possible from the development.

Appendices:

Appendix A – Guidance Note 2: Solar Farm Development in Central

Appendix B – Summary table of minor changes resulting from consultation.

Background Papers: (open to public inspection)

None



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Guidance Note 2

**Solar Farm Development in
Central Bedfordshire**

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1.0 Introduction

- 1.1 Solar Photovoltaic (PV) panels are recognised in the government’s ‘*Solar PV Strategy part 1: Roadmap to a brighter future*’ as one of the priority renewable energy technologies to assist the UK to meet its renewable energy targets, help to deliver secure, cleaner energy at the lowest possible cost to the consumer and ensure security in supply.
- 1.2 In recent years, costs have fallen dramatically, with Solar PV now being installed in a range of different locations and sizes – from domestic properties to large scale grid connected solar farms, sometimes also referred to as solar parks¹.
- 1.3 The Solar PV Roadmap makes it clear that new large scale solar installations need to be sensitively placed, setting out guiding principles which includes that:
- ‘Support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity and provide opportunities for local communities to influence decisions that affect them’.*
- 1.4 Policy 46 of Central Bedfordshire Council’s emerging Development Strategy supports this approach with the overall aim being for the most appropriate deployment of large scale Renewables in the most appropriate place.

1.5 What this guidance covers

- 1.6 This guidance document aims to provide practical advice and insight into the range of key principles that need to be considered by developers, planners and communities alike with regards to solar farm proposals.
- a) Provide interpretation of how the elements of the national guidance on Renewables, relating to solar farms, will be applied in Central Bedfordshire.
 - b) Give an overview of what areas are deemed to have a higher sensitivity with regards to landscape impact and which areas would be considered as preferred areas of search.
 - c) Provide practical advice on what is expected to be provided within the supporting information that accompanies and helps assess a planning application.
 - d) Provide an overview of what is expected in the future management plans for the site, how these can be designed to promote biodiversity.

¹ For clarity when this document refers to solar farms, this also includes solar parks or any other developments that propose large scale deployment of ground mounted solar arrays.

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e) Give an upfront assessment of how impacts on other important infrastructure and users of the countryside can be factored into the applications, for instance with regards to rights of way.

1.7 This guidance provides a starting point for decision making, but it is essential that local variations in character are considered in relation to individual proposals.

1.8 In relation to some of the generic aspects of the planning implications for solar farms, the Building Research Establishment Guidance (BRE) guidance has been referenced to ensure the advice given in this document is consistent with what is being advised by other planning authorities in the UK.

1.9 What is not included

1.10 It does not cover planning advice for smaller building mounted PV systems. Many are covered under permitted development rules, unless they are on listed or protected buildings or in conservation areas – in which case it is likely they will require planning permission.

It is recommended that planning advice is always sought.

1.11 More information is available on the Council's website:
<http://www.centralbedfordshire.gov.uk/planning/planning-information-and-advice/default.aspx>

Or via the planning portal website at: <http://www.planningportal.gov.uk/permission/>

1.12 While the preference, both in terms of national and local planning policy is for large scale PV systems to be roof-mounted on buildings with a large footprint (such as warehousing), this guidance does not provide advice on the planning requirements for these systems.

1.13 An overview of how national policy and guidelines apply to Renewables is given in the introductory document, although this guidance does pick out specific elements relevant to the development of solar farms.

2.0 National Policy and Guidance relevant to Solar Farms.

2.1 The Council's planning guidance note 'Renewable Energy Guidance Notes – Introduction²', includes a high-level overview of national and local policy with regards to the development of large scale Renewable Energy developments. This solar farm guidance document specifically highlights any elements that relate to the development of solar farms or associated issues.

2.2 For example given the coverage of land taken by solar farms or parks, this guidance considers how agriculture land grades should be considered with the aim of ensuring that high quality agricultural land remains agriculturally productive.

2.3 The NPPF and national planning guidance:

2.4 The NPPF doesn't specifically mention solar farms and talks about Renewables more broadly. The basic premise of this being in favour of sustainable energy systems as long as that any impacts are (or can be) made acceptable, and that local planning authorities approach these as part of a positive strategy for tackling climate change.

2.5 In relation to this guidance it is important to note that the NPPF ensures the following are underlying principles to how planning applications for Renewables should be considered:

- a) It is not required for applicants of energy developments to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The Council does ask for an indication of the energy generating capacity of the proposed scheme to accompany the application. This is in order to help demonstrate scale put the application into a context that can be easily understood (see Renewable Energy Guidance Introduction notes for more information).
- b) The planning authority must approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified, subsequent applications for commercial scale projects outside these areas should be expected and approved if the applicant is able to demonstrate that the proposal the criteria used in identifying suitable areas.

2.6 To provide greater detail and further clarification CLG produced further guidance in the summer of 2013. With regards to solar farms this states that³:

- a) The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

² Available from <http://www.centralbedfordshire.gov.uk/planning/strategic-planning/renewable-energy.aspx>

³ From: 'Planning Practice for Renewable and Low Carbon Energy'
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225689/Planning_Practice_Guidance_for_Renewable_and_Low_Carbon_Energy.pdf

- 2.7 It also details the particular factors a local planning authority will need to consider when determining a planning application, these include:
- a) Encouraging the effective use of previously developed land. If a proposal does involve greenfield land, that it allows for continued agricultural use and/or encourages biodiversity improvements in the areas around the arrays.
 - b) Solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.
 - c) The effect on landscape of glint and glare and on neighbouring uses and aircraft safety should be considered.
 - d) The extent to which there may be additional impacts if solar arrays follow or track the daily movement of the sun.
 - e) The need for, and subsequent impact of, security measures such as lights and fencing in their own right.
 - f) As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.
 - g) The potential to mitigate landscape and visual impacts through, for example, screening with native hedges.
 - h) The energy generating potential, which can vary for a number of reasons including, latitude and aspect.
- 2.8 It also states that the approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.
- 2.9 The National Policy Statements for Energy (EN1) and Renewable Energy (EN3) do not currently cover solar farms regardless of size or generating capacity. This means that all solar farm applications in Central Bedfordshire would be determined by the Council.
- 2.10 Other useful guidance:**
- 2.11 Where relevant this document highlights and provides links to addition more detail guidance that could prove useful when looking at specific issues and impacts.
- 2.12 Guidance relating specifically to the development of solar farms has been produced by BRE and is available here: <http://www.bre.co.uk/page.jsp?id=3202>

3.0 Local Planning Policy

- 3.1 When assessing a planning application for a solar farm the Council's planners consider the proposal alongside a range of policies and guidance. Where these are from an adopted development plan, or have been adopted by the Council for development management purposes (as this guidance will be) they are called material considerations.
- 3.2 National policy that is a material consideration is detailed above. Local planning policies that are used to help determine planning applications are found in the Council's emerging Development Strategy.
- 3.3 The following policies from the Council's emerging Development Strategy, which has been endorsed by Council in November 2012.
- Policy 36: Development in the Green Belt
 - Policy 45: The Historic Environment
 - Policy 46: Renewable & Low carbon energy development
 - Policy 50: Development in the Countryside
 - Policy 57: Biodiversity and Geodiversity
 - Policy 58; Landscape
- 3.4 More information on the Council's emerging Development Strategy can be found at: <http://www.centralbedfordshire.gov.uk/planning/strategic-planning/development-strategy.aspx>
- 3.5 More detailed guidance on site sensitivity, mitigation etc is given in the rest of this document.

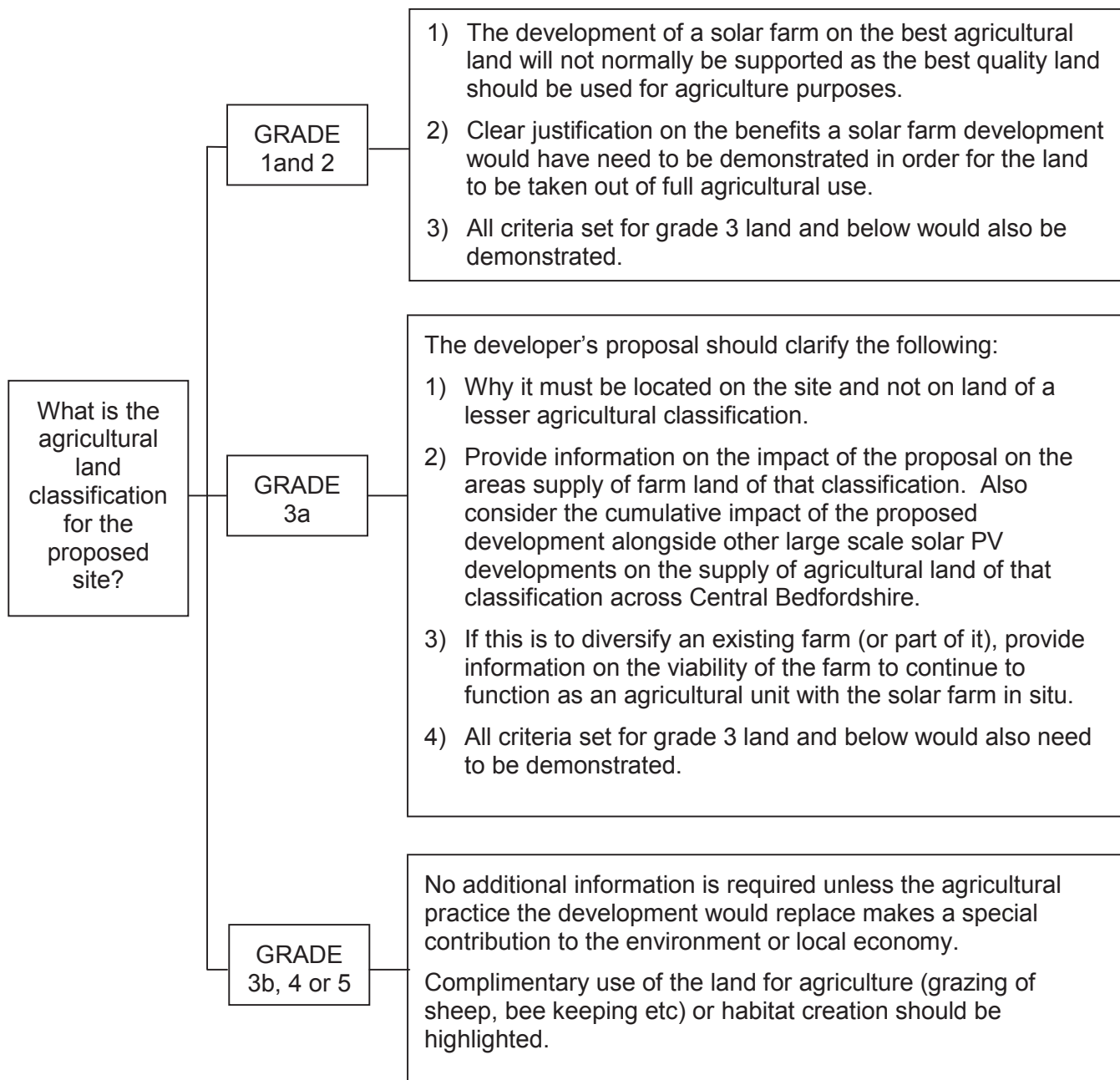
4.0 Agricultural land quality

- 4.1 Developers of solar farms should in the first instance look to utilise previously developed land, brownfield or contaminated land, industrial land or land of agricultural classification 3b, 4 or 5.
- 4.2 The BRE guidance highlights that, in theory, solar farms on sites classified agricultural grades 1, 2 and 3a, designated for their natural beauty, or recognised ecological or archaeological importance or interest are not prohibited. It is however unlikely that planning permission will be granted where there is significant impact on these designations and particularly where appropriate mitigation is not proposed.
- 4.3 There are numerous examples of planned solar farm developments in the UK that have sparked controversy due to being proposed on sites deemed to be of high agricultural land quality.

4.4 Key principles

- 4.5 The Council's emerging Development Strategy states that... 'The Council will also continue to protect the best and most valuable agricultural land from significant development. It will achieve this by steering proposals to less valuable land except where outweighed by other sustainability considerations, for example locational factors or where lower quality land supports valuable biodiversity assets.'
- 4.6 The diagram in figure 2 provides an overview of how agricultural land grading will be considered and what will need to be demonstrated.
- 4.7 With a practical and in-depth knowledge of the working landscape, both landowners and farmers will recognise that there may be variance across their landholding with regards to the productivity of the land. This may not be reflected in the agricultural grading of the land.
- 4.8 For example some areas may be poor draining or have historic field boundaries that create field shapes that are difficult for modern farming machinery to operate in.
- 4.9 Consideration will also be given to where the management plan for the proposed solar farm incorporates other agricultural uses such as grazing of sheep or apiculture (bee keeping).
- 4.10 An overview of these circumstances could be provided, along with supporting evidence to support the justification for use of land of a higher agricultural grade (as detailed in figure 1).

Figure: 2 Steps for developers considering agricultural land classification of potential Solar Farm Sites⁴.



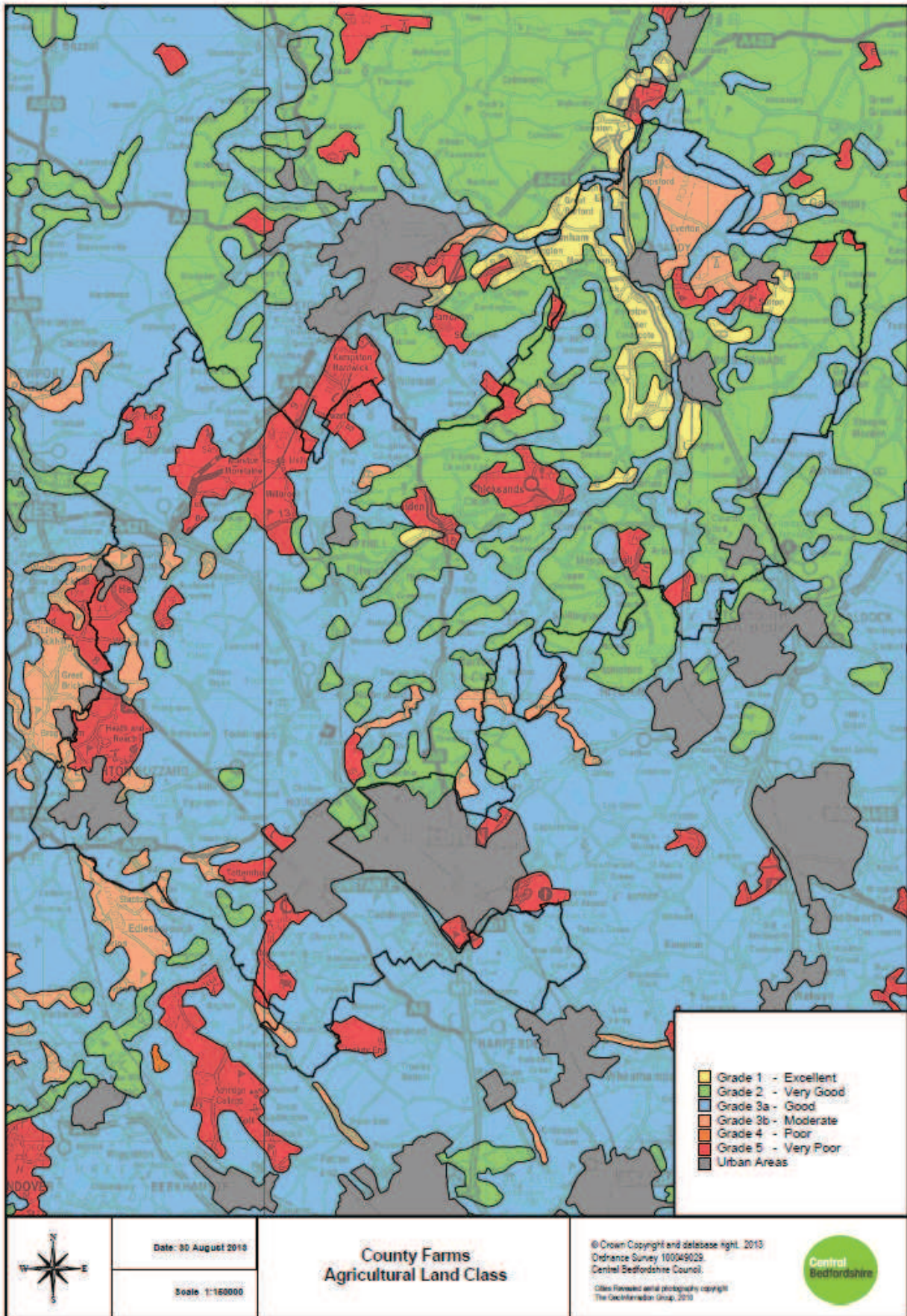
4.11 Agricultural land in Central Bedfordshire is largely grade 3a with higher grade land (grade 2) in the central areas surrounding Clophill and Ampthill, moving up towards north eastern Central Bedfordshire – Biggleswade area. More details are shown in the map in Figure 2 below.

4.12 Poorer grade soils often support habitats or landscapes of national importance, which will also constrain site selection.

⁴ Adapted from Cornwall Council's Renewable Energy Planning Guidance Note 2: The development of large scale (>50kw) solar PV arrays

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Figure 2: Agricultural Land Grades in Central Bedfordshire



5.0 Landscape

- 5.1 The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can often be properly addressed within the landscape if planned sensitively.
- 5.2 This section of the guidance considers the planning for solar farms in light of Central Bedfordshire's complex landscape character.
- 5.3 Central Bedfordshire has a varied geology, which has created a sequence of landscape character types that align across the area from the north-east to the south-west. The Ivel Valley cuts through the greensand and clay landscapes in the east of the area. The clay landscapes offer the greatest potential for sites able to accommodate solar farm developments with the least visible impact, for example the elevated plateaux's in the west and south of the Central Bedfordshire area. Likewise the well hedged plateaux associated with the Greensand Ridge offers potential.
- 5.4 However, the wide open valleys of the east Bedfordshire clay vales, the central clay hills and vales and the Chilterns provide highly visible slopes in which solar installations could prove highly intrusive.
- 5.5 Central Bedfordshire is also characterised by its many small settlements. The countryside surrounding towns and villages experiences its own pressures, such as compartmentalisation of fields for pony paddocks or other diversification, which can lead to commercial use of the former farmed landscape. Landscape change which leads to incongruous urbanisation of the countryside is a major issue. It will be important to ensure that solar energy does not detract from the rural characteristics of the urban fringe, as well as the amenity of landscapes recognised for their scenic value.
- 5.6 Every planning application will need to be carefully considered with regards to landscape impact, alongside the level of mitigation (by way of screening etc.) being proposed. However there are basic principles that relate to Central Bedfordshire and the range of landscape character areas that define

5.7 Over-arching key principles

- 5.8 The landscape and visual impacts of solar energy are usually related to the size of the development and the visibility of the site. These overarching principles apply broadly to how solar farm developments should be viewed with regards to landscape in Central Bedfordshire:
- a) The impact will be affected by the magnitude of change brought to the landscape and how this is perceived by the community. For example whether the views are obtained from a domestic or recreational site, or from a less sensitive setting such as a railway or workplace. The view from the road is important, particularly if the view of the development will be seen frequently by the same viewer.
 - b) The degree of impact will also be affected by the appropriateness of the location e.g. whether the arrays are sited where they could:
 - i) Create an urbanising feature on highly visible open slopes

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- ii) Be looked down on by the viewer, for example where the proposed solar farm is set on low lying or valley slopes.
 - iii) Allow for clear views of the ancillary structures and infrastructure, such as fencing, CCTV posts and inverters⁵.
 - iv) The proposed solar farm can be seen as extending the built development, for example next to or adjacent to industrial roofscapes or greenhouses, without sufficient landscape buffering in place.
 - v) Contrast in scale with the existing landscape framework or create an imposed pattern within the existing field network, for example by creating incongruous shapes..
- c) Landscape sensitivity is the degree to which a particular landscape can accommodate change without detrimental effects on its character. As sensitivity is derived from assessment of different aspects of character, it will vary in significance even over the extent of the range of relatively small landscape character areas identified within Central Bedfordshire.
 - d) It is important to note that significant effects will not always necessarily be detrimental.
 - e) The magnitude of the visual change will vary according to different factors, in particular these being:
 - i) The degree of contrast or integration with the existing landscape
 - ii) The condition of the landscape features in the view
 - iii) The perception of the view and how it is valued by the community or by visitors.
 - f) The distance between the viewer and the development is obviously a key factor. The frequency and ease of which the development will be seen from a particular viewpoint is also critical.
 - g) Developers of solar farms should avoid sloping areas and focus proposals on flatter areas that are better suited to being screened.
 - h) If planned correctly there is scope to mitigate landscape and visual impacts through, for example, screening with native hedges.
 - i) Mineral workings for clays and sand and gravel have led to extensive lakes within the river corridors and the Marston Vale. Consideration will need to be given to the visual impact of solar arrays if they are proposed close to large water bodies, where they may be seen to extend the reflective surface (see section 9.0).
 - j) The same consideration will need to be applied proposed solar farm developments in areas next to or commercial glass greenhouses.
 - k) Solar farm developments should not detract from the rural characteristics of the urban fringe around Central Bedfordshire's towns and villages.

⁵ Inverters are the equipment that convert the direct current (DC) electricity generated by the solar panels into alternating current electricity (AC) which is the form transmitted across the electricity grid.

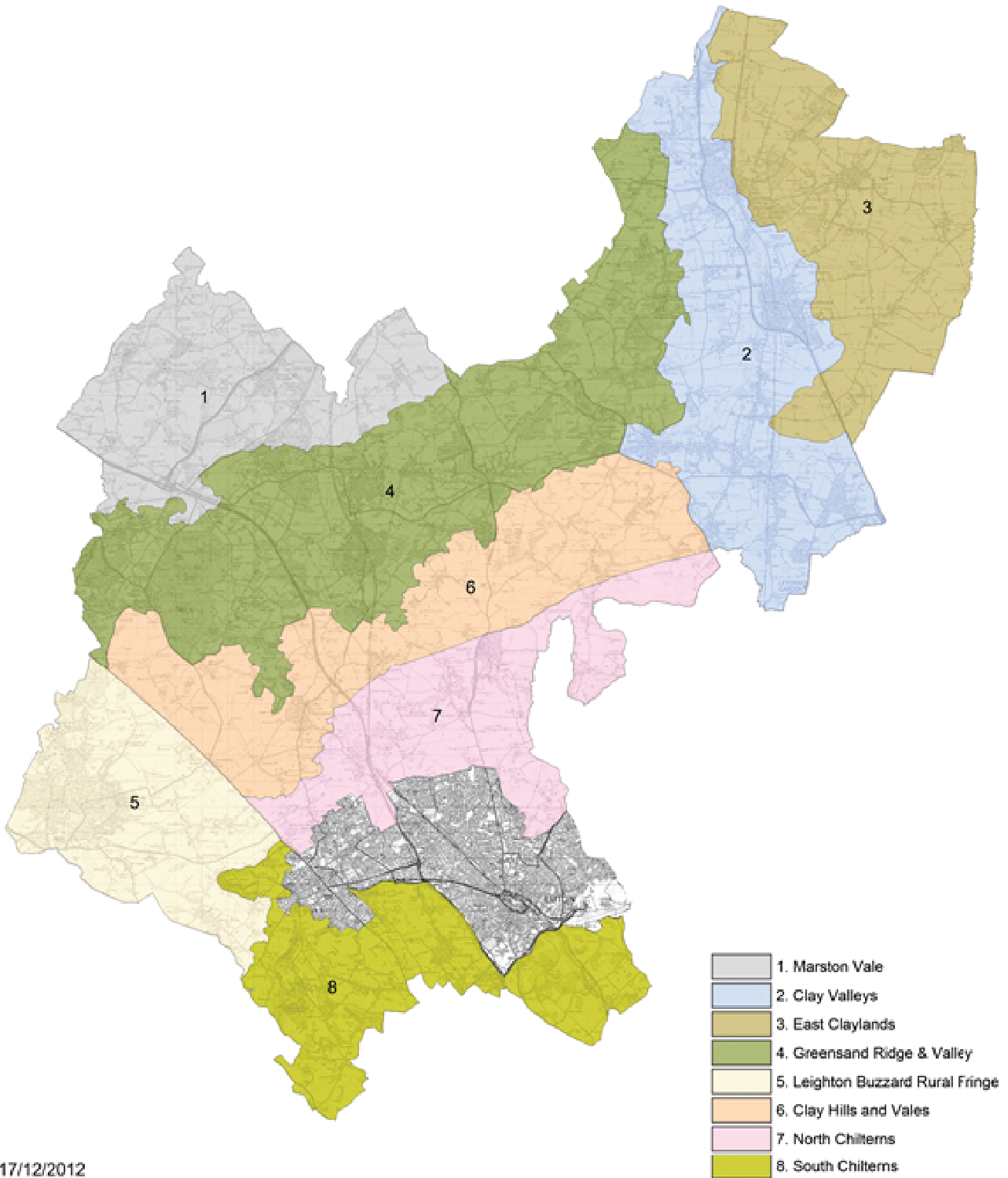
5.9 Landscape mitigation

- 5.10 Even where a solar farm is proposed for an area of medium to high landscape sensitivity the NPPF is clear that if these negative impacts can be mitigated to the satisfaction of the planning committee, permission should be granted.
- 5.11 When considering mitigation actions to limit impact the following should be considered:
- a) Existing trees, hedgerows, copse and woodland should be utilised to integrate and mitigate development.
 - b) Removal of hedgerows and trees must be avoided wherever possible.
 - c) Additional landscape mitigation may be required to screen local or longer distance views including trees, hedgerows, shelter belts.
 - d) Planting must be in keeping with local character in terms of species and form. New hedgerow and tree planting may also be included within the development site to reduce the visual mass of development and restore landscape character.
 - e) Opportunities for landscape enhancement should also be considered and included in proposals; the Central Bedfordshire Landscape Character Assessment (LCA) provides guidance on landscape and visual sensitivities, landscape management and development considerations.

5.12 Considering landscape impact of solar farms at the local level

- 5.13 To help provide guidance at an appropriate scale, the landscape character areas have been grouped into eight sub-divisions of the Central Bedfordshire area (shown in figure 3). These evaluation areas are:
- | | |
|--|--|
| 1. Marston Vale | 5. Leighton Buzzard rural-urban fringe |
| 2. Clay Valleys | 6. Clay Hills and Vales |
| 3. East Claylands | 7. North Chilterns |
| 4. The Greensand Ridge and Flit Valley | 8. South Chilterns |
- 5.14 Given the complex nature of Central Bedfordshire's landscape, the evaluation areas have in most cases combined several different landscape character types together to enable ease of assessment of broad geographical areas, for example the East Claylands evaluation areas contains the eastern extent of the Greensand Ridge.
- 5.15 The consideration of landscape sensitivity in this guidance is done at a strategic level. This therefore makes it sensible to look at the range of landscape types in a setting rather than separate out a particular type as many landscape character areas are very narrow in extent but have a close visual inter-relationship within Central Bedfordshire. This was supported by ground proofing and site visits by the Council's Landscape Officers across Central Bedfordshire. The areas deemed least sensitive in terms of landscape impact are illustrated by the yellow shaded areas in figure 4. This map also shows those areas proposed for urban expansion in the Council's emerging Development Strategy (shaded in blue).
- 5.16 Those areas not shaded parts of Central Bedfordshire considered to have a higher degree of landscape sensitivity as well the presence of key natural or heritage resources (shown in appendix 1).

Figure 3: Landscape Evaluation Areas



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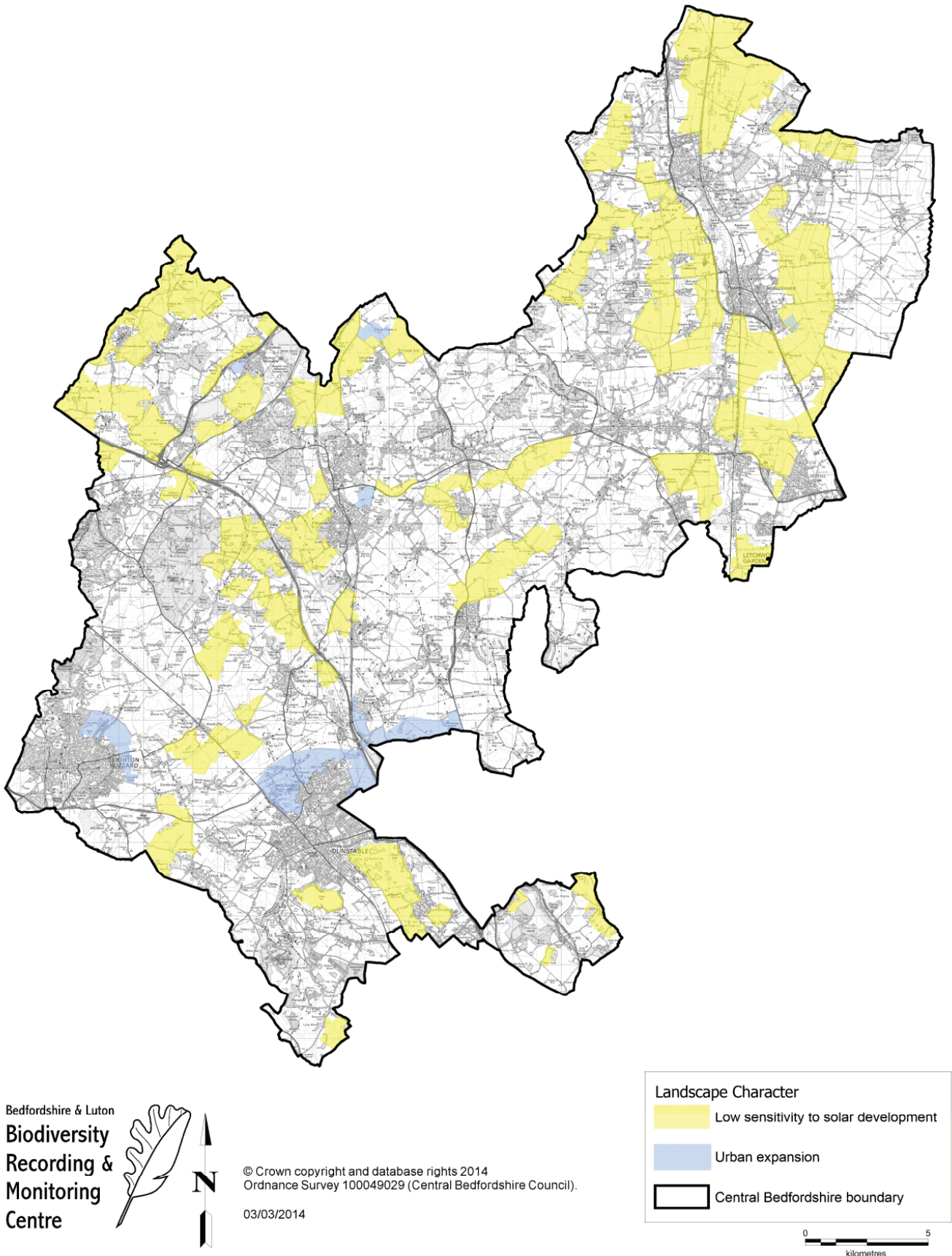


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Figure 4:

Landscape Character Sensitivity



5.17 Marston Vale

5.18 The Marston Vale is a landscape recovering from an industrialised past, now recognised nationally for the distinctive landscape arising from the brick working industry (*EN – NCA draft report: Bedfordshire and Cambridgeshire Claylands*). As well facing new challenges due to growth, the area also has much recreational value. For instance, apart from the wooded resource and the Millennium Country Park, there are promoted trails such as such as the Bunyan Way, Clay Way, Timberland Trail and Sustrans Route 51. The former brick pit lakes are popular for ornithology and water sports.

5.19 Key principles:

- a) The Marston Vale is a moderate but improving landscape with the Forest of Marston Vale bringing new landscape structure and woodland mosaic.
- b) Solar development will need to be assessed in the context of other new development which could include the extensive roofscapes of commercial development and also other renewables
- c) The A421 corridor is an increasingly visually disturbed with industrial development, which is out of scale with village settlements and residential character.
- d) There is reasonable potential for solar farms would be located on plateau farmland or associated with mineral workings, but only if it is well screened and not open to view.
- e) It is a priority to avoid the urbanisation of village settings that may result from having solar farms on adjacent land.
- f) Development should not detract from the heritage assets arising from former land use, which includes the setting of the brick pit settlements, the lakes and the new landscapes being created by the Forest of Marston Vale.

5.20 Across the Marston Vale there are a range of appropriate landscapes to accommodate solar farms of varied scale. There are also areas where a solar farm would not be appropriate when considering landscape impact.

- a) *Cranfield – Stagsden Clay Farmland*: There is scope on the elevated plateau around Cranfield and to the west of the area at Whitsondoles.
- b) *The North Marston Vale*: Smaller farms would be more suitable on the land between Marston, Lidlington and to the west of Brogborough. This part of the Vale is overlooked by the Greensand Ridge and landscape change needs to respect the sensitivity of the views from Greensand Ridge path and other viewpoints. It is important to avoid the location of arrays on the highly visible slopes leading up to the clay ridge.
- c) *The East Marston Vale*: Has very limited potential, primarily because of the importance of limiting the urban fringe influence within this landscape. This is particularly relevant for areas in view from the Greensand Ridge and to ensure the conservation of village edges.
- d) *Salford – Aspley Clay Vale*: The countryside forming the setting to Hulcote and Salford is particularly distinctive, with a more pastoral and wooded landscape.

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This is seen as an area of constraint as many fields have historic boundaries and create an unusual pattern for Bedfordshire. Only the smallest scale development would be considered appropriate.

- e) The “*Aspley triangle*” in the western edge of the Vale: This area provides a coherent, rural foreground to the Greensand Ridge at Woburn. The introduction of a solar farm in the area would be highly visible and detract from the current qualities of an open and visually tranquil landscape.

5.21 Clay Valleys

5.22 The Clay Valleys landscape evaluation area encompasses accessible urban fringe countryside, peaceful beauty spots and river corridors of the River Great Ouse and River Ivel, both of which are rich in biodiversity. The Ivel Valley itself area retains a traditional wooded and pastoral landscape.

5.23 Key principles:

- a) Importance is placed on the need to conserve the rural quality of the area, as urbanisation and disturbance pose a continued threat to valuable local countryside. Because of this area being a small scale and complex settled landscape it is considered that there is very limited scope for solar energy.
- b) In general the actual river corridors of the River Great Ouse and the River Ivel are not considered suitable locations for solar farms. There may be some very limited scope for small scale development if the site is well screened and unlikely to increase the urban fringe character that is, for example, prevalent in the Ivel Valley.
- c) Remaining traditional pastures require conservation, but there may be scope to convert a small arable field to grassland under the solar panel and so enhance the biodiversity of the river corridor.
- d) The broad vale surrounding the Ivel Valley does offer greater potential for solar farms, which would need to be in scale with the field pattern. Hedges within the Upper and Lower Ivel character areas are often denuded or absent, so restoration and reinstatement of these will be important in order to strengthen and enhance the landscape framework.
- e) Many locations are reasonably well enclosed, which is beneficial to integration. The more open landscape north of Langford and overlooked by Topplar’s Hill has greater sensitivity. Care will be required to ensure any new compartmentalism of the landscape follows appropriate boundaries and is in scale with the setting.
- f) There is also potential to the west and particularly to the south of Arlesey. Significant wooded integration would be required, which in itself is a particular aim of the landscape strategy for the Arlesey area.
- g) The Ouse Valley has greatest sensitivity close to the river and in the Blunham area, where small scale pastures are characteristic. The land to the west of Blunham offers the most potential.
- h) The Bedford River Valley Park is being established between Bedford and Great Barford, with the potential to extend the Park towards Sandy is a consideration. Solar energy is not a conflict with this aspiration as this could support the

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conversion of arable land to flower rich grassland, which would be seen as beneficial.

5.24 East Claylands

5.25 The East Claylands evaluation area covers rural countryside with extensive arable farmland, remote and tranquil. It is an area requiring significant landscape renewal characterised by very open, highly visible vales.

5.26 Key principles

- a) This area offers opportunities for medium to large-scale solar farms. The fairly level clay vale, *Lower Ivel Clay Valley*, to the east and south of Biggleswade has varied enclosure but would be able to accommodate solar farms if they were well integrated with screening hedgerows.
- b) Sites should aim to avoid the direct urban fringe, where a buffer of agricultural land is considered the best setting to the large scale commercial development at Stratton or the residential expansion at Kings Reach.
- c) A further area of opportunity occurs in the *Biggin Wood Clay Vale* around Tempsford, where the network of small woodland blocks and hedgerows offers opportunities for integration. However, it is important to avoid development close to the north facing slope of the Greensand Ridge.
- d) To the north of this Evaluation Area is a distinctive part of the *Biggin Wood Clay Vale* where it extends to the River Ouse and the elevated Alington Hill Clay Farmland which occurs predominantly within Bedford Borough. Conservation of the river valley landscape is important, as is retaining the rural character of the farmland forming the foreground to the Alington Hill ridge. However there is scope within this part of the Vale for medium to large scale solar farms if they are sensitively placed and well screened.
- e) It may be possible to accommodate smaller installations within the more enclosed plateau landscape. Some limited scope occurs to the north of Potton and towards Cockeyne Hatley. Hedgerows here are more variable and landscape integration of any proposed wind farm through hedgerow restoration and reinstatement will be essential.
- f) It is important to conserve the rural qualities of the *Everton Heath Greensand Ridge* particularly where the plateau has a sweeping, open character, this would mean this area is far less suitable for solar farm developments of any scale.
- g) The expansive undulating *Dunton Clay Vale* is also particularly sensitive. This is a tranquil and undeveloped landscape with clear reciprocal views to and from Cambridgeshire. The change in land-use brought about by potential solar farms would be highly visible and would disrupt the integrity of this landscape.

5.27 The Greensand Ridge and Flit Valley

5.28 The Evaluation Area covers the *Woburn Greensand Ridge* and the *Mid Greensand Ridge* and the *Flit Greensand Valley*. The Greensand Ridge is a highly valued, rare and distinctive character area; the only example in the mainland UK. It has high cultural, biodiversity and recreational value, with a long-distance trail, making it significant regionally for tourism. The landscape in this area is considered in

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decline, making it highly sensitive to inappropriate change especially that which affects the skyline and northern scarp slopes.

5.29 Key principles

- a) The majority of the Greensand landscape is considered an area of constraint. The northern escarpment is highly visible and although characterised by varied agricultural and forestry uses, maintains a strongly rural character.
- b) This is also a landscape rich in landscapes of national importance with historic and cultural sites, particularly Parklands and areas of high biodiversity value. It is particularly important to avoid urbanisation of the lower slopes leading up to the north facing escarpment.
- c) However, some limited scope may be possible to the west of the Ridge approaching Northill and also on the east of the *Mid Greensand Ridge* where the dip slope approaches the more level ground of the *Lower Ivel Clay Valley*.
- d) The *Mid Greensand Ridge* is a landscape of large scale fields and woodland blocks. Any development must avoid incongruous division of the landscape and respect the scale of existing features; mitigation would need to be extensive.
- e) There may also be opportunities to integrate solar farms within the smaller scale field patterns and more enclosed landscapes within the Eversolt, Tingrith and Milton Bryan areas, although it will be essential to conserve the village settings.
- f) The *Flit Greensand Valley* is a narrow character area considered highly vulnerable to change. This character area offers very little scope for even small scale installations. Areas of open arable or market gardening fields are highly sensitive to change. There are sites which are more secluded and enclosed where there might be limited scope; if so ecological enhancement of the site would be an important issue.

5.30 Clay Hills and Vales

5.31 This evaluation area forms a distinctive band across Central Bedfordshire between the Greensand Ridge and the Chiltern Hills. It is predominantly rural with a sequence of settlements with a strong identity. The landscape is characterised by the varied topography, with sweeping vales between the hills. It is a largely open landscape with only a few woodland areas. Hedgerow enclosure along field boundaries is variable with scope for restoration or reinstatement. There are many extensive views of the vales from within the area and also from the elevated land to the north and south. The area is vulnerable to urban fringe influence.

5.32 Key principles

- a) There is very limited potential for solar farms of any size without compromising the openness of slopes or rural quality of the settings of the many villages and hamlets.
- b) The areas of greatest sensitivity are those where there are clear views of the vales and hill slopes from the settlements and from the Chiltern escarpment.
- c) The areas of least constraint are around Westoning and in the Henlow Airfield and Stondon area.

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- d) More limited opportunities may occur around Cainhoe and in the enclosed landscape to the north of Barton-le-Clay.

5.33 Leighton Buzzard rural-urban fringe

5.34 This Evaluation Area covers the *Toddington and Hockcliffe Clay Hills, the Eaton Bray Clay Vales, The Woburn Greensand Ridge and the Ousel Greensand Valley*. The area has undergone significant change as a result of mineral activity and the continued growth of Leighton Buzzard. Leighton Buzzard imparts a strong urban influence, with abrupt land use change in places. The area is characterised by its diverse rural urban fringe, with many recreational sites, such as golf courses and sports pitches. It is also important in views from Chiltern Hills.

5.35 Key principles

- a) The farmed landscape and the distinctive settlements to the east of Leighton Buzzard retain a strong rural traditional character of which it is considered important to conserve in order to retain each individual sense of place.
- b) This together with the strategy to conserve the elevated and undulating landscapes of the Greensand Ridge mean that there is only very limited scope for solar farms of any size within this area. Much of the area is highly visible in views from the Chiltern escarpment at Sewell and Totternhoe and in more distant views from Dunstable Downs.
- c) There is some limited potential for solar energy linked to growth or mineral restoration, but this would need to be kept in scale with the limited areas of level, well hedged fields.
- d) There is also some limited scope to the west of the A5 in the more enclosed landscape south of Hockcliffe and to the south and west of Stanbridgeford.
- e) Screening to minimise intrusion in the views from the chalk escarpments and the more local clay hills will be important.
- f) There may also be opportunities linked to the growth area, particularly of commercial units and also linked to the restoration of some mineral sites.

5.36 North Chilterns

5.37 The North Chilterns Evaluation Area extends from the urban edge of Luton to the clay vales to the north and is largely covered by the AONB designation, with the remaining countryside largely forming the setting to the AONB. The Sundon – Sharpenhoe escarpment forms a dominant landscape feature in the west, with the Barton Hills – Pegsdon Hills creating the major landform in the east. The reciprocal views between these elevated landscapes and the vales to the north are highly valued. The area is subject to growth and urban fringe pressures but also retains some highly tranquil landscapes e.g. to the north of Sharpenhoe.

5.38 Key Principles

- a) The protected nature of the designated landscape will mean that there is little opportunity for solar development on the elevated chalk landform of the *Chalk Escarpments* or the *Rolling Chalk Farmland*. If any small scale site is proposed

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on the *Rolling Chalk Farmland* it will be important to set the development back from the scarp and ensure that the development is effectively screened.

- b) The rural quality of the settings of the villages needs to be conserved in order to maintain local distinctiveness. Any development will need to ensure that it does not increase the urban fringe character experienced in this area e.g. extending the visual impact of subdivision of land for pony paddocks.
- c) Some limited opportunities might arise within the main transport corridors.
- d) There may be scope linked to the largescale growth proposed for north of Luton, particularly the major commercial development at the proposed Rail freight Interchange.
- e) The largely undeveloped nature and rural, tranquil character is a national priority for conservation.

5.39 South Chilterns

5.40 The South Chilterns Evaluation Area extends over the highly complex and varied landscape south of Luton and Dunstable. The largescale plateau and sweeping chalk valleys create a rural setting for the towns and the Caddington villages. Settlements such as Totternhoe and Eaton Bray sit to the north of the major escarpment of Dunstable Downs. The area is covered almost in it's entirety by the AONB designation or is influenced by the major Parkland and estate of Luton Hoo. Even so, this is a busy landscape with tranquillity reduced by the major road and rail corridors and the presence of Luton Airport.

5.41 Key Principles

- a) The protected nature of the designated landscape will mean that there is little opportunity for solar development on the elevated chalk landform of the *Chalk Escarpments*.
- b) The scale and openness of the *Chalk Valleys* limit the potential for development as it is important to protect the integrity of these slopes.
- c) The wooded farmland of the *Caddington – Slip End* plateau offers scope for solar development as this is a strongly enclosed landscape, although other constraints may apply as this is an area rich in archaeology.
- d) The Luton Airport – Chiltern Green Chalk Dipslope also offers scope for smaller scale solar development, although it will be important to ensure these are well screened from views from the elevated land in the Lea Valley, the Luton Hoo estate and in views from the east.

5.42 Additional information to help support applications

5.43 Additional information supporting an application can assist in assessing capacity of site and landscape to accommodate development, level of impact of change and mitigation needs:

- a) Depending on the scale of the proposed development or sensitivity of the site and landscape setting, the following could be required:
 - an EIA Local Visual Impact Assessment (LVIA);

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- a LVIA supporting a planning application where no EIA is deemed necessary;
 - a Landscape and Visual Appraisal.
- b) Topographic surveys including contours describing existing levels on and adjoining the site; including heights of landscape and planting features, existing structures including overhead or underground cables.
 - c) Tree and hedgerow survey describing location, character, condition and enhancement opportunities.
 - d) A masterplan for the proposed solar farm to describe the integration of the development within the site and surrounding area. This should include details of green infrastructure links and mitigation including habitat corridors and access.
 - e) Topographic plan including contours describing proposed layout of panels, supporting infrastructure and landscape features including landscape mitigation
 - f) Long and short sections across the site and relating to adjoining land and treatment of edges.
 - g) Details on panels, such as dimensions, tilt, support structures and fixings.
 - h) Description of buildings, including inverters: dimensions, detail on locations and with special consideration to finishes and relating to local character.
 - i) Landscape Plan identifying planting character, species, size and quantities.
 - j) Landscape management plan.

6.0 Cumulative impact

- 6.1 Cumulative impact will need to be considered if two or more solar farms are proposed for the same landscape area. If the solar farms are screened and integrated with planting in a plateau landscape, the increase in scale may not be of significance visually.
- 6.2 It may also be necessary to assess the cumulative impact of change if the development can be seen in the context of other renewable energy or highly visible or reflective development such as business parks, glasshouses or even the surface of lakes.
- 6.3 Cumulative impact usually occurs in the following ways:
 - a) **Combined /simultaneous impact** – this occurs when the observer is able to see two or more relevant developments from one viewpoint without moving the head.
 - b) **Successive/repetitive impact** – this occurs when the observer is able to see two or more relevant developments from one viewpoint but has to move the head to do so.
 - c) **Sequential impact** – this occurs when the observer has to move to another viewpoint to see other relevant developments or a different view of the same development, for example when travelling by road or rail.

- 6.4 Adjacent solar farms will have the greatest cumulative impact, especially where the developments will be prominent in the same view from many locations.

7.0 The Historic Environment

- 7.1 Central Bedfordshire has a rich and varied historic environment which is at the heart of the area's local character and plays an important role in shaping what makes the area a great place to live and work.

- 7.2 The area's heritage assets and their settings are a finite and non-renewable resource and the Council is committed to their protection, enhancement and conservation - to allow for them to be enjoyed by the whole community, both now and in the future.

- 7.3 Heritage Assets include: Listed Buildings, Scheduled Monuments, Conservation Areas, Registered Parks and Gardens, Historic Landscapes, Archaeological Sites and Monuments and other non-designated assets. As with any development, solar farms have the capacity to have an impact upon the historic environment. This broadly falls into the following categories:

- a) Impact on Setting of Heritage Assets:** The setting of heritage assets forms part of their significance. There is potential for an inappropriately placed the solar farm to have detrimental impact on the setting of heritage assets including historic landscapes historic buildings and archaeological sites and monuments. This could result in a loss of significance to the assets and detract from their sense of place and lead to a compromise in the visual amenity of the wider landscape.
- b) Impact on archaeological remains:** Construction of solar farms and their associated infrastructure, such as access roads, storage compounds, cable trenches, sub-stations, security fencing and lighting all have the potential to disturb or destroy archaeological deposits and earthwork remains. Significantly the impact of ground anchors to hold PV arrays in place - such as pile driven or screw foundations, over a large area can be cumulative and have a severely adverse impact upon the preservation and survival of below ground archaeological deposits.

7.4 Additional information to help support applications

- 7.5 Historic landscapes:** Historic landscapes do not only comprise parks, gardens and other designed landscapes but also include historic boundaries, field patterns, woodlands and settlement patterns. Where a solar farm proposal affects a historic landscape or historic landscape features a desk-based assessment will be required. The contribution of the setting of the historic landscape to its significance must be identified and illustrated though the use of photo views, photo montages, ZTVs or other appropriate techniques.

- 7.6 Archaeological:** Where a solar farm proposal affects or has the potential a heritage asset with archaeological interest, including their setting, a desk-based assessment will be a minimum requirement, where necessary a field evaluation may also required.

- 7.7 Evaluations commonly comprise a combination of surface artefact collection, geophysical survey and trial trenching, although other techniques may be required as appropriate.
- 7.8 Where the setting of Scheduled Monuments and other archaeological sites and monuments is likely to be affected by the proposed development the contribution of the setting to the significance of the Monument must be identified and the impact of the proposed development on the setting must be identified and illustrated through the use of photo views, photo montages, ZTVs or other appropriate techniques.
- 7.9 The archaeological information should be combined with technical information on the proposed development to identify the impacts of the proposal on heritage assets with archaeological interest.
- 7.10 Applicants should contact the Council's Archaeology Team at an early stage to identify the scope and nature of the information required to support a planning application.

7.4 Determining and mitigating impact

- 7.5 The impact of potential solar farm developments on the historic environment will need to be assessed on a case by case basis as impacts will vary considerably.
- 7.6 Understanding the character and significance of heritage assets is key to identifying the impact of solar farm proposals on the historic environment. The provision of the following information will help developers and planners to determine the likelihood of their being any significant issues. This will also assist the Council's planners and historic environment specialists to assess the proposal, determine possible impact and, if appropriate, agree mitigation.

