

REPORT OF CABINET

(Meeting held on 2 November 2022)

1. LEADER'S ANNOUNCEMENTS (MINUTE NO 42)

The Leader referred to the person injured in an accident along Southampton Road, Lyndhurst on 31 October 2022. He placed on record that thoughts went to their family and friends at this difficult time.

Agreement had been reached with the Unions in relation to the Cost of Living Pay Award for the current financial year. This gives a flat rate increase of £1,925 to each of the spinal column points and one additional day of annual leave from 1 April 2023. All members of staff would be in receipt of this increase with the backdated amount in their November pay. This means the lowest paid spine point will be £10.70 per hour – above the National Living Wage of £10.50.

The Leader also announced that the Cabinet meeting would be his last meeting as Leader of the Council.

2. HOMELESSNESS - PLAN TO DEAL WITH AN INCREASE IN HOMELESSNESS PRESSURES (MINUTE NO 46)

The Cabinet, having considered the increase in homelessness over the last 12 months and the plan to deal with this rise, is recommending to Council a supplementary budget of up to £1.3m in order to address the additional homelessness costs. The Cabinet gave approval for the recruitment of two additional temporary homelessness posts at a maximum cost of £92,000 per annum.

The demand for homelessness services and the Council's statutory duties to provide temporary accommodation has increased significantly over the last year. The need for additional accommodation is likely to continue resulting in pressures on the budget provision for homelessness.

Indicators of the pressures in demand includes: an increase of 23 % in homelessness applications; family homelessness contributing to the majority of the increase, with the number of families awarded the statutory 'Relief Duty up by 23%; and there being 249 households accommodated in emergency accommodation in the last 12 months, representing an increase of 35% on the previous 12 months. The increase in family homelessness is largely due to the end of tenancies in the private rented sector.

The Council's Homelessness Service was inspected by the Homelessness Advisor for the Department of Levelling up, Communities and Housing in May 2022. The Advisor noted the high number of cases per officer, that staff were working additional hours to keep up with demand which was impacting on staff morale. It is recognised that when caseloads are high, officers are unable to invest the time to make positive impacts, and that this could mean this could make the difference between preventing homelessness and becoming homeless, and moving people on more quickly from temporarily accommodation.

The Homes for Ukraine Scheme had resulted in 323 guests arriving into the District, which formed 143 households living with hosts in the area, as at 7 October 2022. Many households are approaching the original six month accommodation commitment and housing solutions need to be identified, putting increased pressure on services with households competing for a reducing pool of properties in the private rented sector and possibly temporary accommodation.

An Action Plan to address the homeless pressures is set out in the Cabinet Report 4. This includes homelessness officers carrying out a home visit to each threat of family or friend eviction to mediate to extend the current living arrangements, proactively seeking single person households living in 2/3 council owned homes to ensure they are aware of support to move to smaller accommodation and financial incentives to landlords and loan payments to applicants to be raised in order to better compete in the private rented market.

An additional £1.3 m is required in order for the Council to fully comply with its statutory homelessness duties in 2022/23 and to continue to provide vulnerable families and single person households with access to suitable accommodation and support. Two additional homelessness officers will be recruited for two years at a cost of £92,000 per annum. Regular reports will be provided to EMT and relevant scrutiny panels to monitor the impact and demands on the service, ahead of the budget setting process for 2023/24.

At the Cabinet meeting the need for the supplementary budget was supported by Members in order to support vulnerable residents. Members felt that in addition to the provision of accommodation, support was also required, such as counselling and liaison with other services, in order to address the problems associated with homelessness. Members praised the work of officers in the homelessness team and cited examples of the cases within their wards.

The Cabinet would like to pay tribute to those in the Housing Development Team who are looking at opportunities to provide more affordable housing in the District.

RECOMMENDED:

That a supplementary budget of up to £1.3m for additional homelessness costs for 2022/23 be approved.

3. THE INTRODUCTION OF PUBLIC SPACE PROTECTION ORDERS (MINUTE NO 47)

The Cabinet approved the principle of the proposal to make two Public Spaces Protection Orders (PSPOs) in respect of the lighting of fires and the use of barbeques, and the feeding and petting of ponies, horses, mules and donkeys. The Cabinet gave authorisation to officers to publicise the proposed Public Spaces Protection Orders to carry out a consultation exercise, as required by the Anti-Social Behaviour Crime and Policy Act 2014. A report detailing the outcome of the consultation will be considered by the Cabinet at a future meeting.