7.7 Potential Mitigations

- 7.8 **Historic Landscape** - Ultimately the best way to limit impact of a solar farm proposal on the historic landscape is to locate the proposal elsewhere. There may be some instances where impact can be limited through use of natural screening (hedgerows, tree lines etc).
- 7.9 **Archaeological** –When an impact on heritage assets with archaeological interest is identified through the application process mitigation for the impact will be required.
- 7.10 Where designated heritage assets or undesignated heritage assets with archaeological interest of national importance are identified mitigation may be achieved by excluding them from the development. For heritage assets of local or regional importance it may be appropriate for the assets to be investigated in advance of development in order to record and advance understanding of the significance of the heritage assets, publishing the results as appropriate and placing the archives in a secure and accessible public depository. The extent and nature of the investigation will be dependant on the significance of the heritage assets affected.
- 7.11 If a solar farm will have an impact on the setting of a heritage asset with archaeological interest it may be best to locate the proposal elsewhere. There may

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be some instances where impact can be limited through use of natural screening (hedgerows, tree lines etc).

- 7.12 To limit impact from ground anchoring, it is possible to employ ballasted support systems, which do not penetrate the ground. While the use of pre-moulded concrete blocks can entail less ground disturbance, some will inevitably still occur. Depending on the sensitivity and significance of the heritage asset this level of ground disturbance may or may not be acceptable.
- 7.13 Additional guidance and sources of information:**
- 7.14 Central Bedfordshire’s Historic Environment Record (HER):** The Central Bedfordshire HER contains details of all known archaeological sites, historic buildings and historic landscape features within the area. In addition to a computer database and GIS it consists of written and printed information, plans, illustrations, aerial and other photographs which are available for use by all, including the Council’s officers, planners, developers, consultants, schoolchildren, students and the public.
- 7.15 It is also the prime source for identifying Heritage Assets for inclusion in Heritage Statements as required to accompany planning applications in accordance with the National Planning Policy Framework (March 2012). More information on how to access this resource can be found on the Council’s website at:
<http://www.centralbedfordshire.gov.uk/environment/conservation/conservation-historic-environment-record.aspx>
- 7.16 Guidance for the assessment of any impacts upon the setting and therefore significance of a heritage asset is provided in the English Heritage publication “*The Setting of Heritage Assets*” (2011). This can be found at: <http://www.english-heritage.org.uk/publications/setting-heritage-assets/setting-heritage-assets.pdf>
- 7.17 Useful guidance has also been produced by English Heritage with regards to piling and its impact on archaeological remains. The document “*Piling and Archaeology*” (2007) can be found at: <http://www.english-heritage.org.uk/publications/piling-and-archaeology/pilingforwebtagged.pdf>
- 7.18 The English Heritage guidance document “Seeing History in the view” provides useful advice on taking the historic environment into consideration when preparing a proposal for development:
<http://www.english-heritage.org.uk/professional/advice/advice-by-topic/setting-and-views/seeing-the-history-in-the-view/>

8.0 Biodiversity

- 8.1 Little is known about the long term impact of solar farms on biodiversity of the site and surrounding area, it is however difficult to foresee many negative impacts. In fact from an ecological point of view there is far more potential for opportunities to enhance biodiversity from a solar farm development.
- 8.2 Solar farms usually consist of large fenced off areas of grassland that are screened through the use of hedge rows or trees along one or more boundaries. The panels have no moving parts and the associated infrastructure typically covers no more than 30% of a site, although it is spread across it.
- 8.3 If managed correctly solar farms represent an excellent opportunity to deliver a biodiversity net gain for the area by providing a largely undisturbed habitat for a wide range of flora and fauna.

8.4 Key principles

- 8.5 The ecological interest of the site and its surrounding area needs to be identified at the earliest opportunity. From this it should be made clear how the proposal will conflict with, or benefit the existing ecological assets of the site and its surrounding area. This would also identify the proximity of the proposed solar farm site to a biodiversity opportunity area, providing potential opportunities for habitats to be created and enhanced around the edge of the site. For example on sites adjacent to County Wildlife Site meadows (CWS) an extension of the species mix into the solar farm would be beneficial.
- 8.6 Its important to note that it is not only how the site is managed that can provide biodiversity benefits. The introduction of nest and roost boxes for birds and bats, or hibernacula for reptiles and amphibians should also be considered, especially as the solar farm, once constructed, will remain largely undisturbed apart from occasional maintenance. Some solar farm developers also work with local farmers and introduce bee hives, which have a biodiversity and agricultural benefit to the area.
- 8.7 The provision of the following information will help developers and planners to determine the likelihood of there being any significant issues. This will also assist the Council's Planners and Ecologist to assess the proposal, to determine the possible impact and, if appropriate, agree mitigation.
 - a) All solar farm applications should be supported by a **Phase 1 Habitat Survey** which will explain the existing value of the site and assess potential protected species interest.
 - b) Where protected species are identified then **Protected Species Surveys** will also be required.
 - c) A Strategy showing how a net gain for biodiversity can be achieved. This should be accompanied by a proposed **Biodiversity Management Plan (BMP)** for the solar farm, to show details of how the Strategy will be delivered and managed throughout the life time of the solar farm. This should be provided at the earliest opportunity in the planning process, although this would often form part of a planning condition if permission were granted. BRE's guidance provides a good overview of what should be considered in a BMP (details below).

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- d) The impacts of construction should also be carefully assessed for ecological impact. For example pile driving to erect the solar panel supports/frames may have a negative impact on any badgers nearby. In this instance a badger survey would need to be conducted and a licence may be necessary.
- 8.8 The key as to whether the biodiversity enhancement potential is fully realised is ultimately down to on-going site management and how the BMP is delivered. Without on-going management of the sites, the value of any biodiversity gains, for example through new wildflower or species rich grassland, will soon diminish.
- 8.9 Site layouts should factor in practical aspects of implementing the BMP, for example panels need to be positioned so as to enable ease of access if machinery is required for a hay cut. If sheep are used then the panels will need to be set higher.
- 8.10 Opportunities for wetland areas between panels could also be explored, which could be beneficial to both the ecology of the site and the output of the solar farm. Solar farm developers have stated said how water helps with panel cooling and so optimising the energy output of the panels on hot days when there would be risk of overload. The associated shading of the panels also promotes opportunities for bryophyte communities and other 'micro-ecosystems'.
- 8.11 Additional guidance and sources of information:**
- 8.12 BRE's National Solar Centre has produced high-level guidance on solar farms and biodiversity, with specific reference to the planning process. The document '*Nation Planning Guidance – Biodiversity*' (BRE, 2013) can be found at: http://www.bre.co.uk/filelibrary/pdf/other_pdfs/NSCBiodiversityAppendixBrochure.pdf
- 8.13 The Natural England Technical Information Note '*TIN101 - Solar parks: maximising environmental benefits*' is available from: <http://publications.naturalengland.org.uk/publication/32027?category=34022>
- 8.14 The Bedfordshire & Luton Biodiversity & Records Monitoring Centre is an excellent source of local biodiversity information on for the Central Bedfordshire area. More details can be found at: <http://www.bedscape.org.uk/BRMC/newsite/index.php>

9.0 Glint and Glare

9.1 Glint is the direct reflection of sunlight, whereas glare is diffuse reflection (or reflection of the bright sky around the sun). Any metallic or shiny surface has scope to cause reflection of sunlight, which may in turn have a negative impact on neighbouring uses, aircraft etc.

9.2 Key principles

9.3 The solar cells used in solar farms are designed to absorb as much light as possible in order to generate electricity, not reflect it. As a result they are much less reflective than other sources of glint or glare (such as glass windows that may be found in agricultural buildings such as green houses etc).

9.4 There may be instances, where due to aspects such as the proposed site location or the orientation of the solar farms infrastructure, including PV panels, that there is scope for glint or glare to be a problematic impact of the solar farm.

9.5 The potential for PV panels, their frames and supports along side other materials used for the construction of the solar farm, to have a reflective quality that results in glint and glare, should be assessed. This should have particular reference to:

- a) The effect on landscape of glint and glare and on neighbouring uses and aircraft safety should be considered.
- b) The extent to which there may be additional impacts if solar arrays follow or track the daily movement of the sun.

10.0 Noise

10.1 The standard set up most commonly used on solar farms uses no moving parts and therefore results in no noise from the panels themselves. There are a number of 'inverters' on solar farms to convert DC into AC and these machines do emit a humming sound.

10.2 Key principles

10.3 Careful consideration should be given to the location of inverters to ensure that they are located away from parts of the solar farm where they are likely be audible by neighbouring sites and users of the countryside (e.g. via the Rights of Way network).

10.4 Where this is not technically feasible, possibly due to issues with grid connection or maximising site layout, then inverters should be housed in sound proof casing.

10.5 Noise during construction will be dealt with in the same way as any other development, with restrictions put on times of work etc through planning conditions as deemed necessary.

10.6 Maintenance of the site should be carried out at appropriate times e.g. week day between normal working hours, in order to minimise disruption.

11.0 Drainage and surface water run-off

- 11.1 The BRE planning guidance for solar farms highlights that due to the size of solar PV farms, the Environment Agency have stated that planning applications should be accompanied by a Flood Risk Assessment (FRA). The primary aim the FRA being to assess surface water runoff produced by the development and if necessary outline measures to ensure flood risk is not increased downstream of the site.
- 11.2 As solar panels drain to the ground, and track ways and areas of hard standing would be limited, it is anticipated that the impact will not in general be significant and therefore this should not be an onerous requirement.
- 11.3 An exception to this could be where an area of poorer agricultural output due to tendency to flood is being used. In this instance the impact of any drainage works carried out would need to be considered.

11.4 Key principles

- 11.5 Sites should be configured or selected to avoid the need to impact on existing drainage systems and watercourses. Culverting existing watercourses/drainage ditches should be avoided and if unavoidable, it should be demonstrated that no reasonable alternatives exist.
- 11.6 Impacts of drainage works to prevent or reduce flooding on the site need to be carefully considered. For example potential changes to how the land drains and impacts on footpaths etc should be identified and mitigated as part of the Flood risk assessment for the proposal. The developer should also be prepared to carry out corrective works if problems arise at any time during the solar farms operation.
- 11.7 Any access tracks needed should always be permeable and kept to a minimum.
- 11.8 Localised SuDS, such as swales and infiltration trenches, should be used to control any run-off.
- 11.9 Where applicable, the provision of a surface water management plan for the proposed solar farm (utilising SUDs design principles) will help evaluate the application.

12.0 Securing the solar farm (fencing etc)

- 12.1 The Council recognises that solar farms represent a significant investment and given their often isolated locations warrant measures being put in place to secure the site. This would be expected to include security fencing and CCTV systems.

12.2 Key principles

- 12.3 The effort made by applicants to screen the proposed solar farm and limit landscape impact should also be applied to any security measures used. Therefore planning applications should include full details and specifications for all proposed security and lighting installations. This is to enable an accurate assessment of visual and ecological impacts to be made by the Council's planners and specialist officers.

- 12.4 Security fencing should be kept to a minimum, with the developer looking to utilise and enhance existing landscape features, such as hedgerows. Where used, fencing should be appropriate to the setting (e.g. deer fencing). If necessary it should also accommodate local biodiversity needs and be designed to allow movement across the site by wildlife.
- 12.5 Any further security equipment, such as pole-mounted CCTV should be as discrete as possible. Where possible infra-red CCTV should be used to limit the need for security lighting. CCTV cameras should be mounted to face inwards into the solar farm and not outside of the sites boundaries. This is in order to not infringe on other users of neighbouring countryside facilities, such as rights of way.

13.0 Managing impacts of construction

- 13.1 The biggest impacts and disruption caused by a proposed solar farm are likely to happen during construction. Although the construction period for solar farms is short compared to the deployment of other Renewable Energy developments, it still needs to be carefully managed, given the sensitive nature of the rural environment where solar farm developments tend to happen.

13.2 Key principles

- 13.3 The development will require the delivery and storage of construction materials, plant, machinery and office accommodation and welfare facilities for staff working on the sites constructions. In most instances this will be a temporary construction compound and should be carefully located in order to minimise environmental or amenity impact. Details of the size and location would be included as part of the planning application.
- 13.4 Where the excavation of soils associated with construction compounds, access roads, cable trenching etc occurs, all topsoil and subsoil should be stripped, stored and replaced separately. Methodology for soil stripping, storage and replacement to minimise soil damage and to provide optimal conditions for site restoration is expected to be included as part of the planning application.
- 13.5 Hedges should as far as possible be fully retained, with new hedge breaks created. If any hedges/scrub are to be removed, further ecological surveys will need to be carried out. It is also expected that replacement planting of the same of a higher quality is carried out (ideally elsewhere on site).
- 13.6 Highways impacts will vary on a site by site basis and the developer is encouraged to discuss implications on the highways network, particularly during construction, with one of the Council's highways planners at the earliest opportunity.

14.0 Community engagement and benefits

- 14.1 In July 2013 the government issued 'Planning practice guidance for renewable and low carbon energy' which states that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities.
- 14.2 The NPPF explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities.

14.3 Key principals

- 14.4 As with other types of development, the views of local communities likely to be affected will be listened to when the Council considers the planning application.
- 14.5 The Council is keen that developers of renewables, including solar farms, take a proactive approach to working with affected communities at the earliest stage in order to mitigate impacts and provide adequate compensation and benefits.
- 14.6 Fundamental to community engagement is to ensure a high standard of public engagement. Developers are encouraged to carry this out at the earliest opportunity. This should be a two-way process and give all stakeholders (including communities and developers) the opportunity to raise and address concerns as well as beginning dialogue as to how local community benefits will be realised and delivered.
- 14.7 As part of the engagement process, communities should be given the opportunity to have their concerns addressed, possibly through the developer organising visits to operational solar farms. Communities should also be given the opportunity to identify what they would deem as an appropriate level of reward/compensation/benefit for the community to receive.
- 14.8 There are a range of options open to developers when exploring community engagement and benefits. These could include:
- a) Entering into voluntary agreements with affected communities to reward them for hosting the development. Rewards could include:
 - i. Grants to carry out one off significant improvements to local facilities (e.g. a new community hall or leisure facilities)
 - ii. Establishment of a local Environmental Trust or Community Benefits Trust, with funds being contributed annually by the developer and used for energy conservation measures.
 - iii. Local share issue.
 - iv. Local or community ownership of panels.
 - v. Investment in Green Infrastructure provision and management, especially at the landscape scale.
 - b) The compensation may be secured through Section 106 obligations agreements. These agreements require the developer to provide for any matters that are necessary to make a development acceptable in planning terms. This can

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include contributions to the provision of services and infrastructure that benefit affected communities, such as roads, education and health facilities.

14.9 In all cases the Council will expect that the community benefits are proportionate to the size and impact of the development.

14.10 Community led initiatives

14.11 Community initiatives are likely to play an increasingly important role and the Council will seek to encourage these as a way of providing a positive local benefit from renewable energy development.

14.12 The Council will therefore support truly community-led initiatives for renewable and low carbon energy, where the benefits – be they financial or the generated electricity are realised by the communities most affected (and as long as other impacts as mitigated and addressed as detailed in the remainder of this guidance).

14.13 Neighbourhood plans represent a good opportunity for communities to plan for community led renewable energy developments, allowing communities to use Neighbourhood Development Orders and Community Right to Build Orders to grant planning permission for renewable energy development.

14.14 In February 2014 the government published its ‘Community Energy Strategy’ proposes to further encourage development by providing incentives to local communities to boost acceptance and uptake of community led renewable energy projects. This includes Rural Energy Fund, which provides grants of up to £20,000 for communities to undertake initial feasibility studies and unsecured loans of up to £130,000 for further work to develop planning applications and the business case for investment. More details can be found at:
<https://www.gov.uk/government/publications/community-energy-strategy>

15.0 Countryside Access and Rights of Way

15.1 Central Bedfordshire’s countryside is enjoyed and accessed by through the existing public rights of way network. There are over 1330 kilometres of public paths in Central Bedfordshire through our towns, villages and out into the wider countryside, made up of 975 km of public footpath, 330 km of public bridleway and 26 km of byway open to all traffic (BOATs).

15.2 Any large development, such as a solar farm, can impact on the accessibility and openness that is so attractive to the users of this path network. However, it also provides scope to work with developers to maximise benefits to the public, by improvements on the ground, improving connectivity or using the development as a focal point for circular routes.

15.3 Key principles

15.4 Potential issues and impacts fall within the following areas:

- a) Proposed solar farm developments could impact on Central Bedfordshire’s public rights of way. Routes may cross proposed sites or run adjacent to them, with potential implications for accessibility and enjoyment by a range of legal users.
- b) Boundary definition, whether by fencing or hedge planting should be appropriate in scale and as far as possible not detract from users enjoyment of the countryside (see section 12.0). Structures should not be used on the rights of

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way network itself for the purpose of security - only to control livestock, and only after being officially authorised by this Council.

- c) Alterations to tracks for construction access and future maintenance should be kept to a minimum unless they represent an opportunity to improve the rights of way affected. Such works may require an application to the Council for the temporary closure/diversion of the rights of way in question.
- d) All surfaces that are damaged by the developer during construction will be restored to a standard at least as good as existed before the works.
- e) Large developments, such as solar farms, are opportunities for increasing access, particularly those which contribute to community funds. There may opportunities to upgrade a footpath to bridleway or to gain an additional linking route. Even short links can enable greater or safer use of existing routes in an area. Permissive agreements might also be considered in certain circumstances.
- f) Applicants may wish to give consideration, where appropriate, to the development and installation of viewing areas, benches, interpretation panels or visitor or educational facilities as part of any development proposal.

15.5 Potential Mitigations

- 15.6 It should not be beneficial to divert a public right of way that crosses the site of a proposed solar farm, as its layout (e.g. arrays) can usually be arranged around the route. However in some cases it may be necessary to divert to maintain the viability of the proposed solar farm, especially if it provides a more advantageous route or better links with nearby routes.
- 15.7 An application for the diversion [and creation if being offered] must be made to this authority along with an undertaking to cover the costs of our administration and necessary advertising. Proposed changes will need to meet the tests of the relevant legislation.
- 15.8 The width of any public right of way affected should be increased whenever possible and certainly never narrowed.
- 15.9 Where it crosses an application site, the open corridor provided should bear in mind hedge growth should boundary planting be considered, as well as the width required for future routine maintenance. A margin either side of the path of at least 1 metre should be provided between the edge of the path and any planting or fencing.
- 15.10 Where appropriate the Council will seek the upgrade of poor quality routes and provision of new routes. This upgrade would include improvements to the surfacing and drainage as well as road signage, way-marking and interpretation panels.
- 15.11 New access tracks should be kept to a minimum with any maintenance requirements being able to be serviced by a four wheel drive vehicle.

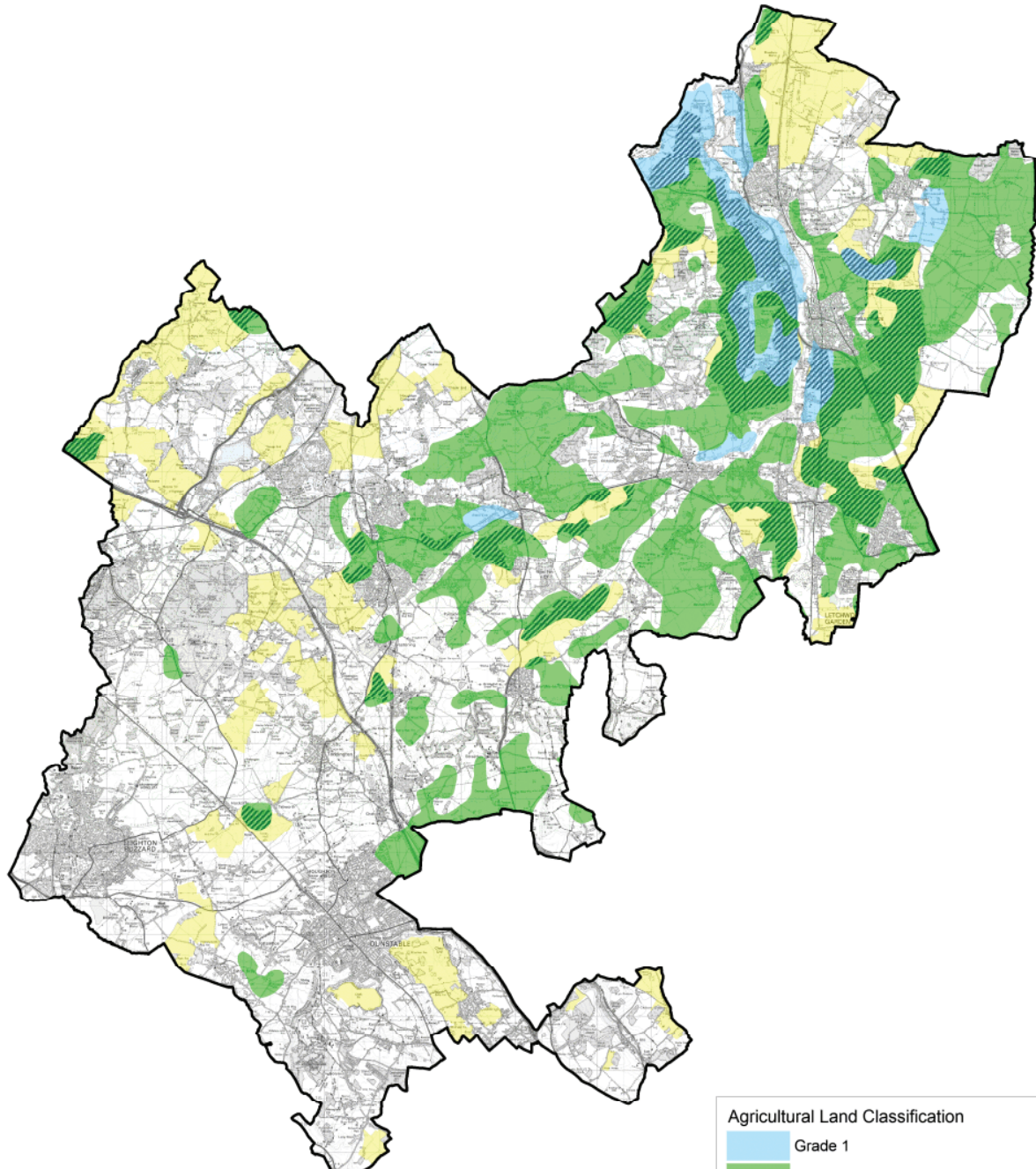
15.12 Additional guidance and sources of information:

- 15.13 Rights of Way and Development Guide for Central Bedfordshire 2014, available from the Councils Countryside Access Service.
- 15.14 The British Horse Society has produced advice on solar farms, which can be found at:
<http://www.bhs.org.uk/~media/BHS/Files/PDF%20Documents/Access%20leaflets/BS%20Advice%20on%20Solar%20Farms.ashx>

APPENDICES

- 1) Landscape character sensitivity with Agricultural Land Classification (grade 1 and 2)
- 2) Landscape character sensitivity with tranquillity

Landscape Character Sensitivity
with Agricultural Land Classification



Agricultural Land Classification

- Grade 1
- Grade 2

Landscape Character

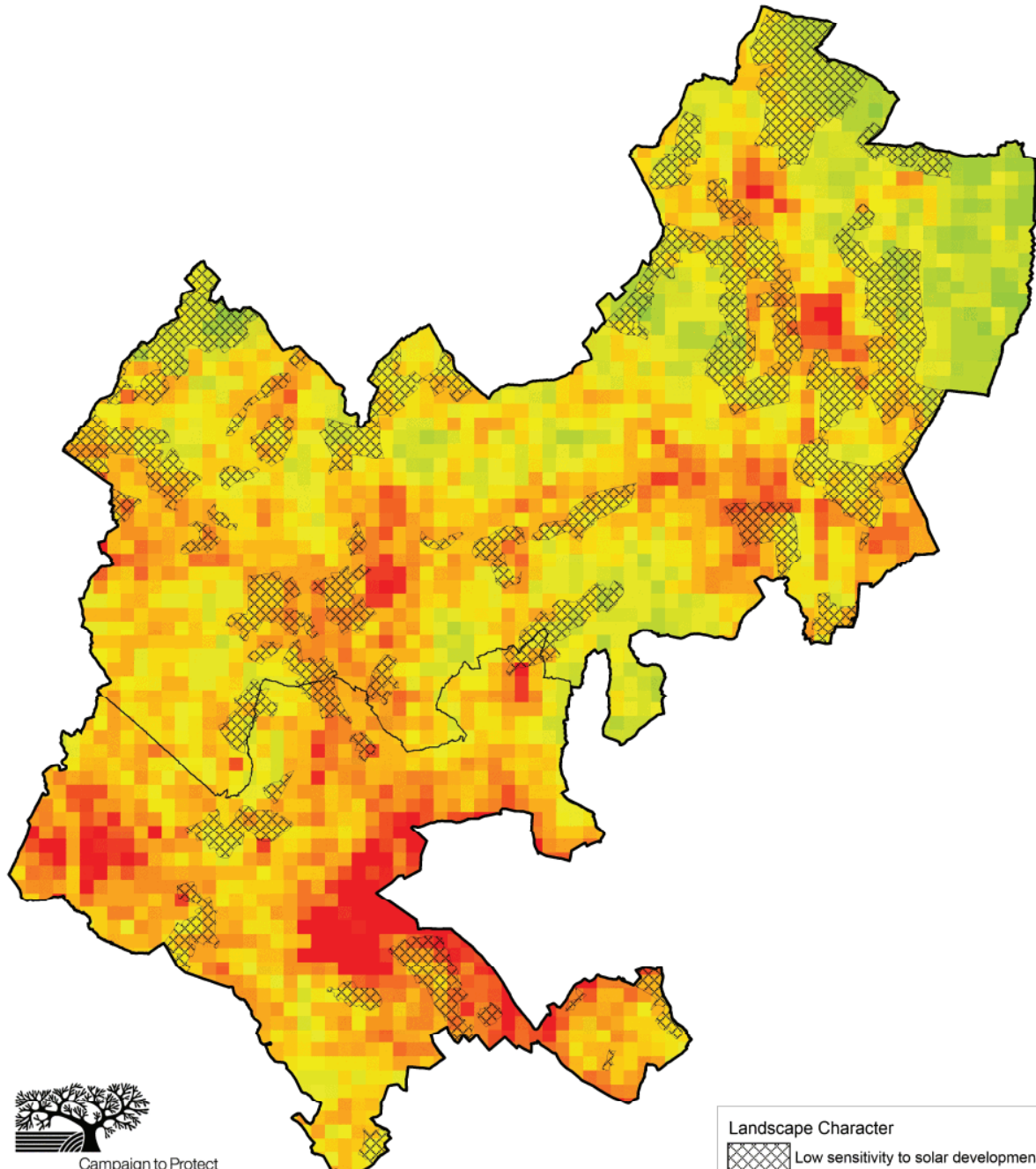
- Low sensitivity to solar development
- Areas constrained by Agricultural Land Classification
- Central Bedfordshire boundary

Bedfordshire & Luton
**Biodiversity
Recording &
Monitoring
Centre**

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03/03/2014



Landscape Character Sensitivity
with Tranquillity



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03/03/2014

Landscape Character

- Low sensitivity to solar development
- High tranquillity
- Low tranquillity
- Central Bedfordshire boundary



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Monks Walk, Chicksands, Shefford, Bedfordshire SG17 5TQ

APPENDIX B – Summary table of minor changes resulting from consultation.

Amendment to be made and where	Rationale for amendment
1.5 b Remove reference to the document providing developers an overview as to the preferred areas of search and replace it with a more general statement regarding giving an overview of what, in terms of site selection, makes an appropriate site.	To clarify that this document does not allocate or highlight specific sites but is instead designed to give an overview of the main planning concerns/issues and key principles that need to be considered by planners/developers etc..
2.10 Reference to paragraph 91 of the NPPF concerning development of renewables in the Green Belt.	To highlight that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development.
Figure 2 Amendments to the map showing agricultural land classifications.	To make the map easier to read.
4.4 and 4.11 Clarification regarding accuracy of Agricultural land classification and possible need for further in depth studies to determine this.	Agricultural Land Classification (ALC) maps were commissioned in the late 1960's and 70's for use in strategic planning they therefore only provide a generalised indication of the distribution of land quality.
Figure 4 and 5.41 Review low sensitivity areas based on consultation comments	Some of the areas fall within the Chilterns AONB area so will be reviewed to determine whether they are low landscape sensitivity in light of this.
5.11 Link to bringing forward opportunities for biodiversity enhancement in the Nature Improvement Area (NIA) and Biodiversity Opportunity Areas (BOA).	To link the possible ecological benefit of Solar Farms to on-going work in the NIA and at BOAs.
5.11 b Remove 'wherever possible'.	To encourage the developer to consider to a greater extent the need to remove established vegetation such as hedgerows and trees.
5.20 References to Whitsondoles to be reviewed and removed as necessary.	SC OSC asked that references to the area at Whitsondoles should be reviewed as this was located outside of Central Bedfordshire
8.5 Add reference to NIA	To link the possible ecological benefit of Solar Farms to on-going work in the NIA.
8.6 Add that placement of supplementary homes for wildlife (bat/bird boxes and hibernacula) should be considered and targeted.	To ensure that measures taken are appropriate to the location and species.
8.15 Reference added to the RSPB enhancement package for solar farms	To provide an additional further useful source of information.
10.6 Clarification that some maintenance e.g. grass mowing may happen outside normal working hours	To take into account and allow for the needs of where this work is being carried out directly by the landowner or farmer.
10.11 Clarification that a permit from the EA is required if the site needs to be dewatered and that this water is to be discharged to surface water systems.	Highlight legal requirement that falls outside planning permission.
Appendix 1: Map showing Landscape character sensitivity with Agricultural Land Classification to be amended to show all classification grades.	To better reflect advice given in Figure 1 with landscape sensitivity overview.

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Meeting: Executive
Date: 27 May 2014
Subject: Superfast Broadband Extension Programme
Report of: Cllr Nigel Young Executive Member for Regeneration

Summary: The report proposes the Council fully participates in the Broadband Delivery UK (BDUK) Superfast Extension Programme, in order to deliver necessary infrastructure to provide superfast broadband (speeds of at least 24 Megabits per second) to at least 95% of premises and at least 2 Megabits per second to all premises. Furthermore, an additional £500,000 capital funding is approved to fully match Broadband Delivery UK funding.

Advising Officer: Jason Longhurst, Director of Regeneration and Business
Contact Officer: James Cushing, Economic Policy and Investment Manager
Public/Exempt: Public
Wards Affected: All
Function of: Council
Key Decision: Yes
**Reason for urgency/
exemption from call-in
(if appropriate):** Not Applicable

CORPORATE IMPLICATIONS

Council Priorities:

1. The delivery of superfast broadband directly addresses the Council's priority of Better infrastructure – improved roads, broadband reach and transport and the delivery of the Council's Joint Broadband Plan.
2. Additionally, superfast broadband can also contribute to a range of wider Council objectives including Enhancing Central Bedfordshire – particularly creating jobs and enabling businesses to grow providing, delivering great services and value for money, through supporting the accessing of services online and on demand. Likewise, participating in the project will secure significant public and private match funding to support the delivery of the Council's priorities.

Financial:

3. The Council has approved £1M net (£2M gross with £1M external funding from BDUK) in for 2016/17 and 2017/18 in MTFP capital programme towards the delivery of the Superfast Extension Programme. Subsequent external funding details now indicate an allocation of an additional £740,000 from BDUK (subject to match funding and formal approval). The Council has already secured £250,000 from Central Bedfordshire Together, but to realise the full BDUK allocation an additional £500,000 in local match funding is still required.
4. Private sector contributions to the project will be sought through the procurement process. This will increase the value of the project and resulting coverage levels. This will not impact on the Council's capital contribution.
5. The Council would continue its role as lead accountable body for the wider Local Broadband Partnership (including Bedford and Milton Keynes Councils). As such the total value of public sector funding including Broadband Delivery UK (BDUK) funds for the project is £6.36 Million. This figure could increase if other sources of funding can be secured.
6. Project development and management costs will be funded through existing reserves. Any projects cost will be shared amongst project partners.
7. The additional £500,000 will increase the overall capital spend of the Council, unless an alternative saving is made elsewhere. This will lead to a resultant revenue pressure in the financing of the £500,000 of approximately £40k per annum from 2016/17.
8. The Council's Constitution requires that the Council must approve expenditure over £500,000 before commencing any procurement. Approval for additional resources is sought at this stage due to BDUK project approval requirements.

Legal:

9. The Council can undertake activities to promote or improve the economic well-being of its area under Section 2 of the Local Government Act 2000. There are no statutory requirements for the Council to undertake improved broadband works. The Council will be able to secure a private sector partner and undertake delivery activities utilising a national BDUK State Aid notification and a procurement framework which is compliant with European Union (EU) requirements. Council legal, financial and procurement rules will also be adhered to throughout delivery of the plan.
10. A binding collaboration agreement between the Council and Bedford and Milton Keynes Council has been developed to ensure that funding is directed according to each local authority's requirements and in line with BDUK contractual requirements, ensuring a proportionate bearing of risk. This will be updated inline with project requirements.

Risk Management:

11. There will be a number of procurement and state aid risks associated with the project. The use of the BDUK procurement and state aid frameworks and the use of specialist consultancy services will mitigate against these risks.
12. The project will utilise formal project management techniques, including a project risk register, which is reviewed at all programme board meetings.
13. There will be a number of risks associated with delivering the plan, in terms of securing a private sector partner and in project delivery risks. These will be mitigated through the use of the BDUK frameworks and early market engagement, continuing with the existing dedicated joint project management resource and processes for delivery, and through contracting with a private sector partner require sufficient project and risk management plans and processes to be put in place, with appropriate risk ownership clauses.

Staffing (including Trades Unions):

14. Existing staffing resources are being utilised to manage the procurement phase of the project.
15. The Council's contribution to joint project management costs will come from the existing economic growth budget.

Equalities/Human Rights:

16. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination and to foster good relations in respect of nine protected characteristics; age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
17. In developing the Local Broadband Plan consideration of the need to improve access for all has been a core principle. Analysis of options for intervention, while meeting state aid guidelines, has mapped access to areas of deprivation and found very little correlations. Likewise through the deployment process the Council will work with suppliers to ensure that broadband services are available to the maximum number of people and that access is not discriminated against in anyway.

Public Health:

18. Increasing accessibility to broadband will allow for increased tele-health opportunities and access to online information, albeit that services will need to be independently.

Community Safety:

19. Not applicable.

Sustainability:

20. Delivery of the extended coverage of superfast broadband will positively impact on a number of sustainability considerations, including reducing the need to travel (by increasing access to online services and opportunities for home working) and resulting emission reductions. Further to this, the provision of superfast broadband will also support the delivery of jobs growth aspirations for the area, by supporting growth in existing businesses productivity, ensuring the area remains attractive to new inward investment and supporting new business to start up, through taking advantage of new technologies and market opportunities.

Procurement:

21. The National BDUK procurement framework, which has already been out to Official Journal of the European Union competitive tender, will be used to competitively select a private sector partner. A mini competition process will be used to call off providers to deliver infrastructure locally.

Overview and Scrutiny:

22. This matter has not been considered by Overview and Scrutiny.

RECOMMENDATIONS:

The Executive is asked to:

1. **recommend to Council to approve an additional £500,000 capital funding to fully match BDUK allocations for the delivery of superfast broadband infrastructure;**
2. **approve the use of the BDUK procurement framework to select a private partner to put in place necessary infrastructure to deliver at least 95% superfast coverage (speeds of at least 24 megabits per second) and ensure and ensure access to infrastructure able to provide at least 2 Megabits per second to all premises;**
3. **approve the local procurement priority, to maximise total coverage, and subject this, seek to achieve a balance of residential and business premise coverage and seek to achieve a reasonable geographic spread, taking into account local demand, demonstrated through responses to the Broadband survey;**
4. **approve a delegation to the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration and Deputy Executive Member for Corporate Resources, to select the contractor based on any priorities the Council sets and the successful completion of the BDUK procurement process and sign and vary the contract if additional resources are secured during the lifetime of the contract;**

5. **approve the Deputy Executive Member for Corporate Resources, in consultation with the Executive Member for Regeneration to represent the Council through the Superfast Extension Programme; and**
6. **approve the Council's continued participation with the existing partnership arrangements, updating the collaboration agreement as required. Furthermore, that the Deputy Executive Member for Corporate Resources, in consultation with the Director of Regeneration and Business, approves any proposed changes to the membership and terms of reference to the partnership.**

<i>Reason for Recommendations:</i>	<i>To secure external resources and put in place the necessary infrastructure at the earliest opportunity to accelerate the delivery of superfast broadband to at least 95% of premises and support towards a minimum speed of 2 megabits per second for all in Central Bedfordshire, in line with achieving the Council's Medium Term Plan Objectives and Joint Local Broadband Plan.</i>
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Executive Summary

23. Broadband Delivery UK (BDUK) have announced details of the Superfast Extension programme (SEP) which seeks to support 95% of premises to receive superfast broadband services and ensure access to infrastructure able to provide at least 2 Megabits per second to all premises. Central Bedfordshire has been allocated £1.74 million through this.
24. The Council (in partnership with Milton Keynes and Bedford Councils) has already contracted with BT through the previous BDUK project to deliver new superfast infrastructure to approximately 15,500 premises (90% of all premises). Under the SEP at least an additional 5,900 premises would be supported in Central Bedfordshire.
25. It is proposed that an additional £500,000 capital funding is allocated to match BDUK funding (additional to the £1 million already allocated in the Capital Plan and £250,000 secured from Central Bedfordshire Together).
27. It is proposed that the national BDUK procurement framework is used to select a private partner, and that existing partnership arrangements to deliver the project are maintained.
28. It is proposed that Council's procurement priorities should be to maximise total coverage in Central Bedfordshire, and subject this, seek to achieve a balance of residential and business premise coverage and seek achieve a reasonable geographic spread, taking into account local demand.
29. A delegation to the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration and Deputy Executive Member for Corporate Resources, is sought to select the contractor based on any priorities the Council sets and the successful completion of the BDUK procurement process, and sign and vary the contract if additional resources are secured during the lifetime of the contract.

Background

30. The Council has entered into collaboration with the Councils of Bedford Borough and Milton Keynes and formed a joint Broadband Partnership (under the project title Central Superfast) to deliver the Joint Local Broadband Plan (endorsed by full Council at its meeting on the 14 February 2012), which set out plans to deliver access to superfast broadband (defined as being at least 24Mbit/s) to 90% of all premises with the aim to ensure that all premises in Central Bedfordshire have access to infrastructure able to provide at least 2 Megabits per second.
31. Following a successful application to Broadband Delivery UK (BDUK) for match funding and use of the competitive national procurement framework and state aid approval, BT were selected as a partner to deliver necessary infrastructure. The contract was awarded in August 2013, with initial deployment of services expected in May 2014. In Central Bedfordshire this is delivering superfast services to almost 15,500 premises, with deployment complete in Q1 2016. There has already been considerable public demand for increased coverage, for example the Council has developed an online demand registration tool which has already received well over 3,000 responses requesting better broadband, and over 98% would support investment in Superfast Broadband.
32. BDUK undertook a consultation process on possible mechanisms to increase coverage in Q3 2013. In the June 2013 Spending Round the Government announced a further £250m of funding to increase the availability of superfast broadband to 95% of premises in the UK by 2017. BDUK have developed the Superfast Extension Programme (SEP) to deliver this. Central Bedfordshire was indicatively allocated £1.74 Million as part of this. An initial expression of interest was submitted by the Central Superfast Partnership in March and BDUK have set in place a process for applying to secure funding, with an application required by the end of June 2014. The total allocation to the Central Superfast Area and Luton was £3.18 million.

Superfast Extension Project

33. Participating in the SEP is likely to result in an accelerated delivery and support at least an additional 5,900 premises supported to receive superfast broadband services, if the 95% target is achieved. These premises are not currently being served through commercial plans or the existing Central Superfast Project and there is very little chance of these premises being supported through other means. To achieve the Council's corporate objectives and the Joint Local Broadband Plan goal of superfast broadband for all, it is recommended that the Council participates fully in the BDUK Superfast Extension Programme.

34. The Council has already allocated £1 million through the Capital Plan to deliver extended coverage of superfast broadband. In addition to this, £250,000 has been secured through Central Bedfordshire Together to match the BDUK allocation. However, an additional £500,000 is required to fully match and secure the BDUK allocation and ensure that sufficient resources are in place to achieve at least the 95% target. Through a competitive process, the Council will seek to maximize coverage above the 95% target. It is proposed that an additional £500,000 is allocated to the budget, bringing the Council's total contribution to the SEP of £1.5 million. Depending on BDUK approvals and timescales, it is expected that funding will be spent in 2016/17 and early 2017/18, though an accelerated delivery and alignment with the current BDUK project will be sought through the procurement process.
35. Private sector contributions to the project will be sought through the procurement process. This will increase the value of the project and resulting coverage levels. This will not impact in the Council's capital contribution.
36. Cllr Richard Wenham, Deputy Executive Member for Corporate Resources, has been representing the Council in the current BDUK project. It is recommended that this engagement, in consultation with the Member for Regeneration is continued through the Superfast Extension Programme.
37. BDUK are putting in place another national procurement process and state aid approval to enable local authorities to select a private sector provider. This is considered the lowest risk and most efficient option for the Council to secure a provider. This is due to the use of a national framework most closely aligning to BDUK approvals process, possibility of accelerating deployment and also reduced costs and risks associated with undertaking a separate Official Journal of the European Union procurement process. As such it is recommended that that the Council utilises the BDUK procurement framework. The Council will comply with all state aid requirements, including undertaking a revised Open Market Review, to develop an updated and clear understanding of the private sectors future deployment plans in the area, ensuring that public funding is not over building private investment.
38. It is recommended that the Council continues with the existing priorities set out through the previous BDUK procurement, through the SEP procurement process:
- maximising overall superfast broadband coverage;
 - ensuring all have a minimum access to infrastructure able to deliver 2 Mbps services;
 - subject to maximising superfast, seek a balance between residential and business premise coverage; and
 - subject to maximising superfast coverage, achieve a reasonable geographic spread, taking into account local demand, demonstrated through responses to the Broadband survey and response to consultation.

This is based on the supporting the maximum number of residents and businesses in Central Bedfordshire, fit with the medium term plan priorities and balancing the risk of increased perceived complexity of the project and risk that the private sector may choose not to bid for and invest in the area. These priorities will be tested through the BDUK bidder engagement process, to ensure the optimum procurement outcome for Central Bedfordshire.

39. In order to comply with BDUK timescales and focus on accelerated delivery, it is recommended that a delegation is sought to the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration and Deputy Executive Member for Corporate Resources , to select the contractor based on any priorities the Council sets and the successful completion of the BDUK procurement process and sign and vary the contract if additional resources are secured during the lifetime of the contract.
40. BDUK have previously required the Council to form a partnership with Bedford Borough and Milton Keynes Councils, in order to maximise the attractiveness of the project to bidders and drive efficiencies through economies of scale. BDUK have indicated that they wish to see existing partnerships continue, as the basis of the SEP. A formal collaboration agreement and joint project board has been developed for the previous BDUK project. BDUK have indicated that they are expecting local partnerships to continue into the SEP. There is also the potential for the need to alter the membership of the partnership, for example Luton, which was previously not eligible to participate in the project, could now be included in the project. To build upon proven working arrangements and meet BDUK expectations It is recommended that the Council continues with the existing partnership arrangements, updating the collaboration agreement as required. Furthermore, that the Deputy Executive Member for Corporate Resources, in consultation with the Director of Regeneration and Business, approves any proposed changes to the membership and terms of reference to the partnership.

Conclusion and Next Steps

41. BDUK have indicated that applications for the SEP are to be completed by the end of June 2014. Every effort would be made to ensure that the procurement process would be completed at the earliest opportunity, and all opportunities to accelerate deployment of services are undertaken.
42. In addition to the BDUK projects to tackle existing premises, the Council's Draft Development Strategy highlights the requirement for new developments to consider putting in place superfast broadband infrastructure, to ensure that new premises are planned for from the outset and so not creating future need for public sector intervention.

43. Further resources will also be sought to increase coverage and support take up of services. For example through the South East Midlands Local enterprise Partnership with a particular focus on supporting businesses premises. Likewise through Council activities and external funding a series of programmes to support business and residents maximise the take up and benefit of broadband will be put in place.

Appendices:

N/A

Background Papers: (open to public inspection)

Joint Local broadband Plan:

http://www.centralbedfordshire.gov.uk/Images/Joint%20Local%20Broadband%20Plan_tcm6-41719.pdf#False

Current BDUK project and rollout plans: www.centralbedfordshire.gov.uk/broadband

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Meeting: Executive
Date: 27 May 2014
Subject: Housing Allocations Policy
Report of: Cllr Carole Hegley, Executive Member for Social Care, Health and Housing

Summary: The report proposes that Executive approve and adopt the proposed Housing Allocations Policy to ensure that social housing in Central Bedfordshire is allocated on a fair and transparent basis, so as to meet local housing need, incentivise employment and promote social mobility.

Advising Officer: Julie Ogle, Director of Social Care, Health and Housing
Contact Officer: Tony Keaveney – Assistant Director Housing Services
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes

CORPORATE IMPLICATIONS

Council Priorities:

The Housing Allocations Policy supports the following Council priorities :

- Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
- Promote health and wellbeing and protecting the vulnerable.
- Value for money – freezing council tax.

Financial:

1. The cost of implementing the changes proposed by the Housing Allocations Policy are incorporated within the approved revenue budget.
2. It is anticipated that a restricted register and an online application process will provide greater value for money, enabling resources to be moved from processing applications to assisting people into successful and sustainable tenancies. There are General Fund efficiency savings which have been identified within the Council's efficiency programme.

Legal:

3. The Council has a statutory duty to have a Housing Allocations Policy and to ensure that social housing is allocated in accordance with this policy.

4. Historically, the allocation of social housing is an area of service provision which is contested, where there is a significant body of case law to which officers and policy makers must have regard. The Localism Act has essentially created new freedoms for local authorities, enabling local authorities to determine the basis on which to allocate social housing in a way that is much less prescribed in legal terms, than has been previously. Currently, the new freedoms are untested in law.
5. There is a statutory Code of Guidance, to which officers have had close regard in developing the Housing Allocations Policy. Also, legal advice has been obtained, to consider the Policy from the perspective of changes introduced by the Localism Act 2011, the Housing Act 1996 and under the Equality Act 2010. The Allocations Policy has been drafted to comply with relevant legislation. The main legal implications relate to the equalities implications and these are considered within this report, including the mitigations and actions necessary to ensure the Council is fulfilling its duty to promote equality.
6. There is risk of legal challenge in all areas of service provision and in particular in those areas where the resource is scarce and priority is being determined between competing needs, to achieve a social purpose. The Housing Allocations Policy has been developed with mitigations to reduce the risk of legal challenge, whilst also using to the fullest extent, the new freedoms afforded by the Localism Act..

Risk Management:

7. The Housing Allocations Policy helps to mitigate the following corporate risks:
 - Failure to deliver the Council's priorities, Medium Term Plan, the Housing Strategy 2011-15.
 - Failure to make adequate provision to meet the accommodation needs of older people in Central Bedfordshire.

Staffing (including Trades Unions):

8. Not applicable.

Equalities/Human Rights:

9. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. National and local research indicates that there is a shortage of appropriate and affordable housing for older people.

The approval of the Housing Allocations Policy will play an important role in helping to improve outcomes for tenants and members of the community in housing need in Central Bedfordshire. The policy includes a number of positive provisions for vulnerable groups.

10. A full Equalities Impact Assessment (EIA) has been completed and is provided at Appendix 3. The assessment has highlighted some potential adverse impacts relating to the employment and residency criteria. These issues are considered in further detail in the main body of the report along with some proposed mitigating actions.
11. The policy will be closely monitored during the early stages of implementation to ensure that the process is operating as fairly as possible, and that no individuals are being indirectly discriminated against. This is a particular recommendation of the Social Care, Health and Housing Overview and Scrutiny Committee. Consideration has been given to the legal implications of the key issues identified through the EIA.

Public Health:

12. Good housing has a positive impact on public health and education.

Community Safety:

13. The Housing Allocations Policy proposes that individuals who would make unsuitable tenants based on former behaviour are not eligible to join the Housing Register. This will enhance the safety, security and wellbeing of the community.

Sustainability:

14. The Housing Allocations Policy more clearly defines the social purpose of the social housing system, locally thereby supporting the sustainability of local communities. The Policy aims to incentivise employment and promotes the best use of stock, to ensure that local housing need is being met. The Policy provides a safety net to vulnerable people, whilst introducing new local connection criteria, which should result in more accommodation being available to people currently living in or connected with Central Bedfordshire. A significant break with the previous Allocations Scheme is that the Policy does not include cross border mobility as a main feature. The proposed changes, taken together, contribute significantly towards the sustainability of local communities by making best use of the available housing resource.

Procurement:

15. Not applicable.

Overview and Scrutiny:

16. The Social Care, Health and Housing Overview and Scrutiny Committee considered the Housing Allocations Policy on the 12 May 2014. A separate note of the Committee's recommendations to Executive will be provided.

RECOMMENDATIONS:

Executive is asked to

1. **adopt the Central Bedfordshire Housing Allocations Policy at Appendix 1 as the Allocation Scheme for social housing in Central Bedfordshire; and**

- 2. delegate authority to the Director of Social Care, Health and Housing, in consultation with the Executive Member for Social Care, Health and Housing to:**
- 2.1 allocate social housing in accordance with the Housing Allocations Policy, at such time as the Policy can be implemented successfully;**
 - 2.2 amend or vary the detailed wording of the Housing Allocation Policy, where to do so does not change the strategic intent or overarching aims of the Policy, so as to ensure the Policy is and remains effective in operational terms, to achieve the Policy objectives;**
 - 2.3 consult for four weeks on the specific proposal that Older People should have priority for a home in close proximity to where they live, to then decide either to retain, modify or remove this specific policy, having taken into account the views of stakeholders and the public;**
 - 2.4 develop and implement on an annual basis, a Lettings Plan that is aligned to the aims and intent of the Housing Allocations Policy; and**
 - 2.5 develop and implement monitoring arrangements to ensure that the aims of the Policy are achieved and to support the Council's duty to promote Equality, in line with the mitigations set out in the Equalities Impact Assessment.**

Reason for Recommendations: To ensure the Council has in place and maintains an up to date Housing Allocations Policy that is in line with legal requirements, having taken into consideration the views of stakeholders.

Executive Summary

17. The Council has a statutory duty to ensure that social housing is allocated in accordance with the Council's Housing Allocations Policy. The Localism Act 2011 allows local authorities greater freedom and flexibility to fulfil this duty. In response to the Act, a detailed evidence based review of the Housing Allocations Policy was undertaken. This report sets out significant changes to the Allocations Scheme, as part of an ambitious programme of housing reform that includes the Council's Tenancy Strategy, adopted in 2013.
18. The draft Allocations Policy aims to be simple, transparent and fair in its application, and to make the best use of social housing provision. The key objectives of the draft Allocations Policy are to:
- Help applicants in housing need to find suitable housing.
 - Provide housing applicants in Central Bedfordshire with a fair and transparent system.
 - Provide an incentive for applicants to seek employment.
 - Create a simpler system that uses resources more efficiently.
 - Make efficient and best use of social housing stock in the area.
 - Encourage applicants to take a measured and long-term view on housing options and to take responsibility for planning their own housing provision.
 - Help veterans and their families to resolve their housing need, in line with the Central Bedfordshire Armed Forces Community Covenant.

19. Extensive consultation was undertaken throughout the process of developing the proposed Housing Allocations Policy. Account has been taken of feedback received. The Policy uses, to the fullest extent, the freedoms of the Localism Act, so as to achieve local priorities, specifically to incentivise employment to promote social mobility.
20. Member seminars held in August 2012 and June 2013, followed by a Task and Finish Group, set the strategic direction for the local Housing Green Paper, the Council's Tenancy Strategy and the Housing Allocations Policy. The Social Care, Health and Housing Overview and Scrutiny Committee considered the Policy on the 12 May 2014. The recommendations of the Committee will be provided to Executive as a separate note.

Background

21. The Council has embarked upon an ambitious programme of housing reform, driven largely by a range of opportunities presented by the Localism Act 2011. Following the Member's seminars held in August 2012, June 2013 and subsequently, the work of a member Task and Finish group, a local Housing Green paper was developed, setting out the direction of travel and broad aims. The local Green paper's vision for Housing in Central Bedfordshire includes:
 - Social mobility will be supported with a range of products which will open up home ownership and 'affordable' renting to a greater number of households, helping people onto the 'housing ladder'.
 - The local housing market will offer a good choice of locations, property and tenure types to older people.
 - Well-managed, good quality social housing will be used to provide a strong safety net to those who are vulnerable.
 - Social housing will be allocated fairly, and used to support people's working lives.
 - Social landlords will support their tenants to make the most of their tenancy as a springboard into work and financial stability.
22. The Localism Act 2011 introduced changes in legislation which gives Local Housing Authorities greater freedom and flexibility in determining who can apply for social housing. The Housing Allocations Policy governs who can apply to join the housing register, the size of the property for which a person can apply and the priority given to housing applications. The Council has a statutory duty to ensure that social housing is allocated in accordance with the Council's Allocations Policy. The allocation of social housing is administered through a Choice Based Lettings (CBL) Scheme, which is being retained. However, the local Allocations Scheme will evolve to become a hybrid of CBL and a direct lettings approach, described at paragraph 27 below.
23. The development of a new fit for purpose Allocations Policy is a key step within the scope of the local Housing Green paper. The proposals that have emerged make full use of the new freedoms associated with the Localism Act. The Housing Allocations Policy prescribes how a resource (a supply of circa 1000 social lettings per annum) should be used.

The policy determines who should benefit from those lettings. Therefore, the Housing Allocations Policy is defining of the “social purpose” of the local social housing resource. The Housing Service undertook an evidence based review of the current Policy, which resulted in a number of significant proposals. The following data influenced the development of the new policy:

- During the years 2011-14, there were circa 2,956 social lettings in Central Bedfordshire, consistently around 1,000 lettings per annum. This is a relatively good supply of accommodation and the average waiting time, for those households who are re-housed is typically 35 – 40 weeks.
- In early 2013, at least 20% of the Council’s general needs housing stock was under occupied by one bedroom or more. This has been reducing due mainly to the moves/transfers that the Council has enabled in response to welfare reform. However, the indication is a resource that is not being fully utilised.
- There are circa 3,300 households on the housing register, but a relatively small proportion are actively bidding for properties. Inevitably, ‘bidding activity’ is related to what properties are available locally.
- 70% of new social housing tenants in the Central Bedfordshire area are not in work or economically active. The figure is noticeably higher in the south of Central Bedfordshire, than the north.
- On average 49 new applications to be re-housed are received each week, but only a relatively small proportion of these applications are in ‘housing need’ (where the Council is required by law to give reasonable preference). Only a relatively small proportion are likely to be re-housed.
- Across Central Bedfordshire, it is estimated that at least 1,500 older persons living in social housing are under occupying their home

24. The Localism Act gives Councils the freedom to not register applications from households who have no housing need. The new policy proposes that applicants who do not fall into one of the reasonable preference groups (that essentially define what constitutes “housing need”) are not registered for rehousing. The reasons for this approach are:

- Registering applicants with no housing need raises expectations.
- Applicants on the housing register continue to make contact with the council, even though they are told to explore other housing options. This increases the workload of the service.
- There is an on-going cost to managing the housing register in terms of customer contact and re-registration. By removing those households who are not in housing need, the cost of managing the Register will be reduced. This has been factored into planned efficiency savings.

In recent years, approximately 1,000 households register each year for housing but do not re-register at their annual review, mainly because they recognise that they are unlikely to be re-housed.

In making this change, the Council is able to focus on using the supply of social housing to meet the needs of people to whom the Council has a statutory responsibility and is required to give reasonable preference within the Allocation Scheme.

The Council is then able to focus on improving the Housing Supply across all tenures and can target resources to open up home ownership and 'affordable' renting to a greater number of households, helping people onto the 'housing ladder'.

25. Cross border mobility was a main feature of the Allocations Scheme introduced in 2009, in an approach developed jointly with Luton Borough and Bedford Borough Councils. In developing the new Policy, consideration was given to whether that feature of the existing scheme had benefited Central Bedfordshire residents and achieved its aim, which was to promote geographic mobility.

The review of the Policy demonstrated there was no discernible benefit and for this reason, it is not proposed to include cross border mobility as a main feature of the Allocations Policy. Instead, specific criteria have been introduced to strengthen the requirement for a local connection to Central Bedfordshire, so as to make best use of the social housing resource, to benefit residents of Central Bedfordshire who are in housing need.

There is a stronger emphasis on social mobility within the Policy and a new approach is being taken to promote social mobility by incentivising employment within the Allocations Scheme. The Housing Service will also change, to establish expertise to provide employment advice, during the same conversation with a resident about their housing options.

Whole System Change

26. Central Bedfordshire is an area of significant housing need. There are circa 3,300 households on the register. Of these, approximately 45% of households registered have no housing need (because they are currently living in suitable accommodation), although clearly they have a wish to move. Those registered as being in high/urgent housing need is typically around 6% of the Housing Register, currently 198 households. The remaining 49% of registered households are in housing need, to varying extent, including low, medium and relatively high need to move to more suitable accommodation. While those in the higher bands have a reasonable chance of being housed, many of those in the lowest band will never be re-housed.
27. The effective operation of the social housing system locally is a key consideration, for the Council and Housing Association partners. The proposed changes will introduce essentially a hybrid system that plays to the strengths of a Choice Based Lettings (CBL) system and also the benefits of direct intervention (i.e. Transfers and direct lets). Currently, the local system is strongly weighted to being solely a CBL scheme, which has advantages around transparency and customer access. But CBL is disadvantaged in that "only one need is met" (by a let), whereas transfers can create "chains of moves", thereby meeting needs of several households. The evolution of the Allocations Scheme will take time, to be guided by an Annual Lettings Plan (ALP). This is described at page 7 and 49 of the Housing Allocations Policy.

28. The Annual Lettings Plan will be used to determine how the predictable resource of lettings (approximately 1,000 per annum) will be used. The purpose of the ALP is to “make the best use of stock”. It is envisaged that approximately 2/3rds of lets will continue to be let through CBL, whilst about 1/3 of lets will be used on the basis of direct lets, transfers and quota.

During 2013/14, the use of direct lettings have been an important approach that has enabled the Housing Service to respond effectively to welfare reform, by enabling households to move to accommodation they are able to afford. The ALP will stipulate quota to be used to meet specified needs, for example children leaving care, or mental health needs, or to support Foster Carers and parents wishing to adopt looked after children.

Aims of the Housing Allocations Policy

29. The Housing Allocations Policy aims to be simple, transparent and fair in its application, and to make the best use of social housing provision. The key objectives of the Allocations Policy are to:

- Help applicants in housing need to find suitable housing.
- Provide housing applicants in Central Bedfordshire with a fair and transparent system.
- Provide an incentive for applicants to seek employment.
- Create a simpler system that uses resources more efficiently..
- Make efficient and best use of social housing stock in the area.
- Encourage applicants to take a measured and long-term view on housing options and to take responsibility for planning their own housing provision.
- Help veterans and their families to resolve their housing need, in line with the Central Bedfordshire Armed Forces Community Covenant.

30. More specifically the policy seeks to achieve the following outcomes:

- Encourage applicants who are out of work to seek employment.
- Balance reasonable preference with local priorities.
- Provide support for low paid workers in the private sector.
- Practical help for those threatened with homelessness.
- Supporting households who work locally.
- Offering choice.

31. In strategic terms, the rationale for change is to ensure that the available resource (circa 100 lets per annum) does have a social purpose, within a social housing system and that best use is made of that resource. More fundamentally (as far as can be achieved), that customers do benefit from the provision of a home at relatively low cost to improve their life chances, mainly through help to access employment.

32. The Housing Service is creating an Employment pathway, within the mainstream of customer service, to make every contact count. This is closely aligned to the Tenancy Sustainment approach, which has emerged as the primary response to managing the impacts of welfare reform. The pathway also applies to the provision of housing advice, where it is envisaged that customers will be advised about their housing options and, during the same conversation, consideration will be given to ways in which the Council can assist non working households to access employment.

This is a fundamental change for the Housing Service that will take time to develop. It is a much clearer definition of social purpose, to use every customer contact as an opportunity to add value and to enable customers to improve their life chances. The employment pathway is an important development, to support the aims of both the Tenancy Strategy and the Allocations Policy.

33. The Localism Act 2011 introduced new freedoms and flexibilities in a number of areas including the allocation of social housing. A new statutory code of guidance has also been issued. Councils can now choose to restrict the waiting list for social housing if they so wish and can define local priorities for social housing as long as 'reasonable preference' is given to those set out in the new section 166A of the Housing Act 1996 as inserted by the Localism Act 2011. These are:

- Applicants who are homeless including those who are intentionally homeless and not in priority need.
- Applicants occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- Applicants who need to move on medical or welfare grounds, including grounds relating to disability.
- Applicants who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or others).

34. The Localism Act gives the freedom to not register applications from households who have no housing need. The new policy proposes that applicants who do not fall into one of the reasonable preference groups are not registered for rehousing. Currently this would be circa 1500 households. The reasons for this approach are:

- Applicants with no housing need are unlikely to be re-housed and to register them on the list creates a false expectation of social housing being available to them.
- Social housing is a scarce resource and should be targeted to those in housing need.
- Restricting access to the Housing Register (waiting list) provides clarity of the role of social housing within Central Bedfordshire. It changes the expectation that social housing is available to those without a housing need and at the same time protects the most vulnerable in Central Bedfordshire.

- There is a significant workload in administering a waiting list; reducing the size of the list to include only those most in need of housing, would reduce costs and enable resources to be targeted to provide assistance to those not in housing need to secure an alternative housing solution.

35. The provision of affordable housing in Central Bedfordshire through Rural Exception sites is highly valued source of new properties to help meet the growing demand for affordable housing and to promote rural sustainability. The Council gives such properties special treatment under its planning policy and the Housing Allocation Policy.

Special criteria are applied when allocating such properties and separate allocation arrangements are made. These are detailed in a Policy adopted by Executive in February 2013, provided as an appendix to the main Policy. It should be noted that the criteria established by the Housing Allocations Policy do not apply to lettings within rural exception schemes, which shall continue to be let in line with the approved Local Lettings Policy.

36. The Housing Allocations Policy gives additional preference to certain categories of persons from the forces, in line with the Council's legal responsibility and long standing commitment to helping veterans and their families to resolve their housing need, in the context of the Central Bedfordshire Armed Forces Community Covenant.
37. In taking the approach outlined above, the Council is able to focus on using the supply of social housing in meeting the needs of people to whom the Council is required to give reasonable preference, alongside meeting local priorities.

Operational Changes

38. The Housing Service will introduce online housing applications (to the Housing Register) and will no longer process paper based application forms. This will be enabled by a self-assessment tool that will assess a home seekers eligibility for inclusion on the register based on information submitted by the customer.
39. In accordance with recent indirect discrimination case law relating to on-line submissions, vulnerable applicants will be assisted to complete this assessment. If a home seeker does not attract reasonable preference, s/he will be diverted via the self assessment tool to an interactive housing options calculator which will identify the most realistic and suitable housing option for that household based on real time information provided by the customer.
40. In developing an approach to on line self assessment and on line registration package, the Housing Service will introduce a means to capture information about where households prefer to live and what type of properties they want to live in. This information will be used to plan for the development of new affordable housing in locations where people want to and can afford to live. In this way, the Council can ensure that affordable housing is provided in locations where people want to live and can afford to live and work.

41. It is intended that the changes introduced by this Policy will use Council resources more effectively and efficiently, by moving staff resources from processing to meaningfully helping customers into successful and sustainable tenancies. This efficiency saving is established within the Council's efficiency programme, now being reflected in a comprehensive restructure of the Housing Service, that has created a Housing Solutions team.

Consultation

42. Extensive consultation was undertaken in the development of the proposed Allocations Policy, with applicants, tenants, stakeholders and staff. A number of workshops were held, which included a stakeholder workshop; a series of staff focus groups; and face-to-face consultation with service users living in temporary accommodation, and attendees of job clubs. Alongside this a detailed written consultation exercise was undertaken for 12 weeks.
43. The formal consultation was managed via a formal consultation document. This document was available in paper format: downloadable from the Council's website, and obtainable by telephoning or writing to the Council. This process was managed by the Customer Engagement and Partnerships team.
44. Households currently in bands C and D on the existing Housing Register; who are likely to be impacted by the proposed changes; were written to as part of the consultation. They were notified of the proposed changes and invited to respond to the consultation.
45. Alongside applicants, Stakeholders, Partners, Central Bedfordshire Council employees and Elected Members were informed of the consultation. Awareness of the consultation was raised through the use of social media and the issuing of press releases.
46. In response to the written consultation 102 individuals responded. Of these respondents; 25% were housing register applicants; 16% were Housing Association tenants; 6% were from Town or Parish Councils; 10% were professionals; 16% were recorded as other and 17% did not include this information. 29% of respondents were male and 67% female, 45% were aged over 55 years and 19% stated that they had a disability.
47. The key findings from the written consultation are summarised below. The full response to the Consultation can be found in appendix 2. There is one specific policy proposal, relating to older people that emerged during the formal consultation process. The idea is essentially that older people should benefit from the support of established networks within their community by having priority for a home where it is in close proximity to where they currently live. The idea is included within the Housing Allocation Policy, however it is proposed that further consultation is undertaken, for a period of 4 weeks, on this specific proposal.

The approach being proposed to conclude whether this idea shall be included within the Policy, modified or withdrawn is outlined at paragraphs 53 to 58 below. There is a specific recommendation at 2.3, to delegate authority for this decision, once the consultation is concluded, to the Director of Social Care, Health and Housing, in consultation with the Executive member with responsibility for Social Care, Health and Housing.

48. I. Housing Needs

57% of respondents agreed that people with no housing need should be stopped from joining the housing register. Those that did not agree (39%) cited issues in relation to affordability and that the draft policy fails to consider all circumstances.

II. Local Connection

67% of respondents agreed with the proposal that only people who had lived continuously in Central Bedfordshire for three years should be allowed to join the register, whilst 30% were opposed to the proposal. Feedback included that three years was too long a period and that individual circumstances should be considered including reasons such as fleeing domestic abuse and moving closer to an elderly relative.

60% of respondents who agreed with the local connection proposal felt that three years was the right period of time in which to establish a local connection. Of the respondents who did not agree with the three-year proposal, half of them felt that five years was a more appropriate length of time.

67% of respondents agreed with the proposal that a Local Connection could be established by having been employed in Central Bedfordshire for six months.

III. Affordability

70% of respondents agreed with the proposal that people with sufficient income to buy their own home or to rent privately should not be able to join the register. Of those 75% considered the income thresholds to be fair.

59% of respondents agreed with the proposal that households with savings or assets over £23,250 should not be able to join the register.

IV. Banding

61% of respondents agreed with the proposal to move to two bands: one for very urgent housing need cases; and one for all other applicants. For those that did not agree concern was expressed that this system may be too restrictive, and that the second band would be a very large group with varying levels of housing need.

V. Employment Priority

66% of respondents agreed with the proposal that working households will have priority over non-working households. Concern from individuals who did not support this proposal included the difficulty in accessing employment in the current economic climate.

VI. Unsuitable Tenants

80% of respondents agreed with the proposal to exclude unsuitable tenants from the housing register. Of those that did not agree with this proposal concerns were raised about where excluded people would go.

VII. Low Paid Workers

85% of respondents agreed with the proposal that low paid workers living in privately rented accommodation should be allowed to join the register.

VIII. Older Persons Accommodation

12% of respondents agreed that older people with no demonstrable housing need should be able to bid for vacant older people's accommodation where these properties attract no interest/bids. 85% of respondents did not answer this question.

49. Consultation feedback from the workshops and focus groups included:

- Support for restricting the Housing Register to those households in housing need.
- Overall support for a simplified banding system.
- Overall support for the quota system.
- Concern about the ability to allocate social housing stock if the register is restricted.
- Concern that debt that has arisen due to the impact of welfare reform would be held against applicants.
- Concern regarding the lack of employment opportunities and support to access work.
- Concern about the ability to access an online only system for vulnerable households.

50. The views of each specific group are detailed below:

- Stakeholder Workshop, including Registered Providers. Support for the Policy was expressed especially in relation to the aims around employment and a simpler more transparent system. Concern was raised in relation to online access.
- Child Poverty Group held on 10th September 2013. Support for the principles of the policy were expressed, with some concern articulated in relation to barriers in accessing employment and addressing debt.
- STAG Tenant Engagement Group held on 28th August 2013, attended by 24 residents. Support for the exclusion section and income section was given, but some concern expressed in relation to employment opportunities.
- Way Forward Panel attended by 5 members and Council Employees. Suggested including voluntary work within the employment section and expressed support for excluding bad behaviour and the priority given to ex-service personnel.

- Focus group with residents of Bedford Court (temporary accommodation hostel), attended by 8 residents. A range of views were expressed, with overall support for the new Policy.
 - Face to face consultation with attendees at job clubs.
 - Series of workshops with Housing Service staff.
51. In light of the consultation responses, the Council has drafted a proposed Housing Allocations policy which makes full use of the new freedoms of the Localism Act, yet also responds to the feedback received from consultation. Whilst there are no fundamental changes as a result of consultation, the contribution from local residents and stakeholders has been valuable.
52. There are many comments that will directly inform the implementation plan and be incorporated within Operating Procedures. In addition, many of the comments have helped to resolve potential problems, or have influenced the Policy in many, many small ways, all of them helpful to ensure that the Policy, when implemented in the autumn of 2014, achieves its key aims.

In particular, the comments received will inform the Communications Plan being developed and should ensure that the changes to customer pathway, as well as the significant changes that are likely in terms of customer expectation, can be managed effectively. The Policy does introduce significant changes, which should not be under-estimated in terms of –

- The Policy itself, prioritising people in work over those who are not working, to improve life chances and promote social mobility.
- On line assessment/registration, with support in place for vulnerable people.
- Moving to a hybrid system that combines both Choice Based Lettings approach and a significant proportion of direct lettings, through an Annual Lettings Plan to make the ‘best use of stock’.
- Significant changes to the customer pathway and changes also, in terms of customer expectations.

Proposal to Enable Older People to Live Close to Established Networks

53. During the consultation process, a comment was received as follows:

“...It is felt that the formulation of this Policy should give consideration to older / retired people who live in rural areas, the opportunity to downsize from their current council property which may now be too large for them, to move to a smaller property but in the same locality.

It is here where they will have a group of friends and possibly family who can assist them in their needs on a day to day basis if required. This will take some of the burden off the Social Care requirements for the council in the early years of retirement...”

54. Having considered this view, a statement has been included within the Housing Allocations Policy (page 5), as intent to enable older people to live close to established networks. The response to consultation is set out as follows –

The Council recognises that whilst older people may need to move to alternative and more suitable accommodation as their housing needs change; established community and support networks are very important to this particular age group. Many of our older residents will have lived within the same community for a long time, and have very strong ties. As such, where possible, we wish to support our older residents to remain within their communities by giving them enhanced priority for vacancies that arise within sheltered and older person's designated accommodation in close proximity to their current address.

55. The specific Policy proposal is that applicants on the "Accommodation for Older People" Housing Register, who live within 2 miles of the advertised vacancy will be shortlisted above applicants who do not live within this proximity (within each band). This means that where more than one applicant in the same band bids for a property, priority for the property will be given to applicants who currently live within 2 miles of the vacancy.

Where there is more than one applicant living within 2 miles of the property for which they are bidding, priority will be given to the applicant who has been in the band the longest. Further detail on this specific policy objective is set out within the Housing Allocations Policy, page 24.

56. This proposal was not included within the original Policy document that was subject to 12 weeks formal consultation, as the idea emerged during the consultation process. This is a material change to the original proposals and therefore, it is appropriate that the Council consult with relevant stakeholders and the public on this specific idea for a period of 4 weeks. It is anticipated that the idea will be widely supported, as it so clearly benefits local communities and also benefits older people, who will have greater priority to secure suitable accommodation, thereby to remain living in close proximity to established support networks. This idea was proposed by a parish councillor.
57. A recommendation is set out as 2.3 above, which will delegate authority to the Director of Social Care, Health and Housing, in consultation with the Executive member with responsibility for Social Care, Health and Housing to consult for four weeks on the specific proposal that older people should have priority for a home in close proximity to where they live. The scope of this delegation shall include authority to then decide to retain, modify or remove this specific policy criteria, having taken into account the views of stakeholders and the public.
58. Consultation with stakeholders during the four week period shall include consultative groups, where membership includes older people. For example, STAG (Sheltered Tenants Action Group) and OPRG (Older Persons Reference Group) as well as Parish Councils and the public.

Equalities Implications

59. A full Equality Analysis has been carried out for this policy, and can be found in appendix 3. The draft policy includes a number of positive provisions for vulnerable groups for example in relation to disability, domestic violence, carers, looked after children, foster carers, helping people who are affected by the implications of welfare reform, helping low paid workers who may have families and be living in poverty.
60. The Council will make a percentage of annual lets available to certain groups of applicants, via quota schemes. These quota will be set out in an Annual Lettings Plan. Groups likely to be subject to a quota include:
- Foster carers and adopters, as well as looked after children
 - Clients with mental health issues, but ready to move on from supported housing schemes
 - Clients with learning disabilities, but ready to move on from supported housing schemes
 - Others to be identified as part of consultation with partner agencies

The Annual Lettings Plan will be produced, having regard to an evidence base derived from rigorous monitoring of lettings and having due regard to the outcomes being achieved, in terms of both the Council's Tenancy Strategy and the Allocations Scheme. Specifically, the ALP will be used to ensure that the council provides a safety net to vulnerable people.

61 Employment

The EIA has highlighted a number of issues in relation to employment. Encouraging housing applicants that are out of work, to seek work is a key aim of the Allocations Scheme.

62. To facilitate this, applicants who are working will be given priority for vacancies above applicants who are not working. Applicants who are not in work, will be given advice and practical assistance in finding work from the housing options team and by other key agencies, in order to give them better prospects of re-housing via the Housing Register. The Housing Service is developing an employment pathway that is complimentary to its housing advice function.
63. The findings of the Hills Review have highlighted that the employment rates of those living in social housing with particular disadvantages or with multiple disadvantages are substantially lower than those of people with similar disadvantages but living in other tenures. The Hills Review also highlighted evidence that current allocations policies can create concentrations of poverty, which can have a detrimental impact on both community cohesion and sustainability. As such, it is a legitimate aim of the Council to provide an incentive for applicants to seek employment.

- 64 Recognising the barriers that people, such as disabled people, single parents and families with young children, and some people from black and minority ethnic (BME) communities can experience in finding work, the Council's Economic Growth, Skills and Regeneration Team has oversight of a variety of initiatives designed to help people find employment. These initiatives are set out in the All Age Skills Strategy. The Child Poverty Strategy also includes initiatives designed to help people access employment. Housing officers will have a key role to play in helping residents access these opportunities.

The role of the Housing Service is changing and will continue to evolve, to more clearly define the social purpose of the affordable housing system locally, in terms that are not just to do with the provision of accommodation. That purpose will be defined in terms of helping people into work to improve social mobility.

- 65 Having considered the legal implications of the Allocations Policy, it is prudent to also record successes of the various access to employment schemes, with regard to person's with protected characteristics. By so doing, the Housing Service will be able to monitor any potential for indirect discrimination.
66. The introduction of the employment incentive does not mean that non working people will be unable to access housing. It is estimated that the impact will be that average wait times (for those people in housing need, likely to be re-housed) might increase from 40 weeks, for non working people – to a maximum of 60 weeks, whilst employed people are likely to average a wait of 20-25 weeks. However, this is difficult to predict because no one really knows how people will behave in relation to the new Policy – i.e. how they will bid for available properties.

It is foreseeable that working people will, in the main, choose to pick the better properties, in preferred locations. However, it is also possible that people will choose to be pragmatic about their choice of home, or that people will be discerning and wait longer for a property of a type and in a location that they prefer. The Allocation Scheme is weighted towards choice and therefore, the behaviours of applicants are driven by factors which include the Policy itself, supply of accommodation and personal preference.

67. The EIA recommends that further consideration is given to the provisions which may have an adverse impact on groups of people that find it much harder to access employment, as this could potentially amount to indirect discrimination. As a result of the EIA the policy extends the employment priority to people who are undertaking training or volunteering. Disabled applicants under retirement age who are assessed as eligible for Support Element of the Employment Support Allowance due to their permanent disability which prevents them from participating in work related activities, will receive the employment priority.

68. **Residency Criteria**

Consideration has also been given to the impact of residency criteria and whether residency requirements have the potential to indirectly discriminate against Black and Minority Ethnic (BME) Groups. The Council's proposed policy defines a person as meeting the residency criteria if they must have lived continuously in the Central Bedfordshire area for 3 years at the time of registration and need to remain resident in the area to preserve that registration, or be in contracted employment in the area and have been for a period of at least 6 months. The policy lists exceptions to this.

The Code of Guidance recommends that a local connection is established after a **minimum** period of two years residency. It is important that the Housing Service puts in place appropriate monitoring systems and reviews the Policy periodically. The first review will take place after six months of operation.

69. 77% of existing applicants for social housing are White British compared to 89.7 % of the Central Bedfordshire population. This indicates that BME groups currently have good access to the housing register. It is not currently known how this ratio may change under the revised policy but respondents have not indicated a concern that BME groups will be unfairly excluded.

70. The qualifying criteria that is being proposed relates to three years residency or six months employment. There are also a number of exceptions to the residency criteria, detailed at page 20 of the Policy. In addition, lettings to homes provided within Rural Exception Schemes are excluded from the scope of the Allocations Scheme and shall be let in line with the Local Lettings Policy approved in 2012 (at appendix 2).

The Council has been advised to include a further exception to cover and extend to persons able to demonstrate strong connection to the Central Bedfordshire area by reference to strong family association – whether by residence or employment and to also include a special circumstances exception which could be referred to the Housing Needs panel for consideration and decision.

71. The policy will be closely monitored during the early stages of implementation/operation to ensure that the process is operating as fairly as possible, and that no individuals are being indirectly discriminated against. Full legal advice in relation to the equalities issues identified above is available on request. This advice has informed the development of the EIA (appendix 3).

Implementation

72. The new policy is anticipated to be operational during Autumn 2014 and there are several issues that are to be resolved, to ensure a successful implementation. A detailed implementation plan will be agreed by partners following adoption of the Policy. A Communications Plan and also the Annual Lettings Plan will be developed. An Allocations Policy Implementation group has been established, consisting of representatives from Aragon Housing Association and Housing Service staff. Throughout the development of this Policy this group has worked to identify implementation issues and mitigations.
73. This report recommends specific delegations of authority to the Director of Social Care, Health and Housing, in consultation with the Executive member with responsibility for Social Care, Health and Housing to ensure that the Policy is successfully implemented. The Housing Allocations Policy defines strategic intent and is precise in policy terms. However, the success of this Policy will be determined as much by work to develop the Annual Lettings Plan and associated monitoring systems.

As important as the Policy itself will be communication with customers to ensure the Policy is understood. Early in 2015, it is envisaged that the system will be on line, within the council's Customer First programme. All of this change will fall within the scope of the implementation plan. For this reason, the scope of the recommendations to Executive within this report, include a wide scope of delegated authority to ensure that the Policy is implemented successfully.

74. The consultation process has identified many potential issues, which are being resolved. The challenge will be to implement significant change in Policy, concurrent with technological change and changes to the customer pathway and expectations. It is likely that the implementation of change will be a phased, incremental approach.

Success will depend on good quality communication. As part of the implementation plan, an approach is being developed to produce and utilize Youtube style videos, as a means to communicate with customers on points of Policy as well as how to use the system, to ensure the system is easy to use and provides a positive experience.

75. A workshop is being organised, the purpose being to enable relevant stakeholders to evaluate properly all options, risk and critical path, so as to produce an implementation plan aligned to the Customer First programme timeline. There will also be an internal Procedure Guide, to be agreed by all the partners, which will guide officers in the operation of the Policy. The Policy is likely to be implemented in two phases:
- Phase 1 – autumn 2014, operational with the existing paper based systems, with customers using the Homefinder website to bid for properties.
 - Phase 2 – late 2014, early 2015 – migration within the Customer First programme to an online registration, ceasing to use paper application forms, and moving to self assessment.

76. The next steps in implementing the Allocations Policy will be developed in line with the following indicative timeline:

Activity	Date
Develop implementation timetable and action plan (including Communication Plan), following the workshop referred to at para 75.	May 2014
Develop operational procedure guide and Annual Lettings Plan	Summer 2014
Publicity campaign notifying public, applicants and stakeholders of the new changes, in line with the Communications Plan.	Autumn 2014
Train staff and key partners on new policy and online application process	Summer 2014
Amend ICT and re-band applicants, probably through an automatic process.	Autumn 2014
New Allocations Policy goes live	Autumn 2014

77. It is proposed that an initial review of the impact of the new Policy should take place 6 months after it becomes fully operational and the Social Care, Health and Housing Scrutiny and Overview Committee will be informed of the outcome of this review.

Financial considerations

78. The new Allocations scheme will be implemented within the approved budget.
79. There will be a financial cost associated with implementing the changes to the Allocations Policy in relation to updating the ICT to reflect the new Policy. There will also be staff resource requirement in relation to amending the banding of applicants and notifying applicants of changes. It is also anticipated that when the policy goes live it will generate a huge increase in queries for a short period of time.
80. It is anticipated that a restricted register and an online application process will provide greater value for money, enabling resources to be moved from processing applications to assisting people into successful and sustainable tenancies. There are also General Fund efficiency savings which have been identified within the Council's efficiency programme.

Conclusion

81. A fit for purpose Housing Allocations Policy is a key element in achieving the vision set out in the Council's local Housing Green paper. The adoption of the Allocations Policy is a key milestone in realizing this vision, as important as the Tenancy Strategy adopted in 2013 and now implemented.

However, the scope and extent of change should not be under-estimated. The changes are fundamental and far reaching, but like any “whole system change” there is more to do, to create a local “Housing Offer” that really does achieve:

- Customer (personal) benefit – e.g. a hand up, improved life chances
- Wider social benefit for Central Bedfordshire, meaning that social mobility is improved and area based deprivation is reduced.

Appendices:

Appendix 1 – Housing Allocations Policy

Appendix 2 – Full response to the consultation

Appendix 3 – Equalities Impact assessment (EIA)

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Executive, 27th May 2014

Appendix 1

Central Bedfordshire Council

Housing Allocations Scheme

May 27th 2014

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FOREWORD

As the Council's Executive Member for Social Care, Health & Housing, I would like to welcome you to the Council's new Housing Allocations Scheme. Its purpose is to let social and affordable housing in Central Bedfordshire in a fair and transparent way.

Housing has a central role to play in everything we are seeking to achieve in Central Bedfordshire. During 2013, a Councillor led Task and Finish Group worked closely with stakeholders and local residents to develop our local Housing Green Paper, which sets out the Council's thinking to date on housing issues and challenges and our priorities for action in driving forward with a new agenda. A copy of our local Green Paper can be found at – <http://www.centralbedfordshire.gov.uk/home-and-housing/housing/housing-policies-strategies/housing-policies-strategies.aspx>

One of the key concerns for us is making sure we maximize and make best use of the supply of affordable housing stock in Central Bedfordshire, to ensure that it is as affordable as housing finance allows it to be and that it is appropriately targeted at households who are in genuine housing need. We work closely with developers to make sure the type and mix of housing in the area is appropriate.

This Allocations Scheme, like the already published Tenancy Strategy, takes advantage of the opportunities provided by the Localism Act in creating a truly local Allocations Scheme, based on research into our local housing needs, a comprehensive evaluation of evidence on how we are able to meet these needs and within what time frames. Each year we have between 850 and 1050 lets to make to homes that are provided by social landlords in Central Bedfordshire, including the Council. The average waiting time for a property is in the region of 35 to 40 weeks, for those households in need, who are likely to be re-housed.

We have worked hard to make the scheme simpler, easier to understand and fairer than any Allocations Scheme we have had before, whilst at the same time meeting a number of fundamental objectives. These are set out below:-

Encouraging applicants who are out of work to seek employment

We want to use the Allocations Scheme to encourage housing applicants who are not in work, and can work, to seek it. They will be rewarded with additional priority at the time of short-listing for a property. This is explained in more detail in the policy, but we believe that applicants who seek and obtain work should have increased housing prospects for social housing as a result. The Council is ambitious to deliver new housing in Central

Bedfordshire through the Local Development Framework, and is ambitious to work with partners and business to create new jobs.

2,000 jobs have already been achieved as part of an ambitious target to achieve 27,000 new jobs through our strategy for growth. We want to ensure that our Allocations Scheme supports those aims.

This will encourage applicants who are not working, to seek employment as a way of gaining additional priority for housing. The same priority will also be available to people who are in formal volunteering roles, as we believe these are a route into employment, and show commitment from applicants in making a valid contribution to the community. There are exceptions for those people who have retired or are not able to work. These exceptions are also explained in more detail, within this policy.

Balancing reasonable preference with local priorities

We wanted to develop an Allocations Scheme that is based around the statutory reasonable preference groups, but with the scope to take on board particular local priorities. We have also given additional preference to certain categories of persons from the forces, in line with the Council's legal responsibility and long standing commitment to helping veterans and their families to resolve their housing need, in the context of the Central Bedfordshire Armed Forces Community Covenant.

This has been achieved in the form of setting aside quotas (or a number of properties) each year for those applicants who have a particular need to move and who the Council wishes to support into independent living. These groups include Foster Carers, people with Mental Ill-Health or Learning Disability who are ready to leave supported housing, as well as households who wish to move in order to become foster parents. These are the groups of households that the Council wishes to support in their home seeking. These groups may change from time to time, and will be reviewed annually.

Providing support for low paid workers in the private sector

The Council is keen to provide access to housing to those who may be adequately housed in the private rented sector, but who struggle to make ends meet because of higher rent levels and low wages. We have included these households in our reasonable preference group as we believe low paid workers in the private rented sector would otherwise suffer hardship.

Practical help for those threatened with homelessness

We anticipate that those threatened with homelessness will be assisted into private sector accommodation, with the help of our private sector access scheme. Where we have properties that are advertised in our "Available Now Window", we are likely to offer these homes to those people threatened with homelessness, in order that the Council is able to discharge our legal re-housing duty. These properties are the ones that don't get let in the first bidding cycle.

Supporting households who work locally

Attracting working households to Central Bedfordshire will support our corporate goal of making Central Bedfordshire "a great place to live and work". In our local Housing Green

Paper we gave a commitment to support people's working lives and our new Allocations Scheme provides us with an opportunity to do this. We are keen to support those seeking work locally and those who already have a job here who want to move to be nearer to their place of employment. We think this is important in building sustainable communities and to support the efforts of those working to find jobs locally so that they can contribute to the local community.

Supporting older people to live close to established networks

The Council recognises that whilst older people may need to move to alternative and more suitable accommodation as their housing needs change; established community and support networks are very important to this particular age group. Many of our older residents will have lived within the same community for a long time, and have very strong ties. As such, where possible, we wish to support our older residents to remain within their communities by giving them enhanced priority for vacancies that arise within sheltered and older person's designated accommodation in close proximity to their current address.

Offering choice

The Council is still committed to offering choice in housing. Social and affordable homes let using this Allocations Scheme, will continue to be advertised through our choice based lettings website – Homefinder. Our housing applicants are able to choose the type of property they wish to live in (appropriate to their household size); and in which area. We will offer a range of housing products; social rented homes, affordable rented homes and low cost home ownership.

The Council also recognise the benefits of being able to create chains of moves, as a result of direct letting. Also, during 2013/14, the Council has enabled many people to move to accommodation they can afford, where previously the household has under-occupied a property. Direct lets and transfers have been used to manage the impacts of welfare reform, with significant success.

It is the Council's intention, over time, to develop an Allocation Scheme that is effectively a hybrid of a Choice Based Lettings Scheme and Direct lettings/Quota system, on the basis of an Annual Lettings Plan. This will take time to evolve. The Annual Lettings Plan will identify any lettings priorities and quota schemes that will sit alongside the published Allocations Scheme. The Annual Lettings Plan will be evidence based and any proposals for further change will be evidence based, having regard to the outcomes being achieved, with our limited supply of social housing.

Our intention is that the Policy framework will provide definitive guidance as to who will have priority for social housing, whilst the Lettings Plan will allow some flexibility as to how we target and make best use of our limited supply, for the number of lettings we anticipate.

We intend to keep this Allocations Scheme under review to ensure that it is delivering the outcomes that we intend. Officers will carry out the first review within 6 months of the introduction of the Scheme, and this will focus on lettings outcomes delivered so far.

We aim to make the best use of a limited, valuable resource – social housing.

Councillor Ms Carole Hegley

Executive member responsible for Social Care, Health and Housing.

1. Introduction

This document describes the criteria that Central Bedfordshire Council (CBC) uses to prioritise applications for housing in Council homes, homes owned by Aragon Housing Association and homes owned by other housing associations (sometimes called Registered Providers [RP's]) and let through nomination agreements with the Council.

The Council has divided its Housing Register into two main sections, to reflect how lettings will be made. These are:

- General Needs Housing Register
- Older Persons Housing Register

The Allocations Scheme sets out the eligibility criteria for each part of the Housing Register and the criteria used for advertising and letting within these.

The Council is faced with a substantial demand for social housing, and an insufficient supply to meet the demand within Central Bedfordshire.

Encouraging workless housing applicants to seek work is a key aim of this Allocations Scheme. To facilitate this, applicants who are working will be given priority for vacancies above applicants who are not working. Applicants who are not in work, will be given advice and practical assistance in finding work from the council and by other key agencies in order to give them better prospects of re-housing via the Housing Register.

In reading this Allocations Scheme, please have regard to the Council's published Tenancy Strategy and the Local Housing Green Paper. Both are found on the Council's website.

2. Aims and objectives

The Allocations Scheme describes how the Council prioritizes housing applicants to ensure that those with housing need, as described by the legal definition of "Reasonable Preference" are given access to the majority of available social housing lets. This Allocations Scheme sets out in detail who is and who is not eligible to become a member of the Housing Register and how this assessment is made. It sets out how applicants can apply for housing, how they are assessed and what service standards an applicant can expect to receive.

The Council has designed the Allocations Scheme to meet the legal requirements and in particular the requirements set out by Section 167 of the Housing Act 1996. It explains the procedures and priorities for the letting of Council and Registered Provider (RP) properties in the area.

The key objectives of this Allocations Scheme are to:

- *Help applicants in housing need to find suitable housing*
- *Provide housing applicants in Central Bedfordshire with a fair and transparent system*
- *Provide an incentive for applicants to seek employment*
- *To create a simpler system – by reducing the number of bands used to distinguish or differentiate need*
- *Make efficient and best use of social housing stock in the area*
- *To encourage applicants to take a measured and long term view on housing options and to take responsibility for planning their own housing provision*
- *To support older people to remain close to established support networks*

The Allocations Scheme is supported through the Council's Housing Options approach which informs applicants of their realistic prospects of obtaining social housing and likely time frames, and promotes other housing options such as low cost home ownership and private renting.

The Council recognises that some applicants are vulnerable; or, a member of their household may be vulnerable. Where it is appropriate, the Council will provide appropriate support to enable a person to apply for housing. This can include advice, automatic bidding for available properties; a direct let to a suitable property; or a referral to an appropriate agency to provide support or access to an accommodation based support service. The support that is available will depend on the household's particular needs.

Annual Lettings Plan

This Allocations Scheme is accompanied by a Lettings Plan. The aim of this plan is to ensure the Scheme is working to meet the aims and objectives set out above and is specifically intended to ensure that the Council is making "best use of the social housing resource". The Lettings Plan will be updated regularly and will cover:

- Predicted supply of homes for letting through the Housing Register, for that year
- Identification of new schemes coming on stream for the year. Identification of the (%) percentage of lettings for these schemes that will be set aside for transfer applicants
- Performance against quotas
- The out turn of lettings for the previous year, as an evidence base for revising any quotas that are in place

More detail on the exact content of the Lettings Plan is contained in Appendix 1.

Statement of choice

The Council is fully committed to enabling applicants to play an active role in choosing where, and in what property type and tenure they wish to live. At the same time the Council needs to continue to house applicants in housing need and comply with all relevant legislation. Applicants can therefore apply, subject to eligibility, for vacancies that are advertised. In making this choice applicants need to consider their housing need priority against the availability of properties in any given area.

The Council also recognise the benefits of being able to create chains of moves, as a result of direct letting. During 2013/14, the Council has enabled many people to move to accommodation they can afford, where previously the household has under-occupied a property. Direct lets and transfers have been used to manage the impacts of welfare reform, with significant success.

It is the Council's intention, over time, to develop an Allocation Scheme that is effectively a hybrid of a Choice Based Lettings Scheme and Direct lettings/Quota system, on the basis of an Annual Lettings Plan. On balance however, the allocations scheme will be significantly weighted towards choice being the dominant feature.

Managing choice

In some circumstances, applicants will be made a direct let of accommodation. In these circumstances, applicants will not be offered choice as the need to manage risk or to resolve a particular problem will be the primary determinant of any accommodation offered. This applies to those offered re-housing under the Witness Protection programme and Multi Agency Public Protection Arrangement, as well as in some other limited circumstances.

Applicants awarded Band 1 status will be expected to bid for the next suitable vacancy. This will be extended where no suitable property was advertised.

Where an applicant does not use the Band 1 status that has been awarded to bid for a suitable property, the Council will review the decision to award a high degree of priority and may decide to reduce the level of priority. The onus is always on the applicant to secure a suitable, permanent home, at the earliest opportunity.

Managing choice – homelessness

The Council will re-house homeless households who are owed the re-housing duty under homelessness legislation through a direct let to suitable accommodation in either the private rented sector or to a Housing Association or Council property, or through choice based lettings. Where an offer of accommodation is made but refused, the process of rehousing will cease and the applicant will be required to make his/her own arrangements for accommodation. He / she will be able to access the Housing Register, assuming they fall into one of the preference categories described in Band 1 or 2.

Homeless households who are subject to investigation and / or an offer of a private rented sector property, will not be granted access to the housing register. Once the Private Rented Sector Offer has been accepted, the applicant may apply, and will be assessed in line with the Allocations Scheme.

Introductory Tenancies

Introductory Tenancies and Starter Tenancies provide increased management support for new tenants usually during the first twelve months of a tenancy but may be extended beyond this. This initial period also provides reduced security of tenure. The Council's aim is that tenants will be offered a full secure, assured or fixed-term tenancy at the end of the introductory period. This is likely to happen, provided that there have been no breaches of tenancy resulting in the commencement of possession proceedings.

The Council introduced Introductory Tenancies from 1st April 2013. Aragon Housing Association issues Starter Tenancies, and other Registered Providers in the area may do the same. For more information about the tenancies offered by the Council and Housing Associations, please contact the Council or refer to the Council's Tenancy Strategy.

3. Legal Framework

The Allocation Scheme sits within a tight and complex legal framework. This section describes this legal framework.

The Housing Act 1996 (as amended by the 2002 Homelessness Act) requires Local Authorities to make all lettings and nominations in accordance with a published Allocation Scheme. A summary of the Allocation Scheme must be published and made available free of charge to any person who asks for a copy. A summary of the Allocation Scheme and general principles is available from Central Bedfordshire Council offices at Watling House and Priory House and on the Council's website (www.centralbedfordshire.gov.uk). The full printed version of the Allocation Scheme will be made available on request at a cost of £10 per copy.

The Housing Act 1996 (as amended), requires Local Authorities to provide 'Reasonable Preference' in their Allocation Scheme to people with high levels of assessed housing need. This includes homeless people, those who need to move due to welfare or medical grounds, people living in unsatisfactory housing and those who would face hardship unless they moved to a particular locality within the Local Authority's area.

The Localism Act 2011 allows local authorities to have significant control over who qualifies for housing and the priority given to national and locally determined groups that are assessed as being in housing need. These flexibilities are now reflected in this Allocations Scheme.

The Council has embraced the changes to allocations legislation brought about by the Localism Act 2011, with particular emphasis on the introduction of qualifying criteria for access to the Housing Register and the new priority giving priority to working households.

This Allocations Scheme takes into account the Allocation of Accommodation Code of Guidance for Housing Authorities 2012 which replaced all previous statutory guidance on social housing allocations. The Allocations Scheme is drafted and framed to ensure it is compatible with the Council's equality duties including the Equality Act 2010 and has been subject to a full published Equalities Impact Assessment which is available on the Council's website. The policy will be regularly reviewed to ensure that its implementation does not have a disproportionate disadvantage for a person with a protected characteristic as compared to those that do not share that characteristic.

Rural Exception Schemes

Rural exception schemes are an important provision of affordable housing and contribute to the sustainability of rural and village communities. In Central Bedfordshire, a number of successful schemes have been delivered in recent years. The Council has an obligation to ensure that priority for vacancies in rural areas is given to households with a relevant local connection. The Council adopted in February 2013 a Local Lettings Policy on Rural exception Sites, which is set out as Appendix 2 to the main Policy. It should be noted that the criteria established by the Housing Allocations Policy in relation to Local Connection do not apply to lettings within rural exception schemes, which shall continue to be let in line with the approved Local Lettings Policy.

Special rules will apply when prioritizing applicants who are being considered for housing in a village where a rural exception policy is in place. All such village vacancies will be advertised with priority given to those with a local connection to that village.

The intention is that properties will be let to applicants having a local connection to the parish. Where there are no eligible applicants having a connection with the parish, the allocation has to be made to eligible applicants with a local connection to a neighbouring parish. If still no such applicants exist, an allocation can be made to eligible applicants with a local connection to the Central Bedfordshire area. In this instance, the eligibility of any applicant shall be in line with the criteria established by this Housing Allocations Policy.

A local connection is (in order of priority):

- Current residence in the parish for a minimum of 2 years, or a previous residency in the parish for a period of not less than 10 years
- Family connection through mother, father, brother or sister, son or daughter being resident in the parish for a period of not less than 2 years
- Employment in the parish as a main place of work, for a period of not less than 2 years
- Current residence, family residence, or an employment connection where the time period does not meet those stated above.

Please refer to appendix 2 for more information about this Local Lettings Policy.

4. How the Housing Register is structured

The Housing Register is divided into two sections. This is explained below.

Section 1 – General Needs Housing Register

Section 1 of the Housing Register is for all general needs applicants. This is applicants who are NOT applying for sheltered accommodation for older people, designated older persons housing or extra care housing (see Section 2 below).

Applicants must fall into one of the qualifying groups for access to the Housing Register – set out on in Section 5.

In addition, applicants must attract Reasonable Preference. The Housing Register is only for applicants who can demonstrate they are in housing need.

The law requires that reasonable preference is given to the following categories:

- People who are homeless, including those who are intentionally homeless and in priority need
- People who are owed a re-housing duty under the homelessness legislation, where this duty has not been discharged by an offer of suitable accommodation, which may be to a letting in the private rented sector.
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including grounds related to a disability
- People who need to move to a particular locality, where failure to meet that need would cause hardship to themselves or to others

In this Allocations Scheme, all of these categories are equal. If an applicant falls into any of the categories, he or she will be admitted to the Housing Register. The categories all have equal standing; having housing circumstances that cover more than one of those categories does not warrant additional priority.