The two proposed PSPOs, as set out in Appendix 1 and 2 of the Cabinet Report 5 set out the details of the Orders. If a PSPO is made, it would be a criminal offence for a person, without reasonable excuse to fail to comply with its requirements. A failure to comply can result in either a Fixed Penalty Notice being issued (maximum penalty of £100) or prosecution through the Magistrates Court with a maximum fine of £1000.

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (The Act) gives the Council the power to make a PSPO. Legal tests have to be satisfied on the impact that anti-social behaviour is having on communities.

Discussions have been taking place with partners in respect of the need to deal with certain anti-social behaviours, including verge parking in the Forest, out of control dogs, wild camping, wildfires and the use of BBQs and the feeding and petting of roaming animals. Partners have requested the Council to consider utilising its powers under the Act to restrict certain behaviours which have a detrimental effect on the quality of life of those in the locality, through making a PSPO. The process involved in

considering the introduction of a PSPO requires there to be an evidence base to demonstrate the extent of the problem.

A number of activities are the subject of on-going discussions with partners, however it is considered that there is sufficient evidence at the present time to progress the activity relating to the lighting of fires and the use of BBQs and the feeding and petting of animals in the Forest.

The details of the PSPOs and the respective restricted areas are set out in full in Cabinet Report 5 and the respective appendices.

There is an evidence base for both of the proposed PSPOs and includes statements from, Forestry England, the National Park Authority, the Verderers, the Isle of Wight Fire and Rescue Service with details of incidents which have occurred to support the need for the proposed PSPOs. This evidence demonstrates the scale of the problems associated with PSPO 1 and 2 and the detrimental effects to the community.

Officers feel that the legal test for both proposed PSPOs are met in order to recommend that the matter progresses to public consultation. Following this process, a report will be brought back to Cabinet with the outcome of the consultation in Spring 2023.

The making of the two proposed PSPOs will have some financial implications for the Council. In addition to using existing in-house resources for the purpose of consultation, it is intended to employ the services of an external consultation and analysis expert, who will provide support for the consultation process. It is proposed that costs of £15,000 are set aside for the consultation process.

At the Cabinet meeting, Mrs Lines, Chair of the New Forest Commoners Defence Association supported the proposal to introduce two PSPOs acknowledging that the problems were increasing. Education and signage is not sufficient. She felt there needs to be stronger measures in place to protect the animals and the New Forest.

It should be noted that there has been discussion with the National Park Authority, Verderers and Forestry England and it has been accepted in principle that these partners will play a lead role in the enforcement of the PSPO activities, should they be introduced.

At the Cabinet meeting, Members supported the proposed introduction of the two PSPOs, but a concern was raised about PSPO 2 recognising that it was the feeding element of this which was the anti-social element. In response, the Cabinet would like to reiterate the importance of educating people and that if the PSPO was introduced there would an option to issue Fixed Penalty Notices if there was a persistent problem. It is hoped that the consultation period will bring these and related issues to the Council's attention for further consideration.

The Cabinet would like to encourage as many people as possible to respond formally to the consultation.

4. UPDATE ON S106 DEVELOPER CONTRIBUTIONS (MINUTE NO 48)

The Cabinet, having considered the update on Section 106 Development Contributions, approved the allocation of £200,000 transport contribution to deliver a footpath to the northeast of the Linden Homes Development on Cross Land, Ringwood and £3,504.90 towards a bottle filling station at Bath Road Lyminster.

The Council prior to April 2015 collected contributions to mitigate the impacts of new developments through Section 106 Agreements.

Cabinet approved open space and transport projects from unspent developer contributions in February 2015. These projects were in the areas where the development had occurred and extensive consultation had been carried out. A significant amount of money has been spent, however some monies remain which were allocated to specific projects to be delivered by the Town and Parish Councils which are no longer deliverable.

Authority was therefore given to allocate funding to alternative projects, identified by the towns and parishes as new projects relating to open space and sustainable transport improvements as follows:

- Ringwood Transportation: The delivery of a footpath to the northeast of the Linden Homes Development on Crow Lane, Ringwood. £50k had been allocated in 2020 which was currently held by HCC. Following a review of the scheme, this £50k is a considerable underestimate of the cost of the scheme and due a number of unknowns it is proposed that up to £200k be allocated to this scheme.
- Lymington Open Space: The Council holds £3,504.90 in unspent open space monies to use in Lymington. The Town Council has requested this be allocated to a project in Bath Road to install a bottle refilling station. It is therefore proposed to allocate to this project.

5. UPDATE ON COMMUNITY INFRASTRUCTURE LEVY (MINUTE NO 49)

The Cabinet approved £100k of CIL funds to be allocated towards The Football Foundation, Ringwood Project.