The Council retains the power to give additional preferences to such persons, if it chooses to. The Council must and will give additional preference to certain categories of persons from the forces, in line with the Council's legal responsibility and long standing commitment to helping veterans and their families to resolve their housing need, in the context of the Central Bedfordshire Armed Forces Community Covenant.

Rural Exception sites – recording the interest of applicants

The interest of applicants applying for homes available through Rural Exception sites will be recorded in a separate Register that shall be maintained solely for the purpose of lettings to Rural Exception Site schemes, where the eligibility criteria are different to the eligibility criteria for the General Needs Register. An applicant applying for housing in a particular village or Parish, to which they may have a local connection, may not be eligible (in terms of their need or their local connection to Central Bedfordshire) to qualify for the General Needs Register. If you are in any doubt, please contact the Council to discuss your personal circumstances.

Section 2 – Older Persons Housing Register

Section 2 of the Housing Register is for applicants over the age of 50 years who wish to apply for sheltered accommodation for older people and designated older person's accommodation.

Vacancies that fall within this category will only be open to this group of applicants. The Council does have discretion, in certain circumstances, to let to households with a particular need. For example, the Council may let a property within a sheltered scheme to a younger person, who has a learning disability. Each case shall be considered with regard to

the personal circumstances of the person involved, as well as those persons living as part of a community of older people in a sheltered housing scheme.

Older people wishing to apply for general needs vacancies, who are in housing need may also apply for accommodation through the General Needs Housing Register.

The Council has embarked on an ambitious programme to deliver a substantial number of new build homes that are described as Extra Care housing, designed to meet the needs of frail older people, who typically may have both a need for support and also personal care.

This Policy does not set out the criteria for Allocations to Extra Care housing schemes. The Council is developing a new Policy, which will be consulted upon separately. In time, the Extra Care Housing Allocations Policy will be included as an appendix to the main Housing Allocations Policy.

Designated keyworkers

This Allocations Scheme does not currently provide for any designated key workers. The Council believes that those seeking affordable accommodation locally, because they work in Central Bedfordshire, will be able to access the Housing Register and local homes, by virtue of the employment priority set out on page 18. However, this will be reviewed as part of the Lettings Plan.

If the Council finds that there are specific groups of employees who have difficulty accessing homes locally because of low income, for example, or where there are shortages of particular types of workers locally, then the Council may provide for these groups in the future by making available a quota of homes, of particular types, in prescribed locations, that are designated as being available to let to an identified group of key workers.

Whilst the Council's Allocation Scheme does not afford priority to a designated group of key workers, the Policy does provide scope to let homes to key workers in future where there is an identified need that is set out within the Lettings Plan. Specific criteria for priority will be identified and published within the Lettings Plan, in the event that a quota of homes are being made available to meet an identified need.

Supporting new business in Central Bedfordshire

The Council is keen to support companies who will bring employment opportunities into Central Bedfordshire, and require affordable homes for workers who may be low paid. To support these companies, the Council will consider making a percentage (%) of properties available in a given year – to assist the business in being set up, and attracting workers who can afford to live nearby. This will be done in the form of a quota and will be a one off number of properties. As such, this will be included in the Annual Lettings Plan and will be the result of joint working with colleagues across the entire council to ensure that corporate objectives are met. It is anticipated that these businesses will be required to make use of the local labour force wherever possible first.

Quotas

The Council may choose to make a percentage of annual lets available to certain groups of applicants, via quota schemes. Where this is the case, these will be set out in our Lettings Plan. Groups likely to be subject to a quota include:

- Clients with mental health issues, who are ready to move on from supported housing schemes; or are assessed as being ready to establish a tenancy on a permanent basis, with support as required
- Clients with a learning disability, who are ready to move on from supported housing schemes; or are assessed as being ready to establish a tenancy on a permanent basis, with support as required
- Foster carers, who need particular type or size of accommodation in order to foster, and have been approved as such by the relevant authority and are awaiting a placement
- Lettings for employees of new business in the Central Bedfordshire area, where this has been agreed as a corporate priority, or where a specific commitment is being made to support a local business or attract a business to re-locate to Central Bedfordshire
- Children Leaving Care or those persons responsible for looked after children
- Other people or groups of people who are identified as part of consultation with partner agencies.

The exact number of units available to each agency will be determined through a process of negotiation with each agency based on previous demand and projected need. The Annual Lettings Plan – drawn up at the beginning of each financial year, will set out the number of units available to each client group.

Clients who could be subject to a quota letting may well be registered on the housing register anyway – in Band 2 – if they are assessed as having a housing need. If they have no housing need at the time of application, they may not be registered.

Wherever possible, quotas will be managed through Choice Based Lettings (CBL). This is for the purposes of choice for the client, for transparency and to place responsibility with the client, as they are taking on the responsibility for managing their own tenancy. When a client is put forward by a partner agency as suitable for taking up a quota – the request will be assessed by the Housing Register Team. Once approved, the client will be awarded Band 1 status. This will be awarded for 3 bidding cycles (or longer if there are no suitable properties to bid for).

The client will be supported in bidding by the referring agency and / or floating support worker. If no bids are made, where a suitable property was advertised, the referring agency will be notified and the Priority Status may be withdrawn.

This Policy allows the Allocations Scheme to be varied through adoption of the Lettings Plan, to enable a quota of homes to be made available, to meet an identified, quantified need, provided that the Lettings Plan is adopted by the Council's Executive. In this way, the Allocations Scheme can be responsive to identified needs.

These quotas will be available to the designated service as a minimum number of properties available for that client group, for (typically) a one year period that is reviewed on an annual basis.

A quota may also be set for transfer applicants. This will enable applicants in housing need to transfer via the housing register. This is particularly important for those affected by the spare room subsidy limitation. Transfer applicants will also have access to properties within the Available Now window (see page 33 and 34)

New lets on new developments may also be set aside for transfer applicants as part of the quota arrangements. This will be set out in the Annual Lettings Plan.

5. Who can join the housing register?

This section sets out those who qualify for inclusion on the housing register.

Section 1 – General Needs Housing Register

Everyone who wants to join the general needs housing register has to fill in an application form. This is to make sure that the Council has the information needed to decide priority for housing and to make sure everyone is assessed in the same way.

It is envisaged that during 2014/15, the Council will cease to use a paper based system of application forms to apply for social housing. Our aim is to reduce administration cost and to ensure that our staff resources are directed to where they can make the most difference.

The paper forms will be replaced with on line application methods, that are being designed to inform applicants whether they are eligible for social housing; how likely they are to be offered a home and how long they might typically have to wait. Whilst the new on line systems will include an element of self assessment, Council staff will be available to assist people to use the new systems, when they are introduced.

Normally, anyone can join the housing register so long as they are –

- Over the age of 16 years – conditions apply, see below
- In housing need
- Not prevented from joining as prescribed by law (see below page 15)
- Not disqualified by the Council because
 - They do not meet the residency criteria i.e. have not lived in the area continuously for the last 3 years, or meet the employment criteria

- They are guilty of poor behaviour
- They owe debt to the Council or to a Registered Provider
- They have a poor tenancy history i.e. non compliance with a previous tenancy agreement
- They have a household income of more than £30,000-£50,000 per annum (before tax) depending on the size of accommodation they need
- Are a home owner

Every application will be considered on its own merits and the Council will consider all circumstances before making a final decision on eligibility. If an applicant is deemed to be ineligible for the Housing Register, the Council will advise of this and inform the applicant of the right to request a review of the decision if he /she believes the decision is unjust. The Council, on review, will take into account exceptional or mitigating circumstances.

The Council makes use of a credit reference agency in order to verify the information applicants give for assessment purposes.

Looked after children and young people

Central Bedfordshire Council has a statutory responsibility towards looked after children, which includes children in care and those children in need of fostering or adoption. This is often referred to as 'Corporate Parenting responsibilities'.

The Corporate Parenting Panel ensures that the Council fulfills its corporate parenting responsibilities by working effectively with partner agencies, such as the NHS and the voluntary sector. The Panel helps to ensure that the services provided to children and young people who are looked after by Central Bedfordshire Council are of good quality and meet their needs. In particular, the Panel examines ways in which the Council as a whole and partner agencies can improve the life chances of looked after children and care leavers.

In Central Bedfordshire, the Corporate Parenting Panel has a strategic responsibility to ensure that close collaboration is achieved between the Council's Children's and Housing Services. This responsibility applies to the allocation of social housing, where the primary aim is to ensure that looked after children are able to secure permanent settled accommodation. This applies to young people as they become independent and settle in their own home, as well as to foster children and those seeking adoption. The Council will support those families who are seeking to adopt or foster children, by enabling them to access suitable accommodation.

Priority within the Allocation Scheme can include an offer of suitable accommodation during a transitional phase, where people learn about their responsibilities as a tenant and gradually gain independence and confidence. The provision of specialist accommodation, as well as ordinary housing, falls within the scope of the Allocations Policy, as well as the Annual Lettings Plan.

Young people aged 16 and 17 years

Children aged 16 and 17 years, who are in housing need, will be offered a housing options interview, by a housing officer. Advice will be sought from Children's Services where necessary, and if the child is known to the local authority then a joint assessment will be carried out. The application will be managed on the basis of close collaboration between the Council's Children's and Housing Service to achieve the outcome that is in the best interests of the child. This is an important point of principle that is established by relevant case-law.

The council has a commitment to joint working. Additionally the council is working to develop housing solutions for care leavers and other young people who are vulnerable and in housing need. There is a commitment to develop both physical housing provision and appropriate support for this client group.

Details of applicants that are ineligible are set out below:

Those prescribed by law

This includes –

- Persons disqualified under Part VI of the Housing Act 1996 and associated statutory instruments that provide for accommodation, on the grounds that they are subject to immigration control or subject to the Nationality, Immigration and Asylum Act 2002, except for those allowed by law
- Persons not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland, except for those allowed by law
- EU nationals with no leave to remain in the UK

Applicants under the age of 18 years – certain conditions apply

Applicants aged 16 or 17 years of age will be accepted onto the Housing Register, provided they are not otherwise ineligible. However, when allocating a tenancy to an applicant under the age of 18, then:

- A trustee must be appointed. A person under the age of 18 cannot be the legal owner of an interest in land, including a tenancy. The trustee would be the legal owner of the tenancy and hold it in trust until the young person reached 18 years of age. Any such case will need to be jointly assessed by the Housing service and Children's / Adult Services before an offer of accommodation is made

AND,

- A suitable guarantor (i.e. somebody liable for the rent if the tenant does not pay) for the tenancy would need to be identified until the applicant reaches 18 years of age.

Applicants under the age of 18 years will always be granted an Introductory Tenancy or a Starter Tenancy and this will not become a secure tenancy until such time as they reach the age of 18.

Applicants with a history of poor behaviour

The Council does not allow access to the housing register to those applicants with a history of poor behaviour. This includes any applicant, partner or other member of their household who has been convicted of, or had legal action taken against them for violence, harassment, threatening behaviour, any physical or verbal abuse towards staff and residents in the area. Legal action includes relevant convictions, service of injunction, notice of intention to seek possession, a court order or revocation of licence to occupy.

Applications will be assessed on their own merits taking into account current and recent conduct along with any relevant supporting information provided by partner organisations, support workers and the Police.

Applications from people excluded under this section will need to demonstrate a change in behaviour. Usually, applications will be reconsidered after 12 months, during which time it must be demonstrated that there has been no repeat occurrence. Earlier reviews may be considered in exceptional circumstances, particularly where a household is engaging with support as part of the "Supporting Families Programme" approach in Central Bedfordshire.

Non compliance with a previous tenancy agreement

This applies where the Council is satisfied, having considered all available evidence, including the use of credit agencies, that an applicant (or a member of their current or prospective household) has failed to adhere to the terms of any current or previous social housing or private sector rented tenancy agreement terms and conditions. This includes failing to maintain any previous social rented or private sector rented property within the terms of their tenancy agreement, or committing acts causing or likely to cause nuisance or annoyance to neighbours or others in the locality of where they live or where they previously have lived.

It also includes outstanding debt with a private landlord (subject to assessment, as per the process outlined below where debt is owed to the Council). Non-qualification will apply until the applicant has demonstrated, to the satisfaction of the Council that circumstances have changed such that the previous conduct is unlikely to reoccur. In many cases this could include demonstrating cooperation with support agencies leading to a substantial improvement in behaviour.

Any new application will normally only be reconsidered at the request of the applicant and only where there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of twelve months.

Applicants who owe debt to the Council or Registered Provider

This includes current or former rent arrears (including temporary accommodation arrears), damage to a former social housing property or legal costs arising from court action in connection with a current or former tenancy. It also includes money owed where there has been a claim against the deposit scheme for damage or rent arrears.

This will be assessed at the point when the applicant's priority is being assessed unless new information comes to the Council's attention after their initial assessment.

The following procedure will apply:-

- The Council will consider whether the applicant still owes arrears/debt, and if they do, the extent of the arrears/debt. Practice notes will guide staff decisions in this area.
- The Council will consider whether there are exceptional circumstances (see below). If there are exceptional circumstances then the applicant may not be subject to ineligibility despite the arrears/debt.
- The Council will consider whether the claimant has taken debt advice, acted on it, and entered into and begun to implement any arrangement to clear the arrears.
- The Council will consider whether an arrangement has been made, the amount of arrears paid off, any debt outstanding, and the regularity of any payments made.

The Council is keen to only deem applicants ineligible where there has been wilful refusal to pay debt.

Those who demonstrate that either they or a member of their household face life threatening circumstances and as a consequence require immediate re-housing, including domestic violence cases, will still be admitted to the Housing Register.

Applicants who have been deemed to be ineligible will be able to reapply after 12 months, when another assessment of circumstances will be made.

Residence and employment criteria

The Council has adopted a simple residential qualification criteria for persons applying for accommodation. They must have lived continuously in the Central Bedfordshire area for 3 years at the time of registration and need to remain resident in the area to preserve that registration, or be in permanent contracted employment in the area and have been for a period of at least 6 months (see below).

The requirement to establish a residency criteria does not apply to the Older Person's Housing Register, but may apply to the Extra Care Housing Policy, at such time as a Policy is developed and approved.

Home-swapping, or mutual exchange, does not require a residency criteria to be established and is managed quite separately from the Housing Register.

Existing social housing tenants, resident in Central Bedfordshire, who wish to transfer because they have a housing need will not be required to demonstrate a residency criteria. Nor will they be subjected to a savings or earnings test.

Any new homeless applicants will have to satisfy the 3 year continuous residency criteria for access to the Housing Register. This does not affect their position / assessment under the Homelessness Legislation. This is purely for access to the Housing Register.

A person cannot claim to meet the residency criteria simply because they have relatives living in the area, however, if they are able to demonstrate a strong connection to the CBC area by reference to strong family associations whether by residence or employment, they are likely to meet the residency criteria. This must be a strong family association either by residence or employment of close family members in the area - that meets the residence or employment threshold in the policy.

This means that the close family member must have lived continuously in the Central Bedfordshire area for 3 years at the time of registration and need to remain resident in the area to preserve that registration, or be in permanent contracted employment in the area and have been for a period of at least 6 months. Such cases will be considered by the Housing Needs Panel.

If the applicant gives or receives care, access to the housing register may be granted – see next page.

Employment criteria

Where an applicant wishes to move to the Central Bedfordshire area because of employment, they will be included on the Housing Register, once they have worked in the area for 6 months. This restriction to a minimum of six months may be varied where a specific commitment is being made to a business relocating to Central Bedfordshire, within the terms of a quota, within the Annual Lettings Plan.

At the first review of this Policy, following implementation and a period of operation, the Council will consider whether employment within Central Bedfordshire for a period of 6 months is the appropriate minimum time period to be eligible to join the Housing Register.

The following conditions apply:

- The employment must be permanent employment and not simply engaged doing agency work on a temporary basis.
- The employment must be for a minimum of 16 hours a week
- Applicants may be self-employed with their business base in Central Bedfordshire.

See also page 30 and 31 for further information with regard to self employment and volunteering..

Applicants that fall into this category – seeking to join the Register by virtue of employment – will have a full assessment made of their status by a member of the Housing Register Team, who will make a determination on eligibility. As with other decisions, this will be subject to a review if the applicant so wishes.

Exceptions to the Residency or Employment Criteria

There are a number of exceptions to the employment and residency criteria requirement. These are:

- A person who is serving in the Regular Armed Forces or
- A person who has served in the Regular Armed Forces
- In a class of people prescribed by regulation who cannot be deemed a non-qualifying person due to a lack of connection or residency to one of the local authority areas. (For example MAPPA, MARAC, Witness Protection, owed a homelessness duty as a person fleeing Domestic Violence.)
- A 'looked after child' as defined by Children's Services in another region
- Giving or receiving care to a member of the family and to be denied access to the housing register would be detrimental to this. The Council will only give access to the Housing Register to somebody where care and support are an issue if there is no one currently living with the applicant who can reasonably provide the support they need.
- A person in receipt of care packages assessed and provided by social services in the Central Bedfordshire area.
- Covered by agreed reciprocal arrangements between Central Bedfordshire Council and any other local authority.
- Their residence in Central Bedfordshire has been broken due to placement in an institution or care placement or supported living scheme outside the area; and had this placement not occurred they would have satisfied the residence criteria above.
- Applying for the Older Persons Housing Register
- Existing CBC tenant or tenant of a Registered Provider and living in the Central Bedfordshire area
- Where an applicant believes that they have strong grounds for needing to live in the Central Bedfordshire area, which are not detailed above, their case can be considered by the Housing Needs Panel.

People earning a high salary or significant assets

Applicants will not be entitled to join the housing register where there is a household income as set out below:

Over £30,000 per year where there is a one bedroom requirement

Over £40,000 per year where there is a two bedroom requirement

Over £50,000 per year where there is a 3 or more bedroom requirement

This figure, set as of 31st March 2014, will be increased annually by the rate of Retail Price Index (RPI). If the income threshold is exceeded following application to the Housing Register, the application will be cancelled.

The Council considers these figures per annum household income to be a sufficient financial resource to buy a home or pay market rent in the area and therefore such applications will not qualify to register for housing.

Applicants will also not be entitled to join the Housing Register if they have significant assets or savings to resolve their own housing difficulties. Savings or assets of £23,250 are considered to be sufficient to do this locally.

However, these figures will be kept under review and an applicant may challenge on the basis of their individual circumstances, and the Council after a full assessment, will determine whether the applicant can afford to access the private market and whether access to the Housing Register is granted

Home owners

Home owners will not qualify to join the Housing Register. This includes those who own a home abroad. However, the Council recognizes that a number of exceptional circumstances will exist where access to the Housing Register should be granted. These exceptional circumstances might include:

- When ownership is shared across more than one person/couple and the option to realise their assets to source their own housing solution is not available. The Council will insist that any action under the Matrimonial Homes Act is taken by the applicant where there is a right to do so.
- Households with insufficient equity in the property, so that once sold, they will not be able to resolve their own housing situation
- An older person who needs sheltered accommodation and does not have sufficient resources to secure this in the open market
- A disabled person whose home is deemed unsuitable for adaptations
- Emergency medical reasons to move e.g. cannot be discharged from hospital.
- Where an applicant is fleeing domestic violence and the ownership of the matrimonial home is still in the hands of the court.

The applicant will be required to provide appropriate documentation, e.g. proof of shared ownership, property valuation, income, report from social care team, hospital, GP, occupational therapist regarding the suitability and viability of adaptations in current property and any risk to health or life in order for an assessment and decision to be made.

Deliberately worsening circumstances to gain extra priority

Although relatively uncommon, it is appreciated that some people deliberately make their housing circumstances worse to give themselves an advantage over others. Examples include moving into accommodation that is unsuitable on health grounds and then applying for a medical priority, or moving others into their home to receive an overcrowding priority. The Council takes the inequity of this to the many others who ask to be assessed in line with the policy and who are simply waiting their turn very seriously.

Those who engineer their own circumstances so as to get an extra advantage over others will be penalised by the Council removing their application from the housing register for a period of 2 years and then reassessing the application on genuine circumstances upon reapplication.

Obligation to be truthful

Section 171 of the Housing Act 1996 makes it an offence to withhold information that the Council may reasonably require to assess your application, or to provide false information that leads to an applicant gaining a tenancy. The Council will take appropriate action (including legal action) against anyone who gains a tenancy, or tries to gain a tenancy, through knowingly providing false information. A person guilty of an offence under this section is liable on summary conviction to a fine. Legal proceedings may begin if:

- any false information is given, or information withheld, on application to the housing register
- any false information is given, or information withheld, in response to subsequent review letters or other update mechanisms
- any false information is given, or information withheld, by applicants during a review.

Applicants who give false or misleading information will be excluded from the Housing Register for a period of 2 years. Possession proceedings will be issued if a tenancy has already been granted.

Council's Discretion

The Council retains the ability, in exceptional circumstances, to exercise its discretion when making decisions with regard to including persons on the Housing Register. Such cases will be referred to the Housing Needs Panel for agreement.

All decisions made by the Council will take into account Article 8 of the Human Rights Act 1998.

Right of review

The Council will write to anyone who is being excluded from the Housing Register detailing the reasons for this decision. Applicants will have a right to ask for a review of the decision made on their housing application. A fresh application will be considered if, for example –

- The applicant's immigration status has changed

- The applicant can demonstrate good behaviour for a minimum of 12 months (see above)
- A minimum of 2 years has passed since the applicant has knowingly given false or misleading information, or withheld information that has been reasonably requested.
- The applicant's financial circumstances have changed and income and capital assets reduced below the threshold.

Proof of changes will be required to enable a review to take place and decisions at review will be made by the Housing Solutions Team

Section 2 – “Accommodation for Older People” Housing Register

To qualify for this section of the Housing Register, applicants must be over the age of 50 years. Applicants should note though, that scheme eligibility may vary, and will be included in any advertising criteria. Some schemes may be advertised with higher age limits.

The qualification criteria set out in the previous section – for general needs accommodation, will **not** apply. The following requirements will, however, have to be met.

Normally, anyone can join the Older Persons Housing Register so long as they are –

- Over the age of 50 years
- Not prevented from joining as prescribed by law
- Not disqualified by the Council on any of the following grounds-:
 - They are unable to demonstrate a link to the Central Bedfordshire area through residency, employment or immediate family living in the area.
 - They are guilty of poor behaviour
 - They owe debt to the Council or to a Registered Provider
 - They have a poor tenancy history i.e. non compliance with a previous tenancy agreement

Residency qualification

There is a more generous residency qualification for people over the age of 50, in recognition of the different needs of older people. Applicants should be able to demonstrate a link to the area, either through residency, employment, or because they have immediate family living in the area.

Applicants will not physically need to apply for both registers if they wish to apply for both general needs and older person's accommodation – one application will suffice.

Sheltered housing

The same restrictions apply for sheltered housing as they do for the Older Persons Housing Register.

However, the Council is conducting a review of sheltered housing and may decide, in the future, to de-designate some accommodation, such that it becomes available for general needs.

This could reduce the supply of sheltered housing, in which case, new Policy provisions will be adopted by the Council that are specific to sheltered housing, which shall then replace this part of the Allocation Scheme.

Applicants with No housing need

Applicants who wish to register for Older Persons Housing, but who do not have a housing need will be placed in a special OP Band. This band will sit below Band 1 and 2, from which applicants will be shortlisted first. Applicants with no housing need, in the OP Band, will only be successful for properties where there are no applicants from Bands 1 and 2 who are shortlisted. The OP band is strictly limited for older person's accommodation. Applicants with no housing need under the age of 50 years will be deemed to be ineligible.

Employment Priority

The employment priority will not apply to the "Accommodation for Older People" Housing Register.

Older Person's Residency Priority

Applicants on the "Accommodation for Older People" Housing Register, who live within 2 miles of the advertised vacancy will be shortlisted above applicants who do not live within this proximity (within each band). This means that where more than one applicant in the same band bids for a property, priority for the property will be given to applicants who currently live within 2 miles of the vacancy.

Where there is more than one applicant living within 2 miles of the property for which they are bidding, priority will be given to the applicant who has been in the band the longest.

Where no applicant living within 2 miles of the property bids, priority for the property will be given in line with the allocations policy. Applicants who live more than two miles away from the advertised property will be given no more priority for the vacancy than any other applicant.

The applicant must provide proof of residency at the qualifying address. Only originals of recent official documents, which must include the name and address of the applicant, will be accepted. The proof must be supplied at the time of application and verified at the time of offer.

Distance between the applicant's current address and the advertised vacancy will be calculated using Google maps to ensure consistency in the application of this policy.

6. The Banding System

The Banding Scheme applies to all housing register applicants– General Needs Applicants and applicants for Accommodation for Older People.

It does not apply to applicants for Extra Care schemes – this is being developed separately.

It does not apply to applicants for Rural exception Site Schemes, as lettings to these properties are determined in accordance with the Local lettings Policy at appendix 2.

Applicants who apply to join the Housing Register will have their housing need assessed, and will be given a priority band if sufficient housing need exists. Where an applicant has no housing need, they will not be registered. Instead they will be able to access online housing advice and will be restricted to properties that may become available through the Available Now process.

If applicants have no need but wish to apply for the Older Persons Housing Register, they will be placed in the special “OP” Band.

Bands are the Council’s way of making sure that homes go to people most in need. The bands take into account the people the Council has to give preference to by law and those people considered to attract additional preference for housing by the Council.

The Allocations Policy contains 2 bands. If a person is not assessed as being in housing need, in accordance with this Policy, they will not be awarded priority within either band. They will not have access to the Housing Register.

These two bands are summarized below:

Band 1

Applicants placed into Band 1 have been assessed as qualifying for reasonable preference and have been granted additional preference in recognition of their emergency and extremely urgent need to move. Band 1 cases will be reviewed every month or where appropriate from the date of being awarded to ensure there is still an urgent need to move.

Applicants in Band 1 are expected to bid for the first suitable property.

Direct offers may be made to applicants that are not properly participating in the bidding process. Where a suitable direct offer is made and refused, the award of band 1 priority is likely to be withdrawn.

A summary of Band 1 categories and criteria is set out in the table below:

<p>Band 1 – Emergency need to move. Reasonable preference plus urgent priority</p>	<p>Summary of criteria</p>
<p>Armed Service Personnel with urgent housing need</p>	<ul style="list-style-type: none"> • Serving members of the armed forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service • Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner • Serving or former members of the Reserve Forces who need to move as a result of a serious injury, medical condition or disability sustained as a result of their service.
<p>Emergency medical or disability</p>	<ul style="list-style-type: none"> • Where the applicant’s condition is expected to be terminal and re-housing is required to provide a basis for the provision of suitable care • The condition is life threatening & the applicant’s existing accommodation is a major contributory factor and would be resolved by a move to alternative accommodation • The applicant’s health is so severely affected by the accommodation that it is expected to become life threatening • The applicant is unable to mobilize adequately in their accommodation and requires re-housing into accommodation suitable for their use • Applicants who are bed blocking in an institution or supported housing scheme at a significant cost to the authorities, and they have been agreed as suitable for independent living, and the relevant support is in place ready to go as soon as accommodation is found. <i>Please note this is a different definition to Band 2, ready to move on.</i> • Applicants who cannot manage stairs or be mobile within their existing accommodation, and the property cannot be adapted. <p>The Council will require a medical assessment to be carried out. This will include contact with a range of health professionals where necessary.</p>
<p>Release of an adapted property</p>	<p>Where an existing social housing tenant who lives in the CBC area is willing to transfer to a suitable non adapted property, and no longer requires adaptations. This award is only given where there</p>

Band 1 – Emergency need to move. Reasonable preference plus urgent priority	Summary of criteria
	is a demand for that type of adapted property in that area.
Under-occupation	Where an existing CBC Council or RP tenant living in the CBC area will downsize to release 1 or more bedrooms, and is currently affected by the bedroom subsidy and as a result needs to move. Or where the applicant is moving into sheltered or designated older person's accommodation.
Statutorily overcrowded	Applicants who are statutorily overcrowded
Private sector property that is in a seriously defective condition likely to significantly impact upon the health and/or safety of an occupant.	Where the Council's appropriately authorized Officers have determined that the property poses a Category 1 Hazard under the Housing Health & Safety Rating System and the Council is satisfied that the problem cannot be resolved by the landlord reasonably or practicably, or in any case within 6 months; and continuing to occupy the property will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects, seriously detrimental internal arrangements, collapse of roof, flooding and dangerous access arrangements.
Decant of Council Tenants where demolition is approved	Where approved for a move as part of a demolition programme that is authorized by the Council's Executive or agreed via a partner RP.
Urgent management move	This will only be permitted in very exceptional circumstances where the applicant / tenant is facing a life threatening situation. This award can only be granted by the Housing Needs Panel
Existing tenants wishing to move to low demand properties and releasing 2 bedroom accommodation	This is only for existing CBC tenants or RP tenants residing in the CBC area. Where applicants wish to move from a 2 bedroom property into a 3 bedroom property, but do not have an assessed 3 bedroom need, but can afford to pay the rent because they are not Local Housing Allowance (LHA) dependant. Note – these applicants will be subject to an affordability assessment by the landlord.
Applicants awarded band 1 priority under the quota arrangements	This is for applicants who are awarded priority under quota arrangements, where a partner agency has agreed that priority with the Head of Housing Solutions.

Band 2

Applicants placed in Band 2 will have been assessed as having a housing need to move and as a result have been assessed as qualifying for “reasonable preference”. Band 2 cases will be reviewed annually (from the date of being awarded) to ensure there is still a need to move. However, it is down to the applicant to ensure their application is maintained up to date and if there is a change that the Council has not been made aware of this could result in refusal of being short listed or an offer of accommodation.

A summary of Band 2 categories and criteria is set out in the table below:

Band 2 – Reasonable Preference (RP)	Summary of criteria
Armed Service Personnel	Where ex service personnel has one of the reasonable preference attributes noted within this table and does not have an urgent need to move
Under-occupiers	Where an existing CBC Council or RP tenant living in the CBC area wishes to move to smaller accommodation, but is not currently affected by the bedroom subsidy, or is not moving into sheltered accommodation or designated older persons accommodation.
Homeless households owed a duty by CBC	People who are owed a duty under Section 193(2) or 195(2) of the 1996 Housing Act by CBC – and where the duty has not been discharged by the offer of a private sector let or a direct let to a suitable housing association or council property . Where an applicant has received a direct offer of suitable accommodation as a discharge of duty, they will not be eligible to apply for access to the housing register until a minimum of 12 months after the discharge of duty notification has passed.
Homeless households	This includes applicants who are homeless, but who are not in priority need and owed a rehousing duty by the local authority. It only includes applicants who have made a homelessness application and have received a decision on that decision. Applicants who are deemed to be not homeless under Part 7 of the Housing Act 1996, will not be able to claim RP under this section.
Overcrowded households	Applicants who are overcrowded according to the bedroom standard. This includes: <ul style="list-style-type: none"> • Overcrowded - Households lacking 1 bedroom (assessed with the Bedroom standard).

Band 2 – Reasonable Preference (RP)	Summary of criteria
	<p>Relevant to Housing Act 2004.</p> <ul style="list-style-type: none"> • Severely Overcrowded - Households lacking 2 bedrooms (assessed with the Bedroom standard). Relevant to Housing Act 2004.
Medical grounds	<p>Where an applicant’s housing is unsuitable for medical reasons or due to disability, but who are not housebound or whose life is not at risk due to their current housing. Housing conditions directly contribute to causing serious ill health. A medical assessment will be carried out.</p>
Living in unsatisfactory housing lacking basic facilities	<p>Applicants without access to one or all of the following facilities:</p> <ul style="list-style-type: none"> • Bathroom or kitchen • An inside WC • Hot or cold water supplies, electricity, gas or adequate heating <p>Applicants who have shared facilities in shared accommodation will not qualify under this criteria.</p>
Hardship / welfare / exceptional need to move for care or support or housing need due to age or vulnerability	<p>Move on from supported housing or situations where the Council’s aim is to enable a vulnerable person, who has a care or support need, to secure permanent settled accommodation. In these circumstances, adequate support must be provided from relevant agencies to mitigate the risk of tenancy failure. The person’s identified need shall be a recognized and assessed support need (e.g. mental health, Care Leaver, Learning Disability). A risk assessment and on going floating support must be agreed to be provided once an offer of accommodation is made.</p> <p>Clients who are assessed by a Statutory Service as being ready to establish a tenancy on a permanent basis, where on going floating support is to be provided once an offer of accommodation is made. This can include, but shall not be limited to those clients with mental health issues or a learning disability, as well as Care Leavers.</p> <p>Move on from hospitals or an institution where there is an agreed support plan in place e.g. hospitals / prison / supported housing scheme</p> <p>An up to date care plan, risk assessments, medical assessments would need to be provided to ensure</p>

Band 2 – Reasonable Preference (RP)	Summary of criteria
	<p>an applicant is suitably housed.</p> <p><i>This may include non priority homeless applicants</i></p>
<p>People who need to move to avoid hardship</p>	<p>This category includes low paid workers who live in the private rented sector, who struggle to make ends meet and as a result experience hardship. Applicants may otherwise be adequately housed but are experiencing financial difficulties due to insecurity, high rent levels and low pay. Full definition is below.</p>
<p>People who need to move, to enable them to adopt on a permanent basis, or to provide foster care to looked after children.</p>	<p>This category is intended to support parents of foster children, on the recommendation of the Assistant Director, Children’s Services. Each case will be considered on individual merit.</p>

OP Band

Applicants with no housing need, seeking Older Persons accommodation only.

Determining priority within bands

Applicants will be able to bid for advertised properties each advertising cycle. For each advertised property a shortlist is drawn up, consisting of all of the bids received. Applicants in Band 1 will be shortlisted above applicants in Band 2. Working applicants in each band will be shortlisted above non working applicants. More details on the short-listing process are set out in section 8 on page 42.

Employment Priority

The Council will provide advice and assistance to applicants who are not working, or seeking employment. Staff will be trained to provide advice to applicants, with regard to training and employment services. It is anticipated that there will be considerable joint working between housing and employment services in order to help lift people into work.

In implementing this policy the Council will monitor the recorded successes of the various access to employment schemes, in particular with regard to persons with protected characteristics to ensure that the policy does not indirectly discriminate against certain groups.

Applicants who are working will be shortlisted above applicants who are not working (within each band). The only exception to this is where applicants are being shortlisted for a sheltered scheme – employment priority does not apply to specific older persons sheltered schemes. The employment priority will not apply to the “Accommodation for Older People” Housing Register.

Applicants must be working at the time of verification (at shortlisting time) to qualify for the employment priority). The Council uses the following definition of working households:

- Applicants who are in permanent paid employment for more than 16 hours a week and have been in employment for at least 6 months (this includes those on apprenticeships where these conditions are met)
- Applicants who are on an apprenticeship scheme, and working more than 16 hours a week on the scheme
- Applicants who are self employed
- Applicants who are in long term stable volunteering positions, where a volunteering agreement (or contract) exists between the applicant and the organisation for which they work. The key point is that the applicant is able to evidence that they are a committed volunteer, who is fulfilling a long term stable volunteering position.

The applicant and or their partner must provide proof of their employment status. Only originals of official documents which must include contract of employment, payslips, bank statements showing the salary paid into the account, P45/P60 and tax returns will be accepted. Letters on headed paper from the employer will not be considered as acceptable proof. The proof must be supplied at the time of application and verified at the time of offer.

Where an applicant is self employed, they must provide proof of their self employment status and still satisfy the criteria at the point of offer. This must be evidenced through documented tax returns.

Disabled people of working age

Where an applicant or their partner is providing full time care (35 hours or more per week) to an elderly resident or disabled child and is in receipt of full carers allowance (except where carers allowance is not payable because of the age of the carer or other benefit restriction – evidence will be required to prove the applicant's status in this regard), this will be considered to be in employment

Disabled applicants under retirement age who have been assessed as eligible for Support Element of the Employment Support Allowance due to their permanent disability which prevents them from participating in work related activities, will receive the employment priority.

Falling out of employment

Applicants must inform the Council in writing as soon as there is a change in their circumstances, which means that they no longer satisfy the employment criteria.

Assisting those tenants affected by the bedroom subsidy rules

The Banding scheme has been designed to give priority to those tenants who need to transfer because they cannot afford to remain in their current accommodation, because it is too large. Where they are adversely affected by the bedroom subsidy rules, these applicants are placed in Band 1 to facilitate a speedy move, in order to avoid significant hardship. Those wishing to move but not adversely affected by the bedroom subsidy rules will be placed in Band 2.

Tackling under-occupation

Where existing social housing tenants wish to transfer to smaller accommodation, but still wish to retain a “spare bedroom”, they will be registered for a move and allowed to bid for one bedroom in excess of their assessed need. This only applies to tenants transferring to smaller accommodation who can afford to retain that additional bedroom. An affordability assessment will be carried out to ascertain this. The landlord will conduct an affordability check and should be satisfied that the tenant’s income is sufficient to cover the rent and additional on-going bills. (See also page 35 and 39 with regard to council discretion to allow under-occupation)

Low paid workers

The Council wants to support low paid workers who are struggling to make ends meet in the private rented sector. This situation is not explicitly identified within legislation as attracting statutory reasonable preference; however, the Council is keen to see that a number of lets are made to these people who have resolved their housing need by renting privately, so for this reason, such applicants are identified as a Reasonable Preference group within Band 2. In order to qualify for this award, applicants shall meet the following conditions:

- Living in private rented accommodation in the Central Bedfordshire area
- Be working in a permanent role for at least 16 hours a week
- Be on a low income, unable to afford the rent that is currently being paid

A low income is defined as earning less than the gross monthly wage needed in order to be able to afford the average rent for a 2 bedroom house in Central Bedfordshire. This means that a low income is less than £24 000 per annum (before tax), or £2 000 per month.

Applicants with a Notice to Quit (NTQ)

The previous allocations scheme gave extra preference to those who approach the Council with an NTQ, when living with family or friends or in private rented accommodation. This has led to these applicants gaining advantage over others in similar situations but who do not present with an NTQ. This has been removed. Where applicants receive an NTQ, they will be assisted through the online housing options calculator tool or through housing options casework. No additional priority will be awarded.

Applicants without Reasonable Preference

Any applicant that has been assessed and NOT awarded Band 1 or 2 will NOT be placed on the Housing Register. These applicants will be provided with housing advice and assistance on alternative housing options available to them. The Council will do this via the provision of an online housing options calculator, to enable applicants to self assess, or through a housing options interview.

The exception to the above shall be the recording of information for applicants applying for homes within Rural Exception sites. Their interest shall be recorded solely for homes that available within the Parish / village where they are eligible.

Transfer Applicants

Tenants of CBC or a partner Registered Provider will be placed in Band 1 or Band 2 according to their assessed need. If they have no housing need for a transfer, they will not be able to join the Housing Register and will be given advice on mutual exchange and other HomeSwap / House Exchange options.

Transfer applicants will not be subject to the eligibility criteria of local connection, earnings or savings. These will not be considered in an assessment of eligibility for the housing register.

Shared Housing

In some instances, where there is no demand for family sized accommodation, these properties may be selected to be let as shared housing. This will provide accommodation for single people who will be nominated by colleagues from partner agencies / support workers. Nominations will be subject to approval by the Housing Needs Panel.

The Council's aim is to make best use of stock, but also to put in place an effective approach to meet the needs of single person households, in housing need. An approach to managing shared houses, with appropriate support to vulnerable people, will be developed during 2014/15

Available Now Window

All properties will be advertised on Homefinder (unless the property is being used for a direct let). However, where a property is low demand and attracts no suitable bids from eligible applicants within the first bidding cycle, these properties will be offered first as a discharge of any homelessness duty to a homeless applicant or others due to particular urgent housing need, and then secondly they will be placed in the Available Now Window.

This is a three stage process.

Step 1 – properties advertised on *Homefinder* for 1 bidding cycle. If not let, move to stage 2 below

Step 2 – properties go into *property pool* for offer to homeless household as discharge of duty, or as a homelessness prevention offer to an applicant being caseworked by the housing options service, or to others deemed appropriate from the housing register due to their particular urgent housing need. These applicants may be living in homeless hostels or bed and breakfast accommodation.

Step 3 – *available now* window advert – short bidding cycle .

These properties will be well publicised on Homefinder, the Council's own website as well as through other social media networks. Bidding for these properties will be via HomeFinder but vacancies may also be advertised elsewhere. Properties in the available now window will be offered to applicants who meet the residence criteria for Central Bedfordshire before being offered to those who do not meet the residence criteria. The residency criteria in this instance is defined as living or working in the area, or immediate family living in the area.

Applicants on the housing register will be able to bid on “available now” properties, but there is no special priority for them.

Given that the properties will previously have been advertised on the Homefinder site (for at least one bidding cycle), it is possible that the demand for these properties will be relatively low. It is not the Council’s intention to create a separate waiting list for these properties, but instead to provide a means by which Registered Providers are able to let any low demand properties in as short a timeframe as possible. A system for prioritisation will be published, if it becomes necessary to determine which applicant has priority over another, for an *Available Now* property.

The landlord will overlook a bid placed on an Available Now Window advert if the applicant(s) –

- Are not over the age of 16 years
- Are not able to bid as prescribed by law
- Are disqualified by the Council because –
 - a. They are guilty of poor behaviour
 - b. They owe debt to the Council or to a Registered Provider
 - c. They have a poor tenancy history i.e. non compliance with a previous tenancy agreement

See Section 1 on page 13 onwards for further clarification.

Moving up and down bands

When an applicant first applies to the Housing Register, their application will only be accepted once all the required information is received when they will be assessed and placed in a Band with the date (and time) of acceptance as their ‘priority’ date. This is the date that will be used for any offers to be made to the applicant.

If the applicant subsequently has a change of circumstances their application will be reassessed and the applicant may:-

- Gain greater priority in accordance with the Policy and be awarded a higher Band. (Priority date will change to the date of the new banding).
- Lose priority or preference due to their circumstances and enter a lower Band. (Priority date will remain as original priority date).
- Be assessed as being in the same Band.
- May become ineligible to remain on the Council’s Housing Register and be provided with housing advice and assistance on alternative Housing Options available to them.

7. The Registration and Assessment Process

It is intended that applications for the Housing Register will be made online. Support will be available for applicants who are unable to apply online. These changes will be introduced during 2014 or 2015. There will be a period of transition to this system during which paper forms will still be available.

Applicants are encouraged to complete the online self-assessment followed by the online application form themselves. However, if completed at a Council Office, staff will be available to go through the form or online self-assessment to ensure that the required information is collected. Assistance for clients is also available through support providers if required. These workers will be trained by Council staff.

Where necessary, home visits will be carried out to assist in completing application forms.

Having received the application in full, including the required supporting information, then the assessment and awarding of any priority in recognition of the applicant's housing needs will be carried out by staff from the Council.

The Council will assess the size of property the applicant requires based on the number of people living in the household.

Overriding medical and welfare factors will be taken into account when determining any additional bedroom requirement. Guidance will be sought from a medical practitioner or involved professionals and a determination will be made by the Council on whether additional bedrooms are required.

Eligibility will also be dependent on whether the property can accommodate a household size, for instance properties with very small bedrooms may not accommodate larger households.

The Council may also exercise discretion in order to facilitate transfer of tenants under – occupying family accommodation and willing to move to a smaller property, or where there is a requirement for the tenant to permanently vacate their home due to refurbishment or planned redevelopment, or where permitted by the provisions of a local lettings plan.

In some circumstances, where a household is downsizing to make a large property available, the Council may exercise discretion to allow the household that is downsizing to continue to under occupy a smaller size of property. For example, to enable a household to downsize from a 3 or 4 bedroom property, by moving to a 2 bedroom property, on the basis that they are under occupying the 2 bedroom property by 1 bedroom. Each individual case will be considered having regard to the personal circumstances of the tenant, what they can afford and the demand for the property that is being made available. The decision to allow under-occupation shall be at the discretion of the Council.

An applicant may only include immediate family on their application for housing. Immediate family includes:-

- The applicant
- Spouse or partner, including same sex partners.
- The applicant's children or partner's children and live with the applicant all the time, or for four or more nights every week. Applicants will be required to provide the Council with formal (e.g. Court Order) documentation relating to any agreement that

is currently in place regarding residency.

Immediate family does not include an applicant's or his or her partner's parents, grandparents, brothers, sisters, aunts, uncles, grandchildren, nieces, nephews, cousins, friends, or lodgers unless they have an extenuating need to live with the applicant.

People who need to live with someone in order to provide or to receive care or support.

Applicants can include a person on their application if they need to live with them in order to give or receive care or support. This may include a carer, if no one in the applicant's immediate household is able to provide that care. Applicants will need to explain on their application the reason why the additional person needs to live with them and demonstrate:-

- That they need to be supported or cared for and are dependent on this person (this may be for an elderly relative who requires care or an adult child who is still dependent as they are in full time education).
- That other satisfactory arrangements cannot be made.
- That the arrangement is 'permanent'.
- The member of the household will need to be resident in the UK.

A carer is someone who, with or without payment, provides care and support to a partner, relative, friend or neighbour who would not manage without their help. This could be due to age, physical or mental health, addiction, or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care and the need to live with them or near them.

Even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer in a housing application will be considered if the carer has been assessed by Adult Social Care as needing to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies.

Divided Households

Where a household is living apart only one application can be registered. In order to determine which property provides the basis of the housing needs assessment the circumstances at both addresses will be considered. A notional housing needs assessment will be carried out of both properties as if the household were residing together. The lowest needs assessment will then be applied to the application.

Review of applications

It is the intention of the Council to review all cases on the Housing Register annually and this may be extended to review cases more frequently especially where a home seeker is not actively bidding for properties that are available. Where suitable properties are advertised and a home seeker fails to bid, after the review has been conducted, the application may be removed from the Housing Register for at least 12 months.

Failure to respond to correspondence in relation to the review will result in the applicant

being deleted from the Housing Register. Applicants who are deleted will be notified in writing. If good reason can be shown why there was a failure to respond to the review within 1 month of the application being closed then the application may be reinstated.

A Review may be initiated by the Council at any time and is likely to happen where an applicant has not been actively bidding for properties which are suitable. Applicants should not wait for their “ideal” property before bidding, but should instead be realistic / pragmatic in deciding which properties to bid for.

Changes of circumstances

All applicants are required to notify the Council immediately of any change to their circumstances which may affect their priority for housing. Applicants who have had a change of circumstances and have not informed the Council, but it comes to the Council's attention, may have their application status changed to 'application is pending' whilst an investigation takes place in order to determine eligibility.

Applicants should notify the Council of any change in their circumstances by completing the online change in circumstances form or by contacting the Housing Register Team. This will include for example:-

- A change of address, for themselves or any other person on their application.
- Any additions to the family or any other person they would wish to join the application (Please note it is for the Council to decide whether they will allow a person/s to join the application).
- Any change in income, assets or savings
- Any change in medical conditions or property requirements

Cancelling an Application

An application will be cancelled from the housing register in the following circumstances:

- At the applicant's request
- Where an applicant does not respond to an application review, within the specified time limit.
- If the applicant becomes ineligible for housing
- When the applicant has been housed by a local authority or housing association
- When a tenant completes a mutual exchange
- Where an applicant moves and does not provide a contact address
- When an applicant has not expressed an interest in any available properties for one year

When an application is cancelled, an applicant will be notified of this in writing. A right of review will be offered, so the applicant can challenge the decision if he / she believes it to be unjust. This challenge must be made within 28 days of the cancellation.

Statutory overcrowding

An applicant who is statutorily overcrowded as defined by the statutory minimum overcrowding standards will be awarded 'Reasonable Preference' and Additional Preference and placed in Band 1.

Statutory Overcrowding is defined by the Housing Act 1985. The Government's minimum standards of space that it considers a family needs to live in.

This is determined by using two separate calculations to determine:-

- How many 'people' are considered to be part of the household?
- How many of those people are expected to sleep in each of the rooms available for this purpose.

Rooms available for sleeping:-

- All bedrooms and living rooms in the accommodation are taken into account in the calculation, whether or not the household is or wishes to use them for sleeping.
- Open plan kitchen/living rooms are included as sleeping accommodation.
- Bathrooms and kitchens are not included as sleeping accommodation.
- Rooms with a floor area of less than 50 sq foot (6.5 sq metres) are not included as sleeping accommodation.

The minimum requirement for the size of a bedroom occupied by an adult is 70sq ft or 6.5sq meters. 50 (4.65 metres sq) to 70 sq foot is only suitable for a child under 10 years of age.

Double room – 110 sq feet (10.22m²) is suitable for two people.

The Council may decide to exercise discretion in some circumstances to apply the Housing Health and Safety Rating System (HHSRS) to the consideration of whether a household is overcrowded. This is a risk based assessment that can be applied to overcrowding. It shall be the Council's decision whether to apply HHSRS or to consider overcrowding on the basis of the statutory minimum standards.

Determining the size / type of property applicants are eligible for

In order to make the best use of the available housing stock, it is essential to let vacancies to those who need that size and type of property.

When deciding the size and type of property for which applicants are eligible, the Government's Bedroom Standard used for assessing Local Housing Allowance will normally be used.

Bedroom Policy

The bedroom policy that the Council uses falls in line with the Local Housing Allowance

standards. This provides a bedroom each for the following:

- Parent (single parent or couple)
- Children of different sexes where one child is over the age of 10
- Children of the same sex where one has reached the age of 16

This definition will be used to assess bedroom requirement upon application, and to assess whether a household is overcrowded and therefore attracts reasonable preference.

In exceptional circumstances the Council, delegated as appropriate, may exercise discretion in deviating from the Bedroom Policy. Examples are:

- Where applicants require larger accommodation on health grounds. This will be considered on a case by case basis, taking into account the advice of a qualified medical advisor.
- Where the applicant has been approved as a foster carer by Children's Services, and so will need a larger property than normally required by the household. Children Services in discussion with the Housing Service will determine the property size required.
- Where the applicant or a member of the household needs the support of a carer who will need to sleep in the home and cannot reasonably be expected to share a bedroom with another member of the household.
- Where a household is downsizing to make a large property available, the Council may exercise discretion to allow the household that is downsizing to in future under occupy a smaller size of property.

The Council will also allow working families who have a 2 bedroom requirement but who wish to be considered for a 3 bedroom vacancy, and can comfortably cover the rent, to bid for larger accommodation than their assessed need. This will only be allowed where the household is working, is not in receipt of housing benefit, and the applicant passes an affordability test set by the relevant Registered Provider.

Verification

Applicants accepted onto the Housing Register are required to submit, when requested, proof of identity for all the persons on the application, and proof of residence for all persons aged 16 years or over, covering the last 5 years. Examples of acceptable proof are:

For main applicants-:

- Passport and birth certificate (photo identification)
- Marriage certificate
- Driving licence
- National insurance number card
- DWP payment book or benefit aware letters

- Mortgage statements
- Council and / or housing benefit letters
- P60
- Payslips
- Bank statements

For children-:

- Birth certificates
- Child Benefit notification letters

The Council will take all necessary steps to guard against misrepresentation and fraud. Enquiries will be carried out with relevant agencies at any time. In most circumstances, an applicant's housing situation will be verified by a home visit.

Housing Needs Panel

The Housing Needs Panel sits once a fortnight or more frequently if required, and will make decisions on the following areas:

The Housing Needs Panel primarily considers cases that are particularly complicated and/or urgent, and not fully covered by policy.

Urgent need is defined as a situation where there is a substantial risk to the applicant or a member of their household in remaining in their current housing situation or in other exceptional circumstances not covered by existing policies.

The Panel may decide on a joint agency approach in order to determine the best course of action, particularly where an urgent move can be avoided and other solutions are to be considered. For example in case of self neglected or where there are safeguarding issues.

Before a case is referred to the panel it must be fully investigated and an opinion reached that the household requires additional priority. Decisions to refer cases to the Housing Needs Panel are made by Housing Officers. The Housing Officer in conjunction with the applicant, will complete the Housing Needs Panel Application Form, and provide a written report, risk assessment and the relevant supporting documentation.

If an applicant does not agree with the decision of the Housing Needs Panel, they can request a review of this decision using the review process as detailed on page 47 of this Policy.

8. How properties are let under the policy

Adverts

Properties will be advertised on the Council's choice based letting framework – Bedfordshire Home Finder. Applicants should bid for properties for which they would like to be considered.

Property adverts will contain clear details of any applicants restricted from bidding on the property, or any preferences as to those categories of applicants who will be shortlisted first.

Property adverts will contain clear detail of applicants who will be given preference for a property (for example, people requiring adaptations contained in a property, decanting tenants, transfers households, etc.) Where preference is given to specific applicants but no eligible bids are received from these applicants, the criteria may be relaxed and the property offered to the highest priority bidder who does not meet the preference criteria.

Some properties may be subject to a local lettings policy (LLP). In these cases it will be clearly stated in the advert and this will include details of any restrictions on households who are eligible for the property (for example, minimum/maximum ages of children). Some properties will not allow tenants to have pets. Where this is the case, this information will be included in the labelling on the advert.

Some properties are built specifically to give preference to households with a connection to a parish or village. These homes are referred to as Rural Exception Schemes (See page 10). Preference will be given to households who meet these connection criteria. Where the property is being advertised as being within a Rural Exception scheme, the advert will clearly state that the Local Lettings Policy at appendix 2 will apply.

Where the property size indicates that restrictions must be placed on the number of persons who can be accommodated, this will be stated on the advert, e.g. small bedrooms.

There may be occasions when the Council or Registered Provider may need to withdraw an advertised property. Reasons for withdrawal may include:

- An error in the advertising details
- Extensive works are required to the property
- The existing tenant has withdrawn their notice

(The list is not exhaustive.)

The Council may allocate a property outside of the Allocations Scheme by means of a direct let. In these circumstances, the property will not be advertised through the CBL scheme (Homefinder).

As part of the Annual Lettings Plan, a review will be published of all lettings activity in the previous year, setting out the number of properties let through Choice Based Lettings (CBL/ Homefinder) and also lettings through direct let, transfer or Quota.

Making Bids

What is bidding?

“Bidding” refers to an applicant expressing an interest in an advertised property. Bidding does not involve any form of payment. A bidder is a person registered on the scheme who expresses an interest in a property advertised through the scheme. Applicants will be able to place 3 bids in each bidding cycle.

How to Bid

Applicants or their nominated representatives will be able to bid using the following methods:

- The internet at www.bedfordshirehomefinder.co.uk;
- In person at the Council;
- By Proxy (A proxy bid is a bid placed by a friend or family member of the applicant, or another person or representative that the applicant has requested to act on their behalf);
- Auto bidding (The auto-bid function automatically allows the computer system to place bids on any available properties that match the applicant’s requirements at the beginning of each bid cycle.)

When placing more than one bid applicants will be asked to place their bids in order of preference from first to third.

Where an applicant has difficulty placing bids by one of the above methods, help and advice is available from the Council.

Auto-Bidding

The auto-bid function places bids on any available properties that match the applicant’s requirements at the beginning of each bid cycle. Auto bid will take into account:

- Type of property
- The area in which the property is located.
- Floor level.

Auto-bidding is available to applicants who are unable to access any methods of bidding and do not have a representative who can place bids on their behalf. The Council will also allow proxy bidding where an applicant is unable to bid for themselves.

Shortlisting

Applicants may only bid on vacant properties if they are eligible for the type of property advertised. Of those eligible bidders, the order of priority will be determined as follows:

- By Banding – applicants in Band 1 will be shortlisted above applicants in Band 2.

- By employment status. Applicants who are in employment will appear on shortlists above those in the same band who are not (within bands). This does not apply to the “Accommodation for Older People” Housing Register.
- By Priority date. Where two or more applicants bid on a vacant property and have equal priority, preference will be given to the applicant who has the earliest effective date of application.
- Where two or more applicants with exactly the same level of priority and effective date on the scheme bid for the same property, a senior officer will make the allocation based on best use of the housing stock and needs of the applicants.
- Where an applicant bids successfully for more than one property, the applicant will be offered one property only, in accordance with the order of preference of their bids.
- Where sheltered or older person’s designated accommodation is advertised the older person’s residency criteria will apply. Where an applicant lives within two miles of the advertised vacancy they will appear on shortlists above those in the same band who do not (within bands)
- Where a property is subject to restrictions as part of a section 106 planning agreement, preference will be given to applicants who meet specific connection criteria to the parish.
- Where a property has specific adaptations (e.g. wheelchair access, ramps, level access shower), priority will be given to applicants who require the adaption in the property. Details of adaptations and criteria of applicants who will be given preference will be contained in the advert to allow applicants to make an informed decision whether the adaptation is suitable for their needs.

Between the period of being successfully shortlisted for an offer of tenancy up to the point of tenancy sign up, the applicant will not be permitted to bid on other advertised properties.

The Council or RP will contact applicants who have been shortlisted for an offer of tenancy. It is the applicant’s responsibility to ensure that all contact details are up to date and that they respond within 24 hours to any contact made by the Council. If an applicant does not return contact they will be overlooked for the offer. Exceptional circumstances will be considered e.g. where an applicant is seriously ill or in hospital

At the point of short-listing, an applicant’s circumstances will be verified. This is to ensure that the application has been correctly assessed and there have been no changes to the applicant’s circumstances since assessment of the application that would alter the priority awarded to the application or the household’s eligibility for the specific property they have bid on. If any changes have occurred that would alter the priority awarded or eligibility, the application may be overlooked for the offer of tenancy. The applicant will be informed of this using the most appropriate method of communication for that applicant.

Applicants may not be offered certain properties e.g. where the medical officer has advised a specific type of property – for example, where an applicant has medical priority for a ground floor property but bids for upstairs flats without a lift, or where there is a court order preventing a person from living in a certain location.

Where an applicant refuses a property the property will be offered to the applicant who has the next highest priority (Band, date priority) on the shortlist.

Note – Landlords will want to ensure that the applicant can afford to pay the rent on the property. Where a landlord carries out an affordability test and deems the applicant to be unsuitable for a particular property on the grounds of affordability, this shall be agreed with the Council before the applicant is over-looked.

Rural Exception Schemes

Some homes in rural areas will be subject to a Local Lettings Policy for Rural Exceptions Schemes, which means that these homes will be let in a different way. Homes will be let strictly in accordance with the criteria set out in this Local Lettings Policy, at appendix 2.

Because the Allocations Scheme does not allow for general needs applicants who do not meet the residence criteria to be registered, there will be a separate mechanism for applicants who qualify under rural exceptions criteria, to express an interest in a scheme. Applicant details will be registered only for the village that they qualify for under this policy (if they do not meet the main housing register eligibility criteria). This will enable all applicants with a connection to a rural area, or Parish with a housing scheme to be registered for accommodation, should a vacancy arise.

Ineligibility for an offer

Prior to an offer of accommodation being made to applicants, the Council will reconsider the applicant's circumstances to satisfy itself that the applicant remains eligible and qualifies for allocation of accommodation under the allocations scheme as set out in Section 5 – who can join the housing register (page 13). Where the Council concludes that the applicant is not eligible for allocation or is not a qualifying person no offer or allocation of accommodation will be made.

Viewing a Property

Upon completion of the shortlist, up to 3 applicants may be offered an accompanied viewing of the property. Viewings with multiple applicants may be used to ensure that if the highest priority applicant refuses the offer, the property can be offered to the next highest priority applicant and so on.

Refusals of Offer

A refusal will include both verbal and written refusals, including those made prior to a formal written offer being issued. Failure to attend an accompanied viewing will be deemed to be a refusal of an offer.

Applicants in Bands 1

If an applicant in Band 1 refuses a suitable offer of a tenancy, the application will be re-assessed, which may result in the priority banding being removed or the applicant will be placed in Band 2, with their original date of application being retained.

Applicants in Bands 2

After two refusals an applicant in Band 2 will be contacted to discuss their exact requirements. Any subsequent bids not meeting the applicants more detailed specification will automatically be overlooked. It is not expected that an applicant will refuse offers in the hope of obtaining the “ideal” property. This Policy is intended to discourage applicants from holding out to obtain their “ideal” property and instead seeks to encourage applicants to be pragmatic in bidding for available properties. **After a third offer of accommodation is refused, the applicant will be removed from the Housing Register for a minimum period of 12 months.**

Homeless applicants that successfully bid through CBL, or who have bids placed for them, or who have been made a direct offer will be expected to accept the offer. Failure to accept the offer will mean the Council ends its duty to rehouse the applicant unless the applicant submits a request for a Review of the Suitability of the Offer and this Review is successful. This is known as a Suitability review.

A homeless applicant can move into a property and request a suitability review. If the applicant is successful in this they will be made another offer.

Due regard will be given to the individual’s circumstances and the reason for refusal of the property. Failure to attend an arranged accompanied viewing will be treated as a refusal.

Withdrawal of Offer

There may be occasions when the offer of a tenancy may be withdrawn. Reasons for withdrawal could include:

- A change in the applicant’s circumstances
- The applicant is found to be not eligible for the property
- An error in the advertising details
- Where the offer might put a vulnerable person at risk
- Extensive works are required to the property
- The applicant has attempted to obtain the property by deception

This list is not exhaustive and withdrawal will be at the discretion of the Council.

Feedback on advert

In the interests of providing an open and transparent service, regular feedback is provided. This will enable applicants to determine the likelihood of future bids being successful. The Council will provide this information by;

- Information about lettings in printed documents available at the Council offices or on request.
- Information about lettings on the website.

Lettings to council employed staff & to Members of the Council

In order to ensure that the Council is seen to be treating all applicants fairly, any application for housing or re-housing from members of the Council, employees of the Council or associated persons must be disclosed. These applicants will be assessed in the normal way but any allocation of housing will require special approval by a senior officer in the Housing Service.

The same will apply to Registered Providers who will publish their own policies in this respect.

Local lettings plans

At times, it may be necessary to agree a local lettings plan to ensure balanced communities are achieved with regard to economic and social factors of households on an estate or area and to ensure that the agreed key objectives of the Authority's Allocation Policy being met. The following criteria must be met:

- Clear objectives are agreed aimed at preventing or tackling defined social problems or creating balanced communities.
- Defined set of outcomes agreed.
- Outcomes monitored and reported on annually.
- It forms part of a strategy for tackling defined social problems or creating balanced communities.
- It has clear objectives aimed at redressing any identified inequality in accessing housing.
- It will not have disproportionate negative effect on other key objectives negating value of action.
- It will be applied for an agreed fixed period.
- Arrangements must be monitored and reviewed against established objective.
- Recommendation to adopt such an action will be considered and agreed by the Assistant Director, Housing.

Ineligible successors

Where an applicant is ineligible to succeed to a property but the council wishes to make an offer of a smaller property to save the applicant having to separately approach the Housing Options Team, a direct offer of accommodation may be made. These offers will be in accordance with the Council's agreed policy on ineligible successors

Non-Successors may be offered a discretionary new tenancy depending on their circumstances and housing need. If a new tenancy is to be offered it will be a direct let and one offer only.

Successors who are under-occupying and the Council is exercising its right to gain possession will only be able to bid on suitable properties in 3 bidding cycles (suitable property to be determined by housing need and can be anywhere within the Central Bedfordshire area). If the successor is unsuccessful then an offer of a direct let may be made.

How medical assessments are progressed and considered

Medical priority is restricted to two groups: Priority 1 - those with an urgent medical need for alternative accommodation and Priority 2 - those with a non-urgent medical need for social housing.

The definition of both types of priority awarded is included in the Banding table on pages 25 to 29 of this Policy..

The Council will seek the opinion of a medical professional to inform its decision on the award of priority in some cases where it is deemed necessary.

Letting adapted properties

Applicants with mobility difficulties and who have a need for adapted or accessible accommodation will be assessed in accordance with the Accessible Housing Register guidance (AHR) and will be matched wherever possible to properties that match their assessed need.

Applicants seeking adapted properties will also be able to bid for properties that are generally advertised, where they believe that properties would be suitable. Officers on short-listing will make an assessment on suitability for adaptation, assisted by an Occupational Therapist as required.

Making best use of stock

The Council will, wherever possible, seek to make best use of existing stock. Where accommodation has no demand, the Council and its partners reserve the right to consider a change of use for that property. For example, converting a 3 bedroom property into accommodation for shared use.

9. Reviews and appeals

Requesting a review

An applicant has the right to request a review of decisions made under part VI of the Housing Act 1996, in particular:

- Decisions about the facts of the applicant's case which are likely to be, or have been taken into account in considering whether to allocate housing accommodation to the applicant;
- Ineligibility for an allocation or lack of any reasonable preference based on previous unacceptable behaviour;
- Ineligibility for an allocation due to immigration status.

Decision letters issued in respect of housing applications will advise the applicant of their right to request a review and provide appropriate guidance on how to do this.

A request for a review of a decision can be made in writing or verbally to a member of staff. The request must be made within 21 days of the notification of the decision. Reviews will be considered within 28 days of the request being received and the applicant will receive a written response outlining the result of the review.

An applicant will only be entitled to one internal review. If an applicant disagrees with the outcome of the review, on the basis that the material facts have not been taken into account, s/he can appeal to the Court. If an applicant disagrees with the handling of any aspect of their application or review s/he can make a complaint through the Council's complaints procedure (see below), contact the Local Government Ombudsmen usually once the complaints procedure has been exhausted or seek to challenge the decision via a judicial review. Disagreements with aspects of the policy itself will be noted and considered as part of the annual Policy review process.

Reviews will be carried out by an officer who was not involved in the original decision, and who is senior to the original decision making officer.

Complaints

The Council has a Customer Relations Team who can advise you on how to complain and log your complaint. You can make a complaint to any member of staff over the phone, face-to-face, using the freepost form on one of our comment, compliment, complaint leaflets, writing to the manager of the service, or email Customer Relations.

You can make a comment with a suggestion on how we can improve the service. Comments are recorded to help us review the services we provide. We will write to you and tell you if there is anything we can do.

Contact us by telephone or email – customer.relations@centralbedfordshire.gov.uk
0300 300 6077 or 0300 300 4995

You can also contact us by **Post**: Customer Relations, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Beds SG17 5TQ

A complaint will be acknowledged in 3 working days. We will tell you how we plan to deal with your complaint, who will be dealing with your complaint and how long it will take. We will offer to discuss this plan with you.

A review of a decision is not the same as a complaint about the way a decision was made or your experience of the service that has been provided to you. If you are in any doubt, please contact the Customer Relations team who will advise you whether to appeal or

complain. You will be provided with support to ensure that the issue is resolved, if at all possible.

10. Confidentiality, data protection and access to information

Applicant's Rights to Information

Applicants have the right to request such general information as will enable them to assess:

- How their application is likely to be treated under the Allocations Scheme, including whether they are likely to be given reasonable preference.
- Whether housing accommodation appropriate to their needs is likely to be made available to them.
- Details of any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them.

Applicants will also have rights to information as provided for under the Data Protection Act 1998 e.g. to know what information the Council holds on them and how it is processed (see below).

Data Protection

When an applicant applies to the Housing Register, the Council will seek only information that they require to assess the applicant's application and housing needs.

The data protection principles which underpin the Data Protection Act 1998, are that data must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept longer than necessary
- Processed in a way which maintains the data subject's rights to privacy
- Not transferred to countries without adequate protection.

Confidentiality

Confidential information held about applicants will not be disclosed to third parties apart from:

- Where the individual who is the subject of the confidential information has consented to the disclosure

- Where the Council is required by law to make such disclosures
- Where disclosure is made in accordance with the Data Protection Act 1998

11. Equality and Diversity

The allocations scheme aims to recognize and support diversity to ensure that no sections of society are excluded and that the service meets the needs of those who may require additional care and support. This policy seeks to meet the needs of all applicants regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and to comply with all relevant legislation.

Use, operation and outcomes will be monitored to ensure no sections of the community are excluded or disadvantaged.

Appendix 1

Annual Lettings Plan

A Lettings Plan will be published on an annual basis and lettings made will be monitored against this. The annual Lettings Plan is devised to ensure that the Local Authority meets its statutory obligations. All lettings made under Part VI, are counted for the purposes of the Lettings Plan.

The Plan will be monitored and reviewed annually. If monitoring shows that outcomes are not as per the Lettings Plan, the Council reserves the right to implement a quota system to ensure that it meets its statutory obligations. Such a plan is a strategic tool that enables lettings practice to be linked to wider strategic issues.

This Plan outlines the anticipated supply of lettings over the coming year.

Broad targets that are to be set and agreed can be monitored and adjusted (if necessary) to ensure that priorities are delivered and the needs of those groups with Reasonable Preference are met.

A sample of reports that will be produced will be:

- Number of offers made outside of the Allocations Scheme and therefore that do not count towards this Lettings Plan.
- The number of direct offers made outside of CBL.
- High and low demand areas
- The percentage of a particular Reasonable Preference group that has been re-housed within the year.
- The outturn of which properties across areas have been let to which bands.
- Full bidding activity on the CBL system.

APPENDIX 2

Local Lettings Policy for Rural Exception Schemes, adopted by Executive (February 2013) as part of the Housing Allocations Policy

1. Rural Exception Sites are a valuable source of new properties to help meet the growing demand for affordable housing and to promote rural sustainability. The Council gives such properties special treatment under its planning policy and its Housing Allocation Policy.
2. The Council will apply special criteria when allocating such properties and separate allocation arrangements will be made. The availability of properties on such sites will be advertised through the arrangements described in the Choice Based Lettings Scheme for not less than three bidding cycles (typically 6 weeks) but the advertisement will make it clear that the properties will be let using the special criteria described in this Appendix.
3. The intention is that the properties on such sites will be let to applicants having a Local Connection with the Parish in which the site is situated. Where there are no eligible applicants with such a Local Connection, allocation can be made to eligible applicants with a Local Connection to a neighbouring Parish; and if there is still no such applicants, an allocation can be made to an applicant with a Local Connection to the Central Bedfordshire Council area. All allocations will be made in accordance with the priority set out in clause 5 of this appendix.
4. All applicants for properties on such sites must meet the eligibility conditions described in the Housing Allocations Policy. The applicant must be in need of affordable housing.
5. A Local Connection is (in order of priority)
 - 5.1 Current residence in the parish for a minimum period of two years; or previous residence in the parish, for a period of not less than ten years; then
 - 5.2 A family connection through mother, father, brother or sister, son or daughter, being resident in the parish for a period of not less than two years; and then;
 - 5.3 Employment in the Parish, as a main place of work, for a period of not less than two years; and then
 - 5.4 Current residence; family connection, or an employment connection, where the time periods conditions referred to at 5.1 to 5.3 above have not been met. Priority will be given in the order set out above.
6. The priority for allocation is clearly set out in paragraph 5.1 to 5.4 above. However, within each of those specific priority groups, the individual bids will be ranked in accordance with the banding criteria set out in the Housing Allocations Policy and applicants shall be allocated in accordance with the priority given by the Housing Allocation Policy



A great place to live and work

Contact us...

By telephone: 0300 300 8302 - Direct line to the Housing Register Team

by email: customer.services@centralbedfordshire.gov.uk

on the web: www.centralbedfordshire.gov.uk

Write to the Housing Register Team, Central Bedfordshire Council, Priory House,
Monks Walk, Chicksands, Shefford, Bedfordshire SG17 5TQ



Appendix 2

**Executive
27 May 14**

Draft Housing Allocations Policy

Response to Formal Consultation

1. INTRODUCTION

- 1.1 The Localism Act 2011, introduced changes in housing law giving councils more freedom to determine who can apply for council and Housing Association housing and how their applications will be treated.
- 1.2 As a result of this, Central Bedfordshire Council (CBC) proposed a number of changes to the current Housing Allocations Policy. The Policy governs who can apply to the housing register, the size of the property which a person can apply for, and the priority of housing applications.
- 1.3 CBC formally consulted on its draft Housing Allocations Policy for 12 weeks from 4th November 2013 to 31st January 2014.
- 1.4 Each of Central Bedfordshire's housing 1500+ applicants on bands C and D (medium need and low/no need), who may be impacted by a change in Allocations Policy, were written to individually to provide notice of the formal consultation and to provide information about they could respond to the consultation.
- 1.5 The formal consultation was managed via a formal consultation document. This was available in paper format; downloadable from the CBC website, or was obtainable by telephoning or writing to the contact details provided in the letters to housing applicants.
- 1.6 CBC staff and elected members were informed about the formal consultation, social media was utilised and press releases were issued to the media to raise awareness of the consultation with Central Bedfordshire residents.
- 1.7 As part of the consultation process for the proposed Housing Allocations Policy the Interim Lead Officer for Housing Needs, representatives from the Housing Register Team and the Senior Estates Officer discussed the proposed Allocations Policy and provided additional qualitative feedback.

2. RESULTS OF CONSULTATION: DEMOGRAPHIC PROFILE

- 2.1 In total, 103 people responded to the draft Housing Allocations Policy formal consultation.
- 2.2 25% of respondents were housing register applicants, 16% were council or Housing Association tenants, 6% were from Town or Parish Councils, 10% were professionals, 16% were recorded as "other" and 17% did not include this information.
- 2.3 29% of respondents were male, 67% were female and 4 % preferred not to say.

- 2.4 45% of respondents were aged 55 years or over.
- 2.5 19% of respondents stated that they had a disability.
- 2.6 78% of respondents stated that they were heterosexual.
- 2.7 77% of respondents were White: British and 13% of respondents preferred not to state their ethnicity.
- 2.8 51% of respondents' stated their religion or belief was Christian and 30% of respondents stated they had no religion or belief.
- 2.9 Appendix 1 provides a full demographic statistical profile of respondents.

3. RESULTS OF CONSULTATION: QUESTION RESPONSES

The formal consultation was designed to capture both quantitative and qualitative data from respondents, with results summarised as follows:

3.1 Q1. Do you agree that people with no housing need should be stopped from joining the housing register?

Yes	58	57%
No	40	39%
Don't Know	4	4%

58 respondents (57% of respondents) agreed with this proposal. 28 respondents, (27% of respondents) who did not support or did not know if they supported the proposal provided qualitative feedback; issues over housing affordability were raised and that not all circumstances appear to be considered in the policy as it does not allow for any imminent/foreseen changes in circumstances.

3.2 The council wants to ensure that social housing is let to people with a 'local connection' in Central Bedfordshire. It is proposing to allow people to go on the register only if they have lived continuously in Central Bedfordshire for three years.

Q2. Do you agree with this proposal?

Yes	68	67%
No	31	30%
Don't Know	3	3%

68 respondents (67%) agreed with the proposal. 28 respondents (27% of respondents), provided qualitative feedback. Respondents supporting the proposal stated that people who work within Central Bedfordshire should be able to be housed in the area, respondents who did not or did

not know if they supported the proposal indicated that 3 years was too long and that peoples individual circumstances should be considered before imposing timescales. Individual circumstances included being closer to an elderly relative or fleeing domestic violence.

Q2a. If yes, do you think that 3 years is about the right length of time?

Yes	41	60%
No	24	35%
Don't Know	3	4%

41 respondents (60%) of the 68 respondents that supported the proposed 'local connection' component agreed that 3 years was the right amount of time.

Q2b. If no, how long do you think someone should have lived in Central Bedfordshire before they are allowed to join the housing register as a local resident? (Please tick one box that applies).

1 year	2	8%
2 years	4	17%
4 years	2	8%
5 years	12	50%
10 years	4	17%
Other	0	0%

Half of the 24 respondents who did not agree that there should be a local connection for 3 years, believed that 5 years was a more appropriate length of time.

3.3 Under the new Allocations Policy, people who do not live in Central Bedfordshire can be treated as having a local connection if they have been employed in Central Bedfordshire for 6 months. This is in order to encourage employers and workers into the area.

Q3. Do you agree with this idea?

Yes	68	67%
No	28	27%
Don't Know	6	6%

68 respondents, (67% of respondents, supported this proposal; 2 of these respondents, (3%), provided qualitative feedback stating that this will ensure continuity of employment.

25 respondents, (25% of respondents), provided qualitative feedback consisting of mixed opinions over the 6 month period being either too long or too short a time period. There was some support for those in employment renting from the private rented sector.

3.4 The new Allocations Policy proposes not to allow people to apply to the housing register if they have enough income to buy their own home or rent a home privately. It is proposed that different (before tax) income thresholds should apply for different property size needs as follows:-

- **Needing a 1 bed property - £30,000pa household income threshold**
- **Needing a 2 bed property - £40,000pa household income threshold**
- **Needing a 3 bed property - £50,000pa household income threshold**

Q4. Do you agree with this idea?

Yes	71	70%
No	26	25%
Don't Know	5	5%

71 respondents, (70%) supported this proposal.

Q4a. If yes, do you consider the suggested income thresholds to be fair?

Yes	53	75%
No	8	11%
Don't Know	10	14%

53 respondents (75%), supported the threshold proposals as fair.
No respondents provided qualitative feedback for this question.

Q4b. If you answered no to question 4, please give a reason for your view, if you wish.

24 respondents (24% of respondents) provided qualitative feedback. These respondents indicated that thresholds are too high and questioned affordability.

3.5 As proposed, the new Allocations Policy will prevent people being placed on the housing register if they have savings or assets of £23,250 or more.

Q5. Do you agree with this proposal?

Yes	60	59%
No	32	31%
Don't Know	10	10%

60 respondents (59% of respondents) agreed with this proposal; 1 person referring to this being the same level as assessed for older people entering residential care.
31 respondents, (30% of respondents), provided qualitative feedback. These respondents indicated that £23,250 is too low based on current costs of living.

- 3.6 The Council is proposing a much simpler system for banding applicants for housing. At present, applications are assessed in detail to see how urgent their housing need is and placed into one of four bands - URGENT NEED, HIGH NEED, MEDIUM NEED and LOW / NO NEED. People can move up and down within their band depending on their level of need in relation to other applicants. This makes it difficult for people to understand what is happening with their application.**
Under the proposed new system, there are two bands; one for very urgent housing need cases, and one for all other applicants. People will wait for housing, in the bands, in date order.

Q6. Do you agree with this idea?

Yes	62	61%
No	28	27%
Don't Know	12	12%

62 respondents, (61% of respondents), indicated that they agree with this proposal.
35 respondents, (34% of respondents), provided qualitative feedback; indicating that respondents who do not support this proposal experience the current system as working well and believe that the new system may be too restrictive.

Qualitative feedback from staff supports the change in categories however raises concerns that non urgent housing needs could be a large group with varying need levels.

- 3.7 The council proposes the introduction of an 'employment priority' into its allocations, so that working households are prioritised for properties over non-working households.**
Employed people will need to prove that they are employed for at least 16 hours per week, with a contract of employment.
Volunteering and apprenticeships will count as employment provided these are similarly formalised arrangements.
As a high proportion of households on the current housing waiting list are non-working, this will not mean that non-working households cannot get a property, but they may wait longer than a working household.

Q7. Do you agree with this proposal?

Yes	67	66%
No	27	26%
Don't Know	8	8%

67 respondents (66% of respondents) support this proposal, 2 of which (3%) provided qualitative feedback that working households should be recognised.

24 respondents, (23% of respondents), provided qualitative feedback that did not support this proposal and raised issues regarding the current economic climate and that the impact of disability could affect how they will be assessed under the proposed policy.

Qualitative feedback from staff consultation included concerns of how assessments will be made with regard to people regaining employment and suggesting the inclusion of those people actively seeking employment.

- 3.8 We propose to exclude people who are bad tenants from the housing register. This includes people who have a poor tenancy history, those who owe rent from a previous tenancy, and people who have been violent, abusive or threatening. The Council will ensure that those households who are excluded will be given support to change their behaviour so that their application may be reconsidered in the future.**

Q8. Do you agree with this proposal?

Yes	82	80%
No	11	11%
Don't Know	9	9%

82 respondents (80% of respondents) agree with this proposal.

Qualitative feedback stated that supporting people to change behaviour will benefit the community.

9 respondents, (8% of respondents), did not support the proposal.

Qualitative feedback raised concerns about; where excluded people will go; the impact on any younger household members and that assessments should be made on a case by case basis.

- 3.9 Low paid workers who rent their homes from a private landlord are not treated as being in housing need in the current Allocations policy. The new Allocations Policy proposes to give people in this situation a better chance of getting a Council or Housing Association home.**

Q9. Do you agree with this proposal?

Yes	87	85%
No	12	12%
Don't Know	3	3%

87 respondents, (85% of respondents), agree with this proposal. 3 of these respondents, (3%), provided qualitative feedback stating that private tenancies are not always secure and that assessments should be based on the housing person's needs.

10 respondents, (10% of respondents), provided qualitative feedback indicating they did not support or did not know whether they supported this proposal; raising questions about whether people who had secured private rented accommodation were in housing need.

Qualitative feedback from staff contained mixed views with regard to this proposal. Support was given to the proposal due to the higher rates of rents within the private sector,, counterbalanced by issues with regard to the need to rehouse tenants that are already in adequate accommodation.

3.10 The Allocations Scheme proposes that applicants seeking older persons' accommodation have to demonstrate 'housing need' before accessing the housing register. We are aware that some older persons' accommodation, particularly some sheltered schemes and 1-bedroom bungalows attract no bids. Not being able to easily let these properties in the future is not a good use of our housing stock.

Q10. Do you agree that older people who do not demonstrate 'housing need' should be able to bid for vacant older peoples' accommodation, where these properties attract no interest / bids?

Yes	12	12%
No	1	1%
Don't Know	2	2%

12 respondents, (12%) agreed with this proposal, with 85% of consultation respondents not answering this question.

2 respondents, (2%), provided qualitative feedback and did not support or did not know whether they supported this proposal; including a raised concern that there should be a housing support need.

3.11 Q11. Please give any additional comments you would like to make on the proposed changes to the Allocations Policy.

50 respondents, (49% of respondents), provided additional qualitative feedback.

There was support for the draft policy as travelling in the right direction with regard to local connections, promotion of employment and inclusion of low income tenants currently in private housing.

Issues were focused on the policy not fully considering the needs of disabled people with regard to allocation of bungalows originally intended for older people.

Concerns were raised that people may not be able to continue to live somewhere that they have lived for most of their life due to not meeting the new criteria, therefore impacting on their social needs.

3.12 A full account of the formal consultation qualitative feedback is presented in appendix 2.

4. SUMMARY

4.1 In summary, the majority of the 102 respondents were in support of each of the 10 proposals put forward in the formal consultation; however question 10 recorded far fewer responses, 85% less, than others within the survey.

Whilst there was support for the proposals as being fair and welcome, the consultation raised a number of wider issues; that the current banding and assessment and banding system is fair and satisfactory, a new system may make the housing process more complicated as the current economic climate and unemployment levels may impact on the need for social housing and proposed changes to the Allocation Policy.

**Appendix 1:
Results of Consultation: Demographic Profile of Respondents**

12. Please tell us which type of respondent you are:

	No.	Percentage
Housing Register applicant	26	25.5%
Council or Housing Association tenant	16	15.7%
Professional	10	9.8%
Town/Parish Council	6	5.8%
Other	16	15.7%
Not recorded	28	27.4%

13. Please tell us your gender

Male	30	29.4%
Female	68	66.6%
Transgender	0	0.0%
Prefer not to say	4	3.9%

14. Please tell us your age

18-24 years	2	1.9%
25-34 years	12	11.8%
35-44 years	19	18.6%
45-54 years	23	22.5%
55-64 years	22	21.6%
65-74 years	12	11.8%
75+	3	2.9%
Prefer not to say	9	8.8%

15. Do you consider yourself to be disabled?

Under the Equality Act 2010 a person is considered to have a disability if he/she has a physical or mental impairment which has a sustained and long-term adverse effect on his/her ability to carry out normal day to day activities.

Yes	19	18.6%
No	74	72.5%
Prefer not to say	8	7.8%
Not recorded	1	0.9%

16. Please tell us your sexual orientation

Heterosexual	80	78.4%
Bisexual	1	0.9%
Gay	2	1.9%
Lesbian	1	0.9%
Prefer not to say	15	14.7%
Not recorded	3	2.9%

17. Please tell us your ethnicity

White: British	79	77.4%
White: Irish	3	2.9%
White: Gypsy or traveller	1	0.9%
White: other	3	2.9%
Mixed: White and Black Caribbean	0	0.0%
Mixed: White and Black African	0	0.0%
Mixed: White and Asian	0	0.0%
Mixed: other	0	0.0%
Asian or Asian British: Indian	0	0.0%
Asian or Asian British: Pakistani	0	0.0%
Asian or Asian British: Bangladeshi	1	0.9%
Asian or Asian British: Chinese	0	0.0%
Asian or Asian British: other	0	0.0%
Black or Black British: Caribbean	0	0.0%
Black or Black British: African	0	0.0%
Black or Black British: other	0	0.0%
Other	2	1.9%
Prefer not to say	13	12.7%

18. Please tell us whether you have a religion or belief

No religion	31	29.4%
Christian	52	50.9%
Buddhist	0	0.0%
Hindu	0	0.0%
Jewish	0	0.0%
Muslim	1	0.9%
Sikh	0	0.0%
Other	1	0.9%
Prefer not to say	16	15.7%
Not recorded	1	0.9%

Appendix 2: Results of Consultation: Qualitative Feedback

Q1. Do you agree that people with no housing need should be stopped from joining the housing register?

- I would differentiate between "need" and "deserve" People who may not meet the legal definition of "need" may still be in difficult circumstances which would be alleviated by rehousing, and may be more deserving in having lived in and contributed to the community for a long time.
- The very fact that currently those with 'no' housing need are able to secure tenancies indicates that these properties would lie dormant and unused for an indeterminate time. The fact that these properties may subsequently be separately advertised is a decent compromise on this but it would be hoped that those seeking housing advice with 'no' housing need are made very aware of this and to keep looking at these properties too.
- If a tenant is living in a 3 bedroom house but would like to re-establish their household in another area of the district for personal reasons I cannot see the justification for not letting them do this through the housing register. Subject to doing an affordability check, I would argue that they are in 'housing need' by definition of being in one of our properties; they are unable to afford a property in the private sector so cannot move. In many cases tenants wish to move to improve their situations, i.e. being nearer a family member that can provide childcare so that they can work or access a school that will suit the child of the family and thus improve their life chances. Forcing someone to stay in an area that they do not want to seems unjustified and likely to negatively affect their social wellbeing and therefore employability etc. Mutual exchanges are not always available for the exact places that all parties would like and it will be frustrating to have vacant properties come up in an area that a tenant would like to move to but they will not be allowed to bid for. We should be to reward tenants by letting them have the opportunity to move should they wish to. A tenant 'stuck' in a property and area they do not like is less likely to make a positive investment in either.
- Applicants in privately rented accommodation do not have security of tenure
- It is social housing and should be open to everybody
- I don't feel I know enough about it.
- I feel that each individual's situations should be taken into account. For example if a person owns the property jointly and the relationship collapses they may need to move so as not to develop financial problems

- I feel this is discrimination
- People could be in accommodation they can't afford.
- Even people in gainful employment struggle to find the money for the extortionate rents being charged in this region. The situation will worsen after January 1st when no doubt, thousands arrive from abroad. I know families that struggle to pay bills and buy food, in an effort to keep a roof over their heads!
- As people in those bands have very little chance of getting a home anyway are you just getting rid of "extra work".
- It may be that their circumstances are changing or due to change so are being both sensible and practical in advance. Our situation is that we are both adequately housed in two separate counties but policy and councils do NOT cooperate with each other in arranging suitable property, instead we have the equivalent of four bedrooms in two properties but only require a two bedroom property.
- I fled a violent partner and rent I have to pay a high rent and the house is not in great condition. I cannot get my ex out of the house and would have it repossessed if I lived there. If I gave up my job claimed benefit and went into a refuge I would be in a higher band. But I work and cannot get legal aid (I earn eleven pounds over) I cannot force him to sell the house. There is no equity in it anyway. I live in poverty due to my rent and have worked hard to provide a home for my kids and get no help and can not afford to heat the house or put on the immersion heater. We are poor and if I gave up my job claimed benefit and went into a refuge I would be considered. I am surely providing a good example to my children but do not qualify for consideration but I took my children away for their protection and mine.
- Why should outsiders get priority over LOCAL people
- Not a good idea if it stops younger adults getting on the register to move out of parental homes, otherwise ok
- I am single on a low income, and I get help with my rent which I am really grateful for. I am 55 years of age and renting privately. It scares me that if my landlady decides to sell her property I could be made homeless as I can not afford to rent at a higher PRICE.
- The reason we don't agree with it is because me and my partner have lived in Luton all our lives and we have to move from one place to another, we are 52 yrs of age we don't have any money to buy and private renting is not permanent so we always have this worry of some where to live...we both suffer bad with arthritis and it will get worse as

we grow older, we think it all depends on how long you have lived in this country and of course if you cant afford to buy...

- If people need to move boroughs to be closer to family they should be allowed to bid
- People who live in villages cannot afford to buy a property there or rent privately. So they have no choice but to leave their family and the village they grew up in. This is not fair. If there are council owned properties in a village then people from that village should be given priority above anyone else even if it is a 2 or 3 bedroom property and they are a single person they should be given priority over anyone from outside that village.
- The system at the minute is not that easy to work with and does not allow you to move if you only have slight need changes .This to me does make people get stuck in a rut and does hinder the customer and you weather that is through you getting rent or tax payments or the customer being more able to earn that money. For example my lifestyle requires the same size property but with direct garden space to make my life slightly simpler .I find social housing some times a good thing as it is a good first step for people with needs if they have had social issues .At the same time they can very quickly be abused by this same social system if you are working on something else and you do not fit the social trend at the time. I also think that there could be more direct communication on moving issues to make things flow better or to get the next person on the chain to get your first level of help.
- They are most likely struggling to pay private rent, have debts & child support agency to contend with or are in negative equity
- They should remain on the register because there situation could change at any time.
- It depends on the reason why they are classified as having low priority - for instance a young mother with 2 boys under the age of ten living in a first floor maisonette in Morcom Road, Dunstable. She would like a 2 bedroom house with a garden for her children but she will be classified as being adequately housed with low need. If she is working and able to pay the difference with the bedroom tax, then she should be considered for a three bedroomed house in addition to a two.
- Your definition of "Housing Needs" is very narrow. Many young people & people on a low income would struggle to raise the money for a deposit on a house, or to pay rent from a private landlord. What are they supposed to do?
- People who know that they will have a housing need in the near future (say, within 12 months) should be able to register an interest

- No I think everyone should have a chance to be able to say if they wish to stay on the housing register
- Some peoples 'housing' circumstances can change drastically so social housing can be their only hope
- Medical Grounds

There are a range of views here, with 57% of responders in support of this proposal. The Council proposes to introduce an online housing options calculator as part of the implementation of the new Allocations Policy. Where applicants are not eligible for the housing register, they will be steered towards a range of other housing options. One of these will be the ability to register for the Available Now Window. This is a window on the HomeFinder website where properties that are lower demand and have not received any bids from applicants in housing need will be made available. Clients who are assessed as not in housing need will be able to put themselves forward for these vacancies. We also plan to publicise this Available Now Window locally, with a range of employers, to give housing opportunities to other local people.

We are aware that applicants living in private rented accommodation lack security of tenure, but if we were to register applicants simply on that basis then there will be many thousands on the housing register. It is better to register them because they have another need as well as security of tenure. Additionally the draft policy makes provision for those who are struggling financially.

There will be provision within the policy for dealing with exceptional circumstances. We appreciate the Allocations Policy cannot be drafted to take into account every possible circumstance. The Housing Needs Panel will look at truly exceptional cases.

The definition of housing need used is one set down in law. We think this is a good place to start. The waiting time for accommodation in Central Bedfordshire isn't too long – less than a year on average, for those people likely to be rehoused. Those who think they have a future need can register as soon as that need arises and can still be rehoused quite quickly.

Q2. The council wants to ensure that social housing is let to people with a 'local connection' in Central Bedfordshire. It is proposing to allow people to go on the register only if they have lived continuously in Central Bedfordshire for three years.

Do you agree with this proposal?

- People who work in the area should also be allowed to go on the register
- If someone from outside the area obtains a permanent job in the area, and meets other criteria, they should be considered for housing
- Some people are in danger in other areas. You'd be excluding people
- People may need to relocate for work/ job prospects/ families etc.
- 3 years is far too long for people in housing need to wait
- This is telling people where they can and cannot live. I don't think this right.
- I agree in principle with local housing being for local people, but there needs to be consideration of various people and exceptions made for them. People fleeing domestic violence, coming from care and a wide variety of other reasons may require housing in a different area to where they have a local connection. It is very imaginable that someone may not have a local connection with any place if the requirement is they need to have lived somewhere for the last 3 years. This is very difficult for Local Authorities to work with because each policy is local, but actually that is not the person in need's fault and exception needs to be made in that case. Something along the lines of a person showing they could not get local connection status with any area they have recently lived in and therefore should be allowed to have local connection or allowed to be on the housing register in the area they have most recently lived in (unless they are fleeing that area for some reason) should be included. With this proposal we risk excluding those who have led a transient life, either through choice or not, which is fundamentally wrong. Where else can they go if no-one will take them?
- The criteria are too strict. Local connection should also include working in Central Bedfordshire or having immediate relatives living here currently (as per current policy)
- Should be same as Hertfordshire which is 5 years local connection
- People should have a choice where they live. E.g. to be near family or to seek work
- In exceptional circumstances, some applicants may be fleeing Domestic or other forms of violence. These cases may be applying from areas outside of Central Bedfordshire.
- Because it makes it more difficult to move to the area if they find a job.

- Because of people moving to the area for work or for family reasons and three years is too long
- If you have to move to an area for employment, you would need housing, also if an elderly parent needs support they might need to move closer to family
- People often need to move to a different area to find work and they will require housing and schools etc. in that area.
- Central Bedfordshire is a small geographical area and as far as I know is part of the eastern region and United Kingdom I see no legitimate reason for a person living in say Cambridgeshire not applying for a CBC property. You cannot claim to be supporting people to get jobs on the one hand and then restricting their ability to move to get a job on the other.
- In exceptional circumstances, some applicants may be fleeing Domestic or other forms of violence. These cases may be applying from areas outside of Central Bedfordshire.
- Anyone should be able to move around their own country for a number of reasons. I find your proposal a bit offensive.
- People in the forces may wish to return to their home county but have no longer any family
- I think people should be allowed to be considered for any area as you may want to move to be closer to an elderly relative. I wanted to be closer to my father in Keston but Pilgrims took me off their list. He now has a carer paid for by the state when I could have popped round and checked on him daily if I was housed in that area or people might want to cross the border for work connections
- There may be examples of families where parents have separated (through domestic abuse, drug & alcohol addiction of one partner etc.) who have close extended family in CB which would give the much needed support network a single parent may need to prevent them from slipping into targeted children's services.
- Again if an elderly person has family living in area and they need to move to be closer to family
- If you're in an area then I feel you should be able to register.
- As I am on the Central Beds transfer list myself and have been for some time. I think if you have been on the list for a certain amount of time you should have as much rights as anyone else. I live in Luton but

Central Beds allocate properties in the Dunstable and Houghton Regis area which is just up the road from where I live.

- The question being asked is different in meaning to the definition in the proposals document. The wording in Question 2 should be kept, but with the addition of 'for any period within their lifetime' rather than 'for three years'.
- They should be allowed if they were born in Bedfordshire, not just Central Beds....
- For people who have relocated for various reasons and have no other way of being rehoused
- it should depend on somebodies circumstances e.g. a person maybe transferred in his work or found work in an area not where he was born e.g. I am a Londoner but found housing and work 34 years ago in Bedfordshire.

Responses from the consultation were mixed in their support for this recommendation, with the majority (67%) in support of the proposal. The policy defines local connection as having lived in CBC for 3 years, or having worked in CBC for 6 months, and as such the policy seeks to support wider corporate priorities in terms of the growth of the economy and sustaining employment. The policy defines local connection as living within CBC as the policy applies to the area within the Council's boundaries. Neighbouring boroughs are not included.

Members of the Armed Forces and Former Service Personnel are considered to have a local connection providing their application for housing is made within five years of their discharge. Bereaved spouses and civil partners of members of the Armed Forces will also qualify for a local connection, as too will serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result

These provisions recognise the special position of members of the Armed Forces (and their families) whose employment requires them to be mobile and who are likely therefore to be particularly disadvantaged by local connection requirements; as well as those injured reservists who may need to move to another local authority district to access treatment, care or support.

Some respondents felt that three years was too long a period, whilst others felt that five years was a more appropriate time period in which to establish a local connection. The Code of Guidance recommends that two years residency should be the minimum time frame in which to establish a connection. On balance it is felt that three years is an appropriate time.

For people wishing to move to Central Bedfordshire with no local connection, advice and assistance will be available in how to access other forms of accommodation, including private rented accommodation. Homeswap is available to assist social housing tenants wishing to relocate.

Concern was expressed that this approach would exclude households fleeing domestic abuse or other forms or harassment of violence. There are clear safeguards in law to protect those at risk of violence, including the provisions within the homeless legislation. Moreover there will be provision within the policy for dealing with exceptional circumstances.

Views were also expressed in relation to the policy failing to take account of those needing to move to the area to either give or receive support. We appreciate the Allocations Policy cannot be drafted to take into account every possible circumstance. The Housing Needs Panel will look at truly exceptional cases.

Q3. Under the new Allocations Policy, people who do not live in Central Bedfordshire can be treated as having a local connection if they have been employed in Central Bedfordshire for 6 months. This is in order to encourage employers and workers into the area.

Do you agree with this idea?

- No - if people are in employment then they should rent from the private sector.
- I don't think 6 months is long enough. Some people would just do it to get housed.
- Should be at least 1 year
- People might take up short term employment just to get onto the list, and then drop out of work. Suggest they should work for at least 18 months.
- Employment can change so frequently, 12 months is a better suited time period
- 6 months is too long to wait for someone who gains employment in the area. They may be unable to take up a job offer if they have to wait 6 months before being able to make a housing application, bearing in mind they will not know how long they will need to wait before receiving an offer of tenancy.

- As long as the employment is permanent. I am unsure whether I agree with this morally, if applicants are working and able to help themselves they have more options than applicants that are not working. However, I do think that all applicants should be encourage to try and help themselves in whatever way, to resolve their own housing need but we should not penalise them for trying and not achieving work.
- 6 months is too long- where are they supposed to live if they've just got a job in the area? If people are unemployed they presumably don't have an income, so how are they supposed to find somewhere to live?
- It would mean a family would have to be separated and run two homes for at least 6 months. I work in the supported housing sector, and am concerned that if employed people get priority for properties with an over 50 criteria, where we supply support, our service will be greatly diminished, these properties should be held for people with a support need. I assume the priority for employed people does not include over 60 for sheltered housing?
- I think it should be slightly longer, maybe 8 months.
- If people have to work for 6 months in the area before being eligible to live here then where?
- I think it should be 12 months not a 6 months employment period. I do not agree with "those who owe rent from a previous tenancy" because the private renting is extremely high and can cause the rent arrears
- How on earth are workers to afford to travel or keep two places to live? They should be able to move asap.
- I could not get a local job and work in Cambridge.
- This will reduce the housing stock available for CB families. Persons moving for work must make an economic assessment as to whether the move is financially beneficial for themselves and their family in the same way that everyone else will do.
- I do not believe that people who choose to live in the area purely for work should be allowed to go onto the register unless there is a clear reason (i.e. perhaps specific skills required in the area could be given dispensation - e.g. shortage of nurses or rare skill where there is a desperate need in the area). If someone chooses to move into the area to work, that is their choice. It is far different from someone who grows up in the area and is unable to leave home due to affordability.
- Because they can drive to work or get transport via train and bus
- Should be at least 5 years working there.