A delegation was also approved for an Executive Head or Strategic Director, in consultation with the Portfolio Holder for Planning, Regeneration and Infrastructure to commit CIL funds to approve mitigation and infrastructure projects within the confines of the overall agreed approved CIL budget.

The Council introduced Community Infrastructure Levy (CIL) charging in April 2015. In order to comply with the Conservation of Habitats and Species Regulations 2010 the first call on any CIL funds will be projects to mitigate the recreational impacts of new residential development on the New Forest National Park, as agreed by Cabinet in October 2014. It is recognised that the Local Plan, adopted in July 2020 sets out an alternative approach to recreational mitigation for the strategic allocations, there is still development that has and will need to be built that needs recreational mitigation and therefore the current CIL receipts are committed to current and future projects that mitigate the recreational pressure resulting from development.

At the start of this financial year, the Council held £6.4m to be utilised towards infrastructure projects. A large sum of this will be required to implement the required recreational mitigation projects, however, it does allow the Council a degree of flexibility to allocate a proportion to other infrastructure projects.

The Council are working with AFC Bournemouth Community Sports Trust, Ringwood Town Council and Ringwood Town Football Club to develop the facilities at Long Lane, Ringwood. The site will continue to be the home of Ringwood Town FC and will enable staff and players associated with AFC Bournemouth's Community Sports Trust to be based on site. A number of community programmes will also be based on site and all in one location. There will be a phased development with a new full size 3G artificial turf pitch, improvements to existing grass pitches, redeveloping the care park and a new pavilion.

Section 108 open space allocations had already been utilised to provide £435k of funding. A significant amount of third party funding had been secured, however there

is a funding shortfall of £100k and it was proposed that an contribution of £100k of CIL money be allocated to this project.

At the Cabinet meeting, the Executive Head for Planning, Regeneration and Economy highlighted that there were would two further reports to be considered by the Cabinet in relation to a programme of off-site mitigation projects and the governance arrangements in relation to the approval of infrastructure project funding allocation.

6. FINANCIAL MONITORING REPORT (based on Performance April to September 2022 inclusive) (MINUTE NO 50)

The Cabinet having noted the latest budget forecasts of the General Fund, Capital and HRA, approved the additional budgetary provision of £100,000 for Housing Revenue Account Cyclical Maintenance External Decorating Costs.

The Cabinet is also recommending to Council the approval of an additional budgetary provision of £330,000 for Housing Revenue Account voids and General reactive maintenance costs and the approval of a 25% uplift in Housing Tenants domestic and communal electric and gas service charges element only, from 2 January 2023.

The updated monitoring position in the first quarter of the financial year increased the original budget requirement to £21.185 million. The latest budget variations now reported, including the mitigating actions as required, include net favourable expenditure variations of £711,000 and net income increases of £235,000. This mitigated position exceeds the level of previous adverse variations by £435,000. However, the Council is also facing significant additional homelessness budget pressures, forecast at £1.3 million.

The resultant updated General Fund Budget, taking all new reportable variations into account, including those on homelessness is £21,539 million. An overall increase of £865,000 from the original estimate.

The capital programme budget is now forecast to be £42,038 million for the year. This takes into account the new variations, including the investment of £5.5 million in Commercial Property within the District, and an underspend of £4,000,000 in the Housing Development Strategy Programme.

The HRA monitoring report in September to Cabinet identified additional budget requirements of £866,000. However, since then a further net additional budget requirement of £546,000 has been identified, resulting in an overall net additional budget requirement to £1.412 million. This includes a number of new variations, including the additional £330,000 for voids and general reactive maintenance works.

Appendix 5 of the Cabinet Report 6 highlighted the increases in utility costs and that the services charges were well below the level of costs incurred by the HRA. The result is utility costs in these blocks are on average 110% higher than the respective service charges. Therefore, an increase of 25% uplift of charges is proposed to be implemented from 2 January 2023, following a period of notice and consultation with the affected residents.

At the Cabinet meeting, the Leader reported on the importance of having reserves and the need for careful planning in order to be able to respond to future pressures that might be unforeseen.

RECOMMENDED:

- 1. That the additional budgetary provision of £330,000 for Housing Revenue Account voids and general reactive maintenance costs be approved; and**

- 2. That a 25% uplift in Housing tenants domestic and communal electric and gas service charges element only, commencing from 2 January 2023, in line with the detail outlined in Appendix 5 of the Cabinet Report 8, and as unanimously supported by the Tenant Involvement Group on 6th October be approved.**

**COUNCILLOR E HERON
CHAIRMAN**