- There needs to be very local employers for this to happen. People are some times within this system regardless of there working lifestyle a move or home does or could enable change to earn
- 6 months is a very short time, as many employment contracts are for short term periods. The period should be a minimum of 1 year's work. Also their current place of residence should be taken into account so that if they live within a 'reasonable' commuting distance (say 30 miles/40 minutes travel) of their employment then their priority on the housing register should be lessened.
- 6 months is too short, it should be a minimum of two and a half years.
- I think that this is considered to be a good part of the allocations policy but feel that six months is not a long enough period of time.
- I think that the period should be longer - at least 12 months. This would ensure continuity of employment
- I think the time period should be 12 months from starting the employment as this gives both the employer and the person employed to see if they are suitable for the position and if not and leave this then leaves them have been allocated a house/flat they could continue to live in it an be out of work stopping another more suitable applicant from being housed.
- Priority should be given to people who live in Central Bedfordshire.
- 2 years
- It needs to be 3 yrs. MIN or it could be used as a 'loop hole' to Instant housing, then they could commute to London with a house in Beds. Nice one eh!!

In the National Housing Strategy published in Autumn 2011, the government recommended local authorities to consider giving additional priority for social housing to working households.

The majority of respondents (67%) supported this proposal, however there were mixed views on whether the six months is too long or short a period in which to establish a local connection.

Respondents were concerned that people could access social housing by working in the area for a relatively short period of time. However the Policy aims to support working households and to support wider corporate priorities in terms of the growth of the economy and sustaining employment.

Others expressed concern that six months was too long to wait, especially if this meant a household had a long commute or had to pay for two lots of accommodation. However households accepting employment offers in CBC will be aware of all of the facts when deciding to accept the offer of accommodation.

On balance it is felt that six months employment is the correct time in which to become eligible to join the register, having to wait for a longer period of time may have a negative impact upon people's ability to sustain employment.

Some respondents felt that working households did not need access to social housing as they could afford to resolve their housing situation themselves. The aim of the Policy is to support low paid workers, and support households to remain in work. In addition to this it is hoped that the Policy will create mixed and sustainable communities. This part of the policy will only apply to households on relatively low incomes, as households with incomes over the income thresholds will not be eligible to join the register.

Q4. The new Allocations Policy proposes not to allow people to apply to the housing register if they have enough income to buy their own home or rent a home privately. It is proposed that different (before tax) income thresholds should apply for different property size needs as follows-:

- **Needing a 1 bed property - £30,000pa household income threshold**
- **Needing a 2 bed property - £40,000pa household income threshold**
- **Needing a 3 bed property - £50,000pa household income threshold**

Do you agree with this idea?

- This is basically saying that anyone with a wage of 30,000pa should buy a property or rent one privately. This is surely infringing on any ones right to housing. When housing around Dunstable Houghton Regis is very low. Why aren't the new builds advertised many would wish to live in them and would be giving up there own homes
- Every person's situation is different. Some private rents are very high and would not necessarily secure a nice property. There are very few one bedroom properties for rent, or available to buy on a £30k income.
- Income threshold too low. Start at £50K for 1 bedroom.
- Even with that income it's impossible to get a home loan. The amount should be adjusted

- I believe these levels of income are not necessarily enough to allow easy renting or purchase
- Everybody should be allowed on register with priority given to those on lower income
- The threshold should be lower for those requiring a one, two or three bedroom property. As social housing should be focussing on those who are in financial difficulty. I believe that the threshold should be 1 bed property £25k, 2 bed property £32k, 3 bed property £40k.
- I think someone with £20.000 has enough income to purchase a 1 bed. £25.000 is enough to buy a 2 bed and £30.000 is enough to purchase a 3 bed
- I earn 30.000 but do not have the means to put down a deposit and am also of the wrong age to do so.
- The figures given do not represent the cost of buying property in this area.
- A low income family will require a larger property than a one-bed flat!
- Because although their income is at this figure on application it could go down if/when a child is involved
- DISCRIMINATION
- The ability to buy or rent a home based on income is flawed by too many other factors.
- If the applicant has a disability e.g. in a wheelchair and needs specific adaptations then no landlord who private rents a property will be obliged to adapt the property and if only one person on the application is a high earner due to their partner being disabled then they still might not be able to qualify for a mortgage high enough to buy a property in the area.
- Private landlords do not give long term secure tenancies.
- If a person has a good wage they would look after the property better than the landlords do.
- If they have a medical need for special housing they should be allowed on the housing register.
- Everyone who haven't got own house should have chance for council house

- As I have previously pointed out, DEBT is a huge issue at the moment. So even if they are earning high their outgoings are more than likely higher too. Why else would they apply for housing i.e. Divorce, debts, Child Support Agency. There are more than likely people on a high level of debt
- The cost of living is sky high !..... if you earn £30,000 per year then you have to pay tax, then you have to pay the following: council tax, gas, electric, internet/TV, water, mobile/landline, TV licence, upkeep of property, furnishing house, clothing, food, etc. etc., and what are left with, NOTHING ! And if you own a car to go to work then you can add all those costs as well!
- Property prices too high to make these figures realistic, but there should be 3-5 yr. contracts.
- Age is also an issue, over a certain age mortgages are not available.
- The thresholds should be higher and it should be noted there is no security in renting privately. Association/social housing is a better 'feeling' to be in than private. You pay rent back to 'society'.

71% of respondents agreed with this proposal, and 75% considered the thresholds to be fair. Concerns were raised that the thresholds were too low, and that many households on those income levels would not be able to afford to access homeownership or private rented accommodation. The figures within the policy are well informed and have been modelled on the average property price, using property prices in the lowest end of the spectrum for each property size.

The Policy has a sliding scale of income thresholds that take into account both the family size and total income.

Assistance is available to households wishing to access home ownership through a range of low cost homeownership products including the Government's Homebuy scheme. A range of support and advice is also available for households to enable them to access the private rented market.

Views were expressed that outgoings should also be taken into account. In the interests of having a simple and transparent Allocations Policy this is not considered to be appropriate. However there will be provision within the policy for dealing with exceptional circumstances. We appreciate the Allocations Policy cannot be drafted to take into account every possible circumstance. The Housing Needs Panel will look at truly exceptional cases

Q5. As proposed, the new Allocations Policy will prevent people being placed on the housing register if they have savings or assets of £23,250 or more.

Do you agree with this proposal?

- This seems a high amount - but I am guessing that it is the same level of assets for an elderly person going into care. And I can't see a prospective tenant giving you a bona-fide savings book showing such a high level of savings!!
- This amount of savings would not necessarily be enough to secure a deposit on a mortgage.
- Savings or assets are too low. These savings are regularly for emergency funds. Why penalise savers!!! Any level should be at least £50K
- I agree with this proposal for people of working age, but someone retired with only £23k assets would be unable to buy, and this would not last long as rent.
- Tenants will be unable to receive Housing Benefit with savings, but their savings will soon deplete if paying higher private rents.
- How much you have in savings shouldn't matter.
- I think that we may be causing some people to fritter away their savings and then they may have to apply to us a few years down the line when their savings have been exhausted. This should be done on a case by case basis, for example, an older person may wish to have this money to pay for extra care should they need it.
- The savings levels will be affected by the number of people to be housed and a fixed figure for all is not applicable
- Should be open to everybody with priority given to those with lower income and/or savings
- I would be concerned for people with severe disabilities who may inherit money which may exclude them from accessing appropriate housing specifically designed for their needs. So I think there is a case for exceptions. Otherwise I think it would be fair to have savings thresholds
- I do not feel this sum is high enough.
- Some times they have to use this to live on

- How long before they drop below the limit, and then need to get on the register?
- I agree that there should be a savings/asset limit, but this amount may be insufficient - not enough to buy, unless in reasonably paid employment; could privately rent, but may not last long.
- Are we not supposed to save for old age?
- In today's world £23,250 isn't all that much. Not enough for furniture a new home, plus all the bills a figure more like £40,000 would be fairer
- Saving towards a deposit e.g. for shared ownership should be encouraged. A higher level should be set (40k) and the policy should index the amount annually to house price growth
- I think cases should be considered individually - my concern is the amount of deposit required to buy a property, and the type of employment. For example in some industries in the area it is 'standard practice' to be self employed and in this situation it is almost impossible to get a mortgage until you have at least 5 years of 'solid' accounts. Also, £23,250 is not much when you take into consideration the cost of stamp duty, legal fees, basic furniture etc. when setting up home. I think the savings cap should be more around £30,000. Also 'assets' is not the same as having actual money available.
- If they have a medical need for special housing they should be allowed on the housing register.
- Savings are savings and are not a regular source of income. Once they are gone they are gone. So if you have to put a limit on savings you should say £100,000 as savings that would prevent.
- Savings and assets should be considered very carefully because pension pots should not be included. In any event the figure you suggest is far too low.
- Actually NO I did agree but thinking about it even if someone had enough money for a deposit to buy a house what if they couldn't get a mortgage due to bad credit rating
- We would wish to see a more accurate definition of what would be included under assets. The monetary figure quoted is far too low given the current price of accommodation throughout the area.
- So if you 58yrs old and you have saved all your life and you now have £23,250 you should not be allowed on the register !... so should that person go to a bank for a mortgage ?.... what mortgage company will give him a mortgage ?... and when he retires what should he live on ?..

- Would like some greater consideration given to this clause as "assets" may not always be items which a family would comfortably dispose of in order to fund their housing needs (for example items of sentimental value). Their unwillingness to part with such items could therefore make their application to this scheme invalid.
- This penalises savers and elderly
- Your new policy precludes people who have a very low income and do not qualify for a mortgage e.g. because they are on benefits and would not be accepted by a private landlord either
- It requires further qualification, it should not preclude those who cannot obtain a mortgage or can't rent privately.
- Regarding the 'Thresholds for Income and Savings': Savings seem a bit low, knowing how hard it is to get a mortgage these days. Anyone self-employed (more and more people are) will need to produce 5 years of decent accounts to even be considered. The current threshold would mean anyone in a self-employed situation and steadily saving up for a deposit on a house will get to the point where they are penalised. We would be happier if the savings threshold is adjusted to around £30k. We are not sure if the threshold is 'household' or 'per person' – assuming it is 'household' it is a bit low.
- Ridiculous discriminating £23,250 possibly somebodies life savings yet a little to help in a pension income. Savings or assets should be much higher
- In this day and age assets of the above sum aren't very high. Owing to the view, the cost of living keeps rising.
- Both couples (man & wife) should be allowed that money each. I have worked all my life 60 yrs, saved and paid all taxes.

59% of respondents agreed with this proposal. Comments were received that this figure was too low, and that this amount of money would not enable access to home ownership, there were also views expressed that savers were penalised under the Policy. Social housing is a scarce resource. The demand clearly outstrips supply, and as such those who have the financial means to access either private rented accommodation or home ownership will not be able to access social housing.

The savings threshold relates to the savings and assets of the whole household, and is in line with tests applied by the DWP and Social Care.

This income and savings threshold will not apply to the Older Person's Housing Register.

In relation to the savings of vulnerable groups there will be provision within the policy for dealing with exceptional circumstances. We appreciate the Allocations Policy cannot be drafted to take into account every possible circumstance. The Housing Needs Panel will look at truly exceptional cases

Q6. The Council is proposing a much simpler system for banding applicants for housing. At present, applications are assessed in detail to see how urgent their housing need is and placed into one of four bands - URGENT NEED, HIGH NEED, MEDIUM NEED and LOW / NO NEED. People can move up and down within their band depending on their level of need in relation to other applicants. This makes it difficult for people to understand what is happening with their application.

Under the proposed new system, there are two bands; one for very urgent housing need cases, and one for all other applicants. People will wait for housing, in the bands, in date order.

Do you agree with this idea?

- I have disability and I have stairs in my flat. I have tried transfer and find it totally wrong housing associations don't communicate with each other for available properties. I am presently in band 3 and can't manage the stairs. I think these changes would create more people sleeping rough. I think people need to have HOPE which you will be taking away
- Presumably those prospective tenants who do not meet the criteria will not be included in the second band? And that would mean that only applicants who are genuinely likely to get a property, because of their circumstances, are banded.
- I agree in essence. However, if urgent refers to people who have just entered this country and have nowhere to live, then I disagree.
- Existing system is fairer
- Bands do not provide fair assessment of needs.
- I do worry that with having only 2 strict bands there will be applicants in need that will not be accommodated and this could impact on other services; mental health, depression, homeless housing options, financial problems with debt because they are unable to live and pay their rent.
- Steps should be taken to reduce waiting time not increase it. This could increase it.

- I understand the need to simplify the system but I do think there needs to be a balance between this and having a hierarchy of need. In practice what your proposal suggests is that those with urgent need are treated as in high need and those with low need are banished from the register, and I am concerned that those with urgent need will lose out as a result.
- I think that the current system works well and brings more social benefit to the community. It also means that hard to let, or low demand properties should still be let fairly quickly to those who choose them rather than high need applicants being dumped in them. The low need band can still have an income threshold. I believe that we have sufficient housing stock to allow a 4 band system. The proposed system is likely to leave many properties empty for longer and then perhaps go to those with no need at all through available now.
- Some harder to let properties are let to people in lower bands. Housing associations will struggle to let those properties if there are only 2 bands
- The needs for social housing are many and various and I do not believe that two bands would truly reflect all applications.
- I believe current 4 tier banding works well
- They should keep the 4 bands system
- It doesn't give any flexibility for people's circumstances.
- There are many people on the register at present who are not covered in band 1 or 2 that I feel still should be considered
- Two bands would be too generalised and those in band 2 would find it extremely difficult to be housed yet they would have strong needs to be housed
- I see no issue with the current arrangements. An open housing register must be the most transparent
- DISCRIMINATION
- Cause I've been waiting long enough to be rehoused. No one seems to care that three of us are squashed into a small one bedroom flat with rubbish heating and mould running down the walls causing health problems.
- Would the date remain the same as it is now or will they be reset? Should they stay the same then I agree with this

- I know by my own experience that we cannot trust your method of assessing the need of applicants. When your date comes round, what then. Sorry you don't meet the needs chart so you'll need to apply again?
- Each case needs to be individually assessed
- Urgent to me means damage by fire or floods NOT COMING IN FROM OUT OF THE DISTRICT like foreigners (NO I am not a racist, but charity begins at home for those that have paid their dues and taxes).
- Two bands are very restrictive; most people will fall into band 2. Although the policy refers waiting in date order this is not strictly true as the employment priority proposal will override this.
- I think people who have lived in this country for more than ten years should have highest band.
- I feel that this would make people with mental health issues even less of a priority. It's all ready bad enough for mental health sufferers to get extra medical needs points.
- A more one on one system need requirement but with banding levels for new customers
- The system is unfair, British people that were born in this country should automatically go into band 1 - 2..... Immigrants should be placed in band 3 -4....
- This is too restrictive and doesn't allow enough flexibility according to individual circumstances.
- Please clarify- is this not the same as Q1?
- But being simpler does not necessary mean less hassle/frustration for customers to be rehoused.
- Very Urgent will have to be strictly defined or, it will be used as 'almost Very urgent and flexible there fore VERY wide OPEN to be abused
- We are concerned about 'overcrowding' being in band 1, as we feel this to be an open invitation for people to get higher up the list just by having babies. Surely there should be a system whereby people can request a larger house because they wish to start / add to a family, rather than have to become a case of overcrowding first and then get bumped up the list.
- Don't know of this system is fairer, couldn't somebody be on the list for ever without being housed? Monday to Friday I live in my lorry in

motorway service stations and return to my elderly parents home 40 miles away. 7pm Friday evenings until 3am Monday morning and I was offered band D

61% of respondents are in support of this proposal. Concern was raised that people with no housing need would no longer be able to join the housing register. Whilst the current policy enables people to join the housing register in practice these individuals have very low priority. The new policy aims to be a more open and transparent system, whereby individuals are much clearer about their prospects of being able to access social housing. We feel that this new system provides a fairer and more honest service for customers, in so far as customers understand their chances of accessing social housing, and if these are poor can be supported in accessing alternative housing options.

Social housing is a scarce resource; demand outstrips supply, and therefore social housing needs to be targeted at house holds in housing need.

Whilst there is support to continue to have 4 bands, the current position is unsustainable. The current housing register continues to grow annually and is largely made up of individuals with no prospect of being rehoused.

In order to ensure that all social housing, including low demand properties, are let in a timely manner an Available Now window will be introduced. These properties will be made available to individuals who are not on the housing register.

The new policy is not anticipated to lead to an increase in waiting times to access social housing; there will be fewer individuals on the housing register and as such less bids for each vacancy. Applicants will still need to actively bid for properties to ensure access to social housing.

Applicants eligible to join the new housing register will retain their existing joining date. Within each band, priority will be giving to those who have been in the band the longest. Those in employment will be given priority over households not in employment as defined within the Policy.

In response to concerns that the policy provides no flexibility to consider individual circumstances there will be provision within the policy for dealing with exceptional circumstances. We appreciate the Allocations Policy cannot be drafted to take into account every possible circumstance. The Housing Needs Panel will look at truly exceptional cases

- Q7. The council proposes the introduction of an 'employment priority' into its allocations, so that working households are prioritised for properties over non-working households.
Employed people will need to prove that they are employed for at least 16 hours per week, with a contract of employment.
Volunteering and apprenticeships will count as employment provided these are similarly formalised arrangements.
As a high proportion of households on the current housing waiting list are non-working, this will not mean that non-working households cannot get a property, but they may wait longer than a working household.**

Do you agree with this proposal?

- Again discrimination. If in employment in the area then try letting agencies but still allow them some banding so as to get into CBC. Also making sure the work is consecutive during the 45 wks of the year. This will not be cost effective for council and will push council who are already dealing with fraudulent claims etc. to their limits by making sure this person is going to be working solidly....If agency work it may only be temporary then what??
- In some cases stabilising people who are not working by providing a settled home may be an incentive to find work
- This discriminates against people who are unable to work e.g. due to health and disability reasons etc.
- Unemployed people are penalized enough.
- Social Housing should be provided for those who are most in need of housing and cannot get it through other means. This proposal means that those most in need, i.e. those who are not able to fund their own accommodation through work, lose out to those who are working and could potentially find their own accommodation, not least because they could have assets up to £23k and still qualify! Your proposal leaves leeway for those with 'disabilities'. Closer inspection shows this to mean people who receive the ESA support component. This therefore excludes a large swathe of people who the DWP consider to not able to work due to illness or disabilities and has placed them in the Work Related Activity Group. Whilst the Work Related Activity Component is meant to be for those who can't work now but could maybe work soon, that group in reality is shunted to JSA and then cannot claim because they are too ill to work, so have to appeal and get their decision changed at a Tribunal. This is not your system, but it is broken and you should not rely upon it. In other words I think you should consider those in either ESA group as not able to work and therefore give them Employment status, if you are to go ahead with prioritising those with Employment status for housing. You also have not considered that sustainable housing is often a prerequisite to sustainable employment.

In summary, I think this particular part of the policy is fundamentally flawed. The private sector by and large shuns those reliant on benefits, so the social housing sector, being state led and not market led, MUST provide that gap.

- This is a bit 'chicken and egg'. It is a simplistic way of looking at allocating social housing. While the idea of 'something for something' is laudable it does not address the complexities of individuals applying for social housing. I believe that it is difficult for someone to sustain employment while they are in housing need. For many people I believe that they should be able to establish secure and suitable housing before they can concentrate on employment, this policy will discriminate against those individuals that require more support in this area.
- Social housing should be more for people that cannot obtain housing any other way. Working households stand more of a chance in buying or renting privately. Also discriminating against people that CANNOT work for medical reasons etc. Everyone deserves a second chance. People may get penalised for bad behaviour when it may not have been directly their fault i.e. in a bad relationship or they may have been young, naïve or vulnerable at the time. Should be given the chance to demonstrate their behaviour has improved.
- Each application should be taken on its own merits and non working applicants should not be penalised if they are unable to find work. This will also push non working households into private rented property thereby increasing the amount of Housing Benefit claimed.
- Many people would like to work but cannot gain employment for various reasons.
- Would applicants that have been made redundant be considered?
- I don't see why people should be penalised because they are unable to work or find employment
- I don't agree. The purpose of council housing should be to assist those with the greatest need. Especially in a poor economic climate.
- Surely people that are unemployed will be needier of a property. At best I don't think it should.
- Most jobs advertised now are part time or zero hours. Where will non working people live who need to be housed? You can't get a job without a permanent address!

- So what is the proposal for these non working households? The streets, a workhouse? Whilst there are no doubt a proportion of these people that can work and choose not to.
- May be difficult to monitor if applicants are in and out of work. What will happen to very urgent?
- To discriminate by income is a crime surely. If not it should be. I thought your role was to provide for the people that appear to need and not only for those that can afford to pay there own way. Where do those people without a wage go from here?
- Employed people will pay their way AND look after a property whereas unemployed don't look after properties; also have to be subsidised by the council.
- This is not equal opportunity, CBC are penalising those people who do not have a job. In the current climate a job is not always easy to achieve. This is a fundamentally unfair criterion. From a voluntary sector viewpoint Volunteers do not have 'Contracts' because of employment law this would not be a term used in any arrangements we with volunteers. This would put both volunteers & us in an entirely different legal relationship. The VS might use the term roles and expectations, (not job descriptions for example), and would not have the normal expectations required of an employee – e.g. in terms of hours, regularity, fulfilment of actions etc.
- I am assuming this does not include people past retirement age. Extra support means spending more money!!!
- I don't agree with this some people are unable to work due to medical grounds. My husband had to.
- Agree in principal that working households should be recognised for their status but, thereafter, individual circumstances (such as ill health) should be taken into account.
- If someone is in work, they are more likely to be able to afford to rent privately or to buy. Council housing should be reserved for those who are not able to do so for whatever reason.
- Yes in principal providing the reason for not working is properly assessed.
- Secure & certified Employment must be for a MIN of 6- 18 months and not just a 6 months short term shortcut to housing.
- I lean to the idea that 'working households' should be priority in housing. But every case should be looked at individually.

66% of respondents agreed with this proposal. Concern was expressed that often individuals who were out of work were in the greatest need. In the National Housing Strategy published Autumn 2011, the government recommended local authorities to consider giving additional priority for social housing to working households. The Policy aims to support working households and to support wider corporate priorities in terms of the growth of the economy and sustaining employment.

Households not in employment will be given advice and support to access employment. The housing options team will work closely with partner agencies to ensure that targeted advice is given to households in housing need wishing to access employment.

The Policy will not discriminate against households who are unable to work due to medical reasons. Those in receipt of DLA because they are unable to work will receive same priority as working households.

In order to ensure that the Policy is not abused, people's circumstances with regard to continuing employment will be regularly reviewed. All Housing Register applications will be reviewed annually. Moreover verification checks will be made at the point of offering a property.

Q8. We propose to exclude people who are bad tenants from the housing register. This includes people who have a poor tenancy history, those who owe rent from a previous tenancy, and people who have been violent, abusive or threatening. The Council will ensure that those households who are excluded will be given support to change their behaviour so that their application may be reconsidered in the future.

Do you agree with this proposal?

- Needs to be looked at on a case by case basis.
- I don't think the council should be responsible or spend their budget on having to improve a person's behaviour it should be common sense to each person how to behave.
- Those in this situation are most likely to have a high need for help. There may also be reasons why they behave that way, e.g. difficult upbringing.
- The council must see that whilst being a bad tenant cannot be condoned. There seems very little thought as to what to do with these people. "Support to change their behaviour" is great but where will they live for this support to be given

- Although I agree that these people should be excluded from the housing register, the new housing allocations scheme needs to define who will be deferred from the register. If the allocations policy does not go into detail and each case is considered on its own merits, it will take the housing register team a lot longer to come to a decision on each application.
- You already do this. I mean exclude applicants. What future and when? I think there are many considerations that should affect this attitude.
- Although in principle I agree with this statement, there are concerns for families where one partner falls into this category and all the family including the children suffer. There needs to be flexibility and individual case reviews.
- I feel people need to live somewhere and the stagnant system does not help with these issues.
- We are concerned that there should be very robust support for those being excluded. It is also suggested that, in line with the Council's intent on giving support to those who change their behaviour, after the words 'abusive or threatening' should follow 'within the 5 years immediately prior to their application'.
- This is all very well, but where are such people to go? Private landlords will not take them if they are aware of their behaviour or rent arrears.
- Frustrating knowing that the council manage to successfully evict a tenant who breaks their tenancy and then they come straight back into the system. They need to learn in order for us to reconsider them; they need to change their behaviour.
- I would say YES only if they, and ALL members of the Family have continually changed there ways for 9 - 18 months for ALL of the Family and not just the parents.

80% of respondents agreed with this proposal. Views were expressed that applicants should be considered on a case-by-case basis and that there would be a need for flexibility and individual case reviews. The Policy states that cases will be assessed on their own merits. Applications will usually be reconsidered after 12 months. Earlier reviews may be considered in exceptional circumstances.

A detailed procedure guide will accompany the Allocations Policy, which will ensure a fair and consistent application of this and all parts of the Policy.

Households will be supported in changing their behaviour and there will be close working with key partners to access appropriate support.

Concern was expressed in relation to where individuals excluded from the Housing Register will live. The housing options team will continue to provide advice and assistance to households to enable them to access appropriate accommodation and support.

Q9. Low paid workers who rent their homes from a private landlord are not treated as being in housing need in the current Allocations policy. The new Allocations Policy proposes to give people in this situation a better chance of getting a Council or Housing Association home.

Do you agree with this proposal?

- If people already have a suitable, decent home, why do they need to be on a Council register?
- They have a right to bid on properties as some properties will never be there own. Some private landlords do not allowed decorating etc. How will these people feel secure as the tenancy could be taken away from them with in 3 months WITHOUT them being proved bad tenants? Also low paid workers means just that low paid. Not a lot of landlords want low paid. They insist on a months rent plus a months in case of damage etc.
- Because most of the low paid workers are not from this country
- Should be based on housing need
- If they are in private rental accommodation and not struggling with the rent/bill why would they need to be given a higher priority? Surely they are adequately housed in accommodation they have chosen. However if they are in private rental accommodation and just about paying their rent with no money to live then yes their priority should be higher. I agree that people that live in Central Bedfordshire should have a local connection because they have lived continuously in Central Beds for a period; but what about applicants that have moved to the area and have been living in the area for work6-12 months (3 years is a long time to wait before you are eligible for housing if you are in need). It does seem unfair that family local connection has been removed from the policy because applicants sometimes need to move back to the area for family support/child care/elderly vulnerable applicants needing family support
- Those reliant on benefits - particularly through illness or disability, may not be able to manage their tenancies in the private sector if their rent is above the relevant Local Housing Allowance. Exception should be made for this group also. But overall it is good that some people will be allowed to move in from the private sector.

- Contradicts the proposal of those in private rented not being a priority
Some people need/ want to move to an area for family support etc. so should be allowed on the register if they can demonstrate this.
- No, they are currently adequately housed.
- Housing should not be based on ability to pay but on social need.
- Not sure on this as surely they were low paid prior to taking on the commitment of a property.
- What do you consider low paid? How much better chance?
- Just because they are low paid doesn't mean anything.

85% of respondents agreed with this proposal. There was a view that households in the private rented sector were adequately housed. However the Council wishes to support low paid workers who are struggling to make ends meet in the private rented sector. A low income is defined as an income less than £24,000 per annum.

In the National Housing Strategy published Autumn 2011, the government recommended local authorities to consider giving additional priority for social housing to working households. The Policy aims to support working households and to support wider corporate priorities in terms of the growth of the economy and sustaining employment.

Concern was raised that households in the private rented sector unable to work due to health issues or disability may also be struggling financially. There will be provision within the policy for dealing with exceptional circumstances. We appreciate the Allocations Policy cannot be drafted to take into account every possible circumstance. The Housing Needs Panel will look at truly exceptional cases

Q10. Do you agree that older people who do not demonstrate 'housing need' should be able to bid for vacant older peoples' accommodation, where these properties attract no interest / bids?

- I do agree with this, but wanted to say that only if there is a support need.
- Why would anyone that does not need a bungalow want to bid? I think your interrogation process will establish if they saved for there retirement or have a house or a villa in Spain. Give me one of these places.... Yes please!!!

Of those respondents that answered this question 80% agreed with this proposal. Housing related support will be provided to those households where a support need is identified.

Q11. Please give any additional comments you would like to make on the proposed changes to the Allocations Policy.

- Why has it taken you so long to come up with half decent proposals to focus on need as opposed to allowing the abuse of the system by spongers?
- A lot of these changes will cause a lot of problems. I don't work and disabled and only in band 3 my housing association has never contacted me although I have been on the transfer list for over a year now. I would like a 2 bed because I receive DLA I think we should be considered allowed to bid on 2 bed. Especially if it is hard to fill. After all our DLA is to help us with our disability and I am epileptic and suicidal tendencies and would be willing to pay for that extra bedroom.
- The income bands are set too high. Someone earning £30K can easily rent a one bed house in the private sector
- Your threshold earnings are far too generous. They should be set lower. For instance I have people renting one bed houses at £400 to £475 per month. This is good enough to pay a mortgage a £30,000 income threshold is too generous and allows too many well paid to compete for a limited resource when they should be in the first time buyers market.
- The new proposals seem sensible and solve some of the issues previous policies have not addressed. I assume that the current allocations policy for affordable housing with priority to people in that particular parish getting priority will be continued.
- Ethnic Brits should have priority over immigrants who have not been UK residents, working and making a contribution, for less than 5 years.
- If the older person's accommodation is difficult to let why would there be restrictions on the older people accessing the housing register, surely you would need as many older people on the register so that the difficult to let properties are filled quicker.
- I would like to see a bit more help for people like me and my family when it comes to anti social tenants. We moved through the choice based lettings scheme, to get away from such people, only to be told that one of those families is to put on the village where we have moved to. Nobody cares about the situation that we are being placed in. We have been very happy where we now live, but when this family are moved in, we are going to go back to being miserable again, and my

children not being able to walk down the street in peace, having to put up with verbal abuse, and more.

- I believe for sheltered /supported housing the age should go back to 60 years. I know of schemes where 55 is allowed now, the people in them still work and do not even have supported calls so surely do not need this type of home. This age group also do not mix in with the community as once they come home they just close the door on the outside world.
- I am concerned that this is just about reducing the number of people of the housing register regardless of the detrimental effect on members of our community who apply for social housing. Statistics should not come before the benefit of the community and the individuals within it. I am also concerned that this will increase void periods of many social rented properties.
- It would be interesting to know the reasons for the proposed changes to the Allocations Policy. These should be published alongside the consultation document.
- Get rid of the bad tenants have a zero tolerance policy and stop being so liberal its very nice in Grimsby send all the criminals, druggies and low life up there. Stop allocating traveller sites to gypsies that no longer travel rehouses them in Bedford town centre.
- I am particularly concerned about older and more vulnerable people accessing social housing, and also the impact of bedroom tax leaving our housing association at least with a complete imbalance of 2 and 3 bed houses. I believe the current policy works fine and should be left as it is.
- Stay with the original 4 banding process. I agree homeowners should be excluded unless they are being repossessed or due to the home no longer being suitable due to deterioration in health. I think anybody with ASB in the past or present should be excluded from joining the register as I don't think it is fair to other council tenants who pay their rent on time and are peaceful tenants to have to put up with problems neighbours. I think if anybody has any type of housing debt they should be excluded from the register until all the debt has been cleared.
- I would like to see priority for housing being given to citizens who are British and have lived in this country, and worked in this country for a period of 10 yrs. I am very concerned about the amount of people from EU countries who are being given new properties above UK citizens who have lived here for a long time. I constantly see Polish and Eastern European Citizens getting brand new houses and flats in my area and we are really sick of this. There will be social unrest in this country if this carry's on. Would we be given new flats and houses if we went to their country? I think not. They are very nice people however;

they should not be able to jump the queue for housing above British people....

- Your basic problem is that there aren't enough houses, particularly not for people needing social housing. You should only give planning permission for new developments if at least one third of the properties are available for rent by people in housing need. Your current proposals are merely shifting the deckchairs on the Titanic.
- I am concerned over the older people section. I do not feel that Extra Sheltered should be the only new build for this section. I believe bungalows should be increased in the whole of Bedfordshire. I also believe all Retirement people should be able to apply for two bedroom properties especially bungalows. Bungalows in this area generally small and virtually impossible to have guests. In this day and age when we actively encourage inclusion and with families not staying in the same area we should help people to not feel isolated. I hope if a working person over 50 would not take priority over a retired person wanting to down size to a bungalow? How would a retired person stand if living in their own property but requiring a level access property due to health needs? I really feel that Bedfordshire should be looking at the housing stock and allocations more thoroughly for the increased elderly population due in the coming years and not just Extra Care as I state above.
- I have been on the list for 3 and a half years, living in 3 rental properties in this period with my 2 daughters aged 11 & 6. I work part time; I pay my bills & have a good credit history. I have always impressed these points when bidding on the system. As far as I can tell, the new proposals will actually benefit me. I am fully aware of people in other positions being advised to quit their jobs, claim every benefit they can to enable them to further their applications, & actually being rewarded with a council property. I do not see how this is fair, unfortunately it is the system, People should be encouraged to earn their own money & pay their way in society, set an example to their children. Work should reward, not benefits.
- Please make sure that 50+ tenants are treated fairly and able to bid on properties even though they may not be working.
- This survey looks like the council want to make political ideological changes hidden behind a poor economical climate as an excuse.
- I see this council discriminates against people still, just like they have my dad , and where is he now been homeless for nearly a year and he works in your area , have left him out to freeze still when he is ill, what a disgrace , we would like to know where he is as we haven't heard from him since he contacted you in Feb or March and told us you wouldn't help him such a disgrace of a council

- Do married couples get more priority than none married?
- I think all the proposed changes to the housing register would be fair to all good applicants.
- I do feel that the overcrowding does need to be addressed a little bit more, my own personal circumstances are that we live in a 2 up 2 down property with one bathroom and 6 people living here, 2 adults, 3 girls (21) (7) & (5 1/2) they all share the same small bedroom then our 4 year old son shares with us this has enormous problems and does have an effect on family life, we have been on the register since June 2011 and nothing There always seems to be loads more people with more needs as we currently only have 2 needs so hopefully this may make a difference (hoping)
- I am not expecting anything you read from this exercise will have any affect on the conclusions you give us.
- I agree with most of this..... but there are people who might need to move due to circumstances. and might need to go on the bidding system, as some people are on the exchange list and not getting anywhere as the exchange website are not going anywhere fast and bidding might be the only way they can move.
- Consider that not just the elderly need bungalows for accommodation. Some applicants are wheelchair bound and are not being offered properties of the right specification because they are not the age specified. Disabled people should be assessed for their housing need and taken into consideration for over 50 and 55 properties if these fulfil their needs. Adapting a general property for disabled person requirements may end up costing central Bedfordshire council and social services more money in the long run than offering them suitable accommodation that is already adapted.
- The introduction of Housing Transfers should be reintroduced. Instead of working purely on points the Council needs to work on common sense needs as well.... we have a three bedroom property in Letchworth and a one bedroom property in Potton, we only want a two bedroom property but common sense does not prevail when different authorities will NOT work together creating homes that are needed and allowing those wishing to marry to downsize.
- I am a single parent of two children and would like to live closer to help an elderly relative. I work and rent privately as I wanted to show my kids a good work ethic but this does not help much as we live in heat poverty and my daughter has cried as their has not been much food in the cupboard. I am disadvantaged because I work and rent privately.
- Elderly in privately owned properties who wish to downsize (due to death of one of the parties or ill health) SHOULD BE ALLOWED (AT A COST TO THE COUNCIL OF 10% OF THE SELLING PRICE OF

THEIR OLD HOME) to go on a housing list AND be marked as priority as this would allow a family to move into their old home. Too many unmarried mothers are given priorities. There are too many elderly homes being pulled down to make way for unmarried mothers in Biggleswade. Where can the elderly go now, not many vacancies elsewhere AND WHY SHOULD WE MOVE OUT OF THE AREA WE

- I personally feel this Housing Allocations Policy needs more work on the impact assessment of the different circumstances of people and families. One instinctively feels it will penalise some families who should not be penalised and may lead to more money being spent by CBC through needing to provide other council services. HAVE LIVED IN ALL OUR LIVES??
- No mention of allowing very local e.g. village ties to provide some priority in allocation. I would like to see more housing available on a very local basis to people who have lived a long time in a particular location. Village exception schemes are NOT enough.
- I am very concerned about the next generation not being able to live in their 'home town/village' because they would not be eligible. I welcome the proposed opportunity you are giving to people in that situation to be able to put their names on a list. I also wonder if some sort of 'start up' scheme could be introduced so that young people starting out can have accommodation with very cheap rent for the first 5 years to enable them to save up and get off the social housing requirement (freeing up space for the next person). Perhaps you could also consider a scheme where two young people could apply for a two bedroom start up so that two friends (or siblings?) could share the cost. I would also like to point out that under the 'Statutorily overcrowded' definition, people can still get to the top of the list simply by having babies. This system needs to be improved - those who wish to increase the size of their family should be able to put themselves down on a list for a bigger property (and be considered under 'level 2' not 'level 1' in terms of priority) and then - once they have the room - have more children. The council should allow people to do this by having a way for them to state they wish to have another child and therefore would like to have a bigger property if it becomes available. If one does not become available, they should have to put up with being 'overcrowded' or delay having another baby until they have the room.
- I think people who have lived in this country for more than ten years who are over 50 should be.
- Please give maximum priority to people who live the closest/ have grown up and have family there and need their own place. Also be more understanding of people with mental health problems such as depression, social anxiety and Obsessive Compulsive disorders.
Thanks.

- I feel it was right when I was issued it was not easy and is still hard work now I feel that the issues surrounding moving or getting a property after a year or two that is more suited to your needs has really let CBC down and has made me loose money and has made you lose money I feel it has been a waste of two years that was vey wrong. But at the same time there are very few properties in this area that do meet these other needs.
- I think the policy should have stayed as it was and be able to have as much rights as anybody else even if you live out of the border.as I have already explained some of the areas for central beds are only up the road from where I live.
- People apply like myself as they have no other option and cannot buy a property and are struggling paying high private rents. We are on reasonable pay, but have been declined a mortgage due to not enough deposit, poor credit rating and the amount of outgoings i.e. Loans, car payments & Child Support Agency (Crippling amounts), solicitor fees (divorce). We are struggling to live day to day after paying the outgoings and the extortionate private rent that we have to pay. But we have to pay it as we work in the area and our family are here. We have no holidays, don't go out and yet we could afford to pay a housing associations rent where as people on benefits are living rent free and have holidays etc.
- This policy should not just give priority to Central Bedfordshire residents, but should be refined to favour those in the immediate area where they live, work or have supported family. We are concerned that the policy directs elderly people to access information about available properties via the internet. Many elderly people do not have access to computers or have support networks to assist them to do so. Elderly applicants should be notified in hard format of any available properties fitting their requirements, or additionally an 'auto-bid' system should be set up so that once an elderly person has registered their need and type of property required, the system automatically 'bids' on the behalf, removing both the need for that elderly person to access the internet each time and the delay in response time this would invoke.
- There is a lack of housing and the main reason for this is immigration. 10% of all our housing stock has gone to immigrants and this is not fair. Immigrants should be placed in band 4 no matter what their circumstances. Once they have been here for 10yrs and worked full time during this period then they should be allowed to go into band 3 or even 2..... British people that have been born here and paid into the system are being treated unfairly. British people should go into band 1.... We are the ones that have lived here all our lives, our parents have lived here and our grand parents, we go back generations... example: if a single person who was born in Britain is currently living in a bedsit or with parents, that person will automatically go into band 4.... If an immigrant man comes here with his wife and 4 children and has

no where to live, the first thing the council does is to put this family into emergency accommodation. The immigrant family automatically become a priority and go into band 2 or even band 1.... the whole system is unfair, British people are being penalised while immigrants are given flats/houses... why doesn't central beds council put British people first instead of bending over backwards to help immigrants all the time.... British people that were born in Bedfordshire feel like second class citizens because of the way we are treated when it comes to social housing !.... no wonder there is so much animosity towards immigrants!

- I believe the proposed changes to be good and much fairer to people. I currently am on a lower wage and my husband and I, whom is a fire-fighter, pay a high rent to a private landlord and constantly struggle, month to month. I hope and want the new proposed changes to help people like us who work hard, enjoy our jobs but don't earn a great deal off the back of it.
- I think that this Allocations Policy is a step in the right direction and allows for those who genuinely have a housing need to bid and it will also help make many areas safer.
- On behalf of the members of the Sheltered Action Group, we do not agree with the current age limit for Sheltered Properties 55+. Once the review of the Sheltered Schemes has completed, any remaining Sheltered Schemes should have the age limit increased to 60+. Any remaining Schemes could they be used for 50+ housing as there is a huge shortage in suitable properties for that age group. Allowing people 55+ to move into Sheltered Accommodation drastically changes the ambience of the Scheme and seriously affects the 'Community spirit and involvement' 55+ do not wish to mix with older residents some of whom are well into the 80s and 90s.
- Having read the Policy Document I consider that you have taken account of most of the situation that can arise in the allocation of Council properties, however there need to be a system in place that can check the a person assets are within the figure you have stated, this then looks like a means test would be needed and would people perhaps not be willing to go along this part. If they did not want to be means tested you could not allow them to be considered for allocation of a property.
- I am nearly 37 years old and have been ill with Chronic Fatigue Syndrome, and unable to work for the last 16 years. As a result, I am still living with parents, but my father is 37 and will not be able to look after me for much longer, so I need to find somewhere of my own. My father has recently gone round old people's homes on my behalf, to ask if they would take me at 40 years old, but they only admit people aged over 55 or 60 years old. He has also phoned social services on my behalf to ask what accommodation they provide for people in my

situation, basically nothing. They said that I should contact you. I have some savings, but not enough to buy out right and would not qualify for a mortgage as I am on benefits. My parents live in an isolated village with an infrequent bus service and no shop, post office, bank doctors or dentist. I would struggle to survive if anything happened to them, as I find it difficult to get out with help and would find it almost impossible to get out and do anything on my own. Please tell me where I am supposed to live? How can I survive if no one is prepared to help me? Where do I go from here?

- Agree on the whole with the new changes, but simpler does not always mean less frustrating for customers. If customers are not in the urgent need band, then this could cause more resentment and customers trying to increase their band no matter what. I have tenants in my job already that put pressure on their social worker to get them an urgent band, when they do not need it. I think the amount of bands we have is ok, just need the fine tuning of the current changes.
- With the rapidly growing number of OLDER people, who live in small towns and Villages wanting to down size, they should be considered for a special category of OLDER PERSONS AFFORDABLE Needs. Pregnant teenagers should be refused any housing and only qualify for Social support. They should be encouraged to stay with their parents... Live alone pensioners, War pensioners and disabled should be helped to downsize within their Local Community, where family support and friends are already available...thus less strain on CBC adult services and making it easier to 'Live in the community with established friends / family' Planning permission should be REFUSED for developers and others buying village bungalows and the like and instantly extending and developing them into a 4/ 5 bed high profit units, depriving the village of an asset for locals. The 80 units available at PRIORY VIEW, the new occupants who vacate their present accommodation, that accommodation should be offered to local OLDER PERSONS, rather than developers and get rich quick sharks.
- For decades many have argued yet been ignored as 'racist' by the establishment that immigration causes/creates and makes worse the housing situation for this over crowded country, especially social housing for the low paid indigenous population. I believe all social housing should be for the indigenous i.e. English population only!
- My medical condition which is emphysema which will never improve. Living in my lorry Monday - Friday is not helping my medical condition. I have been divorced for 12 years and have two sons aged 15 - 13 the youngest one is disabled and has severe learning difficulties. I have fortnightly access to my children, but I have no accommodation in which to take them. For the past 5 years I rented privately in Leighton Buzzard, but due to rent increases and utility increases I gave up my flat so as not to incur a large debt. I was born in Leighton Buzzard and lived there for 47 of my 49 years. I have worked for an Eaton Bray

Haulage Company for over 25 years. All that I was offered from Central Bedfordshire was a Band D

- We have been on the list for 15 yrs and have been offered two properties and taken away through the amount of savings we had. We are both disabled and have medical problems, and registered disabled.

This section below only responds to comments not covered under questions 1-9. Where comments relate to the consultation questions, they are covered within that subject heading.

The development of the new Allocations Policy has taken considerable time; this was to ensure that the new Policy is a robust and detailed document that meets the housing needs of Central Bedfordshire's residents. It was critical that the views of applicants, tenants and stakeholders informed the development of the Policy. Engagement has underpinned the development of the Policy.

The key objectives of the draft Allocations Policy are to:

- ***Help applicants in housing need to find suitable housing.***
- ***Provide housing applicants in Central Bedfordshire with a fair and transparent system.***
- ***Provide an incentive for applicants to seek employment.***
- ***Create a simpler system.***
- ***Make efficient and best use of social housing stock in the area.***
- ***Encourage applicants to take a measured and long-term view on housing options and to take responsibility for planning their own housing provision.***

More specifically the policy seeks to achieve the following outcomes:

- ***Encouraging applicants who are out of work to seek employment.***
- ***Balancing reasonable preference with local priorities.***
- ***Providing support for low paid workers in the private sector.***
- ***Practical help for those threatened with homelessness.***
- ***Supporting households who work locally.***
- ***Offering choice.***

Some homes in rural areas will be subject to a rural exceptions agreement, which means that these homes will be let in a different way. This is outlined in appendix 1 of the Allocations Policy.

The Policy proposes to have a separate Older Person's Housing Register for applicants over the age of 50 who wish to apply for sheltered accommodation for older people and designated older persons accommodation. Vacancies that fall within this category will only be open to this group of applicants. Older people wishing to apply for general needs vacancies or older persons designated bungalows who are in housing need may also apply for accommodation through the General Needs Housing Register.

In order to ensure that all social housing, including low demand properties, are let in a timely manner an Available Now window will be introduced. These properties will be made available to individuals who are not on the housing register.

The Banding scheme has been designed assist households impacted by the bedroom subsidy rules by giving priority to those tenants who need to transfer because they cannot afford to remain in their current accommodation.

Central Bedfordshire Council continues to work with key partners to develop units of affordable housing.

The policy does not differentiate between married and unmarried couples.

A full equality impact assessment has been undertaken to ensure that no groups are prejudiced as result of the new policy. This document is available upon request.

Support is available for vulnerable households and other households unable to access ICT. Support will be given with both the application process and bidding. There will also be an auto bid function which will place bids on available properties that match the applicant's requirements at the beginning of each bid cycle. Auto-bidding is available to applicants who are unable to access any methods of bidding and do not have a representative who can place bids on their behalf.

Further response received from Clophill Parish Council is documented below:

Housing Allocations Scheme - Response to Central Bedfordshire Council's Consultation Draft

1. Introduction

- 1a.** This paper is the response by Clophill Parish Council to Central Bedfordshire Council's Consultation Draft for its Housing Allocations Scheme.

2. General

- 2a.** Clophill Parish Council considers that the draft for the Housing Allocations Scheme is, within the constraints of its permitted legal framework, a

sensible and caring proposal. It addresses well the many varied and difficult issues and Clophill Parish Council congratulates the authors.

- 2b.** Clophill Parish Council has two concerns, described below. However, it appreciates that they are most concerned with the practical application of the Scheme, rather than in the wording of the Draft. However, these concerns are addressed below, with the hope that the draft might be strengthened to meet these concerns.

3. Concerns

- 3a.** Clophill is a Conservation Village with a tight Settlement Envelope. Land within this envelope is sold at very high prices. As a consequence, developers seek approval only for expensive, executive homes. Over time, the village is losing its historic, valuable mix of residents. The Parish Council owns no more land within the envelope which it can sell to potential developers of affordable housing at required low prices. Even when legally required to provide a percentage of affordable housing, a developer was recently able, legally, to "buy-off" this requirement with CBC. Clophill Parish Council would like to see the need for affordable housing to be emphasised in the Scheme. However, it is appreciated that this might not be possible within the restrictions of this consultation.
- 3b.** "Trading Down". Several years ago when new, affordable houses were available in Clophill and, exceptionally, reserved for Clophill residents and those with links, a widow who had occupied a three-bedroomed council-linked house was not allowed to trade down to a two bedroomed house, despite yielding a three-bedroomed dwelling. She has since left the district. The Parish Council notes that the Consultation permits such "trading down", but suggests that this should be given more emphasis as this will produce more needed dwellings and be more energy-efficient.

4. Suggestion.

- 4a.** The Parish Council suggests that future developments contain a higher proportion of two-bedroomed dwellings over single-bedroomed dwellings. It is suggested that two-bedroomed dwellings are more flexible and more useful for both occupants and for CBC. The predominance of elderly occupants frequently leads to the need for relatives or, in more severe cases, carers produces situations where existing occupants require rehousing. CBC will also benefit from the additional flexibility of being able to allocate the dwellings to a wider range of applicants. However, it is again appreciated that this suggestion may be outside the terms of reference of the Consultation.

Whilst this suggestion is outside of the remit of the development of the Allocations Policy, it is noted.

5. Conclusion

5a. Clophill Parish Council welcomes and supports the proposals of this Consultation. It congratulates those responsible on its content and proposals. The Parish Council appreciates that its concerns and suggestion may be outside the immediate terms of reference. However, if this is the case, it hopes that more emphasis on the points made be added to the Scheme when finally issued.

Clophill Parish Council

28th January, 2014

Further response received from a parish councillor is documented below:

Housing Allocations Scheme – Response to Consultation

It is felt that the formulation of this Policy should give consideration to older / retired people who live in rural areas, the opportunity to downsize from their current council property which may now be too large for them, to move to a smaller property but in the same locality.

It is here where they will have a group of friends and possibly family who can assist them in their needs on a day to day basis if required. This will take some of the burden off the Social Care requirements for the council in the early years of retirement.

However to make this happen the Council will need to make persons aware of the chance to downsize and the application system simple. Many older people who have never touched a computer can easily be put off applying because of this type of application process.

The need to provide a range of alternative methods of applying for housing for some client groups has been picked up by the EIA. The main alternative way will be by phone, or if required home visit.

The idea of enabling older people to stay within their locality as they move is an interesting concept and the council will explore opportunities for doing this. One such way is to introduce a locality priority for older people, giving those that already live near to a vacancy priority for that vacancy, over others who live further afield. This concept will be explored as par of the policy development process.

Qualitative Feedback and Recommendations from Staff.

Work as a Basis for Housing Allocation.

This is the central theme of the new policy and it is recognised that Members want to reward people in work with additional priority for housing. The policy also makes it clear that it is intended to support people into work. However as the policy stands it will actually exclude many people looking for work from being on the register. They will only be able to register once they have work. This seems counter intuitive as an incentive to work as the applicant has the potential reward of housing only if they actually working and not be rewarded for seeking work.

This approach does not therefore recognise that many people e.g. those that have lost jobs, find it difficult getting work because of their protected characteristics (e.g. BME and disabled applicants) or those just unable to secure work due to poor skills or qualifications, despite their trying are overlooked.

One way to be more equitable is to allow people onto the register if they are actively seeking work and can demonstrate their activity by reference to Job Centre Plus. Where people comply with their JSA conditions e.g. completing their work search activities, attending appointments with advisers or training sessions they should be included on the register. If on the other hand they have been sanctioned by the DWP or have lost their job through being sacked they should not be allowed on the register.

The absence of supporting the genuine aspiration of people on full housing benefit and adequately housed in the private rented sector could be challenged as discriminatory at worst (should they be a disadvantaged group) or at least seen to condemn people with little income to a poverty trap.

In addition the policy awards people who have found their own solution to housing through the private sector but then makes it difficult for them should they subsequently lose their employment. The policy then suggests that an assessment of their likelihood of getting back into work is made. This will entail best guesses or arbitrariness in deciding what chance these people have of regaining employment. This makes the policy seem a very hard one as it will not support people who have fallen on hard times.

The policy tries to address the issue of hardship. In doing so it suggests that if you are working it is not acceptable to have to suffer financial hardship but if you are not in work this hardship is somehow acceptable. Within the private rented sector people who are unemployed may suffer more hardship than

people working. I would expect that people working to pay their rent can afford to do so – should they not then they will either seek alternative solutions or approach the Council as homeless (where they will either be accepted or not). I would also imagine that people working feel they are better off working than if they were not. Without an assessment of this we are guessing people's circumstances.

It is interesting to note that currently we house lots of people from private sector lets. These will often be working and in band 3. If we think people should be removed from the private sector into social housing because we believe rents are too high for working households why are we supporting it for homeless households (and who may well be workers)?

Hardship applies to working households and unemployed households alike. If we look to support households suffering hardship this should be applied to all applicants in a clear and understandable test based upon income and expenditure as notional rents do not tell the whole story. Having said this, this would create more administration and will be subject to challenges.

Recommendations:

- **allow anybody onto the register who can demonstrate that they are working or actively seeking work that are not subject to DWP sanctions or have lost work through their own fault**

or

- **exclude all adequately housed households in the private rented sector on the basis that they are adequately housed**

This latter option fits in with the Council's support for using the private rented sector to house homeless households as discharge of duty

Households not in employment will be given advice and support to access employment. The housing options team will work closely with partner agencies to ensure that targeted advice is given to households in housing need wishing to access employment.

In the National Housing Strategy published Autumn 2011, the government recommended local authorities to consider giving additional priority for social housing to working households. The Policy aims to support working households and to support wider corporate priorities in terms of the growth of the economy and sustaining employment.

The Council wishes to support low paid workers who are struggling to make ends meet in the private rented sector. A low income is defined as an income less than £24,000 per annum.

The Policy will not discriminate against households who are unable to work due to medical reasons. Those in receipt of DLA because they are unable to work will receive same priority as working households. It

would be difficult in practice to verify if an applicant was actively seeking work, or that they have not lost employment through their own fault. To ensure the Allocations Policy remains simple and transparent it is considered appropriate that households in the privately rented sector who are working are able to join the register, whilst those who are not working cannot join.

The Council will review the policy after it has been in operation for a period of six months. This will be an area that will be reviewed and the impact assessed.

Forming Households and Removal of Bands 3 and 4

Is there a distinction between non working and working forming households living with friends and relatives? What if they are adequately housed – we have doubts as to whether they should be on the register as they could make their way via the private rented sector as a means to get on the register.

If the policy is seeking to reduce the amount of people on the register the inclusion of forming households and working households in the private sector will allow lots of people into band 2. This will make band 2 large and with the demise of multiple needs in band 3 and band 4 itself will lead to many cases of allocation being decided by officers.

There is an argument for putting some applicants in a new lower band i.e. households at home and adequately housed working households (and those seeking work – notwithstanding the recommendation above about working households). This would recognise them within the scheme but also does not accord them the same priority as other groups.

We support the removal of composite banding but having only two bands makes it too narrow a field and lumps most people in together creating virtually a waiting list and not a register based primarily on housing need. This will also give some distinction between those in housing Reasonable Preference Categories and those as local priority groups.

Recommendations:

If we accept forming households and adequately housed working households in the private rented sector put them in a new band below the proposed band 2.

Noted – the notion of forming households having priority has been removed from the policy after discussions with staff groups of the policy has been taken out after consultation feedback

Available Now Window

The intent behind this suggestion is clear in that should properties not be bid for they need to be let quickly. There is no question that delays to letting need to be minimised. However it is our view that the mechanism as proposed poses operational difficulties and is a roundabout way to house those not in housing need. Having done away with band 4 and part of band 3 this seems counter productive as we will once again be encouraged people to approach the Council for housing even if the chances are low.

If we have a register on the basis that we accept it is those on it that have housing need (or other special reason i.e. local priority groups) then we should be seeking to ensure that these people are being housed. Therefore we think that the Available Now idea is extended beyond the homeless households' pool to include all existing applicants. Therefore should there be any properties left unbid for after advertising, we make direct offers to people who have not bid for them in accordance with their needs. This approach will ensure that those in need are either being housed (the purpose of the register) or they are down banded or removed from the register should they refuse the offer. This will help impose a discipline upon those on the register to bid and reduce properties going to those without a recognised need.

This approach will also be easier to administer. We are concerned that to enable the proposed Available Now approach will require some form of registering people outside of the main policy to bid on properties when they become available. To enable this will require administration both in terms of setting them up but also in terms of selecting and verifying bidders. If we are of the view that we do not want to band applicants that are currently in band 3 or 4 then having the Available Now window is affectively a return to this by another route.

We have recently undertaken reviews of band 1 and band 2 applicants who have not been bidding. This has shown that many applicants are just inactive on the register waiting until such time they believe something they really want crops up. We believe this is not what the register should be about and that it needs more active management. The ability to make direct offers after bidding rounds will enable this intervention to take place and is administratively easier and quicker. The end result is the same i.e. that 'hard to let' properties are let but with the advantage it is to people in need.

Recommendation:

Change the Available Now approach from being only applicable to homeless households and then open to public 'non register bidding' to one that will be based upon direct lets to non bidders on the register.

Noted - we have worked with staff to make this part of the policy much clearer and together we have developed a good process for capturing applicants data so it can be used in the available now window. The new policy sets this out.

Banding of workers and non workers

The policy says that all workers in each respective band will be shortlisted above all non workers in each respective band. This in effect gives rise to four bands as follows:

- Band 1 (workers)
- Band 1A (non workers) could be called band 2
- Band 2 (workers) could be called band 3
- Band 2A (non workers) could be called band 4

Notwithstanding previous recommendations should the scheme proceed on the basis of prioritising workers over non-workers, in terms of administering the scheme it will be easier technically to denote each group as a separate band to aid the short listing process. It will also be easier for applicants to understand the process.

Although there will still be four numbered bands the register will be quite different from the existing one in that some adequately housed groups e.g. non workers and tenants will be excluded and composite needs will also have disappeared.

By having four distinct bands the appearance of a waiting list is also reduced and idea that different needs have greater priority is recognised easier.

Recommendation: Split the proposed two bands into four bands to enable clear distinction between workers and non-workers.

This proposal would not have an impact upon who is successful in getting a property, and in order to ensure a simple and transparent Policy the Council feels that a two band system meets its objectives, and the needs of applicants.

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The Public Sector Equality Duty

The Equality Duty requires public bodies to have **due regard** to the need to:

- Eliminate unlawful discrimination harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

Protected Characteristics:

- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity
- Marriage and Civil Partnership (elimination of discrimination only)
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Due Regard means consciously thinking about the three aims of the Duty as part of the process of decision-making. For example:

- How they act as employers
- How they develop, evaluate and review policy
- How they design, deliver and evaluate services
- How they commission and procure from others

Advancing equality of opportunity involves considering the need to:

- Remove or minimise disadvantages suffered by people because of their protected characteristics
- Meet the needs of people with protected characteristics
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is low

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed in discrimination law. This could mean making use of an exception or positive action provisions in order to provide a service in a way that is appropriate for people who share a protected characteristic.

Officers should:

Keep an adequate record showing that the equality duties and relevant questions have been actively considered.

Be rigorous in both inquiring and reporting to members the outcome of the assessment and the legal duties.



Final approval of a proposal, can only happen after the completion of an equality impact assessment. It is unlawful to adopt a proposal contingent on an equality impact assessment

Title of the Assessment:	Housing Allocations Scheme	Date of Assessment:	18/06/13 28/10/13 24/02/14 08/04/14
Responsible Officer	Name: Tony Keaveney	Extension Number:	75210
	Title: Assistant Director Housing Services		
	Email: Tony.Keaveney@Centralbedfordshire.gov.uk		

Stage 1 - Setting out the nature of the proposal and potential outcomes.

Stage 1 – Aims and Objectives

1.1 What are the objectives of the proposal under consideration?

The scheme describes the criteria that Central Bedfordshire Council uses to prioritise applications for housing in Council homes, homes owned by Aragon Housing Association and homes owned by Registered Providers (RPs) and let through nomination agreements with the Council.

The Council has divided its Housing Register into two main sections, to reflect how lettings will be made. These are:

- General Needs Housing Register
- Older Persons Housing Register

The Allocations Scheme sets out the eligibility criteria for each part of the Housing Register and the criteria used for advertising and letting within these.

The Allocations Scheme describes how the Council prioritizes housing applicants to ensure that those with housing need, as described by the legal definition of “Reasonable Preference” are given access to the majority of available social housing lets. This Allocations Scheme sets out in detail who is and who is not eligible to become a member of the Housing Register and how this assessment is made. It sets out how applicants can apply for housing, how they are assessed and what service standards an applicant can expect to receive.

The **key objectives** of this Allocations Scheme are to:

- Help applicants in housing need to find suitable housing,
- Provide housing applicants in Central Bedfordshire with a fair and transparent system
- Provide an incentive for applicants to seek employment
- To create a simpler system that closes any loopholes or ability for applicants to chase additional priority,
- Make efficient and best use of social housing stock in the area,,
- To encourage applicants to take a measured and long term view on housing options and to take responsibility for planning their own housing provision.

1.2 Why is this being done?

The Housing Act 1996 (as amended), requires Local Authorities to provide ‘Reasonable Preference’ in their Allocation Scheme to people with high levels of assessed housing need. The Localism Act 2011 allows significant control over who qualifies for housing and the priority given to national and locally determined groups that are assessed as being in housing need. These flexibilities are now reflected in the policy.

The Council is faced with a substantial demand for social housing, and an insufficient supply to meet the demand within Central Bedfordshire.



1.3 What will be the impact on staff or customers?

1) Section 1 of the Housing Register is for all general needs applicants.

Normally, anyone can join the housing register so long as they:

- Over the age of 16 years – conditions apply, see below
- Are in housing need
- Have **lived in the area continuously for the last 3 years OR have worked in the area for the last 6 months**
- Are not guilty of poor behaviour
- Do not owe debt to the Council or to a Registered Provider
- Have poor tenancy history ie non compliance with a previous tenancy agreement
- Do not have a household income of more than £40k per annum (before tax).
- Are not a home-owner

The law requires that **reasonable preference** is given to the following categories:

- People who are homeless, including those who are intentionally homeless and not in priority need
- People who are owed a re-housing duty under the homelessness legislation, where this duty has not been discharged by an offer of private sector accommodation
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including grounds related to a disability
- People who need to move to a particular locality, where failure to meet that need would cause hardship to themselves or to others

In this Allocations Scheme, all of these categories are equal – if an applicant falls into any of the categories, he or she will be admitted to the Housing Register. The categories all have equal standing – having housing circumstances that cover more than one of those categories does not warrant additional priority.

Encouraging housing applicants that are out of work, to seek work is a key aim of this Allocations Scheme. To facilitate this, **applicants who are working will be given priority for vacancies** above applicants who are not working. Applicants who are not in work, will be given advice and practical assistance in finding work from the housing options team and by other key agencies in order to give them better prospects of re-housing via the Housing Register

If the applicant's employment status changes they may be allowed to retain the priority as long as there is a realistic prospect of re-employment. The decision will take into account their previous employment history, age of the applicant and other relevant factors. However they must have been in employment for at least 16 hours a week for 3 months at the time of the offer of accommodation. [Following consultation this aspect of the policy has been revised. If an applicant's employment status changes they will be reassessed and their prospects for re-employment will not be taken into account.](#)

Where an applicant is self employed, they must provide proof of their self employment status and still satisfy the criteria at the point of offer. This must be evidenced through documented tax returns.

Applicants who are in training or who are volunteering will not attract the employment priority. [Following consultation this aspect of the policy has been revised and volunteering will now count as employment.](#)

Connection due to employment

Where an applicant wishes to move to the CBC area because of employment, they will be included on the Housing Register. This includes two types of applicant:

- Where they already have a job in the CBC area
- Where they have an offer of a job in the CBC area and need to relocate in order to take up that



offer

The following conditions apply:

- The employment must be permanent employment and not a temporary fixed term contract. Short term or agency work does not qualify for inclusion
- The employment must be for a minimum of 16 hours a week
- Applicants may be self-employed with their business base in Central Bedfordshire.

People earning a high salary or significant assets

Applicants will not be entitled to join the housing register where the household income is greater than £20k per annum [for a single person and based on a sliding scale for families](#). This figure, set as of 31st March 2013, will be increased annually by the rate of RPI. If the income threshold is exceeded following application to the Housing Register, the application will be cancelled

Deliberately worsening circumstances to gain extra priority

Although relatively uncommon, it is appreciated that some people deliberately make their housing circumstances worse to give themselves an advantage over others. Examples include moving into accommodation that is unsuitable on health grounds and then applying for a medical priority, or moving others into their home to receive an overcrowding priority. Appreciating the inequity of this to the many others who ask to be assessed in line with the policy and who are simply waiting their turn, the Council takes this very seriously.

Those who engineer their own circumstances so as to get an extra advantage over others will be penalised by the Council removing their application from the housing register for a period of 12 months and then reassessing the application on genuine circumstances upon reapplication

2) Section 2 of the Housing Register is for applicants over the age of 50 years who wish to apply for supported housing for older people. This includes sheltered housing and extra care accommodation, including shared ownership properties. Vacancies that fall within this category will only be open to this group of applicants.

Older people wishing to apply for general needs vacancies (flats) or older persons designated bungalows, who are in housing need may also apply for accommodation through the General Needs Housing Register.

Sheltered housing - There are no eligibility restrictions for this type of accommodation as there is a reasonable amount of supply of housing.

Extra Care Schemes - Extra care schemes are very popular and attract a high number of applicants. Therefore the same eligibility criteria applies as for the general needs housing register.

The Banding Scheme applies to all housing register applicants– General Needs Applicants and Sheltered Accommodation Applicants.

Applicants who apply to join the Housing Register will have their housing need assessed, and will be given a priority band if sufficient housing need exists. Where an applicant has no housing need, they will not be registered. Bands are the Council's way of making sure that homes go to people most in need. The bands take into account the people the Council has to give preference to by law and those people considered to attract additional preference for housing by the Council.

The Allocations Policy contains 2 bands.

Band 1 – Emergency Need to Move. Reasonable Preference plus Urgent Priority

- Armed Service Personnel with urgent housing need



- Emergency medical or disability
- Release of adapted property
- Under-occupation
- Statutorily overcrowded
- Private sector property that is in a seriously defective condition likely to significantly impact upon the health and/or safety of an occupant.
- Decant of Council Tenants where demolition is approved
- Urgent management move - facing a life threatening situation

Band 2 – Reasonable Preference

- Armed Service Personnel
- Homeless households owed a duty by CBC
- Overcrowded households
- Medical grounds
- Living in unsatisfactory housing lacking basic facilities
- Hardship / welfare / exceptional need to move for care or support or housing need due to age
- People who need to move to avoid hardship - includes low paid workers who live in the private rented sector, who struggle to make ends meet and as a result experience hardship.
- Ready to move on from supported housing scheme

Applicants in Band 1 will be shortlisted above applicants in Band 2. Working applicants in each band will be shortlisted above non working applicants. Where two or more applicants bid on a vacant property and have equal priority, preference will be given to the applicant who has the earliest effective date of application. Where two or more applicants with exactly the same level of priority and effective date on the scheme bid for the same property, a senior officer will make the allocation based on best use of the housing stock and needs of the applicants. A record of how the decision was reached will be kept for the purposes of a robust audit trail

The Council or RP will contact applicants who have been shortlisted for an offer of tenancy. It is the applicant's responsibility to ensure that all contact details are up to date and that they respond within 24 hours to any contact made by the Council. If an applicant does not return contact they will be overlooked for the offer.

An applicant may only include **immediate family** on their application for housing. Immediate family includes:-

- The applicant
- Spouse or partner, including same sex partners. A partner must be established for 12 months before being accepted as a joint application. [Following consultation this aspect of the policy has been removed.](#)
- The applicants children or partner's child(ren), if they are aged under 21 and live with the applicant all the time, or for four or more nights every week. Applicants will be required to provide the Council with formal (Court Order) documentation relating to any agreement that is currently in place regarding residency.

Immediate family does not include an applicants or his or her partners parents, parents, grandparents, brothers, sisters, aunts, uncles, grandchildren, nieces, nephews, cousins, friends, or lodgers unless they have an extenuating need to live with the applicant

Review of Applications

It is the intention of the Council to review all cases on the Housing Register annually and this may be extended to review cases more frequently especially where a homeseeker is not actively bidding for properties that are available. Where suitable properties are advertised and a homeseeker fails to bid, after the review has been conducted, the application may be removed from the Housing Register for at



least 12 months. Failure to respond to correspondence in relation to the review will result in the applicant being deleted from the Housing Register. Applicants who are deleted will be notified in writing. If good reason can be shown why there was a failure to respond to the review within 6 months of the application being closed then the application may be reinstated.

Housing Needs Panel

The Housing Needs Panel sits once a fortnight or more frequently if required, and will make decisions on the following areas:

The Housing Needs Panel primarily considers cases that have an urgent need to move but which do not fall within other priority categories. Cases considered should be either Council tenants on the Housing Register, Transfer List or homeowners wishing to join the Housing Register.

Urgent need is defined as a situation where there is a substantial risk to the applicant or a member of their household in remaining in their current housing situation or in other exceptional circumstances not covered by existing policies.

The Panel consists of:

- Head of Housing Needs(CHAIR)
- A Housing Needs Team manager
- Head of Housing Management

The Panel may decide on a joint agency approach in order to determine the best course of action, particularly where an urgent move can be avoided and other solutions are to be considered. For example in case of self neglected or where there are safeguarding issues. There is no process of appeal.

Refusals of Offer

A refusal will include both verbal and written refusals, including those made prior to a formal written offer being issued. Due regard will be given to the individual's circumstances and the reason for refusal of the property. Failure to attend an arranged accompanied viewing will be treated as a refusal

Letting Adapted Properties

It is proposed that applicants with mobility difficulties and who have a need for adapted or accessible accommodation will be assessed in accordance with the Accessible Housing Register guidance (AHR) and will be restricted to properties that match their assessed need.

Data Protection

When an applicant applies to the Housing Register, the Council will seek only information that they require to assess the applicant's application and housing needs.

1.4 How does this proposal contribute or relate to other Council initiatives?

Reforms in related areas such as to rent models, allocations policies and measures to address homelessness also impact and in some case overlap with tenure issues. In preparing the Strategy, the Council has therefore had regard to its current Tenancy and Homelessness Strategies, which is required by Government. Consequently, Central Bedfordshire Council has produced a local Housing Green Paper which should be read in conjunction with the Tenancy Strategy and seen in the same light. The Green Paper sets out the complete vision for housing in Central Bedfordshire and like the Tenancy Strategy, is very much evidence based.

The Council's Economic Development Plan includes a focus on creating jobs and supporting people into work.



The Council's All Age Skills Strategy aims to help Central Bedfordshire fulfil its economic potential through addressing a number of skills priorities. This includes priorities around developing the future and current workforce and around raising individuals' aspirations and achievements. It aims to ensure that local people have the skills required by local businesses to secure employment opportunities, whilst supporting the development of the existing workforce to facilitate business growth.

The Council's Child Poverty Strategy includes an objective to maximise opportunities for families in poverty to access employment by developing employability and job readiness skills.

1.5 In which ways does the proposal support Central Bedfordshire's legal duty to:

- Eliminate unlawful discrimination harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

The draft policy includes a number of positive provisions for vulnerable groups for example in relation to disability, domestic violence, carers, looked after children, foster carers, helping people escape the bedroom tax, helping low paid workers who may have families and be living in poverty etc. Further details are provided in section 2.5.

1.6 Is it possible that this proposal could damage relations amongst groups of people with different protected characteristics or contribute to inequality by treating some members of the community less favourably such as people of different ages, men or women, people from black and minority ethnic communities, disabled people, carers, people with different religions or beliefs, new and expectant mothers, lesbian, gay, bisexual and transgender communities?

In developing the strategy appropriate consideration needs to be given to the longstanding and persistent barriers certain groups can experience in accessing employment and training opportunities. The strategy needs to provide more clarity in relation to what is meant by the terms incentivising work and encouraging tenants to seek employment.

Some groups with protected characteristics are also more likely to be represented in social housing and so careful consideration must be given to the potential impact if changes in eligibility criteria are made. These groups may also need a range of additional support.

Stage 2 - Consideration of national and local research, data and consultation findings in order to understand the potential impacts of the proposal.

Stage 2 - Consideration of Relevant Data and Consultation



In completing this section it will be helpful to consider:

- **Publicity** – Do people know that the service exists?
- **Access** – Who is using the service? / Who should be using the service? Why aren't they?
- **Appropriateness** – Does the service meet people's needs and improve outcomes?
- **Service support needs** – Is further training and development required for employees?
- **Partnership working** – Are partners aware of and implementing equality requirements?
- **Contracts & monitoring** – Is equality built into the contract and are outcomes monitored?

2.1. Examples of relevant evidence sources are listed below. Please tick which evidence sources are being used in this assessment and provide a summary for each protected characteristic in sections 2.2 and 2.3.

Internal desktop research

	Place survey / Customer satisfaction data		Demographic Profiles – Census & ONS
√	Local Needs Analysis	√	Service Monitoring / Performance Information
	Other local research		

Third party guidance and examples

√	National / Regional Research		Analysis of service outcomes for different groups
	Best Practice / Guidance		Benchmarking with other organisations
	Inspection Reports		

Public consultation related activities

√	Consultation with Service Users	√	Consultation with Community / Voluntary Sector
√	Consultation with Staff		Customer Feedback / Complaints
	Data about the physical environment e.g. housing market, employment, education and training provision, transport, spatial planning and public spaces		

Consulting Members, stakeholders and specialists

√	Elected Members	√	Expert views of stakeholders representing diverse groups
	Specialist staff / service expertise		

Please bear in mind that whilst sections of the community will have common interests and concerns, views and issues vary within groups. E.g. women have differing needs and concerns depending on age, ethnic origin, disability etc

Lack of local knowledge or data is not a justification for assuming there is not a negative impact on some groups of people. Further research may be required.

**2.2. Summary of Existing Data and Consultation Findings: - Service Delivery
Considering the impact on Customers/Residents**



- **Age:** e.g. Under 16 yrs / 16-19 yrs / 20-29 yrs / 30-44 yrs / 45-59 yrs / 60-64 yrs / 65-74 yrs / 75+

The UN Principles for Older Persons includes:

- Older persons should be able to live in environments that are safe and adaptable
- Consideration of personal preferences and changing capacities

National Research:

Housing:

- 21 per cent of people over 65 live in social housing,
- 24 per cent of people aged 75 or over live in social housing
- Older people can live in some of the worst housing in the country, often inappropriate to their changing needs

Employment:

- Many retired people regard themselves as having been forced to some degree to retire when they did, for example because of the onset of disability.
- Gender related issues contribute to the factors that inhibit continued work (health for men, caring responsibilities for women) and the kind of work options available
- 62% of over fifties feel they have been turned down for a job because they are considered to old, compared with 5% of people in their thirties
- more than 15% of the youth population is not in education, employment or training

Local Research: Local Economic Assessment:

- People aged 16-24 years old claiming Job Seekers Allowance is still high at 24.2% in April 2013 however has fallen from 26.7% in April 2012

Local Consultation Sheltered Housing Standard 2013 :

Information captured from the questionnaire and consultation event indicates that further consideration should be given to matching / placing tenants in schemes where the profile and circumstances of existing tenants more closely mirrors their own. For example, consultation event attendees raised concerns that the age criteria for sheltered housing is too low; currently set at 55 years of age and above. Younger residents tend to be single, working men, some of which present as being vulnerable (including with mental health issues). However, the general profile of SH residents are widowed women their mid seventies. It was felt that this mix in age and circumstances was causing problems within some schemes and that the needs of younger residents could be met in alternative housing or specific schemes.

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

45% of respondents were aged 55 years or over

- **Disability:** e.g. *Physical impairment / Sensory impairment / Mental health condition / Learning disability or difficulty / Long-standing illness or health condition / Severe disfigurement*

National Research:

Housing:

- Disabled people are twice as likely to experience worklessness as non-disabled people, they are more likely to live in unsuitable or inaccessible housing without essential amenities
- There is a serious shortage of accessible housing for disabled people, leading to a lack of choice and inappropriate housing

Qualifications:

- According to Alkire et al, 2009:231, participation in adult learning by individuals with disabilities is half the rate of those without a disability (46% in Great Britain for non-disabled, 23% for disabled)



Employment:

- Disabled people are generally more likely to be out of work,
- They are also more likely to exit work and, once out of work, they are less likely to move back into employment than non-disabled people and other groups.
- People with mental health conditions and people with learning disabilities have the lowest employment rates. They are more likely to be economically inactive and are therefore further from the labour market than people with other forms of disability

Local Research: Local Economic Assessment:

- Disabled women in Central Bedfordshire have a higher economic activity rate (68.2 %) than nationally (52.3%). However the economic activity rate for disabled males of working age is lower at 59.2% compared to 61.4% in England
- Employment rate of non disabled females in Central Bedfordshire was 13.4% higher (70.2%) than females who are disabled which stood at 56.8% in December 2012

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

19% of respondents stated that they had a disability

One stakeholder commented in relation to employment status:

“This in itself excludes many of the vulnerable who require social housing - those who are long term unemployed with poor employment prospects and particularly those who are too ill or disabled to actually work but considered to be able to engage in "work-related activity". In not excluding that group of people from the 'work test', CBC has shown complete ignorance of how the ESA benefit system actually works. Those in the work related activity group cannot currently be expected to work, their doctor supports this as they will have initially signed them off work, and the DWP has also accepted this through medical examination tests (and/or Tribunal involvement). 'Work-Related Activity' means at best considering what options they will have in future for work and what they can do despite their illness or disability to help themselves towards that. Support Group status does not equal disabled either; someone undergoing chemotherapy will also fall into the support group for example.

For CBC to punish people for being in this position of being too unwell to work but not extremely unwell is highly irregular to say the least.

It in effect turns social housing from a provision for those in need, into a provision awarded to a privileged group of people who, aside from their housing need, meet a particular set of circumstances. the policy needs to at very least exclude ESA Work-Related Group recipients from being penalised by the work test, even better would be any recipient of ESA because those newly claiming or appealing a decision will still be being supported by their GP as unable to work.”

- Carers: *A person of any age who provides unpaid support to family or friends who could not manage without this help due to illness, disability, mental ill-health or a substance misuse problem*

National Research:

Employment:

- Between 46% and 62% of carers are not getting adequate services to help them work.
- Less than half of 'longer-term' carers aged 16-64 were in paid employment: 45% of those caring for 1-19hours per week; but only 21% of those with the heaviest caring roles.
- Only just over half (56%) felt their employer was carer-friendly and supportive.

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

One stakeholder commented;

It discriminates against any culture which views looking after parents as important. Although it says it will make exceptions where the parent or whatever relative has an extenuating need to live with the applicant, it is not clear what extenuating means or how they will come to this decision. I think the



implication is they don't want to consider it unless the person is unable to care for themselves and that is the reason. It is not inappropriate that someone in their 50s may wish to have their parent in their 70/80's living with them to look after them even though they are not extremely disabled or unwell.

- Gender Reassignment: *People who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex*

National Research:

Housing:

- Trans people may be particularly at risk of housing crisis and homelessness arising from transphobic reactions and harassment by family, neighbours and members of their local community.

Employment:

- Trans people are more likely than others to experience difficulty in finding work or retaining it if their background becomes known to others. High numbers report feeling obliged to change jobs because of workplace harassment and abuse. (EHRC)
- They have been found to be in jobs that are below their skills and educational capacity and appear more likely to work in lower-paid and insecure employment in the public sector, or to be self-employed

- Pregnancy and Maternity: *e.g. pregnant women / women who have given birth & women who are breastfeeding (26 week time limit then protected by sex discrimination provisions)*

Qualifications:

- Teenage mothers are 20% more likely to have no qualifications than older mothers (aged 24 plus).
- A survey of 122 recruitment agencies revealed that more than 70% had been asked by clients to avoid hiring pregnant women or those of childbearing age
- One in 7 women are made redundant after maternity leave
- a tenth had been replaced by the person who had covered their maternity leave
- The campaign group Maternity Action said the number of new mothers seeking advice over discrimination had doubled every year for the last three years since the economic downturn.
- In 2005 research found 30,000 women each year lost their job as a result of unlawful pregnancy discrimination.

- Race: *e.g. Asian or Asian British / Black or Black British / Chinese / Gypsies and Travellers / Mixed Heritage / White British / White Irish / White Other*

National Data:

Housing:

- 26 per cent of ethnic minority households live in social housing

Housing - Race Equality Foundation:

- The black and minority ethnic populations, and their proportion of England's overall population, are growing. The demand for affordable housing from black and minority ethnic households is likely to increase in the future
- High house prices, together with tightened credit regulations and lending criteria, have made it increasingly difficult for newly formed households to access home ownership. This may lead to lower home-ownership rates in the future, especially among Pakistani and Bangladeshi populations
- The locational preferences of black and minority ethnic households are changing, but fear and threat of racism continue to restrict black and minority ethnic households' area choice
- Although cultural preferences regarding the design of the dwelling continue to exist, preferences are



generally influenced more by household size and type than by ethnicity per se

- Bilingual and culturally sensitive services are of great importance, especially to recent migrants and to older people born outside the UK.
- Large properties of four or more bedrooms form only 2% of England’s social housing stock (SEH, 2005- 2006), making it difficult for large households to access suitable properties in the social rented sector, especially via mainstream service providers. Like white British households, most BME households with children want or need larger homes (with three or more bedrooms), preferably with gardens. If the number of children is high, an even larger home is required. At the moment, overcrowding is common among certain BME groups in both the social rented and the private sector (London Housing, 2004; SEH, 2003-2006). In fact, overcrowding caused by inability to afford sufficiently large homes in the private sector may well be one of the key reasons for BME populations’ high interest in social rented housing.

Qualifications:

- Attainment amongst some ethnic minority groups, including individuals from Black, Pakistani and Bangladeshi communities, is below that for the population as a whole.
- Black Caribbean people stand out as having lower levels of functional literacy even among those for whom English is a first language. For other ethnic groups, the level of basic skills is similar for those that have English as a first language.
- In some ethnic and religious groups there are large numbers of women without any qualifications: Among Black Caribbean women, Mixed Race women and Muslim women, between a quarter and a third have no qualifications compared to 1 in 8 White women. Large groups of Pakistani and Bangladeshi men have no qualifications. Nearly 1 in 3 Bangladeshi men and 1 in 4 Pakistani men are in this situation compared to 1 in 8 White men.
- Attainment is particularly low amongst individuals from Gypsy and Traveller backgrounds

Employment:

- Overall black and minority ethnic people are more likely to be unemployed, irrespective of their qualifications, place of residence, sex or age. They are less likely to hold senior management positions. (Equality Review (ER))
- Recent experiments show clear evidence of discrimination in whether people are offered employment opportunities, with interviews depending on the apparent ethnicity in their CVs.(National Equality Panel)
- People from an ethnic minority community are 13% less likely to find work than a white person. (Labour Force Survey 2008)
- Pakistani and Bangladeshi women with the same characteristics as White women are 30% more likely to be out of work. (ER)
- Black African and Bangladeshi men, can also experience significant employment penalties. (ER)
- Gypsies and Irish Travellers can face barriers to employment due to low literacy levels. (Commission for Race Equality)
- Based on current rates of progress it is predicted that it will take nearly 100 years for people from ethnic minority communities to attain the same job prospects as white people. (Government Equalities Office)

Central Bedfordshire Population Data;

Ethnic group	2011		2001
	Number	%	%
White	238,700	93.8%	97.3%
- White British	228,100	89.7%	94.0%
- White Irish	3,100	1.2%	1.3%
- White Gypsy or Irish Traveller	500	0.2%	n.a.
- White Other	7,000	2.8%	2.0%



Mixed	4,800	1.9%	0.9%
Asian or Asian British	6,400	2.5%	1.1%
Black or Black British	3,600	1.4%	0.5%
Other ethnic group	900	0.3%	0.2%
Total	254,400		

Local Research: Local Economic Assessment:

- A greater proportion of Black/African/Caribbean and Black British people work in lower managerial, administrative and professional occupations in the area than nationally

Local Research: Central Bedfordshire Labour Market Inequalities Report:

- While there is a smaller proportion of people from an ethnic minority in the CB area than nationally, a higher proportion of them are in employment compared with the British white population.
- British white women aged 16-64 have employment rates of 66.8% compared with their ethnic minority counterparts, who have an employment rate of 85.6%.

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

77% of respondents were White: British and 13% of respondents preferred not to state their ethnicity

- **Religion or Belief:** e.g. *Buddhist / Christian / Hindu / Jewish / Muslim / Sikh / No religion / Other*

National Research:

Housing:

- Certain faith groups tend to have larger families and therefore require larger dwellings

Qualifications:

- According to the 2001 Census however, 23.5% of Muslims and 28.9% of Sikhs aged 16 to 24 had no qualifications. This compares to 15.8% of Christians and 11.7% of Hindus. Similarly, the percentage of young Muslims and Sikhs qualified to level 2 is also lower. There is variation by age however, with a lower proportion of Muslims aged 50-59 having no qualifications than Christians, Hindus and Sikhs.

Employment:

- Only 61% of Muslim men have jobs compared to 80% of Christian men and 82% of Hindu men. (Government Equalities Office)
- There is emerging evidence that Indian and White Muslims experience employment disadvantage when compared to Indian and White Christians

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

51% of respondents' stated their religion or belief was Christian and 30% of respondents stated they had no religion or belief.

- **Sex:** e.g. *Women / Girls / Men / Boys*

National Data:



Housing:

- Many women live alone with the proportion increasing, as they get older. Older women living alone are more likely to be living in poverty and provision of appropriate shared accommodation might be financially and socially beneficial for some groups.
- Women-headed households tend to be more reliant on social housing – local authority and housing association accommodation. This applies in particular to lone parent households, 60% of whom live in social housing, compared to 23% of other households with dependent children. For these households, larger size dwellings are more appropriate and can reduce the stress of living in overcrowded conditions.
- The vast majority of homeless and temporary accommodation households are headed by, or include, women.

Qualifications:

- Generally, girls perform better than boys educationally. Nationally, in 2009/10, 51.1% of boys achieved five or more GCSE passes at grades A* to C, including maths and English, compared to 58.6% of girls.
- Only 18% of poor White British Boys achieve 5 or more GCSE passes. Less able boys are virtually unemployable because they lack interest, drive, enthusiasm and social skills
- Women are far less qualified in the older part of the population than men, but are more or less equally qualified below the age of 35

Employment:

- Over the last 30 years, three groups below retirement age stand out as suffering particularly large and persistent employment disadvantages or penalties:

1. disabled people;
2. mothers;
3. Pakistani and Bangladeshi women.

They are all significantly more likely to be out of work regardless of their qualifications or where they live. The effect of non-employment in their working years continues to cause these groups additional disadvantage in older age.

- Many women bear the majority of the responsibility for childcare with the result that 44% of women work part time compared to 10% of men. Part-time work can limit career progression; lead to lower pay and reduced pensions. (EOC)
- 38% of mothers and 11% of fathers have left a job or been unable to take one due to caring responsibilities

Local Research: Local Economic Assessment:

- Female unemployment rate has continued to increase during 2012 and is now above comparator areas at 8.2% in December 2012

Local Research: Central Bedfordshire Labour Market Inequalities Report:

- Women in the CB region are less likely, in relation to men, to have achieved NVQ4+.
- More women than men are without any qualifications in CB than in England as a whole
- For those aged 16-19, female employment is far higher than male employment.
- However, within the 20-24 age band, this is reversed. Female employment rates do not recover after this. This may relate to the age of first maternity
- CB appears to show a highly gendered breakdown in occupations, with more than double the percentage of men in higher managerial, administrative and professional occupations than women.
- For younger women, the major barriers include a desire to be with children when they are small and lack of transport. The desire to be with their children when they are small can be attributed to a variety of causes, including the quality and/or cost of childcare, and a 'maternal desire' to care for them in person. It is not possible to clearly delineate the respective influences each cause has in respect of younger women's choices.
- For older women, health problems, the attitudes of employers and practical issues relating to moving off benefits, internet access, childcare and transport are the biggest problems.

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

29% of respondents were male, 67% were female and 4 % preferred not to say



- **Sexual Orientation:** e.g. *Lesbians / Gay men / Bisexuals / Heterosexuals*

National Research:

Housing

- Some younger LGB people may experience homelessness as a result of having to leave the family home and may live in poor quality accommodation as well as facing hate crime. Older LGB people are 2 ½ times more likely to live alone

Qualifications

- 65% of young lesbian and gay people have experienced homophobic bullying. This can contribute to increased truancy and subsequently reduced levels of attainment. Lesbian and gay young people are also more likely to leave school at 16.

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

78% of respondents stated that they were heterosexual.

- **Other:** e.g. *Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion, Marriage and Civil Partnership*

1) Poverty / Deprivation National Data:

Poverty & Work

New Policy Institute Analysis of the latest data on poverty in the UK 2013 indicates that

- more than half of the 13 million people living in poverty in the UK in 2011/12 were in a working family;
- while the labour market has shown signs of revival in the last year, the number of people in low-paid jobs has risen and average incomes have fallen – around five million people are paid below the living wage;
- there is substantial movement in and out of work – 4.8 million different people have claimed Jobseeker’s Allowance in the last two years;

Housing:

- 18% of all households in England live in social housing
- 60% of social housing tenants are economically inactive (31% are retired and 29% are otherwise economically inactive)
- 6% of social housing tenants are unemployed
- There are also large numbers of disabled people, and people on housing benefit living in social housing. Vulnerable groups are concentrated in the social housing sector, where there are low rates of employment and low income levels:
 - The median gross income for households in social housing in 2007/08 was £10,900, compared with £23,320 for households across all tenures.
 - 44% of households in social housing have an annual income of less than £10,000.
 - Only 7% of all households in social housing have a gross annual income of £30,000 or above
- Poverty can lead to **overcrowded and poor quality housing conditions**, placement in temporary accommodation, often in disadvantaged areas where there are insufficient social facilities or public transport levels.
- Children living in such conditions are more likely to experience lower educational attainment and poorer health outcomes. Housing policy can make a real difference to the quality of children’s lives, especially those who are living in poor quality, overcrowded and inappropriate accommodation. Dwelling sizes also need to allow for space for children to carry out their homework without interruption and should have sufficient levels of play space and natural light



Qualifications;

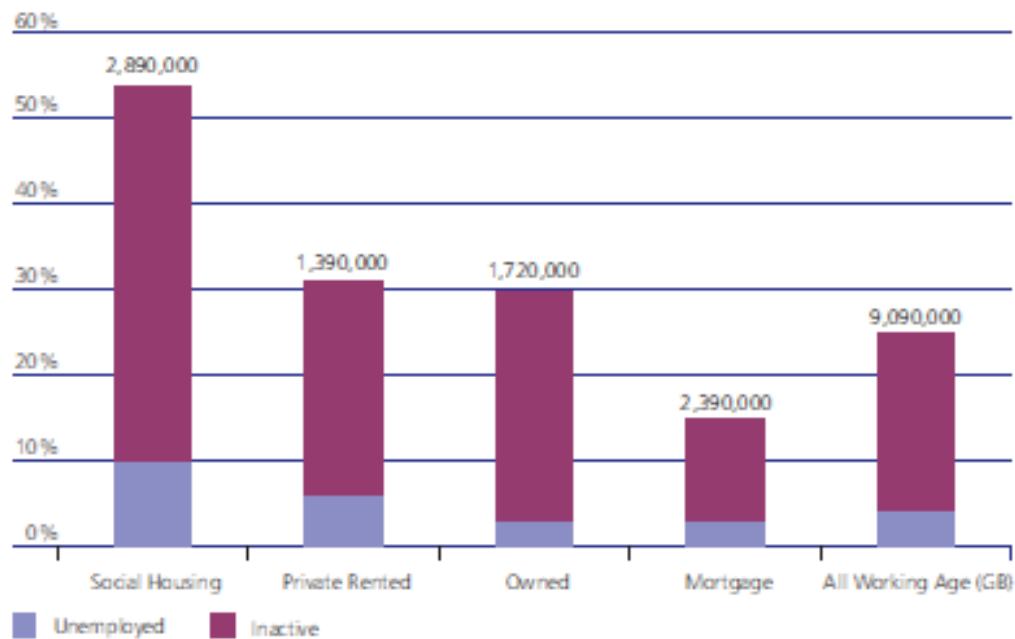
- Poverty and deprivation are strongly linked with educational attainment. Children who grow up in poverty are less likely to achieve qualifications or to go on to higher education. This then has an impact on their employability and contributes to an intergenerational cycle of poverty
- One in eight adults of working age have no qualifications
- A quarter are not qualified to Level 2
- Just under half are not qualified to above Level 2
- One third of adults do not hold the equivalent of a basic school-leaving qualification
- One half of adults (17 million) have difficulty with numbers

Employment & Living in Social Housing;

(Source Ends and means: The future roles of social housing in England John Hills 2007 - Centre for Analysis of Social Exclusion London School of Economics)

- The employment rates of those living in social housing with particular disadvantages or with multiple disadvantages are substantially lower than those of people with similar disadvantages but living in other tenures.
- Even controlling for a very wide range of personal characteristics, the likelihood of someone in social housing being employed appears significantly lower than those in other tenures.
- Of those with no qualifications, 43% are workless if they do not live in social housing, but 70% of those living in social housing.
- 35% of lone parents are workless outside social housing, but 64% within it.
- For those with none of the specified labour market disadvantages, 13% are workless outside social housing, but 29% within it.

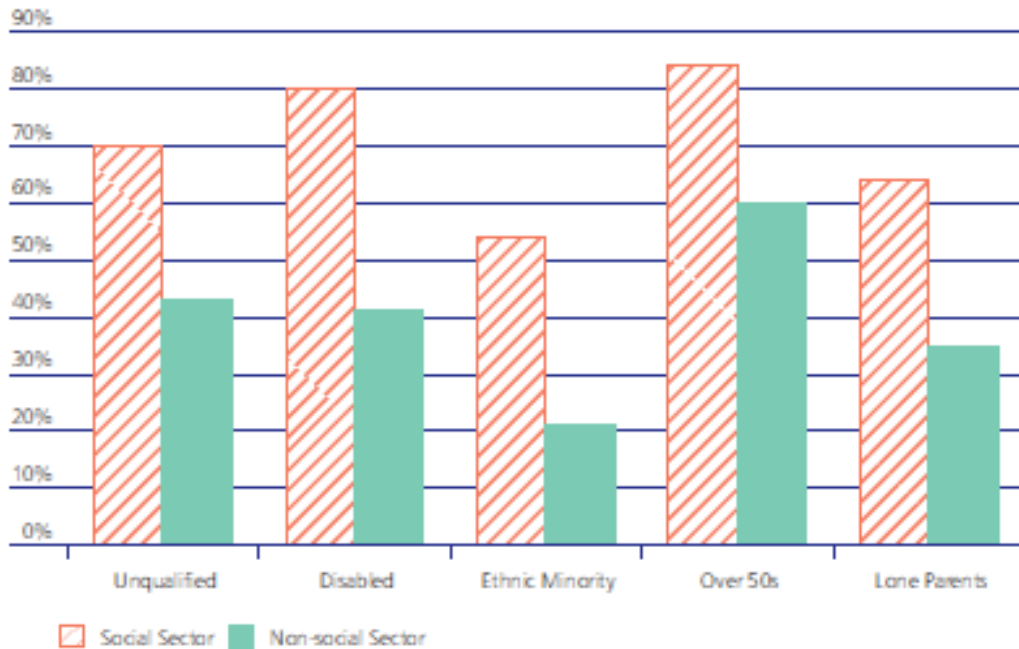
Figure 10.1 Worklessness by tenure in Great Britain, Spring 2006



Source: Labour Force Survey, Spring 2006. Includes students.



Figure 10.2 Worklessness by DWP public services agreement target group, Spring 2006



Source: Labour Force Survey.

- Social tenants are more likely to have overlapping disadvantages in the labour market – 37% have two or more disadvantages, compared to 29% of owner-occupiers and 13% of private tenants.
- But for any given number of overlapping disadvantages, those in social housing have lower employment rates. For instance, for those with two of these overlapping disadvantages, the overall employment rate is 53%, but for social tenants, it is less than 33%.
- Current Allocations policies create concentrations of poverty with a detrimental impact on both community cohesion and sustainability.
- Hills recommended an examination of “the way allocations and access policies work to try to reduce the extent to which they are sometimes an engine of polarisation, even within the social housing stock.”

2) Child Care Costs and Employment

Families on low-incomes across the UK are having to turn down jobs or are considering leaving work because they can't afford to pay for childcare, according to new research from Save the Children and Daycare Trust. The survey also found that parents, regardless of income, say that they can't afford not to work, but struggle to pay for childcare. And despite many parents cutting back their spending, almost a quarter have got into debt because of childcare costs.

Parents in Britain spend almost a third of their incomes on childcare - more than anywhere else in the world - and such high costs have the greatest consequences for the poorest families. Of those families in severe poverty, nearly half have cut back on food to afford childcare and 58% said they were or would be no better off working once childcare is paid for.

The cut to the working tax credit has also dealt a massive blow to hard working families struggling in severe poverty with four in ten of those affected considering giving up work because they will no longer earn enough to cover the childcare bill. The cut has added on average £500 per year on to the childcare bill of low income families.

Other key findings:



- A quarter of parents in severe poverty have given up work and a third have turned down a job mainly because of high childcare costs - more than twice as likely as better off parents.
- Of those parents in severe poverty and currently in paid employment the majority (80%) agreed with the statement "Once I have paid for childcare, I am in a similar position to as if I was not working".
- The majority of parents living in severe poverty (61%) said they were struggling to pay for childcare compared to around a third of parents on higher incomes (37%).
- Families in severe poverty were twice as likely as better off families to move home because of the high costs of childcare.
- 26% of parents in severe poverty have been unable to take up education or training because of high childcare costs.
- 63% of parents, regardless of income, say they can't afford not to work but struggle to pay for childcare.
- The costs of childcare are on a par with 41% of families' mortgage or rent payments.
- A quarter of parents, regardless of incomes, said the cost of childcare has caused them to get into debt

3) Looked After Children:

- Young people leaving care are one of the most vulnerable groups in our society:
 - they are three times more likely to be cautioned or convicted of an offence
 - they are four times more likely to have a mental health disorder
 - they are five times less likely to achieve five good GCSEs, eight times more likely to be excluded from school and less likely to go to university
- 30% of homeless people have been in the care system.
- For the majority who do stay housed, there's the challenge of balancing college or work with the need to be completely self-reliant.
- 27% of 16 year olds are given council accommodation, benefits and are left to get on with it.
- Almost half of young people leaving care think they are made to do so too early and say they receive very poor preparation for coping with adult life on their own

4) Local Housing Data:

The new housing requirement for Central Bedfordshire identified in the 2009 SHMA is:

- 18 000 new units of market housing
- 6 500 new units of social rented housing
- 2 500 new units of intermediate market housing (housing for people who can afford more than a social rent, but cannot afford to buy on the open market).

In 2011, 230 new social rented properties and 140 new units of intermediate market housing were built, exceeding the target to build 300 new affordable homes per year.

At 31 March 2012, there were a total of 4213 households on the housing register for Central Bedfordshire. Of these, 1956 households are in housing need, according to the legal definition.

An estimated 1198 households are under-occupying Central Bedfordshire council tenancies – this is around 20% of tenants. Just over half of these households are aged 65 and over whilst the remainder are headed by a person of working age.

Lettings of Social Housing:

During 2011-12, there were a total of 1,068 lettings of social housing. These 1,068 lettings include 230 lets of newly built social rented housing, and 838 lettings of social rented properties which became empty because the previous tenant moved out.

Analysis of waiting times shows that on average, the households allocated these properties had been on



the housing register for 40 weeks. Around 80% of households had been waiting for less than one year when they were allocated their property.

More detailed analysis shows that in general, households had longer to wait if they were in low housing need; and that no allocations of two, three and four bedroom houses were made to households in the lowest housing need (in Band 3A). Waiting times were also generally longer for one bedroom properties and 2 bed houses.

Analysis of lettings by location showed that a higher proportion of lettings in the south of Central Bedfordshire were made to applicants with urgent housing need than in the north. Lettings to Band 3 are 63% of all lettings in the north, and 52% of all lettings in the south

Social rented housing is currently allocated through the Choice Based Lettings system, which allows people to bid (apply for) properties:

- Most applicants are from Central Bedfordshire, and Central Bedfordshire applicants are more likely to be successful than people from outside CBC.

For the four months from May to August 2013 there were an average of 2,850 bids (applications) for properties within Central Bedfordshire each month. 58% of these bids were placed by people already living within the area, an average of 1,660 applicants each month

Central Bedfordshire residents are more likely to be successful bidders winning around 75% of properties in the area, or an average of 58 out of the 76 properties let each month.

Housing Register:

There were a total of 4213 households on the Housing Register in Central Bedfordshire at 1 April 2012. Of these, 1956 are in 'social housing need', in Bands 1, 2 and 3. A further 2257 households are in Band 4. These households are not assessed as being in social housing need. This definition is drawn from the legislation and means those that the law requires us to give reasonable preference to in the allocations scheme. Only 100 of the lettings made in 2011-12 were made to applicants from Band 4.

Where households have had extended waiting times on the housing register, this can be for a number of reasons. It can simply indicate that the household has not been successful in bidding for properties, and that the system has therefore not been able to meet the household's needs. It may also be that the household has been holding out to bid for a particular type of property in a particular area and is prepared to wait for that vacancy to be advertised. However, long waiting times can also be caused by households having a period of 'reduced preference' when they are on the list but unable to bid, for example because of issues with anti-social behaviour. Some very old applications are 'inactive', meaning that the applicant has found their own housing and given up their application, but not told the Council to take their name off the list.

A total of 168 Central Bedfordshire Council tenants were registered for a transfer to a different social rented property at 1 April 2012. Of these, 100 are in social housing need, meaning that their current property is unsuitable for them in some way.

Amongst transfer applicants, 40% of those applicants that are in social housing need have been waiting longer than one year.

Homelessness Demand:

During 2011-12, Central Bedfordshire Council accepted a full duty to house 169 homeless households. Of these, the majority were homeless because they had been asked to leave their current home by their parents.

During 2011-12, Council officers carried out 523 Homelessness Preventions. This is where a council officer helps the applicant who is threatened with homelessness to stay in their current home, or to make a planned move to alternative accommodation

Allocations to Working & Non Working People and How this Might Change Under the New Policy:

- All homes are good standard. Some will be "more suitable" than others, depending on personal



circumstances. e.g. distance to school, or a mobility problem.

- Last year, CBC let 860 lets, the year before 1060.
- 10% were to band 4's, so not in the reasonable preference categories i.e. people with low housing need.
- 750 minimum are allocated to the reasonable preference categories.
- On sign up, about 35% of applicants are working. Therefore about 235 homes go to working people and about 515 to non working. Plus about 100 to "no real need at all"
- In modelling, it is envisaged that CBC is not likely to have increasing numbers of people with reasonable preference. The number in the year is reasonably fixed - assume 750 per annum. The question to consider is whether "employed people" will always be at the top of the list, causing not employed people to never be successful.
- It is unlikely that there are enough eligible, "employed people" in Central Bedfordshire, who also fall into a reasonable preference category to cause non employed people to wait (very much longer).
- To put this simply, the employed people who are also in housing need run out very quickly. Plus, CBC will still agree a substantial number of lettings to non working people (about 500).
- It is estimated that average wait times might increase from 40 weeks, for non working people – to a maximum of 60 weeks. Employed people are likely to average a wait of 20-25 weeks

5) Local Research: Local Economic Assessment:

- The jobs growth rate whilst increasing by 700 in 2011 is not keeping pace with the population growth rate. This would need to double in order to meet the Council's aspirations of 1,350 jobs per year in line with the Development Strategy
- Attainment at most NVQ levels has fallen over the past year and there is now a higher percentage of people of working age with no qualifications than national and regional levels for the first time since 2006 at 9.6%
- The unemployment rate has been increasing during 2012 (6.3% in December 2012) in particular for women and young people with levels higher than pre-recession and there remain pockets of deprivation in parts of Central Bedfordshire.
- At the same time, the level of young people not in education, employment or training although lower than nationally and regionally however has witnessed a slight increase
- The cost and provision of public transport remains a significant barrier for residents accessing the local labour market. This is particularly an issue for young people and women.
- **Job density** is a measure of the total number of filled jobs in an area compared to the resident working age population. It reflects the degree to which employment opportunities are available locally. In 2011 the job density in Central Bedfordshire was 0.65, meaning **there are 0.65 jobs for every working age resident**. This means less than 1 job per working age resident. This has risen from a low of 0.60 in 2009, but still remains below all comparator areas, as can be seen in the table below and shows the highly mobile nature of the Central Bedfordshire labour market in terms of out-commuting to high value jobs elsewhere. It has remained the same in both 2010 and 2011

Area	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Central Bedfordshire	0.64	0.63	0.63	0.64	0.65	0.64	0.64	0.65	0.60	0.65	0.65
South East Midlands	0.80	0.79	0.81	0.83	0.83	0.8	0.82	0.81	0.79	0.79	0.80
England	0.8	0.8	0.8	0.8	0.81	0.8	0.8	0.79	0.78	0.78	0.78
East	0.77	0.78	0.78	0.77	0.78	0.78	0.78	0.77	0.76	0.75	0.76

Local Research: Central Bedfordshire Labour Market Inequalities Report:

- The downturn in the economy, changing support services for long-term unemployed people and alterations in the types of work and contracts offered has meant that those people who find it harder to get jobs (often for reasons associated with protected characteristics) are increasingly



marginalised

- The report 'Employability and Skills in the UK: Redefining the debate'¹ (2010) suggests that there will be an increasing demand from employers for a 'high skill' workforce
- Labour Market Outlook – Spring 2013² identifies that on average 50% of candidates do not feel suitably qualified for low skilled jobs.
- 1000 HR professionals questioned for this survey reported that 29% of the jobs offered in the next quarter would be temporary jobs
- The report also looks at the employability of school leavers, long-term unemployed people, older people nearing retirement, graduates into their first job and lone parents. 24% of employers said that they would not consider recruiting from one or more of these groups, with school leavers being rejected by 14% of employers and long-term unemployed people by 11%.
- The report 'The Three Divides', written in 2010³ by the Institute of Education, University of London, looks at the major barriers to employment for jobseekers. It focuses initially on literacy and numeracy challenges, but moves on to say that digital illiteracy is an increasing barrier to job seeking and a vital job skill. If individuals do not have this skill or access to technology they are, and will continue to be, marginalised in the employment market.

Central Bedfordshire Resident Impact Analysis 2013

- An estimated 7,000 people (5.3%) were unemployed in June 2013, lower than the national average of 8.0%. Although there is some fluctuation each quarter, this figure has been relatively stable over the last two years.

Allocation Policy Local Consultation 4th November 2013 to 31st January 2014:

58 respondents (57% of respondents) agreed that people with no housing need should be stopped from joining the housing register

- 68 respondents (67%) agreed that social housing is let to people with a '**local connection**' in Central Bedfordshire
- respondents who did not or did not know 34% if they supported the proposal indicated that 3 years was too long and that peoples individual circumstances should be considered before imposing timescales. Individual circumstances included being closer to an elderly relative or fleeing domestic violence
- 68 respondents, (67% of respondents, supported this proposal people who do not live in Central Bedfordshire can be treated as having a local connection if they have been **employed** in Central Bedfordshire for 6 months
- 62 respondents, (61% of respondents), indicated that they agree with the proposal to introduce a much **simpler system** for banding applicants for housing.
- 67 respondents (66% of respondents) support the proposal, to introduce an '**employment priority**' into its allocations,
- 24 respondents, (23% of respondents), provided qualitative feedback that did not support this proposal and raised issues regarding the current economic climate and that the impact of disability could affect how they will be assessed under the proposed policy.
- Qualitative feedback from staff consultation included concerns of how assessments will be made with regard to people regaining employment and suggesting the inclusion of those people actively seeking employment.
- 82 respondents (80% of respondents) agree with this proposal **to exclude people who are bad tenants from the housing register.**
- 9 respondents, (8% of respondents), did not support the proposal. Qualitative feedback raised concerns about; where excluded people will go; the impact on any younger household members

¹ <http://www.theworkfoundation.com/Reports/273/Employability-and-Skills-in-the-UK-Redefining-the-debate>

² CIPD in conjunction with Success Factors – www.cipd.co.uk/hr-resources/survey-reports/labour-market-outlook-spring-2013.aspx

³ www.nrdc.org.uk/digitaldividesummary



and that assessments should be made on a case by case basis

- 87 respondents, (85% of respondents), agree with the proposal to **support low paid workers** who rent their homes from a private landlord
- Qualitative feedback from staff contained mixed views with regard to this proposal. Support was given to the proposal due to the higher rates of rents within the private sector,, counterbalanced by issues with regard to the need to rehouse tenants that are already in adequate accommodation.
- In summary, the majority of the 102 respondents were in support of each of the 10 proposals put forward in the formal consultation. Whilst there was support for the proposals as being fair and welcome, the consultation raised a number of wider issues; that the current banding and assessment and banding system is fair and satisfactory, a new system may make the housing process more complicated as the current economic climate and unemployment levels may impact on the need for social housing and proposed changes to the Allocation Policy.

One stakeholder commented that:

- *the **income limit** is too restrictive. It is right there should be an upper limit, but there should be different limits depending on whether it is a couple of single person applying. If there isn't, it will penalise a couple for both working. Two people working full time at minimum wage will earn more than £20k per year.*
- *The policy excludes children over 21 from living with their parents. This is very short-sighted. 3 bed properties currently have a low demand and high supply, and applying this to the policy will basically mean further reducing those that can get 3 bed houses. It will force those applicants to split, meaning the young adult has to apply for a highly in demand 1 bedroom property on their own, alongside perhaps their siblings and parents also, thereby **INCREASING** demand for social housing*

**2.3. Summary of Existing Data and Consultation Findings – Employment
Considering the impact on Employees - Not Applicable**

- **Age:** e.g. 16-19 / 20-29 / 30-39 / 40-49 / 50-59 / 60+ **N/A**

- **Disability:** e.g. Physical impairment / Sensory impairment / Mental health condition / Learning disability or difficulty / Long-standing illness or health condition / Severe disfigurement **N/A**

- **Carers:** e.g. parent / guardian / foster carer / person caring for an adult who is a spouse, partner, civil partner, relative or person who lives at the same address **N/A**

- **Gender Reassignment:** People who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex **N/A**

- **Pregnancy and Maternity:** e.g. Pregnancy / Compulsory maternity leave / Ordinary maternity leave / Additional maternity leave **N/A**

- **Race:** e.g. Asian or Asian British / Black or Black British / Chinese / Gypsies and Travellers / Mixed Heritage / White British / White Irish / White Other **N/A**

- **Religion or Belief:** e.g. Buddhist / Christian / Hindu / Jewish / Muslim / Sikh / No religion / Other **N/A**

- **Sex:** Women / Men **N/A**



- **Sexual Orientation:** e.g. *Lesbians / Gay men / Bisexuals / Heterosexuals* **N/A**

- **Other:** e.g. *Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion, Marriage and Civil Partnership* **N/A**

2.4. To what extent are vulnerable groups more affected by this proposal compared to the population or workforce as a whole?

Access to appropriate housing is particularly important for reducing inequalities, because too often those who are most disadvantaged are more likely to be living in housing that does not adequately meet their needs. Lack of choice and quality in housing stock means that the most vulnerable communities are often housed in cramped, poor quality accommodation within deprived areas. These areas include high concentrations of people from ethnic minority communities as well as women, older people living alone and families with young children. Poorer families are also more likely to be living in overcrowded housing, with significant health and quality of life implications.

There is evidence that current allocations policies create concentrations of poverty which can have a detrimental impact on both community cohesion and sustainability.

There is longstanding, as well as new and emerging evidence which demonstrates that women (especially mothers whether they are single or partnered), *Pregnant and new / nursing mothers*, disabled people and certain BME / religious groups experience substantial and enduring barriers and discrimination in relation to employment.

Consideration should also be given to whether residency requirements have the potential to indirectly discriminate against BME Groups. The National Code of Practice on Racial Equality in Housing identified that local connection criteria has the potential to disproportionately disadvantage newcomers and outsiders without any local connections and that if the newcomers who want houses are from different racial, ethnic or national backgrounds to people in the local community, a policy with a local connection criteria could have a discriminatory effect. To strike a balance between the legitimate aims of the policy and any discriminatory effects it might have, the Code of Practice highlights that the following questions should be considered in order to determine the scale of any possible discrimination.

a. How many people in need of affordable housing are excluded by the policy, and what proportions are excluded on racial grounds? How restrictive is the policy in denying access to the housing in question? The more restrictive it is (for example, in the length of residence required), the more likely it is to be unreasonable, and therefore to result in unlawful indirect discrimination.

Existing central Bedfordshire Applicants by Ethnic Origin - Total 3170

White British 2456	White Irish 22	White Other 112	Mixed White and Black Caribbean 29
Mixed White and Black African 12	Mixed White Asian 9	Other Ethnic Group 6	
Asian Indian 5	Asian Pakistani 4	Asian Chinese 6	Asian Bangladeshi 3
	Asian Other 9		
Black Caribbean 33	Black African 63	Black or British Other 14	
Other Ethnic Group Arab 3	Other Ethnic Group Other 8	Refused 25	Blanks 351

77% of existing applicants for social housing are White British compared to 89.7 % of the Central Bedfordshire population. This indicates that BME groups currently have good access to the housing register. It is not currently known how this ratio may change under the revised policy but respondents to the consultation have not indicated a concern that BME groups will be unfairly excluded.



- Length of residency

There are no datasets that show length of residency in a local authority area, either in total or by ethnic group. The 2011 Census did include questions on length of residency in the UK overall. The majority of Central Bedfordshire residents have lived in the UK for at least 5 years. Just 2% (4,700) have been in the UK for less than 5 years. This is lower than the England average of 4%. However, we do not know whether they have moved within the UK, or remained in the same local authority area. We do not have any breakdown for those born in the UK.

b. What type of local connection is required? For example, does the applicant have to be born in the area, or have extended family living in the area, or have a job in the area? The more ways an applicant can demonstrate eligibility, the less likely the requirements are to be indirectly discriminatory.

The Council has adopted simple rules to define a person having a “Local Connection” – they must have lived continuously in the Central Bedfordshire area for 3 years at the time of registration and need to remain resident in the area to preserve that registration, or be in contracted employment in the area and have been for a period of at least 6 years

c. Are there other ways, besides having a local connection or being a resident, to qualify for the housing? Again, the more restrictive the criteria, the more likely they are to be indirectly discriminatory.

There are a number of exceptions to the local connection requirement. These are:

- A person who is serving in the regular forces or
- A person who has served in the regular forces within five years of the date of their application for an allocation of social housing under Part VI of the Housing Act 1996.
- In a class of people prescribed by regulation who cannot be deemed a non-qualifying person due to a lack of connection to one of the local authority areas. (for example MAPPA, MARAC, Witness Protection, owed homelessness duty as a person fleeing Domestic Violence.)
- A ‘looked after child’ as defined by Children’s Services in another region.
- Giving or receiving care to a member of the family and to be denied access to the housing register would be detrimental to this. The Council will only give access to the Housing Register to somebody where care and support are an issue if there is no one currently living with the applicant who can reasonably provide the support they need.
- Covered by previously agreed reciprocal arrangements with members of the Homefinder Partnership.
- Their residence in Central Bedfordshire has been broken due to placement in an institution or care placement or supported living scheme outside the area; and had this placement not occurred they would have satisfied the residence criteria set out above.
- Applying for sheltered housing
- Existing CBC tenant

d. Do the restrictions apply to all affordable housing or only a portion of it? If all the affordable housing provided, or a large proportion of it, is bound by restrictions, the more likely the practice is to be indirectly discriminatory.

One of the key concerns for the Council is making sure it maximizes the supply of affordable housing stock in Central Bedfordshire, and to ensure that it is as affordable as housing finance allows it to be, and that it is appropriately targeted at households who are in genuine housing need. The Council works closely with developers to make sure the type and mix of housing in the area is appropriate.

The National Code of Practice on Racial Equality in Housing states that when assessing the justification for policies and practices that could have a disproportionate effect on a racial group (or groups), it would be useful to consider the following questions, in the order given below.

a. Does the provision, criterion, practice, requirement or condition correspond to a real need?



The CBC Housing Green paper highlights the following:

- At least 20% of our general needs housing stock is under occupied by one bedroom or more.
- There are 4213 households on the housing register, but only about 55% are actively bidding for properties.
- Current research indicates that around 6,200 more social rented housing units are needed before 2031.
- 55% of new general needs social housing tenants in the CBC area derive their income solely from state benefits and/or pensions.
- Around 120 new housing applications are received each month but only a relatively small proportion of these will be in 'housing need', meaning that the majority of households are suitably housed, but are approaching the Council because (typically) they want accommodation that is either less expensive; or perceived to be 'more secure'.
- Across Central Bedfordshire, it is estimated that there are at least 1500 older person households living in social housing who are under occupying their home (according to official definitions of the number of bedrooms needed by a household).

Summary

The emerging picture in Central Bedfordshire is one in which the supply of new lettings is broadly aligned to local need. However, there are geographical variations in the alignment of supply and demand; and the available data shows the crucial role of new affordable development, at the level recommended

in the SHMA, in achieving that balance between supply and demand.

The evidence further suggests that reducing under-occupation, and offering time-limited tenancies, will allow the council to meet more housing need from within the existing housing stock, and in turn make better use of the funding available for new housing.

Finally, the emerging picture of need and supply suggests that there is potential to use housing allocations to reward and support employment without unduly compromising the Council's ability to meet the needs of people with reasonable preference.

b. Does the need pursue a legitimate aim; for example, health and safety?



The CBC Housing Green paper highlights the following aims:

THE VISION FOR HOUSING IN CENTRAL BEDFORDSHIRE

- Social mobility will be supported with a range of products which will open up home ownership and 'affordable' renting to a greater number of households, helping people onto the 'housing ladder'.
- The local housing market will offer a good choice of locations, property and tenure types to older people.
- Well-managed, good quality social housing will be used to provide a strong safety net to those who are vulnerable.
- Social housing will be allocated fairly, and used to support people's working lives.
- Social landlords will support their tenants to make the most of their tenancy as a springboard into work and financial stability.

c. Are the means used to achieve the aim appropriate and necessary?

As part of the development of the vision, detailed needs analysis and extensive engagement with a wide range of stakeholders is being undertaken which is underpinned by equality analysis. The information derived from this process is helping to refine the Council's proposed approach.

d. Is there any other way of achieving the aim in question?

The Allocation policy should not be considered in isolation, the CBC Housing Green paper highlights a range of initiatives;



There are a number of tasks for the Council to undertake in order to respond to the changes introduced by central government. The key actions over the next three to five years are –

- Adopt a Development Strategy by March 2014.
- Adopt a **Tenancy Strategy** by April 2013, including an Equality Assessment, to mitigate adverse impacts on potentially disadvantaged groups of people.
- Review the Lettings policy, in response to the Localism Act and the Code of Guidance – during 2013.
- Mitigate and manage the impacts of the Welfare Reform Act – ongoing.
- Conduct a homelessness review and produce a new Homelessness Strategy – during 2013.
- Develop a Supported Housing Strategy for Central Bedfordshire – during 2013.
- Develop the Council's Vision for the Landlord Service, which manages the stock of 5200 homes, to support the change agenda – ongoing.

e. Is there a way of reducing any potentially unlawful discriminatory effect?

A counsel's opinion was provided to the Midlands Rural Housing Board in 2007.

- *“Two of the examples of lettings criteria are considered to have proportionate qualifying times attached (i.e. 12 months). However other examples are considered to be very restrictive, with a strong possibility of a court finding that it infringes the RRA due to the application of ‘a strong local connection’ and ‘10 year residence’ criteria. In effect this could be deemed to be disproportionate to achieving the legitimate aim. (In short, do you need such strict criteria to ensure that people with a local connection are re-housed? Does this criteria mean a significant group of people, with a local connection are excluded? Does it, therefore, follow that this is unjustified indirect discrimination?)”*

As indicated above the qualifying criteria that is being proposed relates to only 3 years residency or six months employment. There are also a number of exceptions to the residency criteria and for this reason it is therefore not felt that the requirement will have a discriminatory effect.

Legal Opinion

The draft policy and Equality Impact Assessment and have been referred for legal opinion and the council has been advised in relation to the residency requirement that the exceptions currently identified in the draft policy may not be sufficient and that consideration should be given to include criteria which allows persons with a strong local connection to still qualify for housing allocation. Guidance indicates that this could be framed in terms of strong family association whether by residence or employment of close family members in the area that meets the residence or employment threshold in the policy.

The council has also been advised to consider the inclusion of a general special circumstances exception to the 3 year residence qualifications requirement in the policy which could be referred to the Housing Needs Panel for consideration and decision.



3 year residence criteria and persons with learning disability and guidelines on Ordinary Residence of People in Need of Community Care Services

The general issue discussed in the above guidance relates to questions, issues and advice relating to ordinary residence and responsibility of social services authorities in providing care and care packages to persons in need of care residing in their area under the various care statutes that set out and determine the extent of their duties to provide care to persons.

The issue that arises in relation to persons receiving care in CBC's area is that - it is not clear from the policy as drafted - that such persons will not be required to comply with the 3 year residence requirement in the event that they apply for housing assistance as part of, or separate from, their application to social services for care assistance.

The draft policy makes exceptions from the 3 year residence qualification criteria for a variety of persons including those arising from Multi-Agency Public Protection Arrangements (MAPPA), Multi-Agency Risk Assessment Conferences (MARAC), persons giving care to family member, a looked after child etc. It has therefore been suggested that the issue can easily be dealt with by the express inclusion of persons in receipt of care packages assessed and provided by social services in CBC's area in the list of exceptions to the 3 year residence qualification criteria.

2.5. To what extent do current procedures and working practices address the above issues and help to promote equality of opportunity?

1) Quota Schemes

The Council may choose to make a percentage of annual lets available to certain groups of applicants, via quota schemes. Where this is the case, these will be set out in an Annual Lettings Plan. Groups likely to be subject to a quota include:

- Clients with mental health issues, but ready to move on from supported housing schemes
- Clients with learning disabilities, but ready to move on from supported housing schemes
- Others to be identified as part of consultation with partner agencies

These quotas will be available to the designated service to nominate as a minimum number of properties available for that client group.

2) Applicants with a History of Poor Behaviour

The Council does not allow access to the housing register to those applicants with a history of bad behaviour. This includes any applicant, partner or other member of their household who has been convicted of, or had legal action taken against them for violence, racial harassment, threatening behaviour, any physical or verbal abuse towards staff and residents in the area. Legal action includes relevant convictions, service of injunction, notice of intention to seek possession, a court order or revocation of license to occupy.

Applications will be assessed on their own merits taking into account current and recent conduct along with any relevant supporting information provided by partner organisations, support workers and the Police.

Applications from people excluded under this section will need to demonstrate a change in behaviour. Usually, applications will be reconsidered after 12 months, during which time it must be demonstrated that there has been no repeat occurrence. Earlier reviews may be considered in exceptional circumstances, particularly where a household is engaging with support as part of the "troubled families" programme.

3) Applicants who owe debt to the Council

- The Council will consider whether the applicant still owes arrears/debt, and if they do, the extent of the arrears/debt. Procedures will guide staff decisions in this area.



- The Council will consider whether there are exceptional circumstances (see below). If there are exceptional circumstances then the applicant may not be subject to ineligibility despite the arrears/debt.
- The Council will consider whether the claimant has taken debt advice, acted on it, and entered into and begun to implement any arrangement to clear the arrears.
- The Council will consider whether an arrangement has been made, the amount of arrears paid off, any debt outstanding, and the regularity of any payments made. □
- The Council is keen to only deem applicants ineligible where there has been willful refusal to pay debt.

Those who demonstrate that either they or their family face life threatening circumstances and as a consequence require immediate re-housing, including domestic violence cases, will still be admitted to the Housing Register. Applicants who have been deemed to be ineligible will be able to reapply after 12 months, when another assessment of circumstances will be made.

4) Exceptions to the local connection requirement. These are:

- A person who is serving in the regular forces or
- A person who has served in the regular forces within five years of the date of their application for a allocation of social housing under Part VI of the Housing Act 1996.
- In a class of people prescribed by regulation who cannot be deemed a non-qualifying person due to lack of connection to one of the local authority areas. (for example MAPPA, MARAC, Witness Protection owed a homelessness duty as a person fleeing Domestic Violence.)
- A 'looked after child' as defined by Children's Services in another region (suggest check wording with the Leaving Care Team at some point).
- Giving or receiving care to a member of the family and to be denied access to the housing register would be detrimental to this. The Council will only give access to the Housing Register to somebody where care and support are an issue if there is no one currently living with the applicant who can reasonably provide the support they need.
- Covered by previously agreed reciprocal arrangements with members of the Homefinder Partnership.
- Their residence in Central Bedfordshire has been broken due to placement in an institution or care placement or supported living scheme outside the area; and had this placement not occurred they would have satisfied the residence criteria set out above.
- Applying for sheltered housing
- Existing CBC tenant

5) Home Owners

Home owners will not qualify to join the Housing Register. However, the Council recognizes that a number of exceptional circumstances will exist where access to the Housing Register should be granted. These exceptional circumstances might include:

- When ownership is shared across more than one person/couple and the option to realise their assets to source their own housing solution is not available
- Households with insufficient equity in the property, so that once sold, they will not be able to resolve their own housing situation (use Bob Line's data here on equity limit?)
- An older person who needs sheltered accommodation or extra care accommodation
- A disabled person whose home is deemed unsuitable for adaptations
- Emergency medical reasons to move e.g. cannot be discharged from hospital.
- Where an applicant is fleeing domestic violence and the ownership of the matrimonial home is still in the hands of the court.

6) Right of Review

The Council will write to anyone who is being excluded from the Housing Register detailing the reasons for this decision. Applicants will have a right to ask for a review of this decision. A fresh application will be considered if:



- The applicants immigration status has changed
- The applicant can demonstrate good behaviour for a minimum of 12 months (see above)
- A minimum of 12 months has passed since the applicant has knowingly given false or misleading information, or withheld information that has been reasonable requested.
- The applicants financial circumstances have changed and income and capital assets reduced below the threshold

7) Assisting those Tenants affected by the Bedroom Tax

The Banding scheme has been designed to give priority to those tenants who need to transfer because they cannot afford to remain in their currently accommodation, because it is too large.

A quota may also be set for transfer applicants. This will enable applicants in housing need to transfer via the housing register – this is particularly important for those affected by the bedroom tax. New lets on new developments may also be set aside for transfer applicants as part of the quota arrangements.

8) Tackling Under - Occupation

Where existing social housing tenants wish to transfer to smaller accommodation, but still wish to retain a “spare bedroom”, they will be registered for a move and allowed to bid for one bedroom in excess of their assessed need. This only applies to tenants transferring to smaller accommodation.

9) Low Paid Workers

The Council wants to support low paid workers who are struggling to make ends meet in the private rented sector. Although these applicants do not attract reasonable preference within the Allocations Scheme, the Council is keen to see that a number of lets are made to these people who have resolved their housing need by renting privately. In order to qualify for this award, applicants shall meet the following conditions:

- Living in private rent accommodation in the area
- Be working
- Be on a low income

A low income is defined as earning less than the gross monthly wage needed in order to be able to afford the average rent for a 2 bedroom house in Central Bedfordshire. This means that a low income is less than £24 000 per annum (before tax), or £2 000 per month.

10) Where a property has specific adaptations (e.g. wheelchair access, ramps, level access shower), priority will be given to applicants who require the adaption in the property. Details of adaptations and criteria of applicants who will be given preference will be contained in the advert to allow applicants to make an informed decision whether the adaptation is suitable for their needs

11) It is intended that applications for the Housing Register can only be made online. There will be a period of transition to this system during which paper forms will still be available. Applicants are encouraged to complete the online self-assessment followed by the online application form themselves. However, if completed at a Council Office, staff will be available to go through the form or online self-assessment to ensure that the required information is collected. Assistance for clients is also available through support providers if required. These workers will be trained by Council staff. Where necessary, home visits will be carried out to assist in completing application forms.

12) Bedroom Requirement. Overriding medical and welfare factors will be taken into account when determining any additional bedroom requirement. Guidance will be sought from a medical practitioner or involved professionals and a determination will be made by the Council on whether additional bedrooms are required.

13) People who need to live with someone in order to provide or to receive care or support.

Applicants can include a person on their application if they need to live with them in order to give or receive care or support. This may include a carer, if no one in the applicants immediate household is able



to provide that care. Applicants will need to explain on their application the reason why the additional person needs to live with them and demonstrate:-

- That they need to be supported or cared for and are dependent on this person (this may be for an elderly relative who requires care or an adult child who is still dependent on as they are in full time education).
- That other satisfactory arrangements cannot be made.
- That the arrangement is 'permanent'.
- The member of the household will need to be resident in the UK.

A carer is someone who, with or without payment, provides care and support to a partner, relative, friend or neighbour who would not manage without their help. This could be due to age, physical or mental health, addiction, or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care and the need to live with them or near them.

Even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer in a housing application will be considered if the carer has been assessed by Adult Social Care as needing to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies e.g. Adult Social Care.

14) In exceptional circumstances the Council, delegated as appropriate, may exercise discretion in deviating from the Bedroom Standard. Examples are:

- Where applicants require larger accommodation on health grounds. This will be considered on a case by case basis, taking into account the advice of a qualified medical advisor.
- Where the applicant has been approved as a foster carer by Children's Services, and so will need a larger property than normally required by the household. Children Services in discussion with the housing Service will determine the property size required.
- Where the applicant or a member of the household needs the support of a carer who will need to sleep in the home and cannot reasonably be expected to share a bedroom with another member of the household

15) Where an applicant has difficulty placing bids, help and advice is available from the Lettings team.

Allocation Policy Consultation Process

CBC formally consulted on its draft Housing Allocations Policy for 12 weeks from 4th November 2013 to 31st January 2014.

Each of Central Bedfordshire's housing 1500+ applicants on bands C and D (medium need and low/no need), who may be impacted by a change in Allocations Policy, were written to individually to provide notice of the formal consultation and to provide information about they could respond to the consultation.

The formal consultation was managed via a formal consultation document. This was available in paper format; downloadable from the CBC website, or was obtainable by telephoning or writing to the contact details provided in the letters to housing applicants.

CBC staff and elected members were informed about the formal consultation, social media was utilised and press releases were issued to the media to raise awareness of the consultation with Central Bedfordshire residents.

As part of the consultation process for the proposed Housing Allocations Policy the Interim Lead Officer for Housing Needs, representatives from the Housing Register Team and the Senior Estates Officer discussed the proposed Allocations Policy and provided additional qualitative feedback.



<p>In total, 102 people responded to the draft Housing Allocations Policy formal consultation.</p> <p>25% of respondents were housing register applicants, 16% were council or Housing Association tenants, 6% were from Town or Parish Councils, 10% were professionals, 16% were recorded as “other” and 17% did not include this information</p>
<p>2.6. Are there any gaps in data or consultation findings</p>
<p>2.7. What action will be taken to obtain this information?</p>

Stage 3 - Providing an overview of impacts and potential discrimination.

Stage 3 – Assessing Positive & Negative Impacts To be updated following consultation

Analysis of Impacts	Impact?		Discrimination?		Summary of impacts and reasons
	(+ve)	(- ve)	YES	NO	
3.1 Age					The development of a register related to older people and sheltered housing is likely to have a positive impact. Some young people can experience greater barriers to employment
3.2 Disability					Disabled people can experience greater barriers to employment
3.3 Carers					The policy includes consideration of moves of home that may be required during to caring responsibilities
3.4 Gender					No adverse impacts identified
Reassignment					
3.5 Pregnancy & Maternity					Pregnant and new / nursing mothers can experience greater barriers to employment.
3.6 Race					Some people from BME groups can experience barriers to employment
3.7 Religion / Belief					
3.8 Sex					Single Parents with young children can experience greater barriers to employment
3.9 Sexual Orientation					No adverse impacts identified
3.10 Other e.g. Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion					<p>People with lower level skills can experience greater barriers to employment</p> <p>The cost and provision of public transport and childcare remains a significant barrier for residents</p>



Marriage and Civil Partnership					accessing the local labour market
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Stage 4 - Identifying mitigating actions that can be taken to address adverse impacts.

Stage 4 – Conclusions, Recommendations and Action Planning

4.1 What are the main conclusions and recommendations from the assessment?

Conclusion:

The draft policy includes a number of positive provisions for vulnerable groups for example in relation to disability, domestic violence, carers, looked after children, foster carers, helping people escape the bedroom tax, helping low paid workers who may have families and be living in poverty etc.

Additional changes have been identified below to strengthen this approach.

It is recommended that further consideration is given to the provisions which may have an adverse impact on groups of people that find it much harder to access employment, *such as women (especially mothers whether they are single or partnered), pregnant and new / nursing mothers, disabled people and certain BME / religious groups* as this could potentially amount to indirect discrimination. This would need to be objectively justified in accordance with the requirements of the Equality Act, or mitigating actions need to be identified to minimise the degree of adverse impact.

Objective Justification:

The findings of the Hills Review have highlighted that the employment rates of those living in social housing with particular disadvantages or with multiple disadvantages are substantially lower than those of people with similar disadvantages but living in other tenures. The Hills Review also highlighted evidence that current allocations policies can create concentrations of poverty which can have a detrimental impact on both community cohesion and sustainability. With this in mind it would therefore seem to be a legitimate aim of the Council to provide an incentive for applicants to seek employment and to create a simpler system that closes any loophole or ability for applicants to chase additional priority by deliberately making their housing circumstances worse to give themselves an advantage over others.

Recognising the barriers that people can experience in finding work, the Council’s Economic Growth, Skills and Regeneration Team has oversight of a variety of initiatives designed to help people find employment. These initiatives are set out in the All Age Skills Strategy. The Child Poverty Strategy also includes initiatives designed to help people access employment. Housing officers could have a key role to play in helping residents access these opportunities.

The introduction of the employment incentive does not mean that non working people will be unable to access housing. It is estimated that the impact will be that average wait times might increase from 40 weeks, for non working people – to a maximum of 60 weeks, whilst employed people are likely to average a wait of 20-25 weeks.

It would be advisable to monitor the policy closely during the early stages of implementation to check that the process is operating as fairly as possible. The draft policy and Equality Impact Assessment have been referred for legal opinion which has confirmed that the council needs to ensure that employment initiatives are promoted and that the success rates are carefully monitored by protected characteristics.

The council has also been advised in relation to the residency requirement that the exceptions currently identified in the draft policy may not be sufficient and that consideration should be given to include criteria



which allows persons with a strong local connection to still qualify for housing allocation. Guidance indicates that this could be framed in terms of strong family association whether by residence or employment of close family members in the area that meets the residence or employment threshold in the policy.

The council has also been advised to consider the inclusion of a general special circumstances exception to the 3 year residence qualifications requirement in the policy which could be referred to the Housing Needs Panel for consideration and decision.

The legal opinion has also suggested the express inclusion of persons in receipt of care packages assessed and provided by social services in CBC's area in the list of exceptions to the 3 year residence qualification criteria.

4.2 What changes will be made to address or mitigate any adverse impacts that have been identified?

The **harassment** reference in the section relating to applicants with a poor history of behaviour has been changed to incorporate all types of harassment under the Equality Act.

The Council will provide **advice and assistance to applicants who are not working**, on seeking employment. Staff will be trained to effectively signpost applicants to training and employment services. It is anticipated that in time there will be considerable joint working between housing and employment services in order to help lift people into work –

The Council will use the following **definition of working** households:

- Applicants who are in paid employment for more than 16 hours a week and have been in employment for at least 3 months
- Applicants who are self employed and have been for at least 3 months

Under the requirements of job seekers allowance, the DWP, recognizing the substantial barriers to employment that exist, does not expect single parents to be actively looking for work until their child is age 5. It is recommended that consideration of this type of approach is built into the allocation policy.

It is recommended that the proposal not to extend the employment priority to people who are undertaking training or volunteering be re-considered as these activities are important both in terms of self improvement and helping people access employment. The lack of inclusion provides a potential disincentive to engage in such activities that are most likely to lead to employment.

Following consultation the policy has been updated to include consideration of volunteering.

Where an applicant or their partner is **providing full time care** (35 hours or more per week) to an elderly resident or disabled child and is in receipt of full carer's allowance (except where carer's allowance is not payable because of the age of the carer or other benefit restriction – evidence will be required to prove the applicant's status in this regard), this will be considered to be employment

Disabled applicants under retirement age who have been assessed as eligible for Support Element of the Employment Support Allowance due to their permanent disability which prevents them from participating in work related activities, will receive the employment priority.

When an application is cancelled, an applicant will be notified of this in writing. A right of **review** will be offered, so the applicant can challenge the decision if he / she believes it to be unjust.

Applicants seeking adapted properties will also be able to bid for properties that are generally advertised, where they believe that properties would be suitable. Officers on short-listing will make an assessment on suitability for adaptation, assisted by an Occupational Therapist as required.



4.3 Are there any budgetary implications?			
4.4 Actions to be taken to mitigate against any adverse impacts:			
Action	Lead Officer	Date	Priority
More detail would be helpful in terms of identifying the support that is available and success rates in relation to securing employment.			
Work with local partners to ensure that access to employment schemes are actively promoted and implemented so as to mitigate and eliminate any potential impact in relation to protected characteristics			
Record the success rates of the various access to employment schemes with regard to persons with protected characteristics.			
Carefully monitor the implementation of the policy and the effect on applicants with protected characteristics in order to evaluate the actual impact of the policy			
Review expectation that single parents under 5 must be in employment.			
Consider potential disincentive effect of disregarding engagement in training or volunteering activities.			
Data analysis relating to existing allocations and then forecasts of how we think this might change under the new policy will be needed in order to understand potential impact			
Review policy to consider inclusion of strong family association criteria whether by residence or employment of close family members in the area that meets the residence or employment threshold in the policy.			
Consider inclusion of a general special circumstances exception to the 3 year residence qualifications requirement			
Consider express inclusion of persons in receipt of care packages assessed and provided by social services in CBC's area in the list of exceptions to the 3 year residence qualification criteria.			

Stage 5 - Checking that all the relevant issues and mitigating actions have been identified

Stage 5 – Quality Assurance & Scrutiny: Checking that all the relevant issues have been identified
5.1 What methods have been used to gain feedback on the main issues raised in the assessment?
Step 1:
Has the Corporate Policy Advisor (Equality & Diversity) reviewed this assessment and provided feedback? Yes
Summary of CPA's comments:



Whilst there are a lot of positives in the policy for vulnerable groups for example in relation to disability, domestic violence, carers, looked after children, foster carers, helping people escape the bedroom tax, helping low paid workers who may have families and be living in poverty etc, there were some aspects that I think we need to give careful consideration.

1) The main issue that stands out is the priority that will be given to people who are in employment. There is a real risk of indirect discrimination against certain groups with protected characteristics unless we can put in place some really effective mitigating actions. There is longstanding, as well as new and emerging evidence which demonstrates that women (especially mothers whether they are single or partnered), disabled people and certain BME / religious groups experience substantial and enduring barriers and discrimination in relation to employment. These are all groups of people who want to work but who find that the dynamics of the labour market is stacked against them.

Whilst it's positive to want people to seek employment, it would be advisable to show that the policy recognises that there is not an even playing field in the world of employment and that some groups may need a lot of help to access work and even when support has been provided some groups can be repeatedly overlooked by potential employers due to discriminatory attitudes. They may also not be able to work fulltime.

I would therefore recommend that the policy needs to be much more specific about the types of help and support we give these vulnerable groups and the degree of success these initiatives actually have in terms of getting people back into work.

I think we also need to be clear about whether applicants need to demonstrate they are seeking employment or if they have to show they have actually found employment. So for example how would we view someone who was going on skills/ confidence building courses in preparation for seeking employment?

Also, when we talk about employment do we mean fulltime employment or would we also consider part-time employment? If yes, how many hours would count? For many mothers and disabled people full-time work might not be a realistic possibility.

Will we also consider positively people who are doing voluntary work as a route back to employment?

If we always give priority to working applicants, it means that more benefit claimants will be directed to the private sector for housing. Many private landlords are reluctant to take benefit claimants. This issue could increase under Universal Credit because housing payments will no longer go direct to landlords. Will this mean that people on benefits will find it increasingly hard to access any type of property and will they be homeless as a result?

2) Letting Adapted Properties. I think we need to be very careful about restricting applicants with mobility difficulties to properties that only match their assessed need. This would be ok if we had a very high supply of such properties but I don't think we do. The effect of such a criteria will be that disabled people have to wait much longer for an appropriate property. This risks breaching human rights legislation:

Duty to take positive action to secure physical integrity and dignity

Where a local authority knew that a severely disabled tenant's housing was inappropriate and prevented her from having a normal family life but did not move her to suitably adapted accommodation, they failed in their duty to take positive steps to enable her and her family to lead as normal a family life as possible and secure her physical integrity and dignity. Damages were due for this failure. R (Bernard) v Enfield [2002] EWHC 2282 Admin

3) Housing Needs Panel - no appeal process is that fair?

4) Failure to engage in bidding process will lead to removal from register. Will we have robust processes in place to check that the lack of engagement isn't down to some type of vulnerability?

5) Shortlisting by Priority Date - first come first served. A vulnerable person may need to enlist the help of an advocate / carer. This could slow things down for them in terms of lodging their application and so they could miss out on a property. Is this fair?



- 6) Only 24 hours to respond to contact** from the council. Again is this fair and realistic for some vulnerable groups who need support? What if someone is ill / in hospital?
- 7) Failure to attend an arranged accompanied viewing** will be treated as a refusal. Again what if someone is ill / in hospital, is this fair?
- 8) Section 11 Equality and Diversity** - This needs to be updated to reflect the correct list of protected characteristics - age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation
- 9) History of poor behaviour** - (page 13) we only mention one type of harassment which is racial. We need to make it clear that harassment related to any of the protected characteristics is unacceptable.
- 10) Data Protection** - we need to ensure that equality data is collected so that we establish the extent to which fair access to appropriate housing is being provided.

11) Data Analysis - data relating to existing allocations and then forecasts of how we think this might change under the new policy will be needed. For example if we are saying that in future 60% of lets will go to people on the general housing needs register in a year how does this differ to the current position and what will the impact be? Does it mean people in this category will have to wait longer to be allocated housing or will they be directed to the private sector? What impact will this have on them? What are the characteristics of people in this category.

In relation to local priorities, do we know for example what level of demand we might experience from low paid workers in the private sector? How many people in this position are currently allocated a home? Do these workers have children? If yes the inclusion of this priority in the Allocations Policy could have a very positive impact on child poverty and all the inequalities associated with that and therefore it could be argued that this helps justify the 60% cap on the general housing needs register.

If we don't have relevant data in some of these areas hopefully the consultation process can give us an insight into potential levels of future demand.

12) People earning a high salary – It may be advisable to also consider the outgoings that people have. For example someone can appear to have a high salary but may be having to pay significant child care costs in order to be able to go to work. This will mean that their actual level of disposable income is low

13) Equality Forum - I would recommend that the policy is considered by the Forum in September 2013.

14) It is intended that applications for the Housing Register can only be made online. It is vital that Council officers provide support to applicants who experience difficulty in meeting this requirement.

In a recent First-tier Tribunal Tax Chamber case it was held that HMRC regulations which require the electronic filing of VAT returns were discriminatory. Two of the appellants suffered from disabilities making it difficult or impossible for them to use a computer, and the third appellant lived in a remote area where there was unreliable or non-existent broadband access. The three appellants were of an age which made learning how to use a computer particularly difficult and they would have had to bear the expense of instructing an agent. The Tribunal, with Judge Barbara Mosedale presiding, held in a very detailed judgement that the regulations which require online filing of VAT returns, without providing an exemption for older people, people with disabilities and those who lived in areas which lacked broadband coverage, were in breach of the appellants' human rights and were unlawful under EU law.

Issued simultaneously was Judge Mosedale's decision in the case of *Graham and Abigail Blackburn, t/a Cornish Moorland Honey*. This was one of a smaller group of cases in which the objection to online filing was on religious grounds. In the Blackburn case, the Tribunal found that the appellants' Article 9 rights to freedom of thought, conscience and religion were breached by the application of regulations. Having heard Mr Blackburn's evidence, the Tribunal accepted that using a computer, or having an agent use it on their behalf, was contrary to Mr & Mrs Blackburn's religious beliefs. The religious society to which Mr and Mrs Blackburn belonged did not have beliefs which were "incompatible with the use of electronic communications" and therefore on a straightforward reading of the regulations, the appellants did not fall within the stated exemption. However, the Tribunal found that the requirement to file online restricted the



manifestation of the appellants' belief that they should "shun using computers" and that manifestation was in fulfilment of a duty imposed on them by their religion and/or was 'intimately linked' with their religion. The Tribunal concluded that it could read the regulations so as to give effect to them in a way which was compatible with the appellant's Convention rights and in so doing found that the exemptions applied and allowed the appeal.

Step 2:

5.2 Feedback from Central Bedfordshire Equality Forum – 26 September 2013

Members highlighted the following issues:

- Applicants with a history of poor behaviour – The definition of poor behaviour needs to be given careful consideration. Whilst recognising the need to protect residents, consideration should also be given to what happens to these applicants and how they are guided to improve their behaviour. Otherwise people can move from area to area causing problems. A flow chart would be helpful to outline processes that are in place / sources of support.
- Employment Priority – The experience of disabled people and barriers to employments was highlighted. Many disabled people who have been assessed as capable of working by ATOS and have appealed the decision, have been successful (2/3 appeals are upheld).
- Concern was also expressed about the numbers of people being forced to accept zero hours contracts
- Some London Boroughs have been successful in signposting people to employment opportunities via housing officers
- Manchester Council includes a housing priority related to volunteering – Many members of the Forum supported this principle and cited the valuable contribution that volunteering could make as a route into permanent employment. Many voluntary agencies require volunteers to sign a formal agreement and it was suggested that this could be used as evidence that an individual was involved in a genuine volunteering opportunity. However concern was also expressed that some unemployed individuals do not have sufficient skills to be an effective volunteer.
- Applicants who owe debt – It was suggested that consideration should be given to the steps that people are taking to repay their debts. Debt is increasing significantly among working families.

5.3 Feedback From Central Bedfordshire Child Poverty Meeting – 10 September 2013

Attendees at the meeting expressed the following views:

- Debt Criteria – Would it be possible to change the criteria so that people who are making a real effort to repay debts such as Council Tax are eligible for consideration?
- History of Poor Behaviour – This needs to include consideration of when the poor behaviour happened. An event many years in the past should not be included as relevant if current behaviour has improved. Perhaps a time frame could be built into this.
- Women Escaping Domestic Violence - could they be included in the quota.
- Prioritisation according to date order – no concerns were raised in relation to this
- Employment Priority – concern was expressed that this would mean that the most vulnerable families would be left in the worst housing and that children under 5 would not be given a good start in life. This appears to be contrary to the Council's Poverty Strategy. Local research indicates that there is a shortage of childcare places and that women who are aged 20+ are finding it much harder than men to access employment due to barriers such as lack of affordable child care. Could an exclusion be considered for families with children under 5?
- Participation in Volunteering / training as routes back to work – could this be considered?
- Self employment – the revenues and benefits team have seen a substantial growth in people who are registering as self employed and who are engaged in activities that take up many hours (e.g.70 per week) for little or no pay. Registering as self employed does however have the positive impact of excluding someone from the benefits cap and seeking self employment is actively encouraged by the Government. The R&B team has had to take on more staff to consider applications from self employed people. Will more people register as self employed to gain a housing priority? Will this increase the complexity of administering the policy and what impact will this have on staffing levels



within the council?

- £40k cut off – may provide a perverse incentive for families to seek lower paid jobs
- Consideration should be given to the needs of single people who may be vulnerable due to disability such as a mental health issue. Whilst it may not be severe it may still impact adversely on someone's ability to access employment and under this proposed policy will impact on their ability to access a more secure housing option.

The Group asked if the Equality Impact Assessment could be presented to the next meeting on 10 December 2013.

Feedback From Central Bedfordshire Child Poverty Meeting – 10 December 2013

Kirsty Jenkins provided a further update on the draft policy and consultation process. Clare Harding introduced the Equality Impact Assessment and highlighted the key issues that were being identified.

- Discussion around “Voluntary Contract / Formal Agreement” definitions of voluntary, contract and threshold of hours must be defined. Joe Richardson (Job Centre Plus) confirmed that ‘Voluntary work’ is used as a pathway to employment. Need to understand exclusions and suggestions around assisting certain groups.
- LB to ensure VOC are aware CH to send through examples of volunteering agreements provided by members of the Equality Forum via VCI for circulation.

Kirsty Jenkins encouraged attendees to respond to the online consultation.

Stage 6 - Ensuring that the actual impact of proposals are monitored over time.

Stage 6 – Monitoring Future Impact	
6.1	How will implementation of the actions be monitored?
6.2	What sort of data will be collected and how often will it be analysed?
6.3	How often will the proposal be reviewed?
6.4	Who will be responsible for this?
6.5	How have the actions from this assessment been incorporated into the proposal?

Stage 7 - Finalising the assessment.

Stage 7 – Accountability / Signing Off	
7.1	Has the lead Assistant Director/Head of Service been notified of the outcome of the assessment
Name:	_____ Date: _____



7.2 Has the Corporate Policy Adviser Equality & Diversity provided confirmation that the Assessment is complete?

Date: _____

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